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PROCEEDINGS AND DEBATES

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PROCEEDINGS AND DEBATES OF THE SIXTY-SIXTH CONGRESS
SECOND SESSION.

SENATE.

THURSDAY, *January 29, 1920.*

Rev. John Paul Tyler, of the city of Washington, offered the following prayer:

Almighty God, our Father who art in heaven, as we enter upon the activities and labors of another day we look to Thee for guidance. Illuminate Thou, we pray, our minds with Thy wisdom and touch our hearts with Thy love, that with unselfish devotion to the cause of Thy righteousness in our world we may give ourselves to the tasks before us this day.

We beseech Thee for Thy grace upon our native land, upon our people. We pray for the nations of the world, that the day may soon come when the Governments of the peoples of the world shall be upon the shoulders of Him who is Immanuel. We pray for Thy blessing upon every Member of this body, upon the homes represented here, upon the loved ones. We pray for the President of our United States, and pray Thee that if it be Thy holy will he may soon be restored to perfect strength and health.

Guide us through this day, O Lord God of our fathers; keep us true to Thee and faithful unto the end; and when the labors of life shall cease grant us a joyous entrance into our Father's house of many mansions and crown our lives with Thine approval. This we ask for Jesus' sake. Amen.

On request of Mr. CURTIS and by unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

WOMAN SUFFRAGE.

The VICE PRESIDENT. The Chair lays before the Senate a certified copy of joint resolution adopted by the Legislature of the State of Oregon, ratifying the Susan B. Anthony amendment to the Constitution, extending the right of suffrage to women, which will be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill S. 3418, an act to amend an act entitled "An act to provide for the lading or unlading of vessels at night, the preliminary entry of vessels, and for other purposes," with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 7629. An act to amend the penal laws of the United States; and

H. R. 11309. An act to authorize the Secretary of the Treasury to fix compensation of certain laborers in the Customs Service.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair lays before the Senate a memorial, which will be inserted in the RECORD.

The memorial is as follows:

"The Presbyterian men of Greater Cincinnati emphasize, with all the faith that inspires them, their profound belief that what this world of ours needs to swing it back to sanity and service is greater study of the rules of the game as laid down in God's Official Guide. We commend to our servants, the honorable United States Senate and the House of Representatives, those Bible precepts which will help solve problems that have overwhelmed them for over a year, in the only way that they can be solved to the perpetual uplift and help of mankind and the glory of God, in whom the Nation has eternally pledged its trust."

Mr. McLEAN. I present resolutions adopted by the Connecticut Editorial Association in favor of the punishment and repression of those who incite treason and anarchy. I ask that the resolutions may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

THE CONNECTICUT EDITORIAL ASSOCIATION,
Bristol, Conn., January 27, 1920.

Resolutions adopted at the meeting of the Connecticut Editorial Association held in New Haven on January 24, 1920.

Observing a nation torn by individual madness and organized anarchy, in which forces which neither regard the name nor know the spirit of democracy are seeking by all means in their power to make America's offering in the war a fruitless sacrifice and to undermine those foundations on which were built the principles we prize and the institutions we love, we members of the Connecticut Editorial Association and representatives of the press of Connecticut—

Resolve, That in our belief this Nation should take effectual action to repress and punish incitement to treason and anarchy. We hold free speech and a free press as dear and defend them as sedulously as ever since the day when the great founders of our Republic declared for them, but we protest that America never was and never should be a shelter for those who defy all government and recognize none. With charity for all who honestly misunderstand or are innocently misled, with malice toward none, we declare that there is no place nor mission in free America for those who deliberately despise its freedom and use its opportunity only as license to destroy democracy, and we urge that our Government resolutely continue the process of casting them forth.

We further advocate that against those who use the shelter of citizenship for the promotion of doctrines and the instigation of acts against American institutions existing laws be invoked. If these are not sufficient let new laws, reasonable and consistent with freedom of speech and the press, sufficiently defining and properly punishing sedition, be passed. To the enforcement of such laws we pledge our earnest support.

Resolved, That a copy of these resolutions be sent to the President of the United States, the governor of Connecticut, and to each of our Senators and Representatives in Congress, and a copy be placed on file in the State library.

Correct—attest: ARTHUR S. BARNES,
Secretary.

Mr. SHERMAN. I present a petition signed by a number of citizens of Peoria, Ill., which I ask to have printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

PEORIA, ILL., *January 26, 1920.*

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.

DEAR SIR: Inasmuch as the Senate and Congress are being besieged with requests that the United States Grain Corporation extend credit of $150,000,000 more to Europe so that more of our wheat and food supplies may be purchased abroad, we, the undersigned citizens of Peoria, Ill., believe that the time has come that immediate action be taken by the United States Senate and Congress to give some relief and protection to our own citizens of this country.

While we are all sympathetic with the poor and starving people of Europe, we also believe that it is about time that the people of all Europe go back to work, that they may be able to support themselves and desist from this constant warfare that has been going on ever since the armistice was signed.

We therefore firmly believe that no more extension of credit should be given to Europe and that all exports of foodstuffs should be curtailed until such time as our own prices are back to normal and the American dollar has a purchasing power of at least 50 per cent of its prewar value.

Our people patiently suffered in silence and made all necessary sacrifices that our country might be victorious, while our big

364331

financial and commercial institutions were making millions. Therefore we are of the opinion that the time has come that our own citizens be protected and kept from privation, suffering, and want, and to this end we seek your cooperation.

W. J. Murray, secretary department of parks, 1618 Madison Avenue; L. D. Jeffries, city engineer, 1609 North Perry Avenue; J. J. Crowder, city comptroller, 510 Fifth Avenue; Anthony Kiefer, assistant comptroller, 310 Third Avenue; M. E. Moran, city clerk, 1042 Greenlawn; O. J. Dolan, treasurer Illinois Valley Trust Co., 1216 North Madison Avenue; W. W. Rhoades, chief of police, 1308 North Jefferson Avenue; D. B. Pearce, city treasurer, city hall; Victor Michel, police magistrate, city hall; Harry Cleary, city attorney, city hall; J. A. Schneider, commissioner of building; John A. Keeley, assistant chief, fire department; E. H. Donahoe, plumbing inspector, city hall; S. A. Oakley, editor Peoria Star, Peoria, Ill.; E. N. Woodruff, mayor, Peoria, Ill.

Mr. CURTIS presented a memorial of sundry citizens of Seneca, Kans., remonstrating against compulsory military training, which was referred to the Committee on Military Affairs.

He also presented a petition of System Federation, No. 97, Atchison, Topeka & Santa Fe Railway, of Topeka, Kans., praying for the enactment of legislation to extend Government control of railroads for two years, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Kansas Engineering Society, of Topeka, Kans., praying for the enactment of legislation for the establishment of a department of public works, which was referred to the Committee on Public Lands.

He also presented petitions of Dick Yates Post, No. 50, Grand Army of the Republic, Department of Kansas, of Eureka; of Kit Carson Post, No. 20, Grand Army of the Republic, Department of Kansas, of Lyons; of John Brown Post, No. 44, Grand Army of the Republic, Department of Kansas, of Belleville; of T. E. G. Ransom Post, No. 198, Grand Army of the Republic, Department of Kansas, of Oberlin; of James Shields Post, No. 57, Grand Army of the Republic, Department of Kansas, of Wellington; of Garfield Post, No. 25, Grand Army of the Republic, Department of Kansas, of Wichita; of Mound Valley Post, No. 139, Grand Army of the Republic, Department of Kansas, of Mound Valley; of E. P. Sheldon Post, No. 35, Grand Army of the Republic, Department of Kansas, of Burlingame; of Joe Hooker Post, No. 17, Grand Army of the Republic, Department of Kansas, of Hutchinson; and of sundry Civil War veterans of Burlington, all in the State of Kansas, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

Mr. NELSON presented petitions of Joshua B. Culver Post, No. 128, Grand Army of the Republic, Department of Minnesota, of Duluth; of J. L. Buzzell Post, No. 24, Grand Army of the Republic, Department of Minnesota, of Annandale; and of Frank Daggett Post, Grand Army of the Republic, Department of Minnesota, of Litchfield, all in the State of Minnesota, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

Mr. HALE presented a petition of the Chamber of Commerce, of Bath, Me., praying for the ratification of the peace treaty with reservations, which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce, of Bath, Me., praying for the enactment of legislation to relieve certain conditions in Armenia, which was referred to the Committee on Foreign Relations.

Mr. CAPPER presented petitions of sundry veterans of the Civil War, of Harvey County; of E. P. Sheldon Post, No. 35, Grand Army of the Republic, Department of Kansas, of Burlingame; of Mound Valley Post, No. 139, Grand Army of the Republic, Department of Kansas, of Mound Valley; of George Graham Post, No. 92, Grand Army of the Republic, Department of Kansas, of Seneca; of General Russell Post, No. 65, Grand Army of the Republic, Department of Kansas, of Pittsburg; of Frank P. Blair Post, No. 54, Grand Army of the Republic, Department of Kansas, of Galena; of Garfield Post, No. 25, Grand Army of the Republic, Department of Kansas, of Wichita; of Preston B. Plumb Post, No. 55, Grand Army of the Republic, Department of Kansas, of Emporia; of Kit Carson Post, No. 20, Grand Army of the Republic, Department of Kansas, of Lyons; and of T. E. G. Ransom Post, No. 188, Grand Army of the Republic, Department of Kansas, of Oberlin, all in the State of Kansas, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

Mr. PHELAN presented a petition of Local Lodge, No. 1258, Benevolent and Protective Order of Elks, of Whittier, Calif., praying for the enactment of legislation providing for the suppression of bolshevism and the deportation of undesirable aliens, which was referred to the Committee on Immigration.

Mr. SUTHERLAND presented a memorial of the Business Men's Association of Fairmont, W. Va., remonstrating against Government ownership of railroads and other industries, which was referred to the Committee on Interstate Commerce.

UNITED STATES HOUSING CORPORATION.

Mr. FERNALD, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 3738) abolishing the United States Housing Corporation and other agencies and authorizing the Secretary of the Treasury to sell or otherwise dispose of property acquired or constructed pursuant to the power and authority granted by the act of Congress entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, and other acts and parts of acts amendatory thereof, and for other purposes, reported it with amendments and submitted a report (No. 402) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DILLINGHAM:

A bill (S. 3813) to authorize the construction of a bridge across Lake Champlain between the towns of Orwell, Vt., and Ticonderoga, N. Y.; to the Committee on Commerce.

By Mr. CURTIS:

A bill (S. 3814) granting a pension to Mary Sawyer-Fleak (with accompanying papers); and

A bill (S. 3815) granting an increase of pension to Jesse Holt (with accompanying papers); to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 3816) for the relief of Gill Irwin Wilson; to the Committee on Finance.

By Mr. SHERMAN:

A joint resolution (S. J. Res. 150) making February 12, Lincoln's birthday, a national holiday; to the Committee on the Judiciary.

AMENDMENTS TO DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. WARREN submitted an amendment proposing to reject the second proviso of the paragraph in the Diplomatic and Consular appropriation bill relating to appropriations for the International Joint Commission, which provides that no part of the appropriation shall be expended for salaries of commissioners in excess of $3,500 each per annum, intended to be proposed by him to the Diplomatic and Consular appropriation bill, which was referred to the Committee on Foreign Relations and ordered to be printed.

Mr. NELSON submitted an amendment proposing to appropriate $4,500 to pay to Mrs. Winifred T. Magelssen, widow of William C. Magelssen, late consul to Melbourne, Australia, being the amount of one year's salary of her deceased husband, and so forth, intended to be proposed by him to the Diplomatic and Consular appropriation bill, which was referred to the Committee on Foreign Relations and ordered to be printed.

INDIAN APPROPRIATIONS.

Mr. GORE. Mr. President, I wish to give notice of a motion to reconsider the vote by which House bill 11368, the Indian appropriation bill, was passed yesterday. I shall not call up the motion until my colleague [Mr. OWEN], who is a member of the Committee on Indian Affairs, returns.

TREATY OF PEACE WITH GERMANY.

Mr. McCORMICK. Mr. President, I ask unanimous consent to have incorporated in the RECORD an analysis of the recent vote in the colleges upon the treaty which was published in the RECORD at the request of the Senator from Nebraska [Mr. HITCHCOCK].

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

THUMBS DOWN.

"Seeing that Senator HITCHCOCK was so uncommonly solicitous to have the result of the recent college and university referendum inscribed, enshrined, or embalmed in the luminous pages of the CONGRESSIONAL RECORD, and pari passu his own quaintly ridiculous camouflage upon it, we may be pardoned for taking a few lines to make clear the real significance of the thing.

"The vote was taken in 413 colleges and universities, or less than three-quarters of the whole number, and was participated in by 158,078 persons, including both students and instructors, or probably about one-half of the total enrollment. Considering the strenuous efforts which were made, particularly by supporters of the administration, to get out a full vote, so small a balloting must be regarded as betraying a deplorable lack of active interest in the matter.

"The division of the vote was as follows:

Total number of ballots	158,078
For unqualified ratification	48,232
For Senator LODGE'S reservations	27,970
For compromise reservations	61,494
For Senator KNOX'S reservations	6,449
For rejection of the treaty	13,933

"The five classes obviously fall into three groups. One consists of only the first class, the votes for ratification of the treaty as it stands, without reservations. That secured 48,232 votes, or about 30.5 per cent of the whole. The second comprises the second, third, and fourth classes, all of which voted for ratification with some sort of effective reservations. Those secured 95,903 votes, or about 60.7 per cent of the whole. The third consists of the last class, the votes for outright rejection of the treaty. Such votes were 13,933, or 8.8 per cent of the whole.

"Now, it is also quite obvious that only the votes in the first class mentioned, for unqualified ratification, were in support of the President, and that all the others were opposed to him.

"In this academic referendum he received 48,232 votes, or 30.5 per cent, while there were cast against him 109,846 votes, or 69.5 per cent. In other words, he was beaten by much more than a two-thirds majority.

"If we omit consideration of the fifth class, opposed to any ratification, we have remaining 144,145 votes in favor of ratification in some form. Of these there were in favor of the President, for unqualified ratification, 48,232, or 33.4 per cent; while there were against the President, for some sort of effective reservations, 95,913, or 66.6 per cent. Therefore in the voting for ratification of the treaty in some form the President was beaten by practically a two-thirds majority.

"As for Senator HITCHCOCK'S attempt to group the votes for unqualified ratification and those for compromise reservations together, as an overwhelming majority against Senator LODGE'S reservations, it escapes being impertinent only by being palpably and utterly silly; and casts back upon him the imputation which he vainly tried to cast upon Senator EDGE, of 'trying to mix oil and water in an impossible combination.' A combination of votes against any reservations and votes for reservations is, of course, absurdly impossible. Oil and water is not a marker to it. But a combination of votes for various forms of reservations is entirely logical, for no matter how widely the reservations differ, they all necessarily imply compromise.

"It is well, then, to have the returns of this famous academic referendum placed in the annals of Congress. No matter from what point of view they are regarded, their purport is unmistakable. In his appeal to the faculties and students of the colleges and universities, the very elements of our population with which he has been for most of his life most intimately associated, and to which he was most confident in his appeal, he was overwhelmingly defeated and rejected. The 'intellectuals' are at one with the rest of the people in opposing the denationalization of the United States."

Mr. McCORMICK. I also ask to have printed a letter from Prof. Charles Cheney Hyde bearing upon article 10, which has been the matter of so much discussion.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

2113 BANCROFT PLACE,
Washington, D. C., January 7, 1920.

Hon. MEDILL MCCORMICK,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Permit me to send you herewith a brief memorandum concerning a proposal to amend article 10 of the treaty of peace. At this time any suggestion with a view to effecting a compromise, and which is based on the theory of amendment, requires a word of explanation.

The question as to the most practical method of procedure is still at stake. It seems to be yet a mooted question whether any reservations that are essentially amendatory in character (as distinct from those which are merely interpretive) require the affirmative approval of other parties to the compact. Opinions may differ as to how acquiescence could be properly obtained. All must agree that somehow there has got to be acceptance by other powers of any contractual arrangement which the United States purports to conclude with them.

Apart from this question, the attempt to secure compromise by means of reservations, strong or mild, has thus far proved abortive partly because it is an effort to make provisions which are fundamentally unsatisfactory to certain individuals less obnoxious by explanations or limitations of the operation of clauses which are themselves disliked. This process has so far won few friends for the treaty from the ranks of its enemies.

In the light of the votes that have been taken in the Senate, is it not reasonable to assert that perhaps the simplest mode of putting the treaty in a form such that it can count on the support of a requisite number of Senators is through a straightforward attempt to incorporate amendments designed to respect in principle the most serious objections heretofore offered against it, and at the same time to retain the general plan and purposes of the treaty? It is not believed that these two purposes are necessarily inconsistent. My point is that if they are in fact not irreconcilable, the surest constructive mode of carrying them out at this stage is by a fresh drafting of at least a few articles.

Such a procedure may appear to some to raise diplomatic objections and create a burdensome task in securing the assent of other parties to the treaty. Such a task ought not to be underestimated. Nevertheless, is it to be seriously doubted that the necessary consent would be forthcoming, in view of the present state of Europe, if the United States should formally accept the treaty in amended form?

The problem of the moment is one concerned with the will of the Senate. It would be inappropriate to discuss the attitude of the President respecting a treaty of peace to which the requisite number of Senators gave approval.

The inclosed memorandum is merely a single constructive suggestion for the treatment of article 10 according to the amendatory process above suggested. I have to-day given a copy of the memorandum to Senator HITCHCOCK, upon whom I was asked to call.

Should it, in your judgment, point to the right method of procedure, and one that is not impracticable at this time, I would, of course, be glad to have you pass the inclosure on to Senator LODGE. I remain,

Yours, very truly, CHAS. CHENEY HYDE.

"IN RE ARTICLE 10.

"If the first sentence of article 10 were free from the words 'and preserve as against external aggression,' that sentence would read as follows:

"The members of the league undertake to respect the territorial integrity and existing political independence of all members of the league.

"Such an undertaking would resemble that which the United States, under the Monroe doctrine, to-day demands of Europe and Asia with respect to the American continents.

"To break such a covenant would cause the State so doing to be regarded as a covenant breaker, and treated accordingly.

"But it is neither necessary nor useful to incorporate in the treaty a declaration implying a guaranty with its inherent and yet uncertain burden devolving upon the guarantor States of the league.

"By cutting out any legal or moral obligation otherwise imposed upon any member to follow a particular course of action such as may be intimated or implied by the obligation to preserve a State as against external aggression, the treaty would be rid of its sharpest thorn, without in the slightest degree lessening the duty imposed upon all to respect the territorial integriy and political independence of every member. With such an obstacle removed there disappear grounds for fear lest the United States would be called upon (under article 10) to participate in a military expedition in a remote land or to become a belligerent against its will in order to make good its guaranty.

"It is probable that the last sentence of article 10 would have to be considerably altered in order to conform with the spirit of the omission suggested. Possibly that sentence ought to be cut out entirely. Its omission would not impair the essential value of the article if amended according to the above proposal.

"The purpose of the change proposed by the omission suggested is, as must be clear, not to diminish in any way the emphasis which should be laid upon the impropriety of interference with the territorial integrity or political independence of a State, still less to remove a legal obligation not to take such action. It is simply to eliminate a remedy or course of action in case of a breach, which seems highly objectionable to numerous Sentors and to a large element of the American people. No explanations of the nature of that remedy, or of what it might or might not necessitate, have served in fact thus far to dispel real anxiety as to its meaning and scope. Nor has the second sentence of article 10 proved reassuring in this regard. It is not believed that general sentiment on this point is likely to undergo a change for an indefinite period of time.

"On the other hand, it is believed that with the eliminations suggested, article 10 would not only be stripped of its most serious defect but would also assume a form in which it could and would win the approval of some who now vigorously oppose it."

Mr. SHERMAN. Mr. President, I send to the desk a copy of the London Saturday Review of December 6, 1919, and ask to have printed in the RECORD the editorial on the first page. It is very short.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the London Saturday Review, Dec. 6, 1919.]

NOTES OF THE WEEK.

"The extent of the mischief wrought by President Wilson at the Paris conference is only gradually being realized by the nations, of which the last to grasp it is the British public. Mr. Wilson is a political gambler. He knew perfectly well that he was acting ultra vires and defying the American Constitution in his conduct of the peace negotiations. He knew that he was bound by the Constitution to secure not only 'the consent' but 'the advice' of the Senate before he signed a treaty, and he had neither. He also knew that not only was the majority in the Senate hostile, but that the November elections of Congressmen had gone against him. He therefore determined to tie up the peace treaty and the League of Nations in the same parcel, just as a clever company promoter merges a bad in a good company. It was a bold stroke, but it failed.

"Not that we accuse President Wilson of insincerity. He really believed in his League of Nations and his 14 points. But he is a man of autocratic temper, and he knew that he was exceeding his powers. The misfortune was that neither M. Clemenceau nor Mr. Lloyd-George knew anything about the American States. If they had they would doubtless have pointed out to Mr. Wilson that he was exposing the European world to risks which he ought not to ask the Entente powers to run. Mr. Lloyd-George has less excuse than M. Clemenceau. No one expects a Frenchman to know anything about anything outside of France. But Mr. Lloyd-George had been warned by certain organs of the press, and by several members of Parliament, by Mr. Macmaster, and others, of the danger of tying up the treaty of peace with the League of Nations. Of course, he refused to listen, as nowadays he will not hear anything from anybody which he does not wish to hear. He, like Mr. Wilson, like all demagogues, is an autocrat; and, like Mr. Wilson, he will have a fall."

Mr. SHERMAN. I also send to the desk an article from the same paper signed by Thomas Hope Floyd, dated November 30, 1919, referring to the evident need of a union between this country and Great Britain and stating that in their hearts the American people, he believes, regret the Revolution that we fought against George III, and that now we must be ready in our country to accept George V as our sovereign, referring further to the fact that that will not destroy our present form of government, that we shall retain our presidential system, but that our President will be a subject of King George. I ask unanimous consent that the whole article be printed at length in the CONGRESSIONAL RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the London Saturday Review, Dec. 6, 1919.]

JOHN BULL AND UNCLE SAM.

To the EDITOR OF THE SATURDAY REVIEW.

SIR: While listening to the great oration delivered by the Earl of Reading at the Oxford Union last night I was struck by the idea of a federal union between Great Britain and the United States of America. The Lord Chief Justice did not allude to the possibility of a federal union, but the Master of Balliol mentioned the ideal toward which Sir Cecil Spring-Rice always strove—the union of the two English-speaking peoples—and the Earl of Reading emphasized the numerous features of resemblances between the two peoples. When we take into consideration the facts of a common origin, a common language, common ideals, a common outlook, and a thousand other matters of common sympathy, it must surely strike any clear-headed Britisher or American as absurd that we should be as independent of each other as France and Japan. The great reception that has been accorded to the Prince of Wales in the United States is surely, in Mr. Churchill's words, "the true gauge of the recent tide of Anglo-American sentiments and sympathy," and sufficient evidence that the New World has not, despite its democratic enthusiasm, cast out from its national heart all sentiment and respect toward the venerable institution of the old. The late Robert Hugh Benson prophesied in The Dawn of All that even America would own the sway of a constitutional monarchy before the present century has passed away. Perhaps his romantic dream may yet be realized in a more glorious manner than even he anticipated. We have seen all around us in recent years, particularly in Russia, the anarchic path which democracy may tread when unrestrained by any sentimental reverence toward lawfully constituted authority. Perhaps the Americans realize this; and perhaps in their inmost hearts they crave for a king who shall tower above the transitoriness of presidents and premiers in his appeal to the imagination of a people. If this is so, what better king could they choose than the heir of the king whose authority they rejected in the days of their national infancy? We have both made mistakes; it is by mistakes that rulers and peoples learn. Surely the lapse of a century and a half, with all the friendly advances which have recently been made between the two branches of our race, can suffice to bury the quarrel of the past in a grave of mutual forgiveness.

I feel that now is the time to move toward reunion. America and England have decided that they will never again fight against each other. The alliance between the two powers has drawn so close that, in Lord Reading's words, we can scarcely think of each other as different nations. Why then need we be different nations at all? The British Empire as an experiment in federation has shown the world of what marvels the federal system is capable. Why not carry the experiment a step further and include America? America could lose nothing; she would only stand to gain. She would not be required to abdicate one jot or tittle of her independence. She could still retain her presidential system of government; the only difference would be that her President would be a subject of King George, like the prime minister of Great Britain and the viceroy of India. The Crown is the only bond which holds the heterogeneous elements of the British Empire together. Why should not the United States and Great Britain now reunite in a common allegiance to a common king? If this could be achieved, we would have taken a tremendous step toward the ultimate goal after which all true federalism should strive—the federation of the world.

Yours, faithfully, THOMAS HOPE FLOYD.

OXFORD, *November 30, 1919.*

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Call the roll.

The roll was called, and the following Senators answered to their names:

Borah	Hale	McNary	Simmons
Brandegee	Harris	Nelson	Smoot
Calder	Harrison	New	Spencer
Capper	Johnson, S. Dak.	Norris	Sterling
Colt	Jones, N. Mex.	Nugent	Sutherland
Culberson	Jones, Wash.	Overman	Wadsworth
Curtis	King	Page	Walsh, Mont.
Dial	Kirby	Phipps	Warren
Dillingham	Lodge	Pittman	Williams
Fernald	McCormick	Ransdell	Wolcott
Gore	McKellar	Sheppard	
Gronna	McLean	Sherman	

Mr. McKELLAR. I desire to announce that the junior Senator from Florida [Mr. TRAMMELL] is detained at home by illness, being confined in bed.

Mr. KIRBY. I wish to announce that my colleague [Mr. ROBINSON] is necessarily detained on official business.

Mr. DIAL. I desire to announce that my colleague [Mr. SMITH of South Carolina] is unavoidably detained from the Senate to-day. I ask that this announcement may continue during the day.

Mr. PHIPPS. The Senator from Michigan [Mr. TOWNSEND] is detained at a committee hearing.

Mr. CURTIS. I wish to announce that the Senator from Iowa [Mr. KENYON], the Senator from New Jersey [Mr. EDGE], and the Senator from Louisiana [Mr. GAY] are absent, being members of the inspection committee appointed to visit the Virgin Islands.

I wish also to announce the absence of the Senator from New Hampshire [Mr. KEYES] and the Senator from Maryland [Mr. FRANCE] on account of illness. I ask that this announcement may stand for the day.

Mr. McKELLAR. I wish to announce that the Senator from South Carolina [Mr. SMITH], the Senator from California [Mr. PHELAN], the Senator from Rhode Island [Mr. GERRY], and the Senator from Kentucky [Mr. STANLEY] are absent on official business.

I wish also to announce that the Senator from Virginia [Mr. SWANSON] is detained from the Senate by illness in his family.

The Senator from Alabama [Mr. UNDERWOOD], the Senator from Tennessee [Mr. SHIELDS], the Senator from Kentucky

[Mr. BECKHAM], the Senator from Nevada [Mr. HENDERSON], the Senator from Colorado [Mr. THOMAS], and the Senator from Florida [Mr. FLETCHER] are detained from the Senate by illness.

Mr. KING. I have been requested to announce that the Senator from Wyoming [Mr. KENDRICK], the Senator from Maryland [Mr. SMITH], and the Senator from Oregon [Mr. CHAMBERLAIN] are absent on public business.

The VICE PRESIDENT. Forty-six Senators have answered to the roll call. There is not a quorum present. Call the roll of absentees.

The Reading Clerk called the names of the absent Senators, and Mr. TOWNSEND and Mr. WALSH of Massachusetts answered to their names when called.

Mr. POINDEXTER, Mr. ASHURST, Mr. WATSON, Mr. SMITH of Georgia, Mr. POMERENE, and Mr. CUMMINS entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present.

LADING OF VESSELS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3418) to amend an act entitled "An act to provide for the lading or unlading of vessels at night, the preliminary entry of vessels, and for other purposes," approved February 13, 1911, which were, on page 2, line 7, after "thereof," to insert "of at least one hour"; on page 3, line 7, after "vessel," to insert ": *Provided further*, That in those ports where customary working hours are other than those hereinabove mentioned, the collector of customs is vested with authority to regulate the hours of customs employees so as to agree with prevailing working hours in said ports, but nothing contained in this proviso shall be construed in any manner to affect or alter the length of a working day for customs employees or the overtime pay herein affixed."

Mr. CALDER. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

HOUSE BILLS REFERRED.

H. R. 7629. An act to amend the penal laws of the United States, was read twice by its title and referred to the Committee on the Judiciary.

H. R. 11309. An act to authorize the Secretary of the Treasury to fix compensation of certain laborers in the customs service, was read twice by its title and referred to the Committee on Finance.

DEPARTMENT OF AIR.

The VICE PRESIDENT. Morning business is closed. The calendar under Rule VIII is in order.

Mr. NEW. Mr. President, a parliamentary inquiry. When the Senate went into executive session yesterday Senate bill 3348 was under discussion. Is it in order to take up that bill at this time?

The VICE PRESIDENT. It is in order by unanimous consent or by motion to take it up.

Mr. NEW. Then, Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate bill 3348.

The VICE PRESIDENT. Is there objection?

Mr. BORAH. Mr. President, before the request is acted upon I desire to inquire does the taking up of the bill at this time limit debate?

The VICE PRESIDENT. No; it does not.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3348) to create a department of air, defining the powers and duties of the director thereof, providing for the organization, disposition, and administration of a United States air force, creating the United States air reserve force, and providing for the development of civil and commercial aviation.

Mr. NEW. Mr. President, I ask that the formal reading of the bill be dispensed with, that the bill be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered. The Secretary will proceed with the reading of the bill.

Mr. BORAH. Mr. President, before the reading of the bill is begun I desire to ask a question or two. As I understand, the bill proposes to create a new department of the Government?

Mr. NEW. It does.

Mr. BORAH. May I ask the Senator if his remarks, which are found in the RECORD of this morning, disclose the amount of expenditure which this bill will involve?

Mr. NEW. No. The amount of the expenditure which may be involved is not definitely known. It would be whatever Congress in its wisdom should see fit to provide, I presume, as appropriations are asked for hereafter. The bill asks for no appropriation.

Mr. BORAH. I presume there have been some estimates made, have there not?

Mr. NEW. There have been.

Mr. BORAH. What are those estimates?

Mr. NEW. Those estimates were set forth in the discussion as it occurred on yesterday; but for the convenience of the Senator from Idaho I will again state that the estimates submitted are simply such as have been prepared by those who are in favor of the establishment of the new department as contrasted with the estimates which have been submitted by the Army, the Navy, and the Post Office Department for the air service now existing, and for which the new department would be substituted. As I remember the figures, they are definitely stated in the RECORD.

Mr. BORAH. I now find they are stated on page 2158 of the RECORD.

Mr. NEW. The estimates made by the other departments call for an expenditure of nearly $160,000,000, while the estimates for furnishing a similar service under the proposed consolidated united air service amount to something like $97,000,000.

Mr. BORAH. We may conclude, I think, that it will cost, to begin with, about $160,000,000 or $200,000,000.

Mr. NEW. I do not think that any such conclusion is justified.

Mr. BORAH. Perhaps not; that is what I am trying to get at. It has been very difficult for me in looking over the statement of the Senator to conclude as to how much will likely be involved in this expenditure, and I had estimated it at, perhaps, from $160,000,000 to $200,000,000. I would be glad, however, to be corrected if I am in error.

Mr. NEW. Do I understand that the Senator means that according to his estimate the expenditures for the united air service will approximate $200,000,000?

Mr. BORAH. That is what I conclude from the Senator's remarks.

Mr. NEW. I do not see how the Senator arrives at that conclusion.

Mr. BORAH. What does the Senator think it would be?

Mr. NEW. As I have said, it is impossible to state the amount definitely. For instance, in the estimate for the establishment of the united air service there is an item of $54,000,000 for new equipment. No appropriation of $54,000,000 is asked; that is simply an estimate of the amount that will be required to furnish all the service that might be desired at the hands of the united air service. I myself do not think that that expenditure will be necessary. I think they can get along with materially less equipment than that; but that will be a matter for determination when a definite proposition is submitted to Congress in the form of an appropriation bill.

Mr. BORAH. If this proposed department is created, is that all that the Senator from Indiana sees in the future, within the next year, in the way of an appropriation?

Mr. NEW. I do not see that it makes any material difference by whom the money is spent, if the service is to be rendered. What I mean is, if the Senator will allow me, in order that I may make myself clear, that there is undoubtedly to be an air service, supplied under present arrangements for the Army by the War Department, for the Navy by the Navy Department, for the Post Office by the Post Office Department, and so on, including the forest patrol and the Coast Guard service, which are supplied by other departments of the Government. The estimates made by those several departments amount in the aggregate to about $160,000,000. The estimate by the advocates of a united air service for supplying all that is estimated for by those departments and considerably more is about $98,000,000, but those are estimates and carry with them no present request for any appropriations. If the matter is left as it is now, there will, of course, be a request for an appropriation from the War Department for the Army service; there will be one from the Navy for the Navy service; one from the Post Office for the Post Office service; and in the aggregate they will exceed the amount that would be asked for by a united air service for supplying the same service.

Mr. SMOOT. Mr. President, I want to say to the Senator that while the estimates are $160,000,000 for the air service of the Army and the Navy and the Post Office Department, I have not the least idea that the Congress of the United States is going to appropriate that much money. In fact, if my information is correct, it will not be half that amount.

Mr. NEW. Mr. President, I do not think Congress will make those appropriations either. These are mere matters of a comparison of estimates. That is all that they are intended for. There is no request for the appropriation of a dollar in this

bill. What the bill really does is to transfer to the united air service the unexpended balances of appropriations heretofore made for the benefit of the services already mentioned as maintained by the respective departments, if the united air service shall be created by this bill, and those unexpended balances amount to about $22,000,000.

Mr. SMOOT. Mr. President, the trouble with this whole proposition is that there is estimated here for the purchase of new equipment $54,000,000 in round numbers, and the estimate for all other purposes therefore would be $44,000,000 in round numbers, making $98,000,000 in round numbers.

Mr. NEW. Yes.

Mr. SMOOT. Now, Mr. President, if we are going to get anything out of this service it will be because of the fact that we have equipment to do it, but when we stop to think that there is an estimate made here for an appropriation of $98,000,000, and nearly one-half of it is to pay for the rent of buildings or the maintenance of buildings and for Government employees and services that ought to be taken care of by the Navy Department and the War Department to-day, with the personnel that they already have, it seems to me this is entering upon a new field which is so vast that nobody can tell where it is going to end. The Senator remembers well that at the beginning of the war we first appropriated about $28,000,000 for this purpose in two appropriations. It was only a few months after that time that an appropriation of $640,000,000 was made for the building of airplanes.

Mr. OVERMAN. Mr. President, did the Senator ever know any department or subdepartment to be set up in this country that did not require about five times as large an appropriation as was estimated for it?

Mr. SMOOT. Does the Senator mean in the estimate made in order to get the department started?

Mr. OVERMAN. Yes.

Mr. SMOOT. Mr. President, I think the Senator is altogether too low in his estimate. I can call the attention of the Senate now to nearly all of the bureaus and divisions that have been created here in the last 12 years; and I say right now that there is no one of them as to which the estimates for maintaining it at the time it was created and the promises made to Congress at the time it was created have not been exceeded five times, and in many cases ten times.

Now, let me proceed. After the $640,000,000 was appropriated, an appropriation was made carrying the total appropriations away above a billion and a half dollars—a billion and a half dollars! And what have we to show for it?

Mr. WADSWORTH. Mr. President, that is just the question. What have we to show for it? This bill is an effort to see that in future we shall have something to show for it.

Mr. BORAH. What guaranty is there that this bill will do it?

Mr. WADSWORTH. There is no guaranty, of course.

Mr. BORAH. It is just another department, and we have been dealing with the other departments in regard to this matter. It is simply creating another animal of the same nature.

Mr. WADSWORTH. I hardly think that is accurate, Mr. President.

Mr. SMOOT. I take it for granted that the statement made by the Senator from New York [Mr. WADSWORTH] represents the exact position taken by those who favor this legislation. It must be that position; but we should not deceive ourselves by supposing that we are going to have an appropriation for this united air service one year from now that will amount to less than $98,000,000. The Senator knows, and everyone else knows, that $54,000,000 is not going to be sufficient to carry on this service to any great extent throughout the United States, as the proponents of the measure hope it will, because that is where the real service comes from—the purchase of new equipment. Instead of the appropriation for that purpose being $54,000,000, I feel positive that it will be twice that sum within a year; and if it is not twice that sum within a year, with the amount that is asked here for maintenance of it and the personnel provided for here, it would be a perfect outrage to pay the amount of money that is involved.

I should like to ask the Senator from Indiana if he has any idea that the amount of $54,000,000 mentioned here for the purchase of new equipment is going to be sufficient for next year? Perhaps at the present time $54,000,000 would be all that we could use in the purchase of equipment that could be made within the given time; but when another year comes along it may be four or five times $54,000,000.

Mr. NEW. Mr. President, if that is true, and if four or five times that amount is asked for by the Air Service, it would be quite as many times that amount if the service were left under three or four separate departments. I want to say further, in answer to the question asked by the Senator from Utah, that I think $54,000,000 is more than is required and more than will be asked for. As I tried to say a little while ago, this is furnished here simply as an estimate of what will be required to furnish everything to start this department off with full and complete equipment. I do not believe that amount will be provided; and I want to say, further, that when it comes to that point, I do not expect to be one of those who will stand here and ask for that expenditure, either.

Mr. SMOOT. In that connection, I want to call the attention of the Senator to the amount that England has already expended upon her air service, and I take it for granted that the United States is not going to be satisfied until it expends the amount of money that England has already expended.

Mr. BORAH. Certainly not.

Mr. SMOOT. The Senator knows that that is over $300,000,000 to-day; and it does seem to me rather strange, too, that the United States is called upon to advance money to all these foreign countries, and at the same time they are using that very money which we loan them, not to reestablish the industries of those countries but for the building up of air services and for the building up of powerful armies and navies. I think it ought to be stopped.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator some questions about this bill.

Mr. NEW. Certainly.

Mr. WILLIAMS. Is the head of this air department to be a member of the President's Cabinet?

Mr. NEW. No, sir.

Mr. WILLIAMS. I notice on page 4 that the director of the air service is to submit estimates for the establishment of an aeronautical academy or academies.

Mr. NEW. Yes.

Mr. WILLIAMS. Why is it that the boys at West Point and at Annapolis can not be taught aeronautics, and that a separate branch can not be introduced there for that purpose? I ask the Senator that question because it seems to me that the aeronautic military and naval service ought to be taught together with the other things necessary for the military and for the naval defense.

Mr. NEW. Aeronautics is a distinct and separate science absolutely.

Mr. WILLIAMS. I understand that. So is electricity, and so is the ordnance. Both are taught at each academy, however.

Mr. NEW. Yes; but, as the Senator from New York [Mr. WADSWORTH] so very aptly suggests, they do not deal with new elements. They are not moving in new elements. The science of aeronautics involves navigation in a third dimension—that of the air.

Mr. WILLIAMS. That may be; but I do not know and I want information as to why the existing academies could not teach these sciences and keep up with the new developments as well as a newly founded academy which would have nothing else to do. Then the Senator will pardon me for asking another question.

Mr. NEW. Yes. I should like first, however, if the Senator will permit me, to make a little further answer to the question just asked.

Mr. WILLIAMS. Yes.

Mr. NEW. Of course, it is contemplated that if and when a new academy is founded it shall deal with the subject of design, aircraft-motor design, wing construction, and all of the various highly technical branches of science that must be very carefully and thoroughly studied. In short, it will specialize on all matters pertaining to aeronautics.

Mr. WILLIAMS. Of course. That goes without saying as a thing desirable, at any rate; but there are very highly technical and scientific courses now in each academy, and have been for quite a long while, and a great many of them grow out of things newly invented and newly discovered.

Mr. NEW. Yes.

Mr. WILLIAMS. And the two academies keep abreast of those things, or at least are supposed to do so, and, I think, as a rule do, especially the Annapolis Academy.

I notice on page 6 what seems to be a divorcement of military airplanes and hydroairplanes and seaplanes, the first from the War Department and the second from the Navy Department. I want to ask the Senator whether or not that is true. Would not this air department carry on the business of designating aircraft or airplanes used in the military service and hydroairplanes and seaplanes used in the naval service independently of the War Department and of the Navy Department?

If it did that, I would want to ask the Senator whether it would not be a duplication, and a scattering of the activities of the two great departments of public defense, to wit, the War Department and the Navy Department, and whether, instead of having unification of control for purposes of offense and defense in war, it might not lead to a scattering of control?

Mr. NEW. Mr. President, it is the purpose of the bill to prevent that very thing, and to concentrate in one head and one department the various activities, adjuncts, accessories, and appurtenances of an air service. It takes the service and all that goes with it from the Navy and from the Army and combines them in a separate air service under a separate head.

Mr. WILLIAMS. That is just the point. Take, for example, the hydroairplanes, the seaplanes. They are destined to be one of the most important instrumentalities of offensive and defensive naval warfare. If, instead of being under the Navy Department, they are placed under a separate department, then, instead of unification, you must have at the best nothing more than cooperation of two separate departments, and instead of somebody giving the orders all down the line for naval warfare, you have an air department giving the orders for the air part of it and the present Navy Department giving orders for the ship part of it. I am asking these questions mainly for information. It is a matter concerning which I do not pretend to know very much.

I would like to hear the Senator upon that point. It seems to me that when we are carrying on war it would be infinitely better to have just as few sources of orders for offensive and defensive maneuvers and operations in all arms of the common defense service than to have it scattered among several. In fact, I have thought frequently that the Army and Navy ought to be represented by one department chief, so that there should be perfect cooperation between the two in times of war.

Mr. NEW. Mr. President, the questions of the Senator from Mississippi can only be answered in a general way, I suppose. An air service involves fighting in the air. Whether it is on sea or on land, the principle is exactly the same.

Mr. WILLIAMS. One word further, if the Senator will pardon me, because it will help him to answer the question more exhaustively. While what the Senator has just said is absolutely true, yet the naval planes, the seaplanes, must find their place of transportation upon ships and as a part of the Navy; they are carried upon the ships, and land upon the ships when they return from their observation tours. The military planes leave the armed forces and return to the armed forces, and cooperate with them, and must cooperate with them under a common source of some description.

Mr. NEW. Mr. President, an aviator should be trained in the use of all types of planes. He should be able to land on airdromes at sea, on turrets on ships, on land airdromes, and whenever and wherever the circumstances of his environment demand. The training should be general and cover the whole field of operation for air machines of any and all descriptions.

There should be one central authority for combining in time of emergency the force that is under the Navy and the force that is under the Army, combining them quickly and under one authority, and that authority the head of the department of air. He should have the authority to draw on the Navy for that portion of the air force which is temporarily under the Navy, to draw on the Army air service, and to combine them and solidify them at once into one compact force, so that if, for instance, a coast town is threatened with bombardment by an enemy air fleet he could concentrate the force from the Navy and the force from the Army at once under his command to meet an air force that comes against him, commanded in a similar way by a head having authority over all of them.

Does that answer the Senator's question?

Mr. WILLIAMS. It answers it, of course, from the Senator's standpoint; but it seems to me that while he was combining these squadrons which belong to the military and which belong to the Navy there would come up some very troublesome questions as between the three departments, and if he were left entire discretion the Navy Department could not defend itself with airplanes and the War Department could not direct an airplane force to where the War Department thought it ought to be. It is true it is a separate service, just as the Ordnance is, but after having——

Mr. NEW. If the Senator will permit an interruption right there, that is the very object of this centralized authority. Responsibility for aerial defense is placed in this department of air and under the military head of it. He is to be the supreme authority in combining the forces of the Army and Navy in cases of emergency.

Mr. WILLIAMS. I understand that; but the head of the Army, then, could not have any control over what is destined to be one of the most important arms of the military service and the head of the Navy could have no control over what is destined to be one of the most important arms of the naval service.

Of course it is separate in a way, just as the Ordnance Service or the service covering electrical engineers in the Army; but they have to be coordinated, after all, in the common defense, and there ought to be somewhere a central authority.

Of course under the Constitution its rests with the President, who is the Commander in Chief. But that is merely academic in a certain sense. There ought to be somewhere a common authority that can control all of them and can concentrate and force cooperation of Navy, and Air, and Infantry, and Cavalry, and Ordnance, and everything else for what is, after all, one purpose, which is the common defense. It seems to me, without much knowledge upon the subject, that the more you scatter that out the less apt you are to get concentration of effort and full cooperation and absolute unification of maneuvers in offense and defense.

Mr. NEW. Of course the bill does not give the commander of the air force command of the Navy as such and the Army as well, and therefore it does not give him the authority to combine Army, Navy, and air forces and all that appertains to each of the three into one common force. It does give him authority and makes it his responsibility to combine whatever air forces there may be with either.

Mr. WILLIAMS. I understand that.

Mr. NEW. It is complete as far as it goes. It gives to one man absolute control of the air force.

Mr. WILLIAMS. But it does give him power to withdraw from the Army certain planes that are operating with it, and to withdraw from the Navy planes that are operating with it, in his discretion, and without the agreement of the Secretary of War or the commander in chief of the armies in the field or the senior admiral at sea.

Mr. NEW. What the Senator has in mind could only be accomplished, I presume, by the creation of a field marshal or some new military commander unknown to our present military system, who should stand in relation to the active forces as the President does now. Of course, all authority is vested in the President.

Mr. WILLIAMS. Those who chose George Washington as the first President were misled in one respect. They seemed to think that they could create a real Commander in Chief of the Army and Navy, who would have concentrated in himself all the forces for defense and offense. That, of course, as the Senator and I both know, has broken down, because as a rule the man in the White House neither has time for it nor has he the ability and training for it. Of course, academically there is a Commander in Chief of all of these forces, who could concentrate them if he knew how or had time. That is a hiatus in our institutions.

Mr. NEW. Yes. If we had a Washington or a Grant or a Zachary Taylor in the White House, it would be one thing; with a Taft or a Wilson it would be entirely different, because in the former cases they were military men; in the others they were civilians. I do not see any other way to provide for the suggestion that the Senator from Mississippi makes except to create a new general officer.

Mr. WILLIAMS. I was not seeking that. I was merely seeking to prevent, if I could, a further extension of the evil already existing, and the further extension of that evil would come about by still further scattering the forces of our national defense.

Mr. NEW. Mr. President, one word further on that subject. As it is now, certainly the bill concentrates a very important arm of the service. As it stands now, a part of that arm is under command of the Navy and another part of it is under command of the Army, and the object is to at least provide for a consolidation of the forces of that one arm under one authority in case of emergency, and I think it goes a long way toward meeting the objection which the Senator from Mississippi raises as to the diffusion of authority over the combatant forces of the Government.

Mr. SMOOT. Mr. President, I understood the Senator from Indiana, in answer to a question of the Senator from Mississippi, to say that under the bill there would be no Cabinet officer.

Mr. NEW. I meant that the bill does not create a Cabinet officer.

Mr. SMOOT. Then we will have to change the wording of the bill. The bill provides that there shall be at the seat of government an executive department. To-day there are 10

executive departments in the Government of the United States. All others are independent establishments, as the Interstate Commerce Commission and organizations of a similar nature.

Mr. BORAH. Also the salaries are the same.

Mr. SMOOT. If I remember rightly, the Constitution makes the heads of the executive departments members of the Cabinet. The salary provided in this bill is the same as that of a Cabinet officer. I have not any doubt that if the bill should pass in its present form the head of this proposed executive department would be a member of the President's Cabinet.

Mr. WOLCOTT. Mr. President——

Mr. SMOOT. I yield to the Senator from Delaware.

Mr. WOLCOTT. I think the Senator is in error in stating that the Constitution makes the heads of executive departments members of the Cabinet.

Mr. NEW. I was going to ask the Senator from Utah where he found that in the Constitution?

Mr. SMOOT. I do not have before me the Constitution at this moment and I may be mistaken. I know that we have 10 executive departments to-day and the head of each one is a member of the President's Cabinet.

Mr. WOLCOTT. If the Senator will pardon me, I think the Cabinet is what might be called an extrastatutory body. It has no statutory standing of any kind. It has no authority conferred upon it. It is a voluntary collection of the heads of departments who are merely Secretaries to the President and his advisers. I entirely concur with the Senator in his criticism of this section; I think he is correct. This official is put on the same footing exactly as the heads of departments. The bill is to amend section 158 of the Revised Statutes, and that section reads:

The provisions of this title shall apply to the following executive departments—

Then follows the Department of State, the Department of War, the Department of the Treasury, the Department of Justice, the Post Office Department, the Department of the Navy, the Department of the Interior. The pending bill proposes to add a department of air. Undoubtedly it will be found that the department of air will rank exactly with the Department of State, the Department of War, and so forth, and hence this official would become a Cabinet officer. No matter whether you call him a Cabinet officer or not, he undoubtedly would be a Cabinet officer.

Mr. SMOOT. It was my recollection that the heads of all executive departments were designated under the Constitution as members of the Cabinet, but I find I am mistaken. I had in mind section 2 of Article II of the Constitution. However, I do know that there are 10 executive departments of our Government, and I do know that the head of each one of those departments is a member of the President's Cabinet. I also know that if the bill passes in its present form it will provide for the same salary as that paid to every other member of the President's Cabinet. The same salary is provided for the head of every executive department, and I have no doubt that the head of this new department would be a member of the President's Cabinet if the bill passes as it now reads.

The VICE PRESIDENT. At this point the Chair is going to insert in the RECORD a very interesting letter. The Chair does not pretend to say that it has anything to do with the pending bill, but it has to do with the jurisprudence of aeronautics and aerography.

It will be remembered that an accident occurred in the city of Chicago whereby a number of people were killed by the falling of an airship. That brought before the American Bar Association the question of jurisprudence. It was an entirely new subject, and raised the question, Where was the proper forum and what was the liability? So the president of the American Bar Association appointed a special committee to consider the subject. The chairman of that committee is an Indianapolis lawyer of very great learning and great public spirit by the name of William V. Rooker. He has thoroughly considered the jurisprudence of the subject and has written a letter to his associates upon the question as to where jurisdiction lies and what congressional or other action may be necessary when the aircraft industry at least becomes a commercial industry.

To my mind it is one of the most interesting letters I have ever read, and I am going to insert it in the RECORD. I do not say that it has anything to do with the pending question, but it is interesting reading.

Mr. NEW. Mr. President, I am very glad that the Chair has introduced that letter. I have a copy of it, and made reference to it yesterday. I had intended to ask that it be printed in the RECORD before the conclusion of the debate on the pending bill. I think it has a good deal to do with the subject, perhaps not as to the feature under discussion at the moment, but it furnishes a great reason for the creation of a department which shall have general jurisdiction and control over the subject of aeronautics. I am glad the Chair has introduced the letter at this time.

Mr. SMOOT. Mr. President, I had reference to section 2, Article II of the Constitution, when I referred to the head of an executive department being a member of the Cabinet, but I notice now that that clause of the Constitution refers only to the executive departments themselves. It does not mention the fact that the heads of those departments shall be members of the Cabinet.

The letter just presented to the Senate by the Vice President evidently bears upon the very question that we are discussing. I think the Senators ought to hear the letter and that we ought to have it read so that at least the Senators present may know the opinion as expressed in the letter. If there is no objection I should like to have the Secretary read it.

The VICE PRESIDENT. Is there objection to the request of the Senator from Utah?

Mr. NEW. Mr. President, I have no objection, but before proceeding with the reading of the letter, if the Senator from Utah will permit me, I desire to make reply to one objection that he offered a moment ago. I should like to say that it is not my purpose nor the intention of the bill to create a new Cabinet officer. There are a number of reasons for that. If the bill has that effect, as suggested by the Senator from Delaware [Mr. WOLCOTT], it would be a very easy matter no doubt to so amend it as to preclude any such possibility, and I shall have no objection to such an amendment.

Mr. SMOOT. Of course we could make an amendment that would rectify that by simply striking out the words "executive department" and inserting the words "independent establishment," but that would require a great many amendments to the bill to be consistent with this amendment. I simply make that suggestion to the Senator so that he can take it under consideration.

Mr. NEW. I shall take the suggestion under consideration, but my first impression is that that will meet the point.

Mr. SMOOT. For instance, the Interstate Commerce Commission is an independent establishment. It is not an executive department. The Interstate Commerce Commission is always referred to in all legislation amending the printing laws of our country as an independent establishment. The other provisions of the bill would apply to an independent establishment just the same as they would apply to an executive department.

The VICE PRESIDENT. If there is no objection, the Secretary will read the letter.

Mr. JONES of New Mexico. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Borah	Johnson, S. Dak.	Norris	Smoot
Brandegee	Jones, N. Mex.	Nugent	Spencer
Calder	Jones, Wash.	Overman	Sterling
Capper	King	Page	Sutherland
Curtis	Lodge	Phelan	Wadsworth
Dial	McCormick	Phipps	Walsh, Mass.
Dillingham	McKellar	Pittman	Walsh, Mont.
Gronna	McNary	Poindexter	Williams
Harris	Nelson	Sheppard	Wolcott
Harrison	New	Smith, Ga.	

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness. I ask that this announcement may stand for the day.

Mr. McKELLAR. I wish to announce that the Senator from Florida [Mr. TRAMMELL] is detained at home by illness, being confined to his bed.

I wish also to announce that the Senator from Arkansas [Mr. ROBINSON] is absent on official business.

The VICE PRESIDENT. Thirty-nine Senators have answered to the roll call. There is not a quorum present. Call the roll of absentees.

The Assistant Secretary called the names of the absent Senators, and Mr. CULBERSON, Mr. HALE, and Mr. RANSDELL answered to their names when called.

Mr. CUMMINS entered the Chamber and answered to his name.

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present.

Mr. SMOOT. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. HITCHCOCK, Mr. MCLEAN, Mr. STANLEY, Mr. WATSON, Mr. HENDERSON, and Mr. REED entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present.

Mr. WADSWORTH. Mr. President, the Senator from Utah [Mr. SMOOT] has asked that the letter now at the desk be read. It is quite a long letter, and something seems to have overtaken the Senate to such an extent that very few Senators seem to care to remain in the Chamber. What is the object, therefore, of having the letter read?

Mr. SMOOT. I, of course, thought we could keep Senators in the Chamber and that they would like to hear the letter read, but as there are not so many Senators in the Chamber now as there were when I asked that the letter be read, I withdraw my request for its reading, if the Senate will consent, and will allow the letter to be printed in the RECORD.

The VICE PRESIDENT. The letter will be printed in the RECORD.

The letter is as follows:

JANUARY 5, 1920.

Mr. SIMEON E. BALDWIN,
11 Center Street, New Haven, Conn.
Mr. JOHN P. BRISCOE,
Prince Frederick, Md.
Mr. STILES W. BURR,
Merchants Bank Building, St. Paul, Minn.
Mr. R. E. L. SANER,
320–325 Security National Bank Building, Dallas, Tex.
Members of the committee on the jurisprudence of aeronautics and aerography of the conference of State and Local Bar Associations of America.

GENTLEMEN: The conference of State and Local Bar Associations of America, meeting at Boston, Mass., in August, 1919, in anticipation of the meeting of the American Bar Association, passed a resolution declaring it to be the sense of the conference that jurisdiction of aeronautics and aerography would properly lie in admiralty, with limited reservations in favor of the common law. A committee of one from each State was authorized to be appointed to pursue further inquiry into the subject and to report to the American Bar Association, presumably at its next meeting, to the end that suitable action in the premises might be taken ultimately by the United States and other Governments. But it became apparent that the size of the committee of the States, since it must function through the mails and without personal assemblage, made it an inconvenient agency for service, and a correction of the plan became necessary. In making this correction, it was determined by the proper authorities that the committee of the States should be created as contemplated by the resolution, but that the committee should function in accord with and in accommodation to a committee of five members of the American Bar Association, who should be responsible to that body for the proper carrying out of the work in hand.

As you are perhaps aware, Mr. Elihu Root, of New York, on the adoption of the resolution, honored me with the chairmanship of the committee of the States. While the composition of that committee was in hand, Mr. Root was called away and his unfinished task came to be performed by Mr. Moorefield Storey, of Boston, the incumbent presiding officer of the conference. Mr. Storey, confirming the action of Mr. Root, has honored me with the chairmanship of the committee of the States and with the chairmanship of the primary committee. He has conferred upon me the more signal honor of naming as my associates on the primary committee you gentlemen to whom this communication is addressed.

Each of you gentlemen is included in the committee of the States, as I am informed. Acceptances are expected from the other gentlemen composing the committee of the States. In the event timely acceptances be not received from all, the presidents of State or other bar associations in the affected districts will be asked to make nominations from which Mr. Storey may select. The committee of the States will be announced promptly on its completion.

I have imposed the secretaryship of both committees on Mr. Julius Henry Cohen, 111 Broadway, New York City, whose qualifications for the office will, I am sure, commend his appointment to your favor.

The task upon which we enter is one in which we are largely without the guidance of empirical knowledge, and in this situation we are confronted with the necessity of dealing with subjects in a manner more speculative than ordinarily engages the service of lawyers. Indeed, this catholicity of interest makes it incumbent upon us to invite the cordial assistance of gentlemen learned in the sciences and arts of other professions. In view of this speculative nature of our work I venture to suggest as a form of procedure to the most effective end that we agree upon an address, largely in the form a questionnaire, to be directed to the members of our committee of the States, who will employ the questionnaire in assembling for the service of the association such intelligence as may be supplied from the universities and from men who are learned in respect of the matters affected by our engagement.

Preliminary to entering upon the statement of this questionnaire, it may be proper to indicate at this point the reasons which influenced the conference of delegates to adopt the resolution under which our committees were created. The basis of these reasons is wholly scientific and is founded upon the distinctions which exist between those branches of mathematics which we denominate geometry and astronomy.

Bearing these distinctions in mind and making their application, we learn that neither the ocean nor the atmosphere is exposed to geometrical measurement. One can not plant a cornerstone nor establish a boundary line in either the ocean or the atmosphere. It follows from this premise that neither the ocean nor the atmosphere is exposed to allocation. No person's portion of either the ocean or the atmosphere can be set off to him in severalty. It follows from this that both the ocean and the atmosphere are common funds for the use and benefit of all forms of life, with no element of segregation except such as nature has employed to distinguish marine life from life on land. It follows further, in the presence of those qualities which withdraw the ocean and the atmosphere from the power of allocation, that there can not be established in either the ocean or the atmosphere a State nor any municipal subdivision of government nor any unit of dominion, not even so small a unit as a home. It further follows from these situations that there can be no such municipal organism in the ocean or the atmosphere as functions under the common law, and as the common law can not be present except as a function, it follows that the presence of the common law must be wholly denied on the ocean and in the atmosphere because of the lack of any agency appropriate to the common law's administration.

We have, historically, a richness of intelligence most happily useful to us in respect of the jurisprudence of the sea. It is not worth while at this point to enter into any extended survey of this rich intelligence. Mr. Justice Story, in the De Lovio case (De Lovio *v.* Boit, 2 Gall., 398; Fed. cases No. 3776), made an examination of the literature of the jurisprudence of the sea and traced it to its origin. He demonstrated happily the adequacy of the admiralty law to perform those duties which have resulted in bringing the continents of earth in communion.

While neither the ocean nor the atmosphere is exposed to geometrical measurement, both are exposed to astronomical measurement and both function under influences which are purely astronomical. Thus astronomical influences create and direct the tides and the ocean currents and the zones of temperature and the seasons of the year. It will not be necessary, I take it, to dwell at length nor indeed to proceed further than mention those astronomical forces which enter into and so largely comprise the mathematics of physics, but it is worth while, particularly in the geographical aspect of the situation with which we deal, that we should bear in mind that both the ocean and the atmosphere are attended with ambulatory qualities which distinguish them from the static nature of the land. This distinction is but evidence of the larger fact that the science of geometry applies to areas which, in their quality, are inert, whereas the science of astronomy applies to those substances which possess the qualities of motion, whether or not those substances contain also that element which we call life.

Lest we repel with the force of that which resembles an occult science those upon whom we must rely largely for assistance in this matter, let us bring home to the intelligence of men the fact that astronomy is not alien to their welfare nor to the situations which embrace all the duties of life. Let us impress them with the fact that those inert substances, such as the soil, which fall so largely within the range of geometry, are not potential except as they have the countervailing forces of motion which directly arise from and depend in their continuance upon influences which are astronomical. May we not begin the performance of this duty with the demonstration that while man may carry in one pocket the coined metal which we call the dollar and which he employs as the unit of measure to determine the value of his geometrical acquisitions, yet in another pocket he carries an instrument which we call a watch, which graduates his engagements with the movements of the heavenly bodies, and these movements,

in their duration, we call time, engaged, as it is, at one point with eternity and at the other point with the unexplored and unknown future.

I have omitted purposely from the units of measure those instrumentalities which pertain to the wealth of industry, and this is done because commerce, which is the product of industry, is itself possessed with the element of motion, and its value, therefore, is determinable by what we term credit, and credit is a form of motion which relatively occupies a zone between that which is inert and that which possesses motion. I should not go at length into this element of the law merchant, nor state historically any of those facts known so well to our profession, which distinguish the value of static property, constituting what we sometimes are pleased to call investment, from the value of commercial property, which is essentially transitory in its nature, and which is determinable largely by what we call credit, but may we not properly remind the profession of the notable contest waged between the exponents of the common law and the exponents of chancery, having at stake the perpetuation of the law merchant, typified on the one hand by Lord Coke, and on the other hand by Lord Mansfield? The literature of jurisprudence is, of course, rich with empirical knowledge upon which was founded Coke's devotion to the common law, and Lord Mansfield's devotion to the lex mercatoria, but no more happy summary, although it is briefly stated, of that great contest is anywhere to be found than in Cohen's "Commercial Arbitration and the Law."

These observations are not immaterial nor impertinent, because hereafter we shall be called on to deal with the matter of determining the manner in which the industries of aeronautics and aerography may be financed and supplied with capital adequate to assure the proper functioning of these new arts.

It occurs to me that I should at this point make clear to you gentlemen who are my conferees, not merely the distinctions which exist between the applied sciences of goemetry and astronomy in relation to jurisprudence, but that I should indicate, also, what I understand the word jurisprudence to mean. I hope you will not indulge the impression that it is a vain recital on my part if I state to you that my professional duties have engaged me for more than 30 years, and that in their performance there have come within my survey in the literature of the law not only those texts which we call commonplace but also those which, in their nature, are philosophical, and to some extent are withdrawn from common employment by gentlemen of our profession. Among this latter class may be included the lectures of John Austin, which exemplify the virtues of ethics; the works of Jeremy Bentham, which demonstrate the utility of logic; the writings of Sir Henry Maine, and the learning of Aristotle, which demonstrate the virtues of the philosophy of history as a guide in the conduct of human affairs. To all these classifications of intelligence I engage myself with humility, but am persuaded that each of them is resultant or sequential rather than the exposition of a cause. It will not suffice to say that jurisprudence is a system of laws, and that law is a rule of action, and this is true because any such statement as that has neither a beginning nor involves an end. If we say that law is a rule of action, then may we not inquire, To whom, and for what purpose, and by what authority? I had at one time suggested to myself the definition that law was the latest and presumably the best expression of society on a stated subject, and was susceptible to change on the advancement of learning. A review of Bacon's essay on the "Advancement of Learning," read in the light of the history of my own State, persuaded me that my definition was wrong, because it reposed wholly on the human element. The human element is itself resultant and sequential. It is not the source of either inertia or motion, but is itself a result. My mind has reached a state of tranquillity, and is composed to this definition, viz: Government is the science of mathematics as applied to the catholicity of human nature in its reactions upon man, and the demonstration of these reactions we evidence with prescriptions which we call law. Therefore, law is not itself organized society, but only the evidence thereof. Therefore, as laws are only evidence of the stated society, they should be dealt with as evidence, and not as the substantive fact which they represent. Herbert Spencer tells us that governments are of two classes, (1) those which belong to the régime of status, and (2) those which belong to the régime of contract. I think he omits an essential classification, namely, that, subjectively considered, governments, as he prescribes them, are either (1) spiritual or (2) material, and for as much as any universal law such as affects the jurisprudence of the air must contemplate the existence of those nations wherein the spiritual and the material governments are unified, therefore it is well that we take knowledge of the principles which control ecclesiastical institutions. It follows from Mr. Spencer's definition that the constitutionality of laws depends upon (1) their relationship to the status of the royal prerogative, or (2) their relationship to the compact of government which we in America call the written constitution.

Now, it will be a purpose of our labors to supplant institutionalism, or the régime of status, with constitutionalism, or the régime of contract, because the dominion of the air must be conventional as between governments. Those delimitations which nature provided for the security of man in his national aspect, such as ranges of mountains and streams of water and the shores of the seas, no longer exist when activities are measured with man's engagement to the atmosphere. In other words, in our situation physical geography, which is one demonstration of nature, is stepping aside and throwing its responsibilities, which have existed until this time for the protection of society, upon man. Henceforth no Cæsar can write:

Eorum una pars, quam Gallos obtinere dictum est, initum capit a flumine Rhodano; continetur Garumna flumine, Oceano, finibus Belgarum; attingit etiam ab Sequanis et Helvetiis flumen Rhenum; vergit ad septemtriones. Belgae ab extremis Galliae finibus oriuntur; pertinent ad inferiorem partem fluminis Rheni; spectant in septemtriones et orietem solem. Aquitania a Garumna flumine ad Pyrenaeos montes et eam partem Oceani, quae est ad Hispaniam, pertinet; spectat inter occasum solis et septemtriones.

All this is because the common fund of the atmosphere encompasses the earth and brings nations into a state of fellowship where rights and wrongs must be defined by convention and each form of government must pay obeisance to others, notwithstanding in their domestic aspect these forms of government may be hostile to one another.

I have the honor to submit for your consideration the following inquiries:

First. Should we submit a questionnaire to the committee of the States, to be employed by its members in assembling information from the persons and to the effect following, viz:

(A) To the universities and seats of learning, that their astronomers and other mathematicians may supply us with the demonstration of our premise, that the affected jurisprudence properly would be astronomical and lie in admiralty, excepting those geometrical situations which would invoke the common law.

(B) To the gentlemen of the bar, that they may prescribe the subject as it may occur proper for them to do.

(C) To the economists and those engaged in the art of financing industry, that they may prescribe the form and manner in which the industries of aeronautics and aerography should be financed, having in mind the principles, to wit, (1) that in America the industries are necessarily Federal, (2) that universally the industries are an instrument of war, (3) that internationally the industries affect commerce and also engage in competition those industries which operate on land, and (4) that the industries in periods of peace entail risks which are not incident to the use of the sea for navigation or to the land for transportation purposes.

(D) To craftsmen and those interested in the arts of aeronautics and aerography and in the production of those instrumentalities which make effective the navigation of the air and its employment for the transmission of intelligence, that they may prescribe those limitations which they deem essential.

(E) To men engaged in transportation and commerce with surface agencies, that they may prescribe those prudential limitations to which competitive industries are justly entitled.

(F) To commercial organizations and those engaged in the arts and industries out of which commerce arises, that they may prescribe the limitations which appeal to them.

(G) To the governors of States and other municipal officers, that they may prescribe the limitations to which the nonparticipating surface interests of the State are entitled.

(H) To the insurance men and those interested in the risks of casualty, (1) to the craft, (2) to the passenger and shipper, and (3) to the general surface public who may be injured or aggrieved by the engagement of the atmosphere to the service of aeronautics and aerography, that these insurance men may prescribe the limitations to which their several and respective interests are entitled. And it is essential to bear in mind that the element of insurance largely may supplant the function of capitalization, and this is true because assurance against risks should be supplied either by static wealth within the agency which employs the air or by contractual indemnity adequate to meet the risks as they arise.

Second. Should we submit a questionnaire to the Department of State, to be employed by it, through diplomatic agencies, in acquiring from other countries information relatively like that which we seek to assemble in our own country?

In respect of the capitalization of these industries, it occurs to me that these principles are affected: First, the industries are essentially Federal and must be under Federal regulation and control. Second, should the Federal Government expose itself to the burden of operating any industry in competition with those industries which are created and function privately? Third, regardless of the form of capitalization, is it not essential

that limitations be imposed against the sale and disposal, by stock exchanges, of certificates representing the capitalization of these industries? In the United States it has become a conventional usage to pass Federal laws enfranchising markets and the carriers between them. This enfranchisement has been of value, and this value has been capitalized, and although many of these laws were passed ostensibly to protect our own people and our own capital, yet we have opened the doors of our stock exchanges to those nations against which protection was espoused, and have permitted therein the sale of those securities which represented the value of our protected industries.

We hear much about the socialism of Germany and its baneful effects on the institutions of other countries, and we protest loudly against these socialistic influences in Germany. Nevertheless, we admit them into our stock exchanges and permit them to acquire and control our markets and the carriers between them.

These suggestions are not made to incite combat, but rather to give that just and prudent warning that time approaches when we are called upon to select between the ownership of our industries by the socialism of Germany and the ownership of our industries by the socialism of America.

May I ask you gentlemen to give such expressions of your views in answer to this speculative dissertation as may aid us in formulating a method by which we can endow ourselves with that degree of knowledge essential to a helpful performance of the duties which lie before us? If these expressions of mine appeal to you, may I ask that you indicate the particular features which appeal to you, and if they do not appeal to you that you indicate the particulars in which I may be in error? Doubtless many things will occur to you which I have overlooked or omitted, and if this be true will you kindly indicate fully the subjects with which we should deal, having in mind the purpose to settle upon some basis to facilitate our work.

I have the honor to remain,

Your obedient servant,

WILLIAM VELPEAU ROOKER,
Chairman.

Mr. SMOOT. Mr. President, I desire to call the attention of the Senator from Indiana [Mr. NEW] to the act creating the Department of Labor. There is no question that the head of the Department of Labor is a member of the President's Cabinet. If the Senator from Indiana will examine the bill which is now before the Senate he will see that it follows very closely the law creating the Department of Labor, and I think the Senator will then admit that upon the passage of the pending bill in its present form the head of the Air Service would be a member of the President's Cabinet. The act creating the Department of Labor reads as follows:

Be it enacted, etc., That there is hereby created an executive department in the Government to be called the Department of Labor, with a Secretary of Labor, who shall be the head thereof, to be appointed by the President, by and with the advice and consent of the Senate; and who shall receive a salary of $12,000 per annum.

I think that is almost word for word the language of the bill which is now under consideration.

Mr. NEW. If the Senator from Utah will permit me, I desire first to call his attention to the fact that the head of the Department of Labor is specifically named as the Secretary of the department——

Mr. SMOOT. As the Secretary of Labor.

Mr. NEW. While in the pending bill the head of the new department is denominated the director of air; he is not designated as a secretary. I will ask the Senator from Utah to tell me the date of the passage of the act creating the Department of labor?

Mr. SMOOT. The date of the act is March 4, 1913.

Mr. NEW. I refer to the date of the original act creating that department. I ask the Senator from Utah if it is not a fact that the Department of Labor existed for some years as an independent department, the head of which was not a member of the Cabinet?

Mr. SMOOT. Not as an executive department. There was a Bureau of Labor in the Department of Commerce until March 3, 1913. On that date the act was signed by the President creating an executive Department of Labor, the same as an executive Department of Commerce or any other of the executive departments of the Government.

Mr. SUTHERLAND. Mr. President, may I interrupt the Senator?

Mr. SMOOT. Yes.

Mr. SUTHERLAND. I call the Senator's attention to the fact that, as suggested by the Senator from Indiana, the Department of Labor existed for years under Carroll D. Wright at the head of it, and was called the Department of Labor, although it was only a bureau.

Mr. SMOOT. It was not an executive department at all; it was simply a Department of Labor.

Mr. SUTHERLAND. If the Senator will look back and see, the Department of Commerce did not then exist. It was called the Department of Labor. It was officially so designated, and Carroll D. Wright, for many years a very distinguished statistician from the State of Massachusetts, was at the head of the Department of Labor. It was not a part of the Department of Commerce, because at that time—20 or 25 years ago—the Department of Commerce did not exist.

Mr. SMOOT. If the Senator will remember, it was called the Department of Commerce and Labor, and in that department there was a Bureau of Labor. The executive Department of Commerce was created, as well as the executive Department of Labor; and I presume the Senator remembers very well that that is the fact. It so states in this very act, I think. It says:

And the Department of Commerce and Labor shall hereafter be called the Department of Commerce, and the Secretary thereof shall be called the Secretary of Commerce, and the act creating the Department of Commerce and Labor is hereby amended accordingly.

Mr. SUTHERLAND. But, Mr. President, if the Senator will go back still farther he will find that the original Department of Labor was created as a bureau called the Department of Labor.

Mr. SMOOT. I do not remember what it was called.

Mr. SUTHERLAND. It was farther back than the creation of the Department of Commerce and Labor, before that department of the Government was created.

Mr. NEW. Mr. President, however that may be, as has been already stated, it is not the purpose of this bill to create a new Cabinet officer, and I shall have no objection to such an amendment being made as will make that clear, if in the opinion of any Senator present such an amendment is necessary.

Mr. SMOOT. I notice, Mr. President, that on page 1 of the bill it is provided that the head of this executive department shall receive a salary of $12,000 per annum, and that his term and tenure of office shall be like that of the heads of the other executive departments—

and section 158 of the Revised Statutes is hereby amended to include such department, and the provisions of title 4 of the Revised Statutes, including all amendments thereto, be, and are hereby, made applicable to said department.

Mr. NEW. Yes.

Mr. SMOOT. Now, if the Senator will turn to section 158 of the Revised Statutes, he will see that it provides as follows:

The provisions of this title shall apply to the following executive departments:
First. The Department of State.
Second. The Department of War.
Third. The Department of the Treasury.
Fourth. The Department of Justice.
Fifth. The Post Office Department.
Sixth. The Department of the Navy.
Seventh. The Department of the Interior.

Then it says that not only shall the provisions of this section of the Revised Statutes apply to this department, but all of title 4, and title 4 is the provision applicable to all of the executive departments of the Government. Then it proceeds to specify the powers of the new department. So, Mr. President, while I do not want to discuss the question any further, I am positive that if the bill passes in its present form the head of the Air Service would be a member of the President's Cabinet.

Mr. NEW. Mr. President, I ask that the bill be read for committee amendments.

The VICE PRESIDENT. The Chair understands that that has already been agreed to. The formal reading of the bill has been dispensed with.

Mr. NEW. I think that is correct. I had forgotten it, but I think that is the order.

The VICE PRESIDENT. It has already been agreed to. The bill will be read.

The Assistant Secretary proceeded to read the bill.

The first amendment of the Committee on Military Affairs was, on page 2, line 11, after the word "President," to insert "by and with the advice and consent of the Senate," so as to read:

SEC. 2. That there shall be in said department an assistant director of air, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of $6,000 per annum. He shall perform such duties as may be prescribed by the director of air or may be required by law.

The amendment was agreed to.

The reading of the bill was resumed, and the Assistant Secretary read to line 15, on page 6, the last words read being as follows:

The Secretary of War, the Secretary of the Navy, the Postmaster General, and the Secretary of the Treasury shall, and are hereby directed by order in writing, transfer and deliver to such agents of the department of air, as the director thereof may designate—

Mr. NEW. Mr. President, there is evidently a word omitted there, purely by a clerical error. It is very evident that there is some error. The words "by order in writing" have found their way in there, and I think have not been called to our attention before, and the word "to" omitted. I suggest that that be amended by inserting the word "to" and striking out the other words.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 6, line 13, after the word "directed," it is proposed to strike out the words "by order in writing" and to insert the word "to" before the word "transfer," so that if amended it will read "are hereby directed to transfer and deliver."

Mr. NEW. That will correct it.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed, and continued to line 20 on page 8.

Mr. WADSWORTH. Mr. President, I move that the word "however" and the comma on page 8, line 16, be stricken out.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 10, line 18, after the word "four," to strike out the words "or more"; in line 20, after the words "division of," to strike out the words "the air force" and to insert the words "military aeronautics"; and in line 21, after the words "by the," to strike out the words "director of air" and to insert the words "President, by and with the advice and consent of the Senate, from among the commissioned personnel of the department of the air, to serve for four years unless sooner relieved," so as to read:

SEC. 10. That the organization of the department of air shall consist of the director of air and the assistant director of air, who shall control and be responsible for all aeronautical activities assigned to the department of air, and that there shall be four divisions to be known as—

Division of military aeronautics, the head of which shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned personnel of the department of the air, to serve for four years, unless sooner relieved, and who shall be the military head of the air force and who shall be known as the commander of the air force, and who shall be the military adviser to the director of air, and who shall have the rank of major general during his tenure of office.

The amendment was agreed to.

The next amendment was, on page 11, to strike out lines 5 to 20, inclusive, in the following words:

Division of civil and commercial aeronautics, the head of which shall be appointed by the director of air, and who shall be known as the director of civil and commercial aeronautics, and who shall be either civil or military, and, if military, shall have the rank of brigadier general during his tenure of office.

Division of supplies, the head of which shall be appointed by the director of air, and who shall be known as the director of air supplies, and who shall be either civil or military, and shall have the rank of brigadier general during his tenure of office.

Division of research, the head of which shall be appointed by the director of air, and who shall be known as the director of air research, and who shall be either civil or military, and who shall have the rank of brigadier general during his tenure of office.

And to insert:

Division of civil and commercial aeronautics, the head of which shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be known as the chief of civil and commercial aeronautics.

Division of supplies, the head of which shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be known as the chief of the division of supplies.

Division of research, the head of which shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be known as the chief of the division of research.

Mr. WADSWORTH. I move that at the bottom of page 11, line 24, the period after the word "aeronautics" be stricken out and a semicolon substituted, and that on page 12, line 4, after the word "supplies," the period be stricken out and a semicolon substituted.

The PRESIDING OFFICER (Mr. NUGENT in the chair). Without objection, that modification will be made.

The amendment as modified was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 13, line 7, after the word "only," to insert a colon and the following proviso:

Provided, That any transfers or assignments from any other department shall not be considered as creating permanent vacancies in the departments from which said transfers or assignments are made, and the number of officers in that department shall be reduced in that proportion.

The amendment was agreed to.

The next amendment was, on page 15, line 1, after the word "the," to strike out the words "tactical or strategical necessity" and to insert the word "President," so as to read:

SEC. 14. That the air force shall be so trained as to comprise a combatant force of the United States with a view to operating either with the armed land or sea forces of the United States, or with both combined, or independently of either, as the President may determine.

The amendment was agreed to.

The next amendment was, on page 15, line 21, after the words "four thousand," to strike out the words "and shall be in the following grades: Major general, brigadier general, colonel, lieutenant colonel, major, captain, first lieutenant, and second lieutenant," and to insert after the period the words "Appointments and promotions in such commissioned personnel shall be made by the President, by and with the advice and consent of the Senate," so as to read:

That the commissioned personnel of the air force shall not exceed 4,000. Appointments and promotions in such commissioned personnel shall be made by the President, by and with the advice and consent of the Senate.

The amendment was agreed to.

Mr. NEW. Mr. President, I may not be strictly in order at this time, but I move that, in section 11, page 12, line 10, after the word "the," the word "technical" be stricken out and that there be inserted in lieu thereof the word "tactical," so as to read:

That the air forces of the United States, under the tactical control of the department of air, shall be known as the United States air force—

And so forth.

The amendment was agreed to.

Mr. NEW. In section 12, page 13, line 18, after the word "selected," I move that the word "technical" be stricken out and that there be inserted in lieu thereof the word "tactical," so as to read:

(b) Personnel of certain selected tactical qualifications, to be employed at the discretion of the director of air under regulations to be prescribed by the department of air without reference to the civil-service laws.

The amendment was agreed to.

Mr. NEW. On page 13, line 3, there should be a correction, so that the line will read "By transfer from the Army, the Navy, and the Coast Guard." In other words, insert a comma after the word "Army" and substitute the word "the" for the word "or"; insert a comma after the word "Navy," in the same line, and add at the end of the line the words "and the Coast Guard," so that the line will read, "By transfer from the Army, the Navy, and the Coast Guard."

The amendment was agreed to.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The ASSISTANT SECRETARY. A bill (S. 3383) to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, and Public Health Service.

Mr. WADSWORTH. I ask unanimous consent that the unfinished business may be temporarily laid aside, so that the Senate may continue consideration of Senate bill 3348.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. CURTIS. Mr. President, before proceeding further with the other bill, may I ask the Senator from Oklahoma [Mr. GORE] a question? The Senator entered a motion this morning to reconsider the vote by which the Indian appropriation bill was passed. I simply wish to ask the Senator when he desires to call up the motion?

Mr. GORE. It is my purpose to call up the motion when my colleague [Mr. OWEN] returns to the city.

Mr. CURTIS. When does the Senator expect his colleague to return?

Mr. GORE. Not until after the 5th of February. He will return soon after the 5th. He is a member of the Committee on Indian Affairs.

Mr. CURTIS. There is no hurry about the matter. I know what amendment the Senator is interested in, and it would not make any material difference what action should be taken on the amendment. I am perfectly willing that the matter may rest for the present, but I wish to have it understood that it shall not be called up in my absence.

Mr. GORE. I will see that it is not called up in the Senator's absence.

Mr. KING. Mr. President, would it interfere with the purpose and pleasure of the Senator from Indiana [Mr. NEW] if I should propound a question at this time with respect to section 15, or does the Senator prefer that the committee amendments shall be disposed of before any general questions are asked and general discussion ensues? I am perfectly willing to accommodate my wishes to the pleasure of the Senator.

Mr. NEW. I am perfectly willing to answer a question at any time. Putting it the other way, if it suits the pleasure of the Senator from Utah better to ask his question at this time than to let it go for the present and take it up later, I will answer it now if I can.

Mr. KING. Perhaps it would be just as well for me to get the information now. It might prevent criticism of some features of the bill at a later period.

Section 15 provides that the commissioned personnel of the air force shall not exceed 4,000, and further on in the bill, I do not recall the section, the provision is made for 40,000 enlisted personnel, as I understand, of the aircraft arm of the military service.

Mr. NEW. Of the department of air.

Mr. KING. Will the Senator explain how the number 4,000, the personnel of the officers, was reached and by what process of reasoning 40,000 was fixed as the limit of the enlisted personnel?

Mr. NEW. Yes. In the first place, as to the number of officers, the proportion of officers to enlisted personnel will, of course, strike anyone at first as unduly large, but the fact is that substantially all fliers are officers. Whereas in the previously established arms of the service, the Infantry, Cavalry, Artillery, and so on, the ratio of officers is as 1 to 60 or 70, the ratio of officers in the flying corps is as 1 to 10, and necessarily so because the flyer is in nearly every case an officer. The number of enlisted men was fixed at 40,000 as providing a number sufficient to supply the combined forces of the Army, Navy, Post Office, and the other branches of the public service that are using aircraft in any form. It about equals the number of men now employed in the same service in the different arms.

Mr. KING. Will the Senator advise us how many flyers will be developed or maintained with 40,000 of the lower grades and 4,000 officers?

Mr. NEW. All the officers are flyers. The 4,000 officers would be flyers; that is, substantially all of them. It is therefore proper and correct to say that it would develop 4,000 flyers.

Mr. KING. I am speaking more from my knowledge of the Army than from my knowledge of the Navy, but, as the Senator knows, in the past only a percentage of the officers engaged in the aircraft arm of the military service of the Government were fliers. The overwhelming majority of officers could not fly and did not pretend to fly, but were doing clerical work and work that clerks could perform. Hundreds and thousands of them were drawing large compensation for doing mere clerical work.

Mr. NEW. I think the Senator may be a little extreme perhaps in his latter expression, but I quite agree with him that in general his complaint is well founded. That is one of the things the pending bill seeks to correct, to provide flying officers instead of so many of the character the Senator has just described.

Mr. KING. The feeling seems to be entertained by a good many, and I am sure I possess it, that during the recent war many men were selected because they could not fly, and they were put into the aeronautic branch of the service. There were thousands of men known as nonflyers. It was always a mystery to me why they needed so many nonflyers, why so many men in the Air Service of the Government who could not fly were needed to sustain the very limited number of men who could fly. It looked to me as though the flying service as it was developed meant the employment of thousands and tens of thousands of men in order to produce a very few hundred men who actually did fly.

We know that over on the other side of the Atlantic not more than five or six hundred American fliers actually got to the front and crossed the line, flying over the German lines. There were thousands brought up to the front probably, but very few American fliers were permitted to cross or actually did cross the line to do bombing and pursuit work upon the fields occupied by the enemy.

The feeling has been that the Air Service up to date has been a wretched, miserable failure, through the mismanagement of somebody in the War Department.

Mr. WADSWORTH. Mr. President, will the Senator from Indiana yield?

Mr. NEW. I yield to the Senator from New York.

Mr. WADSWORTH. I wish to make just one observation as applying to the remarks of the Senator from Utah. The Senator complains that we had a great many officers in the flying service who could not fly. The underlying reason for all that was that we did not have any flying service when we entered the war and no one in this country, with the exception of very, very few, knew how to fly. In starting the service we had to take somebody in, and they took men who could not fly, and after the fighting began we began to teach men to fly. Gradually the fliers overtook in percentage the nonfliers, but in the first few months of our participation in the war, of necessity, the majority of officers in the flying service could not fly because they never had had a chance to learn. It is hoped that this will be a genuine flying service from top to bottom.

Mr. KING. Is it not a fact that there were more than 200,000 in the military flying branch of the Government at one period during the war in Europe?

Mr. WADSWORTH. I do not recollect the entire number, but let me remind the Senator from Utah that it takes something like 20 men on the ground to keep 1 flyer in the air. That is the experience of every army. The mechanics, the repair men, the men who run the shops and keep the motors in repair and the planes in repair vastly outnumber, and always will vastly outnumber, the flyers themselves.

The Senator said that only about 500 of our men flew over the lines. We had a great many more than 500 flyers in France, but not many more than 500 flew over the lines, because they did not have machines in which to fly. We hope to overcome that by the passage of this legislation and systematizing and concentrating the production problem in this aviation scheme.

Mr. KING. I should like to ask the Senator from Indiana whether or not this 40,000 is a rigid, inflexible number?

Mr. NEW. No; I do not think it is. I am frank enough to say that.

I should like to add to what the Senator from New York [Mr. WADSWORTH] has just stated in reply to the query of the Senator from Utah [Mr. KING] that the condition of our personnel in this country compared very closely with our condition as to equipment. We had neither machines nor flyers. We had to purchase facilities even for making flyers out of the excellent raw material that we had.

I should like to answer a little further the Senator from Utah by saying that it takes 1,000 men to maintain 2 squadrons of airplanes and the replacement and supply service that goes with them. That would mean about 50 airplanes. I mean 2 active squadrons of 18 machines each, with the replacement machines which go with them, or 50 in all.

Mr. KING. I should like to ask the Senator whether he believes that with a standing army of 280,000 or thereabouts we should have 40,000, plus the officers, in the Air Service?

Mr. NEW. Of course, this bill does not contemplate that all these men shall be used for Army purposes strictly, but they are to be used for Army, for Navy, and for Post Office purposes, for forest patrols, and the various uses to which a flyer may be assigned in the future.

Mr. KING. Does the Senator contemplate that there will be somewhat of a fixed ratio between the number engaged in the aircraft arm of the service of the Army and those who are in the Army proper?

Mr. NEW. Yes.

Mr. KING. What is the ratio that the Senator feels would be scientific or proper?

Mr. NEW. It is impossible to make a definite answer to that question, because the development of the science is going to determine that.

Mr. KING. That was my view, and I was wondering if the Senator had prepared this bill upon the theory of any fixed ratio between those engaged in the military air service and those engaged in the military service proper?

Mr. NEW. No. I think I misunderstood the question which the Senator from Utah first addressed to me. My last remark stands as an answer to that.

Mr. SMOOT. Mr. President, do I understand that the bill has been read in full?

Mr. WADSWORTH. We are now considering committee amendments as they are being read.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 16, line 2, after the words "air force," to insert "there shall be four brigadier generals, one of whom shall be designated as chief of the air force, and shall have the rank of major general while serving in that capacity, colonel, lieutenant colonel, major, captain, first lieutenant, second lieutenant, and," so as to read:

> In the initial organization of the air force there shall be four brigadier generals, one of whom shall be designated as chief of the air force, and shall have the rank of major general while serving in that capacity, colonel, lieutenant colonel, major, captain, first lieutenant, second lieutenant, and the number in the various grades below the rank of general officer shall not exceed the following percentage of the total authorized commissioned strength of the air force.

Mr. WADSWORTH. Mr. President, I desire to offer an amendment which will correct the committee amendment just stated, which is quite obscure in its meaning as it stands at present. In line 5, page 16, after the word "capacity," I move

to strike out the words "colonel, lieutenant colonel, major, captain, first lieutenant, second lieutenant," and to substitute therefor the words "and commissioned officers in the grades from second lieutenant to colonel, inclusive," so that it will read.

And shall have the rank of major general while serving in that capacity, and commissioned officers in the grades from second lieutenant to colonel, inclusive, and the number in the various grades below the rank of general officer shall not exceed the following percentage.

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

Mr. KING. I should like to ask the Senator from Indiana why in the initial organization of the air force there should be four brigadier generals, when, perhaps, for the first year or longer we can not tell, not having determined the size of this proposed department, the number of the personnel. Assume that we should start out modestly with only a few thousand, say, ten or fifteen thousand personnel in the military arm of the aircraft service, would there be any necessity for four brigadier generals?

Mr. NEW. I think that the four brigadier generals would be assigned to the head of the different sections of this force, if military personnel is to be employed. In addition to that that is about the right proportion of general officers required for the command of such a force as is contemplated by this bill.

Mr. KING. Mr. President, I can readily perceive that if we are to have 4,000 officers and shall build up an army, such as is contemplated by this bill, of thirty or forty thousand or thereabouts, perhaps the number of brigadier generals would not be disproportionate; but assume that we start out with a modest personnel, with a small division—and I do not use the word "division" in the military sense—with a small number, as I have said, a few thousand, five or ten thousand, it seems to me that to have four brigadier generals with the initial organization would be entirely too many, and that if the other subordinate officers, such as colonels, majors, and so on, bear the same relationship to the organization as do the brigadier generals, with that small organization or division we should have entirely too many colonels and too many majors and too many captains.

Mr. NEW. Mr. President, the proportion of those officers is fixed by a percentage table that appears in another part of the bill.

Mr. SMOOT. I will ask the Senator from Indiana if the objection could not be obviated by amending the amendment so as to read:

In the initial organization of the air force there shall not be to exceed four brigadier generals—

Mr. KING. That would, in part, meet the criticism which I make, and I think would be an improvement over the language of the amendment as it now stands.

Mr. SMOOT. Then I will say to the Senator from Indiana that there need not be four brigadier generals appointed immediately, although there could be that number appointed under the language of the amendment.

Mr. NEW. I will accept the amendment to the amendment, Mr. President.

Mr. SMOOT. Then I offer the amendment to the amendment so that it will read:

There shall not be to exceed four brigadier generals.

The PRESIDING OFFICER. The amendment to the amendment will be stated:

The READING CLERK. In the committee amendment on page 16, line 2, after the word "shall," it is proposed to insert the word "not," and after the word "be" to insert the words "to exceed," so that it will read:

There shall not be to exceed four brigadier generals, one of whom shall be designated as chief of the air force and shall have the rank of major general while serving in that capacity, and commissioned officers in the grades from second lieutenant to colonel, inclusive.

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed, and the Reading Clerk read as follows:

The number in the various grades below the rank of general officer shall not exceed the following percentage of the total authorized commissioned strength of the air force, namely: Colonels, 3 per cent; lieutenant colonels, 3 per cent; majors, 9 per cent; captains, 15 per cent; first lieutenants, 30 per cent; second lieutenants, 40 per cent: *Provided*, That no officer shall exercise command over aeronautical flying units except a flying officer, namely, a regularly qualified pilot or observer, and that the commanding officer or military head of the air force shall be a flying officer: *Provided further*, That, except as hereinafter provided and subject to approval of the director of air, all officers holding permanent commissions in the Army, Navy, Marine Corps, or Coast Guard now serving or who have served in the Army Air Service, the Naval Flying Corps, the Marine Corps Flying Corps, the Coast Guard Flying Corps, or combatant divisions relating to aeronautics between April 6, 1917, and November 11, 1918, and such temporary officers of the Army, Navy, Marine Corps, and Coast Guard as held active commissions in the aviation branches thereof at the time of the passage of this act shall be eligible for appointment and commission in the regular air force without examination.

Mr. KING. Mr. President, I should like to ask the Senator from Indiana a question respecting the provision just read. The Senator knows that in the air service there were a large number of officers who could not fly and who did not pretend to fly. Many of them, doubtless, hold commissions now in the air service, although I am not advised as to that. It seems to me that this provision would authorize the appointment of those officers to permanent positions in the air service without examination; indeed, under the language of the bill they are "eligible for appointment and commission in the regular air force without examination," notwithstanding they can not fly and never have learned to fly. While it is true, as I understand the Senator, that this bill contemplates that all of these 4,000 officers shall be fliers, not in theory but actual, practical fliers, under this bill there might be transferred from various departments of the Government to the air service a large number of individuals who can not fly and never have learned to fly. It seems to me that in part the purpose of the bill will be nullified if that provision is retained in the bill. If the theory of the Senator is correct that we want officers who are fliers, the Senator ought to move to amend that provision so that they shall be examined, and if they can not fly the commissions which they formerly have held shall not avail them to obtain positions in the flying arm of the military branch of the Government.

Mr. NEW. Mr. President, another section provides that they shall be eligible for appointment with examination.

Mr. KING. If the Senator will pardon me, I do not quite catch his meaning. The point that I am trying to make is that this section which has just been read, commencing at the top of page 17, provides that those—the antecedent being officers now in the Coast Guard, in the Marine flying corps, and in other branches of the air service—that those officers "shall be eligible for appointment and commission in the regular air force without examination." The Senator knows that there are hundreds of officers who have served in the air service of the Government who can not fly. They will be eligible now for commissions in this branch, which it is understood will furnish men who do know how to fly.

Mr. NEW. Mr. President, with a force limited in number, as this force must be, under the widest stretch of the possibilities, I do not think there is the slightest danger of the selection of any man who is not a flying officer.

Mr. SMOOT. I will ask the Senator if there is any authority granted to refuse to any one of these officers an appointment and commission in the regular air force without examination?

Mr. NEW. Yes; it is to be done with the approval of the director of air.

Mr. SMOOT. Yes; but it says:

That, except as hereinafter provided and subject to approval of the director of air, all officers holding permanent commissions in the Army, Navy, Marine Corps, or Coast Guard now serving or who have served in the Army Air Service, the Naval Flying Corps, the Marine Corps Flying Corps, the Coast Guard Flying Corps, or combatant divisions relating to aeronautics between April 6, 1917—

That is the date of the declaration of war—

and November 11, 1918—

That is the date of the signing of the armistice—

and such temporary officers of the Army, Navy, Marine Corps, and Coast Guard as held active commissions in the aviation branches thereof at the time of the passage of this act shall be eligible for appointment and commission in the regular air force without examination.

Mr. NEW. Yes; "eligible for appointment."

Mr. SMOOT. Now, with the simple words "approval of the director of air," does the Senator think there would be no men selected that were not actual fliers?

Mr. NEW. I do think so.

Mr. SMOOT. If that is the theory and if that is what we want to reach, why not specifically state there that they shall not be commissioned as officers of the regular air force unless they are actual fliers?

Mr. WADSWORTH. Mr. President, may I reply to the Senator from Utah in that connection?

Mr. NEW. The Senator may.

Mr. WADSWORTH. The question arises from the Senator's observations as to whether or not a nonflying officer should ever be part of the flying service. Now, it so happens that some of the most skillful designers of aircraft do not know how to fly.

Mr. SMOOT. That is true.

Mr. WADSWORTH. You do not want to keep them out. They will be of great value to the Army. May I say to the Senator that the Army reorganization bill, which was reported to the Senate yesterday, provides, in dealing with that portion

of the Aviation Service that is to be left with the Army, that at least 90 per cent of the officers of the Army Aviation Service must be qualified pilots or observers, leaving 10 per cent leeway to take care of those technical engineers.

Mr. SMOOT. I had that in mind when I was calling the attention of the Senator from Indiana to the statement he made to the junior Senator from Utah. Personally I do not see how every officer given a commission could be an actual flier.

Mr. WADSWORTH. He could not be.

Mr. SMOOT. But I understood the Senator from Indiana to say that would be the case.

Mr. WADSWORTH. It would be so near it that I assume the Senator from Indiana was replying in a general way. Perhaps not every last one of the 4,000 officers would be a flier. As a matter of fact, a man may cease being a flier after having been one for 20 years through physical changes.

Mr. NEW. Mr. President, I may have been a little bit unfortunate in the selection of words in my reply to the Senator from Utah. The Senator from New York has exactly stated the case.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). The Secretary will resume the reading of the bill.

The reading of the bill was resumed and continued to line 18, on page 18.

Mr. NEW. Mr. President, I move to amend by inserting, after the word "officers," in line 9, page 18, the words "and flying enlisted men."

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 18, line 9, after the word "officers," it is proposed to insert the words "and flying enlisted men," so as to read:

And provided further, That all laws now in effect pertaining to the rating of flying officers and enlisted men of the Army shall remain in full force and effect and shall apply to all flying officers of the United States Air Force, except as herein especially provided, and the authority to rate flying officers and flying enlisted men now delegated by law to officers of the Naval or Military Establishment or any branch or service thereof is hereby transferred and vested in the director of air in a similar manner.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I want to ask the Senator what he understands to be the meaning of the first proviso on page 17, which reads as follows:

That all regular and emergency officers of the Army, Navy, Marine Corps, and Coast Guard who served honorably and at least 30 days on active duty between April 6, 1917, and the passage of this act with the Army Air Service, the Naval Flying Corps, the Marine Corps Flying Corps, or the Coast Guard Flying Corps shall be eligible for appointment and commission in the regular air force.

In the proviso before that they were to be appointed and commissioned in the regular air force without examination. Does the Senator understand that under the second proviso, in which the words "without examination" are not used, they shall pass an examination, or can any of them go into the Army in the regular air force?

Mr. NEW. I think they can go in without examination.

Mr. SMOOT. If they were regular or emergency officers of the Army, Navy, Marine Corps, and so forth, they can go into this air force?

Mr. NEW. Under the discretion of the director of air.

Mr. SMOOT. It seems to me that that is pretty loose, Mr. President.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed and continued to line 2, on page 23.

Mr. NEW. Mr. President, I move to amend, on page 23, line 2, by substituting for the word "technical" the word "tactical."

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 23, line 2, it is proposed to strike out the word "technical" and insert the word "tactical," so that it will read as follows:

And operated as nearly as possible as tactical units.

The amendment was agreed to.

The reading of the bill was resumed and continued to line 5, page 25.

Mr. WADSWORTH. I suggest that the word "will," on page 24, line 16, be stricken out and that there be inserted in lieu thereof the word "shall."

The PRESIDING OFFICER. The Secretary will report the amendment.

The READING CLERK. On page 24, line 16, after the word "reserve," strike out the word "will" and insert the word "shall," so as to read:

The officers' reserve shall be available, etc.

The amendment was agreed to.

The reading of the bill was continued to the end of section 23, line 2, page 26.

Mr. WADSWORTH. Mr. President, I suggest to the Senator from Indiana a slight amendment in the last proviso, in order that the proviso will be in exact conformance with a bill passed by the Senate the other day applicable to the War Department. The Senator will remember that the Committee on Military Affairs reported and the Senate passed a bill authorizing the Secretary of War to sell gasoline and oil and other supplies to civilian aviators who are compelled to land in Army aviation fields. He is authorized to sell those supplies at cost, plus 10 per cent; and I think that the words "plus 10 per cent" should be inserted here.

Mr. NEW. I accept that amendment.

The PRESIDING OFFICER. The Secretary will report the amendment.

The READING CLERK. On page 25, line 22, after the word "cost," insert the words "plus 10 per cent," so as to read:

And that, until June 30, 1926, the Government will furnish at cost, plus 10 per cent, to any owner or operator of private or commercial aircraft landing on an airdrome of the air force, airplane gasoline—

And so forth.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, in section 23, page 26, line 9, to strike out the word "employ" and insert the words "make use of"; in line 10, after the word "personnel," to strike out the words "as he may deem necessary"; and, in line 11, after the word "available," to insert the words "in the department," so as to make the section read:

SEC. 23. That the director of air is authorized and directed to cooperate with every civil department of the Government of the United States, including the Post Office, Treasury, Coast and Geodetic Survey, Geological Survey, Forestry Service, and Bureau of Fisheries in order to properly execute their aerial requirements, and, to this end, the said director of air is authorized to make use of, in addition to such civilian personnel, such units of the air force as may be available in the department and not immediately necessary to properly execute the aerial, military, or naval requirements of the United States.

The amendment was agreed to.

The reading of the bill was continued to line 4, page 27.

Mr. WADSWORTH. On page 26, lines 23 and 24, I move that the words "by order in writing" be stricken out.

Mr. NEW. It is very obvious that those words should be stricken out after the word "transferred," in line 23.

The PRESIDING OFFICER. The Secretary will report the amendment.

The READING CLERK. In section 24, page 26, lines 23 and 24, strike out the words "by order in writing," so that it will read:

Are hereby transferred to the department of air—

And so forth.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. GERRY. Mr. President, I realize how important and, indeed, invaluable the Air Service is, and I am highly in favor of doing anything that will encourage it. But I do not believe that the method proposed in this bill is the proper one to attain the greatest results in this field.

I do not think the bill has been sufficiently considered by the Senate as a whole. I know that very extensive hearings were held before the Committee on Military Affairs, but I also know, as a Member of the Senate Committee on Naval Affairs, that no hearings were held before that committee, and that that committee was not consulted in the drafting of the bill.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Idaho?

Mr. GERRY. I yield.

Mr. BORAH. I have been informed—I do not know how correctly—that the experts are very generally opposed to this bill. Does the Senator know whether that is true or not?

Mr. GERRY. That is my information. I know from the naval experts with whom I have talked that they are very strongly opposed to it, and believe that it will be detrimental to that branch of the service in the work that it must do for the Navy Department.

I believe it would have been better, Mr. President, if a joint committee, made up of members of both the Military Affairs Committee and of the Naval Affairs Committee, had had hearings on this bill. I believe then that Senators would be more thoroughly conversant with its merits and demerits. From talking with naval officers, men who are qualified to speak for that branch of the service, I am confident that this bill will create more red tape instead of cutting it. I believe that naval development in the Air Service will be hampered if this department is created.

The naval Air Service is a highly specialized service, and it must work in very close conjunction with the Navy Department, and, in my opinion, it must be run by a naval personnel and by naval officers, and these men must have a fairly free hand if the development is to be satisfactory. I happened to be in London at the time Lieut. Commander Read landed, after his wonderful trip across the Atlantic, and I went with his party, of which Admiral Plunkett was the head, from London to Paris, and heard them discuss some of the different lessons they had learned on their voyage.

I think one of the things that they were most interested in was the scientific navigation that was necessary in order to have that line of destroyers stretching across the Atlantic to the Azores, and then from the Azores to Portugal, and so on to Portsmouth. They were very proud of the close coordination that had existed in the service and the ability with which the maneuver was carried out and the effective lessons that they had learned. Many of the lessons were highly technical, not easy of comprehension by a layman, but it was very easy for a layman to perceive that a highly trained naval officer was required in command of the airship, and that he must have the special knowledge of the sailorman if he was to render service that would be highly effective for the Navy.

I believe that the Navy, as far as it is able, is doing everything that it can do to carry on and develop the Air Service. It is simply a question of how much they are able to do, dependent upon the amount appropriated by the Congress. I feel sure that if they are let alone they can carry on development faster in time of peace and certainly work more effectively in time of war. If during a war they continually have to defer to another department, there will undoubtedly be red tape and delay, and quick, effective action will be retarded. It is for these reasons that, although I am in favor of any proposition that will encourage aviation and its development, I feel that I can not support the bill.

Mr. WADSWORTH. I have an amendment that I desire to offer.

Mr. NEW. I should like to say a word in reply to the Senator from Rhode Island [Mr. GERRY] before the amendment is offered.

The protest of the Senator from Rhode Island [Mr. GERRY] is the same protest that we always hear from any department of the Government when a proposition is made to take away from it something of which it has possession. The Navy, of course, objects to the surrender of any part of the control of its Air Service.

Mr. GERRY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Rhode Island?

Mr. NEW. Certainly.

Mr. GERRY. The objection of the Senator from Rhode Island is not because the Navy objects to it, but because the Senator from Rhode Island believes that the Navy can do the work more efficiently if left to itself than if it has to have a superbureau over it.

Mr. NEW. That, of course, is a matter of belief, and the Senator from Rhode Island is as much entitled to his belief as I am to mine, which is diametrically opposite. I am not going to seek to control his belief. I should like to add that by no means all the officers of the Navy entertain the view which has just been expressed by the Senator from Rhode Island.

The Senator has mentioned some of the officers who were identified with the cross-seas trip of the *NC-4*, the *NC-3*, and the *NC-1*. Capt. Bellinger, who commanded one of those boats and is as able an officer as there is in the Navy, is very heartily in favor of the establishment of this service and has so said in a public hearing before a committee of the House of Representatives. I have talked personally with Commander Childs, of the Navy, who is very strongly in favor of it and whose views are exactly in line with those that I entertain. I have talked with other naval officers, some of whom have requested that their names be not made known because of the position of some of their superior officers on the question and a fear on their part that an expression of their real views would perhaps not do them any good if they should reach the ears of those superiors.

Capt. Mustin, of the Navy, was, as I stated yesterday, a member of the Crowell Commission, which went to Europe to make an investigation of the whole question. He joins in their recommendation for the establishment of this department, making certain reservations to the recommendations made by the commission itself. The bill is drawn in exact conformity with the suggestions made by Capt. Mustin for these changes. It is ridiculous to say that there is no sentiment of the Navy in favor of the establishment of this department.

Mr. GERRY. Will the Senator yield to me?

Mr. NEW. Certainly.

Mr. GERRY. I have no doubt that the Senator will find naval officers who are in favor of the bill that is proposed, and all I have to say is that from conversations that I have had with many naval officers I am convinced that the best opinion of the service and the best arguments are against the plan. As the Senator has said, of course that is a matter of personal opinion. I feel sure, however, that if the Senator took the consensus of naval opinion, of those who are authorities on the subject, he would find that a great many more of them agreed with my contention than with his. As I said before, I believe the soundest arguments are against the bill.

Mr. WADSWORTH. Mr. President——

Mr. WOLCOTT. Will the Senator yield to me to ask the Senator from Indiana a question?

Mr. WADSWORTH. Certainly.

Mr. WOLCOTT. I understood the Senator from Indiana [Mr. NEW] to say yesterday and to-day that the estimates showing the amount of money necessary to keep up the department of air total something like $98,000,000 in round figures.

Mr. NEW. I did not say just that.

Mr. WOLCOTT. I misunderstood the Senator. What is the estimate of the cost to the Government of this department when established?

Mr. NEW. It depends upon the size of the department that is created. The estimate that I have given here and to which I referred yesterday and in which the figure of approximately $98,000,000 was mentioned is a comparative estimate as to what this service can be furnished for by the united air department as contrasted with the estimates that are made by the three or four separate departments now furnishing a like service on a divided plan.

Mr. WOLCOTT. I understand. Those who would be normally responsible for advising an aircraft program estimate that the job can be done under this plan for about $98,000,000. Of course, Congress may not appropriate that much; Congress may not agree with the gentlemen who make the estimates. Congress may say that it does not require so much of this and so much of that or so many fields, and so on, and may pare the estimate down. But is it not true that experts are of the opinion that it would take about $98,000,000 to meet the cost of the program which they think is necessary?

Mr. NEW. The experts who have made the estimates for the War Department and for the Navy Department and for the Post Office Department estimate $160,000,000.

Mr. WOLCOTT. So we are probably safe in taking $98,000,000 as a minimum. I wish to ask the Senator——

Mr. WADSWORTH. That is not quite what is at issue here. The several departments of the Government have asked in the aggregate an appropriation of $160,000,000. Now, the proposal is that by taking those functions of the different branches of the Government and putting them under this department we can do the same work for $98,000,000 and save $50,000,000 or $60,000,000.

Mr. NEW. That is correct.

Mr. WOLCOTT. Let me ask the Senator this further question: Under section 5 of the bill there is a transference of unexpended balances to the aircraft department. What is the sum of those unexpended balances to-day?

Mr. NEW. From the War Department about $8,600,000; from the Navy Department, $13,778,696; from the Post Office Department, $325,000; a total of $22,703,000. Those figures are approximate, but they do not depart very far from the actual amounts.

Mr. WOLCOTT. Can the Senator state whether or not those twenty-two-odd million dollars that are appropriated to the air department immediately upon the approval of this bill are available only until the end of this fiscal year, or does that sum lap over into next year?

Mr. NEW. I think it would be available only to the end of the fiscal year.

Mr. WOLCOTT. Does the Senator know?

Mr. NEW. I think that appropriations all expire with the end of the fiscal year.

Mr. WOLCOTT. It may not necessarily be so. The Senator does not know about it, I take it.

Mr. WADSWORTH. Sometimes the expression is used in an appropriation act that "this amount shall be available until it is exhausted," or something to that effect.

Mr. WOLCOTT. It may go over, then?

Mr. WADSWORTH. It is hard to say what goes over and what stops at the end of the fiscal year.

Mr. WOLCOTT. There is no information as to this $22,000,000. It may run over into the next year.

Mr. NEW. No; I think not; but I am not able to answer that question definitely. The Senator from Wyoming, as chairman of the Appropriations Committee, or the Senator from Utah [Mr. SMOOT] may be able to answer this definitely. I have assumed and now believe that the appropriations will lapse if not used before the end of the fiscal year.

Mr. SMOOT. I can say that if the appropriation is not expended by June 30, 1920, it lapses and goes back to the Treasury of the United States.

Mr. WOLCOTT. Is that so with respect to these aircraft expenditures?

Mr. SMOOT. That is so as to the sum of $22,000,000, of which the Senator speaks as already appropriated, but it would not apply to any appropriation that may be made hereafter to carry out the provisions of the bill.

Mr. NEW. We are speaking of the $22,000,000 that is made available by this transfer and that expires at the end of the fiscal year. That is what I thought.

Mr. WOLCOTT. Then the $22,000,000 is not taken into account in calculating the $98,000,000 that is figured for the next year.

Mr. SMOOT. No.

Mr. NEW. No; the estimate of $98,000,000 belongs to the next fiscal year.

Mr. WOLCOTT. So the bill carries immediately about $22,000,000, and next year a bill appropriating an amount in line with the estimate will carry nearly $100,000,000 more.

Mr. NEW. Yes; if appropriations are made in line with the estimates.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Indiana yield to the Senator from Utah?

Mr. NEW. Certainly.

Mr. SMOOT. I desire to offer an amendment.

The PRESIDING OFFICER. The Senator from Indiana has the floor.

Mr. NEW. I yield to the Senator from Utah for that purpose.

Mr. SMOOT. I desire to offer certain amendments to section 1 of the bill that will make it sure that the director of air will not be a member of the Cabinet. I desire the Senator from Indiana to follow the amendments, because I think he will agree with me with reference to them.

On line 3, page 1, strike out the words "an executive" before the word "department" and insert the article "a"; after the word "department," in line 4, insert the words "of air"; strike out the last three words, in line 4, "to be known"; and strike out, in line 5, the first five words, "as the department of air," so that as amended it will read:

That there shall be at the seat of government a department of air, reporting direct to the President, and a director of air who shall be the head thereof, who shall be appointed by the President—

And so forth.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Idaho?

Mr. NEW. I yield.

Mr. BORAH. Does the Senator from Utah propose to leave the salary the same as it now stands in the bill?

Mr. SMOOT. No; I have an amendment to offer to that part of the bill also.

Mr. NEW. I accept the amendment proposed by the Senator from Utah.

Mr. WOLCOTT. Mr. President, will the Senator from Utah yield to me?

Mr. SMOOT. I yield.

Mr. WOLCOTT. Has the Senator from Utah an amendment in mind to line 10, where the phrase "other executive departments" occurs?

Mr. SMOOT. Yes; I have another amendment. The amendment just stated is not the only one which I have. I desire that amendment agreed to, and then I shall propose an amendment to strike out all of the remainder of the clause, beginning with the word "and," on line 8, on page 1, down to and including the word "department," on line 4, page 2.

The PRESIDING OFFICER. The Secretary will state the amendment proposed by the Senator from Utah.

The READING CLERK. On page 1, line 3, it is proposed to strike out the words "an executive" before the word "department" and to insert the article "a"; after the word "department," in line 4, to insert the words "of air"; in lines 4 and 5 to strike out the words "to be known as the department of air"; and beginning in line 8 to strike out the words "and whose term and tenure of office shall be like that of the heads of the other executive departments, and section 158 of the Revised Statutes is hereby amended to include such department, and the provisions of title 4 of the Revised Statutes, including all amendments thereto, be, and are hereby, made applicable to said department."

Mr. SMOOT. That amendment virtually follows the wording of acts providing for the creation of departments in the Government but not executive departments.

Mr. NEW and Mr. WADSWORTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana [Mr. NEW] has the floor. Will the Senator from Indiana yield to the Senator from New York to ask the Senator from Utah a question?

Mr. WADSWORTH. I thought the Senator from Utah [Mr. SMOOT] had the floor.

Mr. SMOOT. I thought I had the floor.

Mr. NEW. I merely desire to ask the Senator from Utah if he has in mind an officer with any definite tenure of office?

Mr. SMOOT. No, Mr. President; the bill does not now fix a tenure, and there is no change whatever proposed in my amendment. The amendment which I now offer is for the purpose of creating a department of air—a separate and distinct department. If it were a division or a bureau it would be placed under some existing department.

I will repeat to the Senator that the amendment which I have proposed virtually follows the wording of the original act creating the Bureau of Labor, which was afterwards made an executive department, first, under the name of the Department of Commerce and Labor; and, secondly, under the name of the Department of Labor, as it now exists. The Air Service would not be an executive department, but would be a department in itself, reporting directly to the President; and the appointment of the head of the department would be made by the President, by and with the advice and consent of the Senate.

Mr. NEW. I have no objection to that amendment.

Mr. BORAH. Is it proposed to create a department here which has no connection with any other branch of the Government? Is it to be a part of either the War or the Navy Departments, or is it to be a separate and distinct entity?

Mr. SMOOT. It is to be a separate and distinct entity, if the bill passes.

Mr. BORAH. Then it needs some more sustenance.

Mr. SMOOT. I will say to the Senator from Idaho that I desire to try to amend the bill in the particulars which I have just stated, and then I shall have no objection to any further amendment which the Senator desires to offer, so far as I am concerned. However, the amendments which I have offered are merely to carry out the purposes of the bill as stated by the Senator from Indiana.

Mr. NEW. I accept the amendment proposed by the Senator from Utah, Mr. President.

The PRESIDING OFFICER. In so far as he can do so, the Senator from Indiana [Mr. NEW] accepts the amendment proposed by the Senator from Utah. Is there objection to the amendment being adopted?

Mr. BORAH. Mr. President, there is no use to object, I presume, but I merely desire to make an observation. What is to be gained by these amendments? What is the objection, if the department is created at all, to making it an executive department? Unless it is going to be made a part of some other department of the Government I do not see anything to be gained. We leave the salary the same; we leave the powers the same.

Mr. SMOOT. We shall not leave the salary the same if I can help it, I will say to the Senator from Idaho.

Mr. BORAH. To change the salary, perhaps, will be a most difficult task.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Utah [Mr. SMOOT].

The amendment was agreed to.

Mr. SMOOT. Now, on page 1, line 8, before the words "per annum," I move to strike out "$12,000" and to insert "$8,000."

The PRESIDING OFFICER. Is there objection to the amendment proposed by the Senator from Utah?

Mr. NEW. Mr. President, I can not accept the amendment offered by the Senator from Utah. I am opposed to large salaries; I do not think we pay them under this Government; but I believe that the man who shall become the head of the new department of air has ahead of him one of the most difficult and important tasks that has ever been undertaken by an individual. I believe that the place demands and is worthy of the time and services of the biggest man in the United States. I believe it is well worthy of the salary that this bill provides; and while it is ordinarily true that large salaries are not always

necessary to command the highest ability, it is also true that at least we should not be niggardly. Cabinet officers receive $12,000 a year, and while the man who is to head the air service is not to be a member of the Cabinet, I think no member of the Cabinet has a greater task ahead of him than the man who is to head this new department. That is, of course, a matter of opinion.

Mr. SMOOT. Mr. President, I wish to say in answer to what the Senator from Indiana has just said that a major general, the highest officer in the Army with the single exception of Gen. Pershing, draws $8,000 a year. Why we should pay the director of air 50 per cent more than a major general of the Army receives I can not understand.

Mr. President, while speaking about this particular salary, I wish to refer to another matter which will have to be met in case this bill becomes a law.

In the first place, I am wondering where we are going to house the personnel of this new department, if it shall be created. We have not the room here in the District of Columbia now for them. Several days ago the Fleet Corporation requested the joint commission to furnish space for 1,700 employees whom they desired to bring from Philadelphia to Washington, it being stated that the 1,700 employees of that organization now in Philadelphia ought to be in Washington under the direct charge of the head of the Fleet Corporation. There is no question that that ought to be done, and that the work those employees are doing in Philadelphia now could be done here very much better, and that better supervision could be maintained over them. The commission has been working for about three weeks trying to find room for those 1,700 employees. If we are going to create another department with a large personnel, I do not know just where they are going to be housed. It is true that some of the employees of the new department will be taken from the War Department, some of them from the Navy Department, and some of them perhaps from other existing branches of the Government service; but taking a few men from those departments is not going to allow the Public Buildings Commission to move any part of any other department into the space vacated. So we might just as well look at the situation as it exists to-day and realize that we will have to provide some building here for the personnel of the department of air, if it shall be created. Senators know what that means. The rentals paid by the Government per square foot in the District of Columbia to-day are almost beyond reason. Years ago we used to think if, by way of rent, we paid 30 cents a square foot per annum for the best buildings in the District of Columbia that that was more than the Government ought to pay, but now, in some cases, we are paying as high as $1.57.

Mr. WOLCOTT. Mr. President, will the Senator yield?

Mr. SMOOT. Yes.

Mr. WOLCOTT. After all this force gets here and is placed in the new building, which must be erected, I wish to ask the Senator if the bill provides for or if the estimates cover the purchase of automobiles for them to ride around in?

Mr. SMOOT. I have not gone into the estimates, Mr. President, as to just what items they are intended to cover, and therefore I can not answer the Senator's question; but if a bill is to be passed for the creation of another department, I do not see what excuse we can offer if we attempt to fix the salary of the head of the department at $12,000 a year. I can not see the consistency of that; and it is for that reason that I have offered the amendment to strike out "$12,000" and insert "$8,000."

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah.

Mr. BORAH. Mr. President, I call for a quorum; I want a yea-and-nay vote on this amendment.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Borah	Henderson	Overman	Townsend
Calder	Hitchcock	Page	Underwood
Capper	Johnson, S. Dak.	Phelan	Wadsworth
Dial	Jones, N. Mex.	Phipps	Walsh, Mass.
Gerry	King	Pittman	Warren
Gronna	Kirby	Poindexter	Williams
Hale	McKellar	Sheppard	Wolcott
Harris	New	Simmons	
Harrison	Nugent	Smoot	

Mr. McKELLAR. I wish to announce that the Senator from Florida [Mr. TRAMMELL] is detained at home by illness, being confined to his bed.

I wish also to announce that the Senator from Arkansas [Mr. ROBINSON] is absent on official business.

Mr. POINDEXTER. I desire to announce that my colleague, the senior Senator from Washington [Mr. JONES], the Senator from Minnesota [Mr. NELSON], the Senator from Maine [Mr. FERNALD], the Senator from Oregon [Mr. McNARY], and the Senator from Louisiana [Mr. RANSDELL] are engaged on business of the Senate in a meeting of the Committee on Commerce.

I wish also to announce that the Senator from Iowa [Mr. CUMMINS], the Senator from Minnesota [Mr. KELLOGG], the Senator from Ohio [Mr. POMERENE], and the Senator from Arkansas [Mr. ROBINSON] are engaged in a meeting of the conference committee on the railroad bill.

The PRESIDING OFFICER. Only 34 Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. SUTHERLAND answered to his name when called.

The PRESIDING OFFICER. Only 35 Senators have answered to their names. There is not a quorum present. What is the further pleasure of the Senate?

Mr. NEW. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. LODGE and Mr. WALSH of Montana entered the Chamber and answered to their names.

Mr. OVERMAN. Mr. President, it is very evident that we can not get a quorum this afternoon. I therefore move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 30, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 29, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee, our Father in heaven, that Thou hast made us rational beings, and bestowed upon each man an individuality all his own; hence we see life and its issues from different angles, think our own thoughts and reach our own conclusions; act wisely or otherwise, according to our own volitions and follow the bent of our desires.

Though it is not so much what a man does as it is the motive he puts behind his acts: Hence the Master's admonition:

"Judge not that ye be not judged. For with what judgment ye judge, ye shall be judged; and with what measure ye mete, it shall be measured to you again.

"And why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye?

"Or how wilt thou say to thy brother, Let me pull out the mote out of thine eye; and, behold, a beam is in thine own eye?

"Thou hypocrite, first cast out the beam out of thine own eye; and then shalt thou see clearly to cast out the mote out of thy brother's eye."

That we may live together in harmony and follow the highest conceptions of right, liberty, and truth—doing unto others as we would be done by, for this is the law and the prophets. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. RAINEY of Alabama. Mr. Speaker, I ask unanimous consent for indefinite leave of absence for Mr. MANN of South Carolina on account of sickness.

The SPEAKER. Without objection, the leave of absence will be granted.

There was no objection.

WOMAN SUFFRAGE AMENDMENT.

The SPEAKER laid before the House a communication from the governor of the State of Oregon, announcing the ratification by the legislature of that State of the proposed amendment to the Constitution of the United States extending the right of suffrage to women.

CALL OF THE HOUSE.

Mr. BEGG. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Ohio makes the point of order that there is no quorum present.

Mr. GOOD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The doors will be closed, and the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Anderson	Garland	McCulloch	Sanders, La.
Blackmon	Garrett	McKenzie	Sanford
Booher	Goodall	McKinley, Ill.	Scott
Britten	Goodwin	McLaughlin, Mich.	Scully
Campbell, Kans.	Gould	McPherson	Sears
Candler	Graham, Pa.	Mann, S. C.	Sells
Caraway	Hamill	Martin	Small
Carew	Harreld	Monahan, Wis.	Smith, Ill.
Casey	Haugen	Moon	Smith, N. Y.
Christopherson	Hayden	Mooney	Snyder
Clark, Fla.	Hoey	Mott	Steele
Cooper	Houghton	Mudd	Stephens, Miss.
Copley	Howard	Murphy	Stoll
Cramton	Hutchinson	Nicholls, S. C.	Strong, Pa.
Crowther	Johnston, N. Y.	Nichols, Mich.	Sullivan
Curry, Calif.	Kahn	Nolan	Taylor, Colo.
Davey	Kelley, Mich.	O'Connell	Thompson
Donovan	Kennedy, Iowa	Osborne	Towner
Dooling	Kennedy, R. I.	Porter	Vestal
Doughton	Kiess	Ramsey	Watkins
Drane	King	Reavis	Welty
Dunn	Knutson	Riddick	Whaley
Edmonds	Larsen	Riordan	Wilson, Ill.
Elliott	Lee, Ga.	Romjue	Woodyard
Emerson	Lehlbach	Rowan	Young, Tex.
Ferris	Lesher	Rubey	
Fuller, Mass.	Linthicum	Rucker	
Gard	Luhring	Sabath	

The SPEAKER. On this roll call 316 Members have answered to their names—a quorum.

On motion of Mr. GOOD, a motion to dispense with further proceedings under the call was agreed to.

URGENT DEFICIENCIES.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12046.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the UNION for the further consideration of the bill H. R. 12046, with Mr. TILSON in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12046) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes.

Mr. GOOD. Mr. Chairman, I yield 30 minutes to the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Chairman, in ancient times the messenger who brought evil tidings to the king might expect that he would be instantly put to death. The facts I have to lay before you this morning may expose me to the same fate. They may bring political misfortunes to every man in this Chamber. They may some day be looked back upon as the beginning of that political contest which will have repeated the issue of 1878 and 1896, for, barring the possibility of revolutionary developments, it may be set down as certain that this question is to be the political issue of the years immediately to come. I ask your attention, not to myself—for I have not sought this opportunity—but to the facts that I have to lay before you, facts that have not received the attention of the House nor of the country, and yet are pregnant with the most fateful possibilities.

No more grave crisis has confronted the people since the days immediately before the Civil War. Class is arrayed against class; social, political, and industrial institutions are attacked; millions of our people are suffering under ills arising from conditions which they do not understand. The end of every month finds them poorer in purchasing power than when that month began, forcing them to hardships to which they have never before been accustomed. Daily the cost of living rises, daily unrest spreads, daily there is more suffering from the maladjustment of wages and incomes. So bear with me for just a few minutes while I expose to you, if I can, the causes, the remedy, and the lesson. The fundamental cause I laid before this House on a previous occasion—the enormous waste produced by the war. At that time I pointed out to you the remarkable coincidence between the fact that the total assessed valuation of this country in 1912 was put at $187,000,000,000, and that the expenditures by the principal nations engaged in the war, as set forth in our own official publication, amounted to $186,000,000,000. Since then the Carnegie Endowment for International Peace has computed the other costs, bringing us the amazing total of $338,000,000,000 of economic loss due to the war. You may get some comprehension of what this means when I tell you that it exceeds the money worth of every article, every object, every substance, every structure, every foot of land to which man has attached value between the Arctic Ocean and the Isthmus of Panama. Wealth greater than that of the whole North American Continent has been wasted by the war. The world faces ruin. Its tools are fewer; much of its machinery is destroyed; its fixed capital diminished; its working power lessened by the millions who have perished.

The world is already impoverished. But still coming are losses that may prove greater yet. The morale of the producers of the world has been lamentably weakened, and to-day we find ourselves in this astonishing situation when we ought to be producing more than ever before, when our mills and factories and farms and all our implements of production ought to be doing their utmost, we find ourselves actually producing less, doing less work than we did in the year 1918.

The figures may interest you. Starting with a normal of 100 in 1913, there was a jump in the year after the beginning of the war to 104, then to 109 in 1916, then to 112, and then to 113. That is, under the patriotic impulse we were able in the year 1918 to bring our productive capacity to a point 13 per cent above where it had stood five years before.

But last year, with the war over, with our men returned from the front, with perhaps 3,000,000 more toilers at our command, averaging it through the year, we actually produced less than in 1918. We did less work as measured by the figures representing the physical volume of trade than we did in the preceding 12 months.

It has been shown that in the case of one steel ship, launched not long ago, 400,000 hours of labor were required to get an output, a product, a ship, which was the sister ship of one produced before the war, like it in every particular, by 200,000 hours of labor. The efficiency, the productiveness in that one field, has been just cut in two. You may go through all the range of activities and find results of the same sort. For example, the Pennsylvania Railroad reports that, entirely apart from wages, it now takes 127 men to do the work done by 100 in prewar days. Production has lessened in this crucial year when it ought to have been increased.

At the same time with these factors relating to the supplies, the resources of the world, there has come a startling change in the demand. In the first place, that change has been brought about by the fallacious belief on the part of many toilers that they are richer than they ever were before—that with a $10 bill they now have twice as much money as they formerly had with a $5 bill. This has made them extravagant in the last degree. We had a strike in Boston of the telephone girls, who enlisted the sympathy of the people and had their support on account of the belief that the telephone girls were underpaid. Yesterday I was told of one of them who, having a fur coat she had worn for two or three years, has announced her intention to buy a new one at the price of $500. I could give you scores of other instances showing reckless extravagance on the part of wage earners in this crucial period.

Another feature of the situation to which I particularly want to call your attention, because it is not widely understood, is the effect produced by the increased volume of money. In 1896 I was a member of the party that denounced William J. Bryan for his application of the quantitative theory of money. Many denied the theory itself. Nearly every economist in the world now admits that theory to be correct. We acknowledge that Mr. Bryan was right, but we thank God that we did not adopt his remedy, for had the country accepted his views our plight would have been twice as bad as it is to-day. Mr. Bryan could not foresee that from 1896 to 1920 as much gold would be produced as had been produced since Columbus discovered America. The volume of gold, the foundation of the currency structure, has doubled since the free silver campaign of 1896, and if silver had been remonetized the calamities of the world would have been enormously aggravated.

In addition to the doubling of the volume of the gold, see what has happened to us. I desire to say no word in criticism of the Federal Reserve Board. I admire the system. I think it was a wise contribution to the public welfare, and if gentlemen at my right desire the credit for it, they are welcome to their share. I will not begrudge them that which they deserve. But, sir, the Federal Reserve Board has brought this country to a plight which never could have been foreseen. This may have been made necessary by the financing of the war. Perhaps it could not have been avoided. But at this very moment we face a financial crisis, with all its miseries and suffering, by reason of the Federal Reserve System.

What has it done? Some of you gentlemen, with hair growing thin, remember the greenback agitation of 1878. More of you will remember the Bryan campaign of 1896. What the greenbackers wanted, what Mr. Bryan wanted, what many another extremist desired, was more money. They asked us for fiat

money. Sir, there is in circulation in this country $2,000,000,000 of fiat money.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. LUCE. No, sir. I do not wish to be discourteous, but I have only half an hour. There is $2,000,000,000 of fiat money in circulation to-day. Two billion dollars of fiat money! How much does that amount to for every individual? That, roughly speaking, means $20 of fiat money for every individual in this country.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. LUCE. No; I can not yield.

Mr. WINGO. But the gentleman does not want to make a misstatement—that it is fiat money, when there is not any.

Mr. LUCE. Mr. Chairman, let the gentleman look at the sheet that he throws into the wastebasket every morning, the Daily Statement of the United States Treasury.

Mr. WINGO. No. I challenge you to show me where we have $2,000,000,000 of fiat money. And I do not throw the sheet in the wastebasket.

Mr. LUCE. I will read it from the sheet received this morning: Outstanding Federal notes, $3,143,137,948. In the footnote it says, "Against which there is in gold and lawful money $1,126,261,000." Subtract one from the other and you will find $2,000,000,000 based upon credit. Nothing but credit! [Applause on the Republican side.]

That always was fiat money. What you have done is to issue paper currency based upon the credit of the merchants. What we did in and after the Civil War was to issue greenbacks based on the credit of the Government. Where is the difference? Two billion dollars of fiat money. [Applause on the Republican side.]

How does it increase from time to time? Read some of these other things that you throw into the wastebasket. Take, for example, what you got from the Comptroller of the Currency only two or three days ago, where you read that the bank deposits on November 17 were $17,000,000,000, an increase in two months of $786,000,000.

Sir, your Federal reserve notes for the last six months, when there was less production, with less of legitimate need than at any like period since 1916, before we went into the war, have been increasing at the rate of $100,000,000 a month. You are grinding out and grinding out and grinding out the paper with which you are raising the prices and increasing the sufferings of the people. One hundred million dollars a month increase in your fiat money, and at the same time $400,000,000 a month increase in your bank deposits which do the work of money. Since the war began, according to some figures—estimates differ by reason of two scales of measurement—the per capita money in the United States has increased from $34 to $54. There is three times as much money per capita in this country to-day as there was 40 years ago. The amount of gold in this country per capita has increased tenfold in about the same period. Every moment you are swelling the balloon. Do you think that balloon can expand indefinitely? Do you not know from your reading of history what has always happened? Look the thing squarely in the face. You men who want more money spent here, you men who want to amend this bill by additional appropriations, you who want to increase other of our appropriations, for God's sake look the thing in the face. Learn from history.

It was only 102 years ago that, after the Napoleonic wars, in 1818, our fathers faced precisely this same situation. There had been inflation. After the destruction of the first United States bank in 1811 they began creating State banks, which did precisely what the Federal Reserve Board is doing, although, of course, under far different conditions. They ground out paper money, and by 1818 Gov. Clinton had to tell the Legislature of New York what the situation was. He pointed to the disaster threatening on every hand. It came with all the terrors of a financial crisis.

Go on 15 years. You find the second United States bank destroyed in 1833—destroyed by the President whose birthday you Democrats celebrated the other day with such disaster. [Laughter.] When Andrew Jackson had destroyed the second United States bank, immediately again State banks began inflating the currency. From 1833 to 1836 there went on just what is happening now—social unrest and agitation on every hand, envy of the rich by the poor, boundless extravagance, waste—everything as you find it around you to-day. And then there came another great crisis due to inflation.

Travel with me 20 years more. Turn the pages of the newspapers of 1856 and you will find proof after proof of precisely the same condition that prevails to-day, figures showing the extravagance of the workers, speculation on every hand—all due to an inflation of money brought about by the opening of the mines in Australia and in California. Once again inflation worked its inevitable calamity.

In 1873 the results of the inflation of the Civil War appeared, with crisis, disaster, and ruin.

Inflation did not have an important share directly in the crisis of 1893. That was in part due rather to the apprehension of what might come if such theories as those of Mr. Bryan and men believing like him should prevail. It was the forecast there that brought disaster. But the panic of 1907 was a crisis typical of those that are due to inflation.

Once more we find the situation as before all great crises—enormous increase of money, or that which does the work of money; wild speculation; indifference of wage earners; unwillingness to work; slackening of production; social unrest; strikes on every hand; protests against industrial, social, and political conditions—everything forecasting a result that hitherto has been invariable.

At this juncture what should be our course? What can we do about it? It would be idle for me to occupy your attention if I could not apply these facts to our own problems. Nothing can be done by legislation unless you think it necessary to incite your Federal Reserve Board to raise the discount rate still further. There are some of us who think that ought to have begun six months ago. I know very well that the necessary financing by the Treasury interposed an obstacle which made it seem wise for the Federal Reserve Board to postpone action. They knew what was coming. They realized the danger, but they postponed action, perhaps unavoidably. I will utter no word of criticism.

A month ago they began what some of us wish could have been done before. They began raising the discount rate. This month they have raised it still further. Speed their action. Encourage them at every opportunity to put on the brakes to prevent this constant increase in rediscounting commercial paper, which is threatening us with so much peril.

Why, sir, the agencies of the Treasury Department itself do not understand what is happening. Let me call the attention of my friend from Arkansas [Mr. WINGO] to another publication which perchance he throws into the wastebasket. It is a bulletin from the Comptroller of the Currency. The copy in my hand came early in the week. In it he boasts, as he has boasted month after month all winter, of the inflation of the bank deposits, the increase in the things that do the work of money, that are adding to our danger.

The first thing I wish my Democratic friends to do is to wake up their own administration and have the Comptroller of the Currency send out this news with grief rather than with joy. We can do nothing by legislation. There is no opportunity to change the psychology of the people. The program of work and save has been urged, and it has utterly failed. The reports of the Federal Reserve Bulletin show that fact. You can not persuade the people in this matter by political, moral, ethical, spiritual, or any other kind of appeal. They will not listen to you. Your arguments, facts, and figures will fall on deaf ears. If these figures I have given were placed before any popular audience, you would find that the expenditures of no man present had the next day fallen one cent.

What is proposed? The popular remedy for the situation is that being put into effect by the Attorney General of the United States, who to that end is using our money, and I am ashamed of myself for taking a share in putting it at his command. [Laughter on the Republican side.]

He is using it to prosecute profiteers, as if a man attacked with appendicitis should devote his energies to catching fleas. [Laughter.] Last month he said he was thankful to report to the people of the United States that the cost of living in November was not any higher than it had been in August. [Laughter on the Republican side.]

On the very same day Dr. Royal Meeker, a gentleman of whom you on the Democratic side of the House may well be more proud, dared to come out and tell the public that if every profiteer in the land was convicted the next morning the cost of living would not be reduced one cent. I will put the statistician against the politician, and I will put my money on the statistician. [Laughter and applause on the Republican side.]

Profiteers and jail sentences. Sir, we can not remedy it in that way. We can not remedy it by any act of Government, but we can do something that will lessen the burden that the people are to bear when the days of adversity come.

Men will then realize that the purchasing power of money is in reality less than ever before in our lifetime, and that the lack of purchasing power brings starvation and death. Then will come the reckoning, then you will be asked what burden you have added to that upon the shoulders of the people.

Do you realize what confronts us? At this moment the taxes placed on the people by the different cities in the United States for their own affairs amount to nearly $150 a family. You may add the burden of the United States taxes by remembering that every billion dollars of tax amounts to $45 for every family.

Mr. MONDELL has called our attention to the fact that for the year 1921 we are confronted by obligations and estimates of $9,000,000,000—$5,000,000,000 for the estimates and $4,000,000,000 obligations. Nine billion dollars means an addition of more than $400 of contribution from every family. Add that to your $150 for city expenses, and throw in something for State and county expenses, and you will have confronting you a burden on the people averaging more than $550 for every family in the land.

I do not know how much the income of a family in this country is now. By reason of the change in prices it is impossible to compute, but before the war it was carefully figured out by Prof. W. I. King, and he found that the average income of each family was $1,500. On that basis five hundred and fifty dollars would mean taking more than one-third of the product of labor in this country for the uses of the Government—more than one-third of the product of every man, woman, and child in this country who works for a living. Do not carry away the idea that such a figure is exact. By reason of the change in values of money, the proportion will more probably be one-quarter or one-fifth. The estimate in England for a normal year in the post-war period is 20 per cent, one-fifth of the income of Great Britain. After the Napoleonic wars England was capable of standing one-quarter, but England is better off in her prospects now than she was after the Napoleonic wars. To take even one-fifth of the product of the people is a tremendous demand. It is fraught with danger of political turmoil, of financial crisis, even of disaster to our institutions and peril to the foundations of the Government.

So let me lay before you these facts for the sole purpose of making you understand, if I can, the menace that is ahead of us. I hope it may not come. The Federal Reserve System was devised with the desire and hope that it would lessen the evils brought about by such a state of affairs, that it would do the work of the mattress placed on the floor of the gymnasium, so that the athlete may fall without harm.

That system has never met the test. It has not yet faced the test. The system was devised in order that when we need money in the time of a pinch, in the hour of trouble, we may turn to it and get from it help. But at this very moment you find it so expanded with its $3,000,000,000 of reserve notes outstanding that I dread to think what would happen if the crisis came to-morrow. You have used up the greater part of your reserve power by reason of the necessities of the war. No criticism should attach. It was perhaps inevitable that this should have been done. I do not know that I would have changed in any way the financial procedure of the Secretary of the Treasury in the last five years. I do recognize the position to which it has brought us—that the system, designed to take up the slack, designed to meet the emergency, has to-day placed us in a very dangerous position if the demand should come unexpectedly and before the raising of the discount rate has greatly lessened inflation.

Let me also remind you of the opportunities that come before us from time to time to attempt in some way to repress speculation by the passage of what are known as blue-sky laws, to attempt to prevent the swindlers who to-day are promoting hundreds and hundreds of wild schemes, from endangering the situation still further.

Mr. Chairman, this has not been a cheerful speech. It is never a happy thing to predict disaster. I hope that we may save the situation yet, I hope that somehow we may muddle through without the crisis that always in previous epochs has followed similar conditions, but it is time for us to open our eyes, time for us to know that we are entering upon another great discussion of money, time for us to realize that we ought to understand whether we are going to pay our debt now or postpone its payment, whether we are going to deflate the currency and bring it back to where it was before the war, whether we are going to return the activities of Government to that stage which amply met the needs of the people but a few short years ago. Sir, if I have encouraged one man here to stand up against additional appropriations, to stand up against additional outlays, to stand up against new ventures on the uncharted sea of government, I shall be thankful for this opportunity, even though it discloses to you facts that may well give pause to every thoughtful citizen. [Prolonged applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

By unanimous consent, Mr. LUCE was granted leave to extend and revise his remarks in the RECORD.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Chairman, the gentleman who has just taken his seat has announced a rather strange doctrine—a doctrine that I can not subscribe to. The gentleman in his complaint against the big deposits of money in the various banks of the country under a Democratic administration would have us believe that these large deposits do not indicate that the people are at all prosperous, but that these deposits are rather to be considered as proof of their impoverished condition. The announcement of such an absurd proposition does indicate that the Republican Party is lacking in ordinary judgment and is also in a desperate condition. [Applause on the Democratic side.]

I will say this for the gentleman from Massachusetts [Mr. LUCE], he has rendered the people of the United States a great service in announcing thus early the purpose of his party to repeal the Federal reserve act. Gentlemen, that great act is the wisest and best banking and currency law ever written. It broke the power of Wall Street to control the money supply and the credit of the country. [Applause on the Democratic side.] It took the control of the money supply and the credit of the country out of the hands of 21 men in Wall Street. Under Republican rule these men held the business of the banks and the commercial and agricultural interests of the country in the hollow of their hands. They could call a meeting of the conspirators and produce a panic in 24 hours. [Applause on the Democratic side.] They could destroy market values of anything and everything overnight. By striking down values and impoverishing the mass of the people they could and did produce millionaires in a few hours. The people of the Nation cried out for deliverance from the oppression and robbery of that dreadful system, but the Republican Party would not and could not grant that relief, because the bosses of that party were controlled by, and got money from, this conscienceless Wall Street gang. [Applause on the Democratic side.] And now you are courting favor with the same old gang. They want to repeal the Federal reserve banking act. They want their old system restored.

And you want them to come with purse strings unloosed, with a big campaign fund for the Republican Party, and we are threatened with a return to the same old robber banking and currency system that cursed the country under Republican rule. [Applause on the Democratic side.]

Gentlemen, it is fortunate for the people of the country that the Republican Party has thus far in advance of the election in November announced its intention regarding the Federal reserve act. This banking and currency system, enacted and inaugurated by the Democratic administration, has unfettered the money supply of the country and permitted it to flow out into all sections. When the farmers needed it to move their crops, when industrial centers and manufacturing enterprises and commerce called for money to carry on their business, this great banking system has permitted the money of the people to go where it could serve the great needs of the great business of the country. Now this great system is marked for slaughter by the Republican Party. You Republicans have been in power in both branches of Congress since March last year. You forced an extra session of Congress in order that you might give the country the benefit of Republican statecraft, skill, and genius in solving the perplexing problems of the day. What have you got to show for these long months of tenure in office in the House and in the Senate? You have done nothing for our soldiers, but you took the tax off of soda water and put it on pearl buttons, and now you can at least, gentlemen, hang this ornament of Republican accomplishment upon the snout of the Grand Old Party elephant in the next campaign. [Laughter.] What have you done to bring down the high cost of living? One of your leaders [Mr. LUCE], who has just spoken for his party, has told us that the cost of living was higher in December than it was in August. You were in control of the House and Senate on both dates mentioned by him. Think of such an admission as that! So poverty stricken are you in able and versatile statesmanship that you are now offering a reward to schoolboys in their teens who know nothing of your party's record of duplicity and failure to write you a national Republican platform. [Applause and laughter on the Democratic side.]

You first went to men much older in years in quest of some one to write you a party platform, and one by one they made excuse. Each one of them recalled your miserable record of bossism, of graft, and governmental favoritism and subserviency to predatory interests, and he shook his head. One after another they walked away, and then you said let us have Mr. Hays, the chairman of the Republican national committee, to offer a big prize in money—$10,000—to any schoolboy, white or black, who

will write us a Republican platform with which to fool the people in the coming campaign. [Laughter on the Democratic side.]

That is the awful and pitiable condition to which the present-day Republican Party has fallen. You promised last fall that if intrusted with control of the House and Senate you would uphold the President, but instead of doing that you have held him up every chance you got. In the name of all that is patriotic, right, and just what have you done? Nothing of benefit to the American people. Why is it that you refuse to let us vote upon measures that would relieve the minds and gratify the hearts of American soldiers who fought for us and our country in the bloodiest war of the ages? You are afraid to take a stand; afraid to go on record.

You want to wait until after the presidential election. Why is it that you are hurrying to adjourn Congress by the 1st of June? Because you do not want to be embarrassed by the Democrats, who will be urging you to do something of value for the American people. You have agreed upon a program of postponement until after the election. That is what you have done. All meritorious measures must wait while you play politics. Gentlemen, it is fortunate for the Democratic Party, and therefore fortunate for the country, that the people have had a chance to see you in power in the House and Senate at this particular time, because they have had an opportunity to observe your conduct and find out your deep-laid plans should you elect a President and a Congress. [Applause on the Republican side.]

The Bible tells us that "By their fruits ye shall know them," and you have given the American people the opportunity to see and know something of the awful and bitter fruit that your administration would yield should you be intrusted with both executive and legislative power. [Applause on the Democratic side.] You have got little political smelling committees, many of them, giving Republican politicians jobs, paying some of the experts $50 a day, and what have you discovered? What are you doing? You are dallying, delaying, putting off, postponing, playing politics, when so many grave questions are crying out for intelligent and patriotic consideration. You are playing presidential politics—but you do not know whether you will nominate Gov. Lowden, Senator HARDING, or Gen. Wood. [Cries of "Do you know?"]

No; I will state frankly that I do not know who will be the nominee of the Democratic Party, but, whoever he is, he will be the choice of the rank and file of the Democratic Party and the Nation.

The conduct of the pie and power hungry bosses of your party indicate that you are going to nominate a man who is O. K'd by the friends of the old banking system of Wall Street, a man who will have the same backing of those who purchased the Newberry election. You are seeking a man that has money or who can get it by the millions. You are not going to appeal to the judgment and the conscience of the American voters. Your party management has already done enough to indicate to the country that you are going to seek to corrupt the voters and to poison the very source of the Republic's life in order to put your party in power. [Applause on the Democratic side.] But you are not going to succeed. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Chairman, we were met a few minutes ago with the statement here that we were flooding the country with fiat money, a statement made by the distinguished gentleman from Massachusetts [Mr. LUCE]. As I have always understood the proposition, when you said "fiat money" you meant money issued without an adequate reserve for its redemption; and I think the gentleman from Massachusetts will agree with that proposition.

The gentleman refers to the reports of the Treasury of the United States which we receive from time to time, and he says that we are increasing the inflation from time to time. If he will look carefully at the reports of the Treasury he will find that for every Federal reserve note there is in circulation there is a gold reserve in the United States Treasury and in the Federal reserve banks running nearly to 50 cents upon the dollar, the highest reserve that any civilized nation has ever been known to maintain against its note issues.

Mr. BAER. Will the gentleman yield?

Mr. STEVENSON. No; not just now. I have not the time. The gentleman says the inflation is what is destroying our industrial fabric. Now, the gentleman evidently wants to hark back to the days when money was controlled by private institutions known as national banks. When he refers to fiat money, with 40 per cent minimum gold reserve against every dollar, what does he ask us to return to but the old national-bank notes, with 5 per cent of gold as a reserve fund, with which this country was flooded for 50 years during the administration of the party which the gentleman represents and which he would have take charge again?

Not only that, but the Federal reserve notes are issued as the emergency arises and are retired as rapidly, while the 5 per cent secured bank notes were issued at the beck and call and will of the great national banks of this country, and when they decided to contract the currency and bring on a bankers' panic, as they did in 1907, all they had to do was to turn down their thumbs and withdraw from circulation a hundred or two millions of bank notes and the currency was contracted, with money scarce, and everything a man had to sell going down and the purchasing power of the dollar held by the national bank going up.

But I want to see about the gentleman's figures. He says that we are continuing to expand. Let us see if the gentleman read his reports, which he intimates the balance of us did not read. I will show you that instead of expanding, during the good month just now running, which he has cited, we have contracted the difference between $96,000,000 and $262,000,000.

In other words, during the month of January—and it is written on the face of the report that the gentleman flaunted here as if he were the only man that read it—that during this month of January they have issued $96,170,000 of Federal reserve notes and they have retired $242,112,000 and they have redeemed at the Treasury $20,000,000 more. [Applause on the Democratic side.] This is a reduction of $165,942,000, and leaves actually in circulation outside of the reserve banks $2,795,000,000 of reserve notes.

Does that continue? Let us look a little further. In 1917, when we went into this war, we had—and he talks about the flood of money we have in circulation—on the 1st day of April $45.35 for each citizen of the United States. What have we to-day? On December 1, the last statement that I have in my hand, we have $55.65, an increase of only $10 for each man, woman, and child, in circulation during the time of the most extraordinary financial transactions and the most remarkable spread and the most remarkable call for inflation that has ever been seen. We have increased it nearly $10 a head, or $1,000,000,000.

My friend says we are going on increasing. Let us look for one minute. If he will look at some more of the reports, he will learn some more. On November 1, 1918, the circulating medium for per capita was $55.84; to-day it is $55.34. Is that an increase? Not only that, but let us look at January, 1919, just 12 months ago. The circulating medium per capita was then $55.76 and to-day it is only $55.34—not an expansion of $1 per capita, but a contraction of about 50 cents per capita in the United States in the 12 months.

And the gentleman says expansion is the cause of our ills. Well, our troubles began when the war closed, and we have not expanded, but instead of that we have contracted; and yet the ills have arisen. There is no expansion shown when you appeal to the record which he commends to us to be read.

Now, let us see. He talked about the increase in the issue of Federal reserve notes, and that is true. Why was that embarked upon? Because we had when we began about $900,000,000 of gold certificates outstanding, and for every gold certificate outstanding there was a gold dollar down here to be delivered for it upon presentation. The gold reserves of the world had to be cared for and built up in order that we might have the money with which to finance the great World War in which we had entered, and the Government entered upon the very wise policy of withdrawing the gold certificates; and when you did, when you took a $1,000 gold certificate in, you released a thousand dollars and that thousand dollars of gold went to be a reserve against $2,500 of Federal reserve notes, and it therefore enabled us to finance the war and keep this country on a gold basis. [Applause on the Democratic side.]

The fact is that the report the gentleman uses is the Treasury report, and charges up all Federal reserve notes in the hands of the Federal reserve agents and that is not in circulation till put out by the banks. The bank statement shows that there is in circulation $2,795,000,000 of Federal reserve notes, and under section 616, subdivisions a, b, c, d, and f, 40 per cent gold re-

serve must be maintained and 5 per cent must be in United States Treasury fund. Counting the settlement fund and general fund, the gold in the Treasury amounts to $1,452,795,302, or 49 per cent of all Federal reserve notes actually outstanding.

The CHAIRMAN (Mr. MACGREGOR). The time of the gentleman from South Carolina has expired.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. BLACK. Is it not a fact also that we are the only great country in the world that has been able to maintain the gold standard?

Mr. STEVENSON. That is entirely true.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. STEVENSON. May I have more time?

Mr. BYRNES of South Carolina. I regret very much that I have not any.

Mr. STEVENSON. Very well. I ask unanimous consent, Mr. Chairman, to revise and extend my remarks. [Applause.]

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. BLANTON. Mr. Chairman, I make the same request, to revise and extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, attacks against the CONGRESSIONAL RECORD are made unremittingly by newspapers and some individuals uninformed as to its real value. I, too, once had this prejudice. No one can deny that much goes into the CONGRESSIONAL RECORD which should be left out. No one can deny that it costs much money. No one can deny that it is not generally read. But the fact remains that it is the only publication in the whole United States that publishes without censorship just exactly what each Representative in Congress wants to say to his own constituents and to the people of this country.

After all, the press of the country is controlled by the same influences that restrain individuals. Newspapers continually howl about the law restricting "the freedom of the press," yet never mention in how many thousand ways the press is hampered, restricted, dominated, and controlled by special class interests, against which no attacks or news of a criticizing nature is ever given to the reading public.

Regardless of its cost, the CONGRESSIONAL RECORD is the best investment our Government owns to-day, and the people of the country get from it more real value than from any other like sum of money spent by Congress. As conclusive proof, the only illustration necessary to offer is the fact that only through the CONGRESSIONAL RECORD is it possible for the people of the United States to know who and what has stopped Congress from passing a much needed and proper antisedition law. No newspaper in the whole United States has dared to publish the truth about it. Why? It would mean boycott and ruin by a small organized minority.

Now, let me incorporate in the RECORD a little chronological history. On October 28, 1919, I introduced in the House an antisedition bill, being H. R. 10235. On November 5, 1919, the gentleman from South Carolina [Mr. BYRNES] introduced an antisedition bill, H. R. 10379. On November 17, 1919, three different antisedition bills were introduced in the House; one by the gentleman from Washington [Mr. SUMMERS], H. R. 10614; another by the gentleman from Washington [Mr. HADLEY], H. R. 10616; and a third by the gentleman from Ohio [Mr. DAVEY], H. R. 10650, which last-mentioned bill was specially prepared by Attorney General Palmer as being a law absolutely necessary to enable him to put down active anarchy in the United States, and which bill was introduced at his instance and request; and on December 11, 1919, an additional antisedition bill was introduced in the House by the gentleman from New York [Mr. SIEGEL], H. R. 11089.

All of the said bills were referred to the Committee on the Judiciary, which, on December 11, 1919, began a hearing at which appeared and were heard seven Congressmen representing a constituency of at least 1,750,000 people of the United States, they being Representatives BYRNES of South Carolina, DAVEY, SUMMERS of Washington, SIEGEL, MACGREGOR, HADLEY, and myself, all urging the immediate passage of a proper antisedition measure. Likewise at this hearing Mr. James A. Horton, a Government employee, testified that since the armistice the radical element throughout the country had renewed their activities in the United States on a broader scale than ever attempted before, and that he knew of 60 different newspapers published in various languages all devoted to the cause of radicalism—25 of them in New York and the others scattered from there to Seattle. Let me quote the following from Mr. Horton's testimony, pages 19 and 20 of the hearings, to wit:

I want to impress upon the committee the fact that this is not a national movement; it is international in its scope. The Bolshevist or radical revolutionary movement, you might say, can be traced back to what is called the Third International Communist Congress, held in Moscow in March, 1919. It was assembled at the call of the congress of the communist party (Bolsheviki), held during the latter part of January, 1919, in which they sent out a call to all the radical elements throughout the world, and I want to read you some of the statements contained in that call for the revolutionary international congress that convened in March, 1919:

"[First section.]

"AIMS AND TACTICS.

"In our estimation, the acceptance of the following principles shall serve as a working program for the international:

"1. The actual period is the period of the dissolution and collapse of the whole capitalist system.

"2. The first task of the proletariat consists to-day of the immediate seizure of government power, substituting in its place the power of the proletariat.

"3. This new governmental apparatus must incorporate the dictatorship of the working class and in some places also that of the poorer peasantry, together with hired farm labor, this dictatorship constituting the instrument of the systematic overthrow of the exploiting classes.

"4. The dictatorship of the proletariat shall complete the immediate expropriation of capitalism and the suppression of private property in means of production, which includes, under socialism, the suppression of private property and its transfer to a proletarian state, under the socialist administration of the working class, the abolition of capitalist agricultural production, the nationalization of the great business firms and financial trusts.

"5. In order to insure the social revolution, the disarming of the bourgeoisie and its agents and the general arming of the proletariat is a prime necessity.

"[Second section.]

"ATTITUDE REGARDING SOCIALIST PARTIES.

"7. The fundamental condition of the struggle is the mass action of the proletariat, developing into open armed attack on the governmental powers of capitalism."

Now, in that call, after enumerating various radical groups in the European countries, it includes the following in America:

"33. The S. L. P. (U. S. A.); 34. The elements of the left wing of the American Socialist Party (tendency represented by E. V. Debs and the Socialist Propaganda League); 35. I. W. W. (Industrial Workers of the World), America; 36. The Workers' International Industrial Union (U. S. A.)."

Mr. HUSTED. Under existing law, can't publications of that kind be stopped?

Mr. HORTON. I don't see how. The only law to-day that is holding them in check is the espionage act.

Mr. GOODYKOONTZ. Hasn't the Postmaster General plenary power to stop stuff like that from going through the mails?

Mr. HORTON. I don't see where his power is.

Mr. GOODYKOONTZ. Hasn't he exercised power along that line during the war?

Mr. HORTON. Under the espionage act; yes.

Mr. GOODYKOONTZ. The espionage act is still in force, isn't it?

Mr. HORTON. Yes.

Mr. GOODYKOONTZ. Why isn't he enforcing it?

Mr. HORTON. It is being enforced. The espionage act, however, was a war measure and it is a mighty hard proposition to secure a conviction in peace times under a war-time statute.

Mr. NEELY. And the war will probably end soon.

Mr. HORTON. Yes.

Mr. YATES. Doesn't the espionage act specifically provide for things like this?

Mr. HORTON. I don't believe there is any provision in the espionage act covering matter of this character.

If the committee will let me continue this, I will outline briefly what happened at the meeting of the Third International, in order that I may connect up various organizations now in existence in America.

The Third International met in Moscow in March, 1919, and I have before me the manifesto of what is known as the Communist International, signed by Lenin, Zinoview, Trotski, Platten, and Rakovsky. I believe those men at that time, if not now, were all in the ministry of the soviet republic.

Mr. MORGAN. And what is this you have in your hand?

Mr. HORTON. This is the manifesto of the Communist International.

Mr. MORGAN. Where did you get it?

Mr. HORTON. It was printed in The Truth, published in Duluth, Minn.

Mr. MORGAN. What date?

Mr. HORTON. The issue of July 18.

Mr. MORGAN. How do you know that is authentic?

Mr. HORTON. This is the same manifesto that has been printed in a great many of these publications. I don't know what more proof would be required than that they accept it as the program under which they are working.

It is stated that the text of this manifesto was received direct from Moscow and is addressed "To the proletariat of all countries." In order that the committee may have before it the outstanding features of this manifesto, I will read the most important parts. In the second paragraph of this manifesto is the following statement:

"We communists, representatives of the revolutionary proletariat of the different countries of Europe, America, and Asia, assembled in soviet Moscow, feel and consider ourselves followers and fulfillers of the program proclaimed 72 years ago. It is our task now to sum up the practical revolutionary experience of the working class, to cleanse the movement of its admixtures of opportunism and social patriotism, and to gather together the forces of all the true revolutionary proletarian parties in order to further and hasten the complete victory of the communist revolution."

Further on I find the following statement:

"Wherever the masses are awakened to consciousness, workers', soldiers', and peasants' councils will be formed. To fortify these councils, to increase their authority, to oppose them to the State apparatus to the bourgeoisie, is now the chief task of the class-conscious and honest

workers of all countries. By means of these councils the working class can counteract that disorganization which has been brought into it by the infernal anguish of the war, by hunger, by the violent deeds of the possessing classes, and by the betrayal of their former leaders. By means of these councils the working class will gain power in all countries most readily and most certainly when these councils gain the support of the majority of the laboring population. By means of these councils the working class, once attaining power, will control all the field of economic and cultural life, as in soviet Russia.

"The collapse of the imperialistic State, czaristic to most democratic, goes on simultaneously with the collapse of the imperialistic military system. The armies of millions, mobilized by imperialism, could remain steadfast only so long as the proletariat remained obedient under the yoke of the bourgeoisie. The complete breakdown of national unity signifies also an inevitable disintegration of the army. Thus it happened first in Russia, then in Austria-Hungary, then in Germany. The same also is to be expected in other imperialistic States. Insurrection of the peasants against the landowner, of laborer against capitalist, of both against the monarchic or 'democratic' bureaucracy, must lead inevitably to the insurrection of soldier against commander, and, furthermore, to a sharp division between the proletarian and bourgeois elements within the army. The imperialistic war which pitted nation against nation has passed and is passing into the civil war which lines up class against class.

"The outcry of the bourgeois world against the civil war and the red terror is the most colossal hypocrisy of which the history of political struggles can boast. There would be no civil war if the exploiters who have carried mankind to the very brink of ruin had not prevented every forward step of the laboring masses, if they had not instigated plots and murders and called to their aid armed help from outside to maintain or restore their predatory privileges. Civil war is forced upon the laboring classes by their arch enemies. The working class must answer blow for blow if it will not renounce its own object and its own future, which is at the same time the future of all humanity.

"The communist parties, far from conjuring up civil war artificially, rather strive to shorten its duration as much as possible—in case it has become an iron necessity—to minimize the number of its victims, and above all to secure victory for the proletariat. This makes necessary the disarming of the bourgeoisie at the proper time, the arming of the laborer, and the formation of a communist army as the protector of the rule of the proletariat and the inviolability of the social structure. Such is the Red Army of soviet Russia, which arose to protect the achievements of the working class against every assault from within or without. The soviet army is inseparable from the soviet State."

The concluding paragraph of the main part of the manifesto, in which the task of the International Communist Party is set out, is as follows:

"Spurning the half-heartedness, hypocrisy, and corruption of the decadent official Socialist parties, we, the Communists assembled in the third international, feel ourselves to be the first successors of the heroic efforts and martyrdom of a long series of revolutionary generations from Babœuf to Karl Liebknecht and Rosa Luxemburg. As the first international foresaw the future development and pointed the way; as the second international gathered together and organized millions of the proletarians, so the third international is the international of open mass action of the revolutionary realization, the international of deeds. Socialist criticism has sufficiently stigmatized the bourgeois world order. The task of the International Communist Party is now to overthrow this order and to erect in its place the structure of the socialist world order. We urge the working men and women of all countries to unite under the communist banner, the emblem under which the first great victories have already been won.

"Proletarians of all countries! In the war against imperialistic barbarity, against monarchy, against the privileged classes, against the bourgeois state and bourgeois property, against all forms and varieties of social and national oppression—unite!

"Under the standard of the workmen's councils, under the banner of the third international, in the revolutionary struggle for power and the dictatorship of the proletariat, proletarians of all countries unite!"

The second part of this manifesto contains the program of the Communist International, the first four paragraphs of which read as follows:

"PROGRAM.

"The new era has begun! The era of the downfall of capitalism—its internal disintegration. The epoch of the proletarian communist revolution. In some countries, victorious proletarian revolution; increasing revolutionary ferment in other lands; uprisings in the colonies; utter incapacity of the ruling classes to control the fate of peoples any longer—that is the picture of world conditions to-day.

"Humanity, whose whole culture now lies in ruins, faces danger of complete destruction. There is only one power which can save it—the power of the proletariat. The old capitalist 'order' can exist no longer. The ultimate result of the capitalistic mode of production is chaos—a chaos to be overcome only by the great producing class, the proletariat. It is the proletariat which must establish real order—the order of communism. It must end the domination of capital, make war impossible, wipe out State boundaries, transform the whole world into one cooperative commonwealth, and bring about real human brotherhood and freedom.

"World capitalism prepares itself for the final battle. Under cover of the 'league of nations' and a deluge of pacifist phrase (?) mongering, a desperate effort is being made to pull together the tumbling capitalist system and to direct its forces against the constantly growing proletarian revolt. This monstrous new conspiracy of the capitalist class must be met by the proletariat by seizure of the political power of the State, turning this power against its class enemies and using it as a lever to set in motion the economic revolution. The final victory of the proletariat of the world means the beginning of the real history of free mankind.

"THE CONQUEST OF POLITICAL POWER.

"Seizure of political power by the proletariat means destruction of the political power of the bourgeoisie. The organized power of the bourgeoisie is in the civil state, with its capitalistic army under control of bourgeois junker officers, its police and gendarmes, jailers, and judges, its priests, government officials, etc. Conquest of the political power means not merely a change in the personnel of ministries but annihilation of the enemy's apparatus of government; disarmament of the bourgeoisie, of the counterrevolutionary officers, of the White Guard; arming of the proletariat, the revolutionary soldiers, the Red Guard of workingmen; displacement of all bourgeois judges and organization of proletarian courts; elimination of control by reactionary government officials and substitution of new organs of management of the proletariat. Victory of the proletariat. Victory of the proletariat consists in shattering the enemy's organization and organizing the proletarian power; in the destruction of the bourgeois and upbuilding of the proletarian state apparatus. Not until the proletariat has achieved this victory and broken the resistance of the bourgeoisie can the former enemies of the new order be made useful by bringing them into accord with its work."

Further on in this program I find the following statement:

"The breakdown of the capitalistic order and the disruption of capitalistic industrial discipline makes impossible the reorganization of production on the capitalistic basis. Wage wars of the workingmen—even when successful—do not bring the anticipated betterment of conditions of living; the workers can only become emancipated when production is no longer controlled by the bourgeoisie but by the proletariat. In order to raise the standards of productivity, in order to crush the opposition on the part of the bourgeoisie (which only prolongs the death struggle of the old régime and thereby invites danger of total ruin), the proletarian dictatorship must carry out the exportation of the greater bourgeoisie and junkerdom and convert the means of production and distribution into the common property of the proletarian state.

"Communism is now being born out of the ruins of capitalism—there is no other salvation for humanity. The opportunists who are making Utopian demands for the reconstruction of the economic system of capitalism, so as to postpone socialization, only delay the process of disintegration and increase the danger of total demolition. The communist revolution, on the other hand, is the best, the only, means by which the most important social power of production—the proletariat—can be saved, and with it society itself."

The way to victory is pointed out in the following language:

"The revolutionary era compels the proletariat to make use of the means of battle which will concentrate its entire energies, namely, mass action, with its logical resultant, direct conflict with the governmental machinery in open combat. All other methods, such as revolutionary use of bourgeois parliamentarism, will be of only secondary significance."

The manifesto concludes as follows:

"The capitalistic criminals asserted at the beginning of the World War that it was only in defense of the common fatherland. But soon German imperialism revealed its real brigand character by its bloody deeds in Russia, in the Ukraine, and in Finland. Now, the Entente States unmask themselves as world despoilers and murderers of the proletariat. Together with the German bourgeoisie and social patriots, with hypocritical phrases about peace on their lips, they are trying to throttle the revolution of the European proletariat by means of their war machinery and stupid barbaric colonial soldiery. Indescribable is the white terror of the bourgeois cannibals. Incalculable are the sacrifices of the working class. Their best—Liebknecht, Rosa Luxemburg—they have lost. Against this the proletariat must defend itself, defend at any price. The communist international calls the entire world proletariat to this final struggle.

"Down with the imperial conspiracy of capital!

"Long live the international republic of the proletarian councils!"

Now, gentlemen, I wish to take the time right now to connect up some of the revolutionary organizations that are in existence in this country to-day, and show you that they are followers of and advocate the principles which have been laid down in this manifesto of the Communist International. In order to give you a comprehensive view of the situation I might state that the Socialist Party held an emergency national convention at Chicago on September 1, 1919, as a result of agitation within the party to compel it to assume a more revolutionary basis, and this convention resulted in the withdrawal of the extreme radical elements in the party and the formation of two new parties, under the names of the Communist Party, headed by Fraina, Ferguson, and Ruthenberg; and the Communist Labor Party, headed by Wagenknecht, Carney, Gitlow, John Reed, and various others. Both these new parties held conventions in Chicago immediately upon their withdrawal from the Socialist Party, and adopted manifestoes and drew up party constitutions. These latter two parties have definitely accepted the manifesto and program of the Communist International, as I will show you from their own documents, and it is my understanding that the Socialist Party is now taking a referendum vote among its members on the question of affiliating with the so-called third international.

I have before me a copy of the September 27, 1919, issue of the Communist, the national organ of the Communist Party, published at Chicago, Ill., and I desire to put into the record the following statements from the "Communist Party manifesto" as adopted and issued by the convention of the Communist Party, the introduction to which reads as follows:

"The world is on the verge of a new era. Europe is in revolt. The masses of Asia are stirring uneasily. Capitalism is in collapse. The workers of the world are seeing a new life and securing new courage. Out of the night of war is coming a new day.

"The specter of communism haunts the world of capitalism. Communism, the hope of the workers to end their misery and oppression.

"The workers of Russia smashed the front of international capitalism and imperialism. They broke the chains of the terrible war, and in the midst of agony, starvation, and the attacks of capitalists of the world they are creating a new social order.

"The class war rages fiercely in all nations. Everywhere the workers are in a desperate struggle against their capitalist masters. The call to action has come. The workers must answer the call.

"The Communist Party of America is the party of the working class. The Communist Party proposes to end capitalism and organize a workers' industrial republic. The workers must control industry and dispose of the products of industry. The Communist Party is a party realizing the limitations of all existing workers' organizations, and proposes to develop the revolutionary movement necessary to free the workers from the oppression of capitalism. The Communist Party insists that the problems of the American workers are identical with the problems of the workers of the world."

The party constitution, as adopted by the convention of the Communist Party, contains the following provisions in regard to membership:

"I. NAME AND PURPOSE.

"SECTION 1. The name of this organization shall be the Communist Party of America. Its purpose shall be the education and organization of the working class for the establishment of the dictatorship of the proletariat, the abolition of the capitalist system, and the establishment of the communist society.

"Every person who accepts the principles and tactics of the Communist Party and the Communist International and agrees to engage actively in the work of the party shall be eligible to membership. It

is the aim of this organization to have in its ranks only those who participate actively in its work.

"SEC. 2. Applicants for membership shall sign an application card reading as follows: 'The undersigned, after having read the constitution and program of the Communist Party, declares his adherence to the principles and tactics of the party and the Communist International; agrees to submit to the discipline of the party as stated in its constitution, and pledges himself to engage actively in its work.'"

These statements, gentlemen, more than anything I can possibly say, definitely align this party with the third international, under the leadership of Trotski and Lenin.

I have before me a copy of the Ohio Socialist, issue of September 17, 1919, the name of which has now been changed to the Toiler, which contains the official proceedings of the Communist Labor Party convention, and also the platform and program of the party itself. I might also state that this publication is published in the interests of the Communist Labor Party, one of the editors being Alfred Wagenknecht, who is the executive secretary of that party. I desire to put into the record the following statements taken from their platform:

"1. The Communist Labor Party of the United States of America declares itself in full harmony with the revolutionary working class parties of all countries and stands by the principles stated by the third international, formed at Moscow.

* * * * * * *

"3. With them it also fully realizes the crying need for an immediate change in the social system; it realizes that the time for parleying and compromise has passed; and that now it is only the question whether all power remains in the hands of the capitalist or is taken by the working class."

From the program of the party, the following statements occur:

"1. We favor international alliance of the Communist Labor Party only with the communist groups of other countries, those which have affiliated with the communist international.

"2. We are opposed to association with other groups not committed to the revolutionary class struggle."

That, gentlemen, more than anything I can possibly put before you shows you the international and revolutionary aspect of this movement and the serious menace that it offers to the institutions of our Government. One of the gentlemen here asked if this movement was gaining many adherents. I can tell you this movement has now thousands of adherents and is gaining in strength every day.

Mr. MORGAN. Can you give us an idea of the number inside of the Socialist Party?

Mr. HORTON. The old-line Socialists' last statement shows 30,000 as dues-paying members; you know you are not a member of that party unless you pay your dues. The last statement of the Communist Party shows 60,000 or 70,000 members.

Mr. YATES. Which has the largest membership, the Communist-Labor or Communist?

Mr. HORTON. The Communist Party.

Mr. MORGAN. Have you collected any statistics—do you know anything about that?

Mr. HORTON. That is a matter on which I am now working. We are checking up their locals, their publications, etc.

Mr. MORGAN. Do you know whether the Department of Justice knows whether they have made any inventory of the men? Do they know who they are?

Mr. HORTON. The report of the Attorney General calls attention to the fact that they have indexes on 60,000 radicals.

Mr. BYRNES. How many of these publications are now being circulated through the mails?

Mr. HORTON. I should say there are 200 foreign-language papers and better than 100 English papers. And you must take into consideration the fact that there is imported into this country, I think the last figures showed, 144 radical papers, mostly anarchistic, from South American and European countries.

Mr. YATES. Are these regularly organized? Do they have regular meetings?

Mr. HORTON. Yes, sir.

And, Mr. Chairman, every person who appeared before the Judiciary Committee in behalf of antisedition legislation showed conclusively that such legislation and legislation with teeth in it is sadly needed by the Government, and that same must be passed if we make this Republic safe against the hellish conspiracies of anarchy.

Let me quote the following from my own statement before the Judiciary Committee, to wit:

STATEMENT OF HON. THOMAS L. BLANTON, A REPRESENTATIVE FROM THE STATE OF TEXAS.

Mr. BLANTON. Mr. Chairman, since back in the days of Shakespeare the legal fraternity has been maligned, but I notice that the people of our country now are looking to one committee of Congress to furnish relief, and that is our Judiciary Committee, and I believe that this committee is going to furnish it. I am getting letters now from all over the country, from lawyers, hoping that proper legislation will be brought before Congress and passed. It just demonstrates to me that after all, whenever you come to a crisis, the country depends upon the legal fraternity to bring them out of chaos.

With regard to these various bills, I will call your attention to the fact that the Byrnes bill was introduced on November 5. The Summers bill and the Davey bill were both introduced on November 17, and the Siegel bill was introduced on November 11. You will note that the bill I have introduced here, which in some particulars is modeled along the lines of the Senate bill, was introduced on October 28, and it contains necessary provisions—as I deem them—not contained in any of these other bills. I refer to H. R. 10235, introduced by me on October 28.

Gentlemen, each of you will remember that in the development of the position taken by William Z. Foster and also by the anarchist lawyer, Margolis, from Pittsburgh, they agreed that in order to properly propagate anarchy in this country they must resort to certain organizations. You will note that they picked upon organizations where few men dominate and control; they picked upon organizations the membership in many of which are non-English-speaking people, in some instances not American citizens—to quite a large extent ignorant people—for they picked upon the labor organizations of our country.

Now, I want to call your attention to the fact that last May, in New York, Dr. Scott Nearing made a speech to 3,000 union members in which he advocated revolution, advocated the overthrow of this Government, and he was applauded to a man, with the exception of the few Government representatives who were present. I am not sure whether any of them applauded or not, but it would not be much of a surprise to me if some of them did; because I want to say this: That if you will dig down into this matter—I am sure this Judiciary Committee has not the time—but if you did dig down into it, you will reach the conclusion that I have reached, and which I have preached here before the House for six months, and which was asserted the other day by Senator King in the Senate, to the effect that the whole Labor Department, from Secretary Wilson down, is so honeycombed with anarchism and Bolshevism that you have got to have a house cleaning there before you relieve this country of the present menace. You have got to have a house cleaning from the beginning of that department to the end.

Now, I want to show you here what took place in Washington on last May Day eve. In the Pythian Temple there was a big red flag meeting, attended by thousands of union members, here in Washington, under the auspices of the Fur Workers' Union. I want to show you what the Washington Star said about that meeting. The Washington Star next day printed the resolution that was adopted, in which, in part, it says as follows:

"Labor now knows its strength. Labor now makes demands. And those demands are heard, they must be heard, for labor, in its might, has learned to achieve for labor, and labor's word is fast becoming law."

And then the Washington Star went on to say this of the meeting:

"The spirit of anarchy, nihilism, Bolshevism, sabotage, and defiance of vested power and authority in government dominated the assembly."

That occurred on May Day eve here in Washington, in the Nation's Capital, if you please.

I want to call your attention to a copy of Freedom, which I hold in my hand, which is the biggest anarchistic paper in this land to-day, published in defiance of law, and disseminated in defiance of the rules and regulations of the Post Office Department and of the laws of this country. It says right at the beginning——

Mr. GOODYKOONTZ. Do you believe that the Postmaster General is going to suppress that paper?

Mr. BLANTON. How is he going to suppress it when it is protected in a large measure by the very men who ought to be engaged on the side of its suppression?

Mr. GOODYKOONTZ. Did he not suppress the Call?

Mr. BLANTON. Yes; and he tried to suppress this paper; and he is doing everything that he can, so far as the loyal employees of this Government have brought it about. Here it says "A journal of constructive anarchism," right at the top; and it advertises "Bread and freedom," the biggest bolshevistic anarchistic paper published in Russia. And here it gives the place where it can be found—133 East Thirty-fifth Street, New York City. Anarchism! Advertising that.

Now, let me call your attention, concerning that very title——

Mr. STEELE. The power of the Attorney General is limited to prohibition of transmission through the mails?

Mr. BLANTON. Yes; his power is limited.

Mr. HUSTED. May I ask you a question?

Mr. BLANTON. Yes, sir.

Mr. HUSTED. Do you happen to know whether he has refused that paper admission to the mails?

Mr. BLANTON. Yes; certainly.

Mr. HUSTED. It is still going through the mails?

Mr. BLANTON. It is going through some way. This is July, 1919, that I hold in my hand. Here is a letter that I have just received inclosing a copy of a letter that a gentleman wrote from Philadelphia on December 7, 1919, to Hon. Albert S. Burleson, Postmaster General, Washington, D. C. This reads as follows:

PHILADELPHIA, PA., *December 12, 1919.*

Hon. ALBERT S. BURLESON,
Postmaster General, Washington, D. C.

DEAR SIR: The anarchist paper, Freedom, is regularly published surreptitiously, though forbidden the use of the mails. A copy of it has been given to me, and I now inclose some extracts from it which may be of interest. It deals with the Berkman-Goldman dinner and also a letter that Emma Goldman wrote. The Harry Kelly whose name appears is the editor, and the Leonard Abbot is the assistant editor and the friend of John B. Densmore, through whom he is in touch with William B. Wilson, Secretary of Labor. I hope to get two more copies of the paper, and if so will send you and Attorney General Palmer each one. You will see the overthrow of our Government is freely advocated.

Yours, very truly,

FRANCIS RALSTON WELSH,
109 South Fourth Street.

[Francis Ralston Welsh, investment bonds, 109–111 South Fourth Street.]

PHILADELPHIA, PA., *December 9, 1919.*

Hon. THOMAS L. BLANTON,
House of Representatives, Washington, D. C.

DEAR MR. BLANTON: The inclosed extracts from the anarchist monthly Freedom are, I think, well worth reading at once.

Sincerely, F. R. WELSH.

I also sent a copy of letter to Mr. ALBERT JOHNSON.

That is by Francis Ralston Welsh, of 109 South Fourth Street, Philadelphia, Pa., a man who has done more to ferret out this propaganda and to help the Government rid itself of these anarchists than any other man I know of in the country.

Here is a copy of a document that has been sent broadcast throughout this land entitled "Labor, Free Your Prisoners," which is anarchistic from beginning to end. Note these paragraphs:

"Labor, free your prisoners."

"It is necessary for the future liberty of this country that American labor see to it that the prison doors swing open and set free the men and women who are suffering under war-time measures. There are over 1,500 such prisoners in the American jails to-day. It is not only labor's absolute right, but if labor is to maintain its self-respect it must stand back of every man who is now in prison because of labor's struggle."

"Demand—not only demand, but see to it—that there is an immediate amnesty to all the labor and political prisoners in the American jails."

Not only demanding that they see to it that there is immediate amnesty to all labor prisoners in American jails, but it preaches in favor of opening the jail doors by force, not by law, but by force; and this scattered throughout the land. The one who sends me this—of course, it is anonymously sent, but he sends me the nominations of the workers—candidate for President, Eugene V. Debs for 1920, a man convicted and serving his sentence here in this country at this time.

Mr. STEELE. Conducting an active campaign?

Mr. BLANTON. Yes; and it goes on to say that if I happen to survive so long, they may let me be official bootblack of the outfit.

Mr. STEELE. There is no connection between that paper and the official organizations of labor, is there?

Mr. BLANTON. No; but it shows how the idea, especially the idea of labor, is that of an anarchistic and bolshevistic organization, and that is the result of that Margolis and William Z. Foster have been working hand in hand, to undermine the organization of the Government through this organization.

Mr. GOODYKOONTZ. Do you not think that these people and the Bolshevists are seizing upon labor and using it as an instrument?

Mr. BLANTON. Yes; because there are several millions of honest, loyal, law-abiding American citizens who are members of labor organizations, and would not stand for it if it was put up to them; but now they all know, but some of them nevertheless stand back and seek to get the benefit of the acts of these lawless enemies.

Mr. STEELE. As a matter of fact, the leaders control all meetings. It was developed that less than 20 per cent of the members ever attended their meetings.

Mr. BLANTON. Certainly; it is the radicals that control. I have very little time; there is a lot of this that I want to get before the Judiciary Committee, but I can not. If you gentlemen want to ask me questions, I will spend what little time I have in answering them; but there is much of this that I want to get before you.

I do not agree with my colleague from New York who says that he is not carried away by the idea of this matter having taken hold. If you were down with me in my country out on one of those big ranches, and somebody should strike a match on one of those prairies in the grass, and if you have a bunch of cowboys right there who would get busy and work, they could put out the fire; but if you let it gain headway, you could not put it out, and it would burn, and burn, and burn; and sometimes destroy hundreds of thousands of acres. But you can stop it if you take it quick enough; and that is exactly what we have got to do now; we have got to begin in time with this and stop it, and let these infamous scoundrels know that this is a country of law and order and we are not going to stand for it any longer.

To show you how it is interwoven, now, I am not going to make an attack upon the administration of the party of which I am a member, merely, for I do not want it understood that I am attacking the Democratic administration or anything of the kind, but I want to say that it is interwoven with our Government machinery. We Democrats are not responsible for it, only that we permit it to exist. It is something we have inherited. It is something that has been here for years. It is something that no one man who is President can get rid of. If the President knew what I know about the Labor Department, he would clean it up in 10 minutes; but it takes a long time to find these things out.

Mr. CURRIE. Do you not think that rather a contrary disposition is shown by the President by his having a man like Howe for Immigration Commissioner at New York?

Mr. BLANTON. Oh, we tried for weeks to get the House to understand what kind of man he was. Mr. LaGuardia's attacks upon him months ago told what he was; yet we sat there and would not take action. We could have gotten action in a very short time. We tried to cut his salary off in the House, and they would not do that. They said there was a better way to get rid of him. But we could have gotten rid of him by cutting his salary off when the bill was before us.

Here is a document entitled "Armistice Day" [reading]:

"Armistice day mass meeting. Make peace with Russia, too. Faneuil Hall, Tuesday, November 11, 8 p. m. Music by choir of the Russian People's Church.

"Felix Frankfurter, presiding, formerly chairman of the National War Labor Policies Board.

"Wilfred Humphries, recently returned after a year in Central Russia and Siberia with the Red Cross and Committee on Public Information (with lantern-slide illustrations from personal photographs).

"Samuel E. Morison, attached to the American Peace Commission; expert on Russia and the Baltic States.

"Rev. Sydney B. Snow, of King's Chapel.

"The position of this committee is that of Gen. Jan Smuts, member of the British Peace Commission at Paris and prime minister of the South African Republic: 'Leave Russia alone, remove the blockade, adopt a policy of Gallilike impartiality to all factions.'

"Admission free."

What I was going to say is that meeting after meeting is allowed to continue.

Mr. CURRIE. I just want to make this suggestion to Mr. BLANTON. I am in hearty accord with the purpose of which he speaks. You said that if the President understood these matters you knew that he would clean house in that department. Now, he certainly understands what the policy is, does he not, of Secretary Wilson, not only in putting Immigration Commissioner Howe up in New York but in all these other matters to which you refer?

Mr. BLANTON. He has no more idea of it than I have of what is going on in London right at this moment.

Mr. CURRIE. Do you not think he knows about Howe's record in the past, and his associations?

Mr. BLANTON. In what way would it be brought to his attention?

Mr. CURRIE. If in no other way, through the press.

Mr. BLANTON. I want to call your attention to this——

Mr. CURRIE. Here is one thing that I want to bring to your attention, that the President seems to be in hearty accord with Secretary Wilson, as shown during the past week in his approving of Secretary Wilson's course in the coal-strike matter and taking his side as against the Fuel Administrator, Mr. Garfield.

Mr. BLANTON. I do not agree with the President at all about that. I want to say that. But I think that we have slept on our rights when we have permitted one man to decide the destiny of a great people, so far as it was the duty of Congress to make that decision with respect to those matters, both with respect to the coal and the railroad situation. We have been passing the buck time and time again, when we ought to have done our duty as Members of Congress, and that is what I hope we will do in this bill.

The CHAIRMAN. Your time is up, Mr. BLANTON.

Mr. STEELE. I would like to ask Mr. BLANTON a question, if I may be permitted, Mr. Chairman, before he finishes on that subject.

The CHAIRMAN. Very well.

Mr. STEELE. This is for information, as to the legal aspect of this bill.

In the second section of the bill, on page 2, where you prohibit any combination with reference to the mining of coal, how do you make the mining of coal in any State a Federal question?

Mr. BLANTON. I will show you. There are just two ways that anarchists can affect this country's industrial life, and that is with reference to food and with reference to fuel; something to eat and something to keep us warm in winter. Now, in reference to food, if they could call a nation-wide railway strike from one side of the United States to the other they could starve to death in a short time all of the big cities in this Nation. If they could continue a coal strike in the wintertime they could freeze to death the people of this country. There are the avenues of working. It is a Federal question whenever you get to interfering with interstate commerce. It is a Federal question when you get to interfering with carriage of the United States mails. Whenever you stop a train carrying interstate commerce or carrying United States mails you involve in that transaction a Federal question, and there is where the Congress of the United States has a right to come in to protect the people; and you notice in those two provisions in my bill it seeks to protect this Nation with respect to railroad strikes and with respect to coal strikes, and you will notice, you lawyers on the committee will notice, that it does involve a Federal question—I mean it does come within the provisions that would make it constitutional on a Federal question.

Mr. STEELE. It is under interstate commerce that you ground the action?

Mr. BLANTON. Yes; certainly, under that.

Mr. STEELE. Interstate commerce is limited to transportation, under the decisions of the Supreme Court.

Mr. BLANTON. Yes; and whenever you stop coal—in other words, whenever you interfere with the laying of tracks over which trains could carry interstate commerce—you interfere with transportation itself.

Now, Mr. Chairman, let me call attention to some of the radical publications which the gentleman from South Carolina [Mr. BYRNES] read before this hearing of the Judiciary Committee, to wit:

TO ARMS, COMRADES.

Time and again you have been foolish enough to ask or to expect the present exploiting system to go out of existence peacefully.

Day after day the upholders of this exploitation—the Government—have murdered, crippled, and imprisoned thousands of our fighters while you were answering with your paper protests.

But what has happened all over the country on Friday, November 7, 1919, when hundreds of our comrades were brutally crippled, assaulted, beaten up, and then arrested by the wolfish, degrading, cowardly, dirty, thug-armed beasts of the Government ought to open the eyes of every rebel worker who struggles for the overthrow of this system that it is time to change the methods of fighting our murderous enemies.

Open meetings of revolutionary organizations must stop, instead of which all must resort to conspirative meetings in Czaristically Russianized America, as in the olden days of czardom.

We must also be prepared so that when our conspirative gatherings are attacked no such horrible scene as on the bloody Friday of November 7, 1919, should be repeated without bloody—yes, bloody—revenge. We must spend our last money on acquiring guns and ammunition and learn how to shoot, and to shoot into the beasts who would dare attack us.

We trust that our comrades of Russia will reiterate on American officials and in this manner avenge the murderous attacks on their Russian brothers who are kept by force in this country and are not permitted to return home.

We must unite secretly, call strikes in all industries, begin to seize all food stores and factories, attack with any weapon you can capitalism and its upholders.

Carry on the struggle of the social revolution until capitalism's exploitation system, government's murder rule, religion's hypocritical assent to these outrages, together with the daily kept press of the entire country, are all destroyed forever and in its place establish the Anarchist Commune Society, based on real freedom.

Capitalism, through its government, has by its bloody Friday started the spark of the social revolution in America, and it is up to us, the rebelling workers, to keep the spark burning until victory is ours, and victory will only come by our beginning to use all weapons of force which we can lay hold of in fighting our enemies.

To arms, rebelling workers of America.

AMERICAN ANARCHIST FEDERATED COMMUNE SOVIETS.

[Pamphlet picked up by one of the translators in the corridor of the New York post office. First printed in Il Diritto, New York, N. Y., Italian bolshevik-anarchistic publication, issue of Mar. 8, 1919.]

TO THE WORKING PEOPLE OF AMERICA.

The war is over. Your exploiters have quickly placed their profits in safety.

You, the working slaves, will soon find yourselves on the streets, facing a hard winter, looking for work, for it is your only means to supply yourselves with the present necessities of life, because you lack the courage to use other methods.

You have tolerated all the moral and physical slaveries during this war.

When you dared open your mouths in protest, you were quickly railroaded to jail.

What were your profits out of this war? You lost all the little liberty you had, and gave your sons, brothers, and fathers away to be shot down like dogs and left to rot in the fields of France!

For what?

For the glory of the American flag!

So that your masters may have bigger markets to sell their merchandise and exploit other people like you.

The workers of Russia, Germany, Austria, and other countries have risen and have overthrown their rulers.

Not by ballots but by arming themselves, as it is your only means. You alone do not budge. Are you afraid to follow their example? Are you afraid to take by force what rightly belongs to you?

Will you be meek and slavish? Will you wallow under the iron heel of your masters?

Or will you tear your way by the revolution to a better and happier life? Which will you choose?

A GROUP OF WORKINGMEN.

[Der Klassen Kampf, New York, N. Y., Jewish I. W. W., October, 1919, p. 5, col. 3.]

THE REVOLUTIONARY I. W. W.

The preamble of the I. W. W. constitution in its last paragraph contains the following:

"Organizing ourselves industrially, we are building the structure of the new system within the shell of the old. That is the chief aim of the I. W. W. We are not satisfied with 'a good day's wages for a good day's work'; that is impossible. The workers produce all riches and are therefore entitled to it. We are going to abolish capitalism, taking into our possession the earth and the machinery of production. We do not intend to buy it, but to take it. The rich class has seized it, because they had the power to control and the brain of the workers in the industry."

GROVER H. FERRY.

—

[Der Klassen Kampf, New York, N. Y., Jewish I. W. W., September, 1919, p. 1, cols. 1–4.]

THE RED WAVE OF REVOLT.

In every center strikes are the order of the day. It is the dawn of a new day, and the red flag of revolution and freedom has begun to wave. Now more than ever the workers of America have taken to solve this social problem by direct action in an economical struggle against the capitalistic dictatorship.

Strike—this is the new solution. This is the forerunner and spreader of the great revolution of the proletariat which is to come.

Only by direct action, strike, general strike, and mass revolt will they gain better living conditions.

Rather than bother with the wasted energy of electing any candidate to Congress or assembly, who betray the laboring class and serve the money bag, the only thing left for the workers is direct action on the economical battle field, which is the best weapon against the weapon of capital.

The time for cheap demands is gone. Now is the time to take possession of the earth under the control of the workers. The Presidents, ministers, Congressmen, Senators, and their agents, they all seek to fool the workers, to make compromises, but when the workers will have sense enough not to let themselves be misled and take control of the fields and wood, shop, mills, railroads, etc., the entire production and commerce in their hands, then we would not live in vain on this earth. We would all hear the sound of the storm bell of revolution, which reports the birth of a new, free, humane society.

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[A. Felszabadulas, Chicago, Ill., Hungarian I. W. W., June 21, 1919, p. 3, col. 6.]

The time of idle talk has passed. The time for action is at hand. Let us act. If every one of us will do his share capitalism will lie at our feet in short order. Poke the flame of dissatisfaction until it envelopes this rotten capitalistic world.

—

[Felszabadulas, Chicago, Ill., Hungarian I. W. W., Nov. 22, 1919, p. 2, cols. 1–2.]

THE NEGRO AND THE AMERICAN FEDERATION OF LABOR.

The Messenger magazine, the only magazine of scientific radicalism in the world, published by negroes, has been carrying on relentless and widespread propaganda among negro workers in this country for nearly two years. It is being read this month by over 33,000 negro workers and a few thousand radical whites. * * *

Industrially, let the farmers organize farmers' protective unions. Let the lumber workers, molders, masons, plasterers, and other negro workers on railroads and in mines organize into unions quietly and unostentatiously. Be prepared to walk out in concert, every man and woman who does any form of work. Let it be known that we are down to plain business, free from any foolishness or play.

Let every negro in the South begin to work on this program by agitating for it in the lodges, churches, schools, parlor, and home conversation, and while at work in factory or field. Write also to us about any detail in entering upon this work. If this program is pressed, a year from now we can call out of the fields, the factories, and the mines between a million and two million negroes, who will initiate the true work of making American a real "land of the free and home of the brave."

Yet the large majority of negro cotton plantation workers are in dire poverty on account of the starvation wages they receive. What is the remedy, is the question coming from the mouths of millions of black workers.

The answer is contained in one word—"strike!" Piteous appeals are of no avail. Positive demands enforced by the strike are the only things that count. If the Negro cotton workers were to strike, the great cotton mills of England that rely upon the cotton exported from the South would be forced to close down. Now, since these cotton mills are owned by the capitalists of England, who in turn control Parliament, representations would be made immediately to America with a view to influencing the action of the Government with respect to the cotton strike. When the Negro understands his power to cripple the main industry of the South by arresting production, and thereby stopping the creation of profits, he shall have reached the point where he will be able to secure a respectful hearing in the highest court of American public opinion in general, as well as an attentive audience from southern cotton plantation owners in particular.

The exploiting classes in all parts of the world can appreciate a blow in the pocketbook. Negroes must form cotton workers' unions and present their demands to the masters of the cotton industry in the South. There is no need for fear. Not a sign of cotton can be raised without Negro labor. Southern white capitalists know that Negroes can bring the white bourbon South to its knees by one strike at the source of production. So, go to it.

—

[The Messenger, New York, May–June, 1919, p. 9.]

NEGRO MASS MOVEMENT.

Fourth, and last, negroes must get into the Socialist Party. Politics should reflect the economic condition of a people. Socialism is the political party of the working people. Now, 99 per cent of the Negroes are working people, so they should join the working people's party. The Republican Party is a party of monopoly, big business, and wealth. It represents plutocracy. Negro plutocrats should belong to the Republican Party, but negro working people should join and support the workingmen's party. That is the Socialist Party in all countries. It draws no race, creed, color, or nationality lines. All are freely welcome into its ranks.

And, Mr. Chairman, in this Messenger, published by radical negroes, in last Thanksgiving number it heralded that it did not thank God for anything, but on behalf of the toiling masses of the world and their achievements it was thankful for the Russian revolution, for the German revolution, for the Austrian revolution, for the Hungarian revolution, for the Bulgarian revolution, for the world unrest, for the titanic strikes sweeping Great Britain, France, Italy, the United States, Japan, and every country of the world; for the solidarity of labor; for the growth of industrial unionism; for the triple alliances of the railway, transport, and mine workers in America and England; for the radicalism permeating America, giving rise to many of the greatest strikes in history, such as the steel strike, the coal strike, and the impending railroad strike; for the first successful general strike in America, in Seattle, Wash.; for the new crowd of negroes asserting by force their equal rights in every avenue of life; and for the fact that the sleeping giant—labor—has awakened.

Following such hearing, as is usual in such cases, a member of the Judiciary Committee, generally conceded to be one of the best lawyers in the House, the gentleman from Pennsylvania [Mr. GRAHAM], prepared an antisedition bill, copying from the bills before the committee the many sections contained therein which appealed to him, which he introduced in the House on January 5, 1920, as H. R. 11439. He is an LL. B. of the University of Pennsylvania and an LL. D. of Lafayette College, was district attorney of Philadelphia for 27 years, was professor of criminal law in the University of Pennsylvania for 11 years, and is a lawyer of such eminent ability that in private practice could likely command retainers amounting to $100,000. This Graham bill was referred to the Committee on the Judiciary on January 5, 1920.

On January 10, 1920, the Senate of the United States passed the Sterling antisedition bill (S. 3317), which was referred to the House Committee on the Judiciary on January 12, 1920.

On January 12, 1920, the Committee on the Judiciary amended the Graham bill (H. R. 11430) to suit its ideas and reported it so amended to the House (Rept. No. 536), recommending its passage.

On January 14, 1920, the Committee on the Judiciary reported the Sterling bill (S. 3317) amended to conform with the provisions of the amended Graham bill (Rept. No. 542), recommending to the House that it be passed. We all know that this legislation then met with the approval of the Republican steering committee, else these two favorable reports could not have been made. Everything was propitious for the immediate passage of this measure through the House. The only obstacle was that it had to await its turn on the calendar, unless the Committee on Rules would grant a resolution making it in order for the House to give such proposed legislation immediate consideration. When the matter came before the chairman of the Rules Committee something halted the granting of the expected rule. Some of the New York morning newspapers for January 17, 1920, advised the Congress and the public that on the preceding day Mr. Samuel Gompers had stopped the rule and was not going to let same be granted, as such legislation would shackle organized labor, and that the chairman of the Rules Committee had called a hearing on the rule for Thursday, January 22, 1920, at which Mr. Gompers, president of the American Federation of Labor, would appear. On the evening before I had made a hurried trip to Providence, R. I., where to an audience of patriotic business men I spoke against anarchy on the night of January 16, 1920, hence became much interested in these newspaper articles while eating early breakfast on the diner out of New York the next morning while returning to Washington.

In the House that day I rose on the floor and called attention to what the New York papers said, and let me now quote from page 1691 of the CONGRESSIONAL RECORD for January 17, 1920, as follows:

Let me call the attention of the gentleman to the fact that several of the New York newspapers of this morning tell us that the distinguished gentleman from Kansas [Mr. CAMPBELL], the chairman of the great Committee on Rules, has seen fit to deny a rule making in order this Graham sedition bill, stating that such action was taken because Mr. Samuel Gompers and the American Federation of Labor were against this sedition bill and had demanded a hearing on it. Because of what? Why was the rule denied and a hearing granted? Why, if you please? Because Mr. Gompers and the American Federation of Labor had asked that no rule be granted, but the matter be suspended; and said New York newspapers stated that upon such demand of Mr. Samuel Gompers and the American Federation of Labor a hearing had been granted on the bill for next Thursday.

Mr. CAMPBELL of Kansas rose.

Mr. BLANTON. Did the New York newspapers correctly report my friend from Kansas?

Mr. CAMPBELL of Kansas. I do not know where the newspapers could have gotten that impression. After consulting other members of the committee I did fix on next Thursday at 10.30 o'clock to hear both the proponents and the opponents of the measure.

Mr. BLANTON. Did the opponents of the measure include Mr. Gompers?

Mr. CAMPBELL of Kansas. Not that I know of.

Mr. BLANTON. This morning's New York newspapers so report, and I have not seen any denial from Mr. Gompers. Before this sedition bill was reported the Committee on the Judiciary held exhaustive hearings on the measure, considering not only the sedition bill introduced by me but likewise numerous others.

And, Mr. Chairman, in the press of the very next day, Sunday, January 18, 1920, a long article appeared from Mr. Samuel Gompers stating that he and the American Federation of Labor would not stand for this antisedition law, and that it must not pass.

Some of us knew that during the week preceding this stoppage by Mr. Gompers, the Attorney General of the United States had personally stated to the chairman of the Committee on Rules that without a new antisedition law it was impossible for him to reach a certain class of criminals in the United States, and that he needed additional law to break up anarchy in our country.

On Thursday, January 22, 1920, the Rules Committee was called to order for this hearing, when Mr. Gompers appeared both personally and with his attorney, and, in a crowded chamber, where standing room was at such a premium that ladies could not find seats, began his fight against an antisedition measure designed to free his Government of anarchy and of anarchists. When devoting nearly an hour to a general attack against the measure, claiming that it denied a free press, and free speech, and would shackle labor, and that he appeared not only for organized labor but assumed to speak for unorganized labor as well, the chairman of the committee asked Mr. Gompers to point out the specific paragraph of the bill which denied free speech and free press and which shackled labor. Whereupon Mr. Gompers became so discomfited he could not answer, but hummed, hawed, swallowed, hesitated, gulped, and finally turned to his attorney, who pointed out the paragraph relating to force, and claimed that because it did not say physical force it would deny organized labor the right to use moral force to change the Constitution, and asserted that the Supreme Court of the United States was in effect always ready and willing and anxious to improperly construe laws so as to deprive labor of its lawful rights, and would shackle labor if given any opportunity.

Thereupon the chairman of the great Judiciary Committee of the House [Mr. VOLSTEAD] arose and stated that the committee in framing the bill had no intention to deprive any person, or combination of persons, of the right to use all moral force possible to change the Constitution either in one way or a hundred ways, in accordance with constitutional provisions for its changes, or to change any part of the law, through lawful means, but only sought by this law to prevent anarchists from overthrowing, or seeking to overthrow, this Government by physical force and violence, and that if the proposed law was ambiguous in any particular, the Committee on the Judiciary, which would have charge of it in the House, would see that it was properly amended so as to make it clear beyond doubt that physical force and violence and not moral force was required, and that the guilt of a person should not be left to the Postmaster General or any other officer to decide, but that same should be decided by proper court trial.

After which one of the committee again asked Mr. Gompers whether after incorporating the amendments promised by the chairman of the Judiciary Committee safeguarding in every way the rights of the press, of public speakers, and of all laborers he would still oppose a new sedition law. And he promptly answered "Yes," that he did oppose it, and did not want any passed, because it interfered with the aspirations of organized labor.

Simply because the Attorney General did not personally appear before said hearing and give Mr. Gompers, and Mr. Gompers's attorney, a chance to interrogate him, and find out the secret plans of the Department of Justice to apprehend anarchists, members of the Rules Committee publicly condemned the Attorney General and accused him of getting "cold feet," and the afternoon papers heralded the fact that antisedition legislation was killed, and that Mr. Gompers would not permit the rule to be reported. Why, Mr. Chairman, at such a hearing, where their rights were vitally affected, did not this committee know that in that large crowd many anarchists were likely present? Whose interests were most affected? Why should not they come to such a hearing? If in the dead hour of midnight, anarchists would put a bomb on the doorstep of the Attorney General and blow away all of the front of his residence, and take such chances in doing it that the one handling the bomb was blown into a thousand pieces, why would not they make an attempt to bomb the Attorney General while testifying before a committee, some members of which were not his political friends and antagonistic enough against him at least to publicly accuse him of having "cold feet" with respect to the sacred performance of his duty? Would the Attorney General want anarchists who might be present to interrogate him?

But, Mr. Chairman, within a very short time after said hearing began the Attorney General sent to the Committee on Rules the following communication, embracing the form of the identical bill which he desired enacted into law and which he told the committee he stood ready to enforce if Congress would pass it, and that he would enforce any law which Congress saw fit to pass, to wit:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., January 21, 1920.

Hon. PHILIP P. CAMPBELL,
Chairman Committee on Rules,
House of Representatives, Washington, D. C.

MY DEAR MR. CAMPBELL: I find that public business of pressing importance will make it impossible for me to attend the hearing before your committee to-morrow morning. I would be glad if you would print this letter in the hearings as a statement of my views with respect to the legislation which you are considering.

I have read with great care both the Sterling bill, passed by the Senate, and the Graham bill, reported by the Committee on the Judiciary of the House, and feel impelled to say that neither of these bills accords with my views as to what the legislation ought to be.

In response to a Senate resolution I prepared several months ago and transmitted to the Senate the following as a draft of a law which, in my view, meets all the requirements of the situation:

"SEDITION.

"A bill defining sedition, the promoting thereof, providing punishment therefor, and for other purposes.

"*Be it enacted, etc.,*

"Whoever, with the intent to levy war against the United States, or to cause the change, overthrow, or destruction of the Government or of any of the laws or authority thereof, or to cause the overthrow or destruction of all forms of law or organized government, or to oppose, prevent, hinder, or delay the execution of any law of the United States, or the free performance by the United States Government or any one of its officers, agents, or employees of its or his public duty, commits, or attempts or threatens to commit, any act of force against any person or any property, or any act of terrorism, hate, revenge, or injury against any person or property of any officer, agent, or employee of the United States, shall be deemed guilty of sedition, and, upon conviction thereof, shall be punished by a fine not exceeding $10,000, or by imprisonment for a period not exceeding 20 years, or by both such fine and imprisonment, in the discretion of the court.

"SEC. 2. PROMOTING SEDITION.—Whoever makes, displays, writes, prints, or circulates, or knowingly aids or abets the making, displaying, writing, printing, or circulating of any sign, word, speech, picture, design, argument, or teaching which advises, advocates, teaches, or justifies any act of sedition as hereinbefore defined, or any act which tends to incite sedition as hereinbefore defined, or organizes or assists, or joins in the organization of, or becomes or remains a member of, or affiliated with, any society or organization, whether the same be formally organized or not, which has for its object, in whole or in part, the advising, advocating, teaching, or justifying of any act of sedition as hereinbefore defined, or the inciting of sedition as hereinbefore defined, shall be deemed guilty of promoting sedition, and upon conviction thereof shall be punished by a fine of not exceeding $10,000 or by imprisonment of not exceeding 10 years, or by both such fine and imprisonment, in the discretion of the court.

"SEC. 3. ALIENS TO BE DEPORTED.—Any alien who shall be convicted under any of the provisions of this act shall, at the expiration of his sentence, be taken into custody under the warrant of the Secretary of Labor and deported in the manner provided by the immigration laws of the United States then in force, and said alien shall forever thereafter be debarred from again entering the United States or any Territory or possession thereof.

"SEC. 4. DENATURALIZATION AND SUBSEQUENT DEPORTATION.—The conviction under any of the provisions of this act of any naturalized citizen shall be deemed sufficient to authorize the cancellation of his or her certificate of naturalization in the manner provided by section 15 of the naturalization act of June 29, 1906. It shall be the duty of the United States attorney in the district where said naturalized citizen is held in custody or resides to institute and conduct such proceedings immediately upon the entry of final judgment of conviction. Upon the cancellation of the certificate of naturalization the alien shall become subject to the provisions of section 3 of this act.

"SEC. 5. The Department of Justice shall furnish the Secretary of Labor such data as will enable him at the proper time to effect the deportation of those made subject thereto by the provisions of this act."

I understand that this bill has been introduced in the House by Representative DAVEY, of Ohio (H. R. 10650).

Of course the form which legislation shall take is for the Congress exclusively.

The bill which I have quoted was prepared by me only because requested so to do by a Senate committee.

It is unnecessary for me to add that the Department of Justice stands ready to enforce whatever legislation the Congress shall see fit to pass.

Yours, truly,

A. MITCHELL PALMER,
Attorney General.

Now, Mr. Chairman and gentlemen of the House, does the above look anything like "cold feet" with the Attorney General? When he sends to the Rules Committee word for word the specially prepared form of law that he wants passed and which he told the chairman of the Rules Committee the preceding week that he needed to reach a certain class of criminals to put anarchy out of business in the United States, and he tells the Rules Committee that he stands ready to enforce any law which the Congress sees fit to pass, did he have "cold feet" or was the case of "cold feet" then being suffered by his accuser, who

had just been told by the autocratic dictator of Congress, and of all legislation—Mr. Samuel Gompers, president of the American Federation of Labor—that organized labor would not stand for such a law and that it must not pass?

Immediately after the testimony and statement of Samuel Gompers the afternoon papers here in Washington stated that the antisedition legislation was dead and that the Committee on Rules would not grant a rule to make it in order for consideration by the House.

The Committee on Rules can not camouflage this issue. It can not claim that it refused a rule because it did not like the Graham bill, or that the Graham bill needed amending, or that by granting the rule it would evidence its approval of the Graham bill. For every Member of Congress and every person acquainted with the rules of the House knows that the province and function of a rule from the Committee on Rules merely makes the proposed legislation in order for immediate consideration by the House, and that the Committee on Rules could have passed a resolution merely giving the House the right to consider and properly perfect this proposed antisedition measure into proper and wholesome legislation, and just this, and nothing more or less, did the Committee on Rules refuse to do under the whip and lash of Samuel Gompers.

Again, I repeat, that not a single loyal newspaper in this whole land has objected to Congress passing a proper antisedition bill. The most that loyal newspapers, such as the Dallas News and others, have done was to protest against the Postmaster General or any other individual being empowered to pass upon guilt, but that same be left to a court after trial.

Is it anything out of the usual or astonishing in any way that Mr. Samuel Gompers should object to a law that would hamper, restrain, or punish anarchists?

I deny that he represents in any way the 25,000,000 unorganized laborers of this land. He and his unions have been their worst enemies. Have not he and his unions denominated every unorganized laborer in the land a "scab"? Have not he and his unions attacked, threatened, bulldozed, beaten, dynamited, cut, shot, stabbed, brickbatted, rifle-balled, and murdered in cold blood the unorganized laborers of the land, and tried in every way possible to starve them to death by refusing to work with them and by preventing them from getting jobs of any kind by which they could make an honest living and earn their daily bread? Have Mr. Gompers and his unions ever been guilty of a single friendly act toward a single one of the millions of unorganized laborers of the land? No.

And now Mr. Gompers would try to hoodwink the farmers, but they are too intelligent and have too much sense to be fooled. Every farmer knows full well that there is not one single community of interest between the farmers and organized labor. Every piece of farm utensils, implements, and machinery used by farmers has been forced up to the highest maximum top notch in price through strikes of unions until for a Studebaker wagon that used to cost a farmer $65 he now has to pay $175, and the difference has gone into the pockets of unions. Everything a farmer and his family wear on their bodies has been forced up to the highest maximum top notch in price through strikes by unions until a suit of clothes which the farmer used to buy for from $15 to $20 he now has to pay from $60 to $75 for, and most of the difference has gone into the pockets of unions. Every farmer knows that every product of the farm, in the planting, cultivating, and raising of which he and his wife and hard-working little children labor from early morning until late at night, has been forced down to the lowest possible minimum by unions, because they are all consumers and want all food products at the lowest price possible, and the farmers know the record of Mr. Gompers and his unions in attempting to keep down the price of the products of the farm. As said above, there is no community of interests between them. But there is a community of interests between the farmers and all of the business men in the towns, and the business men, through their organized chambers of commerce, are cooperating with the farmers, and when they get finally waked up thoroughly and get into action they are going to make Mr. Gompers and the power of his autocratic, anarchistic, grasping, labor-union leaders, who have been misrepresenting the hundreds of thousands of loyal, patriotic, deserving, but overly credulous union laborers of our land, look like 30 cents, and the farmers and business men of this country, aided and abetted by the loyal, patriotic union laborers, are going to commence electing their officers—their Presidents, their governors, their Senators, their Congressmen, their legislators, and all State and county officers—and the public officials who have permitted Mr. Gompers to rule them are going to have a helliver time getting back into their jobs again.

And I now warn this Republican Rules Committee and this Republican House of Representatives that the people of the United States are going to hold you responsible for bowing to the command of Samuel Gompers and permitting him to control legislation in this Congress so vitally needed by the people, and they are going to punish you by taking the reins of power in this House and Senate away from you in the next election.

Let me again recite a part of the war record of Mr. Gompers and his union-labor leaders:

(1) Mr. Gompers got members of union labor exempted from the draft.

(2) He helped to put the cost-plus 10 per cent profit provision in war contracts, by which the Government was swindled out of hundreds of millions of dollars, and saw-and-hammer men with union cards were paid as high as $15 per day for doing little or nothing.

(3) When it was proposed in giving the 240,000 Government employees drawing salaries up to $2,500 per annum a bonus of $120, that they should work eight instead of only seven hours per day, Mr. Gompers said that to make them work eight hours "was damnable," and by threats of marching on the Capitol and of having the employees walk out and leave the Government helpless in war time, he forced the President to veto the law, and the clerks continued to work only seven hours, although drawing the $120 bonus, and later the $240 bonus, which Mr. Gompers forced from Congress. These employees get 30 days vacation each year on full pay, 30 days additional on doctor's certificate on full pay, all 52 Sundays, all holidays, half of each Saturday during the three summer months, and all special occasions so numerous in Washington, besides working in comfortable buildings, under pleasant surroundings, getting their pay in cash twice a month, enjoying all the free pleasure provided for them here—the parks, the swimming pools, the tennis, polo, and cricket grounds, the horseback-riding paths, the many public buildings of interest, the National Zoological Park, the museums, the lovely Congressional Library, the fine churches, the splendid theaters, and the miles and miles of paved streets, which have been half built with the money of the people of the United States. And all the while we had 2,000,000 soldiers in foreign lands, working sometimes 24 hours out of the 24 for $33 per month, when a falter meant court-martial and dishonorable death by shooting against a brick wall, facing death in trenches knee-deep with mud, cootie infested, and who on return to their native land, victorious, received only a paltry $60 bonus, and not one word has Samuel Gompers ever said to a Republican Congress to do one single thing for them, a returned victorious army.

(4) That during war time, from April 6, 1917, until November 11, 1918, Mr. Gompers permitted 6,000 strikes in the United States, of an average duration of 18 days each, and in many instances the President had to command the men to return to work by threats.

(5) Mr. Gompers permitted the four railroad brotherhoods during war through death threats of murdering the industrial life of this Nation, by tying up every railroad so tight it could not run, which meant defeat of the war to the United States and our allies, to force Director McAdoo to hand over to them $754,000,000 in cold cash, and then later permitted them through such threats to force Director Hines to hand over to them $67,000,000 more in cold cash, and has lately permitted them to force Director Hines to hand over more millions in cold cash, with promise of still more, and has forced a law that makes all these raises permanent to be passed by the House and now held up in the Senate, and has threatened a revolution if Congress protects the people by passing an antistrike provision in the railroad bill.

(6) When Gen. Crowder told Congress that it was unnecessary to draft the 18-year-old boys, as he had 21,000,000 able-bodied grown men from which to pick only 2,300,000 needed soldiers, and that he was going to make all men, union and non-union alike, either work or fight, it was Mr. Samuel Gompers who stopped the proceedings and said that the "work or fight" order should not apply to union labor, as union labor would not stand for it, but would cause a revolution if it were attempted. And Gen. Crowder had to change his plans, and in bowing to Mr. Gompers Congress drafted 670,000 18-year-old boys, but, thank God, some of us forced Congress to put them in college, and they were not needed and did not have to go to the trenches of France, where Mr. Gompers tried to force them to go.

(7) Notwithstanding that in his book W. Z. Foster preached the overthrow of this Government by force and violence, and advised the anarchists of this country that the way to do it was to "bore from within," and to accomplish it through the labor unions of this country by first getting under control the constabulary, having all peace officers, policemen, and firemen join unions, and in this way get the Government under control, by taking charge of it through force and violence. Mr. Samuel

Gompers selected this anarchist, W. Z. Foster, to conduct the steel strike and put him in charge of it. A steel strike, when some of the steel workers were getting as high as $40 a day. And then he helped with the coal strike, whereby every man, woman, and child was discomforted and caused to suffer. And Mr. Gompers criticized the court for granting an injunction, denounced our courts, and denounced the President, claiming that he was promised that the Lever law would not apply to his unions, but that unions should be exempt, but every other of the 110,000,000 people should be affected by it. And he again threatened revolution and a disregard for and disobedience to law of the land.

(8) And when the anarchist, W. Z. Foster, did carry out his program by "boring from within," and having the policemen join and strike, when the Boston police turned Boston over to thugs, and in one night $300,000 worth of property was destroyed, and women were attacked, and many crimes committed, it was Mr. Gompers who defended the police and tried to defeat Gov. Coolidge, who stood for law and order. And it was Mr. Gompers who threatened Congress time and again when we passed the two measures preventing policemen and firemen in the District of Columbia from joining the American Federation of Labor or any other strike organization.

(9) It was Mr. Gompers who sat on the platform with Mrs. Rene Mooney, wife of the convicted bomb-throwing anarchist of California, at the Atlantic City convention of the American Federation of Labor and helped to applaud Secretary of Labor W. B. Wilson when he said that he and the Government was doing much to free Mooney, and was not done yet, but still trying to free him. And after the President removed Frederick C. Howe from Secretary Wilson's employ because Howe had helped thousands of anarchists to escape, it was Mr. Gompers who helped to put said Howe in charge of the Plumb Plan League, which is now robbing the union laborers of the country out of at least $10,000,000.

(10) It was Samuel Gompers who helped the McNamaras in California and again helped the anarchist Mooney.

(11) It was Samuel Gompers who led the parade of the American Federation of Labor from Atlantic City in its historic march on the Capitol, on last Flag Day, protesting against the Constitution, and threatening that unless the union laborers got their beer and wine there would be a revolution, and concerning which all union men and women in Washington who refused to march in said liquor parade were fined $5 by their unions.

Mr. Chairman and colleagues, the above fairly illustrates what Mr. Samuel Gompers means by moral force and by labor being shackled.

Now, let me insert the Graham bill and my own bill so that the American people may say whether or not they present sufficient skeleton outline that by proper amendments by the House could be made into a proper antisedition law.

The following is the Graham bill:

A bill (H. R. 11430) to punish offenses against the existence of the Government of the United States, and for other purposes.

Be it enacted, etc., That whoever incites, sets on foot, assists, or engages in any insurrection or rebellion against the United States or the authority or laws thereof, or whoever sets on foot or assists or engages in the use of force or violence, with intent to destroy or cause to be destroyed, or change or cause to be changed, or to overthrow or cause to be overthrown the Government of the United States, and the death of any person or persons is caused or results directly therefrom, shall be guilty of a felony, and on conviction shall be punished by death, or shall be imprisoned not more than 20 years or fined not more than $20,000, or both, and shall forever be debarred from holding office under the United States: *Provided, however,* That the death penalty shall not be imposed unless recommended in the verdict of the jury. If two or more persons conspire to commit any offense defined in this section they shall each be subject to the punishment provided in this section for such offense.

SEC. 2. That whoever incites or sets on foot or assists or engages in the use of force or violence with intent to destroy or cause to be destroyed, or change or cause to be changed, or to overthrow or cause to be overthrown the Government of the United States, and death does not result, shall, on conviction, be imprisoned not more than 20 years or fined not more than $20,000, or both. If two or more persons conspire to commit any offense defined in this section they shall each be subject to the punishment provided in this section for such offense.

SEC. 3. That no person shall orally or by writing, printing, or the use of any sign, symbol, picture, caricature, or otherwise teach, incite, advocate, propose, or advise, or aid, abet, or encourage forcible resistance to or forcible destruction of the Government of the United States, its Constitution, laws, and authority, or the governments of the several States, all or any of them, or the existence of constituted government generally, or orally or by writing, printing, or the use of any sign, symbol, picture, caricature, or otherwise teach, incite, advocate, propose, or advise, aid, abet, encourage, or defend the destruction of human life or the injury of any human being or the injury or destruction of public or private property as a means of changing the Constitution, laws, or Government of the United States or defeating the authority thereof.

SEC. 4. That no person shall write or knowingly print, publish, edit, issue, circulate, distribute, transport by express or otherwise, display, or sell any book, pamphlet, newspaper, document, handbill, poster, or printed, written, or pictorial matter of any kind or form wherein or whereby the overthrow or change of the Government of the United States or the Constitution, laws, and authority thereof by force or violence or by levying war against the same or by resistance to or rebellion against the execution of any law of the United States by force or violence is incited, suggested, taught, advocated, or advised.

SEC. 5. That no person shall display or exhibit at any meeting or parade, or in any other place, any red flag or banner as a symbol of anarchy, or of any of the purposes forbidden in this act, and the display or exhibition of such flag or banner in any meeting or parade shall be prima facie evidence that it is so displayed and exhibited as such symbol, and no person shall display or exhibit at any meeting, gathering, or parade, or in any other public place, any flag, banner, emblem, picture, motto, or device which tends to incite or indicates a purpose to overthrow, by violence or by physical injury to person or property, the Government of the United States, or all government, or to overthrow, change, or defeat the Constitution of the United States and the laws and authority thereof.

SEC. 6. That every book, magazine, newspaper, document, handbill, poster, or written, pictorial, or printed matter, memorandum, sign, symbol, or communication of any form wherein or whereby the overthrow of the Government of the United States by force or violence, or resistance to or rebellion against the authority of the Government or the overthrow, change, or defeat of Constitution of the United States, or the laws or authority thereof by force or violence, is advocated, advised, or incited, or wherein or whereby the use of force or violence or physical injury to or the seizure or destruction of persons or property is advocated, advised, defended, or incited as a means toward the accomplishment of industrial, economic, social, or political change, or wherein or whereby an appeal is made to racial prejudice the intended or probable result of which appeal is to cause rioting or the resort to force and violence within the United States or any place subject to the jurisdiction thereof, is hereby declared to be nonmailable, and the same shall not be deposited in any post office for mailing or be conveyed in the mails or delivered from any post office or by any letter carrier: *Provided,* That nothing in this act shall be so construed as to authorize any person other than an employee of the Dead Letter Office, duly authorized thereto, or other person, upon a search warrant authorized by law, to open any letter not addressed to himself.

SEC. 7. That no person shall import or cause to be imported into the United States, or any place subject to its jurisdiction, any matter declared in this act to be nonmailable and not transportable, or to transport or cause to be transported any such matter from one State into another or into any place subject to the jurisdiction of the United States.

SEC. 8. That no person shall knowingly use or attempt to use the mails or the Postal Service of the United States, or knowingly transport or attempt to transport by express or otherwise, by public or private conveyance, any matter declared by sections 6 and 7 of this act to be nonmailable and not transportable.

SEC. 9. That any association, gathering, assembly, society, or corporation which seeks, directly or indirectly, by force or violence, or by injury to or destruction of human beings, or public or private property, to bring about a change in the Constitution or laws or authority of the Government of the United States, or of any State thereof, or of all forms of organized government, or which teaches, advises, proposes, threatens, or defends the unlawful use of force or violence in any form to bring about any such result, or which attempts to prosecute or pursue such purpose, is hereby declared to be unlawful.

SEC. 10. That no person shall act as an officer of any such unlawful association, or, knowing the object, purpose, teaching, or doctrines of such unlawful association, become a member thereof or become affiliated therewith, or continue to be a member thereof or affiliated therewith, or contribute any money or other thing of value thereto or to anyone for its use, or rent any room, building, or place for the use of said unlawful association, or permit the occupation by such unlawful association or any committee or branch thereof of any room, building, or other place under his ownership or control.

SEC. 11. That the giving, loaning, or promising of anything of value to any such unlawful association shall constitute affiliation with such unlawful association; and the giving, loaning, or promising of anything of value to any person or partnership or unlawful association engaged in advertising, teaching, advocating, or defending any of the things the teaching, advocacy, or defense of which is forbidden in this act shall be prima facie evidence of teaching, advocating, or defending said forbidden things against the person so giving, promising, or loaning anything of value as aforesaid.

SEC. 12. That any alien convicted under any of the provisions of this act after serving his sentence shall be taken into custody and be deported under the immigration laws of the United States then in force. Any person convicted under this act who has declared his intentions of becoming a citizen but has not been naturalized shall be forever ineligible to citizenship, and it shall be the duty of the Attorney General to institute proceedings to cause his petition and declaration of intention to be dismissed and annulled and all court proceedings in his case quashed and to furnish to the Secretary of Labor such data as to enable him to cause such person to be deported under the immigration laws of the United States then in force. The conviction of any person who is a naturalized citizen of the United States of any of the things forbidden in this act shall be sufficient to authorize the cancellation of his or her certificate of naturalization in the manner provided by the naturalization laws of the United States then in force. It shall be the duty of the Attorney General to institute proceedings and conduct the same to a final judgment immediately after conviction and sentence of the naturalized citizen aforesaid. Every alien deported under this act is hereby forbidden to again enter the United States or any Territory or possession thereof. It shall be the duty of the Attorney General of the United States to enforce this provision against all deported aliens returning to the United States as aforesaid.

SEC. 13. That in any investigation or prosecution for any of the offenses specified in this act no person shall be excused from attending or testifying or deposing, or from producing any book, paper, document, or other evidence on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to penalty of forfeiture; but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing as to which in obedience to a subpœna and under oath he may so testify or in obedience to a subpœna shall produce evidence, documentary or otherwise. But no person shall be exempt from prosecution and punishment for perjury committed in so testifying.

SEC. 14. That if any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SEC. 15. That section 5334 of the Revised Statutes, section 4, act of March 4, 1909 (vol. 35, Stat. L., p. 1088), be, and the same is hereby, repealed. Any offenses heretofore committed in violation of said section 5334 and all cases pending thereunder may be prosecuted and punished as therein provided in the same manner and with the same effect as if this section had not been enacted.

SEC. 16. That any person convicted of violating any of the provisions contained in any of the sections of this act, except sections 1 and 2, shall be punished by being imprisoned for not more than 20 years or fined not more than $20,000, either or both. And any citizen of the United States convicted under this act shall be forever debarred from voting thereafter and holding any office of profit, honor, or trust under the United States.

Mr. Chairman, both the Rules Committee and the Congress knows that the above bill could have been amended in any particular by the House while considering same, if only the Rules Committee had made it in order by a rule.

The following is the bill introduced by me several months before the Graham bill was introduced, mine being introduced on October 28, 1919, to wit:

A bill (H. R. 10235) to safeguard the transmission of interstate traffic and United States mails, to punish unlawful conspiracies, to protect citizens in their right to labor and to punish unlawful interference therewith, and to prohibit and punish certain seditious acts against the Government of the United States, and to prohibit the use of mails in furtherance of such acts, and for other purposes.

Be it enacted, etc., That it shall be unlawful for two or more persons to enter into any combination or agreement (1) to prevent, hinder, or restrain any other person from seeking and engaging in work of any kind for railroads or boats carrying United States mails or engaged in interstate traffic; or (2) to prevent, hinder, or restrain the movement of United States mail, or of persons or commodities in boats or over lines of railroad engaged in interstate traffic; or (3) to prevent, hinder, or restrain the movement of trains or boats carrying United States mails or trains on railroads engaged in interstate traffic. Persons so combining and agreeing shall be deemed guilty of a conspiracy and shall be punished by a fine not exceeding $5,000 and by imprisonment not exceeding two years: *Provided*, That nothing herein shall be construed to deny to employees the right to quit work at their option, after giving 30 days' notice of such intention.

SEC. 2. That it shall be unlawful for two or more persons to enter into any combination or agreement (1) to prevent, hinder, or restrain any other person from seeking and engaging in work connected with the mining of coal, upon which the public or railroads and boats engaged in carrying the United States mail rely for fuel; or (2) to prevent, hinder, or restrain the movement of such coal. Persons so combining and agreeing shall be deemed guilty of a conspiracy and shall be punished by a fine not exceeding $5,000 and by imprisonment not exceeding two years: *Provided*, That nothing herein shall be construed to deny employees the right to quit work at their option after giving 30 days' notice of such intention.

SEC. 3. That it shall be unlawful for any person (1) to advocate or advise the overthrow, or to write, or knowingly to print, publish, utter, sell, or distribute any document, book or circular, paper, journal, or other written or printed communication, in or by which there is advised the overthrow, by force or violence, of the Government of the United States; or (2) to advocate resistance by force or violence to the Constitution and Government of the United States, or by force or violence to prevent, hinder, or delay or attempt to prevent, hinder, or delay the execution of any law of the United States; (3) to display or exhibit any flag, banner, or emblem intended to promote or incite the overthrow, by force or violence, the Government of the United States, or resistance to its laws; (4) to transmit or attempt to transmit through the United States mails any of the seditious communications mentioned herein, all of which are declared to be nonmailable; (5) to import or cause to be imported into the United States any matter declared to be nonmailable. That any person who shall violate any of the provisions of section 3 of this act shall be deemed guilty of sedition and punished by a fine not exceeding $10,000 and by imprisonment not exceeding 20 years, and if an alien, shall be, upon the expiration of sentence, deported from and forever barred from reentering the United States.

All laws or parts of laws in conflict with this act are, to the extent of such conflict, hereby repealed, this act being cumulative.

Now, Mr. Chairman, I leave it up to the American people to decide whether a Republican Committee on Rules, and a Republican Congress, and a Republican steering committee has permitted Samuel Gompers to dictate to it, and to obey his commands, and keep back wholesome and needed legislation in the interests of active anarchists of this country who are seeking to overthrow this Government by force and violence. It is only through the CONGRESSIONAL RECORD that the people may get the facts, for no other publication in the country will dare to publish same, as they would be boycotted and ruined. Does the Republican Party longer deserve to retain the power of government or to control legislation in Congress? This is for the American people to decide.

The newspapers reported that I said I hoped that the Republicans would be successful in the next election. That is as near as they ever come to reporting me truthfully. This is what I said: I said that if the Democrats lay down on this proposition, and if they did not take a stand on this question, which is pure Americanism, and if the Republican Party did take a stand on it, and if they did put up a man in favor of Americanism, I hoped they would give us a licking because we deserved it. Such a licking would do us good. That is what I said. But the Republicans have fallen down, and the American people are going to help us Democrats give you a licking when election time comes. [Applause.]

Mr. BURKE. I ask unanimous consent to address the House for 10 minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to address the House for 10 minutes. Is there objection?

Mr. GOOD. Mr. Chairman, the time has been fixed by the House and is under the control of the gentleman from South Carolina and myself.

The CHAIRMAN. The gentleman from South Carolina [Mr. BYRNES] is recognized.

Mr. BYRNES of South Carolina. How much time have I remaining?

The CHAIRMAN. The gentleman has 26 minutes remaining.

Mr. BYRNES of South Carolina. I yield 26 minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Chairman and gentlemen of the committee, it has never been my habit or custom to appear either as an apologist or a defender of estimates submitted from the executive departments to Congress for appropriations for the ensuing fiscal year. My attitude in that respect, speaking generally, has been more in the way of criticism than commendation, although I do realize, and I think this bill shows, that there are many instances in which the estimates are fairly and properly made out and based upon the actual needs of the department for which the appropriation is asked. But we all know that there has grown up in the departments, or at least in many of the departments and in many of the bureaus in the departments, a habit or custom of estimating for more money than is actually needed for the next fiscal year, with the idea that when the estimates reach Congress, Congress will reduce them, and that possibly in the reduction they will get just about what they need. That habit or custom is not of recent origin. It has not grown up in the last few years, but it is a custom that has obtained for many years in the past, both under Democratic and Republican administrations. As I have had occasion heretofore to say, to my mind it presents one of the strongest reasons for the establishment of a budget system, so that there may be some one in the executive departments who is charged with the direct responsibility of revising the estimates and seeing that they are reduced as much as possible before they are sent to Congress for final action. A budget bill passed the House last October, and it is to be most sincerely hoped that the Senate will stop fiddling on the peace proposition, get down to business and ratify the peace treaty with such compromises as can be agreed on, and then get busy on this and other domestic problems which should be solved without delay.

I have said that in some cases estimates are submitted based upon the actual needs of the department, and the appropriations in this bill bear me out in that statement.

This bill carries over $88,500,000 by way of direct appropriation and over $11,000,000 of reappropriations, making a total in appropriations and reappropriations of just about $100,000,000. It is by far the largest deficiency bill that was ever enacted by Congress or presented to Congress in peace times. I dare say that I would not be missing the mark if I said it was three or four times larger than any other deficiency bill ever presented to Congress in peace times. But it is entirely fair and proper to say that the size of this bill is largely brought about by certain expenditures made necessary on account of the war. In other words, the Bureau of War Risk Insurance and the Vocational Board have aggregate appropriations in this bill amounting to $67,000,000. Now, when the sundry civil appropriation bill and the other bills were passed by this Congress last spring and summer the gentleman from Iowa [Mr. GOOD], and the gentleman from Wyoming [Mr. MONDELL] in particular, had a great deal to say about the reductions that had been made in the estimates submitted by the executive department, and their speeches were heralded all over the country as an evidence of the fact that the Republican Party had entered upon an era of economy and was reducing the estimates submitted by the Democratic administration. There were heavy cuts in the estimates. There are always heavy cuts in the estimates. It has been so during the entire history of Congress, that estimates are never submitted to Congress without being very greatly reduced by Congress in the making of the actual appropriations. But I had occasion to say then that many of these cuts were being made for the sole purpose of making a record for economy at that particular time, that many governmental activities were being cut to a point which gentlemen knew would deprive them of the money necessary to run them during the fiscal year, and that later on it would be necessary in deficiency bills to provide the money which they had failed to appropriate. I said then that it was my purpose later on, as these deficiency bills came before the House, to point out the truth of the assertion which I made at that time.

Now, what does this bill do? It carries $55,000,000 for the pay of military and naval compensation in the War Risk Bureau. The estimates submitted for 1920, original and supplemental, were $71,473,000; but what did the committee do? In spite of the fact that this was recognized as a necessary sum and that the director on coming before the committee insisted that even this estimate was not sufficient, they deliberately cut those estimates and appropriated $50,000,000, or more than $21,000,000 less than the estimates at that time. Then they came before the House and the country and pointed to this reduction of $21,000,000 as a part of the evidence of the economy which they were practicing. Later on there was an estimate of $30,000,000, which was appropriated for in a deficiency bill. Now, here in less than seven months after that bill was passed cutting the estimates $21,000,000 Congress is compelled to appropriate not $21,000,000 but $55,000,000 to take care of the military and naval compensation to be paid by the War Risk Bureau. I am not criticizing the amount. I am not undertaking to criticize anybody for extravagance in making that appropriation, because it is clearly necessary. But what I do wish to do is to call attention to the fact that the majority party in this House took credit last summer for having saved, as they said, over $21,000,000 on these estimates alone, and here in less than seven months from the beginning of the fiscal year we are required to appropriate $55,000,000 more.

But that is not all. The Public Health Service, for the care of the war-risk patients, is given in this bill an appropriation of four and a half million dollars. There were estimates last year for this fiscal year of $7,867,980. The committee last summer cut that estimate to $4,000,000, or $3,857,000 less than the estimates.

And now after a little more than half the fiscal year is gone Congress is called on to appropriate not only $3,857,000, which they deliberately cut out of the estimates last summer, but more than that, namely, $4,500,000.

Yet the majority party last summer, on the floor of this House, and in speeches heraided over the country, took credit for $3,857,000 which they said they had saved to the Treasury of the United States in this item alone.

But that is not all, Mr. Chairman. The Vocational Board for Training and Rehabilitating Soldiers has an appropriation of $12,000,000 in this bill. The estimates for 1920 were $21,000,000. There was appropriated in the sundry civil bill and in deficiency bills $13,000,000 and $6,000,000 by way of a special act. In other words, the committee last spring and summer, for the purpose of making this record or false show of economy before the people, deliberately cut the estimates submitted by the Vocational Board for Rehabilitation of Soldiers in the sum of $8,000,000. As I predicted at the time, they are now called on, when only a little more than half of the fiscal year has passed, to appropriate $12,000,000 to help to take care of this splendid service in behalf of the disabled soldiers and make up for the reduction of estimates when the sundry civil bill was passed. But last summer they took credit before the country for having saved $8,000,000 as a matter of economy.

Now, this bill undertakes to cut the amount of the estimates submitted by the Director of War Risk Insurance $62,750,530, a reduction of over $7,000,000. The chairman of this great committee will not tell you that he is absolutely sure and certain that the $7,000,000 will not be required between now and July 1. He will not tell you that he is absolutely certain that it will not be necessary to make a still further appropriation for them in another deficiency bill. But he will tell you that inasmuch as a deficiency bill can be passed between now and July 1, if they need more money, that it can be taken care of. The same is true of the Vocational Board for the Rehabilitation of Soldiers.

I am not complaining. Sometimes, gentlemen, a deficiency is a good thing; in a majority of cases a deficiency is a good thing. I mean by that that it is not always the best policy to give an administration or an executive department all that it needs because if you cut the appropriation close they will do more to hold down the expenses than if they had a fat pocketbook from which to draw.

The reason that I call your attention to this is that the majority will claim credit for having reduced the estimates to something like $29,000,000, whereas a part of this reduction was counted in last spring and heralded over the country as evidence of the economy of the majority party.

There is a further reduction in this bill of a million dollars from the $2,000,000 submitted for the enforcement of the prohibition law. In addition to that, as evidence of what I said at the outset, that there are always some officers of the executive departments who will come and assist Congress in arriving at the very lowest figures necessary for expenses, there is a cut or saving of a million dollars in this bill in the appropriation for temporary clerical service in the Postal Service at the suggestion of Mr. Koons, the First Assistant Postmaster General, who said that if they would give him other estimates he could get along with this reduction.

Now, gentlemen, in conclusion, for I want to yield back some of my time, I desire to refer for a moment to some remarks submitted the other day by my friend the gentleman from South Dakota [Mr. JOHNSON] in reference to hospitals.

I am satisfied that the gentleman from South Dakota, whom we admire and honor not only as a Member of this House but as a distinguished soldier in the war, would never have made that speech if he had taken the time, as he should have done, to read the evidence taken before the subcommittee in the preparation of this bill. The gentleman, as I recall, stated that the Secretary of the Treasury had not spent any of the money that was appropriated March 3, 1919, which, as I recall, was $750,000; that he had been neglectful of the soldiers in making proper preparation for their reception in hospitals. If he had read the evidence, he would have seen that the Secretary of the Treasury has taken over 20 of the Army hospitals, 17 of which are in active operation. Dr. Stimpson, who appeared for the Public Health Service, said that it was their purpose to take over other Army hospitals as soon as they are available. This bill carries $500,000 to enable the Secretary of the Treasury to put these 17 hospitals in proper condition for the use of the soldiers. He has already spent $750,000, or it is obligated, and this is a deficiency to assist him in taking care of the soldiers in the hospitals.

The gentleman from South Dakota is asking too much when he criticizes so harshly the Secretary of the Treasury and Dr. Blue, the Surgeon General, because it was impossible for these hospitals to be taken over and instantly put into proper shape. The very fact that the House is now providing $500,000 to complete these 17 hospitals shows that it was due to lack of appropriation and not to any want of anxiety on the part of the Secretary of the Treasury and the Director of the Bureau of Public Health to put these hospitals in proper shape. In addition to that the Secretary of the Treasury asked your committee for $500,000, which it was stated was to be used for unknown projects, because, he said, as will appear in the hearings, that it was the purpose to take over these Army hospitals just as rapidly as they are available, and he wanted on hand a sufficient amount of money so that he could make proper repairs and put them in suitable condition for the patients. That sum has been denied him. I dare say, when he takes over those additional hospitals and sends, as he will have to do, these war-risk patients to them in order to provide medical treatment, possibly the gentleman from South Dakota [Mr. JOHNSON] or some other gentleman will rise and complain because the Secretary of the Treasury has not put them in proper shape and condition, when the truth of the matter will be that it is because this bill fails to carry the necessary sum for that purpose. [Applause.]

I yield back the remainder of my time.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield the remainder of my time to the gentleman from Iowa [Mr. GOOD].

The CHAIRMAN. The gentleman from Iowa is recognized for 28 minutes.

Mr. GOOD. Mr. Chairman, I thank the gentleman from South Carolina. In 28 minutes it will be impossible to give more than a general idea of the provisions carried in this bill. The subcommittee on deficiencies conducted extensive hearings, going into all of the estimated requirements for deficiencies. The total amount estimated was $117,662,511.87. The bill carries $88,684,324.14. There is a reduction in the estimates there of $29,145,669.73. I was particularly interested in what the gentleman from Tennessee [Mr. BYRNS] had to say with regard to the claim made for these reductions. If the gentleman will examine the sundry civil appropriation bill that passed the House in the last Congress, when his party was in power, he will find that it carried for the Bureau of War Risk Insurance $50,000,000, which was $20,000,000 in excess of the original estimate. When the present Congress was convened and the sundry civil appropriation bill was reported out and passed, it carried the same amount. There was no time given, as the gentleman well knows, to go into details at all, except in those cases where the departments claimed the amount carried in the previous bill was altogether inadequate, and that the reduction made in the last Congress would not permit the department to function in a healthy way. Since that time we have already appropriated for the Bureau of War Risk $30,000,000 in addition to the amount carried in the sundry civil act, and this bill carries $55,000,000 more. The gentleman knows and well knows that with a service like the Bureau of War Risk Insurance, a new service, no one, I do

not care what his politics are or what his study has been, can tell us within reason what the service will cost. So, too, with the Public Health Service. Here is a new service that we can tell nothing about except by experience, and the policy of the committee has been, and I assumed it was the unanimous policy of the Committee on Appropriations, that on those things where we can not tell by past experience what the requirements will be, we hold down the appropriations so that we will not appropriate enough to leave a balance unexpended at the end of the year and thus invite extravagance.

It seems to me that that is the business way to do it. It has been the policy of the committee in the past Congress, with regard to items of this kind, and I commend it, and I commend the chairman of the Committee on Appropriations in the last Congress for his attitude upon that subject, and in accepting the present policy we have simply followed in that respect what we found was a good business policy.

Let us take the Bureau of War Risk Insurance and examine it, because of the amount carried in the bill more than half is for that bureau. There are beneficiaries in the bureau to-day, total permanent disability beneficiaries, to the number of 960. There are permanent partial disabilities numbering 1,017. There are temporary total disabilities to the number of 36,556, and temporary partial disabilities of 38,436. The total is 86,122 soldiers who are drawing compensation. That has been increasing. The increase has been steady, and no committee and no Congress could tell exactly what the requirements would be. For example, on the 4th day of August last the total beneficiaries in the bureau were 36,684. On the 6th day of September the number had increased to 47,785. On the 7th of October it had increased to 61,129; on the 3d of November to 71,223; on the 3d of December to 79,778; and on the 8th of January of this year it totaled 87,885. Besides that, there are 39,000 beneficiaries who are drawing death claims under the act. In considering the amount that we should report out in the bill for the Bureau of War Risk Insurance we took into consideration the fact that it would require for those who were entitled to the benefits under the retroactive features of the State law about $36,000,000.

There was on hand on January 3, 1920, $19,694,076.67 plus the $30,000,000 that we appropriated just before the holiday recess, making the total available cash for the bureau of over $49,000,000. It is estimated that it will take to discharge the retroactive obligations of the recent law $36,000,000, leaving the balance on January 3 of $13,604,000. To this we have added by this bill $55,000,000, which, if appropriated, will give to the bureau, in addition to the $36,000,000 for discharging the obligations created by the retroactive provisions of the Sweet law, $68,604,000 with which to pay the compensation to our discharged soldiers. It has been estimated that it will require about $11,000,000 a month to discharge the bureau's obligations. Therefore the amount the committee has appropriated is $2,000,000 and more in excess of the total estimated requirements, basing those requirements upon the number that are now beneficiaries of the war-risk insurance. The matter was gone into carefully. We are not attempting to camouflage anything in regard to the Bureau of War Risk Insurance. Congress has enacted a law fixing the amount of compensation to which every discharged soldier is entitled, and Congress has provided the machinery by which these discharged soldiers can go to the Government and establish their claims. Every dollar due to the discharged soldier and every death claim ought to be paid and paid promptly, and I believe that the bill carries an amount which will enable the Director of the Bureau of War Risk Insurance to pay these claims promptly, and if there are no increases from this on there will be more than enough to pay all the obligations that are likely to be presented by July 1. It was understood, thoroughly thrashed out before the committee, that inasmuch as we always have a deficiency bill at the end of the year to take care of those things which must be taken care of by the 1st of July, if there was any deficiency in this matter, that it could then be taken care of.

Take, now, the Federal Board for Vocational Education. The sundry civil bill carried $8,000,000. We have since that time made two appropriations. Here again no one can tell how many persons will apply to the board for training. The recent act of Congress, which increased the pay for subsistence to those men who do apply and are accepted for training, has had the effect of very largely increasing the number of applications to the board. For example, there were in training in September of last year 9,520 persons; on October 31, there were 15,407 persons; on November 30, there were 19,382 persons; December 31, there were 21,837 persons; and on January 17, 1920, there were 22,999. And if my friend from Tennessee [Mr. BYRNS] will take the trouble to examine the estimates, he will find that neither the Treasury Department in the case of the war-risk estimates, nor for the Board for Vocational Education or for hospital service, estimated anything like the amount that we have already appropriated for these services.

Now, I do not blame the Treasury Department, and the gentleman from Tennessee ought not to blame the party in power in Congress, because it has been obliged to bring forward these estimates and to appropriate additional money to meet the requirements of law and pay compensation to our discharged soldiers and to provide training and for rehabilitating those who were so unfortunate as to have been injured in this recent war. We have already appropriated $19,000,000 for this service, and this bill recommends $12,000,000 additional. There was unexpended on January 1, $9,387,601.90. To that we have added by this bill $12,000,000, making $21,387,601.90. The total disbursements for November, the last month for which the figures were available, aggregated $3,576,000,000.

We have appropriated practically upon the basis of the November expenditures. It is the last expenditure where the figures were available, and in giving that amount the officers in charge of this service came before the committee and said if $12,000,000 were given it would carry enough to permit them to perform their work until the 1st day of July. The board, however, asked for $15,000,000 and expressed the belief that it would take the entire amount. The reduction was made on the theory that the best policy would be to appropriate now only what we were certain would be required, and if when July 1 came a deficiency existed it could be appropriated for.

Now, it seems to me, when we consider the present condition of the Treasury, we must keep somewhere near actual expenditures in determining what the requirements are to be. Men in vocational training, for example, are leaving before their courses are finished, and when spring comes, especially if there are great inducements for entering employment in the industries, a great many of these men may leave, as they have left in the past, to take up work where they can receive greater compensation than the allowances they are receiving. And it is possible that we have already reached the peak of the work which this board will be called upon to perform. For one it has seemed to me that this work was very necessary work. The rehabilitation of the men who were injured in this war is absolutely essential, and the quicker we do it and get the men prepared for their life's work the better for the Government and for the men. [Applause.] And there will be no hesitation in bringing out an appropriation bill at any time the necessities for such a measure are apparent.

The Public Health Service had a regular appropriation carried in the bill that was enacted last Congress of $4,000,000. We have already reported one deficiency of $2,000,000. There was a balance on hand in the Treasury to the credit of this appropriation on the 31st of December of $2,434,180, inclusive of the appropriation of $2,000,000 that was made before the holiday recess.

There are at present 6,324 men receiving hospital treatment. The cost per day per patient, according to the statements made by those in charge, is $3.30. The department is expending for public health at the rate of $1,000,000 per month. The medical and technical and clerical services require about 6,000 persons, and the amount required to pay the salaries of this class of men employed in this service amounts to 40.9 per cent of the total appropriation—an altogether too large proportion of the appropriation. No hospital in time of peace ever required an expenditure of 40 per cent for technical and clerical work in connection with it. Nineteen and four-tenths per cent is expended for subsistence and 19.20 per cent for the maintenance, including dental treatment.

I am a little afraid that the Public Health Department is overstepping the requirements of the law with regard to what is required to give medical treatment to the boys who for some reason or other become incapacitated because of their military service. Their construction of the law is this: That if a young man went into the service and was accepted and he now goes to a dentist after he is discharged and it is found that he has, say, 20 cavities in his teeth that the Government of the United States furnish this dental work for him. That is practically what it amounts to, and the service is now establishing in practically every community a dental surgeon to whom such a soldier can go and have his teeth examined, and if that dental surgeon finds the cavities are of such a size that his service in the Army added to the decayed condition the Government undertakes to take care of his teeth, have them filled, put in bridges for him, and all that sort of thing. I want the Government of the United States to treat the boys who are discharged from this Army with liberality and fairness, and I hope it will not make namby-pambies of those boys by doing

things not contemplated by the act, and I do not believe this service was ever so contemplated by Congress.

The gentleman from Alabama [Mr. HEFLIN], in addressing the House a few minutes ago, criticized the majority side of the House because they had not reported out a bill to pay a bonus to the soldiers. I wish the gentleman in considering statements of that kind would read the sound advice of his patriotic Secretary of the Treasury, who says that to do that sort of thing would bring the United States face to face with a financial situation just as critical as any that faced the Government during the war.

Mr. CALDWELL. Will the gentleman yield?

Mr. GOOD. For a question.

Mr. CALDWELL. Do I understand from the gentleman's statement he is opposed to doing something for those soldiers?

Mr. GOOD. Oh, no. I was in favor of doing something for them when, if I remember the RECORD correctly, the gentleman from New York was opposed to paying them $30 a month during their service in the war.

Mr. CALDWELL. The gentleman does not recollect any such thing. The gentleman is trying to make me take a position which I did not take.

Mr. GOOD. I think the gentleman voted against the increase.

Mr. CALDWELL. I would ask the gentleman to look at the RECORD.

Mr. GOOD. The gentleman asked whether I am in favor of doing something for the soldiers. I certainly am, and always have been, and so is Congress. Already in this Congress we have appropriated, counting the amounts carried in this bill, practically $200,000,000 for the soldiers of this war—their rehabilitation and hospital treatment, for compensation and payments through the Bureau of War Risk Insurance.

How much did you appropriate for that purpose? The gentleman from New York [Mr. CALDWELL] knows, if he will read what the Secretary of the Treasury states on the subject, that we must take into consideration in making appropriations the condition of the Treasury of the United States.

Mr. HUDDLESTON. Mr Chairman, will the gentleman yield?

Mr. GOOD. We are paying now vast sums of money in settling contracts made during the war. Those contracts were made in good faith. They must be paid, and the only way the Government can pay them is either by taxation or by borrowing the money.

Mr. HUDDLESTON. Mr. Chairman, will the gentleman yield?

Mr. GOOD. I have only a brief time.

Mr HUDDLESTON. I wanted to ask the gentleman, for information, whether we are to have an additional appropriation for soldiers by way of bonus?

Mr. GOOD. I do not know about that. The gentleman knows as much about that as I do. I do not know.

Mr. HUDDLESTON. What is the attitude of the Committee on Appropriations?

Mr. GOOD. I hope that the advice of the Secretary of the Treasury, who perhaps knows more about the subject than I do, so far as the demands on the Treasury are concerned, will be followed. He says it would create financial havoc in the United States; that it is unthinkable that we should engage in any such undertaking at this time. I do not know what Congress will do. Personally I do not see how we can do anything with this matter now. I do not care to discuss the matter further, because I have not the time.

Mr. HUDDLESTON. I would like to know if the gentleman's position is the position of his side and the position of the steering committee on his side?

Mr. GOOD. I do not know.

Mr. HUDDLESTON. Can not the gentleman state?

Mr. GOOD. I can not.

Mr. GALLIVAN. The gentleman says there were contracts made that must be met in good faith. Was there not an implied contract made with the boys when they went into the war that they would be taken care of after the war?

Mr. GOOD. Oh, there is always an implied contract of that kind, and I think the Government is proceeding with a spirit of considerable liberality in taking care of the boys that were wounded, in taking care of the boys who were disabled. As I stated before, with the amount in this bill I think the gentleman will find that the total, including the amount carried in the bill for hospitals which was passed on the 3d day of March, amounting to something like $9,000,000, which will practically all be expended during this fiscal year, the total amount we are paying out of the Treasury this year for that object will approximate $200,000,000, even if we do not bring forth any further deficiency bills for the soldiers. I do not complain about that. I commend it. I think we have got to take care of those men, but we must accept the situation that actually confronts the Treasury of the United States. If we are to pass a bonus bill, we will bring in at the same time a tax measure that will pay the bonus, because otherwise it can not be paid. Personally I should be compelled to vote against such a bill, but I do not pretend to speak for anyone but myself.

The CHAIRMAN. The time of the gentleman from Iowa has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

BITUMINOUS COAL COMMISSION.

For expenses of United States Bituminous Coal Commission, including the employment of three commissioners, secretaries, chief clerk, and other expert, clerical, and other assistance; for equipment and supplies, including law books, books of reference, newspapers, and periodicals; for traveling expenses, per diem allowances in lieu of subsistence not to exceed $4; and for printing and binding done at the Government Printing Office, $50,000.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. CALDWELL. Mr. Chairman, a few minutes ago, when the gentleman from Iowa [Mr. GOOD] was talking, he said I had voted against the $30 proposition for the pay of the private soldier. The statement is based upon the fact that there is a record vote——

Mr. GOOD. If the gentleman says he did not vote that way, I will accept his statement. My recollection is that he did.

Mr. CALDWELL. I understand the gentleman wants to be entirely fair, and I want to be entirely fair with the gentleman. The gentleman's statement was that I had voted against the $30 pay for the soldiers.

Mr. GOOD. That was my recollection.

Mr. CALDWELL. The gentleman's recollection was doubtless based upon the fact that when the motion was made to recommit I voted against the motion to recommit. But I want to say, Mr. Chairman, that in that vote I did not change my position, because before that and thereafter I voted for the $30 for the soldiers, at a time when the gentleman and his colleagues were not prepared to go forward with the Army preparedness as we were prepared to go. I will not say that the gentleman's statement was disingenuous, but it bordered upon it. With other Members who voted against recommitting that bill, and they included practically all of the leading Members on both sides of the House, I knew that every hour of delay was a peril to this country. I knew that there would be plenty of time for us to do anything we wanted for the Army, but I wanted to raise an Army without further delay. The men who are here shouting, trying to make political capital for the coming campaign, and who were here at that time doing the same thing, are now standing between those boys and what they are entitled to. The Democrats will never forgive them, and the boys in the war will never forgive them, and this kind of talk will not enable them to escape the punishment that will overtake that side of the House for the treatment it is giving to the men who went away when the country needed them.

Mr. GOOD. I do not care to enter into a controversy in regard to a matter that was not in the bill, but while I was trying to explain a situation in regard to the appropriation for war-risk insurance and vocational training of the soldiers that are carried in the bill the gentleman from New York sought to embarrass me by asking me if I was in favor of a bonus law, when he knows that his own Secretary of the Treasury and everybody under him in authority are perhaps the most determined in their opposition to such legislation. I said to the gentleman—and my memory was correct—that I recalled that the gentleman from New York [Mr. CALDWELL], when the question of increasing the pay of the soldiers was up in the last Congress, voted against an increase of the pay.

The facts are these: That the House had passed a bill increasing the base pay of the soldier to $30 a month. The bill went to the Senate, and the Senate fixed the base pay at $29 a month. Ordinarily the conferees have only a choice in accepting one or the other of the propositions, or something between the two, but the conferees under the parliamentary situation then existing brought back a conference report reducing the pay of the soldier to $25 a month, $4 lower than the amount fixed by the Senate and $5 lower than the amount fixed by the House; and when I offered a motion to recommit, directing the conferees then and there to bring in an amendment to increase the pay of the soldiers to $30 a month, the gentleman from New York [Mr. CALDWELL], who now talks so loudly about a bonus law, voted against the motion to recommit. Those are the facts. [Applause on the Republican side.]

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GREEN of Iowa. I would like to inquire of the gentleman from New York [Mr. CALDWELL], as well as the gentleman from Iowa [Mr. GOOD], how much it would delay the bill by recommitting it with instructions? About how long?

Mr. GOOD. About an hour and 40 minutes.

Mr. CALDWELL. Oh, if you will be perfectly frank with the gentleman from New York, you will state how many times such a proposition was recommitted to the House that came back without a delay of days in the whole history of the country.

Mr. GREEN of Iowa. It would not have made any delay at all.

Mr. CALDWELL. When the matter came up before this House I voted for it, and when the conferees' report came back I voted for it.

Mr. LITTLE. Mr. Chairman——

The CHAIRMAN. The gentleman from Kansas is recognized.

Mr. LITTLE. Mr. Chairman, there seems to be a theory here that somebody voted against raising the soldiers' pay because we were in such a hurry. At that time the newspapers stated that the War Department had announced that no troops would be sent to France until the 1st of July of the next year, so there was not any great hurry about that. At that time the law was of such a nature that it was six months after the war began before the first drafted men were put in camp anywhere. The first drafted men did not get into camp until long after these gentlemen voted to recommit that bill. Now, they were not in a very great hurry to provide for the pay of the drafted men, because they did not get any drafted men into camp for some time. They were not in any great hurry about paying the men in Europe, because the department announced that there would not be anybody going to Europe until July 1, 1918, if the newspapers were telling the truth. So what was the hurry about? As has been suggested here, the proposition to recommit would not have occupied more than an hour or two. It was a matter of one amendment. Gentlemen had a perfect right to vote as they pleased, but I have heard over and over again here excuses for voting in the way they did on the ground that there was no time to vote any other way. Nobody is going to believe that when you go home. You will just challenge attention to the fact that you voted that way. If you voted that way, you may have had some reason, but there was no hurry about it that required any such hasty action as that, so as to refuse to consider the bill for an hour or two for that purpose. I do not like to see gentlemen offer excuses that are not valid excuses.

Mr. MACGREGOR. Mr. Chairman, I move to strike out the last two words. I should like to have an explanation from the chairman of the committee as to what the United States Bituminous Coal Commission is. Last summer I introduced a resolution asking for an investigation as to coal, and since that time some gentlemen around the Chamber have been throwing stones at me for talking about coal in July. My feelings have been somewhat relieved since I received a communication from one of the towns in my neighborhood a few days ago stating that they had received 60 tons of coal there when they should have had 1,500 tons; that they were burning packing boxes and everything that they could get hold of, with the thermometer at 14 below zero and 3 feet of snow upon the ground. With this situation existing, I feel that I was somewhat justified in suggesting the investigation of the supply and the price of coal last summer, even though it was very hot in Washington in July. I would like to have some information as to what the United States Bituminous Coal Commission is and what it does and what it hopes to accomplish.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Alabama moves to strike out the paragraph.

Mr. MACGREGOR. I had asked the chairman of the Committee on Appropriations a question.

Mr. GOOD. I desire to answer the gentleman's question.

Mr. HUDDLESTON. The gentleman sat down and the Chair recognized me. I insist on the floor.

The CHAIRMAN. The Chair was mistaken. The gentleman from New York [Mr. MACGREGOR] had not yielded the floor.

Mr. HUDDLESTON. The gentleman sat down. I do not know how he could retain the floor when he did not remain on his feet.

The CHAIRMAN. The Chair will recognize the gentleman from Alabama presently.

Mr. HUDDLESTON. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Alabama makes the point of order that there is no quorum present. The Chair will count. [After counting.] Eighty-two Members present; not a quorum.

Mr. GREEN of Iowa. I move that the committee do now rise.

The CHAIRMAN. The gentleman from Iowa moves that the committee do now rise.

The question was taken; and pending a division, Mr. GREEN of Iowa asked for tellers.

Tellers were ordered, and the Chair appointed Mr. GREEN of Iowa and Mr. BYRNES of South Carolina.

The committee divided; and the tellers reported—ayes 2, noes 87.

The CHAIRMAN. The Chair will count gentlemen who are present who have not passed between the tellers. Sixteen gentlemen are present who did not pass between the tellers. One hundred and five Members are present; a quorum. The gentleman from New York [Mr. MACGREGOR] has one minute remaining.

Mr. GOOD. Answering the inquiry of the gentleman from New York, I will say that when the coal strike was on the President secured an agreement between the operators and the miners whereby the miners should have an increase of 14 per cent if they would return to work immediately, and that then there should be a commission appointed by the President to take into consideration the entire question. Now, the President appointed a commission. It is true the commission was appointed without authority of law, but it seems to me it was a wise thing to do. That commission is at work. The miners and the operators have agreed to abide by the decision of that commission. If you will read the memorandum on page 670 of the hearings, you will find that both parties have agreed to abide by the decision. The commission estimated that it would take $134,000 to do the work, but finally said that if we would give them $50,000 they could get along with it.

Mr. HUDDLESTON. Mr. Chairman, so far as the pay of the soldiers is concerned, I am willing to "let the dead past bury its dead." That question is no longer alive. But the question as to what we are going to do for the soldiers who have been discharged, in the way of restoring them to their places in industry and to positions of usefulness, and in some slight degree compensating them for the financial sacrifices that they made in going to the war, is a live question.

Now, it just so happens that the Secretary of the Treasury is not at this time a Member of either House of Congress, although it seems he is about to become a Senator. At any rate it is not the privilege of Congress to leave to any Secretary of the Treasury to decide as to what it may do touching questions of important public policy. We can not shift our responsibility to that official. We must decide whether anything is to be done for the discharged soldiers. The responsibility is with Congress, and I want to call the attention of the gentleman from Iowa [Mr. GOOD], chairman of the Committee on Appropriations, for whom I have the highest esteem, and also of the Republican leader [Mr. MONDELL] to the fact that the responsibility rests upon their party now as to what is to be done for the soldiers. Are the majority going to do anything?

I got a letter yesterday from a former soldier, a friend of mine, who asked, "What is Congress going to do for the discharged soldiers?" I answered back and said, "I regret very much to reach the conclusion that this Congress is not going to do anything for the soldiers." Many bills have been introduced and are pending before committees. Not one of them can get out. Some of them are unreasonable and some are reasonable. The House can not get a chance to act on them. That responsibility is upon that side of the House. A great part of it is on the gentleman from Iowa [Mr. GOOD] and a great part is on the gentleman from Wyoming [Mr. MONDELL]. We have had a lot of talk here about a soldiers' land bill. What has become of that bill? Can anybody over there tell me? Has it gone into its long, last sleep? It proposed to settle the soldiers on swamps and barren lands of one kind and another and to make the swords cut two ways—give something to the soldier and at the same time work off on him a lot of worthless land for him to improve. What has become of that bill. The soldiers' expectations were raised to the sky. They were campaigned and dragooned and asked what they thought about it——

Mr. KREIDER. Will the gentleman yield?

Mr. HUDDLESTON. Not now. I will yield a little later. They were dragooned, and each man's opinion was asked as to what he thought about the soldiers' land bill, and their expectations were excited high. Now, what are you going to do about it? Is it all to end in talk? Have you meant what you said, and if you meant it why do not you make good? You have the control of Congress—

Mr. KREIDER. Will the gentleman yield?

Mr. HUDDLESTON. I will not.

Mr. KREIDER. Why does the gentleman ask questions and not yield for an answer.

Mr. HUDDLESTON. I am asking those who have charge. I ask what are they going to do for the soldier? Are you going to do nothing? Are you going to feed them on empty hopes? Are you really willing to do anything for them? I am willing to do something, but what are you willing to do? Now I will yield to the gentleman from Pennsylvania.

Mr. KREIDER. How many soldiers, I will ask the gentleman, does he know who are anxious to go out on the swamps?

Mr. HUDDLESTON. If there are any I do not know it; no one has expressed such a willingness to me, and I think they have good sense not to do it. There has been a lot of delusive talk as to what a fine thing the soldiers' land bill was going to be. Now, gentlemen, I challenge you to make good on a satisfactory land bill or admit that you are bluffing, and that there was nothing in what you have said. [Applause.]

Mr. GOOD. Mr. Chairman, I move that all debate on this section and all amendments thereto be now closed.

The motion was agreed to.

The Clerk read as follows:

COUNCIL OF NATIONAL DEFENSE.

For expenses of experimental work and investigations undertaken by the Council of National Defense, by the advisory commission, or subordinate bodies; for the employment of a director, secretary, chief clerk, and other expert, clerical, and other assistance; equipment and supplies, including law books, books of reference, newspapers, and periodicals; subsistence and travel, including the expenses of members of the advisory commission, or subordinate bodies or other employees going to and attending meetings of the advisory commission or subordinate bodies; and printing and binding done at the Government Printing Office, $50,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order.

Mr. TINKHAM. I reserve a point of order.

Mr. GARNER. Mr. Chairman, I would like to ask the gentleman a question. How long do you intend to maintain the Council of National Defense?

Mr. GOOD. The Council of National Defense was created before the war. It was created in 1916. It is considered one of the permanent establishments of the Government of the United States.

Mr. BLANTON. If that is the case, Mr. Chairman, I will make the point of order now.

Mr. TINKHAM. I want to raise the point of order.

Mr. BLANTON. It is clearly out of order; there is no law authorizing it; it is not germane to any section of the bill.

Mr. GOOD. The gentleman from Texas did not understand what I said. I said it was authorized by law as a permanent establishment of the Government. There is an estimated deficiency, a great deal more than we have provided for. We have not provided for all of the anticipated deficiency of this year. We did not give them the money they asked for to do the work that we thought was not of a character authorized by the bill.

Mr. GARNER. That is just what I wanted to inquire about. What function does the Council of National Defense perform?

Mr. BLANTON. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. The gentleman from Texas makes the point of order on the ground that there is no law authorizing it. Can the gentleman from Iowa cite to the Chair law authorizing the Council of National Defense?

Mr. GOOD. It was authorized in the Army appropriation act for the fiscal year ending June 30, 1917. I have forgotten the date of the act.

Mr. BLANTON. Mr. Chairman, the gentleman concedes that it was a rider on an appropriation bill. It was only for that session and could not be considered permanent law unless it was clearly the intention to make it permanent law.

Mr. GOOD. It was permanent law.

Mr. BLANTON. It was a rider on an appropriation bill and is not shown to be permanent law.

Mr. LITTLE. Mr. Chairman, I do not know what the intention was, although I rather anticipate they intended to make it temporary, but, as a matter of fact, they did make it permanent.

The CHAIRMAN. The Chair has been furnished with a copy of the act referred to. It is as follows:

SEC. 2. That a Council of National Defense is hereby established, for the coordination of industries and resources for the national security and welfare, to consist of the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor.

The Chair overrules the point of order.

Mr. BLANTON. Mr. Chairman, I reserve other points of order.

Mr. TINKHAM. Mr. Chairman, I make the point of order that this is for an anticipated deficit and not an actual deficit, and by unanimous consent I want to make a statement to the committee.

The CHAIRMAN. The gentleman can discuss his point of order.

Mr. TINKHAM. In connection with the discussion of the point of order I want to make a short statement of facts.

Mr. GOOD. I shall object to any statement that is not confined to the point of order under discussion.

Mr. TINKHAM. Mr. Chairman, it relates to the point of order under discussion.

The CHAIRMAN. The gentleman will proceed in order to discuss the point of order before the committee.

Mr. TINKHAM. It has been often stated that only an actual deficit could be met by appropriation in a deficiency bill, and in order to have this point, an important one, authoritatively determined, I raise the point of order that the appropriation in this item is not for an actual deficit but for an anticipated deficit. This will plainly appear if the hearings are read in relation to this item, when witnesses appeared before the subcommittee on deficiencies of the Appropriations Committee. I want to direct the attention of the Chair to the following statute before he rules, so as to indicate to him the importance of his decision. The statute to which I desire to direct his attention is Federal Statute No. 27, 1906, volume 34, page 49, section 3:

No executive department or other Government establishment of the United States shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriations unless such contract or obligation is authorized by law. Nor shall any department or any officer of the Government accept voluntary service for the Government or employ personal service in excess of that authorized by law, except in cases of sudden emergency involving the loss of human life or the destruction of property. All appropriations made for contingent expenses or other general purposes, except appropriations made in fulfillment of contract obligations expressly authorized by law, or for objects required or authorized by law without reference to the amounts annually appropriated therefor, shall, on or before the beginning of each fiscal year, be so apportioned by monthly or other allotments as to prevent expenditures in one portion of the year which may necessitate deficiency or additional appropriations to complete the service of the fiscal year for which said appropriations are made; and all such apportionments shall be adhered to and shall not be waived or modified except upon the happening of some extraordinary emergency or unusual circumstance which could not be anticipated at the time of making such apportionment, but this provision shall not apply to the contingent appropriations of the Senate or House of Representatives; and in case said apportionments are waived or modified as herein provided, the same shall be waived or modified in writing by the head of such executive department or other Government establishment having control of the expenditure, and the reasons therefor shall be fully set forth in each particular case and communicated to Congress in connection with estimates for any additional appropriations required on account thereof. Any person violating any provision of this section shall be summarily removed from office and may also be punished by a fine of not less than $100 or by imprisonment for not less than one month.

If the Chairman should rule that an anticipated deficit can not be met in a deficiency bill, that ruling will carry with it the following result: That the Appropriations Committee can only appropriate for anticipated deficiencies where the amounts involved are contingent expenses or for other general purposes which have been apportioned and the apportionment subsequently waived with notification of the reasons given to Congress in accordance with the law I have cited.

So that an appropriation for a special object where there was a deficiency to be anticipated or an appropriation for an emergency or an appropriation to extend and add to any work by any department or bureau could not be met in a deficiency bill, as this would be an anticipated deficit and not an actual deficit. The result of the Chairman thus ruling would mean that anything of this character must be met in a special bill and come from the appropriating committees having charge of the subject matter.

To obtain a ruling on this point, a most important one, I have raised this question at this time in relation to the particular item for the Council of National Defense, because the deficiency in this case is an anticipated one and is not in order unless anticipated deficiencies, other than those authorized in accordance with the law I have read, can be met in a deficiency bill.

I desire to direct the attention of the Chair to the fact that there is no law which says that anticipated deficiencies of this character can not be met in a deficiency bill; that there is no rule on this point and no ruling. I therefore ask for a ruling on the point of order which I have just made.

The CHAIRMAN. The Chair desires to ask the gentleman from Massachusetts a question.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will withhold his point of order for a moment until the Chair has asked the question. Could the gentleman explain a little more clearly to the Chair just what he means by an anticipated deficiency as distinguished from a deficiency?

Mr. TINKHAM. A deficiency would be money which had been expended or even contracted for so that it must be expended

where there was no appropriation to pay, or it would be in accordance with the statute which I have just read an anticipated deficiency where there had been a waiver of the apportionment required under the law and reasons certified to Congress.

The amounts appropriated in this item and, in fact, in nearly all of the items in this deficiency bill are amounts for the various departments and bureaus which are needed for the continuation of the service or for the expansion of the service or for emergency requirements before the next annual appropriation bills. In other words, there is no deficiency to-day, but there is an anticipated one unless Congress makes appropriations asked for. An actual deficit could not be created without violating the law which I have just read in many of these cases.

Mr. BLANTON. Mr. Chairman, the point of order to which I desire to call attention of the Chair is that in the point of order made by me a moment ago it was claimed that this item was not a deficiency item, and that is the same point of order made by the gentleman from Massachusetts.

Mr. WALSH rose.

The CHAIRMAN. The Chair will hear the gentleman from Massachusetts.

Mr. WALSH. I would like to ask my colleague, who is on the Committee on Appropriations, if he raised this exact question when the bill was under discussion in his committee?

Mr. TINKHAM. Mr. Chairman, I am very pleased to answer the question, because it allows me to state in reply why I have raised the question at this time.

Mr. GOOD. Oh, no; it will do nothing of the kind. The gentleman must confine himself to the question.

Mr. TINKHAM. I am going to answer my colleague's question. I have been asked a question. Does the Chair rule that I can not answer it?

The CHAIRMAN. Unless it be pertinent to the point of order before the committee. The gentleman will proceed to discuss the point of order. The Chair will hear the gentleman from Massachusetts.

Mr. WALSH. Mr. Chairman, I can not proceed further until I know whether my colleague did or did not raise this question in the committee, and in view of the ruling of the Chair I will not proceed.

Mr. SAUNDERS of Virginia. Mr. Chairman, this is certainly a very interesting and far-reaching point of order, but one that does not seem to me to present any great difficulty. The Chair has asked how the distinction may be made between an actual deficiency and a problematical, or conjectural, deficiency. To ask the question is to answer it. A deficiency is a shortage. Until a shortage of the fund takes place, there is no deficiency. There is a statute on the subject plainly showing the concept of a deficiency in the legislative mind. This statute does not deal with problematical or conjectural deficiencies, but with plain, old-fashioned shortages. Having in mind actual shortages, the statute forbids their creation and punishes the officials who bring them to pass. This statute was made necessary by reason of the fact that the Congress would often make appropriations, and the departments thinking, as they frequently do, that Congress did not know what it was doing, or was lacking in vision, would proceed to expend the money in hand before the purposes intended to be accomplished by the fund were actually secured or else would create obligations for the Government in excess of the amount appropriated for the work or object in contemplation. In either case an actual shortage would arise. This shortage, and any shortage is an actual shortage, is a deficiency in ordinary contemplation. A request for an additional appropriation by a department is a perfectly valid and competent request, but an appropriation in conformity with that request is certainly not a deficiency appropriation, whatever else it may be. The Congress tired of the unlawful acts of the departments in contracting to expend or actually expending amounts in excess of those set aside for expenditure by the lawmaking body. Hence the penal statute, known as the antideficiency act.

This act made it penal for a department to bring about any shortage of funds, either by actual expenditure or contract obligations, with a saving clause to meet urgent conditions. This saving clause afforded a measure of discretion to the departments for exercise in emergencies. In the discharge of that discretion in emergencies a department might create a deficit, but was required to report the fact and the imperious reasons for this extraordinary action to the Congress. This saving clause gives the departments sufficient leeway to meet and deal with unexpected situations, while in the main deficiencies are forbidden. This is a very wholesome statute, and, as I have said, very clearly shows the legislative concept of a deficiency. But if there is no actual shortage, if it is merely considered that on the whole more money will be required for the consummation of a particular project than the amount originally appropriated, the committee making that original appropriation, not the deficiency committee, should be asked to make and in a proper case should award a supplementary allowance. That would be the proper and lawful course to pursue. The Committee on Appropriations possesses full power to meet that precise situation, but the effort to do so should not be made in a deficiency bill which in its nature and essence deals with shortages or deficiencies, not with supplementary allowances in advance of actual shortages. There is no lack of authority in the Appropriations Committee to provide for any lawful request of an executive department. If an appropriation of a hundred millions is made in a sundry civil bill, and the department handling the appropriation establishes the fact that another $100,000,000 is needed, whether that need is due to the advance in labor and other costs or to more ambitious schemes of expenditure by the department, that increase can be afforded by another sundry civil bill. But, as I have stated, that supplementary allowance is in no sense a deficiency. The department is forbidden to create a deficiency, save as provided.

Mr. WALSH. Suppose this related to the Military and Naval Establishments of the United States, would the appropriations have to be made by the Military Committee or the Naval Committee?

Mr. SAUNDERS of Virginia. No.

Mr. WALSH. Why not?

Mr. SAUNDERS of Virginia. Because so far as deficiencies are concerned, they are dealt with in one deficiency committee belonging to the general Committee on Appropriations. There is no such thing, so far as I am aware, as a military or naval deficiency committee.

Mr. WALSH. But I meant a situation which the gentleman was describing, where it did not represent an actual shortage.

Mr. SAUNDERS of Virginia. What committee would deal with it in the judgment of the gentleman?

Mr. WALSH. The Appropriations Committee.

Mr. SAUNDERS of Virginia. No. The Naval or Military Committee, as the case might be, would be competent to report another bill. Why not? Are not these appropriating committees for the very purpose of enabling the public business to go forward clothed with the exceptional right of being able to report bills at any time? At any time that a committee that has the general appropriating power and is advised that some work or project over which it exercises jurisdiction, fairly requires an additional appropriation, lacking which the public interests will suffer, such a committee can report to this House a bill affording the necessary supplementary allowance. The fact that such an appropriation may have been carried heretofore in a deficiency bill does not alter the situation.

Now it is very proper that this should be so, and that the executive department which conceives that it needs a larger allowance, should submit its request for this additional allowance to the committee which afforded it the initial appropriation, so that the House, being advised through its committee of the facts, can determine whether it will make the allowance asked for. This requirement maintains the principle of the antideficiency law and the rights and prerogatives of the Congress to determine policies, and the amounts to be expended by the departments. We alone hold the purse strings of the Nation. Committees should not cross lines. What is the need of a deficiency bill, if it is not to deal with deficiencies? Why should it interfere with other committees and the work which appropriately belongs to them?

Mr. BLANTON. Will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. Certainly.

Mr. BLANTON. Is money to be spent in the future concerning a new plan, under possibly an existing law, a deficiency?

Mr. SAUNDERS of Virginia. Your very statement shows that such an expenditure would not be a deficiency.

Mr. BLANTON. That is exactly what this money is to be spent for. It is to be spent in the future.

Mr. SAUNDERS of Virginia. If there is no actual shortage, why, there is no deficiency.

Mr. GARNER. Will the gentleman from Virginia yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. GARNER. How would you get, under the antideficiency law, an actual shortage?

Mr. SAUNDERS of Virginia. Very easily, indeed. Do as these departments have often done heretofore—violate the law. Spend your appropriation before you complete what Congress has ordered to be done, or enter into obligations in excess of the appropriation, and a deficiency will be thereby created. A department can also create an actual deficiency by exercising the powers given to it for an emergency.

Mr. GARNER. In other words, they must follow this statute, then, before there is a deficiency, and in each instance if a Member of Congress made the point of order that it was not a deficiency it would be incumbent upon the Member in charge of the bill to show that there was a deficiency?

Mr. SAUNDERS of Virginia. Precisely. Is not that what our parliamentary law requires?

Mr. BYRNS of Tennessee. I want to ask the gentleman this question with reference to this appropriation: Assume, for the sake of argument, that it is not a deficiency, but it is a sum that the Council of National Defense and the committee expect will be necessary between now and July 1, beginning the next fiscal year, to run their organization; now, this is an appropriation which is carried in the sundry civil bill. The sundry civil bill for this fiscal year has passed and has been disposed of by Congress; now, if the contention of the gentleman is correct, how on earth would Congress ever be able to make the necessary appropriations unless it was through a deficiency bill?

Mr. SAUNDERS of Virginia. Mr. Chairman, I was on the point of developing, by way of illustration, the situation involved in my friend's question. There is no limitation on the power of the Appropriations Committee to report as many sundry civil bills as may be thought necessary during a session of Congress. The Committee on Appropriations can report as many of them during a session as the public needs may require. The sundry civil bill is under the jurisdiction of the sundry civil subcommittee. But, to answer further your question. You ask me how the necessary appropriations to meet the public needs would be made if my contention is correct. My answer is, by the appropriate committees. This point is not in derogation of the power of the House. It merely raises the question whether a deficiency bill should deal with anything but deficiencies.

The gentleman from Texas [Mr. BLANTON] asked me a question which I undertook to answer by stating that there are only two ways in which a deficiency or shortage can be created. One is for a department to violate the statute; the other is by conforming to the statute. Both will create deficiencies which can be appropriated for in a deficiency bill, but only one will be penal. The shortage will take place whether the statute is violated or not. In the one case the department will be punishable under the law should it create a deficiency, but in both cases the shortage created can be appropriately provided for in a deficiency bill.

Mr. TINKHAM. I would like to ask the honorable gentleman from Virginia a question. I note by the bill that it is for deficiencies, and for other purposes.

Now, if the Committee on Appropriations has the right at any time to report a bill concerning the legislative, executive, and judicial expenses or sundry civil expenses, then, this being for other purposes, other than deficiencies, it might allow this appropriation to stand in the deficiency bill, not as a deficit but as an appropriation over which they have jurisdiction.

Mr. SAUNDERS of Virginia. But the committee lacks jurisdiction as to matters that are not deficiencies.

Mr. TINKHAM. In this particular department, then.

Mr. SAUNDERS of Virginia. It is without jurisdiction to deal with such matters. This is a deficiency bill, which, under the rules, should deal with deficiencies.

Mr. TINKHAM. But it says, "Deficiencies and other purposes."

Mr. SAUNDERS of Virginia. I will say to my friend from Massachusetts that committees, by putting in words of that character can not secure a jurisdiction not afforded to them by the rules. If so, it would be a very simple process for any one committee to take jurisdiction over any and all subjects.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. BYRNS of Tennessee. Suppose, as a matter of fact, taking the appropriation now under consideration as an example, the appropriation for the Council of National Defense, it is ascertained by the committee that, say, $100,000 will be needed by the Council of National Defense to carry on its activities throughout the entire fiscal year, but that the Congress appropriated on the sundry civil bill only $50,000.

Mr. SAUNDERS of Virginia. Yes.

Mr. BYRNS of Tennessee. Now, later on the Council of National Defense comes before the committee and says, "We needed $100,000, and you gave us only $50,000." Could not that be fairly construed to be a deficiency in the amount of money necessary to carry on the activities of the Council of National Defense?

Mr. SAUNDERS of Virginia. I will return the question to my friend. Does he think that upon the facts stated, a deficiency in common ordinary parlance such as was contemplated by the antideficiency act, exists?

Mr. BYRNS of Tennessee. A deficiency in the appropriation.

Mr. SAUNDERS of Virginia. What is a deficiency? It is a shortage in one case in the funds that have been appropriated for a certain specific purpose created by the misconduct of the department charged with the expenditure of those funds. If that is not a deficiency, what is a deficiency? I have been waiting for some one to make clear the proposition that a supplementary allowance to a legitimate proposition, is a deficiency or shortage.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. FAIRFIELD. In the appropriations for the departments we usually intend to appropriate all that is necessary.

Mr. SAUNDERS of Virginia. All that we expect for them to expend on a given line.

Mr. FAIRFIELD. For the fiscal year.

Mr. SAUNDERS of Virginia. Yes. We have made it penal for them to expend more on that line than we have appropriated.

Mr. FAIRFIELD. If we have failed to appropriate what is absolutely necessary, does not the gentleman think it should be called "a deficiency"?

Mr. SAUNDERS of Virginia. The gentleman is an English scholar. Does he think that the development of the fact that more money in the result will be needed, either to carry out the original project, or to expand it, establishes that there is a present shortage, or deficiency?

Mr. FAIRFIELD. Sometimes legal and sometimes rational considerations do not coincide.

Mr. SAUNDERS of Virginia. The law should be followed, if it is clear. But in this case the law and reason are in harmony.

Mr. FAIRFIELD. Is there any precedent for such action?

Mr. SAUNDERS of Virginia. I do not believe there is any precedent for holding that, as a matter of law, a deficiency bill can make appropriations that are not for deficiencies.

Mr. FAIRFIELD. Is it not the custom of the House?

Mr. SAUNDERS of Virginia. Yes; it is often done, without objection, in deficiency bills.

Mr. FAIRFIELD. I am asking for information.

Mr. SAUNDERS of Virginia. The practice with respect to this bill is the same that prevails with regard to other appropriation bills, namely, that they contain many items without warrant of law, but it has been often ruled that an unlawful thing may be carried in an appropriation bill for 50 years, and yet when a point of order is directed to that illegality and the presiding officer is asked to rule, the offending matter must be expunged. The protagonist of the bill must afford the authority that justifies the particular appropriation that is assailed. [Applause.]

Mr. FAIRFIELD. It would seem, then, not to be a deficiency.

Mr. SAUNDERS of Virginia. I have shown one way in which an actual deficiency can be created by a department, namely, by a violation of the statute, also the other way in which it may create one by conforming to the statute, and exercising the discretion which that statute affords. But in both cases there is a real shortage, or deficiency. There is no occasion to bring conjecture into play.

Mr. GARNER. In each instance, then, in order to create a deficiency, under your contention, it would be necessary for the department which is authorized to function under an appropriation by Congress to report back to Congress under the terms provided by law?

Mr. SAUNDERS of Virginia. Yes. As I have pointed out, Mr. Chairman, this point of order does not impinge upon or limit the power of Congress. It does not impinge upon or limit the power of the Appropriations Committee. It does not shackle the Congress in any way. It does not hamstring the departments in the slightest degree. If sustained, the effect will be that in substance we will say to the Committee on Appropriations: "If you are confronted with a deficiency, appropriate for it in a deficiency bill, but if there is no deficiency, make the necessary appropriation by a bill reported from a committee that has jurisdiction." [Applause.]

Mr. DEWALT. Mr. Chairman, I think some confusion arises in coupling the words "in anticipation" with "deficiency." I grant you, for the purposes of the argument, that the position taken by the gentleman from Virginia [Mr. SAUNDERS], when he coupled with "deficiency" the words "in anticipation," in so far as this legislation is concerned, would be primarily correct. But in the consideration of this particular measure one must look to the title of the bill and to the purposes of the bill. Now, the bill itself in its title says that it is "A bill making appropriations to supply deficiencies in appropriations for the fiscal year

euding June 30, 1920." Therefore the title to the bill clearly expresses the purpose and the intent of the bill. What is the purpose and intent of the bill? To supply a deficiency. In what? Not in anticipation of some future indebtedness, but to supply a deficiency in the appropriation which has already been made. Therefore it is apparent from the face of the bill and the title of the bill that the first premise in this argument is this: Was there an appropriation made? That seems to be beyond dispute, to wit, that there was an appropriation made for this purpose—for the establishment and maintenance of the Council of National Defense.

Then the next process in reasoning would be, if this bill is to meet the provisions of its title and its intent, Was that appropriation insufficient? In the judgment of the committee it seemed that the appropriation was insufficient, and therefore the purpose of this bill, as expressed by its title, is not to meet in anticipation a future indebtedness that might be contracted, but it is for the purpose of supplying a deficiency in an appropriation already made, which has been found to be insufficient.

Now, if that be true, we have but two steps in the reasoning, excluding what was inadvertently, I think, suggested by the chairman of the committee himself, that it was an anticipated deficiency.

Really, what is a deficiency? I suppose Webster's definition would govern the chairman in regard to the construction of words. Webster's definition of deficiency is—

a state of being deficient; lack or insufficiency; failure; incompleteness.

And in construing phrases we have this very definite idea as expressed in regard to deficiency bills, for Webster says:

Deficiency bill: A legislative measure for increasing some previous appropriation of money.

And that is the conclusion of this argument, so far as my humble judgment is concerned, in regard to the germaneness of this provision in this bill and in regard to its being in order. In other words, it is exactly what Webster says it is. It is a legislative measure for increasing some previous appropriation of money.

Mr. WALSH. My colleague, the gentleman from Massachusetts [Mr. TINKHAM], used the expression "anticipatory deficiency," and read some statute which places a prohibition on officers expending money or incurring obligations beyond the sum of money made available. Now, the mere fact that a department head had a certain sum of money appropriated for the purposes of the Government work under his supervision, and that he increased obligations beyond that sum which it is necessary to meet within a certain fiscal year, does not necessarily make it follow that we are precluded from making an additional appropriation. The department may have money on hand at the time the appropriation is made, but before the end of the year arrives that department may find itself short of funds, and that is an existing deficiency. It is not necessarily an anticipatory deficiency, because the obligation may have been incurred at the time the additional appropriation was requested.

Mr. TINKHAM. Will the honorable gentleman from Massachusetts yield?

Mr. WALSH. I yield to my colleague.

Mr. TINKHAM. If the obligation had not been incurred—and I think an examination of the hearings will disclose that as to this particular item no obligations have been incurred, or but a few, if any—then the appropriation is anticipatory in every characteristic, as there is no present deficit, but only one which will occur in the future, if what the commission desires to do is done.

Mr. WALSH. No; it is not anticipatory. I should say if the department has got money on hand, and the obligations which it has incurred will not require more money than that which it has available for the balance of the year, then to make an appropriation in a bill like this is to authorize new work.

Mr. GARNER. Will the gentleman yield?

Mr. WALSH. I yield to the gentleman from Texas.

Mr. GARNER. May I call the attention of the gentleman from Massachusetts to this condition which would exist if this point of order should be sustained? For instance, you have in this bill appropriations made for deficiencies in the foreign service. The original appropriation bill comes from the Committee on Foreign Affairs. You will probably have some, I believe, from the Post Office Department and some from the Agricultural Department.

Mr. GOOD. And from the War Risk.

Mr. GARNER. And the War Risk and other appropriations. Now, let me call attention to the fact that if this point of order should be sustained and this committee could not bring in deficiencies for this purpose, then each one of the original committees would have to bring in an appropriation bill appropriating this money. Now, understand me, I am not saying there is not a good deal of merit in the suggestion made by the gentleman from Virginia under the strict rules of this House; but if the gentleman will permit just one other suggestion in this connection, it directs attention to this one fact that the committees of this House have concurrent jurisdiction on appropriations, and that if a department goes to the Agricultural Committee or the Naval Affairs Committee to get a certain lump sum or other appropriation to conduct its affairs, if it does not get what it wants it comes back to the Appropriations Committee, and if it can finally convince that committee it gets the money. This illustrates the importance of having one appropriations committee rather than half a dozen.

Mr. WALSH. There is much merit in what the gentleman from Texas says, but after all this is a matter of the rules of the House and not a question of statute. The statute does not say that Congress can not appropriate in case the executive head incurs obligations beyond the appropriation. Certainly if a deficiency is created Congress can appropriate money to cover that. But it is a question of the rules of this House, and it is not necessary to interpret that statute. If these executive chiefs have violated the terms of the previous statute, that certainly does not mean that the rules of the House preclude Congress from appropriating money to cover any deficiency that may exist by reason of expenditures made or obligations incurred.

Mr. LITTLE. It has just occurred to me that if there is a law authorizing an appropriation, and Congress has appropriated for it, that ought to close the matter. If it has not appropriated for it, then there is a deficiency. But whether you call it a law or a rule, if Congress has appropriated for everything that the law authorizes it to do, it ought to be through. Congress can not appropriate for anything unless there is a law authorizing it, and if it has followed out the law it is finished. If there is no previous law, it can not make the law for it at the time it passes the appropriation. The law is exhausted after it is obeyed for any given period.

Mr. WALSH. The gentleman undertakes to say that the law must be made anew each year when the appropriation is made. That is not necessary.

Mr. GOOD. Mr. Chairman——

The CHAIRMAN. The Chair is ready to rule, but will hear the gentleman.

Mr. BLANTON. Before the Chair rules I want to put this statement in the RECORD. It is from page 45 of the hearings, and it occurred on December 31, 1919, the last of last month:

The CHAIRMAN. Yes; you had, all told, for this half year $103,640, and you have on hand $18,000.
Mr. CLARKSON. With a present monthly expense of about $11,000.

That shows that after paying the expenses for this month of January they will still have on hand $7,000 unexpended on the 1st day of February, 1920, which clearly shows that it is not a deficit but that this proposed appropriation is for a future expenditure.

Mr. SAUNDERS of Virginia. Mr. Chairman, let me put this in. I stated in response to an inquiry by the gentleman from Tennessee [Mr. BYRNS] that the committee could in the course of the year introduce half a dozen deficiency bills if necessary. I wish to call attention to the fact that the deficiency bill in the last line says, "This is to be known hereafter as the second deficiency appropriation act." The other appropriation committees have just as much right to make supplementary appropriations as this committee had.

The CHAIRMAN. The act cited by the gentleman from Massachusetts and explained with clearness by the gentleman from Virginia does not, as it seems to the Chair, enter into the consideration of this point of order. The act referred to was passed for the purpose of controlling heads of departments in the disbursement of appropriations, and not to affect in any way the rules of the House or the proceedings of the House in making appropriations. Therefore the Chair does not feel called upon to construe the act.

The point of order made by the gentleman from Massachusetts is that the paragraph in question does not present a deficiency. He distinguishes between a deficiency and an anticipatory or anticipated deficiency. The Chair is not able, however, to follow this line of argument to any satisfactory conclusion, being unable to distinguish between a deficiency and an anticipated deficiency or an anticipatory deficiency. If the paragraph does not present a deficiency in the parliamentary sense of the word as used in this House it has no place in the bill.

It has been shown that this appropriation sought be made in this paragraph is authorized by existing law. It is also shown that it was appropriated for in a previous act, now current law.

The question now is whether the present paragraph is a deficiency item appropriate to be included in a deficiency bill.

A deficiency, as used in this House, as was so ably explained by the gentleman from Pennsylvania [Mr. DEWALT], means a deficiency in an appropriation heretofore made. In the practice of the House deficiency bills have always carried the items for the expense of carrying on the different departments of the Government for the time intervening before the end of the current fiscal year. It has been the practice in the House that each appropriating committee, other than the Committee on Appropriations, shall bring out one appropriation bill each fiscal year. The Appropriations Committee brings out the sundry civil bill, one District appropriation bill, one fortfications bill, one legislative, executive, and judicial appropriation bill, one pension appropriation bill, and such number of deficiency bills as may be necessary to take care of the deficiencies arising from lack of sufficient appropriations in all the other bills for carrying on the various activities of the Government to the end of the fiscal year.

It is clear to the Chair that an estimate having been brought in by a department of the Government, the estimate having been considered by the Appropriations Committee, and it having been found by that committee to be necessary to add to the appropriations heretofore made an additional sum to carry on the activities of this particular department to the end of the present fiscal year, it was properly included in this bill as a deficiency item. The Chair therefore overrules the point of order.

Mr. BLANTON. Mr. Chairman, I offer an amendment to strike out the section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BLANTON: Strike out the paragraph beginning with line 10, page 2, and ending with line 21, page 2.

Mr. BLANTON. Mr. Chairman, I think it is proper for me to explain why I made the point of order against the section and now seek to strike it out. The bill states that a part of the purpose of this $50,000 is to carry on the investigation of subordinate bodies under the Council of National Defense and the expenses of the subordinate bodies. I want to call the attention of the House to one of the subordinate bodies. In Stamford, Jones County, Tex., the offices of this particular subordinate body issued what they called their summons in a printed notice to every citizen in Stamford community over 16 years old, stating that by virtue of the laws of the Council of National Defense you are hereby summoned to be and appear at the Methodist Church in Stamford on next Thursday night, then and there to show how many Liberty bonds you have purchased, how many war-savings stamps and certificates you have purchased, and other matters pertaining to their private affairs. And you are hereby notified by the Council of National Defense that you have been assessed the sum of so much in money each, and you are required to bring that sum with you on next Thursday night or suffer the consequences under penalty, and so forth.

That notice was addressed to every person, white and black, man, woman, and child over 16 years of age in the Stamford community. Of course a great many people paid no attention to it. They were not there on that Thursday night. Then a second summons was sent in this way: "Final summons. Inasmuch as you disobeyed the order last sent you by this council of national defense and failed to appear at the time and place named and failed to bring the assessment with you and failed to give the information requested of you, you are hereby commanded to appear at such a place, Stamford, Tex., on such a night, under penalty," and so forth.

Do you think that any unbusinesslike people sent that out? No. There was the president of a big national bank who signed that summons. Among the directors who signed that summons was a man who has sat in that gallery month after month, a lobbyist, Homer G. Wade. Men of intelligence sent that kind of a summons out to people, American citizens.

People began to wire me as to what their rights were, whether they were to be taxed by a local organization, and whether they could be forced to appear at public places and give information as to their private affairs. I took the matter up with the Council of National Defense, and it took an order from it to stop it through the San Antonio office in Texas.

I say when such monkey business as that is being carried on in the name of the law and in the name of the Council of National Defense by one of the subordinate bodies, spending money for such monkey business as that, the appropriation of $50,000 ought to be stricken out.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. BLACK. The gentleman does not mean to seriously contend that that board he speaks of was a subordinate body of this Council of National Defense?

Mr. BLANTON. Of course it was.

Mr. BLACK. It has no subordinate bodies of that kind.

Mr. BLANTON. It was a subordinate body that was controlled by this office at Washington through the office at San Antonio.

Mr. BLACK. It had no connection with it. It was a local organization, such as they had all over the country.

Mr. BLANTON. Oh, yes; but it was a local organization of the Council of National Defense for Stamford, Jones County, Tex., claiming to be a part of the National Council here in Washington.

Mr. BANKHEAD. Is that in the gentleman's district?

Mr. BLANTON. It is; and I am against appropriating money that can be expended by any subordinate organization with such little sense.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GOOD rose.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GARNER. This Council of National Defense was created in an appropriation bill coming from the gentleman's committee?

Mr. GOOD. No; it came from the Committee on Military Affairs.

Mr. GARNER. And the appropriation for it is now carried in the sundry civil appropriation bill, from the gentleman's committee?

Mr. GOOD. Yes.

Mr. GARNER. It just occurred to me that 12 or 14 months after the war is over, in view of the very name of the institution, it must have been created for the purpose of defense of the Nation and that probably its duties and functions have ceased to exist. I would like to have the gentleman state to the House just exactly what the duties and necessities are now for this Council of National Defense and how long he anticipates the Council of National Defense will exist?

Mr. GOOD. Mr. Chairman, I had the same opinion that the gentleman has expressed in regard to this law. I thought it was a war organization, but when the matter came before the committee we ascertained that the act creating the council was approved August 29, 1916, and it is the opinion of the Secretary of War, and, I understand, the opinion of the Secretary of the Navy, and of the Interior, and of Commerce, and of Labor, and of Agriculture, all of whom are members of the council, that it is a peace time preparedness organization that should be continued and preserved.

They are doing some things that I do not approve of. I approved of the inquiry of the gentleman from South Carolina [Mr. BYRNES] last year when he brought them to time because they were issuing bulletins telling farmers how to keep their live stock off the railroad tracks in order to increase the food supply of the Nation. They are doing a whole lot of things with regard to the high cost of living that it seemed to the committee are not a part of their function; but when it comes to correlating the work of the various departments so as to furnish the actual information as to what our productivity does amount to, so far as military supplies and food supplies are concerned, it seemed that it was an organization tending to bring about a speaking relationship between the Secretary of War and the Secretary of the Navy, and so on, in regard to what the situation is in the various departments, to the end that all information as to production might be at hand at any time, and it ought not to cost very much money to continue such an organization.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. SNELL. What is the actual expense of this council per year?

Mr. GOOD. There was an unexpended balance on the 1st of July of $87,464. In addition to that, they received in rentals $16,176, and that gave them $103,640. They have a balance on hand of $18,000. They have 63 persons, as I remember, with a director and other officers, in the departments. They asked for $150,000 for the rest of the year. The committee has very much reduced their estimates, as gentlemen can see, and the appropriation carried here will provide for a very much reduced force. The complaints that have come to the committee have not been because we have given too much but because we did not give enough.

Mr. SNELL. What actual loss would it be to the country if at this time this war commission ceased to function?

Mr. GOOD. I think there would be a considerable loss if it ceased to function now, because the Council of National Defense have all of the files of the War Industry Board, and certain other files of other war activities as well as functions have been turned over to them. Gen. Lord, of the finance department, goes to the Council of National Defense every day for his information to settle war contracts. Other departments go there for similar information. They could not get the information unless we turned these records over to some other bureau, if this one was abolished. I think for the rest of the year, at least, whether you want it or not permanently, or until these contracts are taken care of, and until we have provided for some other depository for this information and the records, it is absolutely necessary to continue the council.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. LAYTON. Does the gentleman favor making this a permanent part of the functions of our National Government?

Mr. GOOD. The law creating the council makes it permanent. I would say to the gentleman that we did not go into the question with that thoroughness to warrant giving him an answer as to whether that act should be repealed. We went into it because of certain functions they are performing now, of certain work which has been turned over to them by the President, and to continue for the rest of this year at least the work the council is engaged in.

Mr. LAYTON. Could the gentleman answer my question?

Mr. GOOD. I have tried to answer it.

Mr. LAYTON. Can not the gentleman give me his personal opinion in regard to the matter?

Mr. GOOD. It would not be worth anything because I have not studied it enough to know.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BANKHEAD. The particular item here appropriates for expenses of experimental work. Was there any testimony in the hearings in respect to the nature and character of the experimental work?

Mr. GOOD. No. I will say to the gentleman that we have, as he knows, in carrying these items in the appropriation bill, carried them in the language in which the original appropriation is made, but I do not suppose that with this appropriation we are giving them here they would be able to do any experimental work. It was not the intention of the committee that they should have any money for that purpose.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GREEN of Iowa. Do I understand that it is necessary to have another department or division in order that one department can get some information or see some records in another department?

Mr. GOOD. That was the law we passed, which was approved August 29, 1916, when it was supposed that we would never be in the war at all.

Mr. GREEN of Iowa. If so, then I think we would need to modify that statute.

Mr. GOOD. They were supposed, under that law, to work out defense problems, so that the country could prepare for an emergency.

Mr. GARNER. What I understood the gentleman to ask was, was it necessary to have this organization in order to have one department get the records of another department?

Mr. GOOD. No. The War Industries Board has disbanded, and their records have all been turned over to the Council of National Defense, and for the balance of this year and for longer no department could get this information without the council unless you found another depository.

Mr. BYRNES of South Carolina. Mr. Chairman, I wish to say to the gentleman from Iowa [Mr. GREEN] that when the Council of National Defense came before the sundry civil subcommittee in the last session I entertained the view that it was one of the war emergencies which should be discontinued. I believed all of them should be discontinued. But upon investigation I learned I was entirely wrong in my impression; that the true purpose of the Council of National Defense was as a peace-time agency and not a war instrumentality. I found, as has been stated, that the Council of National Defense, beyond the scope of its functions, was making investigations that I do not think they had any right to make; but the purpose of the Council of National Defense, as provided in the original act, is what they are now attempting to carry out, namely, the coordination of the military activities of the Government. And in order to do that they have established a board having a representative from the Navy Department, the War Department, and from the other departments of the Government. That board meets, and its purpose is to prevent a duplication of effort on the part of the various departments of the Government. It is said, and correctly said, that various departments are constantly engaged in the same kind of activities, and the only way in which it can be corrected is to have a clearing house, where information can be had of the activities of the various departments.

Mr. LAYTON. Will the gentleman yield?

Mr. BYRNES of South Carolina. I will.

Mr. LAYTON. What relation does this have to the time of peace? What particular function would this have in time of peace that could not be subserved by some other department of the National Government already existing?

Mr. BYRNES of South Carolina. I will tell the gentleman that. Here is what actuated the Congress, I have no doubt, in originally establishing the council. When we get into war it is too late to ascertain how many industries of this country are capable of being immediately converted into the manufacture of munitions. That information must be at hand; it must be in the department. They must have on record exactly that information. And, in addition, they must have information as to how many pairs of shoes can be manufactured, how many uniforms can be made, and the possible output of the various industrial concerns. Complete information as to the military resources of the country is essential to the prosecution of a war. If we do not have one agency doing that, the result would be that you would have five or six agencies doing it, each one duplicating the efforts of the other, with additional clerks and additional expense to the taxpayers of the Government. There is no reason on earth why one agency can not secure full information as to the industries of the country from which supplies can be obtained, and if the council has that information, if war should ever come to us, it can then be drawn upon by every department that is under the necessity of securing the information. During the war the Council of National Defense had to go, shortly after its organization, beyond its peace-time activities, and it became an emergency proposition. It could not perform any of the functions originally anticipated. It is now proceeding to carry out the provisions of the act creating the council.

Mr. HUSTED. Will the gentleman yield?

Mr. BYRNES of South Carolina. I will.

Mr. HUSTED. I wish to ask the gentleman if, as things now stand, as the General Staff is now constituted, we would have anything in this country from which a real general staff could be had without the continuance of this organization?

Mr. BYRNES of South Carolina. Not at all. And I will say this: The records of the Food Administration, the War Industries Board, and various other war agencies have been turned over to the Council of Defense. From these records information is being compiled so that if the necessity ever comes the Government can draw upon it, and all of the valuable information obtained during the war will be available to the Government. Abolish it, and who would you expect to do this? If it was a large expenditure, I might not approve it; but I feel that it will serve a worthy purpose, and therefore we can not afford to discontinue it at this time.

Mr. GARNER. The gentleman is of the opinion that this is a bureau that should continue indefinitely?

Mr. BYNRES of South Carolina. I think so.

Mr. GARNER. If that is true, is it not the duty of your committee to reorganize and place the salaries of this bureau as they should be, and let Congress direct its activities?

Mr. BYRNES of South Carolina. I think so.

Mr. GARNER. Instead of doing that you are making a lump-sum appropriation.

Mr. BYRNES of South Carolina. The situation as to the appropriation was this——

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BYRNES of South Carolina. I ask unanimous consent, Mr. Chairman, for five minutes more.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNES of South Carolina. Now, the appropriations were made originally with the intent that they would carry this organization until this time, the statement being made to the committee that by this time they would be in a position to tell just exactly what organization would be necessary for the carrying out of the functions of this peace-time organization. In the middle of the year they have come in with this estimate for an appropriation far in excess of what this committee is giving to them. The purpose of the committee is that in the legislation for the next fiscal year Congress shall do exactly what the gen-

tleman from Texas [Mr. GARNER] believes should be done, and it should be done then by the sundry civil subcommittee, of which the gentleman from Iowa [Mr. GOOD] is also the chairman.

Mr. GARNER. Will the gentleman yield?

Mr. BYRNES of South Carolina. I will.

Mr. GARNER. I notice in creating these new bureaus for the purpose of getting away from duplication you never cut down the appropriations for the other fellows; and allow me to call your attention to the fact that this duplication work is one of the reasons we gave for passing the so-called budget bill, namely, that we were going to bunch the matters so that there would be no more duplication.

Yet here you have an organization whose principal function and reason for its life and existence is to keep on duplicating some of the work that is being done or can be done elsewhere.

Mr. BYRNES of South Carolina. If we could only pass the budget bill it might not be necessary.

Mr. GARNER. If you can get the other body to function on that bill, we would have it.

Mr. BYRNES of South Carolina. Perhaps the gentleman from Texas has more influence over there than I have.

Mr. GARNER. I want to direct the attention of the gentleman further to the fact that the Department of Commerce can do the very things which he says this council should be continued for, first, to ascertain the resources of this country in case of war. I understand that we are going to carry this Council of National Defense for an indefinite period, because of the fact that we want to keep our hands on what is being produced in this country for use in case of war. I do not think this is needed for any such purpose.

Mr. BYRNES of South Carolina. If the gentleman will examine the hearings he will notice that I examined the representatives of the Council of National Defense on that very point, but I do not believe the Department of Commerce does any work in conflict with the work of the council.

Mr. STRONG of Kansas. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. STRONG of Kansas. Can the gentleman inform us whether the Council of National Defense is taking any part in the propaganda that is being carried on throughout the country in favor of compulsory military training?

Mr. BYRNES of South Carolina. I never heard of it before, and I am satisfied they are not. Certainly they are not authorized to engage in such work.

Mr. BEE. Mr. Chairman, I rise in opposition to the motion of the gentleman from Texas.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BEE. I am not familiar with the functions of the Council of National Defense, but I am rather inclined to agree to the statement of the gentleman from South Carolina [Mr. BYRNES] that it ought to be maintained at least for this time.

But that is not the point upon which I rose to speak. My colleague [Mr. BLANTON] has referred to an instance in Stamford, Jones County, in his district. I am satisfied that the statements made by him are absolutely correct and that this local council in Stamford far exceeded its authority under the statements so set out. But I want to say a word—and I think I would be recreant in my duty if I did not say it—in behalf of the Council of Defense in the State of Texas, of which this Stamford branch was probably a subsidiary organization. I was a member of the senate of Texas which incorporated and put into life this Council of Defense in Texas. The governor of Texas and myself at that time and subsequently were not in agreement, but I want to do him the justice of saying that he appointed to the membership of that council from the citizenship of Texas the best men he could find, and they served splendidly, patriotically, and unselfishly in the interest of their country at the time the honor of our flag was involved, without any recompense except a sense of duty well done. The secretary of that organization—and I speak of this especially, because the secretary of that organization was the man upon whom the heat and burden of the day fell in connection with this work—is an honored citizen of my city of San Antonio, Judge J. F. Carl, at one time on the appellate bench of the State.

These men may have made mistakes. I am not commending the action at Stamford. This Council of Defense in Texas may have made mistakes. They may have gone too far in bringing responsibility and patriotism and duty to the doors of the citizenship of that State. I came in contact with them in the performance of their duty, and I know that no more unselfish body of men ever more patriotically served their country and their Commonwealth than did the members of the Council of Defense for the State of Texas. I regret that hardships were inflicted. I regret that the patriotism of some men swept them beyond their moorings. But I could not sit silent and allow imputations to be made, though not intended, as to the State council and let it go out that that organization sanctioned this character of action, or that that organization in our State—and I believe in every other State of this Union—stood for but one thing, and that was the strongest effort to win this war and to bring victory to yonder flag. [Applause.]

Mr. McKENZIE. Mr. Chairman, I want to say just a word. I took part in the legislation creating the Council of National Defense. I felt then that it was a good thing to do. I believe it is a good thing now to continue the Council of National Defense, if kept within due bounds.

The gentleman from South Carolina [Mr. BYRNES] very clearly defined the purposes for which the council was created. The intention was to have the various members of the Cabinet act as the council, with authority to appoint an advisory commission or subcommittee for the purpose of taking an inventory of all the assets in our country that might be utilized in time of war.

That was the purpose of the thing, that was the purpose for which it was intended; and it is a laudable purpose, in my judgment. But what are the facts? As soon as we got into the war they began to appoint subcommittees, and they had subcommittees on every conceivable subject; not advisory committees, as the law intended they should be in every instance, but committees which assumed jurisdiction to act, such as the Committee on Emergency Contracts, the Committee on the Allocation of Lumber, the Committee on Copper, the Committee on Cement, and various other committees. Instead of acting as advisers to the War Department and the Navy Department, they took upon themselves the authority of action, and they did act and become administrators.

Now, in my judgment we ought to continue the Council of National Defense, give them sufficient money to keep up their organization, and continue the acquisition of this information which the country desires to have on hand, but they should not be permitted to enter into the field of investigation and experimentation, as is provided for in this scheme. That ought to be cut out, and they ought to go on and do the work which the Congress intended they should do when we enacted the law. I shall offer a simple amendment, Mr. Chairman, that will confine, as I believe, the Council of National Defense to the duties which they ought to perform.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McKENZIE: Page 2, line 11, after the word "of," strike out "experimental work and investigation undertaken by," and on page 2, lines 12 and 13, strike out the words "by the advisory commission, or subordinate bodies."

The CHAIRMAN. The gentleman from Iowa [Mr. GOOD] is recognized.

Mr. GOOD. I think the vote first recurs on the motion of the gentleman from Illinois [Mr. McKENZIE] to perfect the text.

The CHAIRMAN. The gentleman is correct.

Mr. GOOD. I have no objection to the amendment.

Mr. BLACK. I move to strike out the last word.

Mr. GOOD. I should like to see if we can agree as to time.

Mr. BLACK. I want very little time. I want to ask the gentleman from Illinois [Mr. McKENZIE] a question about his amendment. I do not care to argue it at all. I agree with the gentleman from Illinois that the real purpose of the Council of National Defense was one of investigation and assembling information. If we strike out the words "and investigations undertaken by the Council of National Defense" that would really have the effect of destroying the purpose of the organization, would it not? I agree with the gentleman in the main purpose he has in view, and if he will modify his amendment I will be very glad to vote for it, but if investigation does not involve the searching for information I do not understand the meaning of the word.

Mr. McKENZIE. I will say to the gentleman from Texas that I would not care to do the thing that he thinks perhaps my amendment might do, that is to cripple them in making the investigation, in preparing the inventory that we want to have on file down here; but I do not think there is any danger along that line, for the act creating the commission specifies the powers that it may exercise, and this is simply an appropriation to pay the expenses of the Council of National Defense.

Mr. BLACK. I really think there is force in what the gentleman from Illinois says.

Mr. TREADWAY. If the amendment of the gentleman from Illinois is adopted, which I understand would cut out the words "experimental work and investigations undertaken by the Council of National Defense, by the advisory commission,

or subordinate bodies," should it not also include, in lines 17 and 18, the words "including the expenses of members of the advisory commission or subordinate bodies, or other employees, going to and attending meetings of the advisory commission or subordinate bodies"?

You are limiting the duties of the advisory commission and subordinate bodies.

Mr. McKENZIE. Oh, no.

Mr. TREADWAY. You are striking out those words, are you not?

Mr. McKENZIE. I am striking out the power of the advisory commision to do experimental work. I have no objection to paying their expenses, including the attending of meetings. That will take up some of the matters that come directly under the jurisdiction of the council.

Mr. TREADWAY. Did I not understand the gentleman to offer an amendment striking out the words "by the advisory commission or subordinate bodies"?

Mr. McKENZIE. If the gentleman from Massachusetts will look at the text, the language with my amendment in it will read as follows:

For expenses of the Council of National Defense; for the employment of a director—

And so forth. It provides the money to take care of them and permits them to perform all the duties that they will then have to do.

Mr. GARNER. May I ask the gentleman from South Carolina what salaries are included in this matter?

Mr. BYRNES of South Carolina. The salaries of the employees.

Mr. GARNER. What salaries are paid—$10,000 or $25,000, or what?

Mr. BYRNES of South Carolina. The salary of the director, as I remember it, is $10,000.

Mr. GARNER. They do not pay as much as they pay to one of the advisers of the Cabinet officers—$12,000.

Mr. BYRNES of South Carolina. All the expenses of the council are paid out of this fund. Do I understand that the purpose of the amendment of the gentleman from Illinois is that no part of this fund can be used for the expenses of the advisory commission selected from the various departments for the purpose of preventing duplication of work in the departments?

Mr. McKENZIE. No; I leave that language in the bill.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois [Mr. McKENZIE].

The amendment was agreed to.

The CHAIRMAN. The question recurs on the amendment of the gentleman from Texas to strike out the paragraph.

The amendment was rejected.

The Clerk read as follows:

Two principals of junior high schools, at $2,500 each.

Mr. SAUNDERS of Virginia. Mr. Chairman, I make a point of order against that.

The CHAIRMAN. The gentleman from Virginia makes a point of order against the paragraph.

Mr. SAUNDERS of Virginia. Is there any authority of law for that appropriation? Is this an increase of salary?

Mr. GOOD. Will the gentleman reserve his point of order?

Mr. SAUNDERS of Virginia. Yes.

Mr. GOOD. These are additional positions and are not authorized by law. I will say to the gentleman that a very serious condition confronts the schools of the District of Columbia. The superintendent of the public schools came before the committee and told us that in the month of April last year, the month in which the enrollment is the highest, they had 56,100 pupils. This year in December, when he said, according to their experience, the enrollment is low, the total enrollment in the schools was 60,000, and they are anticipating an increase this year by the month of April of 10 per cent over the enrollment of last year.

In the high schools last year they had 6,400 pupils. This year they have 8,000 pupils in the high schools. One thousand one hundred and thirty pupils will graduate from the graded schools next week, and practically all of them will enter the high schools, and only 200 graduate from the high schools at the end of this semester, so that you will have in the high schools 9,000 pupils, as compared with 6,400 last year.

The situation is very serious. We were told by the superintendent of schools that the number of students in high schools for each teacher is limited by good authority to about 30, whereas in our high schools every room has more than 30, and some have many more. The teachers have been obliged to take in these large classes, and in some places there are classes now waiting for more teachers. These two high-school principals are needed to take charge of the two schools that are being opened. The same condition prevails in the graded schools as in the high schools. We did not give the full amount requested. I will say to the gentleman from Virginia, who is as much interested in the schools as any gentleman, that I think the only thing perhaps that the committee might be criticized for is that the schools are not given more teachers. We only gave them one-half of their estimated requirement, and we did it on the theory that going in now and employing so many teachers they would no doubt take on a great many as instructors who were not equipped for teaching.

So far as the graded schools are concerned, the superintendent estimates that for these classes there ought not to be more than 40, and yet some rooms have as many as 56 students. With that condition the committee did not feel warranted in cutting the estimate any more than we have.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. NEWTON of Minnesota. Has the committee made any provision for the graded schools where eighth-grade teachers also act as principals? I have in mind one school of 20 rooms where the principal is the only teacher for the eighth grade.

Mr. GOOD. I will say to the gentleman that this will relieve that situation.

Mr. NEWTON of Minnesota. It is a very serious situation as far as the eighth grade is concerned.

Mr. BYRNES of South Carolina. Mr. Chairman, I want to make a plea to the gentleman from Virginia not to insist on his point of order for the reason that if there ever was a just request for an additional appropriation it is contained in this item.

The committee has cut in half the number of teachers asked for. To-day there are 412 classes in the high schools of more than 30. In the graded schools, out of 1,271 classes we have 547—40 per cent—with over 46 pupils and 79 with over 48. The teachers are overburdened, and even if this item is enacted into law the result is that in the schools of the District of Columbia, after February 1, they will have to cut down the course of instruction in order to take care of the pupils in the public schools in this city. Even when you give them all that the bill carries, that will have to be done.

The situation is so serious that I hope the gentleman from Virginia will withdraw the point of order.

Mr. SAUNDERS of Virginia. Mr. Chairman, I desire to say im primis that I am convinced that the gentleman from Iowa is really an economist, and I very highly indorse his work on that line. But this particular item is one of those anticipatory, conjectural deficiencies that abound in this bill. While it is in order on that line under the ruling of the Chair, it fails to meet the requirement that each item in an appropriation bill must have a warrant in law.

Mr. GOOD. If the gentleman will permit, I want to say that this is not even an anticipatory deficiency. It is creating new positions not considered at all in the present law.

Mr. SAUNDERS of Virginia. I think that situation can be reached by a point of order.

The CHAIRMAN. Does the gentleman from Iowa concede the point of order?

Mr. GOOD. I think unquestionably there is no authority for creating these new positions. The committee put in these two positions and the following positions in addition to the present force. These persons are not employed, and I think unquestionably, if the gentleman insists on the point of order, they will have to go out.

Mr. SAUNDERS of Virginia. I feel that this item can be taken care of in another bill where it more appropriately belongs.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Night schools: For teachers and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and teachers and janitors of night schools may also be teachers and janitors of day schools, $25,000.

Mr. SAUNDERS of Virginia. Mr. Chairman, I make a point of order against that proposition.

Mr. GOOD. I do not believe that is subject to a point of order. There is no definite employment for a stated number of teachers as carried in the District bill. The appropriation for the regular school-teachers carried in the District bill fixes the number of teachers, and it fixes their salaries, and the appropriation is made for that purpose. That is not true in regard to the night schools. The expense of the night schools is determined by the number of people who apply for training, and that determines the number of teachers required. The appropriation this year is altogether inadequate to supply the training for these students. Just as the number of students increases the expense increases.

Last year there was an enrollment of 6,100 at a given time, about this season. Now there are 9,400. Inasmuch as there is no specific number of teachers required, there being a lump sum, there is a deficiency in the appropriation for night schools. I do not believe this is subject to the point of order.

The CHAIRMAN. Could the gentleman from Iowa cite the law by which this is authorized?

Mr. GOOD. Mr. Chairman, I ask unanimous consent to pass over this item and return to it later, as I am not able now to put my hand on the statute.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to pass over this item and return to it later. Is there objection?

There was no objection.

The Clerk read as follows:

For contingent and other necessary expenses, including equipment and purchase of all necessary articles and supplies for classes in industrial, commercial, and trade instruction, $1,000.

Mr. SAUNDERS of Virginia. Mr. Chairman, I suppose the gentleman will want to return to this item also, will he not?

Mr. GOOD. I think that comes right along with the former item; yes.

Mr. SAUNDERS of Virginia. I make the point of order against that.

Mr. GOOD. I ask unanimous consent that that item may be also passed over with the other, to be returned to later.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

One-half of the foregoing amounts to meet deficiencies in the appropriations on account of the District of Columbia shall be paid from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated.

Mr. SAUNDERS of Virginia. Mr. Chairman, I make the point of order against the language contained in lines 16 to 20, inclusive.

Mr. GOOD. The gentleman would not contend that that is not within the Holman rule?

Mr. SAUNDERS of Virginia. I am not contending anything. I make the point of order that it is legislation. I would like to get a ruling under the Holman rule.

Mr. GOOD. That is the act of 1878, that one-half should be paid from the District revenues and one-half from the revenues of the United States.

The CHAIRMAN. The Chair is of the opinion that has been ruled on before, and the point of order is overruled.

The Clerk read as follows:

Vocational rehabilitation: For an additional amount for carrying out the provisions of the act entitled "An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended, including personal services in the District of Columbia and elsewhere, funeral and other incidental expenses (including transportation of remains) of deceased trainees of the board, printing and binding to be done at the Government Printing Office, law books, books of reference, and periodicals, $12,000,000: *Provided*, That the salary limitation placed upon the appropriation for vocational rehabilitation by the sundry civil appropriation act approved July 19, 1919, shall apply to the appropriation herein made.

Mr. GOOD. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

On page 4, after line 11, insert the following:

"The Secretary of War shall have authority to transfer to the Federal Board for Vocational Education, without compensation therefor, certain surplus machine tools and other equipment belonging to the War Department and now in possession of the Federal board and being used by that board as equipment in schools for vocational education controlled by the board. Property so transferred shall be dropped from the records of the War Department on the filing with the War Department of an itemized receipt for the articles thus transferred."

Mr. GOOD. Mr. Chairman, some of these schools have received equipment from the War Department. Men are now using machines and equipment in their training that have been furnished the board by the War Department. The War Department claims now that that apparatus must be removed. If it is removed, then it will be necessary immediately to spend hundreds of thousands of dollars for new equipment. I think the value of the items referred to here amount to about $350,000 worth of equipment which the War Department turned over to the board. One of two things must be done. Either we must authorize the Secretary of War to turn it over to the Federal board or he will sell it under authority of law, and the Federal board will have to buy new.

Mr. GARNER. And he will sell it for 10 cents on the dollar, and pay 100 cents for it to get it back.

Mr. GOOD. Yes; or 150.

Mr. BANKHEAD. This equipment is absolutely needed by the Vocational Board?

Mr. GOOD. Yes; they have it now and are actually using it.

Mr. GARNER. Will this item that is in this bill, $12,000,000, relieve the situation complained of by the gentleman from South Dakota [Mr. JOHNSON], with reference to the want of hospital facilities?

Mr. GOOD. The gentleman from South Dakota was complaining in regard to the hospital service and not the Federal Board for Vocational Education. That is another item which we will come to later in the bill.

Mr. GARNER. Then in this bill there is provision to relieve the situation referred to by the gentleman from South Dakota?

Mr. GOOD. Yes; for the Public Health Service.

Mr. TREADWAY. Mr. Chairman, I offer the following amendment to the Good amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

After the word "board" in the Good amendment insert: "and the Secretary of War is authorized and empowered to transfer to the Federal Board for Vocational Education such additional machines, appliances, tools, and other equipment as may hereafter be declared as surplus and which the chairman of the Board for Vocational Education may certify as needed for the rehabilitation of discharged or disabled soldiers, sailors, or marines."

Mr. BANKHEAD. Mr. Chairman, I reserve the point of order on the amendment.

Mr. TREADWAY. Mr. Chairman, as I understand it, the situation is this: The amendment offered by the gentleman from Iowa [Mr. GOOD], chairman of the committee, applies only to the tools and equipment which already are in the hands of the Board for Vocational Education for rehabilitation of disabled soldiers. There are constantly being declared as surplus additional tools of that nature, and therefore my amendment would permit the War Department to transfer to the Board for Vocational Education those additional tools which from time to time they are declaring as surplus at the various depots where supplies of the War Department are located. I have in my district, and adjoining my district also, where they have also been established, schools under municipal authority for the purpose of serving the rehabilitation work, and there have been ordered from the surplus stock of the zone officer in Bridgeport and Springfield various tools which the department has turned over to the Board for Vocational Education. Those tools have not yet been taken out of the storehouses. Under an order issued by the Assistant Secretary of War on January 22 it is now impossible for those tools to be transferred to the Board for Vocational Education.

This subject of the transfer of the surplus stock to the Vocational Board came up through an order originally issued on May 6, 1919, by Dr. Keppel, then serving as Third Assistant Secretary of War. It was found that there was no authority for that transfer, and therefore the Assistant Secretary issued this order to which the amendment offered by the gentleman from Iowa refers. The amendment offered by the gentleman from Iowa will care for the tools transferred to the Board for Vocational Education, but it will not care for tools and equipment needed by the same schools which have not already been taken out of the possession of the Secretary of War.

So it seems to me, Mr. Chairman, if we are going to give the Vocational Education Board the right to use these tools and equipment of the War Department, and practically transfer them to the Vocational Board, there is no reason in the world why they should be limited to the stock already transferred. If those articles are declared as surplus by the Secretary of War, then I maintain we can not do too much to equip these schools for the rehabilitation of the soldiers.

Mr. BANKHEAD. Will the gentleman yield?

Mr. TREADWAY. I will.

Mr. BANKHEAD. I wanted to withdraw my reservation. That explanation is entirely satisfactory to me. The purpose of my reservation was to get the information.

Mr. TREADWAY. I thank the gentleman.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. TREADWAY. I will.

Mr. SAUNDERS of Virginia. This is providing for turning over some additional machinery that the Vocational Rehabilitation Board may find useful in connection with its work?

Mr. TREADWAY. Absolutely.

Mr. SAUNDERS of Virginia. The question I want to ask the gentleman is this: Does the amendment provide that the War Department shall turn this stuff over at their expense?

Mr. TREADWAY. No, sir. It is provided it shall be packed and shipped at the expense of the Federal board.

Mr. SAUNDERS of Virginia. I was going to say that you should provide for the expense.

Mr. TREADWAY. It is provided for in the original amendment.

Mr. SAUNDERS of Virginia. Heretofore, when we directed the War Department to turn over certain materials to the Agricultural Department, they declined to do it, because they said they did not have a fund for that purpose.

Mr. TREADWAY. There is no expense to the War Department. I have a list here of over 25 schools needing this equipment, and it seems to me perfectly proper both should be included.

The CHAIRMAN. Without objection, the Clerk will report the amendment to the amendment, offered by the gentleman from Massachusetts [Mr. TREADWAY].

The amendment to the amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

Mr. BANKHEAD. Mr. Chairman, there is a technical proposition involved in that amendment. I call to the attention of the gentleman from Massachusetts the fact that there is no such officer as "chairman" of the Vocational Board. It is "director."

Mr. TREADWAY. I ask unanimous consent, Mr. Chairman, to change my amendment accordingly.

The CHAIRMAN. The Clerk will report the proposed modification.

The Clerk read as follows:

Modification: Strike out the word "chairman" and insert in lieu thereof the word "director."

The CHAIRMAN. Is there objection to the modification of the amendment? [After a pause.] The Chair hears none.

Mr. GOOD. Mr. Chairman, the gentleman offers the amendment at a point about in the middle of the amendment I have offered, as I read it, and if you will read the two amendments I think it will be impossible to tell just what is intended. In the first place, what the committee attempted to do was this:

This matter was presented to the committee, and it was the intention to insert this amendment which I have offered in the bill, but by an oversight it was omitted. We have done by this amendment all the Vocational Board has requested. This is the request of the director of the Board for Vocational Education, and they have not asked for a single thing, so far as the Committee on Appropriations is concerned, for additional transfers, but they have asked the Committee on Military Affairs for legislation. Now, it does seem to me that before we give general authority to transfer everything of this kind that may be declared as surplus, we ought to have a care; we ought to know the requirements. There ought to be a hearing in order to see what the necessities are. The Federal board now wants some of these manufacturing plants in which to train the men. They have gone to the Committee on Military Affairs for authority to turn over to the Federal board some of those things. Some authority of that kind will have to be given, and I think the gentleman from Massachusetts [Mr. TREADWAY] can well wait the action of the Military Affairs Committee on the bill that is now pending before that committee. I think it is very unwise to take action of this kind on a matter where there has been no hearing at all.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. I do not recall the exact wording of the proposed amendment to the amendment, but I wanted to ask the gentleman this question, whether this is broad enough, for instance, to include automobiles? Or does it apply alone to tools?

Mr. TREADWAY. Tools and equipment.

Mr. GOOD. Tools, machinery, and equipment. It is a pretty broad amendment. I do not know just what it might include.

Mr. TREADWAY. The amendment offered by me only covers what is originally included in the amendment of the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Oh, no; the gentleman is entirely mistaken about that. The amendment the gentleman offered is a part of the bill now pending in the Military Committee, where they ask for land, and his amendment eliminates the land and some of those other things. But it is a proposition now pending before another committee of the House, and I submit on matters of this kind we ought to act in an orderly way, and that the House ought to leave this matter to a committee that is considering the proposition.

Now, I do not know the value of this machinery that might be transferred, but here you are asked to give unlimited authority to turn over property to a board. I imagine that the Committee on Military Affairs would want to have hearings on that matter, and when those hearings are had the whole question of the needs of the service can be gone into.

Mr. Chairman, I want to move to close debate.

Mr. TREADWAY. I would like to speak once more in connection with what the gentleman has said. Of course, I have no right to the floor if the gentleman objects to my taking it.

Mr. GOOD. Go ahead.

Mr. TREADWAY. Mr. Chairman, with the indulgence of the chairman of the committee, I would like to refer to the statement he has just made, that this is copied from the bill which is now before the Military Affairs Committee. It may be in somewhat similar language, but it is not taken from such a bill. He further stated that the Federal Board for Vocational Education had not applied for these tools and equipment which are hereafter to be declared surplus.

Mr. GOOD. Will the gentleman say just what is needed?

Mr. TREADWAY. Yes. I have a letter here from the Vocational Board, signed by Mr. Twitchell for the Federal Board for Vocational Education, asking for this very amendment, only not couched in exactly the terms in which I offered it in order to include it within the province of the amendment the gentleman offered. They are not asking for this amendment by original legislation or to interfere in any way with the bill before the Military Affairs Committee, but they want to secure exactly what I stated—sufficient equipment to establish these schools, for which the students are now waiting. Many of the tools and equipments are already assigned to the board but have not been actually shipped to the schools. I can read, if the committee desires, a list of the schools, requests for equipment, and soldiers in training:

Requests for equipment and soldiers in training.

Washburne School, Chicago	61
Allegheny Vocational School, Pittsburgh, Pa	251
Newark Technical School	280
Bergquist School, Minneapolis, Minn	200
David Rankin School	129
Dunwoody Institute, Minneapolis, Minn	238
Catholic University, Washington, D. C	135
Georgia Technical School	150
Ohio Mechanics' Institute	221
Opportunity School, Denver, Colo	181
Springfield Vocational School, Springfield	14
Holyoke Vocational School, Holyoke, Mass	50
Rhode Island School of Design, Providence, R. I	58
Somerville Vocational School, Somerville, Mass	50
Grubbs' Vocational School, Dallas, Tex	76
Perryville, Md	300
Utah State A. & M., Logan, Utah	83
Fitchburg Industrial School, Fitchburg, Mass	100
Boston Trade School, Boston, Mass	3
New Bedford Vocational School, New Bedford, Mass	14
Tennessee Polytechnic Institute, Cookeville, Tenn	100
Oklahoma State School of Mines	150
	2,844

Mr. GOOD. I was not asking the gentleman about the schools. I was asking him about the equipment.

Mr. TREADWAY. The equipment referred to in my amendment is identical to that referred to in the gentleman's amendment, except that his provides for what has already been transferred to the board, while mine provides for what hereafter is declared to be surplus. I am not endeavoring to get for the Vocational Board additional kinds of equipment, but simply more of the same kind.

Mr. GOOD. I will say to the gentleman that the amendment I have offered is an amendment which was drawn by the Vocational Board, and the committee by this amendment has given them here everything they have asked for when they appeared before the committee.

Mr. TREADWAY. I do not doubt the gentleman's statement, but I have a letter, dated to-day or yesterday, from the Vocational Board in which they ask for this very equipment that I am referring to, and also suggest the form of amendment which would be covered by the gentleman's amendment and mine, but in submitting it to the gentleman from Iowa he would not approve it.

Mr. GOOD. Of course I would not approve a proposition to transfer lands and buildings until after a hearing.

Mr. TREADWAY. All I ask for is equipment identical with what the gentleman refers to. He is quibbling on words. I am not trying to get cantonments or lands or buildings. But I do say that these schools should not be tied up by this recent order from Mr. Benedict Crowell. It is simply in support of the attitude of the Solicitor General.

That is all right and proper. But nevertheless the vocational training schools for the disabled soldiers and sailors and marines are suffering from the lack of equipment which the War Department has and which we ought to transfer to them, whether it was agreed that they should have it yesterday or to-morrow. That is the difference between the gentleman from Iowa and myself.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I will, if I have the floor. I do not know that I have.

Mr. BLANTON. Why is the gentleman from Massachusetts now so solicitous and so willing to vote for a $12,000,000 appropriation for the vocational training of soldiers and sailors, and

also to give them additional equipment and supplies, when he and his party absolutely refused to give them the $4,000,000 that we tried to give them a short time ago at the instance of the President?

Mr. TREADWAY. I think the reference of the gentleman from Texas does not apply directly to tools, to which I am referring. I have always been a consistent supporter of all efforts to rehabilitate the soldiers and sailors and marines.

Mr. BLANTON. But the gentleman knows that his party opposed the $4,000,000 appropriation.

Mr. GOOD. Mr. Chairman, I have no opinion about this matter other than what I have obtained from the Board for Vocational Education. The board sent its representatives before the committee, and they said there was certain of this equipment that they were now using that they would lose, and they asked for the exact thing contained in the amendment that I have sent to the Clerk's desk. They certainly did not ask for more when they appeared before the committee. The only thing I struck out was a provision as to reports to be made to Congress.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GARNER. What proportion of this $12,000,000 proposed to be appropriated here, or of any past appropriation, goes toward buying these various machines and tools that the gentleman from Massachusetts [Mr. TREADWAY] wants to provide for?

Mr. GOOD. I think there was nothing of that kind included in their estimates.

Mr. GARNER. In the original estimate there was evidently something of that nature. It occurred to me that if they are using past appropriations or are going to use part of this appropriation to buy machines or tools to teach these boys their various vocations—and they ought to be taught them—and they are in the possession of the War Department and the War Department does not need them, we might turn them over to them.

Mr. GOOD. By the amendment I have introduced, prepared by the Vocational Board, we have given them all they ask for, and they have not asked for a dollar in the appropriation for the purchase of tools. This money goes to pay the tuition and maintenance of the boys in the schools, and so forth.

I agree with the gentleman that if we have this surplus material and they need the same material, it ought to be turned over. But the question of what we are turning over, or what should be turned over, is now being considered by the Committee on Military Affairs, who have a bill pending before them, and they are considering this very thing. Now, it is proposed to take from the Committee on Military Affairs the jurisdiction of this important subject. I have been trying to have the other committees that do not have the power to make appropriations to keep within their jurisdiction, and I have been trying, so far as I can personally, to hold the Committee on Appropriations within its jurisdiction.

The amendment which the gentleman from Massachusetts [Mr. TREADWAY] submits was never submitted to the committee. No request of that kind was ever made to the committee, but we were informed that they had gone to the Committee on Military Affairs for legislation. Some time ago I suggested to the board that they take this course. The amendment I have offered is to cover only an emergency, and I submit that in the ordinary way of business procedure we should let the Committee on Military Affairs, which has jurisdiction of this question, consider it at the same time they are considering whether or not they shall give the Secretary of War the right to turn over Old Hickory powder plant or other manufacturing plants where they can give training. At the same time they are considering those questions this broad question of machinery should also be determined by that committee.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts to the amendment.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. GOOD. Mr. Chairman, I ask for a division.

The CHAIRMAN. The gentleman from Iowa asks for a division.

The committee divided; and there were—ayes 25, noes 26.

Mr. BANKHEAD. Mr. Chairman, I ask for tellers on that vote.

The CHAIRMAN. The gentleman from Alabama demands tellers. Those who favor taking the vote by tellers will rise and stand until they are counted. [After counting.] Sixteen gentlemen have risen, not a sufficient number, and tellers are denied.

So the amendment was rejected.

Mr. GOOD. Mr. Chairman, the question is on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. PLATT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. PLATT. I do so for the purpose of asking the gentleman from Iowa a question and also making a little statement.

A few weeks ago in the course of correspondence with a teacher in an agricultural college, on other subjects entirely, I was very much surprised to receive a letter in which this gentleman stated that at his institution, which is located in the South, there are some 200 boys sent there by the Vocational Education Board for reeducation, and he says that out of those 200 boys fully 50 per cent are there simply to get the $80 a month. He says they are receiving practically no training of value to them, and that the trouble is that the course in this institution requires a boy to have had at least a grammar-school education, and the Vocational Board insists on sending the boys there who have not had a grammar-school education, and who, of course, are utterly unfitted to take the course. Some of them have not even been through the fourth grade.

I have made some casual inquiries through other people about other institutions, and I believe that condition prevails in a number of institutions. Boys are abusing this law, taking advantage of it, or else the board is doing so. Perhaps both are to blame; and boys are being sent to these institutions who are not getting training or who ought to be receiving a different kind of training than that which they are trying to obtain. In other words, they have elected to take courses for which they are not fitted, and the board has not the nerve to send them into courses which they ought to take.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. PLATT. I certainly yield to the gentleman from Alabama.

Mr. BANKHEAD. Has the gentleman from New York called the attention of the Vocational Board to this complaint that has been made in this letter of his friend?

Mr. PLATT. I have talked with the chairman of the Committee on Education and a few other gentlemen to see how much information we could get together before taking it to the board.

Mr. BANKHEAD. The gentleman has not yet called it to the attention of the board?

Mr. PLATT. I am doing that now, and I expect to do it in another way later.

Mr. BANKHEAD. Where is this school located?

Mr. PLATT. The gentleman wrote me in confidence, and I am not at liberty to use his name or the name of the institution.

Mr. BANKHEAD. Did he say where the school was located?

Mr. PLATT. Of course he did. He is an ex-service man, an officer in the American Legion, and stands high. His only object in writing me was to call attention to an abuse which should be corrected.

Mr. BANKHEAD. Has the gentleman any objection to giving the location of this school?

Mr. PLATT. Yes. I shall not violate the confidence that I received from the gentleman in any way whatever.

Mr. BANKHEAD. If the gentleman will pardon me, there have been complaints by members of the American Legion that the board are too strict in their enforcement of the law, and that they are not admitting a sufficient number of men to take this training.

Mr. PLATT. I have no doubt that is also true.

Mr. BANKHEAD. The gentleman is complaining that they are taking in too many.

Mr. PLATT. I have no doubt that the American Legion has complained of the board for being too strict for this reason: The boys themselves doubtless frequently want to receive training for which they are not fitted. They are naturally ambitious, and are not to be blamed for it, and they complain because in some cases the board does not let them. But in other cases the board yields and sends the boys into training-school courses for which they are not fitted. I have reason to believe that in some cases this has been done in spite of protest from the institutions. If boys are sent to take courses where a high-school education is required and they have not had even a grammar-school education, their case is hopeless. They do not get anything from it. They simply stay there and draw their $80, and they injure the reputation of the institution which is compelled to take them.

Mr. BEE. Does not my friend from New York think it would have been better not to have said anything on the floor of the House about a serious charge of that kind until the chairman of the Committee on Education and himself had verified it and until he was able to state the institution? Otherwise it puts all the institutions in the South in jeopardy as being possibly guilty of that sort of thing.

Mr. PLATT. I do not believe it applies exclusively to the South, and I do not believe it is in any sense the fault of the institutions.

Mr. BEE. But the gentleman's statement was that it was an educational institution in the South.

Mr. PLATT. Yes. It happens to be in this case.

Mr. BEE. We ought to know what institution it is.

Mr. PLATT. I got into correspondence with this gentleman on an entirely different matter. He is a teacher in an educational institution in the South, and after two or three letters had passed between us he told me about this other matter which he said he would like to bring to my attention. He said he wanted me to treat it as confidential, but he thought something ought to be done to stop it. I am simply giving the House the information with the idea that something ought to be done to stop it. I have made enough inquiries to feel sure that to some extent the same conditions prevail in other institutions, but how far I have not had a chance to find out.

Mr. JOHN W. RAINEY. I move to strike out the last three words.

Mr. GOOD. I ask unanimous consent that debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on this paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. JOHN W. RAINEY. Mr. Chairman, my proposal to give the soldiers, sailors, marines, and nurses of the recent Great War is not a question of salary, wages, or even justice; it is a question of equity. Justice is strict. Equity is kind and replete with goodness. Therefore any plan which is equitable and fair to all parties affected by this legislation ought to be agreeable to all. Now, gentlemen, I do not want to use the term bonus; I would prefer to call it a gratuity. The Government is not liquidating an account stated but purely and righteously making a gift, a gratuity.

We should not start with the idea that we are trying to make up what our boys lost financially by being taken from the civil and placed in military life, for that would be impossible.

Nor is it a compensation. The boys were paid their salary. The service man or woman did not enter our military establishments for profit. They felt they were discharging a duty.

A gratuity granted heretofore would have brought relief and assistance to thousands of those who on being discharged from service were thrown back into civil life without employment. How many of those to whom we had said, "We will keep the home fires burning," suffered want until employment was obtained? For a while the soldier's uniform on our streets was a sign of unemployment, a sign of financial need, a sign that the wearer was unable to purchase a suit of clothes. If we grant this gratuity now, we are performing a duty we should have discharged many months ago.

Mr. Chairman, I recognize that the Government has done something for the wounded and maimed who took part in the recent struggle and also has provided for the dependents of those who sacrificed their lives.

It is always easy to do the popular thing. It is sometimes difficult to do the right thing; but I think under the present circumstances I am not only doing the popular thing, but I am also doing the right thing. Back in Chicago I am frequently interrogated by some of my constituents and a great number of the residents there as to what Congress is going to do for the soldiers, sailors, marines, and nurses. I do not entertain the same idea that the gentleman from Alabama [Mr. HUDDLESTON] expressed when he said here this afternoon that he thought Congress was not going to do anything for them. I have more confidence in the American Congress. I know back in 1917 and 1918 if the American soldiers had asked the House or the Senate to stipulate for some definite amount in case they went abroad to Europe and won the war we—not only the House and Senate, but the American people—would have promised to do anything in human power for the American soldiers. They did not exact that promise, nor had they the right at that time to do so. They simply went and performed the duty they owed this Government. They did it well. They did it expeditiously. They brought glory to the Stars and Stripes. I think the American Congress ought to recognize the sacrifices made by these soldiers, sailors, marines, and nurses and should manifest its appreciation by some substantial gratuity for these boys, and for the girls also.

In the booklet issued by the repatriation committee of Canada some space is devoted to war-service gratuity. It is interesting and reads as follows:

As soon as a soldier is discharged from the army his first concern is to find a job. He may not find a job at once. During his period of unemployment he will, however, be in receipt of his war-service gratuity.

Before the armistice was signed, post-discharge pay was granted to discharged soldiers. Upon the signing of the armistice it was felt necessary to make certain changes.

A larger grant will now be made to all who have served at the front, whether discharged before or after the armistice. Those who were on active service on the date of the armistice but had not served at the front will also receive a gratuity on a higher scale.

The war-service gratuity is given over and above any back pay, pension, or clothing allowance to which a man may be entitled.

It is given in addition to all the care, attention, and service which the Government will devote in order to restore our fighting men to civil life.

All soldiers discharged on or after November 11, 1918, who have served with good conduct, will receive war-service gratuity according to their class.

Soldiers discharged before November 11, 1918, will receive war-service gratuity only if they served at the front in any actual theater of war.

If a soldier discharged before November 11, 1918, did not serve in any actual theater of war he will be entitled only to post-discharge pay according to his class on the old scale.

The gratuity consists of a continuation of a soldier's pay, field allowance, and separation allowance for a period beyond his discharge.

The period is graded according to the length and character of service.

If his service has been in part overseas, his gratuity is figured on a higher scale than that of the man who has served only in Canada.

The maximum gratuity for the man who served overseas is six months. This is given to the man whose total service amounts to three years or more.

Three months' gratuity is the maximum for the man who has served in Canada only, and it is given for three years' service.

If the monthly pay and allowances for a man whose dependents have been receiving separation allowance should be less than $100, he is given a gratuity of $100 per month. A part of the gratuity equal to separation allowance will be paid directly to the dependent entitled to it.

If the monthly pay and allowances for a man without such dependents should amount to less than $70 per month, he is to receive $70 per month.

Further, every gratuity granted will amount to at least one month's pay, field allowance, and separation allowance.

Men who have already been discharged will be given the gratuity to which they are entitled (less any "post-discharge pay" they have received) after February 1, 1919.

Application for any adjustment must be made to the paymaster of the district from which the soldier was discharged. The necessary forms to be filled out in support of each claim for adjustment may be obtained from the military headquarters of each district, from district unit paymasters, and from officers commanding militia units.

Men who are still in the service will receive their first month's gratuity immediately upon their discharge unless they are "boarded" to receive treatment and full pay and allowances from the soldiers' civil reestablishment.

Men who are in the care of the soldiers' civil reestablishment will get their gratuity as soon as they cease to receive full pay and allowances.

By this token Canada will record her appreciation of her soldiers and sailors to a degree more generous than that shown by any other nation.

Mr. Chairman, that last paragraph deserves repetition:

By this token Canada will record her appreciation to her soldiers and sailors to a degree more generous than that shown by any other nation.

The last paragraph is not only a challenge, it is an indictment, and the appreciation that the American Congress owes the American soldier and sailor is on trial. Lip service, pleas of economy, and "passing the buck" to Democratic officials will not save the Republican majority in both the House and Senate from the merited condemnation of the American people. The people of Canada do not appreciate the Canadian soldier and sailor more than the American people appreciate the American man of war.

The Canadian Houses of Parliament may be more generous to Canadian soldiers and sailors than the present Republican majority in the American Congress will be to the American soldiers and sailors if that Republican majority can find a seemingly plausible defense. But the Republican majority had better remember that the jury in this case is the American people, and their verdict will eventually read that the United States, which generously held out the helping hand to the peoples of Europe, is not ungrateful, is not unappreciative, is not "economical," is not parsimonious with our own flesh and blood. The American soldiers and sailors generously offered their all, even life itself, and the American people stand ready to record their appreciation to a degree at least as generous as that shown by any other nation on earth, not even excepting Canada. And this is not a fanciful or wild prophecy when one remembers the respective powers of Canada and the United States. The final expression of our appreciation in a tangible form, though already tardy, will demonstrate, beyond the shadow of a doubt, that the American soldiers, sailors, marines, and nurses are secure in the hearts of the American people, not only for the year 1920 but until the last American veteran of

the World War joins the spirits of his comrades whose bodies lie in France. [Applause.]

Mr. Chairman, no voice has been raised in denial of the obligation this country owes to the American soldiers and sailors, but "economy" has been urged as the reason for the further inactivity of Congress. We have heard frequently during the World War men in high places demand that nations conform to the same rule of honesty and sincerity that each of us expects of the individual citizen. What lawyer here would maintain that because his client is unable to pay immediately the full amount of a debt due a creditor that the creditor is not entitled to an installment, or at least an arrangement whereby the creditor may be assured that the debt will be paid in a reasonable time?

And what Congressman can object to legislation that will determine some method whereby our obligations to the American soldiers and sailors may be taken care of in the years immediately ahead? We can at least do that. If we are sincere we will set the machinery in motion and the Republican majority will enter into the project whole-heartedly, determined to find that it can be done, if not in a lump sum this year or next year, by spreading the payments over several years. This will be a practical application of individual sincerity to national legislation. This will be an example on the part of the Nation more conducive to generating legislative sincerity than a ton of printed speeches containing platitudes. This will be the best answer to what Congress is going to do for the soldiers, sailors, marines, and nurses. This will prove that Congress is going to do everything that is in accordance with national prudence. And no American soldier, sailor, marine, or nurse expects more. But every American soldier, sailor, marine, and nurse has a right to expect fair play from Congress, fair play through the medium of an honest, determined effort on the part of Congress to set about finding a way—and surely there must be a way—to manifest in practice that appreciation which will be so frequently expressed orally, even by Members of Congress, from countless platforms before the votes of the American people are counted next November. Promise is not performance, my Republican friends, and if you refuse to realize that now, you will have it indelibly impressed on your minds as you watch the election returns on a certain night this coming autumn. There is yet time for action. If you want to do it, you have the power. You can not deny that. If you do not do it now, you can hardly expect your constituents to accept your printed speeches or platform expressions containing in words your appreciation of the sacrifices of the American soldier, sailor, marine, and nurse. And the Member of the American Congress who has not the confidence of the district he represents usually graduates after election day with the degree of "ex," which, before the word "Congressman," indicates previous occupancy of that office.

I was amused when the chairman of this committee suggested that the Secretary of the Treasury was not in favor of a gratuity of this kind. I appreciate also that some Members on the other side, some very conservative gentlemen, sort of anticipate that what is popular at the present time may be presumed to be very radical in a few years, and consequently they do not want to do for the American soldiers, sailors, marines, and nurses what they should do at this time. I want to tell the gentleman, the chairman of this important committee, that his alibi of the Secretary of the Treasury will not excuse him nor excuse the Republican Party. [Applause on the Democratic side.] The Republican Party is in the majority in the House and Senate. They have been sending out through the press announcement of what they were going to do and what they would not do. They suggest a system of economy. They said they were going to try and correct extravagance. If they are sincere in that and will stop some of the extravagances, they can economize sufficiently to do something for these soldiers, sailors, marines, and nurses, something that ought to be done for them. [Applause.]

And so, gentlemen, I, as a Representative here, want the country to know that the responsibility for not doing something does not rest on the Secretary of the Treasury but upon the majority members of this Republican Party, both in the House and the Senate. [Applause on the Democratic side.] In other words, on the Republican Party.

Please, gentlemen, let us have a little speed in this legislation, so that it may not be said much longer of the United States that "It is the only country that went to war and forgot its heroes when the fighting ended." [Applause.]

Mr. BLANTON. Mr. Chairman, I make the point that no quorum is present. We need another shift. [Laughter.]

Mr. GOOD. If the gentleman will withhold his point until we read through the Interstate Commerce Commission.

Mr. BLANTON. I will withdraw it for the present.

The Clerk read as follows:

General expenses: For all other authorized expenditures necessary in the execution of laws to regulate commerce, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1920, $86,000.

Mr. SAUNDERS of Virginia. Mr. Chairman, I reserve a point of order on that paragraph.

Mr. BLANTON. I renew my point of no quorum.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12046, the second deficiency bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, the following leave of absence was granted:

To Mr. HOCH, for two days, on account of important business.

To Mr. LINTHICUM, for three days, on account of sickness in his family.

EXTENSION OF REMARKS.

Mr. CONNALLY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Diplomatic and Consular appropriation bill.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 11606. An act to authorize the county of Fountain, in the State of Indiana, to construct a bridge across the Wabash River at the city of Attica, Fountain County, Ind.

ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 58 minutes p. m.) the House adjourned until to-morrow, Friday, January 30, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting a letter calling the attention of Congress to House Document No. 124, Sixty-sixth Congress, was taken from the Speaker's table and referred to the Committee on Public Buildings and Grounds.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. MACGREGOR, from the Committee on Claims, to which was referred the bill (H. R. 12015) for the relief of the Leavenworth Bridge Co., Leavenworth, Kans., reported the same without amendment, accompanied by a report (No. 590), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 11765) granting a pension to Mary T. Tupper, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DYER: A bill (H. R. 12133) for the relief of those who fought in previous wars and in this great World War; to the Committee on Military Affairs.

By Mr. HULL of Iowa: A bill (H. R. 12134) to create a department of aeronautics, and for other purposes; to the Committee on Military Affairs.

By Mr. KINKAID: A bill (H. R. 12135) to amend section 5 of the act entitled "An act to divide the judicial district of Nebraska into divisions and to provide for an additional district judge in said district"; to the Committee on the Judiciary.

By Mr. TILSON: Resolution (H. Res. 451) requesting the Federal Trade Commission to make certain inquiries into the prices of combed cotton yarns; to the Committee on Interstate and Foreign Commerce.

By Mr. NICHOLS of Michigan: Joint resolution (H. J. Res. 284) to increase the salaries in the Custodian Service; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWNING: A bill (H. R. 12136) to complete the military record of Jacob W. Starr; to the Committee on Military Affairs.

By Mr. BRUMBAUGH: A bill (H. R. 12137) granting a pension to Frank W. Tuttle; to the Committee on Pensions.

By Mr. DUNBAR: A bill (H. R. 12138) granting an increase of pension to William Rosenbarger; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 12139) granting an increase of pension to Felix Karl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12140) granting an increase of pension to James R. Lewis; to the Committee on Invalid Pensions.

By Mr. ELLSWORTH: A bill (H. R. 12141) to provide for the payment of certain claims against the Chippewa Indians of Minnesota; to the Committee on Indian Affairs.

By Mr. FIELDS: A bill (H. R. 12142) granting an increase of pension to Awilda A. Wheeler; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 12143) granting an increase of pension to Samuel P. Burns; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R 12144) granting an increase of pension to Ulysses S. Hall; to the Committee on Pensions.

By Mr. MACGREGOR: A bill (H. R. 12145) granting a pension to George H. Leaycraft; to the Committee on Pensions.

By Mr. MONTAGUE: A bill (H. R. 12146) for the relief of Constance D. Lathrop; to the Committee on Claims.

By Mr. PURNELL: A bill (H. R. 12147) granting an increase of pension to Milton Diehl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12148) granting an increase of pension to Logan Stanley; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 12149) granting an increase of pension to Betty Lentz; to the Committee on Pensions.

By Mr. REED of New York: A bill (H. R. 12150) granting an increase of pension to Rosella King; to the Committee on Invalid Pensions.

By Mr. RIORDAN: A bill (H. R. 12151) for the relief of the Hudson Navigation Co.; to the Committee on War Claims.

By Mr. THOMAS: A bill (H. R. 12152) granting an increase of pension to George M. Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12153) granting a pension to Martha A. James; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12154) granting a pension to Manthia Phelps; to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 12155) for the relief of Gill I. Wilson; to the Committee on Military Affairs.

Also, a bill (H. R. 12156) for the relief of lock masters, lockmen, and other laborers and mechanics employed by the United States Government in the locks and dams of the Kanawha River, in West Virginia; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1182. By Mr. BROWNING: Petition of the Parents' League and citizens of Gloucester County, N. J., urging that the Three hundred and fiftieth Artillery be reorganized and enlisted in the Regular Army; to the Committee on Military Affairs.

1183. By Mr. BURROUGHS: Letters of members of Emerson Hovey Post, No. 168, Veterans of Foreign Wars of the United States, at Portsmouth, N. H. (Arthur T. Terry, Thomas W. Coleman, Hans M. Hansen, Earl A. Parker, R. J. Plummer, C. H. Foster, R. L. Fisher, Robert Johnston, C. M. Rundlett, Lee A. Scott), advocating the reporting out by the Committee on Ways and Means of House bill 7923 and the passage of this bill by the House of Representatives; to the Committee on Ways and Means.

1184. Also, resolutions of Padraic H. Pearse Branch, Friends of Irish Freedom, by Patrick J. Connors, Michael P. Morrissey, and Patrick Hussey, committee, Portsmouth, N. H., protesting against deferring payment of interest due on foreign loans made by the United States, and also in opposition to military, financial, or commercial assistance by the United States to any State seeking to reduce an alien people to subjection, etc.; to the Committee on Ways and Means.

1185. By Mr. CARSS: Petition of the Parent-Teacher Association, of Lester Park, Minn., relative to certain legislation; to the Committee on Education.

1186. By Mr. FOCHT: Evidence in support of House bill 10489, for Anna Detwiler; to the Committee on Pensions.

1187. Also, evidence in support of House bill 10488, Elle C. Wolfe; to the Committee on Invalid Pensions.

1188. By Mr. KELLEY of Michigan: Petition of the Methodist Episcopal Church of Williamston, Mich., favoring legislation prohibiting interstate transmission of betting odds and other horse-racing information; to the Committee on the Post Office and Post Roads.

1189. Also, resolutions of the Common Council of the City of Detroit, Mich., protesting against legislation to discontinue work of improvement of the River Rouge; to the Committee on Rivers and Harbors.

1190. By Mr. LONERGAN: Petition of the Connecticut Editorial Association, of Bristol, Conn., favoring effectual action to repress and punish excitement to treason and anarchy; to the Committee on the Judiciary.

1191. By Mr. McLAUGHLIN of Michigan: Petition of J. E. Storch, of Pentwater, Mich., protesting against the Sterling bill (S. 3317) and the Graham bill (H. R. 11430) relating to sedition; to the Committee on the Judiciary.

1192. Also, petition of Hamlin Resort Grange, No. 1354, Ludington, Mich., protesting against the Sterling bill (S. 3317) and the Graham bill (H. R. 11430) relating to sedition; to the Committee on the Judiciary.

1193. By Mr. MAGEE: Petition of citizens of Syracuse, N. Y., favoring the Lehlbach-Sterling bill; to the Committee on Reform in the Civil Service.

1194. By Mr. O'CONNELL: Petition of Farmers' Educational and Cooperative Union of America, Oklahoma Division, Washington, D. C., opposing compulsory military training; to the Committee on Military Affairs.

1195. By Mr. PLATT: Petition of members of the Hedding Methodist Episcopal Church congregation, of Poughkeepsie, N. Y., favoring the Sims bill (H. R. 262); to the Committee on Interstate and Foreign Commerce.

1196. By Mr. RAKER: Petition of William D. Davis Post, No. 34, of Bunnell, Colo., protesting against legislation discriminating between the men of the Regular Army and men of the emergency Army; to the Committee on Military Affairs.

1197. Also, petition of R. L. Smith, of Oakland Lodge, No. 92, Brotherhood of Railroad Signalmen, protesting against the Cummins-Esch railroad bill; to the Committee on Interstate and Foreign Commerce.

1198. Also, petition of Aubrey Drury, secretary-treasurer of the World Trade Club, of San Francisco, Calif., urging that metric equivalents be incorporated in House bill 9755; to the Committee on Coinage, Weights, and Measures.

1199. Also, petition of Commercial Federation of California, of Los Angeles, Calif., relative to the Esch-Cummins railroad bill now pending before Congress; to the Committee on Interstate and Foreign Commerce.

1200. Also, petition of the California State Board of Forestry, indorsing the plan of Col. H. H. Arnold, director of air training and observations groups of the Western Department for the control of forest fires in the Western States by airplane patrol; to the Committee on Appropriations.

1201. Also, petition of the board of temperance, prohibition, and public morals of the Methodist Episcopal Church of Washington, D. C., indorsing the Sims bill (H. R. 262); to the Committee on Interstate and Foreign Commerce.

1202. Also, petition of the California Bankers' Association, relative to the railroad situation; to the Committee on Interstate and Foreign Commerce.

1203. Also, petition of Martin W. Heimbach, of San Francisco, Calif., protesting against Senate bill 3565 and House bill 11308; to the Committee on the Judiciary.

1204. By Mr. ROWAN: Petition of John A. Simpson, president of the Oklahoma Farmers' Union, opposing the compulsory military training; to the Committee on Military Affairs.

1205. Also, petition of J. A. Paisley, of the Valley Camp Coal Co., of Cleveland, Ohio, relative to the car shortage; to the Committee on Interstate and Foreign Commerce.

1206. Also, petition of the Hooker Electrochemical Co., of New York City, relative to the car shortage; to the Committee on Interstate and Foreign Commerce.

1207. Also, petition of Susan Hildreth, of New York City, relative to certain legislation now pending; to the Committee on Agriculture.

1208. Also, petition of J. Anderson & Co., of New York City, requesting deferred action on the Madden 1-cent postage bill; to the Committee on the Post Office and Post Roads.

1209. By Mr. SCHALL: Petition of Saturday Lunch Club, of Minneapolis, Minn., opposing the Esch-Cummins railroad bill; to the Committee on Interstate and Foreign Commerce.

1210. By Mr. TEMPLE: Petition of members of Beaver Valley Lodge 318, American Federation of Railroad Workers, protesting against the Cummins and Esch bills; to the Committee on Interstate and Foreign Commerce.

1211. Also, petition of the Friends of Irish Freedom, Charleroi, Pa., urging the passage of the Mason bill, providing for a diplomatic and consular corps to Ireland; also urging that this Government recall loans made and refuse to grant further loans or financial accommodations to Great Britain; to the Committee on Ways and Means.

1212. Also, petition of John N. Chambers, West Alexander, Pa., in support of House bill 7923; to the Committee on Military Affairs.

1213. Also, petition of the City Council of the city of Pittsburgh, Pa., asking appropriations for aerial mail service at Pittsburgh, Pa.; to the Committee on the Post Office and Post Roads.

1214. By Mr. VARE: Petition of the Philadelphia Board of Trade, protesting against the passage of the bill creating a Federal urban mortgage bank; to the Committee on Banking and Currency.

1215. Also, petition of the Pennsylvania Branch of the Women's International Union, asking for the repeal of the espionage laws and defeat of the Palmer-Graham bill; to the Committee on the Judiciary.

SENATE.

FRIDAY, *January 30, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, let Thy favor rest upon us to-day. As we start on the duties of the day by lifting up our hearts to Thee, may we carry from this sacred moment the influence of our thought and feeling toward God. Let the light of Thy countenance shine upon us. Speak Thou the words of divine wisdom in our hearts that we may know Thy presence and follow Thee in the discharge of our duties. For Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

STOCKYARD LICENSES (S. DOC. NO. 185).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of the 5th instant, certain information relative to the licensing of all live-stock commission agents, companies, corporations, or firms, etc., which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

WORK ON PUBLIC ROADS (S. DOC. NO. 186).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to the law, certain information relative to additional compensation due to officers and enlisted men on account of work performed by them on the public roads in the various States, which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

CHESAPEAKE & POTOMAC TELEPHONE CO.

The VICE PRESIDENT laid before the Senate the annual report of the Chesapeake & Potomac Telephone Co. for the year 1919, which was referred to the Committee on the District of Columbia and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. GRONNA. Mr. President, I have a brief communication from the Jamestown (N. Dak.) Commercial Club with reference to the zone system and rates of postage, which I ask may be printed in the RECORD.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

Resolution.

Whereas the executive committee of the Jamestown Commercial Club, after considerable investigation and discussion, are of the unanimous opinion that any change in present postal laws that makes a flat rate for transportation of periodicals to all points in the United States should be opposed; and

Whereas we believe that the law, practically universal, that pay for service rendered should be in proportion to the cost of such service, is entirely appropriate in this case, and that this principle that is now being recognized by the Government in charging periodical transportation by weight and distance is one of the principal factors in rate making by rate-making commissions: Now, therefore, be it

Resolved, That we sincerely hope you will use your efforts in Congress to defeat the efforts of publishers to repeal the zone system and revert to the old flat rate of postage on the advertising pages of their periodicals.

JAMESTOWN COMMERCIAL CLUB,
L. B. NIEMEYER, *President*,
ANDREW HAAS, *Secretary*.

JULY 28, 1919.

Mr. GRONNA. I also have resolutions from the American Protective Tariff League with reference to the League of Nations, which I ask may be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

THE AMERICAN PROTECTIVE TARIFF LEAGUE,
New York, January 27, 1920.

Copy of resolutions unanimously adopted by the American Protective Tariff League, in annual meeting assembled, on Thursday, January 22, 1920:

LEAGUE OF NATIONS.

Whereas the American Protective Tariff League was the first national organization in the United States to oppose the covenant of the League of Nations; and

Whereas the American Protective Tariff League was in favor of a declaration of peace immediately following the signing of the armistice; and

Whereas an attempt by the majority of the United States Senate has been made to Americanize the covenant of the League of Nations; and

Whereas the American Protective Tariff League is opposed to any entangling foreign alliances: Therefore be it

Resolved, That the American Protective Tariff League, in annual meeting assembled, urges immediate declaration of peace with Germany, is unalterably opposed to the covenant of the League of Nations as presented, and opposed to any League of Nations which endangers the sovereignty, entity, and independence of the United States of America.

W. F. WAKEMAN, *Secretary*.

Mr. GRONNA. I also have a resolution from the Tri-State Grain and Stock Growers' Convention, held at Fargo, N. Dak., which I ask may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

TRI-STATE GRAIN AND STOCK GROWERS' CONVENTION,
Fargo, N. Dak., January 26, 1920.

Senator A. J. GRONNA,
Washington, D. C.

DEAR SIR: At our Tri-State Grain and Stock Growers' Convention, held in Fargo, January 20 to 23, the inclosed resolution in regard to the League of Nations was passed. I take pleasure in forwarding it to you, and trust that you will give it due consideration.

Sincerely, W. C. PALMER, *Secretary*.

Resolution.

Resolved by the members of the Tri-State Grain Growers' Association, assembled in its annual convention, That we appeal to the Members of the United States Senate to ratify the Paris covenant for a League of Nations without making any changes that are likely to delay or prevent the establishing of said league and longer postpone the coming of peace and the normal life of the world.

JOHN H. WORST,
T. A. HOVERSTAD,
WALLACE MANIKOWSKE,
JOHN N. HAGEN,
C. L. WENDT,
Resolution Committee.

Mr. NELSON presented a petition of sundry citizens of the State of Minnesota, praying for a two years' extension of Gov-

ernment control of railroads, which was ordered to lie on the table.

Mr. CAPPER presented a petition of Franklin Post, No. 68, Grand Army of the Republic, Department of Kansas, of Olathe, Kans., and a petition of E. D. Baker Post, No. 40, Grand Army of the Republic, Department of Kansas, of Baldwin, Kans., praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

He also presented a petition of the Chamber of Commerce, of Pittsburg, Kans., praying for the enactment of legislation to relieve certain conditions in Armenia, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Chamber of Commerce, of Pittsburg, Kans., praying for the ratification of the peace treaty, with reservations, which was ordered to lie on the table.

Mr. HARRIS. I present resolutions adopted by Headquarters Colony Post, No. 14, Grand Army of the Republic, Department of Georgia, of Fitzgerald, Ga., urging the immediate passage of what is known as the Fuller pension bill. I ask that the resolutions may be printed in the RECORD and referred to the Committee on Pensions.

There being no objection, the resolutions were referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

HEADQUARTERS COLONY POST, No. 14,
DEPARTMENT OF GEORGIA, G. A. R.,
Fitzgerald, Ga., January 24, 1920.

Whereas we learn with pleasure that the honorable House of Representatives on January 5, 1920, passed the pension bill known as the Fuller bill, and it is now in the Senate for its action; and

Whereas those whom it will benefit are old and feeble and passing away rapidly: Therefore be it

Resolved by Colony Post, No. 14, Department Georgia and South Carolina, That the honorable Senate of the United States be requested to immediately take up and pass the said bill so that the old veterans may receive the benefit of its provisions during the few remaining years allotted them; and be it further

Resolved, That the Hon. HOKE SMITH and Hon. W. J. HARRIS, our Senators from Georgia, be asked to use their influence in urging and voting for its immediate passage, and that a copy of these resolutions be sent to each of our Senators and a copy spread upon our post records.

At a regular meeting of Colony Post, No. 14, held January 24, 1920, the foregoing resolution was adopted by a unanimous vote of the members of the post.

C. J. HITCH, *Post Commander.*

Official:

G. E. WHITMAN, *Adjutant.*

Mr. HARRIS. I also present resolutions of the Rotary Club of Savannah, Ga., suggesting an amendment to the pending railroad bill relative to the establishment and maintenance of through routes to and from all parts of the United States, and so forth, which I ask to have printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Resolution.

Resolved, That the following amendment to the proposed railroad legislation be submitted to our Senators and Congressmen, and that they be requested to attempt to secure its adoption:

"*Resolved*, It shall be the duty of common carriers subject to this act to establish and maintain through routes to and from all ports of the United States on traffic to and from foreign countries and to establish just and reasonable local or joint through rates, fares, and charges applicable thereon as proportional rates, fares, and charges to or from said ports, and no port shall be subjected to undue discrimination or be given undue preference by refusal of any common carrier or carriers to establish and maintain such through rates, or by refusal or neglect to publish and file schedules showing such rates, fares, and charges. The commission may, upon formal complaint or in proceedings instituted, on its own motion and after full hearing, make an appropriate order for the enforcement of this provision."

Resolved further, That in the event it is found impossible to pass this amendment, other legislation be enacted which will protect the right of shippers under the existing export and promised imports rate from the Middle West to the Gulf and South Atlantic ports.

Mr. HARRIS. I also present a resolution adopted by the Rotary Club of Savannah, Ga., relative to pending legislation before Congress affecting the disposition of Government-owned ships, which I ask to have printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Resolution.

"*Resolved*, That all pending legislation before Congress affecting the disposition of Government-owned ships should embody provisions for the maintenance of all trade routes now in operation and such trade routes as may, owing to conditions, be established in the future, so that the shippers of the United States may be given free access to all ports on equal terms; be it further

"*Resolved*, That such steel vessels of desirable commercial types, both freight and passenger, as may be needed for the establishment and maintenance of these routes should be retained by the United States Shipping Board or such governmental agency which may be established by act of Congress, for such reasonable length of time as may be necessary to determine the desirability thereof, and should be devoted to such development, and should be used in so far as possible exclusively on the routes to which they may be assigned, in recognition of absolute need for regular steamship service in establishing and maintaining such trade routes; and that permanent allocation of vessels be made in order that definite contracts may be safely entered into for cargo; and be it further

"*Resolved*, That for the development of freight traffic it is essential that adequate passenger steamship service be inaugurated as a prerequisite to the building up of trade routes."

Mr. COLT. I present a resolution of the General Assembly of the State of Rhode Island, recommending the enactment of legislation providing for a quarantine station in the port of Providence, in that State. I ask that the resolution be printed in the RECORD and referred to the Committee on Public Health and National Quarantine.

There being no objection, the resolution was referred to the Committee on Public Health and National Quarantine and ordered to be printed in the RECORD, as follows:

[State of Rhode Island, etc., in general assembly, January session, A. D. 1920.]

Resolution (H. 511) recommending to Congress the passage of legislation providing for a quarantine station in the port of Providence.

Whereas the development of the port of Providence is seriously handicapped by the lack of a quarantine station; and

Whereas the recent movement of ocean vessels entering the port of Providence has been delayed and steamships diverted to the port of New York: Therefore, be it

Resolved, That the General Assembly of the State of Rhode Island respectfully requests the Senators and Representatives in Congress to urge the passage of suitable legislation which will provide such a quarantine station, and the secretary of state is hereby instructed to send a copy of this resolution to the Senators and Representatives in Congress from Rhode Island.

STATE OF RHODE ISLAND,
OFFICE OF THE SECRETARY OF STATE,
Providence, January 26, 1920.

I hereby certify the foregoing to be a true copy of the original resolution passed by the general assembly and approved by the governor on the 15th day of January, A. D. 1920.

In testimony whereof I have hereunto set my hand and affixed the seal of the State aforesaid this 26th day of January in the year 1920.

[SEAL.]

J. FRED PARKER,
Secretary of State.

WHITE RIVER BRIDGE.

Mr. CALDER. From the Committee on Commerce, I report back favorably without amendment the bill (S. 3779) to authorize the Ozark Forest road improvement district of Baxter County, Ark., to construct and maintain a bridge across the White River, near Norfork, Ark., and I submit a report (No. 403) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That authority is hereby granted to the Ozark Forest road improvement district of Baxter County, Ark., created by act No. 570 of the General Assembly of the State of Arkansas of the session of 1919, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the White River at a point suitable to the interests of navigation, near Norfork, Ark., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WACCAMAW RIVER BRIDGE.

Mr. CALDER. From the Committee on Commerce, I report back favorably without amendment the bill (H. R. 10701) granting the consent of Congress to the Whiteville Lumber Co., Goldsboro, N. C., to construct a bridge across the Waccamaw River at or near Old Dock, county of Columbus, N. C., and I submit a report (No. 404) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Whiteville Lumber Co., Goldsboro, N. C., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Waccamaw River at a point suitable to the interest of navigation, at or near Old Dock, in the county of Columbus, or adjacent thereto, in the State of North Carolina, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 3817) to amend an act entitled "An act to diminish the expense of proceedings on appeal and writ of error or of certiorari," approved February 13, 1911; to the Committee on the Judiciary.

By Mr. KING:

A bill (S. 3818) granting additional lands from the Fort Douglas Military Reservation to the University of Utah; to the Committee on Military Affairs.

By Mr. SMOOT:

A bill (S. 3819) for the relief of A. Purdee; to the Committee on Public Lands.

By Mr. POINDEXTER:

A bill (S. 3820) granting a pension to Charles V. Harris; to the Committee on Pensions.

By Mr. SPENCER:

A joint resolution (S. J. Res. 151) to permit the payment for certain lands whereon Army supply bases are situated; to the Committee on Military Affairs.

FOREIGN LOANS.

Mr. GORE. I ask unanimous consent to have printed in the RECORD the statement appearing in the Washington Post this morning, by Secretary Glass, in regard to foreign loans. It exhibits a courage and sanity which indicates that the gray dawn is breaking.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"EUROPE MUST PAY BILLS, SAYS GLASS—UNITED STATES CAN NOT FINANCE FAILURE TO ACT—AMERICA HAS REACHED FINAL LIMIT IN EXTENDING AID—WORK AND SAVE, REMEDY—TREASURY FROWNS ON CONFERENCE TO PLAN WORLD CREDITS—WOULD REDUCE INDEMNITIES—SECRETARY TELLS ALLIES TO FIX ON AMOUNT GERMANY CAN PAY AND COLLECT—EXCHANGES WILL BE ADJUSTED WHEN EUROPE BEGINS PRODUCTION AND RELEASES GOLD—'FOLLY' TO LOOK TO AMERICAN PEOPLE FOR REMEDY—CITES BILLIONS IN ADVANCES SINCE ARMISTICE.

"The United States Treasury does not look with favor upon certain features of the proposed international conference recently called by a coterie of nationally known financiers and commercial leaders in an effort to lead the world out of the financial and commercial chaos into which it was dragged by the war.

"Secretary Glass declared last night in a letter to a committee of the Chamber of Commerce of the United States, which has sought a Government expression on the meeting, that such a conference would serve 'to cause confusion and revive hopes, doomed to disappointment, of further Government loans.'

GOVERNMENT CAN NOT ACT.

"With a note of finality, Mr. Glass set forth the Government's policy with respect to furnishing credits, stating that the Treasury 'is opposed to Government control over foreign trade and finance, and even more opposed to private control. It is convinced that the credits required for the economic restoration must come through private channels.' In this respect this Government fears the proposed conference would mean many Europeans would assume that the United States was about to shoulder more of their burdens, Mr. Glass explained.

WOULD NOT CANCEL DEBTS.

"'If the Chamber of Commerce of the United States (to which were left details of the conference call) considers it advisable and desirable to designate representatives to attend an unofficial conference,' Mr. Glass said, 'the Treasury Department does not offer objection, provided the scope and character and limitations of such a conference, as well as the impossibility of United States Government action, are clearly understood. But there are numerous suggestions contained in the memorial sent broadcast by the leaders which are clearly not appropriate for consideration, such as cancellation of some or any obligations of foreign Governments held by the United States, or even the deferring of obligations of foreign Governments to liens created in favor of loans hereafter made for reconstruction purposes.'

EUROPE'S OWN PROBLEM.

"Mr. Glass directs attention to differences which he discovered in the formal call for the conference as issued here and in several foreign countries. The memorials circulated in Europe, Mr. Glass said, apparently advocated further governmental financial assistance and requested the respective Governments to designate representatives to those international meetings, which thus would accord it an official character. This, however, was omitted from the document circulated in the United States and made public in New York January 14.

"The situation facing Europe, the Treasury Secretary said, was one to be solved by the activity of those nations and their nationals and not for settlement by any world-wide plan such as the proposed international conferences contemplated.

GOLD EMBARGO REMOVED.

"'From the moment of the cessation of hostilities,' Mr. Glass added, 'the Treasury of the United States has pursued a policy of looking toward the restoration as promptly as possible of normal economic conditions, the removal of governmental controls and interferences, and the restoration of individual initiative and free competition in business. The Treasury long since, with the cooperation of the Federal Reserve Board, removed the embargo on the export of gold, thus enabling American citizens and, indeed, the nations of the world, to the extent that they find credit here, to finance their purchases throughout the world in cash.

"'Rightly or wrongly a different policy has been pursued in Europe. European Governments have maintained since the cessation of hostilities embargoes upon the export of gold. The rectification of the exchange now adverse to Europe lies primarily in the hands of European Governments.

WILL NOT FINANCE EUROPE.

"'The normal method of meeting an adverse international balance is to ship gold. The refusal to ship gold prevents the rectification of an adverse exchange. The need of gold embargoes lies in the expended currency and credit structure of Europe. Relief would be found in disarmament, resumption of industrial life and activity, and the imposition of adequate taxes and the issue of adequate domestic loans.

"'The American people should not, in my opinion, be called upon to finance, and would not, in my opinion, respond to a demand that they finance, the requirements of Europe in so far as they result from the failure to take these necessary steps for the rehabilitation of credit.'

"Mr. Glass characterized as 'impracticable' international bond issues, guaranties, and international measures for stabilization of exchange which were to be taken up at the conference. Such plans never would prove workable, he believed, so long as there exist inequalities in taxation and differences in the fiscal policies of the countries involved. When these inequalities and differences no longer exist, reasons for the international measures also will have vanished, he asserted.

WORK AND SAVE IS REMEDY.

"It would be 'folly and unthinkable' to call upon the American people to remedy the present inequalities in exchange. These inequalities, means for alleviation of which formed one of the principal bases for the conference, were born of a policy of taxation less drastic in the European nations than here, Mr. Glass said.

"'The remedy for the situation is to be found not in the manufacture of bank credit in the United States for the movement of exports,' Mr. Glass asserted. 'This process already has proceeded too far. The remedy lies in the actual movement of goods, of investment securities, and, in default of goods or securities, then in gold from Europe; and in order that such securities may be absorbed by investors our people must consume less; they must work and save.'

EUROPE NEEDS CAPITAL.

"Relative to the solution of the exchange puzzle, Mr. Glass warned that this country could not continue to extend credits on a sufficient scale to cover the present swollen trade balances while paying cash (gold and silver) to Latin-American and Far Eastern traders. What the European nations need now, Mr.

Glass explained, is 'working capital rather than so much bank credit.' Then as a solution for the intricate situation—and with which it is mentioned incidentally the proposed conference would be able to do nothing more than discuss—Mr. Glass offers the following:

"'If the peoples and Governments of Europe live within their incomes, increase their production as much as possible, and limit their imports to actual necessities, foreign credits to cover adverse balances would most probably be supplied by private investors and the demand to resort to such impracticable methods as Government loans and bank credits would cease.

UNITED STATES HAS REACHED LIMIT.

"'There is no more logical or practical step toward solving their own reconstruction problems than for the Allies to give value to their indemnity claims against Germany by reducing those claims to a determinate amount which Germany may be reasonably expected to pay, and then for Germany to issue obligations for such amount and be set free to work it out. This would increase Germany's capacity to pay, restore confidence, and improve the trade and commerce of the world. The maintenance of claims which can not be paid causes apprehension and serves no useful purpose.'

"The American Government has done all that it believes advisable and practicable to aid Europe, Mr. Glass said. He pointed out that since the armistice was signed the Treasury has made direct cash advances of $2,380,891,000 to the allied Governments; it has made available $736,481,000 to those Governments through the purchase of their currencies in covering our expenditures in Europe; it has sold through the Army and Navy approximately $685,000,000 in supplies on credit, and has extended approximately $100,000,000 in relief. In addition, he explained, there has been allowed to accrue unpaid interest aggregating $324,211,000.

INTEREST PAYMENTS OVERDUE.

"Accrued interest on loans to European countries totals approximately $325,000,000, according to a table submitted to the Ways and Means Committee by the Treasury Department, which plans to defer collection for a few years, pending reconstruction. Great Britain owes the most interest, the total on loans to that country being $144,440,837. Interest owed by other countries is: France, $94,021,749; Italy, $54,256,589; Russia, $16,832,662; Belgium, $11,465,278; Czechoslovakia, $1,667,083; Serbia, $917,299; Roumania, $609,873; and Liberia, $548."

COMPULSORY MILITARY TRAINING.

Mr. GORE. I also present two letters from Hon. John A. Simpson, president of the State Farmers' Union of Oklahoma, one of which I furnish now and the other I will furnish later for the permanent RECORD, together with some comments of my own, which I ask may be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD.

The letters submitted are as follows:

FARMERS' EDUCATIONAL AND COOPERATIVE UNION OF AMERICA, OKLAHOMA DIVISION.

WASHINGTON, D. C., *January 28, 1920.*

DEAR SIR: Believing that you are always glad to know the sentiment of the farmers of this Nation on any subject, I take the liberty of presenting to you in a brief letter their attitude on the question of "compulsory military training."

It has been my pleasure to attend many State and national meetings of the Farmers' Union, State grange meetings, national farmers' congress, and a number of federated meetings where I have seen as many as 15 farm organizations represented and coming from 40 States. In all of these meetings, if the question arose at all, resolutions were invariably unanimously adopted against "compulsory universal military training" in any form. I could fill a volume with these kinds of resolutions, but the following will serve the purpose of sustaining my statement.

The National Farmers' Union, in annual meeting at Jonesboro, Ark., August 20, 1917, passed the following resolution, and it is found on page 36 in their published minutes for that year:

"That we are unalterably opposed to large standing armies in time of peace, and that we earnestly protest against any form of universal military training."

Again, at their national meeting, November 18, 1919, at Memphis, Tenn., the same organization passed the following resolution, and it is found on page 50 of their published minutes for that year:

"We are opposed to the maintenance of war-time armaments in time of peace, and to any system of military organization that includes universal military training."

My own State union, at its annual meeting at Clinton, Okla., August 20, 1919, passed the following resolution, and it is found on page 7 of the published minutes for that year:

"We oppose conscription and universal military training in time of peace."

The National Grange, in their fifty-third annual meeting at Grand Rapids, Mich., November 12, 1919, passed the following resolution, and it is found on page 149 of their published journal of that meeting:

"We are opposed to militarism, universal military training, and a large standing army. We deplore any effort to develop in America a caste of authority which has its sole excuse in a shoulder strap and any tendency in thought which would substitute armed force for moral ideas. The invincible character of a citizen army when equipped with justice and Americanism has again been demonstrated. We favor the preparedness of right rather than the preparedness of might."

The following is a copy of resolution recently passed by the national meeting of the American Society of Equity:

"Whereas there is now pending in Congress a bill providing for universal military training; and

"Whereas the war was fought on the principle that militarism be forever abandoned and done away with: Therefore be it

"*Resolved*, That we, the delegates of the National Union, American Society of Equity, in convention assembled, do oppose the compulsory military training laws now pending."

Unanimously adopted by delegates representing 50,000 members of the American Society of Equity.

Resolutions could be quoted until they would make a book, but these are sufficient to show what organized farmers think of compulsory military training, and we believe that the Farmers' Union, the Grange, and the Equity are fairly representative of all the farmers of the Nation.

In 37 local meetings of the Farmers' Union in my State held during the month of December just past and in a vote taken at the close of each meeting every vote at every meeting was against compulsory military training. This is a question on which the farmers are practically unanimous. Ninety-nine out of every hundred are against it in any form.

Compulsory military training is un-American, without precedent in the history of our country, an enormous uncalled-for expense to already overburdened taxpayers, a staggering blow to production in that it will take from the farm, the shop, and the factory about 700,000 boys each year, and it will mean untold future financial drain on the Public Treasury in subsidies and pensions to in part repay the boys for their sacrifices in time and health in their service in the military training camps.

In proof of the last statement, a high official in the Department of the Interior admitted to us one day last week, in a discussion of the Mondell reclamation bill, that more than half of the nearly 5,000,000 soldier boys were never out of the training camps in this country and that the time of service did not average over 12 months; yet those boys were so handicapped by this average of 12 months' service in health and earning power that they needed special assistance from the Government to put us back on an equal footing with the boys who did not have to make that sacrifice. I believe that official was correct in this statement, and I further believe many of these boys who spent a year in the training camps who now think their health was not impaired thereby in 10 years from now will find themselves breaking down prematurely, and the pension applications of former wars is proof to us that we may expect this to happen again.

This letter must be brief, and in closing let me tell you that not one citizen in a thousand knows that such legislation is pending, and should it pass it will be an indescribable shock to them.

With a firm belief in the justice and power of the time-tried principles of the old order and with little confidence in the experiments of the new, I am,

Yours, truly, JOHN A. SIMPSON,
President Oklahoma Farmers' Union.

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FARMERS' EDUCATIONAL AND COOPERATIVE,
UNION OF AMERICA, OKLAHOMA DIVISION,
January 30, 1920.

Hon. T. P. GORE,
United States Senator, Washington, D. C.

MY DEAR SENATOR: For three successive annual meetings the Farmers Union of this State and the National Union at their annual meetings have unanimously adopted resolutions asking that out of this war we at least advance popular government to the extent of democratizing war by requiring every nation

to at once vest the power to declare war in a majority vote of all the people, including both men and women. We were sorely disappointed when the peace conference made no such provision and we laid the blame on the crowned heads of Europe; but we were shocked and astounded when your amendment to the peace treaty providing for that very thing received but 16 votes of the 96 votes in the Senate. We thank you for your efforts in offering the only thing to the peace treaty that can be called democratic; we were pleased to see our good friend Senator CAPPER voted and supported this measure.

We are glad to know of your firm stand against the pending bill which proposes to make the espionage act more drastic in time of peace than in time of war, and which makes the exercise of freedom of thought and speech a capital crime and Sec. 5 of which could easily be construed to render the good women who advocate the suffrage amendment and the prohibition amendment liable to imprisonment for 20 years or to a fine of $20,000, or both. We are glad also to know of your aggressive opposition to the "compulsory military training bill" that would force every boy at 18 to go serve time in a military training camp.

Senator GORE, the wheat farmers of Oklahoma and the Nation owe much to you for your work in defending us against the official pirates who would have taken our wheat at $1.25 a bushel. The cotton farmers of Oklahoma and the Nation owe much to you for defending us against the same gentry when time after time they tried to get through Congress cotton-pricing bills, the most liberal of which was only 20 cents per pound. Representatives of the Farmers Union of Oklahoma were in Washington at every wheat and cotton hearing, and we know how true you were to what was fair and just. We shall never forget you.

Yours, very truly,

JOHN A. SIMPSON.

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WASHINGTON, D. C.,
Washington's Birthday.

To the sovereign people of Oklahoma, greetings:

I salute the sovereign people of Oklahoma as my only master. I acknowledge no other. I do not pretend to serve two masters. As I do not pretend to serve both God and Mammon, neither do I pretend to serve both the people and the politicians. I obey no boss. All rings look alike to me. As the people are the sole masters, they must be the final judges of my public services. The people are just. To your justice I appeal from the prejudices alike of the interested and the malevolent. There is no genius great enough to render a just judgment without knowing the facts. A just judge once said to me, "I always keep a corner in my mind for the man who has not been heard." "Hear both sides alike," was the memorable appeal of Demosthenes when arraigned by his rivals before the people of Athens. I am not now speaking as to the future. As to the past and the present I ask no favor but justice. I address you this letter in order that you may hear both sides. I adopt this method because I have no other means of publicity. I have no press agency. I have no publicity bureau. The press does not always publish both sides alike. The leading so-called Democratic paper in Oklahoma has adopted the rule to name me only to blame me. I hope one day to present these matters in person. I can not possibly leave Washington at this juncture of public affairs. More urgent measures are pending now than at any other period of my public service. Not only is the treaty pending, but legislation affecting our soldiers, both old and young, the railroads, the relation of capital and labor, the leasing of oil and other mineral lands, the high cost of living, the ominous danger of compulsory military training, and other measures of the most vital concern. To abandon my post of duty now in order to serve my own personal or political interest would be a betrayal of the trust already committed to me. The Senator or Congressman who could afford to be absent at this time could afford to be absent at all times. Would you not therefore do me the justice to read this and then do me the kindness to hand or mail it to a friend? Everyone who loves truth or hates injustice will be surprised before reading this to the end.

For my own part, I do not profess to be infallible. I have grown too old to imagine that I do not make mistakes. Who has been exempt from error in these strange and troublous times? In the midst of these bewildering times I have pursued the path of duty as I saw it. I shall continue to pursue the path of duty as I see it, though I go barefoot and alone.

COUNTERFEIT FRUIT.

No one has a right to complain of legitimate and constructive criticism. Such criticism has been the headlight of human progress. It lights the way to truth. Job said to his captious critics, "No doubt, ye are the people, and wisdom will perish with you." To mine I would say, as Cromwell said to the artist, "Paint me as I am." The wit of man has devised no better way to judge the tree than by its fruit. The tree that bears evil fruit should be cut down. But the tree has a right to be judged by its own fruit. It should not be judged by counterfeit fruit. Every public man should be judged by his public record. I court such judgment. I ask only to be judged by my record as it is, by my record as I have made it, and not by my record as others have made it appear. Let only Truth accuse. Let only Justice judge.

If I may be pardoned a personal reference, I will illustrate what I mean when I protest against being judged by a record which I did not make. It has been repeatedly alleged that I was one of the "willful twelve" who filibustered the armed neutrality bill to death. As late as August last a newspaper stated as one of its principal objections to my record the alleged fact that I had helped kill the armed neutrality bill. When I visited Muskogee in December, special friends requested me to explain why I helped kill the armed neutrality bill. The truth is that measure was killed on March 4, 1917. I went to bed on January 2, 1917. I was not able to resume my duties in the Senate until April 17. During two and a half months of that time I was sick almost unto death. I was delirious on March 4, the day the armed neutrality bill went to its death. One would think that even malice would blush at such mendacity, and yet this typifies many misrepresentations of my record.

DAILY OKLAHOMAN.

The Daily Oklahoman, in an editorial on March 10, 1919, used the following unqualified language:

When the history of these times is written, it will have to record that Senator GORE, of Oklahoma, was never caught standing by the President.

Possibly some stranger may have believed this statement.

There are indeed different standards of duty. Standing by the President is the Oklahoman's standard of official duty. Standing by the people is my standard of official duty. The voice of the people is the nearest approach to the voice of God. I am happy enough, of course, when I find myself standing both by the President and by the people. As to universal compulsory military training, now pending, I must stand by the people rather than by the President. But I shall not quibble about words. Let truth take the witness stand.

WAR MEASURES SUPPORTED.

I voted for each and every appropriation that was passed. I voted for each and every dollar that was necessary to the winning of the war. This aggregated more than $35,000,000,000. Even calumny can not say that I withheld a single dollar that might either speed or secure success. One would have thought that this would hush the voice of slander and "silence envious tongues." It did not do so so. I not only voted to appropriate the money, I voted to raise the money.

Not only that—

As a member of the Senate Finance Committee I helped prepare and pass the first war-revenue act; as a member of the Senate Finance Committee, I helped to prepare, report, and pass the second war-revenue act. This was the biggest revenue act ever passed in all the tides of time. Was this obstruction? Not only that. As a member of the Senate Finance Committee I helped prepare, report, and pass the first Liberty loan law, the second Liberty loan law, the third Liberty loan law, and the fourth Liberty loan law. I also helped to prepare, report, and pass the Victory loan law. These measures eventuated in a public debt of $25,000,000,000. Was that obstruction?

Not only that—

As a member of the Senate Finance Committee, I helped prepare, report, and pass the war finance corporation act. This rendered Government aid to individuals, firms, and corporations engaged in the manufacture of munitions and other necessary war supplies. We could not afford to wait on the slow and uncertain processes of private credit.

Not only that—

As a member of the Senate Finance Committee, I helped prepare, report, and pass the war-risk insurance act. This act provided insurance for our soldiers, and compensation, allotments, and allowances for their families. I introduced a bill to amend and improve this law at the request of a number of wounded soldiers. I supported the Sweet bill which made the improvements desired by the soldiers. I voted for the Kenyon amendment to double the soldier's pay, although the contrary has been often charged. I voted to double the soldier's pay (see p. —), "tell it in Gath and publish it in the streets of Ascalon."

Not only that—

I voted for the soldiers' and seamen's civil rights act to protect our boys at the front against vexatious litigation and other annoyances at home.

Not only that—

I voted for the bill to draft subjects of the Entente allied countries residing in the United States.

I voted to declare war against Austria. Austria could use her troops either on the Italian front or on the western front. Without a declaration of war, we could only strike back on the western front.

I voted for the preferential shipment bill.

I voted for the so-called trading-with-the-enemy act, an important war measure.

I voted for the espionage act. I am not especially proud of this vote. Under this act things have occurred which reflected no special credit on this great democracy. There ought to be a distinguishable difference between a democracy and an autocracy.

As a member of the Immigration Committee, I helped prepare, report, and pass the act to expedite the naturalization of certain aliens in the military and naval service of the United States.

As chairman of the Committee on Agriculture, I helped prepare and report and managed on the floor of the Senate the food-survey bill, commonly known as the food-production act. This was intended to stimulate the production of an adequate supply of food products for ourselves and for the allied countries, and must be distinguished from the food-control act. Was this the part of an obstructionist?

LEGISLATIVE RESPONSIBILITY.

Such is my affirmative record. I am willing to be judged by my fruit. And yet it has been alleged that I have never been "caught standing by the President." It is not quite clear just what technical meaning is attached to the phrase "standing by the President." And yet the Oklahoman solemnly alleges that I have never been "caught standing by the President." Not only during the war but during my entire service in the Senate I have voted for every measure which I thought would do more good than harm. I have voted against every measure which I thought would do more harm than good. That is the only rule of legislative responsibility which I either recognize or respect. It has been charged that I have voted against certain measures on account of personal hostility toward the President. I have no personal hostility toward the President. It is self-evident that if I had been controlled by such hostile motives I would not have supported the great array of measures enumerated above. I have no respect for a Senator or Congressman who would vote against any measure which he would otherwise support on account of hostility toward any official high or low. I have no respect for any Senator or Congressman who would vote for any measure which he would otherwise oppose on account of friendship for any official high or low. I am firm in the faith that everybody knows more than anybody.

OIL AND ZINC AMENDMENTS.

Before passing to the measures which I did not support I wish to call your attention to the several important amendments which I secured to the second war revenue act. I am pleased to say that it was upon my motion that the prewar postage rates were restored. I mean that the letter rate was reduced from 3 to 2 cents, and the post-card rate from 2 to 1 cent.

It was upon my motion that those who pay income and profit taxes are permitted to pay in four installments during the year instead of being compelled to make the entire payment on a single day. This is a relief not only to the taxpayers but also to the banks and credit institutions. It also avoids a glut of revenue in the Treasury and more nearly adjusts collections to disbursements.

Next to agriculture, oil, gas, zinc, and coal are the leading industries in our State. Under the old revenue law the taxation of these industries was unscientific and unjust. It did not take into account the fundamental facts and characteristics of these businesses. I secured two amendments to the House bill which changed this system of taxation. Under my amendments the hazardous and wasteful character of these industries is taken into account. These amendments both relieve and promote these great industries by rendering the taxation to which they are subjected more just and equitable. One of these amendments limited the tax on profits in certain instances to 20 per cent. The other based depletion allowances on value rather than cost. I shall not discuss these technical terms, but the significance of these amendments is obvious to everyone familiar with these industries.

MILLIONS FOR OKLAHOMA.

In addition to securing these amendments to the House bill, I succeeded in striking out the tax of 2 cents a gallon on gasoline imposed by this measure as it passed the House. This gasoline tax would have cost Oklahoma, in the first instance, approximately $20,000,000 a year, however much the tax might subsequently have been shifted. I based my opposition to this tax purely upon the grounds that it was a tax upon the source of industrial power, and was therefore unscientific, unjust, and undemocratic. Gasoline is about the only source of industrial power that can be made available upon the farm, particularly in a prairie country.

It has been estimated that these several amendments which I offered save the State of Oklahoma many millions every year. These millions are devoted to the further development of our magnificent mineral resources, and contribute to the growing riches and prosperity of our splendid young Commonwealth.

COMMITTEE ASSIGNMENTS.

My success in securing these amendments was due in some measure to my strategic position as a member of the Senate Committee on Finance. I have served for six years on this committee, which handles all revenue legislation. The Finance Committee, as you know, is the ranking committee of the Senate. In addition to my membership on the Finance Committee, I am also ranking minority member on the Committee on Agriculture and ranking minority member of the Committee on Immigration. I am also a member of the Committee on Patents. In the Senate, as you know, seniority counts. I am the senior Senator from Oklahoma. There are only four Democratic Senators and only nine Republican Senators now senior to me in length of service.

MEASURES OPPOSED.

I desire now to call your attention to the several measures which I could not see my way clear to support. This was due not to a spirit of obstruction but to the belief that they were unsound in principle or unwise in policy. The following enumeration will show that there was a pretty definite code of economic principles underlying my position. I thought then, and I think now, that we passed several laws which were uneconomic, unwise, or undemocratic. I feared they would be followed by industrial unrest and discontent after the war. Indeed, I remarked on one occasion in the Senate, "Let us not sow the wind, lest we reap the whirlwind." Has the event justified my fears? As a faithful watchman could I say all is well when coming industrial troubles were casting their ominous shadows before?

I voted against the bill to take over the telegraphs and telephones. I thought this would increase the cost and decrease the efficiency of the service. I believed that we could dethrone the Hapsburgs and Hohenzollerns without controlling the rural telephone lines between Lone Wolf and Wild Horse, between Red Bird and White Eagle, between Big Heart and Bushy Head.

I voted against the bill to take over the railroads. I favored a different and, as I believe, a better plan. I thought Government operation would decrease the efficiency and increase the cost of service. The experiment has bequeathed us an enormous deficit (745 millions) and a whole train of industrial problems.

I voted against the bill to take $100,000,000 out of our Treasury and give the money to the people of southern and eastern Europe. I was willing to lend them money but not to give them money. I did not feel that I had any constitutional or moral right to practice charity with the people's money. I was not willing to tax the drought-stricken people of Oklahoma and donate their scant earnings to aliens and strangers across the sea.

My objection to the measures above mentioned was based on constitutional or economic grounds. I do not believe in needless meddling with private business. Private initiative is one of society's best assets. It has been one of the chief dynamic forces in the advancement of civilization. Oklahoma has had more experience in long-range, absent treatment, bureaucratic government than any other State in the Union. I did not wish needlessly to extend or intensify such a system.

To make this record complete, I mention three amendments. I voted against the censorship of the press desired by the administration. A free press is a palladium of liberty. I voted for the amendment requiring Federal employees in the city of Washington to do eight hours work for eight hours' pay. This was contrary to the wish of the administration. Every Congressman from Oklahoma but one voted as I voted. I voted for Senator OWEN'S amendment to the food-control bill to establish an auditing committee on war expenditures. I thought then and I think now that such a committee would have saved the taxpayers multiplied millions. Recent developments have rather strengthened than weakened that conviction.

I voted against the food-control law. I thought that it would be unjust and injurious to the farmers. It lost the American farmers more than a billion dollars. It lost the Oklahoma farmers more than $50,000,000. These losses were not limited to the wheat farmers alone but extended to the farmers who produce cotton, cattle, hogs, and poultry. These losses were

entirely unnecessary. The President admitted in his annual address of 1917 that the food-control act was unjust to the farmers. I am opposed to any policy in peace or war that enables one man to get, without earning, what another man earns without getting. As chairman of the Senate Committee on Agriculture, and representing as I do a great agricultural State, I felt under a double obligation to protect the farmers alike against injury and against injustice.

I voted against the amendment to the food-control bill which permitted Anheuser and Busch and Pabst and Schlitz and Budweiser to make beer out of grain and to make money out of beer while our women and children were patriotically denying themselves bread. The adoption of this amendment was an additional reason for opposing the entire measure. This vote was contrary to the administration's views, but I am pleased to say that the administration afterwards changed its views.

$2.50 WHEAT AMENDMENT.

As soon as the President admitted that the food-control act was unjust to the farmers, I began, as chairman of the Agricultural Committee, to lay plans to correct the admitted injustice and injury. I prevailed upon the Senate to suspend the rules and adopt an amendment raising the price of wheat to $2.50 per bushel. The House reduced this to $2.40. The bill went to the President raising the price of wheat to $2.40. The President vetoed this measure.

I secured the adoption of an amendment to protect the farmers against fraud in the purchase of so-called concentrated feeding stuffs. The amendment was designed to secure simple commercial honesty. It failed in conference.

As chairman of the Committee on Agriculture I began the fight in the Senate to repeal the daylight-saving law.

FARM LEGISLATION.

As chairman of the Committee on Agriculture I helped prepare and report the cotton futures act. This measure was designed to prevent the manipulation of the cotton market and the rigging of cotton prices by mere gamblers.

As chairman of the Committee on Agriculture I helped prepare and report the Federal grain grades act. This was intended to establish uniform grades throughout the country and to stabilize the grain market. Its administration so far has not been entirely satisfactory and should be improved.

As chairman of the Committee on Agriculture I helped prepare and report the bonded warehouse measure. This was intended to give the farmer some voice as to when he should market his crops and to improve the character of warehouse receipts as commercial assets or as collateral security.

As a member of the Committee on Agriculture I helped prepare, report, and pass the amendment establishing the Bureau of Markets, to assist in bringing about a more acceptable and less expensive system of marketing and distributing farm products and bringing the producer and consumer into closer touch with each other. Improved distribution is one of the greatest problems of agriculture to-day.

It is a source of much satisfaction to me that the first proposition which ever passed Congress looking to the establishment of a system of rural credits was an amendment which I prepared and offered to the agricultural appropriation bill of 1913. This amendment created the United States Rural Credit Commission, to study the rural credit systems in Europe. I was appointed a member of this commission by the President, and assisted in preparing its report. It is a source of equal satisfaction that the second propositon that ever passed Congress in respect to rural credits was an amendment which I prepared and offered to the agricultural bill of 1915. This amendment created a joint committee of the two Houses and placed the committee under mandatory instructions to prepare a rural credits bill and report the same to Congress by January 1, 1916. I was a member of this joint committee. It reported the bill which eventuated in the existing rural credits system. Experience should enable us to improve the present system. I desire to see it supplemented by a short-time system of rural credits, a system of rural credits that will meet the needs of our farmers and harmonize with our existing credit institutions. Short-time credit systems have existed for a long time in the Old World and are being introduced in Canada. I should favor a sound system in the United States. This would assist in completing our plans for farm financeering.

The tenant farmer touches my heart. I wish that every American citizen owned his own home, owned the floor beneath his feet, and the roof above his head. I think that whatever the Government can do in accordance with sound financial principles should be done to encourage and render possible home owning throughout the country. Home owning may prove to be one of the paths leading us out of the industrial wilderness in which we are wandering to-day.

HIGH COST OF LIVING.

The high cost of living is a matter of deep and general concern. It is pressing heavily on every class. It presses most heavily, perhaps, on ministers, teachers, clerks, and others having fixed incomes or salaries. Increased production is the only fundamental solution for this problem. The prevention of criminal profiteering would help, but the farmer must afford the real remedy. The farmer will solve the problem of increased production if he is let alone, if he is not overburdened, if he is not borne down to the earth.

PREFERRED VOLUNTEER SYSTEM.

I voted against the first draft bill and withheld my vote on the second. I voted to try the volunteer system, our traditional and time-honored policy, before resorting to conscription. The American volunteer has glorified with valor and with victory every battle field of the Republic. When did it come to be a reproach to vote for the American volunteer? If, as some say, the drafted men themselves prefer the draft to the volunteer system, that, of course, does much to popularize the system.

Notwithstanding there were certain points in favor of the draft, I could not get my consent to vote for draft laws which first and last drafted boys only 18 years of age and drafted gray-haired men 46 years of age and at the same time exempted Senators and Congressmen from the draft. I was not willing to invade the nursery. I was not willing to violate the cradle. There was something in the proposal to draft 18-year-old boys that made me think of robbing a bird's nest.

It would have been gratifying, of course, if I could have agreed with the President on every measure and on every occasion. This would have spared me torrents of abuse and vituperation. No one need imagine that this abuse has been grateful to my feelings. I could, indeed, have avoided it by sacrificing my convictions, and I might in that way have avoided even a contest for my seat in the Senate. But I could not surrender my convictions in order to escape unmerited criticism. I could not afford to purchase immunity or popularity at such a price.

COMPULSORY MILITARY TRAINING.

I do not agree with the President in regard to universal compulsory military training. He favors it. He has a right to do so. I oppose it. I think I have a right to do so. I regard universal compulsory military training as the very egg of militarism. I want to crush militarism in the shell. I am not willing for it to hatch out its hateful brood in this land of the free. I am not willing for the monster of Prussian militarism which we have crushed in Germany to find a refuge in this self-governing democracy. It is hard enough now to get labor upon the farm. These training camps might cause an exodus of farm boys from the farm.

ARMY REORGANIZATION.

I am opposed to the administration's Army reorganization bill, notwithstanding it bears the sanction of the Secretary of War, the Chief of Staff, and other spokesmen of the administration. This bill has been introduced in both Houses. This bill proposes to create a Regular Army of 572,000. It creates an Army of 572,000 Regulars in time of peace as against 82,000 Regulars before the war. More than that, it proposes to create a reserve of 750,000 men in time of peace. More than that, it provides that every able-bodied male citizen in the United States between the ages of 18 and 46 years shall be automatically drafted into the military service whenever the United States enters a war. This universal draft is made automatic without any further action on the part of Congress. I see how an advocate of the draft could favor this wholesale automatic conscription, but I look upon the draft as among the later rather than the first recourses of war. More than that, this new Army is to cost $900,000,000 a year. It is to cost seven times as much as our Army cost before the war. It is to cost $200,000,000 more than the total expenses of our entire Government before the war, excepting only the Postal Department, which pays its own way. How do these vast armaments harmonize with the assurances of perpetual peace and universal reign of brotherly love? I am opposed to this vast Military Establishment in time of peace, much as I should rejoice to agree with the administration. No two thinking men ever agreed about everything. When you see two men pretending to agree about everything, you may set it down as certain that one is doing the thinking and the other one is doing the agreeing. No Senator should be a mere rubber stamp. As for me, I am as unwilling as I am unfit to play such a part. My master's voice is the people's voice.

PRESIDENT'S APPEAL.

If I may say so without lese majeste, I could not bring myself to approve the President's appeal to the country issued just before the election in 1918, no matter by whom counseled or advised. As a Democrat, I thought it bad politics. As an

American, I thought it inept to say anything which could even be misconstrued as a reflection upon the loyalty and patriotism of 50,000,000 of our Republican fellow citizens. At that moment millions of Republican fathers and mothers were making the supreme sacrifice. At that moment a million Republican boys were giving the ultimate proof of their devotion.

INTOLERANCE.

I think I am intolerant only of intolerance. I believe in freedom of thought, freedom of speech, and freedom of conscience. I think it better to answer a man's argument than to cut his tongue out. Thomas Jefferson said, "Error is harmless so long as truth is left free to combat it." I have been subjected to an intolerance which I sometimes think more consistent with the lurid flames of medieval persecution than with the white light of twentieth century civilization. It would not become me, however, to say that I have been more sinned against than sinning. Of that others must judge. I am willing to answer argument with argument, but I am not willing to answer abuse with abuse. Fair-minded men charged with grave responsibilities ought to be able to differ without challenging each other's intelligence, integrity, or patriotism. The interchange of ideas is the best searchlight for the discovery of truth and the detection of error. I think that I have learned to keep my head when those about me are losing theirs and blaming it on me. Even when Cam Campbell and the "assembled representatives of democracy" without a hearing characterized me as an obstructionist "undemocratic, unpatriotic, and un-American," rather would I say "God forgive them they know not what they do." If unhappily they could succeed in their apparent purpose to drive everybody out of the Democratic Party who did not agree with the administration in every policy and in every detail of every policy, they should not be surprised to find themselves buried like Sampson beneath a wreck of their own making. I appeal to the people. I appeal to your love of truth, to your sense of justice.

WINNING OF THE WAR.

My attitude toward the winning of the war was often and unmistakably expressed during the war. The following passage from a Liberty loan speech which I delivered at the Academy of Music at Brooklyn on April 27, 1918, gives expression to my sentiments:

"In this momentous contest we can not afford to fail. To fail would be the supreme tragedy of history. To fail would be to arrest the progress and to mar the destiny of the human race. To fail, let me repeat, would be to blot out the star of hope, to blot out the bow of promise from the firmament of the future. From the dictionary of civilization we must therefore blot out the word 'fail.' In this day of danger and of destiny we must have in America no double allegiance, no divided loyalty, no fifty-fifty fidelity. In this crisis the American people must typify 100,000,000 souls with but a single thought; 100,000,000 hearts that beat as one. In all America there should breathe not a single American who never to himself hath said this is my own, my native land. In all America there should breathe not a single American who is unwilling to strive, who is unwilling to sacrifice to bring victory to the Stars and Stripes and enduring peace to a war-stricken world. America has a right to expect, has a right to insist, that every American shall do his duty."

MARE'S-NEST.

The foregoing is my record during the war. By it I am willing to be judged. I will now call your attention to a perfect harvest of evil fruit by which I have been judged, for which I have been condemned, but for which I am in no wise responsible. With your leave, I will now conduct you through the most amazing museum of mare's-nests which it was ever your fortune to look upon.

On October 17, 1917, I delivered an address before the Southern Commercial Congress in the city of New York. This was in the midst of the second Liberty loan drive. The Oklahoman, in a stinging editorial, charged that in this speech I opposed the Liberty loan drive and advised the people not to buy the bonds. If I had been guilty of this, I should have deserved the condemnation of every loyal man, woman, and child in America. The charge was the reverse of the truth. The truth is in that speech, which is a matter of record, I used the following language: "It is as much a public duty to buy bonds as to pay taxes. The man with the pocketbook must stand back of the boy with the bayonet. * * * It would be almost as great a disaster to lose this Liberty loan drive as to lose a battle in France." I came back and took Secretary Houston's place at the final Liberty loan mass meeting in Washington. I addressed one Liberty loan meeting in Brooklyn, which resulted in the raising of $25,000,000. I was doing my best, and while doing my best, I was being misrepresented to the people whose esteem I treasure more than all the wealth of the Indies.

Those responsible for these fantastic charges seem to have adopted the witches' maxim of morality, "Fair is foul, and foul is fair." I would, however, call your attention to the legal maxim, "False in one thing, false in all." But I proceed to expose these travesties upon truth. I proceed to unravel these tapestries of error woven by prejudice upon the loom of fancy.

TELEGRAM MISCONSTRUED.

In September, 1917, the Oklahoman charged in flaming headlines that Senator GORE was giving aid and encouragement to draft resisters. This ridiculous charge was based on the following telegram, which I sent to an unknown constituent. I quote his telegram first:

[Western Union telegram.]

DOUGHERTY, OKLA., *September 17, 1917.*

Hon. T. P. GORE,
Senate, Washington, D. C.:

Read your letter State chairman. I travel over Oklahoma. I am confident farmers are with you 20 to 1. Please wire if there is a law that exempts men from any Army service who belong to a religious organization whose tenets are against going to war. Please quote authorities. Answer.

(Signed) H. CAPIRS.

[Western Union telegram.]

WASHINGTON, D. C., *September 18, 1917.*

H. CAPIRS, *Dougherty, Okla.:*

Your telegram received and greatly appreciated. Am quoting the following from section 4 of the draft act: "Nothing in this act contained shall be construed to require or compel any person to serve in any of the forces herein provided for who is found to be a member of any well-recognized religious sect or organization at present organized and existing and whose existing creed or principles forbid its members to participate in war in any form, and whose religious convictions are against war or participation therein in accordance with the creed or principles of said religious organizations."

(Signed) T. P. GORE.

This is the only correspondence or communication which ever took place between us. At his request I quoted without comment the letter of the law. He asked a civil question and I returned a civil answer.

DID NOT STIGMATIZE AS SUNSHINE SOLDIERS.

From the grand jury of his imagination a distinguished lawyer recently returned this complaint against me in a "keynote" speech delivered in Oklahoma City, "Senator GORE seems to have had a holy horror both of soldiers and of war." I certainly have a horror of war. If this be an offense, I am guilty. I say this notwithstanding I voted to declare war against Austria. There is nothing in my record, public or private, to justify such an imputation concerning the American soldiery. Five of my ancestors were soldiers of the Revolution. My father was a soldier of four years' service in the Confederate Army. I am bound to respect and honor our soldiery by every tie of patriotism and affection. I am incapable alike of either disparaging the living or of dishonoring the dead. The American soldier stands unexcelled in the annals of war. In the war which has just ended our soldiers, seamen, and marines gave a new definition and a deeper significance to heroism and sacrifice. In defense of our free institutions and the principles upon which they were founded our immortal dead have sought for death as the bridegroom seeks his bride. I have one sentiment for our soldiers, living and dead, "Cheers for the living, tears for the dead." I hope to have something more than cheers for the living, something more than mere blarney—justice and opportunity, the freeman's best heritage. It has been charged times without number that I declared on the floor of the Senate that the soldiers on the Mexican border were summer soldiers and sunshine patriots. I made no such statement. The truth is I asked this question on the floor of the Senate, "Shall we by implication convey the idea that they are summer soldiers, sunshine patriots, and knights of the drawing-room, and so forth?" I did not say or insinuate that they were summer soldiers. I asked a question which answered itself in the negative and repelled an imputation of that sort. (See bound CONGRESSIONAL RECORD, June 24, 1916, p. 1914.) Let the real record answer the fabricated record.

WOULD NOT MAKE WIDOWS AND ORPHANS.

Often have you heard this told, that I opposed the payment of $50 a month to the dependent families of soldiers on the Mexican border. Perhaps you have never once heard the truth as to my real position. I was opposed to requiring men with dependent families to render military service. I thought that men with dependent families ought to be exempted from military service. I thought so then, and I think so now; at least, until they are drafted by stern necessity. I did contend for that principle; I did contend for that exemption. I had a rather

spirited altercation with Senator REED upon this point. I quote the following extracts from my remarks:

[CONGRESSIONAL RECORD, June 26, 1916, pp. 9990-9991.]

"The Senator states this to be the issue: If a soldier is at the front imperiling his life in defense of his nation's honor, shall we suffer his family to starve? Mr. President, that is not the issue as I conceive it to be. If the House joint resolution prevails, if the father and the husband go to the front and fall in battle, the curse of the widow and the orphan will be upon the supporters of the House joint resolution, and they will bless the names of those who sought to exempt their fathers and their husbands from a tragic death upon the field of battle. That is the point in this controversy. If you ask whether the family of the soldier at the front shall be permitted to starve, everybody answers that question in the negative. The supporters of the House resolution answer it by saying: 'No; instead of starving you we fling open the doors of the Treasury and give you the generous largess of $50 a month to reimburse you for your privations and for your sorrows.' The supporters of the Senate proposition say: 'No; the family of the soldier shall not starve; he shall not under existing circumstances be required to make the sacrifice; he shall be permitted to remain at home in the discharge of his civic and domestic obligations, and others who have no such obligations, and who are willing and anxious to die for their country, shall be permitted to go, and if, by evil chance, they should fall upon the field of battle, they have no widows and orphans to bewail their untimely taking off.'

"We do not propose to manufacture widows; we do not propose to manufacture orphans by requiring fathers and husbands to go to the front in this emergency. We will permit them to remain at home and allow others to achieve the glories that may be incident to the threatened war. That is the point at issue in the controversy; and that is the only point."

A few days after this debate in the Senate, I addressed a letter to the Oklahoma City News, from which I extract the following:

"There were two opposing theories advanced upon the payment to the guardsmen and their families. The House resolution and its supporters proposed to tear the guardsman from the bosom of his family, even though he had a dependent mother, wife, and children. They proposed to console and compensate these weeping women and children with the miserable pittance of $50 a month. A majority of the Senate, like myself, was opposed to tearing asunder those whom God had joined together. We did not believe, in a war like this (the Mexican border), that it was necessary to break up the home, to separate the family, to run the risk of widowing the wives and orphaning the children, and then make a vain effort to repair their loss and dry their tears with what would be little else than blood money amounting to $50 a month. We have patriots enough to fight our battles in such a war without entailing needless sorrow and suffering upon our soldiers or upon our women and children. I do not know how to estimate the sorrow of women and children in the coin of the realm. I do not know the market price of the mother's sigh, of the widow's tear, or the orphan's sob. I think it infinitely better to leave these men in their homes and with their families rather than send them to the cactus deserts of Mexico and mock the miseries of their loved ones with an offer of so much per sigh or so much per heartache. I can not reduce the most sacred sentiments of the human soul to a common denominator of dollars and cents. I would prevent these distressing tragedies in this enlightened land. I would give these women their husbands instead of filthy lucre. I would give these children their fathers instead of a $50 bill. There shall be no vacant chair in the family circle with my voice and vote—no crêpe on the door. The ghosts of these slaughtered soldiers can not shake their gory locks at me. Heartbroken widows and orphans shall not breathe a curse upon my memory as the despoiler of their hearts and their homes. I prefer the grateful blessings of devoted wives and loving, laughing children as one who had sprinkled the doorposts to turn aside the angel of destruction."

These quotations illustrate my purpose and my point of view. The bill finally passed and the payments were made. I was, however, pioneering for a principle, for what I knew to be a sound principle, the exemption of men with dependent families from military service. I knew I would be misrepresented, as I have been. But somebody must do battle for truth without cowardly calculations as to consequences. My vindication, however, came sooner than I had expected. By formal order, the Secretary of War discontinued the enlistment of men who had dependent families soon after this debate in the Senate, to wit, for the Regular Army July 18, 1916, and for the National Guard November 3, 1916. During the war which has just ended this principle was adopted and approved by universal consent. By its express terms the draft law recognized the justice and propriety of exempting from military service men who had families depending upon them. I may, indeed, be penalized for urging this principle, but it has saved many wives from becoming widows and many children from becoming orphans. It seems to me a fair if not irresistible inference that those who criticized my attitude must favor military service on the part of men who have dependent wives and children.

You may possibly be surprised to learn that the one editorial writer in Oklahoma who has abused me most was among the first to seek and secure his own exemption. When the angel of the passover stopped at his door he thought that a man with his family ought to be excused from military service. He was within the draft age. He did not go. He claimed and obtained his exemption. He let your boy go to the trenches instead of going himself. I do not pass judgment upon his exemption. I merely make the point that he did not avail himself of a perfectly splendid opportunity to fight for world democracy. He was one of those wordy warriors who thought that the pen was mightier than the sword. Like Sir John Falstaff, he thought that discretion was the better part of valor. He thought that prudence was the better part of patriotism. With his refined and delicate sense of duty he thought that he could serve his country better writing fiery editorials against me in a cozy corner in Oklahoma City than by fighting, bleeding, and dying beside Oklahoma's real heroes upon the bloody fields of France. What would those real heroes think of an exempted editor exploiting the virtue and valor of a "self-exempted he-ro"? This is my critic. This is the paragon of patriotism. This is the beau ideal of duty who has been lecturing you upon the duties of citizenship and lecturing me upon the duties of the senatorship. Job said, "The hypocrite's hope shall perish."

VOTED TO DOUBLE SOLDIERS' PAY.

He that is not guiltless himself sometimes casts the first stone in order to conceal his own guilt and to excite suspicion against the guiltless. The following is an example of this: With the design of prejudicing the soldiers, it has been urged against me by those who know better that I voted against the proposition to double the soldiers' pay during the European war. This proposition came up in the Senate in the form of an amendment, on April 28, 1917. The amendment was offered by Senator KENYON. I voted for the amendment. This fact was confirmed by Congressman Austin, who offered a similar amendment in the House. (See CONGRESSIONAL RECORD, May 16, 1917, bound volume, p. 2391.)

Perhaps the truth will not silence those who wish to profit by misrepresenting the facts. But for those who wish the truth I submit the following letter addressed by Senator KENYON to an inquiring soldier:

WASHINGTON, D. C., *October 27, 1919.*

Mr. C. E. CLARK,
Post-office Box 238, Lawton, Okla.

MY DEAR SIR: I beg to acknowledge receipt of your letter, which has not been answered heretofore on account of being swamped here, in which you make reference to the fact that I introduced the amendment in the Senate to increase the soldiers' pay from $15 to $30 a month. You say that you live in the home town of Senator GORE and Congressman FERRIS, and state, among other things, that it has been charged there that Senator GORE voted against the proposition to double the soldiers' pay. I take pleasure in advising you that Senator GORE voted for my amendment to increase the soldiers' pay to $30 a month. He not only voted for it, but he was an earnest advocate of the increase. * * * You will be warranted by the record and by the facts in denying any charge or intimation that Senator GORE either voted against or opposed my amendment to increase the pay of soldiers.

* * * * * * *

Of course, I am merely answering your letter and do not want to be placed in the position of taking any part in your campaign down there. I do know the soldiers have no more faithful friend in the Senate than Senator GORE.

Very truly, yours, (Signed) W. S. KENYON.

I voted for the Kenyon amendment to double the soldiers' pay—on this point I am willing to match records with any man in Congress—although I knew that the value of their services can not be estimated in dollars and cents. It would seem that such unfounded accusations should discredit the accuser rather than the accused, but mere mortal man can not hope to escape false accusation when the Son of the most high God was falsely accused and crucified.

WANTED JAPAN TO FIGHT.

It has been urged against me time and time again, and was urged against me again by Judge Stuart in his wet-nurse speech on January 29, that I offered an amendment to the first war-

revenue bill that none of the money appropriated should be spent to pay the transportation of drafted men outside the borders of America or to feed or clothe them. In order that you may compare the real record with this counterfeit record, I quote the amendment in full, which was offered on August 18, 1917:

That until Congress otherwise provides, no part of the moneys raised or received under the authority of this act or otherwise shall be accepted, expended, or used, either directly or indirectly, to transport over the seas any citizen of the United States drafted into the military service thereof unless such citizen shall also have volunteered for such service over the seas.

This amendment was offered August 18, 1917, just 17 days before the first drafted men were mobilized in the camps. It had no relation to food or clothing. It did not restrict or delay the use of the Navy, Regular Army, or Volunteers. It was intended to be temporary, as indicated by the phrase, "until Congress otherwise provides." This amendment was offered just four days after China declared war. It was intended to secure either a Chinese or a Japanese army at the front. To show my purpose I quote the following statement, which I submitted to the Senate when the amendment was proposed:

[CONGRESSIONAL RECORD, Aug. 18, 1917, p. 6728.]

"A number of my constituents have requested me to submit a proposal of this character. My principal object, however, in offering the amendment is to stimulate both conservation and efficiency. To conserve, at least for the present, our own man power and to render more efficient the man power of the Entente Allies. * * * China which has just declared war, has 32,000,000 men between the ages of 21 and 30. There is no dearth of man power among the Entente Allies. What they need most is to make this enormous man power effective on the field of battle. What they need most is not men but munitions, arms, the weapons of war, and other necessary supplies. The United States can furnish these better than China or any other allied country. China, Russia, India, and other countries can spare men better than the United States. President Wilson said that the Nation had volunteered en masse, and each man must do the part for which he is best equipped. Each nation waging war against Germany and her allies should do the part for which it is best equipped. Japan, for some reason, is conserving her man power. She has been in the war three years. She has sent no army to the front. There are no better soldiers in the world than the Japanese. So far, Japan has contributed practically nothing but munitions and equipment. Japan and Great Britain have an alliance both offensive and defensive. Japan has conserved both her man power and her 'dignity.' Is not her example worthy of our consideration, at least for the present, no matter how much the false pride of the jingo may declaim against it? Excluding equipment, we could maintain a Chinese army of 5,000,000 men perhaps at less cost than it would require to maintain an American army of 2,000,000. We could send our Regular Army or Navy and the volunteer air fleet, as large as the exigencies of war demand, and all the volunteers which Col. Roosevelt or anyone else could raise for foreign service. We could then devote this country, the greatest workshop in the world, more largely to the maintenance or assistance of the vast armies of the Entente Allies. This would be one of the best guaranties of a short and successful war; of an early, honorable, and lasting peace—that consummation so devoutly to be wished."

There is little doubt that the situation could have been so managed as to compel Japan to send her magnificent army to the trenches. That was my real purpose. Let all who condemn the purpose condemn me.

ARMED BELLIGERENT SHIPS.

I now come to the subject upon which perhaps the greatest variety of fiction has been written. I refer to the armed-ship resolution. It has been asserted that I introduced a bill to warn American ships off the high seas; that I introduced a bill to warn American citizens off the high seas. If my critics do not object, I would like to submit the actual record to the public. I quote the resolution, preamble and all, introduced more than one year before we entered the war:

[CONGRESSIONAL RECORD, Feb. 25, 1916, p. 3556.]

Whereas a number of leading powers of the world are now engaged in a war of unexampled proportions; and

Whereas the United States is happily at peace with all of the belligerent nations; and

Whereas it is equally the desire and the interest of the American people to remain at peace with all nations; and

Whereas the President has recently afforded fresh and signal proofs of the superiority of diplomacy to butchery as a method of settling international disputes; and

Whereas the right of American citizens to travel on unarmed belligerent vessels has recently received renewed guaranties of respect and inviolability; and

Whereas the right of American citizens to travel on armed belligerent vessels rather than upon unarmed vessels is essential neither to their life, liberty, or safety, nor to the independence, dignity, or security of the United States; and

Whereas Congress alone has been vested with the power to declare war, which involves the obligation to prevent war by all proper means consistent with the honor and vital interest of the Nation: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress, vested as it is with the sole power to declare war, that all persons owing allegiance to the United States should, in behalf of their own safety and the vital interest of the United States, forbear to exercise the right to travel as passengers upon any armed vessel of any belligerent power, whether such vessel be armed for offensive or defensive purposes; and it is the further sense of the Congress that no passport should be issued or renewed by the Secretary of State or by anyone acting under him to be used by any person owing allegiance to the United States for purpose of travel upon any such armed vessel of a belligerent power.

Mark these points. This was not a bill; it was only a concurrent resolution. It would not have had the force and effect of law. It was merely the expression of the sense of the Congress. It was introduced February 25, 1916, more than 1 year before we entered the war, and 11½ months before Germany defined a danger zone. It did not warn American ships off the sea. It did not warn American citizens off the sea. It did not forbid American citizens to travel on any kind of ship whatsoever. It merely expressed as the sense of Congress that American citizens forbear exercising the right to travel on the armed ships of the belligerent powers. It had no reference to American citizens traveling on American ships. It had no reference to American citizens traveling on neutral ships. It had no reference to American citizens traveling on the unarmed ships even of the belligerents. It referred exclusively to the armed ships of the belligerent powers. It did not forbid Americans to travel even on armed belligerent ships. It merely expressed the opinion that they should refrain from doing so in order to obviate war and bloodshed. It was based on and inspired by the letter of Secretary Lansing published just one week before, to wit, on February 18. In this letter the Secretary referred to the arming of merchant ships as a doubtful legal right under the changed circumstances of submarine warfare. He used the following significant sentence:

"I should say that my Government is impressed with the reasonableness of the argument that a merchant vessel carrying an armament of any sort, in view of the character of the submarine warfare and the defensive weakness of undersea craft, should be held to be an auxiliary cruiser and so treated by a neutral as well as by a belligerent Government, and is seriously considering instructing its officials accordingly." (H. Doc. 2111, 64th Cong., p. 94.)

My resolution was intended to assist in this policy.

It should be remembered that when the war began we expended more than $1,000,000 out of the public Treasury to bring American citizens home from Europe. They, of course, had the right to be in Europe; but out of motives of prudence we brought them home at public expense. As we had brought them home at the expense of the people without dishonor, it seemed to me that we might at least suggest to them that if they must return to Europe they exercise the precaution to travel either on American ships or neutral ships or the unarmed ships of the belligerents. It seemed to me that we might suggest that if they must return to the war zone they refrain from traveling on armed belligerent ships, "auxiliary cruisers"; that they refrain from running the risk and taking the chance of plunging 110,000,000 of peaceable, home-loving people into that terrible whirlwind of blood and fire. I said at the time in the Senate that I had offered the resolution because I feared that we were rushing headlong into war. If I erred in this matter, I erred on the side of peace. President Wilson was reelected in the following fall on the plea that he had kept us out of war. I was trying to help keep us out of war.

PRESIDENT FAVORED SOME.

Those who think that the support of such a resolution proves one utterly unfit or disloyal will not find themselves in uniform agreement with the President himself. Congressman Keating, of Colorado, voted for the McLemore resolution, which was much stronger than the resolution quoted above. Notwithstanding that, the President gave Congressman Keating a signed letter supporting his reelection. Congressman Shouse, Democrat, of Kansas, voted for the McLemore resolution. Notwithstanding that, the President appointed him Assistant Secretary of the Treasury. Congressman Kent, Progressive Republican, of California, voted for the McLemore resolution. Notwithstanding that, the President appointed him as a member of the Tariff Commission, carrying a salary of $10,000 a year.

KEYNOTE BY PROXY.

A dramatic and pretentious effort was recently made in Oklahoma City to lend weight and dignity to these fictitious allegations. I refer to the speech of Judge C. B. Stuart, delivered on January 29. Judge Stuart is a distinguished lawyer. For his brilliant talents I have naught but admiration. The judge is as chivalrous as a knight of old, and I do not believe he would knowingly misrepresent even me. He has been mislead by those whose interest it is to misrepresent me and mislead the public. Stuart's client should have told him nothing but the truth. There was something unique in the occasion to which I have referred. It was a sort of coming-out party, with the debutant playing the second fiddle, or beating the straws on the main fiddle. There was something unique in the judge's speech. It was a keynote speech by proxy. The judge held a well-authenticated power of attorney to speak in the name and by the authority of "Prince Charming." Shades of Calhoun, Clay, and Webster! A keynote speech by proxy. Judge Stuart and his client have not yet learned what Abraham Lincoln taught the rest of the world more than a half century ago, "that you can fool all the people a part of the time and can fool a part of the people all the time, but you can not fool all the people all of the time."

FAVORED RESTRICTING IMMIGRATION.

I omitted to mention one measure passed prior to the war upon which I voted at variance with the President. As a member of the Immigration Committee, I helped prepare, report, and pass the new immigration law restricting immigration and applying the literacy test to would-be immigrants. This was to keep out undesirable aliens. I thought we were admitting aliens who could not be assimilated. Our experience during the war justified my fears. The President vetoed this bill. I voted, with the utmost respect, to pass this bill over the President's veto.

SUPPORTED CONSTRUCTIVE LEGISLATION.

Let me now complete my affirmative record. As a member of the Finance Committee I helped prepare, report, and pass the measure creating the Tariff Commission. This was intended to place our revenue and fiscal system upon a more scientific and less partisan footing. As a member of the Interstate Commerce Committee I helped prepare, report, and pass the act creating the Federal Trade Commission. This was intended to prevent unfair practices in business and to afford equal opportunity to all citizens of the Republic alike. I voted for the so-called Clayton Act, intended to strengthen the antitrust laws and intended to afford equal protection to law-abiding business and to law-abiding labor. Labor is not a commodity. It is human flesh and blood, human thoughts and feelings, and purpose and aspirations.

I strongly favor good roads as one of the urgent needs of the times. On account of bad roads the farmers alone lose one-half a billion dollars a year. We spend billions preparing for war and only a few thousands for rural sanitation. I would spend less on the implements of death and spend more to make the roses bloom upon the cheeks of children. While I favor sound road legislation, I am opposed to pork-barrel legislation. I felt obliged to vote against the highway constitutional amendment voted on in Oklahoma May 6, 1919.

CONSTITUTIONAL AMENDMENTS.

I voted for the constitutional amendment authorizing Congress to levy a tax upon incomes. This was intended to make wealth share with want the burdens as well as the blessings of Government. I voted for the constitutional amendment providing for the direct election of United States Senators. I think that the governed ought to govern, and I have abundant reason to believe that the people are qualified to elect United States Senators. I voted for the constitutional amendment on the subject of prohibition, and I found myself in a situation where I had to vote to pass the enforcement bill over the President's veto.

SUPPORTED WOMAN SUFFRAGE.

"Whispering tongues can poison truth," says Coleridge. It has been whispered that I did not loyally support the woman suffrage amendment. Let the record speak. I voted for the equal-suffrage amendment in the Senate on October 1, 1918. I voted for the suffrage amendment February 10, 1919. I was paired in its favor on June 4, 1919. I returned from Oklahoma to Washington to cast the first vote mentioned above. In acknowledgment of this I received the following note of appreciation signed by Carrie Chapman Catt, president; Helen H. Gardener, vice president; and Maud Wood Park, congressional chairman of the National American Woman Suffrage Association:

WASHINGTON, D. C., *October 2, 1918.*

Hon. THOMAS P. GORE,
United States Senate, Washington, D. C.

DEAR SENATOR GORE: We wish to thank you warmly for your support of the woman suffrage amendment and for the long journey which you made in order to cast your vote for the measure. We realize that it was a great inconvenience to you, but we trust that your interest in our success has made you feel that the effort was worth while.

We are in no sense discouraged, for we feel that our question is in a better position now than it has ever held before, and we have no doubt of its success when it comes before the Senate again.

Sincerely and gratefully, yours,

CARRIE CHAPMAN CATT,
President.
HELEN H. GARDENER,
Vice President.
MAUD WOOD PARK,
Congressional Chairman.

I supported the constitutional amendment to give women the right to vote. That whispered charge was just another phantasmagoria. I voted for woman suffrage because I believe in a government of the people, by the people, and last, but not least, for the people. I hope to see the day come when the people themselves will have the right at least to an advisory vote upon the question of peace or war, on the tragic issue of life and death. When that time comes I want the mothers of this country to have the right to express their judgment upon the necessity of a proposed war. This is the best way to prevent, it is the only way to democratize war. I rejoice that the recent Democratic convention in Oklahoma approved this principle.

WOMEN MUST REGISTER.

The right to vote involves the duty to vote. The women of Oklahoma must register or they can not vote. They must register this year between July 13 and July 23. I think these are the dates. The women who wish to vote in the Democratic primary must register as Democrats. Those who wish to vote in the Republican primary must register as Republicans, and so forth. One who is registered as a Republican can not vote in the Democratic primary and vice versa.

THE LEAGUE OF NATIONS.

A word about the League of Nations and I am done. I am one of those who believe in a society of nations to promote peace and prevent war. I think it would be a tragedy worse than war if nothing comes out of this war designed to minimize the causes, to multiply the substitutes, and to moderate the horrors and sorrows of war. I am anxious, however, that what we do in the name of peace will be calculated to promote peace and will not prove the highway into war. The people are asking for a fish. I would not give them a serpent. They are asking for an egg. I would not give them a scorpion. They are asking for the blessings of peace. I would not give them the calamities of war.

I have not looked upon the covenant of the League of Nations, as written, as a thing sacred. I have supposed that the President did the best he could in Europe. I have thought that the Senate ought to do the best it could in America. Thirty-seven Republican Senators—enough to defeat the treaty—signed a round robin last March declaring they would not vote for the treaty unless it was changed. I took their declaration seriously. I knew then, as we all know now, that we would have to change the treaty in order to secure its ratification. That was a fixed fact. Whatever factors in the equation were unknown, that at least was known. Whatever else was uncertain, that at least was certain. I thought, as practical men, we ought to adapt ourselves to the inevitable. I thought we ought to make the necessary changes and speed the ratification of the treaty. I wanted to restore peace between the warring nations and do what we could to restore industrial peace at home.

I voted to Americanize the treaty. I voted to make it plain that we preserved American sovereignty and independence. I voted to make it plain that we reserved the right to withdraw from the league and to preserve the Monroe doctrine and the control of domestic questions, such as foreign immigration and the like. I voted to make the terms of the treaty certain, because I think uncertainty is the womb of war. I voted to equalize the voting power between the United States and the British Empire. I could not say by my vote that the United States was a sixth-rate power. I could not say by my vote that the British Empire was six times as good or six times as great as the United States of America. Lord Grey and other English statesmen and editors now agree on this point. Should we be less American than the English? Should we be more British than the British? I stand for America first.

ARTICLE 10.

Lord Grey said that the League of Nations was a plunge into the unknown. The London Post says that the league comes not with peace, but with the sword. Should we not take care? I voted for the reservation as to article 10. There is one thing certain—perhaps the only one thing certain—about the League of Nations and that is that article 10 would involve the United States in every war that ever happens upon this planet. I am not willing to bind ourselves in advance to draft our boys and send them over the sea to fight in wars that do not concern either our rights, our interest, or our honor. I am not willing to bind ourselves in advance to draft our boys and send them over the sea to fight anybody's battles but our own. Let me repeat that I would not sacrifice the life of one Oklahoma boy, I would not break the heart of one Oklahoma mother, to decide whether Greece or Serbia should own the Sanjak of Novipazar or to help Japan hold the pilfered Province of Shantung.

AMENDMENTS AND RESERVATIONS.

I proposed one amendment to the league covenant—to give the people of every country the right to an advisory vote on war before their rulers should plunge the world into war. I offered one reservation—to preserve our traditional policy against entangling alliances. I do not agree with an aspiring Oklahoma politician, who declared in a recent speech at Muskogee that in this age of science the words of Washington against entangling alliances are becoming obsolete. Does eternal truth ever become obsolete? Senator OWEN, as you know, proposed two important reservations, and he and I on the last roll call voted for the ratifying resolution with the so-called Lodge reservations. It is unfortunate for the world, the country, and the party that our votes did not then prevail.

These are my views. This is my record. I can not surrender my principles nor stultify my conscience. If I were obliged to choose between private life with conscience and honor and public life with dishonor, I would not hesitate in my choice. I would rather "live in a house by the side of the road and be a friend to man." Whatever happens to me and to my political fortunes in the future, I am anxious that my record should be known and should be judged as it is. I believe that truth will triumph. I have an abiding faith that the sovereign people of Oklahoma are just. I have found them more than just; I have found them generous. I do not now seek or solicit generosity. I ask but justice only. Justice is sovereign of all the virtues. To be just is to be godlike.

I have the honor to subscribe myself,

Your most obedient servant, T. P. GORE.

P. S.—Please accept my thanks for reading this, and write me frankly your conclusions and suggestions.

MRS. THOMAS M'GOVERN.

The VICE PRESIDENT. The morning business is closed.

Mr. HITCHCOCK. Mr. President, I ask unanimous consent for the consideration of the bill (H. R. 5348) for the relief of Mrs. Thomas McGovern. I wish to say that the bill is on the calendar and will be reached Monday, but I shall not be able to be here, and it is a claim of which I have personal knowledge. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. Let it be read first.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Thomas McGovern, the sum of $5,000 for damages suffered by the death of her husband, Thomas McGovern, who was struck and fatally injured by a Government motor truck which was driven by a regularly enlisted soldier of the United States Army.

Mr. HITCHCOCK. I will state in explanation that it is a bill which has passed the House of Representatives, and is for the relief of the widow of Thomas McGovern, an Omaha citizen, who was killed on the 26th day of October, 1917, by an automobile driven by a sergeant of Fort Omaha. I happened to be in Omaha at the time and have some personal knowledge of the case.

The testimony showed that the soldier, who was a sergeant, driving the automobile, was on the wrong side of the road, and that he was trying to cut a corner, and ran very near the curb, even on the wrong side of the road, as he turned west to the next street. McGovern himself, as the testimony shows, was guilty of no negligence. He had barely stepped off the curb when in the misty twilight the automobile, without any light, struck him and killed him.

McGovern was a citizen of good repute in Omaha. He had been a member of the city council. His family were left in straitened circumstances. The testimony which is set forth in the House report shows substantially the facts as I have stated them. There is no question about the condition of the family, and no question that the man was driving his machine very carelessly and violating the law, and that the provision for the widow is reasonable.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SMOOT. Is there any amendment to the bill or does it carry $5,000?

The VICE PRESIDENT. There is no amendment.

Mr. HITCHCOCK. The bill is reported without amendment just as it came from the House.

Mr. SMOOT. I have not any objection to it.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

KETCHIKAN (ALASKA) BONDS FOR SCHOOL PURPOSES.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (H. R. 8953) to authorize the incorporated town of Ketchikan, Alaska, to issue bonds for the construction and equipment of schools therein, and for other purposes.

There being no objection, the bill was considered as in Committee of the Whole, and it was read.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS.

Mr. CALDER. I ask unanimous consent for the present consideration of the bill (S. 3472) for the relief of the owner of a drill boat, known as *Drill Boat No. 3*, and a dredge known as *Dredge No. 9*, reported favorably from the Committee on Claims.

Mr. SMOOT. If we are going to take up the calendar under Rule VIII, I think we ought to begin where we left off the last time.

The VICE PRESIDENT. Does that mean an objection?

Mr. SMOOT. I object to taking bills up out of their order. Does the Senator from Indiana [Mr. NEW] intend to move to take up the unfinished business?

Mr. NEW. I do.

The VICE PRESIDENT. Objection is made.

DEPARTMENT OF AIR.

Mr. NEW. I move that the Senate proceed to the consideration of the unfinished business, Senate bill 3348.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3348) to create a department of air, defining the powers and duties of the director thereof, providing for the organization, disposition, and administration of a United States air force, creating the United States air reserve force, and providing for the development of civil and commercial aviation.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from Utah [Mr. SMOOT], which will be stated.

The ASSISTANT SECRETARY. On page 1, line 8, before the words "per annum" it is proposed to strike out "$12,000" and insert "$8,000," so as to read:

And a director of air, who shall be the head thereof, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of $8,000 per annum, etc.

Mr. BORAH. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fernald	McLean	Robinson
Ball	Gore	Myers	Sheppard
Borah	Gronna	Nelson	Simmons
Brandegee	Harrison	New	Smith, Ga.
Calder	Henderson	Norris	Smith, Md.
Capper	Hitchcock	Nugent	Smoot
Chamberlain	Johnson, S. Dak.	Overman	Spencer
Culberson	Jones, Wash.	Page	Sutherland
Curtis	King	Phipps	Wadsworth
Dial	Lodge	Pittman	Warren
Dillingham	McKellar	Poindexter	Wolcott

Mr. GRONNA. I desire to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness. I wish that this announcement may stand for the day.

Mr. DIAL. I wish to announce that my colleague [Mr. SMITH of South Carolina] is unavoidably detained, and I ask that this announcement may stand for the day.

Mr. CURTIS. I wish to announce the absence of the Senator from Maryland [Mr. FRANCE] on account of illness, and of the Senator from New Hampshire [Mr. KEYES], due to illness in his family.

I wish also to announce that the Senator from Iowa [Mr. KENYON] and the Senator from New Jersey [Mr. EDGE] are absent on official business of the Senate. I ask that this announcement may stand for the day.

Mr. McKELLAR. I have been requested to announce that the junior Senator from Florida [Mr. TRAMMELL] is detained at home by illness, being confined to his bed.

The Senator from Kentucky [Mr. BECKHAM] and the Senator from Colorado [Mr. THOMAS] are detained from the Senate by illness.

I wish also to announce that the Senator from Virginia [Mr. SWANSON] is detained by illness in his family, and that the Senator from Tennessee [Mr. SHIELDS] is absent on account of illnesss.

The VICE PRESIDENT. Forty-four Senators have answered to the roll call. There is not a quorum present. As usual, call the roll the second time.

The Reading Clerk called the names of the absent Senators, and Mr. JONES of Mexico, Mr. MCNARY, Mr. POMERENE, and Mr. TOWNSEND answered to their names when called.

Mr. HARRIS, Mr. RANSDELL, Mr. KELLOGG, Mr. HALE, Mr. CUMMINS, Mr. STERLING, Mr. WALSH of Massachusetts, Mr. WALSH of Montana, Mr. WILLIAMS, and Mr. BANKHEAD entered the Chamber and answered to their names.

Mr. RANSDELL. Mr. President, I should like to announce that my colleague, the junior Senator from Louisiana [Mr. GAY], is absent on official business of the Senate.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present. The question is on the amendment of the Senator from Utah [Mr. SMOOT], which will be stated.

The ASSISTANT SECRETARY. On page 1, line 8, after the words "salary of," it is proposed to strike out "$12,000" and insert in lieu thereof "$8,000."

Mr. SMOOT. On that I ask for the yeas and nays.

Mr. NEW. Mr. President, I accept the amendment offered by the Senator from Utah.

The VICE PRESIDENT. The Chair thinks the question will have to be put to the Senate. The question is on the amendment proposed by the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. In order to make other salaries in the bill conform to the amendment just adopted I move, on page 2, line 12, after the words "salary of," to strike out "$6,000 and to insert "$5,000." That is the provision for the salary of the assistant director of air.

Mr. NEW. That amendment is satisfactory; and so far as I can give assent to it, I accept it.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. On page 2, line 15, the salary provided for the assistant and chief clerk is $3,500. So far as I know the highest salary paid by the Government of the United States for a similar position is $3,000 per annum. I therefore move to strike out "$3,500" and to insert "$3,000" as the salary of that official.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Utah.

The amendment was agreed to.

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. BORAH obtained the floor.

Mr. McKELLAR. I desire to offer an amendment to the bill.

Mr. BORAH. I yield to the Senator for that purpose.

Mr. McKELLAR. On page 4, line 22, after the word "graduated," I move to strike out the period, to insert a colon, and to add the proviso which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Tennessee will be stated.

The ASSISTANT SECRETARY. On page 4, line 22, after the word "graduated," it is proposed to strike out the period and insert a colon and the following proviso:

Provided further, That the personnel and equipment supplied to the Post Office Department shall be under the exclusive control of the Post Office Department.

Mr. McKELLAR. As I understand, that amendment is satisfactory to the Senator in charge of the bill, and I hope it will be adopted.

Mr. NEW. The amendment is satisfactory, so far as I am concerned.

Mr. BORAH. Do I understand that, while we are engaged in creating a department which is to unify the air service, we are now proposing to adopt amendments to disintegrate it?

Mr. McKELLAR. No. This amendment proposes to put the personnel and equipment used by the Post Office Department entirely within the control of that department. That will be true also of the Army and the Navy, as I understand the bill.

The amendment merely proposes to apply the same rule to the Post Office Department that will be applied to the Army and the Navy. It would never do to have an aviator of the Army, while at work, under the control of the department of air. It seems to me this is a very proper provision.

Mr. BORAH. Does it make any distinction as to the Post Office Department? Does it put the Post Office Department in any different position from that of the Army and the Navy?

Mr. McKELLAR. As I understand, it does not; it puts them on the same plane.

Mr. BORAH. To what extent, then, does the pending bill unify the air service?

Mr. McKELLAR. In the production of aircraft and in the training of the aircraft personnel. When a transfer is made to one of the departments of aircraft and aircraft personnel, such aircraft and aircraft personnel will be wholly under the control of the department to which they are assigned; and that is necessarily so.

Mr. BORAH. And the amendment of the Senator from Tennessee proposes to place the Post Office Department in the same attitude as that of both the Army and the Navy?

Mr. McKELLAR. Yes; as I understand.

Mr. BORAH. Is that the understanding of the Senator in charge of the bill?

Mr. HITCHCOCK. I think that is a mistake, Mr. President, I should like to hear from the Senator from Indiana on the subject.

Mr. NEW. Mr. President, the statement of the Senator from Tennessee [Mr. MCKELLAR] is not strictly correct. The bill proposes to give to the director of air the right in case of an emergency to concentrate all of the air forces, including those assigned to the Army, those assigned to the Navy, and those assigned to the Post Office Department, or to any other department to which aircraft may be assigned. The air department is to furnish the personnel and the equipment for the Post Office Department All purchases of equipment will be made by the one head. The Post Office Department will make its requisition for equipment on the department of air just as the Army will and just as the Navy will. Those requisitions will be passed upon by one department, by one head; so that it will be possible to keep track of what is being expended in the several departments for aeronautical equipment. The training of the personnel is to be under one department so that one system may be followed; and all of the personnel will be subject to call by the head of the department of air for use in connection with the military forces in case of an emergency.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. NEW. Certainly.

Mr. CHAMBERLAIN. But after a requisition has been granted to the Navy Department for personnel and for equipment, and after requisition by the War Department or the Post Office Department for personnel and equipment has been honored, then the command of the men and the conduct of the equipment is under the control of the particular department making the requisition, is it not?

Mr. NEW. Yes.

Mr. CHAMBERLAIN. I think that was all that the amendment of the Senator from Tennessee proposed.

Mr. McKELLAR. That is all that I said it was.

Mr. TOWNSEND. Mr. President, unfortunately I have not been able to be present on account of other business of the Senate during the discussion of this bill. I confess that I am in sympathy on general principles with the consolidation of the general air activities of the Government. The Post Office Committee are now considering the question of the continuation of the air mail service. I do not care to express an opinion upon that subject at this time, but I am satisfied, sir, that the operations of the Post Office Department in procuring and in maintaining aerial equipment and in operating that equipment compare very favorably, indeed, with the air activities of other branches of the Government; in fact, if the information which has been submitted to us is correct, I think it would be a most serious mistake, if we are to continue the air service in the Post Office Department, to embarrass it by such methods, at least, as have prevailed in the War Department and the Navy Department in reference to the construction and operation of aircraft.

If I understand the amendment of the Senator from Tennessee, it is exactly what the Senator from Oregon has stated. If it contains anything else, then I do not understand it. It occurs to me, however, that if the Government is to maintain the air service in the Post Office Department it would be a distinct

disadvantage, not only to that department but to the Government, to have the personnel and the equipment which has been assigned to the department controlled by any other department or bureau; it would necessarily defeat the very purposes for which the air mail service was established in the Post Office Department and, I think, would contribute largely to the expense of the service.

As Senators know, the carrying of mail by airplane is now in an experimental stage, and it is for the committee and the Senate later to determine whether or not we shall continue that experiment. I think I am warranted in stating, however, that the activities of the Post Office Department, everything considered, in the production and maintenance of aircraft show to great advantage over similar activities on the part of other departments. Therefore I should dislike very much if anything should be done by the Senate at this time, before the question is determined as to whether we are going to continue that service, which will embarrass a thorough and complete settlement of that question.

Mr. KING. Mr. President, will the Senator yield?

Mr. TOWNSEND. I yield.

Mr. KING. Would the Senator be willing to advise the Senate as to the sources from which the Post Office Department obtains its aircraft and also why he avers with so much positiveness—and I am not questioning the Senator's statement at all—that the activities of the Post Office Department in the handling of aircraft, in the acquisition of them, and so on, have been so far superior to the activities of other departments of the Government that have been required to acquire and utilize aircraft?

Mr. TOWNSEND. Perhaps I ought to repeat what I said before, that we are not through with this question. I am speaking now, perhaps, from partial information, and yet I have some very strong convictions upon the subject.

In answer to the Senator from Utah, I will state that the Post Office Department took over under authority of Congress certain aircraft, notably some war planes that had been used during the war, and attempted to use them. It was found necessary to reconstruct those planes. It would seem to me, from what I know now, that some of those points which were discovered by the department should have been discovered earlier in the war. The planes were strengthened at much less cost than it would take to buy new ones. It has also been found that they required even larger planes than any of those which were furnished during the war.

Mr. NEW. Mr. President——

Mr. TOWNSEND. I would like to complete my statement.

Mr. NEW. Pardon me; I do not want to interrupt the Senator. I was simply going to suggest that I have here a statement of everything that the department has, which I will put at the Senator's disposal if it will be of assistance.

Mr. TOWNSEND. I am very familiar with that, but I do not care to go into it just at this time. I want briefly to give my reasons for the statement which I made.

It was found that machines of larger capacity than those already in the War Department were necessary, stronger machines, machines capable of longer flights, and therefore men now in the service of the Government—engineers, constructing engineers, those connected with aircraft construction and operation in the War and Navy Departments—were called upon for their expert opinion. Plans were devised and new machines were contracted for, which are not yet in operation. But, without going into detail, I desire to state that the figures which were presented to us as the probable ones which would be submitted for the construction of these planes were below what the cost had been to the Government even for the smaller planes; and therefore, knowing what success has been achieved with the reconstructed war planes, I feel safe in stating that economies have been employed and business experience has been exerted in the construction and operation of these planes and their reconstruction which induced me to say that they have proceeded better, more economically, and more expeditiously to get results than has been done in the past in the Army and Navy service.

Does the Senator from Indiana wish to interrupt me now?

Mr. NEW. Mr. President, I simply thought it might be of some interest to the Senator in making his point there if I could place at his disposal some data which I had in my hands. I merely sought to do that when I interrupted him.

Mr. TOWNSEND. I shall be very glad to have the Senator present it. When the Post Office appropriation bill comes before the Senate I propose to go into this matter in detail; that is, if the committee decides to continue this experiment of carrying the mails by aircraft. I have simply made this statement at this time because, as I said, I have not been able to follow this bill. I have not known just exactly what has been accomplished up to date, but I did not wish anything done that would embarrass the committee or the department in dealing with this question later, because if it is true that we are going to continue this air service in the Post Office Department, then I submit without any hesitation that the authority to operate the personnel and the aircraft should be left to that department.

Mr. McKELLAR. Mr. President, will the Senator yield for just a moment?

Mr. TOWNSEND. Yes.

Mr. McKELLAR. Then, as I understand, the Senator is in favor of the amendment which I have offered, which will leave to the Post Office Department the personnel and the material that have been assigned to that department?

Mr. TOWNSEND. With that understanding of it, I am certainly in favor of it.

Mr. NEW. Mr. President, I should like to say to the Senator from Michigan before he takes his seat that on yesterday morning I had a conference with Dr. Bassler, who is the director of the air service of the Post Office Department. I went over this whole matter with him, and he said that with this amendment this bill would be of very great benefit to the Postal Service, and that it was entirely satisfactory to him. I also afterwards talked with Gen. Mitchell, of the Air Service, and explained this matter to him. He said that it was all right from the other standpoint, too; and I have therefore accepted this amendment. I was also informed that the Postmaster General had been informed of this proposed change, and that it met with his approval, also.

Mr. BORAH. Mr. President, I dislike to oppose a measure in which Senators are interested as the Senator from Indiana [Mr. NEW] seems interested in this bill, but I am compelled to do so.

In the first place, the bill creates a new department. We all know what that means in the way of governmental expenditures. It means opening up the Treasury to the establishment of a great and powerful bureau. The fact that we have decreased the salary of the head of the department from $12,000 to $8,000 is a mere trifle. It may remain that way for 30 days, and it may be changed when the appropriation bill comes in. At least, it will likely be changed by next year. Just as soon as a bureau is created, a competition begins between that bureau and all other bureaus as to how nearly they can equal each other in salaries and in expenditures.

A few days ago I read a statement by a distinguished financier of Europe who, apparently after considerable reflection, stated that in his opinion we were headed for world bankruptcy. If that catastrophe should come about, it will be, in a large measure, by reason of the fact that there never has been such extravagance in the expenditure of public money in the history of the world as has characterized that history in the last 8 or 10 years.

Unfortunately it did not begin with the war. It was a disease which had fastened itself upon governments prior to the beginning of the war. The war accentuated it, but it was not wholly responsible for it. If the war had been wholly responsible for it we could have entertained the hope that when the war was over a real reform along lines of economy in public expenditure would have taken place; but since the war closed the manifestations of extravagance in this country are just as apparent and just as great as they were during the war.

There are before the Senate now, with reference to war matters alone, increases of expenditure amounting to a billion and a half dollars a year. We have a bill upon the calendar, or introduced, which, it is estimated, will take from seven hundred million to a billion dollars to take care of universal military training. We have pending a bill which will place on the Treasury an increased burden of $59,000,000 for increased pay. We are now creating a large bureau, and the amount which this bureau will call for no man assumes to suggest or predict. We start out with an estimate of something like $98,000,000, but it is understood that that is simply the beginning, and how far it will go or to what extent it will carry us even the authors of the bill do not pretend to say.

Everybody promised that when the war was over we would adopt a policy of curtailing public expenditures, and the party of which I am a humble member made a special promise of that in the last campaign. It was one of the things upon which the election was fought. Now, I say to my friends upon this side of the Chamber that there is not the slightest evidence in this Congress that we propose to carry out that program. We have created a platform committee of 157 varieties. [Laughter.] This Congress will make the platform. This record here, as our beginning for the four years' lease of power which we are going

to ask for, will be the platform, and the gifted gentlemen who are to give us the platform will not be able to convince the people against the record which will be made here. If we do not keep the promise made last fall the literary production of this prodigious committee on platform will not secure votes.

Mr. President, we ought in good faith upon both sides of the Chamber to begin to carry out the promise which we made to the people that when the war was over there should be curtailing and cutting to the bone in all these expenditures. There is nothing so discouraging and so deadening to personal initiative in the industrial world to-day as this tremendous extravagance upon the part of the Government. Men are discouraged from going into business and building up industries because they see ahead of them an unlimited grip of the Government upon whatever they may earn or whatever profits they may have at the end of their year's business.

Mr. President, the bill may have some merit along the line of unifying the aircraft service. I do not pretend to go into that. But that is a matter which can very well wait. There is no present necessity for it. We can postpone these expenditures until we know more as to the ability of the American taxpayers to take care of the budget which we must necessarily impose upon them for the next year.

I am not only opposed to the bill, Mr. President, but I am utterly opposed to the estimates which have been made by the departments for this aircraft service. It is said that the estimates amount to $160,000,000. There is no occasion for appropriating $160,000,000 for that service at this particular juncture. I therefore must oppose the measure, for the reason that it is subtly opening the door of the Treasury to the feeding of another great department.

We all know what it means to create a department here. We know that the first estimate amounts to nothing as compared to the expenditures which must inevitably follow. As the Senator from Utah [Mr. SMOOT] stated yesterday, just as soon as this department is created, it must have a home; you must find a public building and either buy it or rent it, or you must build them a home. There is no estimate here that I have seen covering any of these things which must necessarily follow the creation of this department.

In addition to that, as I read the bill, it has all the provisions which enable a department to gather to its service an infinite number of employees, an infinite number of parties who will be upon the pay roll and who will have to be taken care of when the appropriation bills come along. Perhaps this year we may hold it down to something like the estimates which have been made; but I have been here 12 years, and I have observed the creation of departments upon pittance estimates, and I have seen them leap from the original estimate to ten times the amount, and in one instance to fifteen times the amount within five years of the estimate which was made as to what would be necessary to sustain it from year to year.

We understand that this is to be a great department. We just escaped from making it an executive department, with a Member of the Cabinet at the head of it. I do not see any reason why we should not have done so. Undoubtedly, in the view of the authors of the bill, nothing less than that dignity is commensurate with the service which is expected to be performed, and if that service is to be performed along lines suggested by the able Senators, we know that we are here laying the foundation for the creation of a stupendous department which will call for all kinds of appropriations from the Treasury. I must oppose the bill, as I shall oppose every dollar of appropriation that is not indispensable. Our people have stood up under the terrific burden imposed on them in the way of taxes. It approaches a crime to add one unnecessary dollar.

Mr. HITCHCOCK. Mr. President, I am glad to hear the Senator from Idaho [Mr. BORAH] take the position he does against this bill. It does, as he said, possess the merit of being an attempt to unify the air service; but, in my opinion, under the bill it would be done in a reckless way, which not only would be bound to create a very large and expensive department of the Government, but which would be bound also to create a great deal of confusion.

It is proposed to make this department of the air practically a jack-of-all-trades. It is to do some of the military work connected with the War Department; it is to do some of the work connected with the Navy, some of the work connected with the Forest Service, and to do some of the work connected with mail routes. It is to educate aviators, grant licenses, provide for commercial aeronautics in the country, provide landing places for commercial routes and commercial airplanes. It is not limited, as in my opinion it should be, to the purposes of unifying the work connected with the air service. If it were made simply a manufacturing department, for the purpose of manufacturing airplanes, which could be levied upon by the War Department, or by the Navy Department, or by the Post Office Department, or by any other department having use for airplanes, it could serve a useful purpose, because it is in the manufacture that unification is needed. But when you contemplate the probabilities which would grow out of the bill, you can foresee that brigadier generals, colonels, majors, and other officers of the Army will be under the control of this department. The War Department also will have its aviation officers to handle its artillery; the Navy Department will have its aviation officers. So we will have three departments of the Government, instead of two departments, as we have now, managing and directing aerial defense—the military, the Navy, and this department of the air.

It is provided in the bill, as it must necessarily be provided, that the War Department may be assigned some of these officers under the air service by the grace of the director of air; but I see nothing but confusion which will grow out of the attempt to have three departments connected with war—the Navy, the Army, and this air service.

In my opinion the bill should be recommitted to the Committee on Military Affairs, with the instruction to make such a draft of the measure as will, without interfering with the present War Department or the Navy Department or the Post Office Department, create a bureau which all three or all four of the departments of the Government that require airplanes can use.

It seems to me that this is an effort which is entirely too ambitious for a first effort, and that it is likely to prove entirely too extravagant. As the Senator from Idaho [Mr. BORAH] indicates, it is going to lead to the expenditure of millions of dollars at the present time by the Government, and aviation is too little known and too little understood to justify the paternal attention of the Government. It is not necessary in the United States. We do not at this time, and we will not in the near future, in all probability, need this as a means of defense. Certainly there is no urgency about it. There is no reason at the present time, when the country is groaning under taxes, for the Government to enter into such an extravagance.

If it were urgent, of course, I would favor the matter, even though it seems extravagant.

I indorse what the Senator from Idaho said. The measure at this time is one that does not commend itself to me, and I believe it does not commend itself to the American people. Even if its purpose were indorsed, I think the drafting of the bill is very unfortunate, bringing into conflict, as it does, as is inevitable, the Navy Department, the War Department, and the Post Office Department, at least. So I hope the Senate will defeat the bill, and that then the Senator who has shown so much zeal and commendable enterprise in working on it will redraft it so as to confine it to the legitimate purposes of unifying the manufacture of airplanes.

I see no reason why the War Department will not be able to train its own aviators or why the Navy Department will not be able to train its own aviators. But neither of those departments, perhaps, can manufacture airplanes so well as a separate department of the Government may be able to manufacture them.

I am not averse to encouraging the development of aviation, but I do not think that the American people want the Government to go into the expenditure of hundreds of millions of dollars for the purpose of promoting that branch of industry at the present time.

Mr. NEW. Mr. President, the Senator from Nebraska described very accurately in his preliminary remarks what this bill is not—not what it is and what it provides for. He said, as I understood him, that it provides for the handling and management and for interference with the functions of a half a dozen or more different departments. It does not do anything of the kind. It provides for intelligent direction of one particular thing, and that is the navigation of the air, the training and the development of men to the point where they can do that successfully and safely. That is what this bill provides.

Flying is flying, whether it is done over water or over land. It is perfectly ridiculous, Mr. President, to say that nobody but a graduate of the Naval Academy at Annapolis can fly a naval machine or perform the duties of a naval aviator. It is a matter of fact that of the requisitions made by the Navy Department for new machines, $1,600,000 is for machines of the naval type and $16,000,000 for machines of the land type, showing that the very equipment they want is substantially what the Army and what these other services need.

Of course, it is the purpose of the Air Service to train flyers to navigate their airships at sea, to land on naval airdromes, to do the spotting and marking that is demanded of naval flyers, and it is perfectly absurd to say that that can not be done by the

method that is to be taught in the scientific education of these men under the direction of the air department or that it can only be done at one place. That is not the case at all.

Mr. President, just a word of reply to the argument made by the Senator from Idaho. He spoke of the expense. Every consideration that applies to the consolidation of purchases among departments of a business applies to this particular case. The designs and purchases for the War Department are now made by one set of men, those for the Navy by another set of men, and those for the Post Office Department by still another, and no two committees of Congress, for instance, know what they are asking for; no two operating forces of the Army, Navy, or any other department know what the other is asking for, and under the present organization of those establishments they never will. You may talk about cooperation and coordination all you please, but it never has been successfully established among those departments, and it never will be.

Now, I want to say just one other thing: Take the members of the General Board, which has been created by the Army for the direction and coordination of this science as between the Army and the Navy. I have the very highest respect for the members who compose that board. Take Gen. Haan, for instance. He is a native of my State. He is a magnificent soldier, led the Thirty-second Division on the other side with most distinguished gallantry, and my State is proud of him, the country is proud of him, and I am proud of him. I am proud to have him as a personal friend and to pay him every tribute as a soldier that I possibly can.

I would add just a word about one other, Gen. Menoher, who is the head of the department of air. I have known Gen. Menoher for 22 years, since I had the very distinguished honor of serving in a modest capacity in the military service with him. There has been a personal friendship between us from that day to this. Gen. Menoher led a division on the other side composed in part at least of Indiana troops. He was as distinguished and entitled to just as much honor and credit as Gen. Haan. But, Mr. President, if I were going to start a naval expedition to-day I would not put in charge of it either one of those fine soldiers. I would select some one from the Navy; I would select some one who had sailed a ship and who knew something about that form of navigation.

That is exactly what ought to be done in this case. Navigation of the air is an absolutely separate and distinct science, just as navigation of the sea is different from navigation by railroad across the country. It is an entirely different thing. It does not follow that the man who is a good soldier or the man who is a good naval commander or naval constructor is at the same time a good aircraft commander or a good aircraft constructor. It is an entirely different line of business.

What the future of aeronautics, let us say military aeronautics, is to be is problematical, of course, and opinions differ. One great trouble in this country is that both the Army and the Navy insist and persist in regarding it as an auxiliary branch of the Army and Navy, and concede to it no further possibility than that. I do not agree with that at all. I am not going to make extravagant predictions as to what is going to happen in the field of aeronautics, but great things have already happened, and in my deliberate judgment far greater things are going to happen in the near future.

Talking of extravagant predictions, Lord Fisher, late commander of the British Navy, has said that aerial warfare would within a short time drive the navy from the seas, that it would make battleships obsolete. I do not know that it ever will. It may be that Lord Fisher is extravagant in his prediction, but other men scarcely less prominent, not only less prominent but at least equally so, men like Foch, and Ludendorff of the German forces, have predicted quite as great a future for military aviation as has Lord Fisher.

But one purpose of the bill is to concentrate the purchasing agency for things which the Government is just as bound to have as it is bound to have cannon and arms of any other kind. If we are going to divide the purchasing power among the War Department and Navy Department and the Post Office Department, and have them bidding against each other as the departments of the Government did bid against each other during the war which has just closed, it is going to have just the opposite effect to that described by the Senator from Idaho [Mr. BORAH] and is going to result in extravagance and very great expense to the Government. Every reason that applies to concentration of purchasing power in one hand, whether in private business or in public business, applies to the particular subject that is dealt with in the bill.

Mr. CHAMBERLAIN. Mr. President, I differ from some of my colleagues on this side of the Chamber and express the hope that the bill may pass. I think that since I have been in the Senate the airplane practically has been developed. I remember when I first came here many of us used to go across the river to Fort Myer to see one of the Wright planes essay flights, and if there was the slightest inclement weather or if it was at all foggy they were always afraid to go up, and as often as we went over to see the flights we invariably returned without having our curiosity gratified. So all the accomplishments in the field of aeronautics have been in the last 10 years. It is a progressive proposition. To drop it now or to have the aircraft production drift along in the channels in which it is now drifting simply means that the moneys which we have expended have been expended for naught.

If there was one thing during the war that floundered, and if there was one thing which was needed by the American Army and which it did not get, it was airplanes in sufficient quantities to be available for the American Expeditionary Force and our allies. Glancing at Gen. Pershing's report, I find that the first squadron of airplanes that went over the German lines was in August, 1918, and that consisted of 18 planes. Notwithstanding the fact that it was repeatedly stated in authoritative quarters that we had been sending airplanes over by the thousand, when the armistice was signed we had practically about 1,300 planes over there, and what were they?

There is evidence before some of the committees now that the planes which were constructed and sent over and which constituted a part of the reserve force of the American Expeditionary Force were burned because they were obsolete. They become obsolete in a very few months, or a very few years, and now, at a time when the airplane is susceptible of its highest development and susceptible of being put to the highest commercial and military and naval use, we are about to consign the whole work to oblivion.

The first appropriation which was made for airplane production was $640,000,000. That appropriation continued to be increased until over a billion dollars had been expended for airplane production, with the result that, according to Gen. Pershing's report—and I am referring to it after a very hasty reading of it—the American Expeditionary Force at the time the armistice was signed was practically dependent upon the British and the French. The amount of money that the Congress of the United States had appropriated for airplane production had been expended to no purpose, except it might be said it was to some purpose to have expended that vast sum in order to develop the airplane and to improve it and to provide for its production for commercial use.

As the war progressed the Members of the Senate will remember that there was no central and responsible agency upon whom devolved the duty of aircraft production. The Navy was pursuing its own way in production, the Army was pursuing its own way, the Signal Corps was pursuing its course, with the result that after having floundered until the war was nearly over, for the first time we created an agency, with John D. Ryan at the head of it, for the purpose of centralizing authority and responsibility, and not until after he was appointed and took the place of what would be director of aeronautics as provided for in the pending bill was there such a centralization of effort that they began to produce even the material out of which the airplanes were constructed. If the war had lasted a little while longer, from what I know about the situation, I am satisfied that there would have been some effective effort made toward aircraft production.

I differ from my distinguished friend the Senator from Idaho [Mr. BORAH] and my distinguished friend the Senator from Nebraska [Mr. HITCHCOCK], too, in saying that this measure does not accomplish a unification of the work. Section 9 of the bill provides that the activities of the aviation section of the War Department and the Navy Department and the Signal Corps, and of all those different bureaus which are mentioned specifically in the section, shall come under the department now sought to be created by the bill. In other words, it centralizes effort, it centralizes responsibility, it places one man at the head of the whole production, and places the whole training and the whole power of military aeronautics in charge of one man. It does not undertake to deprive the Army of the power of control of personnel when once assigned to the Army on their requisition, it does not undertake to control the personnel of the Navy when once it has been requisitioned and assigned to the Navy, nor does it undertake to control the personnel of the Post Office Department, and it ought not to undertake to control that; but it is the duty of this division to produce and encourage the production of aircraft and the training of men for any branch of the service.

Mr. HITCHCOCK. Mr. President, I sympathize with what the Senator from Oregon [Mr. CHAMBERLAIN] says as to the

desirability of having a single production division for all departments of the Government, but the Senator in reading the bill must see that it goes very much further than that. It provides, for instance, that the new department shall have four brigadier generals, one of whom shall be designated as chief of air service and shall have the rank of major general. It provides that the department shall take over various bureaus—

of the War, Navy, Treasury, and Post Office Departments, and all that pertains to the same, known or heretofore known as the aviation section of the Signal Corps, the Division of Military Aeronautics, the Bureau of Aircraft Production, the Air Service of the Army—

Which means operation—

the Naval Flying Corps, the Marine Corps Flying Corps.

Is it not a fact that all those provisions indicate that this department is to be an operative department as well as a manufacturing department; that it is to have military officers and enlisted men actually engaged in the work of flying; that they are to be taken away from the Army and the Navy and operated by this third department? It is that feature to which I object. If the bill could be so drawn as to centralize the great work of producing aircraft to be distributed among the various departments as they are required, that would be a different thing; but it seems to me we are creating a new executive department to operate flying machines.

Mr. CHAMBERLAIN. If the Senator will read the bill in all its parts, he will find that after these men are trained the air department will have nothing to do with them; that they are taken in charge by the Navy, by the Army, and by the other branches of the service. Why should it not be so? I call the Senator's attention to this condition: At the outset of the recent war we sent to France to be trained as aviators over 2,200 young men who were selected from the best men in the United States, from the colleges of the United States. What happened? They went over there and they stayed there, practically, until the armistice was signed, and nobody trained them, with the result that there was an absolute disheartening of the young men. Other young men, trained here, went over from America after these young fellows had been there for over a year and outranked the ones who had first gone over and who expected to become "aces" of the American Army. Why should not some central body have charge of these men and train them? Why should the Signal Corps undertake to train them? Why should the Navy undertake to train them? Why should any of the departments undertake to train them on different planes and under different rules and regulations, whereas if this proposed department is created they will train the men uniformly? They will have the same regulations and will assign them to the Navy and to the Army and will standardize production, so that the young man trained for the Army is fit to be utilized for the Navy, except that one operates a hydroplane and the other does not.

Mr. President, the purpose of this proposed legislation is to centralize the whole industry of airplane production; to centralize the training of the men and then to assign them to the particular branches of the service where they may happen to be needed. Of course it would be improper for the aircraft department to control the Post Office employees after they had once been detailed for duty with the Post Office Department, but they utilize the machinery and the planes which have been produced under the auspices of the proposed department of air. If the new department is properly managed—and I assume that it will be, or at least it ought to be—it will economize rather than increase the expenditure, because, as it is now, nearly every department has its aircraft branch. Under the pending bill all of the different air services will be taken under the central air department, and I am sure it will result in economy rather than in increased expenditure. So I hope the bill will pass.

Mr. WADSWORTH. Mr. President, I desire to call attention to the language on page 21 of the bill, which I think is subject to correction and improvement. Section 17 of the bill provides for the enlisted strength of the air force, and the language reads:

And shall consist of master aviation mechanics, first sergeants, sergeants (first class), sergeants, chauffeurs (first class), chauffeurs, corporals, cooks, privates (first class), and privates, the number in each grade being fixed from time to time by the President.

I think, Mr. President, it would be wise to insert a period after the word "privates" in line 1, on page 21, and to strike out the remainder of the sentence, for if the number of each grade of all these noncommissioned grades is to be fixed from time to time by the President, it would be entirely possible for the department, which, of course, will influence the President to a greater or less degree, to make the enlisted personnel top-heavy in its higher grades and thus greatly increase the expenditure, whereas if a period be inserted after the word "privates" in line 1, page 21, and the remainder of the sentence is stricken out, and there is a correction of the following sentence, which prescribes the percentage of the total enlisted personnel to be appointed in the different grades, we shall have the number absolutely limited.

Mr. HITCHCOCK. Mr. President, I should like to ask the chairman of the committee a question. Section 17 indicates that the proposed new department is to have an armed force of 40,000 men, consisting of privates, sergeants, other noncommissioned officers, and officers clear up to the rank of brigadier general, does it not?

Mr. WADSWORTH. It does.

Mr. HITCHCOCK. Does not that indicate that we are to have a third department of war? We have now a Navy Department and a War Department, and does not this create a third fighting department?

Mr. WADSWORTH. It does; and if we do not do it this year we will do it next year; and if we do not do it next year we will do it the year after. It is inevitable.

Mr. HITCHCOCK. How is it going to be possible to avoid a great increase in our expenditures by such a proceeding as this?

Mr. WADSWORTH. These men are to be taken from the other departments.

Mr. HITCHCOCK. In part they are, but not altogether; but if the Senator says they are to be taken from the other departments, that will simply create confusion, as it seems to me.

Mr. WADSWORTH. I am perfectly willing to discuss that with the Senator, but would he mind if I first offered the amendment which I was discussing?

The VICE PRESIDENT. There is already a pending amendment.

Mr. WADSWORTH. I was not aware of that.

Mr. HITCHCOCK. This is one of the things of which I complain in the pending bill. If the bill were confined to the important work of unification, of providing an agency for the manufacture of airplanes to be used by the other departments of the Government, it would have my support, but it does not do that. It creates practically a third department of war to be added to the Navy Department and our present War Department. The third department is to be a great manufacturing institution. It is to have the supervision of commercial aviation; it is "to foster, develop, and promote all matters pertaining to aeronautics, including the collection and dissemination of information relating thereto"; it is to "be charged with the purchase, manufacture, maintenance, and production of all aircraft for the United States"; it is to "perform all duties heretofore assigned to the War, Post Office, Navy, and Treasury Departments, or any other department of the Government, except as may be hereinafter provided, in times of peace and war, in so far as they relate to aviation," including "the supply of personnel and equipment for aerial mail routes," and so on. It is charged with "the issuance of licenses for airships, airplanes, hydroairplanes, seaplanes, balloons, dirigibles, and any and all aircraft." It is to promulgate "rules and regulations governing international, interstate, and intrastate flying." It is to have "the supervision and establishment of aerial landing fields, including the supervision of those used for private or commercial purposes." In short, Mr. President, it seems to me, in addition to being a third war department with an army of 40,000 men, it is to be a sort of a jack-of-all-trades and have functions to perform which are very vague and general.

Mr. WADSWORTH. The Senator is mistaken. It is not to be a jack-of-all-trades; it is to be devoted solely to the navigation of the air—just one trade.

Mr. HITCHCOCK. It is devoted solely to the navigation of air, but we also have the War Department navigating the air; we also have the Navy Department navigating the air; we have the Post Office Department navigating the air; and we have other activities of the Government navigating the air.

It seems to me that if this is to be a tie between all of the other departments, if it is to be the one thing that will bring them all into cooperation with each other, and if it is to reduce the expenditures and extravagance of the other departments, it should be confined to the manufacture of aircraft and not to the operation of an army. We already have a War Department; we have a Navy Department; both of those departments have to have aviators. Why should the proposed new department not confine itself to the manufacture of aircraft to be used by the departments that are to do the fighting and ought to do it? Why should we create a third fighting department, involving all of the expense and all of the complications and all of the competition that will inevitably develop between the two? The

artillery of the Army has got to be directed by aviators; those aviators must always be in the employ of the Army and must be under the control of the Army; but here we are creating a third department which is to step in and divide with the other two the control of the fighting men of the country. I think that it is an unwise and extravagant step to take.

Mr. WADSWORTH. Mr. President, I will endeavor to answer the question of the Senator from Nebraska. From the military standpoint alone, the purpose of the bill is expressed in section 14, which provides:

That the air force shall be so trained as to comprise a combatant force of the United States with a view to operating either with the armed land or sea forces of the United States, or with both combined, or independently of either, as the tactical or strategical necessity may determine.

That is the military policy contained in this bill expressed as briefly as possible. There are some provisos following which authorize the President temporarily to attach units of the combatant air force to the Army, and while so attached they are under the command of the general of the Army; the President may attach units temporarily, or for as long a period as he sees fit, to the Navy, and while they are attached to the Navy they are under the command of the admiral of the Navy.

The Senator from Nebraska asks why it is necessary; why must we do it? The only reply I can give, Mr. President, is that we can not help ourselves; we have got to do it. If we do not do it to-day, we will do it to-morrow; if we do not do it two years from now, we will do it five years from now; and, judging from our experience and the history of our past, we probably will be the last people on earth to wake up to the truth.

The VICE PRESIDENT. Who determines the tactical and strategical necessity for the use of the air force?

Mr. WADSWORTH. The President, just as he does to-day when he compels coordination between the Army and the Navy; he is the commander in chief. There have been innumerable instances in our military history where portions of the Navy have been placed temporarily under the command of an Army officer because the operations being attempted, while principally land operations, required a measure of naval assistance. There have been occasions when portions of the Army have been under the command of an admiral of the Navy because the operations, while primarily naval, required some land assistance.

We have already found in this war, and every other nation that engaged in it upon a large scale has found, that from time to time the air service, no matter how it is organized or by whom it is commanded, has to be assigned to the naval forces to help them perform a special function, or it has to be assigned to the land forces to help them perform a special function. Our allies were quick to see that after two or three years' experience. It is inevitable with the development of fighting in the air. The British finally organized an independent air force—just what is contemplated under this bill. How did they manage it? They grouped the major portion of their aviation service, both naval and military, in the independent air force. If they received an intimation that London was to be raided by bombing machines from Germany they threw that independent air force into the defense of the British coast and of London. If Marshal Haig needed it for special aggressive operations upon the British front, a great mass of the independent air force was assigned to Marshal Haig, which could be sent anywhere at any time at any place, all trained to act and operate together. We have nothing of the sort, but we have got to have it some day.

Senators may talk about economy; they may talk about waiting a while; but that kind of talk has gone on in this country for years and years and it has cost us in the last analysis $26,000,000,000 of national debt and thousands of wasted lives in connection with this very last war. There is no economy in it. We do not need a vast force either on land or sea or in the air, but we do need a properly organized military system.

As the Senator from Indiana has said, no man can prophesy accurately what the future of the air service will be. He who would have said six or seven years ago that in 1918 a fleet of 400 airplanes would have flown over the French lines and attacked the German's rear areas would have been called a wild dreamer, but it happened; and that, Mr. President, was the result merely of four years' development during a period of war. Is the man to-day to be charged with being a dreamer who will say that 10 years from now instead of seeing fleets of 400 machines, you will see 4,000, not only operating over the heads of troops but perhaps operating a thousand miles away from the base of the troops? Can the army commander on the ground command the machines a thousand or fifteen hundred miles away?

We do not ask in this bill for thousands and thousands of machines; we do not ask in this bill for a top-heavy air personnel; but we do ask the Congress and the people of the United States to realize that during the last few years man has learned to transport himself in a new element, utterly different from transportation on land, utterly different from transportation by water. A sailor can not fly. A soldier can not fly. Only a flyer, trained as such, will fly.

The Senator from Nebraska [Mr. HITCHCOCK] asks why these men should be trained in a central department. Why not? Why have four or five departments all doing the same thing when by combining them you can save the overhead? Go over here to Bolling Field. There we have a flying field right in the District. What is the situation there? It is both an Army flying field and a Navy flying field, with two overheads. What is the necessity of that? Why not do the same work with one overhead and save some money?

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Nebraska?

Mr. WADSWORTH. I yield.

Mr. HITCHCOCK. Why not, by that same argument, create a new artillery department, so that this department might make the great guns and train the gunners and assign such as are necessary to the Navy and such as are necessary to the Army?

Mr. WADSWORTH. Mr. President, it is a question of the difference of transportation.

Mr. HITCHCOCK. It seems to me it is a question of multiplying departments. To my mind, the only argument of any force that has been made here is the one that there ought to be a single source of supply of airplanes. I am in accord with the Senator from New York and the Senator from Indiana on that proposition; but when it comes to creating a third fighting department, with a force of 40,000 men, it seems to me the Senator's own argument answers itself. He has said that the President possesses the power, and has exercised it, to have portions of the Army sometimes under the control of the Navy and portions of the Navy sometimes under the control of the Army, and that can be done with the aviation services of both as well in the future as it has been done with regard to other services. Why create a third fighting department, when all you need is a manufacturing department?

Mr. WADSWORTH. Mr. President, I endeavored to say why I thought it should be done, and endeavored to say why I am just as certain that it will be eventually done as I am that I am standing on this floor.

The Senator has mentioned artillery, and said, "Why not divide up the artillery into different branches?" The simple reason is that artillery is transported on land, and the Army takes care of the land artillery; artillery is also transported on the water, and the Navy takes care of the water-borne artillery. The artillery of the air, or whatever the weapons used in the air may be, is to be transported in the air, and you have got to have navigators of the air in order to handle it. When man has now gone forth to conquer a new element, to live and operate in a new dimension, you can not expect the old elements to absorb it.

People may say that I am dreaming about this thing; but I am just as confident as I can be that whatever emergencies we shall meet in the future will be characterized in their first or second or third day by some great air battle, and it may be a thousand or two thousand miles off our coast; and a combatant force trained for that purpose will eventually become a part of the national defense of this country.

The Senate and the Congress and the people may not be ready for it now; they may not be ready for it to-morrow; but it is inevitable, just as it was inevitable to organize a separate Navy Department following the old department of the Government which had both the War and the Navy Departments together. The elements are so entirely different, the science and the art of flying differ so tremendously from walking on land or sailing on sea, that events themselves, and the development of the science to a still further degree, will compel us to organize a combatant force to operate and navigate in the air.

As to the number of men provided for in this bill, I believe it is quite immaterial. The principle of the thing is the thing that is important. Whether the 40,000 are too many or too few, I am not prepared to say. I have not given the study to it that the Senator from Indiana has. Whether 4,000 officers are too many or too few, I am not prepared to say; but the assertions that this is going to result in extravagance have somewhat astounded me, for some of the Senators who have made that assertion must realize the extravagance that is going on at this very hour, due almost entirely to this duplication of effort. The young men who train to be flyers in the Navy take their fundamental training just as the young men who take their training

for the Army take it. Why have two overheads? Why not have one department do the training and save a number of officers and assistants and clerical help? Why have two flying fields, within 10 miles of each other, doing the same thing when one field could do it just as well as the two together?

This whole art and this whole operation must eventually be all hooked up in one great system. The bill indicates that eventually we will have flying landing stations in different parts of the country. Already some of the municipalities of the United States are writing to Washington and asking their advice as to how to locate landing fields upon their outskirts. They can not find anybody in the Government who knows anything about it. They do not know whether or not their towns are properly located in that respect. They are waiting for some agency to chart the air. The air is going to be charted for purposes of navigation just as carefully and just as scientifically as the sea is charted; and as it is charted, and as the mysteries and secrets of the currents of the air and of altitude and temperature are one by one mastered, navigation in the air will become as safe as navigation on the sea. It is inevitable that some department of the Government will take general charge and supervision of that work. It can not be avoided.

In addition to that, a great body of law must eventually be built up governing and regulating the navigation of the air; and, as the Vice President indicated yesterday when he handed down and had printed in the RECORD a letter from a distinguished lawyer, a great body of law must be built up to decide about jurisdictional questions in the air.

What are to be the rights of a man flying over another man's land? What are to be the rights of the man who owns the land, as contrasted with the rights of the men or the machines flying over it? A great body of law will have to be built up.

We might just as well open our eyes and see this thing. It is coming. We can sit here and talk economy, but we will save money if we will see it first. We are bound to see it eventually; and the trouble with us has been, through all our history, that we have seen these things officially last, and then have paid war-time prices for everything we have gotten. We wait until the emergency overtakes us; we wait until everybody else is ahead, confident that we will never have to do anything; and then, against the concept and against the prophecies of nearly all of us, some emergency does overtake us and we find ourselves with nothing, and then we pay out $1,000,000,000 for airplanes in 18 months and do not get any planes that are safe to fly in, and our own sons die by the hundreds as the result of it. That is not economy. There is nothing economical about it.

As a matter of fact, Mr. President, this bill seems to frighten a good many people, in that it is presumptuous enough to suggest that there shall be a new department in this Government, having general charge of this new and wonderful art. I can not see that it should frighten anybody. I know that the Government's money is being wasted to-day. In the Military Affairs Committee we encounter it all the time. The testimony before us, especially with respect to aviation, fairly bristles with examples of the waste of the public money in this matter of aviation; and you will never spend the taxpayer's dollar and get a dollar's worth of service in return until you put the activities of the Government in the matter of a thing of this kind under a single, businesslike control. You can not have four or five small or large governmental bodies or agencies all trying to do the same thing in the same field, with quadrupled overhead expenses, and expect the taxpayers' money to be saved.

A good deal has been said here about the estimate which the Senator from Indiana [Mr. NEW] mentioned in connection with this bill. There are no estimates accompanying this bill. That ought to be understood. The estimate to which the Senator referred was the aggregate estimate of the War Department, the Navy Department, and the Post Office Department, setting forth the amount of money that they wanted appropriated for their respective uses for aviation development in the next ensuing fiscal year. The aggregate was something like $160,000,000. A careful investigation shows that the same work could be done for $98,000,000 if it were done under a single head. This bill proposes to have that kind of work done under a single head, and in that respect it is in the interest of the taxpayer.

Mr. KING. Mr. President, will the Senator yield?

Mr. WADSWORTH. I do.

Mr. KING. If this bill should be passed, can the Senator assure the Senate that some of the items embraced within the aggregate of $168,000,000 will be eliminated? As I understand, even if this bill were to pass, a large part of the $168,000,000 would still be expended by the War Department and a large part by the Navy Department; so that whereas all of the $168,000,000 might not be expended, a large part of it would be, and in addition the $98,000,000 which this bill provides for would be expended.

Mr. WADSWORTH. This bill does not provide for $98,000,000. It does not provide for a cent.

Mr. KING. Of course, the personnel of 4,000 officers and 40,000 men, and the machinery which this bill creates, of necessity would call for a very large appropriation.

Mr. WADSWORTH. Yes.

Mr. KING. I have been unable to see just exactly how the passage of this bill is going to eliminate all of the expenditures that are set forth in that detailed statement, the aggregate of which is $168,000,000.

Mr. WADSWORTH. Mr. President, the Senator ought to remember, of course, that the commissioned and enlisted personnel for the combatant force provided in this bill is to be almost entirely taken away from the Army and the Navy as they exist to-day. It will reduce the Army and the Navy personnel by almost that amount.

Mr. KING. Can the Senator assure us that that will be done? My fear is that if we create this organization, no matter what name we give it, there will still be functioning in the War Department and in the Navy Department bureaus and divisions and agencies and instrumentalities calling for approximately the same number of officers and men that are now found in those departments, so that you are increasing the number of officials, you are creating a new department, and you are not cutting down materially the employees and the officers and the personnel now found in the military and in the naval departments of the Government.

Mr. WADSWORTH. Mr. President, I have already expressed my sentiments on that point, and I do not think I would be justified in keeping the Senate in further discussion of it.

Merely suffice it to say that I and the other members of the Committee on Military Affairs have become so discouraged in the matter of governmental extravagances connected with the Army that we have been desperately trying to find some way of putting it on a business basis. Neither the Senate nor the public, I believe, comprehends the cost of the establishment, as run to-day, per soldier. It costs $1,800 a year to support a regular soldier in the Army. The Army can never be big enough to provide for the national defense on any such basis of cost as that.

Some of that great cost is due to this scattering of effort, this duplication of effort, and the employment of more men on a given job than are necessary or than would be necessary under a businesslike administration.

The Senator from Idaho [Mr. BORAH] a few moments ago said something about the estimates, and he undoubtedly referred to the Army reorganization bill, which has been reported by the Military Affairs Committee to the Senate, and which, I hope, will be taken up in a few days. He mentioned the estimates of from $700,000,000 to $1,000,000,000, as he said, to take care of universal military training. Taking the lower figure, which I am sure is very nearly accurate, we ought to remember that of that sum the Regular Army will consume over $500,000,000, even at the reduced figure. It is a tremendous luxury. It is a necessity, too. But our effort ought to be all the time to keep it at a minimum, and the effort of the pending bill is to take this new and potentially great service—for no man can tell the importance which it may reach in the future; no man can too wildly prophesy about it—and for once put it under a business administration, have all the research and experimentation, all the training and all the operation done by one head, instead of scattering it in the Army and in the Navy and in the Post Office Departments, in the Forestry Service, the Coast Guard, and the Marine Corps; and that is what is being done to-day.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from New York yield to the Senator from Washington?

Mr. WADSWORTH. I yield.

Mr. JONES of Washington. As I understand the position of the Senator and the position of the committee, which has investigated this matter very carefully and, I know, spent a great deal of time trying to get at the facts of the situation, it is that the committee and the Senator believe that the passage of this bill will not only promote efficiency but that it will be also actually in the interest of economy?

Mr. WADSWORTH. Eventual economy.

Mr. JONES of Washington. It will save money to the people of the country?

Mr. WADSWORTH. Yes; otherwise we would not have dared report it.

Mr. KING obtained the floor.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. McKELLAR. I shall be called from the Chamber in just a few moments, and I would like to have the amendment offered by me voted on. The Senator from Utah is about to discuss the bill, and I suppose he would have no objection to letting my amendment be voted on first.

Mr. KING. If the Senator from Indiana is agreeable, I have no objection.

Mr. NEW. That is the Post Office amendment?

Mr. McKELLAR. The Post Office amendment. There will be no objection to it.

Mr. NEW. That is all right.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Tennessee.

The amendment was agreed to.

Mr. KING. Mr. President, the admirable address just delivered by the Senator from New York [Mr. WADSWORTH], and the full and complete statement made by the Senator from Indiana [Mr. NEW], constitute powerful arguments in favor of this measure. I confess, however, that I am experiencing some difficulty in reaching a conclusion as to the wisdom of enacting the pending measure into law. The two volumes of testimony taken by the committee contains, as I understand, conflicting views, and the experts who have testified are not always in agreement. There is dissatisfaction with the present method of handling the question of national aeronautics. The lessons of the war have not yet been fully learned or presented, and I have found the greatest divergence of views among those who have given the subject consideration.

Mr. President, there is no question but what the debacle, if that is not too strong a word, of the War Department in organizing the aircraft service and in utilizing the same as a fighting force in the recent war constitutes in and of itself a powerful argument for some change in dealing with this important subject. It is very unfortunate that the War Department did make such a wretched failure in the handling of the vast appropriations made by Congress. The results obtained were not commensurate with the expenditures made, and I have no doubt that there is a general feeling of humiliation throughout the land over the failure of the War Department to properly utilize the vast appropriations made and produce fighting planes for military service.

The fault was not with the young men. Thousands and tens of thousands of them were ready and available for any service that was required in defense of their country in connection with aerial warfare. But it seems as if there was a paralysis somewhere in the War Department. It is a tragic page that deals with the waste of more than a billion dollars expended to produce fighting planes and to build up an aerial fighting organization. The sickening experience of thousands of brave and patriotic men who sought opportunities to serve their country in the aerial branch of the Army can not be wholly forgotten in the triumphant cries that came from victorious lips when the defeat of Germany was admitted.

Congress did its duty. Early in the war it made a most liberal appropriation, and it followed that appropriation by still others, so that the aggregate was nearly a billion and a half of dollars, as I now remember. Notwithstanding these stupendous appropriations, at the close of the war there had been produced but 10,718 planes, and most of those were training planes, and were built late in the summer and fall of 1918. There were but a few service planes, and our flyers in Europe were dependent upon the allied nations for combat and pursuit machines.

There have been a number of investigations conducted for the purpose of determining where the fault was and upon whom the responsibility for failure in the aerial service rests. Judge Hughes conducted an elaborate investigation and the Military Affairs Committee of the Senate, as I remember, devoted considerable time to an inquiry as to the failure of the War Department to properly function in connection with the Air Service. I have been told that officers in the Air Service were utterly incompetent, and the evidence is incontrovertible that there was the grossest inefficiency as well as great waste and extravagance upon the part of those charged with the furnishing of fighting airplanes. It is an unpleasant task to criticize those in executive positions and those who have served in the military branch of our Government. The achievements of the Army and Navy as a whole have been so brilliant that there is a disposition—and I share that view—to make allowances for many of the mistakes that characterized the activities of the War Department. To create a great military machine and put it into operation was a stupendous undertaking. To prepare millions of men for military service and to arrange for their transportation to foreign lands, and to successfully transport more than 2,000,000 soldiers, constitute a record of which all Americans are proud.

However, we are dealing now with a specific matter. It is urged in support of this new military and naval plan that the recent war demonstrated not only the ineptitude of the War and Navy Departments in dealing with the production and utilization of aircraft as a fighting branch of the Army and Navy, but also furnished convincing proof of the incapacity of these departments to properly deal with the aircraft question. There is no doubt but what the waste and inefficiency exhibited during the war in the production of aircraft appeal powerfully for some change in the present system. I am not sure that the measure submitted by the Committee on Military Affairs will prove a panacea for the evils which have been so obvious during the war.

Unless there are to be radical changes in the War Department and in its methods of executive and administrative work, I shall vote for this measure or almost any measure that will deprive the War Department of its authority to manufacture and develop fighting aircraft.

There is now too much red tape and military inefficiency to secure proper results. The same defects in the military system as an administrative organization were demonstrated to exist with respect to the production of ordnance as were found to exist in the branch of the War Department that had to do with the production and utilization of aircraft. The officers of the Army as a class are men of high standing and ability, and yet when they came to engage in the executive and administrative work in the branches to which I have just referred, there seemed to be weakness and a serious breakdown.

I agree with the Senator from New York and the Senator from Indiana that it would be not only a blunder but an irretrievable one if provisions were not made to develop and perfect aerial warfare. The recent war demonstrated that combat planes and air machines will play an important part in all future military operations. Our Government must adopt some plan that will develop the science of aeronautics and provide an adequate number of planes for military and naval purposes. That there should be greater coordination between the departments of the Government producing and employing aircraft must be evident to all. To what extent that coordination should go will provoke discussion; but undoubtedly there should be some central organization or agency that has to do with the production of aircraft required by the various branches of the Government. Technical men can be employed in such an executive agency or organization, as well as in a number of organizations or agencies devoted to the production of aircraft. Whether this bill creates the right kind of an executive agency I am not sure. It does create additional machinery and provides for hundreds, if not thousands, of additional employees. Whether it will in the end make for efficiency and economy there may be room for controversy. But, as stated, the records of the War Department and its waste and extravagance and failure with respect to the production of aircraft constitute an argument that is difficult to successfully meet. I was about to suggest that the President has the authority, and if he does not, it could easily be given him, to utilize branches of the Army and the Navy for the purpose of developing an aeronautical program and securing the planes needed both in the War and Navy Departments as well as in other branches of the service. There must be greater cooperation in the Government service and more perfect coordination between the departments and governmental agencies or the governmental machinery will become so enormous and so topheavy that it will destroy efficiency and burden the taxpayers beyond their power of endurance.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 3383.

Mr. KING. Does the Senator from New York desire to make any motion or suggestion with respect to the measure which is the unfinished business?

Mr. WADSWORTH. Not at least until I have had a chance to make a statement.

Mr. KING. I am willing to suspend in order to permit the Senator to make the statement now.

PAY OF ARMY, NAVY, MARINE CORPS, ETC.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3383) to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, and Public Health Service.

Mr. WADSWORTH. Mr. President, the bill just laid before the Senate as the unfinished business, as Senators know, is what is known as the Army and Navy pay bill. On a prior occasion the Senate finished the consideration of all the committee amendments but one, and also adopted at least two other amendments which were offered from the floor. The Senate has finished consideration of all but one amendment, and that is

found at the bottom of page 1, and in effect, as recommended by the committee, changes the bill so that the enlisted strength of all these services, instead of receiving 50 per cent increase in pay, shall receive a 20 per cent increase in pay, and, furthermore, that that increase shall not apply to the lowest grades in the service—privates in the Army and apprentice seamen in the Navy and corresponding grades in the other services. I think it my duty to-day before the Senate the figures in connection with the pending amendment, which I ask Senators to regard with all seriousness.

Mr. SMOOT. If the Senator is going to take up that question, I think we should have a quorum. There are only half a dozen Senators present now, and it is a vital question as to whether we are going to disagree to the committee amendment or not. I think, if the Senator is going to proceed, I shall suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Bankhead	Gerry	McKellar	Sheppard
Brandegee	Gronna	McNary	Smith, Ga.
Calder	Hale	Nelson	Smith, Md.
Capper	Harris	New	Smoot
Chamberlain	Harrison	Norris	Spencer
Culberson	Johnson, S. Dak.	Nugent	Sutherland
Curtis	Jones, N. Mex.	Overman	Wadsworth
Dial	Jones, Wash.	Page	Warren
Dillingham	King	Phelan	
Fernald	Lenroot	Pomerene	

Mr. McKELLAR. I desire to announce that the junior Senator from Florida [Mr. TRAMMELL] is confined to his home by illness.

I also desire to announce the absence of the Senator from Arkansas [Mr. KIRBY], who is detained on account of illness.

The PRESIDING OFFICER. Thirty-eight Senators have answered to their names. There is not a quorum present. The Clerk will call the roll of the absentees.

The Reading Clerk called the names of the absent Senators, and Mr. HENDERSON, Mr. LODGE, Mr. PHIPPS, Mr. RANSDELL, and Mr. STANLEY answered to their names when called.

Mr. McLEAN, Mr. MOSES, and Mr. WILLIAMS entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-six Senators have answered to their names. There is not a quorum present.

Mr. SMOOT. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. STERLING and Mr. BORAH entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-eight Senators having answered to their names, a quorum is present.

Mr. WADSWORTH. Mr. President, when the absence of a quorum was suggested by the Senator from Utah I was about to lay before the Senate some figures which have an important bearing upon the committee amendment to the Army and Navy pay bill, which is the only committee amendment left for consideration.

It will be noted that the committee amendment provides for a 20 per cent increase in the pay of enlisted men, with the exception of the enlisted men of the lowest grade in each of the services. That is the effect of the proviso. If the committee amendment is defeated and the bill restored to its original form, calling for a 50 per cent increase in pay to all enlisted men in all the services, it will add to the bill $30,000,000 for the Army alone, something like $25,000,000 for the Navy, and comparatively small sums for the Marine Corps, the Coast Guard, and the Public Health Service. The bill would carry in that event, instead of $59,000,000, something like $114,000,000 or $116,000,000. I think the Senate should understand what the change in percentage amounts to when it is applied to such a large body of men.

Mr. HARRISON. May I ask the Senator from New York a question?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Mississippi?

Mr. WADSWORTH. I yield.

Mr. HARRISON. Has the Senator from New York the figures at hand which would show the total amount which would be involved should we increase the pay of the enlisted personnel from 20 per cent to 31 per cent, as it is proposed to do in the case of the officers?

Mr. WADSWORTH. I have the figures for the Army, but I have not accurate figures for the Navy. The Navy, however, will run in about the same proportion. I was going to take that very matter up, because the other day when this bill was being debated proposals were made for making the increase greater than 20 per cent.

An increase of 20 per cent in the pay of enlisted men in the Army alone, except the privates, involves the expenditure of $11,102,000. That is the way the bill now reads, so far as the Army is concerned. If the 20 per cent increase of pay were extended to an amount sufficient to include the privates in the Army as well as of the other enlisted men of the Army, it would involve an expenditure of $18,565,000 for the enlisted men of the Army alone; in other words, an increase of $7,463,000 on the Army side. The Navy would probably involve an increase of approximately $5,000,000 more. It is safe to say if we include the privates and the apprentice seamen under the provisions for a 20 per cent increase the total amount due to that increase would be in the neighborhood of $13,000,000. If the increase were raised to 30 per cent instead of 20 per cent, and the privates were left out, it would cost for the enlisted personnel of the Army alone $17,687,000, as contrasted with $11,000,000 which would be spent under the terms of the bill, showing an increase of $6,585,000. If the privates were added, and they, too, were given a 30 per cent increase, the cost of the bill for the enlisted strength of the Army alone would be $28,881,000, an increase over the bill so far as the Army alone is concerned of $17,779,000.

So it will be seen, Mr. President, that we are dealing in very large figures. My statement may answer in part a question which the Senator from Mississippi [Mr. HARRISON] put to me the other day as to why I, who had introduced the pending bill originally giving 50 per cent straight increase of pay to all enlisted men in the Army, in the Navy, in the Marine Corps, in the Coast Guard, and in the Public Health Service, had consented to an amendment. If I had not consented to an amendment of this sort the bill would carry $116,000,000 instead of $59,000,000. While, of course, I like to see all men well paid in all the services, I and other members of the Military Affairs Committee simply could not bring ourselves to the conclusion that the Treasury of the United States would stand the drain. So it was the intent of the committee in amending the bill to give the increases in pay to those persons in the service who needed the increase most—that I am sure the bill does—and to keep it as low as possible in the matter of that increase; but even with that, with the utmost care, we must spend under this bill as it is amended by the committee $59,000,000 a year.

Mr. KING. Mr. President, for information I should like to ask the Senator from New York whether the bill as reported by the committee increases the compensation allowed to privates who are receiving $30 or $33 a month?

Mr. WADSWORTH. It increases the compensation of privates who are now receiving $33 per month, but not of privates who are receiving less than $33.

Mr. KING. What proportion of the personnel of the Army, under the reorganization bill, will be found receiving less than $33 a month?

Mr. WADSWORTH. Forty-nine per cent of the enlisted strength of the Army will be found in that class.

Mr. KING. They will receive less than $33 a month?

Mr. WADSWORTH. Yes; they are privates. The next higher grade is composed of privates of the first class.

Mr. KING. And they receive $33 a month?

Mr. WADSWORTH. They receive $33 a month. Then come the corporals who receive $36.

Mr. KING. I should like to ask the Senator from New York whether he thinks there ought to be that distinction between the privates and the privates of the first class?

Mr. WADSWORTH. I discussed that the other day, Mr. President, but I shall be glad to do so again if the Senate has the patience to hear me.

Mr. KING. I regret that I did not hear the explanation of the Senator from New York at that time.

Mr. WADSWORTH. As we go up the scale of the enlisted personnel of the Army, as well as of the Navy, it will be found that the expenses of the men increase, because as they grow older and reach higher grades and the noncommissioned officer grades many of these men marry. The married men can not support their families on the present pay. The private, however, is almost invariably a bachelor; he is also almost invariably a young man. He is paid $30 a month, approximately a dollar a day. The Government feeds him and clothes him; gives him his medical care and his dental care; gives him vocational training free of charge; transports him whenever he has to go anywhere on duty; supplies him with organized recreational activities in the camp, and with libraries and reading rooms. The $30 is pure spending money. I forget the regulations down to the last detail; it may be that out of the $30 a month the private

pays his laundry bill, but as to that I am not certain. At any rate the $30 may be very fairly said to constitute pocket money, which is largely used for the purchase of tobacco and other luxuries and entertainments in which the soldier desires to indulge.

Mr. BORAH. He must be able to indulge in a great many luxuries on $30 a month.

Mr. KING. Will the Senator from New York permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Utah?

Mr. WADSWORTH. Yes.

Mr. KING. We recently increased the compensation allowed privates from $15 a month to $30 a month. At the time that increase was made there was no corresponding increase made—indeed, none, as I recall—for those men in the Army above the grade of private.

Mr. WADSWORTH. The Senator is mistaken in one respect. In 1917 we raised the pay of the private 100 per cent; we raised the pay of corporals, sergeants, and the upper grades of the noncommissioned personnel percentages less than 100 per cent, but still the increase was quite considerable. Those percentages of increase varied all the way from thirty-odd per cent up to eighty-odd per cent.

Mr. KING. But no increase was made in the pay of officers.

Mr. WADSWORTH. No increase was made in the compensation of officers. The officers have not had their pay increased since 1908.

Mr. KING. Was there any material increase in 1908?

Mr. WADSWORTH. I forget how much it amounted to. The Senator from Wyoming [Mr. WARREN] probably remembers that.

Mr. WARREN. Mr. President, there was a considerable increase, especially in the lower ranks. For instance, the pay of second lieutenants was increased from $1,400 to $1,700, of first lieutenants from $1,700 to $2,000, of captains from $1,800 and $2 000 to $2,400—and when a man reaches the grade of captain that is when naturally he would be expected to have a family. Prior to that time the pay of captains, mounted, was $2,000, but they were required to furnish their own horses, and for captains, not mounted, it was $1,800. As a consequence there was constant vexation, so that the pay was made the same for all alike, the Government furnishing horses in the case of a mounted officer, with the privilege, if the officer furnished his own horse, of receiving $150 a year extra. As to the upper grades, major generals and other general officers and field officers, their salaries were not raised more than $500 a year. That is the only increase that has been made in the pay of Army officers within the memory of anyone here.

Of course, the pay of privates and noncommissioned officers was raised at the same time the pay of the officers was raised—the privates beginning from $13 to $15 a month, with larger increases to a very large proportion of the enlisted men. Subsequently, as the Senator from New York has said, the pay of privates was doubled, and then there was 20 per cent added to all that for service abroad.

Mr. WADSWORTH. Mr. President, there is another element of the pay of enlisted personnel which ought not to be forgotten. A private soldier upon enlistment receives $30 per month, but if he qualifies as a marksman he receives $2 a month more; if he qualifies as a sharpshooter, he gets $3 a month more; and if he qualifies as an expert rifleman, he gets $5 a month more. Of course, when a soldier receives the designation of "expert rifleman" it means that he is a very fine shot. Quite a number qualify as sharpshooters and a large number qualify as marksmen. So there are other elements in the pay than that recited in the bare fact that a private gets $30 a month.

The Senator asked about the discrimination between privates, first class, and other privates. If we wipe out discrimination and give to them all the 20 per cent increase, it will add approximately $13,000,000 or $14,000,000 to this bill.

The Senator from Wyoming a moment ago mentioned the pay of officers and general officers. I found a little item, Mr. President, which I think is somewhat eloquent in this connection, printed in the Washington Post of January 28. It is an inconspicuous little item; probably very few people would notice it, and in this hurried life we lead, if they did notice it, they would pass it by without attempting to comprehend its significance. It reads as follows:

NEW YORK, *January 27.*

Maj. Gen. Thomas H. Barry, who died in Washington on December 30, left personal property valued at $5,000 and no real estate, according to his will, which was filed here to-day, after 46 years of service.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Utah.

Mr. KING. Mr. President, I presume the Senator from New York does not intend to displace the aircraft bill, which is now under consideration.

Mr. WADSWORTH. The pay bill is the unfinished business and is now under consideration. The Senator from Washington [Mr. POINDEXTER] has an amendment to offer, and I thought we might clear that up before we discussed what disposition we shall make of this bill for the afternoon or of the aeronautical bill.

Mr. POINDEXTER. Mr. President, if it is in order at this time, I offer an amendment, to be inserted as a new section, after section 4.

The PRESIDING OFFICER. The Chair understands that the Senator desires the committee amendments to be passed over temporarily.

Mr. WADSWORTH. Yes.

The PRESIDING OFFICER. The amendment of the Senator from Washington will be stated.

The ASSISTANT SECRETARY. It is proposed to add a new section in the bill, to be known as section 5, and to read as follows:

That in lieu of compensation now prescribed by law, commissioned officers of the Coast and Geodetic Survey shall receive the same pay and allowances as are now or may hereafter be prescribed for officers of the Navy with whom they hold relative rank as prescribed in the act of May 22, 1917, entitled "An act to temporarily increase the commissioned and warrant and enlisted strength of the Navy and Marine Corps, and for other purposes," including longevity, which shall be based on the total service in the Coast and Geodetic Survey and Army and Navy; and all laws relating to the retirement of commissioned officers of the Navy shall hereafter apply to commissioned officers of the Coast and Geodetic Survey.

Mr. POINDEXTER. Mr. President, the service of the commissioned personnel in the Coast and Geodetic Survey is of a highly technical nature. The men who hold commissions in this service are men of technical education, graduates of such institutions as the Massachusetts Institute of Technology. It is the only commissioned service in the Government whose pay has not been put upon the same basis as the pay of the Army and the Navy. The pay of these men is now less than the present pay of the officers of the Army and the Navy. We have heard in the discussion of this bill of the importance and necessity, if we are to treat these men decently, of increasing the present pay of the Army and Navy; so there is much more reason for increasing the pay of the Coast and Geodetic Survey commissioned personnel, because it is lower than the existing pay of the Army and Navy.

I am informed that this service confronts a crisis on account of inadequate pay. The men are resigning in large numbers. I am told that about 70 per cent of the officers have filed their resignations with the superintendent of the survey, and that they have not been accepted, but are withheld temporarily in the hope that relief of this kind will be forthcoming.

This work is of the utmost importance. It is the charting and mapping of the navigable waters of the world, particularly those on our own coasts, and on other coasts where the interests of the United States require accurate knowledge as to the character of the waters. Without the continuance of this service and its maintenance upon an efficient basis it will be absolutely impossible to keep up to an efficient standard the information that is absolutely necessary, not only for the Navy but for the merchant marine of the United States. My information is that this increase, if it is made, will amount to about $41,000 for the six months ending June 30, 1920; and my further information is that by reason of the resignation of officers in this service and the necessity of employing special agents to carry on this work, even that part of it which was absolutely necessary, an extra expense of some $300,000 was incurred in 1919 over what the cost of the survey would have been if the regular force had been maintained by the payment of adequate salaries. It seems to me that a mere statement of the case is sufficient to justify the incorporation of this amendment in the bill.

Mr. KING. Mr. President, before the Senator takes his seat I should like to ask him a question. What is the number now in this department of the Government or arm of the service, or whatever it may be properly called?

Mr. POINDEXTER. I have not the information as to all grades. There are 29 commissions in the entering grade of this service. That grade ranks with second lieutenant in the Army, and those who hold it receive a salary of $1,000 per annum.

Mr. WADSWORTH. Mr. President, may I ask the Senator a question?

Mr. POINDEXTER. I yield to the Senator from New York.

Mr. WADSWORTH. May I ask the Senator if it is not true that the men who receive that munificent salary of $1,000 a

year are men who must have graduated from technical schools—engineering schools?

Mr. POINDEXTER. That is true; and in addition to that they must pass a special physical and mental examination. My information is that the training required of these men is superior to that which is required for obtaining a commission in the Army or the Navy.

Mr. KING. Mr. President, as I understand, these men perform the duties of engineers.

Mr. POINDEXTER. They perform the duty of surveying the navigable waters of our coasts and of charting them, making marine charts of these waters.

Mr. KING. Does the Senator say that they are classified as officers, and that they have grades of preferment, and so forth, running from lieutenant on up?

Mr. POINDEXTER. They have. That is correct.

Mr. KING. Does the Senator know what is the highest grade and under whose authority they act?

Mr. POINDEXTER. They act under the authority of the Superintendent of the Coast and Geodetic Survey, and the highest grade is equivalent to that of captain in the Navy.

Mr. KING. They are not subject to the military and the naval departments of the United States, as I understand?

Mr. POINDEXTER. During the war they were incorporated in the Navy.

Mr. KING. Just the same as the Coast Guard; but, as I understand, this is a civilian branch of the service.

Mr. POINDEXTER. It is not altogether a civilian branch of the service. It is military in its organization, and these men hold military rank and grade.

Mr. WADSWORTH. Mr. President, they are commissioned by the President of the United States.

Mr. POINDEXTER. They hold commissions, as I stated in the beginning of the presentation of this amendment, and it is the only commissioned service which has not been put upon the same basis as the Army and the Navy as to pay. They hold rank and obtain their commissions in the same way as the commissioned personnel of the Army and the Navy.

Mr. KING. Does the Senator think it is the proper course to pursue to square these engineers, if I may be permitted that expression, with the officers of the Army and the Navy, who give their lives to military or naval work, are called to all parts of the world—particularly the naval officers in times of peace—are subject to military and naval discipline and control, and practically make a life work of it? Does the Senator think we ought to take these engineers, grade them by the standards which apply in the Army and in the Navy, and fit them into the various niches which military and naval discipline and rules and regulation prescribe?

Mr. POINDEXTER. I have no objection to the policy which has been adopted in that regard. That is an established policy. There is not any material distinction, so far as the relation of this service to the Army and the Navy is concerned, between it and the Coast Guard. The Coast Guard is organized upon a military basis, and its officers hold commissions from the President, but it serves under the direction of the Secretary of the Treasury. The Coast and Geodetic Survey, in time of peace, serves under the direction of the Secretary of Commerce; but both the Coast Guard and the Coast and Geodetic Survey during the war were incorporated with the Navy, and subject to military orders. It is not so much the fact that these men hold military commissions that entitles them to increased pay, although that evidently is an adequate reason for putting them upon the same basis as other branches of the Government service which are similarly organized, but it is the fact that they are engaged in the performance not only of an arduous and a dangerous work but of a work which requires an elaborate education, a highly technical training, and that sort of physical and mental fitness and alertness which is required of the officers in the Army and the Navy. Furthermore, these men are selected from the graduates of the best technical schools in the country, and, after passing a special examination, are started into the service of the Coast and Geodetic Survey on a salary of $1,000 a year, when car repairers, for instance, are paid several times that amount. I saw a photographic copy of a report of the account of two weeks of a wrecking crew, which was called to the attention of the conference committee on the railroad bill on yesterday, where it appears that car repairers in the wrecking crew get more than $5,000 a year.

Mr. KING. The Senator might mention that the cook in that particular wrecking crew perhaps got more than that.

Mr. POINDEXTER. Yes.

Mr. KING. That is what is paid to the employees of the railroads by the present administration, apparently.

Mr. POINDEXTER. I think, in view of that general tendency of the times—although, in my judgment, that is quite extreme—and in view of what we are perfectly familiar with as to the absolute necessity of more pay than this for the support of a family, it is perfectly obvious that $1,000 a year for lieutenants in the Coast and Geodetic Survey is inadequate.

Mr. KING. Will the Senator advise me—I ask for information—whether or not the officers in that branch of the service now have the benefits of retirement and retirement pay, the same as naval and military officers?

Mr. POINDEXTER. No; they have not.

Mr. KING. And this amendment of the Senator would give that to them?

Mr. POINDEXTER. This amendment would give them the benefit of retirement, on the same pay and conditions, after service for the same period of time, and at the same age.

Mr. KING. Then the Senator's amendment changes existing law and elevates them into a pensionable status?

Mr. POINDEXTER. Yes; that is true.

Mr. KING. Mr. President, I shall object to the adoption of this amendment in that form. I think it is unfair, if the Senator will pardon me, to take advantage of this exigency to change existing law and to give those men in the Geodetic Survey a pensionable status and retirement privileges, when they do not now possess them. As I understood the Senator in the beginning, this was a sort of a harmless, innocuous amendment, that only asked for about forty-odd thousand dollars a year in addition to the present expenditure.

Mr. POINDEXTER. Forty-one thousand dollars for the six months ending June 30.

Mr. KING. Yes; $41,000 for six months. Yet, from the inquiry I just propounded, it seems that you are changing existing law not only with respect to compensation and fitting them into the same grooves and niches occupied by naval officers and Army officers with respect to pay and allowances; but, in addition, the proposition is to change existing law and to give them retirement pay and privileges. That is a matter, I think, for the Senate.

Mr. POINDEXTER. I hope the Senator will not object. Of course, I do not understand that there is any objection that can be maintained against this amendment because it changes existing law, because the whole bill changes existing law, and that is the purpose of the bill.

Mr. KING. If I could object to the amendment, I would do so, I will say to the Senator.

Mr. POINDEXTER. Personally, Mr. President, I am in favor not only of retirement privileges upon a certain amount of pay for the Coast and Geodetic Survey, but for the entire civil service of the Government, and I am in favor of it on the basis of economy. There would be great improvement observed if we had a properly defined and established civil-service pension system in the Government service, in the quality of the service, in enabling the Government to dispense with men on the active list who are past the age of really efficient work, and yet who are not, as a matter of fact, discharged because of the sympathy which is felt for them, and because of the indecency of turning them out in their old age after 30 or 40 or 50 and in some cases 60 years' continuous service for the Government, because of the lack of a civil-service pension. I believe that the establishment of such a pension policy would be in the interests of economy as well as of justice to the Government employees. So the fact that this amendment contains a clause extending to the Coast and Geodetic Survey the same benefits of retirement that are enjoyed by the Coast Guard and all the other commissioned services of the Government is no basis for objection to it, in my opinion; on the contrary, I think that it is a recommendation.

Mr. KING. As I understand the amendment offered by the Senator from Washington [Mr. POINDEXTER], it seeks to increase the compensation of one branch of the Government service and at the same time elevate the personnel from a nonpensionable to a pensionable or retirement status. The idea seems to be prevalent that now is the time to make assaults upon the United States Treasury. Uncle Sam is staggering beneath stupendous burdens—he is faced with a huge bond issue—but, nevertheless, his bowed back must be bent still lower with the increasing demands for Federal appropriations. And from many directions come demands for pensions and retirement benefits and various forms of governmental largesses.

I recently heard of the action of an old and hard-headed American farmer who was appealed to by his son to aid in abating the supposed opposition of a Senator to a measure which aimed at pensioning Government employees. The son enjoyed a position with the United States which called for no great exertion and about seven hours of service per day.

There were 30 days' vacation allowed and 30 days' sick leave provided. The compensation was more than $2,400 per annum.

The father replied that he had worked 12 to 16 hours a day for more than 30 years. He had enjoyed no vacations or sick leaves. His earnings were less than the salary of his son. He had no pension and no promise of one.

He further replied that when the Government employees worked as hard as he did, and when he received a pension, then he might consider the propriety of urging that his son be pensioned. Of course, the view of this toiler and builder is old-fashioned. It was the view of those who builded this great Nation and made it the richest and most powerful one the world has ever seen. This American hero belongs to the type from which the leaders of this Republic sprang. He exemplifies the spirit of individualism and independence which has been the sure and safe guide of the American people.

But we are now departing from the faith of the fathers, from the strong, assertive, and independent spirit which developed this mighty people and builded this puissant Nation. We are to become exotics, mere hothouse plants, dependents, and weaklings, greedily looking for gifts and contributions from governments. We are developing a bureaucracy; we are becoming a nation of officeholders. Contemporaneous with the development of this condition, we are enlarging the powers and activities of the Federal Government. A large officeholding class inevitably breaks down limitations upon governments. The erosion of constitutional restrictions leads to consolidation and autocracy. The paternalistic tendencies of the Federal Government are apparent to the most superficial students, and the regret is that so few raise their voices against an evil which in the end must modify and indeed change the very fundamentals of this Republic.

Mr. President, I may be old-fashioned, but I believe in this Republic. I revere the Constitution of the United States and would preserve it in letter and in spirit. I would have the people virile and independent. I would have as little legislation as possible and permit the free development of the individual units constituting the State.

The people will love their Government and die for their country if it does not rob them of those virtues which belong to a strong and progressive people.

We are developing a spirit of dependence upon the Government, so that in all parts of the land there is a feeling that the Federal Government must play the part of a father. It must furnish work for the people and discharge the duties and responsibilities which should rest upon the individuals and upon the States.

We must have pensions and retirement bills and constant aid from the Federal Treasury, and an increasingly benevolent and tyrannous paternalism to assume control over our lives and conduct. It is quite likely that the hard-headed farmer did not entertain the modern view at all. He is probably a "back number" and wholly unaware of the new-fangled ideas which are so popular and controlling in these epochal times.

The idea seems to be that we must have two classes of people in the United States—the taxpayer; the farmer, bowed down with toil; and the hard-working civilian, upon whose shoulders shall rest the burdens of the Government; and the vast army of governmental employees, whose numbers will constantly increase and whose labors are to be constantly lightened, and who will have pensions after a few years of service.

We are to have two classes of people, apparently, Mr. President, in a short time in the United States, those who draw pensions and those who have to pay the pensions and have to pay the expenses of the Government.

It may be that that is the right sort of a government to have. It may be that we ought to have a bureaucracy instead of a republican representative form of government. It may be that the Government should take over the railroads and the telegraphs and the telephones and all the public utilities and engage in all sorts of socialistic undertakings and enterprises and have millions of men upon the pay rolls who will soon obtain pensions or who under the system will obtain pension from the Government.

It would seem that there are those who believe that our fathers made a mistake in the form of government established by them and that we should spend our best efforts to batter it down and follow the new school of social uplifters and political charlatans who cry with such loud voices in the temples and upon the highways.

Speaking for myself, I am for this Republic. I believe in preserving it and in fighting these dangerous and deadly isms which so craftily and in such pleasant form are preached by the false prophets who fill the land.

In the Senate we are strengthening the view that the Federal Government is omnipotent and has no limitations upon its powers. We are encouraging the growth of the feeling that the Government owes the people a living and should provide offices and pensions for an ever-increasing army.

We spend much of our time in creating offices and then a large part of the rest of the time in providing compensation for those who are in office.

I do not think, Mr. President, that the interests of the people and the interests of the Republic are best served by too much legislation of this character.

Here is an innocent amendment offered by my good friend from Washington [Mr. POINDEXTER]. I did not know—I confess my ignorance—that the Coast and Geodetic Survey had generals, and I suppose admirals and vice admirals, and commodores, and captains, and all down the list of naval or military officers. Of course, if a man is in the Government service very long he must have a title, and if none exists we must create one. If a man is a civil engineer or makes a survey upon land or water we must invest him with a title; he should be made a captain, or a commodore, or an admiral, or perhaps he should have a military title; and, of course, having been given this rank, he must have the rank and pay of the admiral in the Navy or the general in the Army, and this, of course, must be followed by retirement and the pay and allowances and pension of the rank. We must set up a standard and then fit everything to that standard. This beautiful system of uniformity seems to be an obsession with us. We must standardize everything, stereotype legislation.

Now, we have naval officers and military officers. If there is the remotest resemblance between military service and some branch of the Government, we must invest the employees in that branch of the Government with the titles that we find in the military service, and if some men are engineers or perform any work analogous to that performed by men in the Army, we must attach them to the military branch of the Government and bestow titles upon them of the same character as those provided by law for those in the military arm of the Government service.

Of course, the theory is, when you automatically raise the compensation of the officers of the Army or Navy, then we must increase the compensation, the salaries, the retirement pay, the allowances, the emoluments, the perquisites, the honors, and the prestige of those who are in other branches of service, but which by some power of imagination is presumed to bear some faint resemblance to the military arm of the Government. After a while, Mr. President, I would not be surprised if, in the Bureau of Mines or in the Agricultural Department, the theory will be advanced that there is some relationship between the Bureau of Mines and the military branch of the service, for the reason that during the recent war some of the chemists and some of the mining men in the bureau rendered service which aided in winning the war, and was connected in a way with the military branch; and we will have generals and major generals and captains, and all sorts of military officers in the Bureau of Mines. Then, when there is a raise in the compensation of the Army officers, there will be a corresponding increase for the generals, and colonels, and majors, and captains, and so on, in the Bureau of Mines.

And perhaps some farseeing man will find some relation between the Agricultural Department and the Army or the Navy. Why not? The Agricultural Department, it is claimed, and I think the claim is true, rendered very efficient service during the war.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. KING. I yield.

Mr. NORRIS. The Senator can make his last statement more positive if he desires. Some of the best chemists that we have, of course, are in the Agricultural Department. During the war they were engaged directly, very properly and patriotically, in the development of shells, and so forth, and indirectly in the food proposition, which, of course, as the Senator knows, had a very material and necessary part in the winning of the war.

Mr. KING. I thank the Senator, Mr. President. The suggestion which he makes is very pertinent and, I think, constitutes an argument in favor of putting that branch of the service in some situation with relation to the military or naval branch of the Government so that there may be such coordination as to entitle the officials of the department to be given titles and grades and pensions.

Why not? The thousands of men in the Agricultural Department rendered splendid service during the war in a chemical way, in the production of food supplies for the American troops and for our allies across the seas. Why not make them generals and captains and lieutenants, and why not give them the same titles and the same pay and emoluments as we give surveyors and map makers and rodmen and those found in the Coast and Geodetic Survey?

Mr. President, we have had a bill under consideration to-day that possesses admirable features, the aeronautic bill, a bill which I believe will be passed, with some modifications, sooner or later. It provides for the coordination of the activities of the Government engaged in the production of aircraft and in its utilization. Men will be employed in flying and the carrying of the mail. Men will be employed by the Treasury Department in detecting smuggling and other violations of the law. Some will be employed in looking after the forests of the Government. In a way it is quasi-military service for the Government. We will soon have a plan here to make captains and generals and lieutenants, and so on, of all of the men who are engaged in these activities of the Government.

Why should we show discrimination? While we are so generous with the people's money, and while it involves only the passage of a law to create a lot of titles and offices, why not bestow them more generously and with less discriminating care? Let us give them to the men in the various departments of the Government. If the surveyor becomes an admiral or a general, why not have the chemist or the expert in the employ of the Government who aids in the production of foodstuffs? If titles and retirements and pensions are to be granted to so many, let us go a little further.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. KING. Certainly.

Mr. NORRIS. I presume, on the same line, we could just as well make captains, majors, and colonels of the brakemen, conductors, and switchmen on the railroads.

Mr. KING. I can see no limit if we embark upon the scheme. Why not? Where are we going to draw the line? The railroads are indispensable to the welfare and prosperity of the people, and if they are properly operated there must be an integration of all of the activities, a proper cooperation, and united control. Why not make the manager of the railroads a general, and then bestow titles all the way down, and then when we raise the compensation of the men in the Army or in the Navy, automatically it would apply to the generals and other officers in various other departments of the Government?

Mr. WADSWORTH. Mr. President, it would take a long time and a good many raises before we ever got the Army pay up to the basis of railroad pay. A locomotive engineer gets more than a colonel to-day.

Mr. NORRIS. We might make the locomotive engineer a general instead of a colonel.

Mr. WADSWORTH. We would have to do so on the face of the returns.

Mr. KING. Mr. President, I do not know what prompted the remark of my distinguished friend the Senator from New York. I certainly was not complaining about the compensation of officers of the Army or asserting that they were getting too much or too little. I have made no comment with respect to that matter. If the Senator intended it as a mere humorous remark, evidently it found its mark in the galleries. If he intended it as a criticism of my position, he is entitled to all the comfort he may extract from the same.

But, Mr. President, I will not be diverted by the humorous remark of the Senator from New York. I come back to the amendment offered by the Senator from Washington [Mr. POINDEXTER]. He comes with this innocent amendment: "Oh, this is just adding $41,000 for six months to the pay of members of the Coast and Geodetic Survey."

Upon peering beneath the surface of the amendment we find that it has broader implications than that. It is to change the existing law, it is to take those employees out of the nonpensionable and nonretirement class and to put them into a pensionable and a retirement class.

Mr. President, I like a fair fight, and I like legislation to come upon the floor of the Senate standing or falling upon its merits, just like the measure which the Senator from New York has presented for consideration and the measure which is under the control of the distinguished Senator from Indiana [Mr. NEW]. I do not like these amendments that come in for consideration, harmless upon their face, and yet perhaps containing a very serious joker.

I am making no criticism now of my distinguished friend the Senator from Washington [Mr. POINDEXTER], but the amendment ought not to pass in its present form. If it be just and fair that these men in the Coast and Geodetic Survey should receive compensation in excess of that now given to them, I would be glad to vote for it; but I want to consider the question on its merits. If it is important that they shall be elevated to a pensionable status and placed in the same category with admirals and other officers of the Navy and have all the benefit of retirement, and so forth, I want an opportunity to have that matter fully discussed and presented. In the first place, I want a committee to examine into the matter. That is what committees are for, that they may consider legislation, particularly legislation which changes existing laws, which have been on the statute books perhaps for two or three decades or for a hundred years. If these men should have been placed in the same category with admirals and officers of the Navy, why has it not been done before? Why has there not been a bill introduced in the House or in the Senate for the purpose of giving them those benefits? Why, under the guise of an amendment meant to increase their compensation, are we to be called upon to give them a different status from that which they now occupy?

I hope my distinguished friend will not press the amendment now. I know that if it is a fair proposition the Committee on Military Affairs, if that is the committee which should consider it, will consider it fairly and impartially. I do not always agree with the distinguished chairman of the Committee on Military Affairs [Mr. WADSWORTH], and yet it gives me pleasure to say that he is one of the ablest Senators in this body and brings to the consideration of the great questions that come before his committee an intelligence and a patriotism that earn for him not only the gratitude of the Members of the Senate but the gratitude of the American people.

I am sure that if the proposition which is offered by the Senator from Washington has merit, and if he will refer it to the Committee on Military Affairs, it will be dealt with promptly and fairly. I beg of my friend not to press his amendment now. I shall have to ask for a quorum if he does so, and I shall then perhaps have to make further explanations to the Senators who come in. This may lead to discussion more or less protracted. If the Senator presses it, I shall call for a quorum.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment offered by the Senator from Washington [Mr. POINDEXTER].

Mr. KING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Bankhead	Harris	Page	Spencer
Borah	Harrison	Phelan	Stanley
Brandegee	Henderson	Phipps	Sterling
Capper	Jones, N. Mex.	Pittman	Sutherland
Dial	King	Poindexter	Wadsworth
Dillingham	Moses	Sheppard	Walsh, Mass.
Gerry	New	Shields	Warren
Gronna	Norris	Smith, Md.	Williams
Hale	Overman	Smoot	

Mr. WALSH of Massachusetts. I was requested to announce the absence of the Senator from Florida [Mr. TRAMMELL] on account of illness.

The PRESIDING OFFICER. Thirty-five Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Assistant Secretary called the names of the absent Senators, and Mr. CALDER, Mr. CHAMBERLAIN, Mr. CURTIS, Mr. JONES of Washington, Mr. MCKELLAR, Mr. MCNARY, Mr. NELSON, Mr. NUGENT, Mr. RANSDELL, and Mr. SMITH of Georgia answered to their names when called.

Mr. FERNALD entered the Chamber and answered to his name.

Mr. GERRY. I desire to announce the unavoidable absence of the Senator from Colorado [Mr. THOMAS], the Senator from Florida [Mr. FLETCHER], and the Senator from Arkansas [Mr. KIRBY] on account of illness.

Mr. NUGENT. I wish to announce the absence of the Senator from South Dakota [Mr. JOHNSON] on account of illness in his family. I will let this announcement stand for the day.

The PRESIDING OFFICER. Forty-six Senators have answered to their names. A quorum is not present.

Mr. KING. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Saturday, January 31, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 30, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

With unbounded faith and confidence in Thee, our Heavenly Father, as a God hearing and a God answering prayer, we pray with all the fervor of our soul for new inspiration and light to guide us in the duties of this a new day. Crown our efforts with the well-being of our beloved country. If we seek happiness, it shall vanish away. If we seek opportunity to do good, happiness will come in the doing.

This world is in the making, and we are called upon to lend a hand and lay hold of the opportunities to develop perfection in the world and in ourselves. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. LAZARO. Mr. Speaker, I ask unanimous consent to insert in the RECORD an editorial from this morning's Washington Post on school-teachers' salaries and schools.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to insert in the RECORD an editorial from this morning's Post on the subject of schools. Is there objection?

Mr. WALSH. I object.

Mr. LAZARO. Mr. Speaker, will the gentleman reserve his objection for a moment?

Mr. WALSH. Yes.

Mr. LAZARO. Mr. Speaker, I merely wish to say that this editorial is a very able editorial on the importance of building up our school system at this time in this country. It is very short, and it will take very little space in the CONGRESSIONAL RECORD. I think it is of very great interest to the people of the country at this time when we are teaching the importance of education, in a Government like ours, where the people must rule.

The SPEAKER. Is there objection?

Mr. WALSH. I object.

The SPEAKER. Objection is heard.

CALL OF THE HOUSE.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12046, the deficiency appropriation bill.

The SPEAKER. The gentleman from Iowa moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the deficiency bill. As many as are in favor of the motion will say aye.

Mr. VARE. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Pennsylvania makes the point of order that there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on the motion of the gentleman from Iowa.

Mr. WALSH. Mr. Speaker, I make the point of order that this is not an automatic call.

The SPEAKER. A division had been had.

Mr. WALSH. A division had not been had. The House was not dividing. The Chair put the question only as to the affirmative.

The SPEAKER. Yes; the Chair called for the affirmative side.

Mr. WALSH. The House was not dividing.

The SPEAKER. The Chair does not think that the House would have to divide by a rising vote. The Chair is inclined to think that it is an automatic call. The Chair will decide that a quorum failed to vote on the question.

Mr. WALSH. But, Mr. Speaker, can the Chair make that decision when only one side has voted on a question?

The SPEAKER. Had not the Chair put both sides?

Mr. WALSH. The Chair had not. The Chair merely said that those who were in favor of the motion would say aye.

Mr. BLANTON. Mr. Speaker, I make the point of order that where the Chair has put the question in the affirmative certainly the House divides. That has been the ruling of the Chair all along this session.

Mr. WALSH. Oh, I think the gentleman is mistaken.

The SPEAKER. The Chair is disposed to think that the gentleman from Massachusetts is technically correct. The rule says whenever a quorum fails to vote on any question that there shall be an automatic call.

Mr. CLARK of Missouri. Mr. Speaker, the House undoubtedly was dividing, and it seems to me that that precipitates an automatic call.

The SPEAKER. A quorum had not failed to vote necessarily when but one side had been put.

Mr. CLARK of Missouri. But the House undoubtedly was dividing.

Mr. BLANTON. It is very evident that there is no quorum present.

The SPEAKER. It does not make any substantial difference, of course, but we should not establish bad precedents.

Mr. MANN of Illinois. Mr. Speaker, my recollection is that the rule provides that where the House has divided and an objection is made to the vote because there is no quorum present, an automatic call of the House ensues. While usually that is not stated, still objection can not be made to the vote until the vote has been taken. In this case undoubtedly the Speaker put only the affirmative.

The SPEAKER. The rule does not say anything about dividing, although that is the phrase used. The rule says whenever a quorum fails to vote on any question and a quorum is not present. The Chair thinks that under that, technically, he would have to decide that a vote had been taken and that a quorum did not vote. If the point of no quorum is made before the vote is taken, strictly the Chair could not decide that a quorum had not voted. The Chair therefore rules that this is not an automatic call.

Mr. GOOD. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Fess	Knutson	Rowan
Ayres	Fuller, Mass.	Kraus	Sanders, Ind.
Black	Gard	Kreider	Sanders, La.
Blackmon	Garland	Larsen	Sanford
Booher	Garrett	Lehlbach	Scully
Bowers	Godwin, N. C.	Linthicum	Sears
Britten	Goldfogle	McCulloch	Sells
Browning	Goodall	McDuffie	Siegel
Butler	Gould	McPherson	Small
Campbell, Kans.	Graham, Pa.	Mann, S. C.	Smith, N. Y.
Candler	Hamill	Martin	Steele
Caraway	Hamilton	Mason	Stephens, Miss.
Carew	Haugen	Moon	Stoll
Casey	Hoch	Mooney	Strong, Pa.
Christopherson	Hoey	Morgan	Sullivan
Clark, Fla.	Howard	Murphy	Taylor, Tenn.
Cooper	Johnson, S. Dak.	Newton, Minn.	Thompson
Copley	Johnston, N. Y.	Nicholls, S. C.	Timberlake
Cramton	Kearns	Nichols, Mich.	Towner
Curry, Calif.	Kelley, Mich.	Nolan	Venable
Dooling	Kendall	O'Connell	Volstead
Doughton	Kennedy, Iowa	Pell	Watkins
Edmonds	Kennedy, R. I.	Porter	Whaley
Ellsworth	Kettner	Reavis	Winslow
Emerson	Kiess	Robsion, Ky.	Woodyard
Ferris	King	Romjue	

The SPEAKER. Three hundred and twenty Members have answered to their names; a quorum is present.

Mr. GOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

URGENT DEFICIENCIES.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12046.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12046, the second deficiency bill, with Mr. TILSON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12046, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 12046) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes.

Mr. SAUNDERS of Virginia. Mr. Chairman, we had just concluded a paragraph to which I had reserved a point of order.

The CHAIRMAN. The gentleman from Virginia.

Mr. SAUNDERS of Virginia. Mr. Chairman, when we adjourned, or rather when we arose on yesterday, we had just reached and concluded line 17, page 4, to which paragraph I

reserved a point of order. I desire to ask the chairman of the committee a question or two in reference to this item. Apparently——

Mr. GOOD. Page 4?

Mr. SAUNDERS of Virginia. Page 4. Apparently this is neither conjectural nor an actual deficiency. It relates to a flat appropriation for general expenses.

Mr. GOOD. The situation with regard to that item is that the amount carried in the bill is enough to pay the present force employed by the Interstate Commerce Commission until the 30th of June, and in addition to that $25,000 that the commission estimates will be necessary to be expended by reason of the return of the roads to private control and because of pending legislation. There is a deficiency. There is not enough money appropriated to pay the expenses of the employees in the Interstate Commerce Commission for the balance of the year. Now, it does carry $25,000 which the commission felt would or might be necessary for the rest of the year. There is an actual deficiency, however.

Mr. SAUNDERS of Virginia. Well now, is it proposed by this amount to increase anybody's salary?

Mr. GOOD. Not at all.

Mr. SAUNDERS of Virginia. I want to find out whether if a department wants to increase somebody's salary——

Mr. GOOD. No; it is not proposed, so far as the committee could ascertain, to increase anyone's salary. It is only to make provision for the payment of salaries that they have been paying for the past and are paying now.

Mr. SAUNDERS of Virginia. Well, does the committee take the attitude that if the department wants to increase somebody's salary and has not got the money to do it, then it is a conjectural deficiency? Is that held to be a deficiency?

Mr. GOOD. Of course the gentleman knows that the appropriation for years for the Interstate Commerce Commission has been in a lump sum; that it was not appropriated so much for one class and so much for clerks of another class, but it is all in a lump sum. The commissioners have always had rather a wide latitude in regard to the fixing of salaries, but my understanding is that that is not proposed out of this appropriation to grant increases, and no increases have been granted that have made this increase necessary, so far as I know.

Mr. SAUNDERS of Virginia. Then I withdraw the point of order.

Mr. SNELL. Will the gentleman yield for a moment to permit me to ask the chairman of the committee a question?

Mr. SAUNDERS of Virginia. I do.

Mr. SNELL. Had they put on an additional force?

Mr. SAUNDERS of Virginia. I renew the reservation of the point of order.

Mr. GOOD. Some additional force was put on some time ago.

Mr. SNELL. Then this is in anticipation of the roads returning to private ownership and operation?

Mr. GOOD. Of course, it is in anticipation of their keeping their present force, and $25,000 of it is in anticipation of the work that may be thrown on the commission because of their resuming their full duties under the law.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof," by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities, approved March 1, 1913, including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, $500,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order. How does the Interstate Commerce Commission figure this out as a deficiency? They had an appropriation of $2,500,000, as I understand it.

Mr. GOOD. They had an appropriation of $2,500,000. It is and has been the plan of the Interstate Commerce Commission to complete the work of valuing railroad properties as soon as possible. When the war was on they consented to the discharge of some of the men who were doing field work and did not prosecute the work as vigorously as they had done before. Previously they had an appropriation of about $3,500,000 a year. Now, after the signing of the armistice they took up the work of putting on more field men, returning their men to the work, and have actually expended for the first six months $1,700,000, leaving a balance of the appropriation of $790,000. It was the opinion of Judge Prouty that with $500,000 they could carry on the work that they are now carrying on with the present or a reduced force, which is contemplated, to the 30th of June. This would give them $1,190,000 for the balance of the year. They spent for the first six months $1,710,000.

Mr. WALSH. Was any testimony taken as to what they would require after the 30th of June?

Mr. GOOD. A great part of the field work will be done by the 30th of June. They plan to have this work all completed by the end of the fiscal year 1921.

Mr. WALSH. How much did they ask for as a deficiency?

Mr. GOOD. They asked for just what we gave them. It seemed to the committee that they made a complete case. They spent $1,710,000 for the first half of the year and will have $1,190,000 for the remaining months of the year, but that is because some of the men are being discharged because the field work is completed. It seemed to the committee the work ought to be completed as soon as possible.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONTINGENT EXPENSES.

For miscellaneous expenses, including maintenance and repair of a motor-propelled passenger vehicle, to be used only for official purposes; automobile mail wagons, including exchange of same; street car fare, not exceeding $150; and other items not included in the foregoing, $10,000.

Mr. JUUL. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. JUUL. I move to strike out the last word of the section.

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. JUUL. I would like to know if we can not at some time or other come to the point where the departmental heads may be treated the same as Congressmen are?

Now, Mr. Chairman, here is an item of $10,000 for motor-propelled passenger vehicles. Now, I happened to attend a meeting of one of the appropriating committees some time ago. There were 21 members of that committee, and all of the 21 members came to the committee meeting on foot, or they came in the street cars and paid their fares. But outside of the House Office Building was standing a motor-propelled vehicle, with a soldier sitting inside of it, and it stood there waiting while the committee meeting was going on. And I want to know if it is not time for this Congress to start in on a different tack? Can not the gentlemen from these various departments ride in the street cars the same as Congressmen do; and, if they do not want to ride on the street cars, can not they pay $4 an hour as you and I do when we go down into the southwestern section of the city to visit the departments? I think these bills are filled up until they are choked with motor-propelled vehicles. If we are going to economize, let us start right in now. [Applause.] Is there a Congressmen to-day who can come in here and ask for a motor-propelled vehicle when he has got to visit the departments? Here was an officer of the United States visiting the committee, to be questioned on a matter of appropriations, and there comes a car labeled "For official use only." Do you get any cars to ride in when you go to meetings? Why should they have them? I am absolutely and unalterably opposed to this waste of the Nation's money, and I hope there will be enough courageous gentlemen upon this floor to help stop this burning up of gasoline and this furnishing of cars for men that sit inside in committee meetings for hours, with a flunky sitting outside for hours waiting for them to come out. Let them use the street cars and get acquainted with the weird and wonderful street car system we have in this town the same as we do. I had hoped that the gentlemen who had this matter in charge would have seen to it that every departmental gentleman that does not like street cars would hire his own car. For one I am in favor of striking out every item that sends a lot of men riding around here in automobiles for which the Nation has to pay, driven by men paid out of the Public Treasury.

Let me ask, Is it an official use of a United States motor-propelled vehicle to have it stand outside the Willard Hotel for hours? What official business is being transacted in there? Is it necessary to have a motor-propelled vehicle standing outside any appropriating committee or some other committee while some military gentleman is in there telling you the necessity for the appropriations? Why should this continue to go on? Let us reduce the consumption of gasoline and the price will come down, and the farmers can use it for the tractors out in the fields. [Applause.]

Mr. GOOD. Mr. Chairman, the trouble with the argument of the gentleman from Illinois is that he simply grabs at one phrase in an appropriation item that is for the entire contingent expenses of a whole department. All the automobiles that are cared for out of this appropriation, aside from the Secretary's

automobile, are two motor trucks. The big part of this appropriation is to pay telephone expenses. Under the law and under the rates established by the Postmaster General, this department pays 2 cents for every interdepartmental call. That is the rate that has been fixed, and this year it takes $7,500 just to pay the interdepartmental calls of the State Department. This is for their whole telephone service. Last year the contingent expense of the State Department was $20,000. The appropriation for this year was $12,000. Last year they had a regular appropriation of $10,000 and a deficiency appropriation for $10,000. Now, they are paying this year, as I say, for these interdepartmental calls, $7,500, and the department is paying approximately $3,000 for long-distance calls. I suppose the gentleman from Illinois would have this department throw out the telephones, and when some Member of Congress wanted to call upon the State Department for a constituent he would have to go down there, or the Secretary of State would have to come up and see him. I presume he would have us discontinue the use of telephones for long-distance calls and would have the Secretary of State go over to New York and transact the business he has there every day. I have no brief for the department. We went into this matter very carefully, and the amount expended for gasoline is a mere bagatelle. This appropriation is for the contingent expenses of one of the great departments of the Government, and I submit that $20,000, with a department as big as the Department of State, under the present high costs of everything, is not an excessive amount.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GARNER. Will this be sufficient to run them to the end of the fiscal year?

Mr. GOOD. They asked for $12,000, and the committee went into the matter very carefully, and we thought that by the practice of economy they could get along and would get along with $10,000.

Mr. GARNER. But does the gentleman from Iowa honestly believe that economy will be practiced to such an extent that we shall not be called upon to give another deficiency before the end of the year?

Mr. GOOD. I hope so.

Mr. GARNER. I asked you about your belief, not your hope.

Mr. GOOD. That depends. If they practice economy, they can get along, and get along well, within the appropriation.

Mr. GARNER. Then, as I understand the gentleman, if they do not practice economy, we shall likely be called upon to make another appropriation for this purpose. If they do not practice economy, why not tell them that they have got all the money they will get? If that had been done, they would not have need of this appropriation.

Mr. GOOD. I am willing to say to them that they will not get another deficiency for this year, if that will help. If by telling them that they must practice economy will induce the practice of economy, I am willing to make the statement as strong as the English language will permit.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. JUUL. Now, Mr. Chairman, I realize that there is probably not a gentleman on the floor of this House who desires to be more economical than the chairman of the Committee on Appropriations. But I want to tell you, gentlemen, I have seen those words "motor-propelled vehicles" in bills until I am sick of them.

Mr. GOOD. Let me say to the gentleman this: That it is necessary under the ruling of the comptroller to place those words in the contingent expense items. Otherwise they could not purchase gasoline or oil for the motor trucks.

Mr. JUUL. I do not want them to purchase gasoline for motor vehicles. Let every official of a department go and hire or buy an automobile for himself if he wants to ride in one. If they will not do that, let them do as Congressmen do, ride on the street cars or walk.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. JUUL. Yes.

Mr. BLANTON. Why do you not make a point of order against it and strike it out instead of simply lip speaking?

Mr. JUUL. I will tell the gentleman. The item is mixed up with a lot of other items that I have no grudge against, but I have a grudge against all items for motor-propelled vehicles for official purposes.

Mr. GOOD. The automobile privilege is abused by many departments, particularly the War Department, and I am willing to cooperate with the gentleman to correct this abuse.

Mr. BYRNES of South Carolina. Mr. Chairman, over $10,000 of this appropriation is due to telephone service, and therefore only a very small amount is due to expenditures for gasoline. So far as the motor cars are concerned, they have two trucks, one Ford runabout, and the Secretary's own car. Manifestly no great amount of gasoline is used for that purpose. The Congress furnishes a car to the Speaker of this House, I believe, and provides for its maintenance, and provides in this very language for the maintenance of the car of the Secretary of State and also for the other members of the Cabinet. Now, if we are going to provide a car, manifestly we ought to provide the small amount of gasoline necessary to operate it.

As to the telephone calls, the Department of State is not responsible for the price paid. The price is fixed by the General Supply Committee, which is composed of representatives of each department that contract for the service. If they did not have that interdepartmental service, the time consumed in going from department to department would cost a great deal more than the slight cost of the telephone, and therefore, while we may share the ideas of the gentleman from Illinois as to a number of items for motor cars, certainly as to this particular item it is the part of wisdom to let it remain in the bill.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. GARNER. The gentleman speaks of the Speaker having a car. I will ask the gentleman if the Democrats did not oppose having a car for the Speaker?

Mr. BYRNES of South Carolina. I do not know as to that.

Mr. GARNER. I remember that they took that position, and many of them took the position when the Democratic Speaker came in that a car should not be provided for him, and a number thought he should not use the car when it was provided, and I was one of those.

Mr. RUCKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. GOOD. Pending that, Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in six minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on the pending paragraph and all amendments thereto close in six minutes. Is there objection?

There was no objection.

Mr. RUCKER. Mr. Chairman, in my opinion the argument just made by the chairman of this committee [Mr. GOOD] in response to the point made by the gentleman from Illinois [Mr. JUUL] was not responsive to the point raised by him. The gentleman from Iowa speaks of telephone charges and other matters of necessary expense. The gentleman from Illinois is not talking about that, but he is trying to call the attention of the House to an abuse which has become almost universal among the departments in this city. I agree with the gentleman from Texas [Mr. GARNER] that this House ought not to appropriate for the purchase, repair, and operation of automobiles for the Speaker and for Cabinet officers. Why, gentlemen know that when we want to see a Cabinet officer we have to go to his place of business—to his office. We have to go at a certain hour, too, or you will find him out at lunch. It is hard to locate one of them. It is also hard to locate a chief clerk. They are at lunch if you go there at 11.30 o'clock, and they are frequently at lunch when you return at 2 o'clock or 3 o'clock. They eat too much. [Laughter.] If they would cease devoting so much of their time to devouring lunches, they would help to solve the problem of high cost of living in this Nation. [Laughter.]

But again, I want to ask if the expense of maintaining that motor-propelled passenger vehicle is so trivial, would the gentleman have any objection to striking that provision from the bill? If it amounts to nothing, let us take it out; but if it amounts to something, let us stand up like men and take the responsibility for our action. Will the gentleman accept an amendment striking out the words—

a motor-propelled passenger vehicle, to be used only for official purposes—

So that it will read—

including maintenance and repair of automobile mail wagons?

Mr. GOOD. No; I will not.

Mr. RUCKER. The gentleman will not agree to that?

Mr. GOOD. I will not.

Mr. RUCKER. Then it does seem to me that the gentleman's argument is hardly sincere. If it is such a trivial expense, why include it here? Let me call attention to the fact that in connection with this automobile business we must also furnish a chauffeur, and a shame that has grown up by reason of this improper appropriation has been witnessed by every man on this floor. During the recent war we saw men who were drafted and taken from home to help fight the battles of this Republic,

who were detailed to drive automobiles for men who were not their superiors except in rank. [Applause.] I never voted to drag the boys from home in my district to bring them to Washington to sit in a machine at the street curb waiting for some titled man to step from a building, and then open the door for him, put him in, cover him up with a laprobe, and take him where he wanted to go. It is an outrage to do it, it is an abuse of authority, and this House is primarily responsible for these conditions by making it possible for these gentlemen to operate Government-owned machines. I am opposed to it.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. GOOD. Mr. Chairman, we have gone into this matter in the past with regard to automobiles for Cabinet members and for the Speaker of the House. It is due to the gentleman from Missouri [Mr. CLARK] to say that while he was the Speaker of this House, so far as I know, he never asked the Committee on Appropriations for a dollar for an automobile; but it is to the credit of the House that it recognized the fact that he was one of the great officials of this Government, and that he and his family, because of the great duties that devolved upon him and upon them, should have an automobile at Government expense, and we gave it to him. [Applause.] And I thought this question was behind us.

Mr. RUCKER. Will the gentleman yield?

Mr. GOOD. I am in favor of every Cabinet officer having an automobile and having it taken care of at Government expense. It is the only decent thing to do, and the amount we would save in depriving these officials of Government automobiles is a mere bagatelle. The fact is that by doing so a real saving will be effected, for we provide for the transaction of business along business lines.

The CHAIRMAN. The gentleman's time has expired. All time has expired.

Mr. RUCKER. Mr. Chairman, I offer an amendment to the section.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

Mr. RUCKER. I move to strike out, in line 7, page 5, the words "a motor-propelled passenger vehicle to be used only for official purposes."

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RUCKER: Page 5, line 7, after the word "of," strike out "a motor-propelled passenger vehicle to be used only for official purposes."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri.

The question being taken; on a division (demanded by Mr. BLANTON) there were—ayes 9, noes 65.

Accordingly the amendment was rejected.

The Clerk read as follows:

FOREIGN INTERCOURSE.

For the salary of an envoy extraordinary and minister plenipotentiary to Finland, at the rate of $10,000 per annum from February 1 to June 30, 1920, inclusive, $4,166.66.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph that it is not a deficiency, and it should properly come in some other appropriation bill than this, if in any. It shows on its face that it is not a deficiency.

The CHAIRMAN. The Chair will hear the gentleman from Iowa [Mr. GOOD] on the point of order.

Mr. GOOD. Mr. Chairman, just a statement in regard to the facts. We have no minister to Finland. Practically all other countries have already appointed and accredited ministers to Finland. The Diplomatic and Consular appropriation bill that has just passed the House carries such a provision for the next fiscal year. It was the opinion of the Secretary of State that the United States would be greatly hampered if we did not immediately have a minister in that country. It is now a republic. I realize the fact that because the office has not been established in some prior Diplomatic bill this appropriation is not in order. It is subject to a point of order; but in justice to what we thought was due the Government of the United States, to our manufacturers, and our people, whose interests would be advanced by having this minister appointed now, we carried the provision in the bill. I admit that it is subject to a point of order.

Mr. MONTAGUE. Will the gentleman yield for a question?

Mr. GOOD. I yield to the gentleman.

Mr. MONTAGUE. Is it not true that Finland is perhaps the most central point for obtaining information as to Russia and the other contiguous disturbed sections of Europe?

Mr. GOOD. Unquestionably, that is true.

Mr. SNELL. Is it not a fact that we need an American minister there to look after the interests of Americans who are there?

Mr. GOOD. Unquestionably.

Mr. SNELL. We are doing it to protect our own people.

Mr. GOOD. Certainly. It would not have been put in there for any other purpose.

Mr. SAUNDERS of Virginia. Is it not clear that we will have a minister to Finland after the 1st of February?

Mr. GOOD. We will not have a minister there unless we appropriate the money.

Mr. SAUNDERS of Virginia. If you appropriate the money you will have him?

Mr. GOOD. That is quite likely.

Mr. SAUNDERS of Virginia. And you will need this money to pay him?

Mr. GOOD. Yes.

Mr. SAUNDERS of Virginia. Here is an urgent need?

Mr. GOOD. Yes.

Mr. SAUNDERS of Virginia. Is not that a conjectural or anticipatory deficiency?

Mr. GOOD. No; it is not a deficiency, because as yet the position has not been created.

Mr. SAUNDERS of Virginia. I understand; but it is perfectly clear that they will need this money.

Mr. MONTAGUE. Supplementing the inquiry heretofore propounded by the gentleman, is not Finland the very best place through which contact with Russia may be consummated and from which information as to Russian conditions may be obtained?

Mr. GOOD. Certainly. It was a part of Russia until the Republic was set up there in 1917.

Mr. MONTAGUE. And we have no accredited diplomatic agent in Russia now?

Mr. GOOD. We have a commissioner, but not a minister.

Mr. MONTAGUE. We have no diplomatic agent on Russian territory, have we?

Mr. GOOD. I think he does perform a diplomatic function, but he is not of the rank of a minister.

Mr. MONTAGUE. He is not an ambassador or minister?

Mr. GOOD. No; he is not.

Mr. BLANTON. Will the gentleman yield?

Mr. CLARK of Missouri. I should like to ask the gentleman a question.

Mr. GOOD. I yield to the gentleman from Missouri [Mr. CLARK].

Mr. CLARK of Missouri. Is not Gov. Francis still ambassador to Russia?

Mr. GOOD. I do not know.

Mr. CLARK of Missouri. I have never seen any account of his resigning.

Mr. GOOD. I think he is not in Russia now.

Mr. CLARK of Missouri. No; I know he is not in Russia now, any more than Mr. Fletcher is in Mexico.

Mr. GARNER. Have not they a custom by which they evade the law—which says that a diplomatic representative can not remain away from his post of duty longer than a certain length of time—by bringing them here and assigning them to duty here, where their duty in certain instances is simply to be here and draw their salaries?

Mr. CLARK of Missouri. It was said that Ambassador Fletcher was here to consult with the administration authorities about the condition of affairs down in Mexico. I want to ask a question. Is not Finland a part of Russia?

Mr. GOOD. No; it is a Republic.

Mr. CLARK of Missouri. How did it come to be a Republic?

Mr. GOOD. They set up a separate form of government in 1917, and it has been recognized by all the powers as an independent Republic.

Mr. CLARK of Missouri. Did the United States ever formally recognize the Republic of Finland?

Mr. GOOD. Yes; we have recognized Finland as a Republic, and have appointed a diplomatic representative there, a commissioner, and Finland has sent a minister to the United States, and he has been accepted by us.

Mr. CLARK of Missouri. The New York Times says that we are going to recognize the soviet government of Russia. Suppose we do, will not they go down there and take this Republic by the neck and pull it back into Russia? [Laughter.]

Mr. GOOD. I think this might prevent anything of that kind. If we can help Finland by sending a minister there, we should certainly do so.

Mr. CLARK of Missouri. I would like to ask the gentleman how many people live in Finland.

Mr. GOOD. Three million five hundred thousand.

Mr. CLARK of Missouri. It is one of the oldest countries in Europe.

Mr. GOOD. Yes; formerly a part of Russia.

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLANTON. This great emergency was known to the Committee on Foreign Relations at the time they framed the Diplomatic and Consular bill, was it not?

Mr. GOOD. The last one?

Mr. BLANTON. Yes; the one we have just passed.

Mr. GOOD. Yes.

Mr. BLANTON. If it was such an urgent matter, of such great importance, why did not that committee have this item in that bill?

Mr. GOOD. It would have been subject to a point of order.

Mr. BLANTON. It would have been no more subject to a point of order in that bill than it is in this bill.

Mr. GOOD. The gentleman understands that the Diplomatic and Consular bill which we have just passed does not become effective until July 1 next.

Mr. BLANTON. Yes; but it could have been made effective at once.

Mr. GOOD. The Department of State chose to ask for a deficiency in the regular way, and it would have been subject to a point of order on either bill.

Mr. BLANTON. Suppose this anarchistic, bolshevistic, soviet Government of Russia should divide the country up into various republics containing not over 3,500,000 people, like Finland is, would the gentleman insist that an emergency arose whereby we should provide a minister for each one of those republics?

Mr. GOOD. That would depend upon whether we recognized the soviet governments and accepted their ministers. If we did, we would be almost compelled under the laws of civilized nations to send a minister there. That is international law and the rule of comity between nations requires it, and I do not think we should abrogate it.

Mr. BLANTON. Does not the gentleman from Iowa think it will behoove us to keep as far as possible from the Lenin and Trotski powers now controlling Russia?

Mr. GOOD. I do not think that has anything to do with this matter.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. GOOD. Certainly.

Mr. SAUNDERS of Virginia. I understand the gentleman to say that the Department of State preferred to ask for this as a deficiency "in the regular way," and yet I understand the gentleman to say that this is neither a conjectural nor an actual deficiency.

Mr. GOOD. Unquestionably that is true.

Mr. SAUNDERS of Virginia. Then it is not "in the regular way"?

Mr. BYRNES of South Carolina. What the gentleman from Iowa said was that the Department of State preferred to ask for it in the deficiency bill instead of having it put in the Diplomatic and Consular bill, where a provision making it immediately available would have made it subject to a point of order. I want to say that the Republic of Finland stands as a bulwark against the Bolshevism of Russia. It has been recognized by nearly all the great Governments—Great Britain, France, Norway, Denmark, Italy, and every great power, also the United States. We have there a commissioner, but we should have a minister. A minister will aid in promoting the commerce of this country, and no point of order should be made against it.

Mr. BLANTON. Mr. Chairman, I make the point of order, and I insist on it. It is clearly not a deficiency item, and is so admitted by the chairman of the Appropriations Committee.

Mr. GOOD. That point of order I do not think would lie against this item. There may be a point of order that would lie against it, but that is not it.

Mr. BLANTON. Mr. Chairman, I make the point of order that it is not germane to this bill or any item in it; that it is not authorized by law and is not a deficiency.

The CHAIRMAN. The Chair sustains the point of order on the ground alone that it is not authorized by law.

The Clerk read as follows:

To pay the quota of the United States as an adhering member of the International Railway Congress for the year ending April 15, 1920, $400.

Mr. SAUNDERS of Virginia. Mr. Chairman, I reserve a point of order on this item. Is there any authority of law for these things? If the gentleman from Iowa says that there is, I will not bother him to look it up.

Mr. GOOD. This matter is all provided for by treaty and our legal obligations are fixed by that treaty. We are members of the International Railway Association.

Mr. GARNER. Will the gentleman yield?

Mr. GOOD. Certainly.

Mr. GARNER. Why was it that the Committee on Foreign Affairs did not carry this item in the regular way?

Mr. GOOD. The House bill carries the items, but the Senate bill did not carry them, and they went out in conference. They did not go out because they were not provided for by the treaty. It was recognized, but the items went out, as I understand it, because there was a feeling that we should not be members of this International Railway Council. We have been members for years, and under the treaty we must give one year's notice of our desire to withdraw. We have never served that notice and we have never paid our obligation. The Interstate Commerce Commission says that this is the only source of reliable information that is very valuable to them, to aid them in assembling figures with regard to the railways of the world outside of the United States, and they want the United States to continue as a member; but this is to pay the debts for the years that we have been members and have been receiving information as adhering members.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GARNER. I want to take advantage of this situation to again call attention to the fact—and I shall continue to do so—that where people do not get an appropriation from one committee they go to another committee. I will illustrate it in this instance. These items the gentleman says were in the last bill as it passed the House. They were stricken out in the Senate, and in conference the House conferees yielded to the Senate on that amendment striking them out. These people now go to a different committee, which is the Appropriations Committee, and this identical bill will go to a different committee in the Senate, and there will be different conferees, and thereby these people will get a law from Congress that they could not get in the orderly way. This may have been in line with the gentleman's procedure last summer when he was undertaking to create the impression that he was trying to economize, but he is taking it back now, just as he will take it back, as well as a good many other things, next December, which he is trying to economize on now.

Mr. GOOD. This is for prior years, and so far as I am concerned, it does not make any difference what a committee of the Senate does. If there is the legal obligation on the part of the United States, and that is presented to a committee of the House, as a general rule that committee has recommended that that obligation be discharged by making the appropriation. Here is a legal obligation. How in the name of common sense any committee can stand up for a minute and say that we ought not to make an appropriation to pay our debts, I do not understand. We should be the last Nation to repudiate our debts.

Mr. GARNER. Mr. Chairman, the gentleman has been a Member of this House about the same length of time that I have. I know that the Committee on Foreign Affairs has abrogated two treaties since I have been a Member of this House by declining to make appropriations. Do I understand the gentleman from Iowa, the chairman of the Committee on Appropriations, to say that if the Foreign Affairs Committee of the House should decline to make an appropriation, although it was authorized by a treaty, that that committee, having sat upon the subject and decided not to make an appropriation, if that fact was brought to his attention, he would bring it in here in the form of a deficiency?

Mr. GOOD. If any committee of the House refuses to make an appropriation to discharge a legal and just obligation of the Government, where the Government has received the benefits that that obligation created, I believe the Committee on Appropriations are true enough in their Americanism to bring in a deficiency to pay the Government's debts when the matter properly comes before it.

Mr. GARNER. This is the first time that the Committee on Appropriations or its chairman has ever taken that position. Mr. Fitzgerald did not take that position. Mr. Fitzgerald took the position that when a matter was legitimately presented to a committee having original jurisdiction and that committee decided it was not wise to appropriate for it, he would not hear its advocates to consider a proposition to make it a deficiency.

Mr. GOOD. I think the gentleman, when he says this is the first time the Committee on Appropriations has taken the position—but be that as it may, so long as I am chairman of that committee I will never stand for the Government re-

pudiating a single debt, not a dollar of its just obligations, no matter what the other committees may do. [Applause.]

Mr. GARNER. And no one else wants to do that, but I do not think the gentleman from Iowa will presume that other committees of this House are less virtuous than he is or less patriotic.

Mr. GOOD. I have made no such assumption.

Mr. GARNER. And if they decline to do a thing their judgment ought to be equally as good as his and they ought to be considered just as patriotic. Although I am not a member of any committee on appropriations, I protest against the Committee on Appropriations of this House undertaking to usurp the powers of the other appropriating committees where they have considered an original item and decline to appropriate for it.

Mr. GOOD. We have not done that.

Mr. GARNER. I would do this: I would constitute the Appropriations Committee the only appropriating committee in the House, and in that way take away the jurisdiction of the other appropriating committees.

Mr. GOOD. No committee of the House has ever declined to appropriate for this service. The Foreign Affairs Committee reported out the appropriation. It was the committee of the Senate that declined to appropriate for it. The matter was brought to our attention, and I am sure there is not a member of the Committee on Foreign Affairs of the House who would not say amen to the action of the Committee on Appropriations in reporting out this appropriation to pay a just and legal obligation of the Government.

Mr. BYRNES of South Carolina. Mr. Chairman, if the gentleman will yield, I simply want to say to the gentleman that members of the Foreign Affairs Committee told me that the representative of the State Department informed that committee of the fact that he had submitted this estimate to the Appropriations Committee, and that that was why they did not consider putting it in their bill which they have reported. That is what the gentleman from Texas [Mr. CONNALLY] informs me.

Mr. ROGERS. Mr. Chairman, I simply want to corroborate what the gentleman has said and to remind him that for many years the Committee on Foreign Affairs has uniformly reported out this little item of $400, and it was carried in the bill which passed the House within a week.

Mr. GARNER. Why was it the Foreign Affairs Committee yielded on these items to the amendment of the Senate?

Mr. ROGERS. I was not a conferee, and I can not answer the gentleman.

The CHAIRMAN. Does the gentleman from Virginia insist on his point of order?

Mr. SAUNDERS of Virginia. Mr. Chairman, I did not make the point of order. I reserved the point of order, and I withdraw the reservation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For subscription of the United States as an adhering member of the International Prison Commission and the expenses of a commissioner, including preparation of reports for 1920, $2,550.

Mr. SAUNDERS of Virginia. Mr. Chairman, I reserve a point of order on that section.

Mr. GOOD. That is in the same condition. That commission was established a good many years ago, and it was initiated by the Government of the United States in 1871. We have been members of that commission ever since, but there seems to have been no appropriation for this current year.

Mr. SAUNDERS of Virginia. What committee has been appropriating for this commission heretofore?

Mr. GOOD. That is carried in the Diplomatic and Consular appropriation bill.

Mr. SAUNDERS of Virginia. How is it that the Committee on Appropriations takes jurisdiction of these diplomatic and consular matters? This is certainly not a deficiency.

Mr. GOOD. I am not sure that the House last year carried this item in the bill, but it is clearly a deficiency; it has not been appropriated for and we owe the obligation.

Mr. SAUNDERS of Virginia. A deficiency arises when an appropriation is made which turns out to be insufficient or which is wasted by the executive functionaries charged with its expenditure. This is an appropriation proper to be made by the committee having jurisdiction. This is a plain case of usurpation of jurisdiction by the Committee on Appropriations.

Mr. GOOD. Oh, I think not. The amount in this case is so many francs per million people of population. Now, that is all provided for in the treaty. We created this International Prison Commission. This commission was created at our instigation and we have been adhering members of it all along, and we have paid every year our part of the expense of the work of this commission. Now, our part for this current year is $2,550. That is fixed by the treaty. We can not cut it down. There is a deficiency there because no money has been appropriated for fulfilling our obligation.

Mr. SAUNDERS of Virginia. Does the gentleman realize that he is stating a principle which, if lived up to, would allow the Committee on Appropriations to take over the jurisdiction of every other committee of this House?

Mr. GOOD. Oh, I think not.

Mr. SAUNDERS of Virginia. If any other committee fails to make an appropriation, leaves it out temporarily, for instance, why the Committee on Appropriations through its deficiency subcommittee might undertake to say, "We must take care of the United States, these other committees are not doing so, hence we will make the necessary appropriation."

Mr. GOOD. No; if we appropriated $550 for the discharge of this debt when it took $2,550 to discharge it, that would be a deficiency and——

Mr. SAUNDERS of Virginia. I will say if we appropriate anything——

Mr. GOOD. So, therefore, there is a deficiency now of $2,550, because that was the amount of our obligation, and no part of it has been appropriated.

Mr. SAUNDERS of Virginia. The original appropriation belongs to this Committee on Foreign Affairs, and that committee has failed to function, but there is no conjectural, or actual deficiency, or anything of the kind. Looking through the precedents—and I have had occasion to do that recently—I find very elaborate rulings on the subject of holding committees within their respective jurisdiction. A very large part of one volume of Hinds' Precedents deals with the jurisdiction of the committees. These committees should be held down to their jurisdiction and appropriate activities.

Mr. Chairman, I withdraw the point of order, but later on shall insist upon having some of these usurpations stricken from the bill.

The CHAIRMAN. The gentleman from Virginia withdraws the reservation of the point of order, and the Clerk will read.

The Clerk read as follows:

TREASURY DEPARTMENT.

CONTINGENT EXPENSES.

For stationery, including tags, labels, and index cards printed in course of manufacture, for the Treasury Department and its several bureaus and offices, $200,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order in order to ask the chairman of the Committee on Appropriations a question. I notice that of this $200,000 a part of it is to pay for tags. I just want to call the attention of the chairman of the committee to the fact, which I mentioned once before some time ago on the floor, that the Director of the United States Employment Service spent about $65,000 for a certain kind of useless tags or buttons which you put on the lapel of your coat and which have never been used, and they either have been thrown away or are still piled up down in the Department of Labor. None of this $200,000 is to go for that kind of tags, is it?

Mr. GOOD. No; none of this goes for anything of that kind, although there is a waste of money under this appropriation. The attention of the committee was called to an abuse with regard to the sending out of Liberty bonds. I hold here a very heavy manila envelope, which is about 12 inches square, which has six large gobs of wax upon it. This is a sample of the envelope used to send a little Liberty bond about one-fourth of the size or half the size of that envelope to the banks and subscribers all over the country. By actual weight, if that was sent as first-class mail, the evidence alone and wax would cost 6 cents. Of course, it was an unbusinesslike way of sending out Liberty bonds. The wax performs no service. Now, the department asks for $300,000, and we called attention to some of the facts in this connection before the committee, and we have cut out $100,000 of the estimates, and we served notice upon them that they must make an effort to practice some of the homely virtues of economy that business men all over this Nation are forced to adopt. They have already discontinued the use of the wax. I do not know how long they will continue the use of this big, heavy manila envelope when an envelope half the size or one-fourth the size, weighing one-eighth the amount, would carry it just as safely to its destination.

Mr. BLANTON. The chairman will also remember that the Secretary asked the Congress to allow him $10,000,000 to float the first Liberty loan, and that Congress saw fit to cut that half in two, and then after giving him only $5,000,000, one-half of what he asked for, without spending all of that, he had the first Liberty loan oversubscribed nearly double.

Does not the chairman think we could cut this $200,000 item in this particular section in half and still give plenty of money for the several little matters proposed in this appropriation?

Mr. GOOD. I think we have cut him to the quick on this appropriation.

Mr. BLANTON. Would not the chairman be willing to accept that amendment?

Mr. GOOD. I would not, because in cutting it $100,000, in view of their present balances and the amount they have expended, I think we have cut as much as the circumstances will permit. I think we have, however, through the hearings, served notice that they must economize and cut out useless expenditures. And they have already abolished the use of this wax, which they have been buying by the ton.

Mr. BLANTON. The gentleman notices that it is for tags, labels, and index cards, $200,000.

Mr. GOOD. Yes; but this is for the whole contingent expenses of the Treasury Department.

Mr. BLANTON. Are you not willing to teach them a little economy down there as well as in other departments?

Mr. GOOD. We are. We are cutting $100,000 from this estimate.

Mr. GARNER. Mr. Chairman, I would like to take advantage of this to ask the committee's attention to the budget system, so that something may be in the RECORD that will drift over to the other end of the Capitol.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GARNER. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended two minutes.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] has the floor on the reservation of the point of order.

Mr. GARNER. I will reserve it again, then.

If we had a budget committee, this abuse of discretion that has been called attention to, using this heavy manila envelope and wax the gentleman speaks of, could not have possibly happened. And all we appropriate for it now is $100,000. In other words, all he has saved in this item would have been originally saved if we had had a budget system such as has been proposed.

Mr. GOOD. Undoubtedly the budget system will bring about great economies.

Mr. BLANTON. Mr. Chairman, I withdraw the reservation.

The CHAIRMAN. The Clerk will read.

Mr. McFADDEN. Mr. Chairman, I move to strike out "$200,000" and insert in lieu thereof "$100,000."

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. McFADDEN: Page 6, line 7, strike out "$200,000" and insert "$100,000."

Mr. McFADDEN. Mr. Chairman, I offer the amendment for the purpose of inquiring of the chairman how much of this appropriation for stationery is assigned to the bureau of the Comptroller of the Currency.

Mr. GOOD. I can not say how much was assigned, but they do not expend very much. For the fiscal year 1919 the Comptroller of the Currency expended $770.77.

Mr. BLANTON. Most of that was probably because of communications to the gentleman who now has the floor.

Mr. McFADDEN. I want to say to the chairman in that connection that the Comptroller of the Currency must use a greater amount of stationery than that, because, as a matter of fact, during the past year he has sent out bulletin after bulletin challenging Members of Congress and criticizing them and boosting his own department. My thought in offering this amendment was to get information. My idea is that there must have been a good many thousands of dollars for stationery provided for the comptroller, because during the whole year, and especially during this month, he has sent out a letter or bulletin, criticizing a Member of Congress, to all of the national banks in the country; and he is frequently in the habit of sending out letters or bulletins and press notices, praising his own administration, to the banks of the country; and it seems to me that a great and useless waste of paper is taking place. Therefore I have offered this amendment to see whether or not some correction can not be made in this particular.

Mr. ANDREWS of Nebraska. Will the gentleman yield for a suggestion?

Mr. McFADDEN. I will.

Mr. ANDREWS of Nebraska. I will state to the gentleman that the matter of stationery in the Treasury Department is provided for under a general fund and that it is distributed through the stationery division to the various offices and bureaus of the department. To ascertain the exact cost of the amount of stationery that each officer or bureau of the department uses, you would have to go to the stationery division and get a statement of the amount advanced on requisition to that particular office or bureau.

Mr. McFADDEN. Does the gentleman concur in my judgment that this $770 does not cover the entire expense of the bureau?

Mr. ANDREWS of Nebraska. I will say that it is comparatively small when you look at the immense amount of correspondence that that department is compelled to carry on.

Mr. McFADDEN. During the month of January John Skelton Williams had printed on the official letterhead of the Treasury Department, addressed to the officers and directors of national banks, 12 closely typewritten pages embodying an attack on a Member of Congress who, in the discharge of his duties as a Member of Congress, saw fit to criticize his administration as Comptroller of the Currency. This letter was addressed to the officers and directors of national banks, and would indicate from its phraseology that it had been sent to all the national banks in the United States, which is simply a rehash of former utterances which long since had been made a matter of public record. This letter was printed on paper evidently furnished the Treasury Department from appropriations made by Congress. The typewriting and mimeographing had also been compiled on Government machines, probably by persons engaged in the Government service. The envelope bears the imprint of the Comptroller of the Currency, Washington, and was probably addressed by some one in the Government employ. The special letters coming under my observation bear 6 cents in postage stamps. There is nothing to indicate who paid this postage. Much of the correspondence contained in this letter has been mailed to bankers and others throughout the United States during the past year in Government franked envelopes, in strict violation of the law, and it would seem to me right and proper that an officer of the Government who abuses or who has abused the franking privilege of this Government to the extent that this man has should be deprived by Congress of the right to continue further the use of this Government franking privilege for his own personal use and aggrandizement.

This matter is particularly pertinent at this time because of the present status in office of John Skelton Williams. Three times the President of the United States has seen fit to nominate him to the vacancy existing in the office of the Comptroller of the Currency and three times has the Senate of the United States refused to confirm his appointment. Any ordinary man under similar circumstances would have sense enough to relieve the President of the future embarrassment of continuing this appointment, but this gentleman evidently prefers to cling to the pay roll of the Government in the same manner that he has continued to travel upon free passes over the railroads of the United States, which passes he received when Director of Purchases and Finance of the Railroad Administration, and notwithstanding the fact he resigned this position about one year ago he continues to cling to the free transportation. Now that I have brought this matter to the attention of the Appropriations Committee, I trust that they will see to it in the future that the appropriations for stationery, at least during this great national crisis caused by the shortage of paper, will be discontinued so far as this department is concerned.

Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For purchase of boxes, book rests, chairs, chair cane, chair covers, desks, bookcases, clocks, cloth for covering desks, cushions, leather for covering chairs and sofas, locks, lumber, screens, tables, typewriters, including the exchange of same, wardrobe cabinets, washstands, water coolers and stands, and for replacing other worn and unserviceable articles, $3,000.

Mr. HICKS. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question or two.

A number of years ago in the city of New York we found in various departments of the city government various purchasing departments or bureaus purchasing supplies for the use of the city. We found, for instance, in the matter of brooms, a commodity, of course, used by all the departments all through our city government, that in one department those brooms cost, I remember, $1.25, and in another 75 cents—the same identical brooms. The difference in the cost of those brooms was due to a lack of system in asking for bids. Our city at once got busy, and we have now concentrated all the purchasing of supplies in one purchasing department, with the result that we have saved the city of New York thousands and thousands of dollars. I imagine that in this item and in other items of these various

departments we will probably find that a specific item, like brooms, will be purchased by one department for one amount and by another department for another amount, and I am wondering if the chairman of the Committee on Appropriations, in his effort for economy, has taken into consideration the possibility and the feasibility and the advisability of having some definite system by which these supplies can be purchased or by which contracts can be submitted?

Mr. GOOD. They have that system now. All the supplies are purchased through one central supply committee, and all of the departments go to that committee and get their supplies and pay for them to that committee out of their appropriations.

Mr. HICKS. I am very glad that has been done, Mr. Chairman.

Here is another point I would like to ask the chairman about. It is this item which covers typewriters. Now, of course, we have in the Government storehouses probably thousands of typewriters that were used during the war, and, of course, we have thousands of office desks and office chairs. Now, I understand there is some contract or some understanding or agreement made by this Government with the manufacturers of typewriters by which the Government must return those typewriters to the companies manufacturing them, and are forbidden to sell them to the consumers or the public. Now, I would like to ask the chairman of the committee just the nature of that, if he is aware of it?

Mr. GOOD. I did not quite catch the full import of the gentleman's question.

Mr. HICKS. We have had in our Committee on Naval Affairs an item pending of this kind—so much for typewriters—and when we made inquiry we found that there is a special contract between the Government and the manufacturers of typewriters by which these second-hand Government typewriters can not be sold to the private consumer. They must all be returned to the manufacturers.

Mr. BYRNES of South Carolina. Mr. Chairman, if the gentleman from Iowa [Mr. GOOD] will yield, I may say that the hearings show that instead of doing that the General Supply Committee has a contract for repairing the machines. They have them repaired under a contract. They had one estimate submitted for $29, and instead of that they have been trying to cut it down to $11.

Mr. HICKS. Would it be possible for the gentleman from South Carolina to go to a department of the Government, knowing that there are thousands of these typewriters on hand and not in use, and purchase one of these typewriters from the Government direct, or would he have to go and deal with the manufacturer?

Mr. BYRNES of South Carolina. I have no information other than that supplied by the representatives of the departments in the hearings before the Committee on Appropriations. Their statement is that they are not now purchasing. Mr. Myers, of the Treasury Department, said this:

> The Government is practically purchasing no typewriters. We are purchasing them from bureaus that went out of existence since the war.
>
> Those machines have been turned over to a contractor to be repaired, and as they have a demand from a department for a machine they issue that machine.

Mr. HICKS. My inquiry goes to the sale of these machines to the general public.

Mr. BYRNES of South Carolina. I say I do not know as to that, but I think it would be exceedingly unwise for the Government to sell them when there is such a demand for them from the departments.

Mr. HICKS. There must be many thousands more than what the Government can use.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. ANDREWS of Nebraska. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Nebraska moves to strike out the last word.

Mr. ANDREWS of Nebraska. Mr. Chairman, the departments, through the General Supply Committee, make contracts annually for supplies, such as typewriters. They also provide in the contract that the machine that has become badly worn may be turned in at a stated price in part payment for a new machine, or it may be repaired at a stipulated price.

These contracts are made annually and regularly through that channel. No department can sell such property to the public except under the terms prescribed by the law, which would be for a turning in by notice on publication and sale by auction. The funds then would go back into miscellaneous receipts, so that there is no margin here under the ordinary course of procedure for a diversion of any of this property to any channel if the parties in charge of the contracts and of the bureau follow the regulations and the law.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> For washing and hemming towels, purchase of awnings and fixtures, window shades and fixtures, alcohol, benzine, turpentine, varnish, baskets, belting, bellows, bowls, brooms, buckets, brushes, canvas, crash, cloth, chamois skins, cotton waste, door and window fasteners, dusters; flower-garden, street, and engine hose; lace leather, lye, nails, oils, plants, picks, pitchers, powders, stencil plates, hand stamps and repairs of same, spittoons, soap, matches, match safes, sponges, tacks, traps, thermometers, toilet paper, tools, towels, towel racks, tumblers, wire, zinc, and for blacksmithing, repairs of machinery, removal of rubbish, sharpening tools, street car fares not exceeding $250, advertising for proposals, and for sales at public auction in the District of Columbia of condemned property belonging to the Treasury Department, payment of auctioneer fees, and purchase of other absolutely necessary articles, $3,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order to ask a question.

The CHAIRMAN. The gentleman from Texas reserves a point of order.

Mr. BLANTON. I want to call the attention of the chairman of the committee to some of these items mentioned in this paragraph. Take, for instance, "chamois skins." What use on God's earth has the Treasury Department for chamois skins?

Mr. GOOD. I suppose they are doing the same thing with them that they have been doing for a good many years. That is the language that has heretofore been used. I do not know if any chamois skins are now actually purchased or not.

Mr. BLANTON. The only use I ever have had for a chamois skin is to wash off my machine.

Mr. GOOD. I suppose it is used for cleaning windows and the metal fasteners and fixtures.

Mr. BLANTON. And "flower gardens" are mentioned also.

Mr. GOOD. Well, there is a very beautiful flower garden down around the Treasury Department, put there at public expense. Does the gentleman want to remove it?

Mr. BLANTON. Oh, no; but they have enough highly paid flunkeys down there already to take care of that flower garden without having a special appropriation for it.

Mr. GOOD. The increased deficiency is caused by the increased cost of washing and hemming towels, and things of that sort. But the gentleman can point out the unbusinesslike methods in the department without hurting my feelings in the least.

Mr. BLANTON. And "thermometers." Does not the gentleman think that all of these items are a little overdone in all these departments?

Mr. GOOD. Possibly so. I did not buy them. But the gentleman will understand that we cut this item $1,000.

Mr. BLANTON. If there are certain items in here that they can get along without, when we are facing a $3,000,000,000 deficit, ought we not to strike them out—every article that they can get along without?

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. DENISON. I see an item here for "street hose." While the gentleman from Texas is interrogating the chairman of the committee, will he not ask about that item?

Mr. BLANTON. The gentleman certainly is not too modest or bashful to propound his own questions. [Laughter.]

Mr. DENISON. The gentleman was asking questions about these various things, and I thought I would give him an opportunity to ask a question about that.

Mr. BLANTON. It is not the kind of hose that the gentleman has in mind.

The CHAIRMAN. The reservation of the point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

> For purchase of labor-saving machines and supplies for same, including the purchase and exchange of registering accountants, numbering machines, and other machines of a similar character, including time stamps for stamping date of receipt of official mail and telegrams, and repairs thereto, and purchase of supplies for photographic copying machines, $7,500.

Mr. BLANTON. Mr. Chairman, I reserve a point of order on this paragraph.

The CHAIRMAN. A point of order is reserved.

Mr. BLANTON. This paragraph partly provides for the purchase of labor-saving machines. I want to ask the chairman if he is aware of the fact that in the Bureau of Engraving and Printing we have labor-saving machines not in use, which have been bought with the money of the people at great expense to this Government, and which if used would save labor to a substantial extent, and which can not be used because of the one fact that the labor unions in charge of that department will not permit this Government to use them? It is a case of the serv-

ants being more powerful than the master. Does the chairman know anything about that?

Mr. GOOD. I do not know to what extent that abuse exists.

Mr. BLANTON. Has the gentleman ever heard of it?

Mr. GOOD. I have heard something of it.

Mr. BLANTON. If it exists, is it not time for this Government to teach these employees that they can not run this Government?

Mr. GOOD. I hope the gentleman will take that up with the Secretary of the Treasury. There is where the saving must be effected. The Secretary of the Treasury is the man that spends the money. He is responsible for the expenditures under this appropriation. I am not claiming his appropriation has been expended with economy. I doubt it; but for some reason he needs more money. But these machines that we are providing for here are not machines for the Bureau of Engraving and Printing at all. They are to take the place of some old machines that are worn out. They tried to exchange one of their old machines for one of these "millionaire machines" that they are going to buy—that is the title of the machine—a great labor-saving device to be used in the mints, but were unable to do so.

Mr. BLANTON. Have they gotten permission from the unions to do that?

Mr. GOOD. I do not know about that.

Mr. BLANTON. I want to give the chairman of the committee a concrete case. The wife of a Member of this Congress, who represents a district not so very far from Washington, had occasion not long ago to visit the Bureau of Engraving and Printing in company with some other ladies. They were being shown through, and one of the employees showed a certain number of other employees working on certain matters of business, and then called attention to a little machine and said, "Now, there is a machine that could take the place of all of those employees, but we do not use it." This Congressman's wife asked why it was not used, and the employee said, "Why, these employees here will not permit it to be used. Their union opposes it because it would take the place of so many laborers employed in this building."

I want to say that if that is permitted longer to exist in this Government it is an insolent outrage on common decency, and if I occupied the position occupied by the chairman of this great Republican Appropriations Committee I would make it my business to see that that was corrected.

Mr. GOOD. We have no "Republican Appropriations Committee."

Mr. BLANTON. Oh, well, it is a Republican Appropriations Committee after all.

Mr. GOOD. It is an American committee.

Mr. BLANTON. It is controlled by the Republican steering committee.

Mr. GOOD. No; it is not controlled by any other committee.

Mr. DENISON. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Illinois.

Mr. DENISON. What would the gentleman from Texas do if he was President, or if he was the head of that bureau?

Mr. BLANTON. I would clean it up from top to bottom, and I would run it like I thought it ought to be run, labor unions to the contrary notwithstanding; and, if any union attempted to perform my duties and run the department for me, I would let them understand who was running that department.

Mr. DENISON. Then the gentleman is apparently of the opinion that the head of this bureau is not doing his public duty?

Mr. BLANTON. If he is prevented from using labor-saving machines by orders of unions, he is lying down, just like this Congress lies down and passes the buck, and the gentleman knows it as well as I do.

Mr. BYRNES of South Carolina. Mr. Chairman, I rise only to say that I have no information as to what the Director of the Bureau of Engraving and Printing is now doing as to these so-called labor-saving machines, but when he was last before the Committee on Appropriations he stated that he was using these machines, and the present director is very much in favor of using every one of these so-called labor-saving machines.

Mr. SAUNDERS of Virginia. Will the gentleman from South Carolina, while he is on his feet, give me some information?

Mr. BYRNES of South Carolina. I will if I can.

Mr. SAUNDERS of Virginia. How is this a deficiency?

Mr. BYRNES of South Carolina. The chairman of the committee can inform the gentleman about that.

Mr. SAUNDERS of Virginia. Then I will ask the chairman of the committee.

Mr. GOOD. This is a deficiency because there is not money enough in the appropriation to purchase the things that are necessary to be purchased. They have an appropriation for this year of $7,500. Last year they had an appropriation of $10,000 and a deficiency appropriation of $10,000. When the chief clerk was before us there was an unexpended balance of only $466.18 for the rest of the year. The machines are wearing out. Supplies must be purchased all the time. They must have other machines to do this work or they must take on additional force. Now, they have found that these labor-saving devices do effect a saving to the Government in dollars and cents, just as the gentleman from Texas [Mr. BLANTON] has stated.

Mr. SAUNDERS of Virginia. Some committee has made an appropriation under this head heretofore?

Mr. GOOD. The legislative, executive, and judicial appropriation bill carries this item.

Mr. SAUNDERS of Virginia. Now, this particular functionary or bureau wants to go out on a new line and get some more machines?

Mr. GOOD. No.

Mr. SAUNDERS of Virginia. That is what this is for—labor-saving machines and supplies for the same.

Mr. BLANTON. For the purchase.

Mr. GOOD. They are desiring to purchase machines to take the place of old machines that are worn out, and in some places they are purchasing machines of an improved type to take the place of the worn-out machines, which are of an older and less efficient type than the new ones which they desire to purchase.

Mr. BLANTON. Mr. Chairman, I make the point of order. I think they ought to use the ones they have before we give them new ones.

Mr. GOOD. What is the point of order?

Mr. BLANTON. That this is not a deficiency; that it is merely to purchase something new; to provide additional supplies; and I think we ought to use the machines that we have before we buy new ones.

Mr. GOOD. The same point of order has already been ruled on. There is an actual deficiency here.

Mr. BLANTON. It is not authorized by law.

Mr. SAUNDERS of Virginia. In what bill did the gentleman say this was carried?

Mr. GOOD. In the legislative, executive, and judicial appropriation bill.

Mr. SAUNDERS of Virginia. That was passed only recently, was it not?

Mr. GOOD. It became a law in March, 1919, for this fiscal year.

Mr. SAUNDERS of Virginia. For what year is this appropriation intended to apply?

Mr. GOOD. This is for the fiscal year ending June 30, 1920.

Mr. SAUNDERS of Virginia. For the balance of this year?

Mr. GOOD. Yes.

Mr. SAUNDERS of Virginia. Was it developed before the Committee on Appropriations that this department can not function until the end of the year without this money?

Mr. GOOD. That is what they say.

Mr. SAUNDERS of Virginia. That their work will break down?

Mr. GOOD. They say they must have these machines, and they have only $466.18 balance on hand.

Mr. SAUNDERS of Virginia. Are these labor-saving machines some entirely new machines?

Mr. GOOD. Some of them will be entirely new machines.

Mr. SAUNDERS of Virginia. It is a new venture, then—a new policy on the part of this department?

Mr. GOOD. Oh, no; it is not a new venture at all. The machines are new in the sense that they have not been used, and some of them will be new in the sense that they will be improvements over the machines which are now being used, that are worn out and will have to be discarded and replaced.

Mr. SAUNDERS of Virginia. This is a replacement of existing machines by other machines of the same character?

Mr. GOOD. They are mostly for the auditor's office, and the gentleman knows that of all the executive offices that have been overworked because of the war the auditor's office has suffered severely.

Mr. SAUNDERS of Virginia. Is this Mr. Kram's office?

Mr. GOOD. No.

Mr. BYRNES of South Carolina. It is, most of it, in the office of the Comptroller of the Currency?

Mr. GOOD. Yes.

Mr. SAUNDERS of Virginia. If it is in Mr. Kram's office in the Post Office Department, I know that is a very efficient department.

Mr. BYRNES of South Carolina. Will the gentleman from Iowa yield to me to answer the gentleman from Virginia?

Mr. GOOD. Certainly.

Mr. BYRNES of South Carolina. I can only give the gentleman the information which was given by the representative of the department before the committee, that this money is to be used for type, ink, multigraph copies, broken parts, and miscellaneous expenses incident to the operation of the machines. It seems that it is to maintain the machines, and a deficiency has been incurred in that fund, leaving them a balance of only $466.

The CHAIRMAN. The gentleman from Texas makes the point of order against the paragraph on the ground that it is not a deficiency.

Mr. BLANTON. And not authorized by law.

The CHAIRMAN. The gentleman did not make that one of his grounds originally.

Mr. BLANTON. Yes, Mr. Chairman; but probably the Chairman did not catch it.

The CHAIRMAN. Can the gentleman from Iowa cite the Chair to the authority for the appropriation?

Mr. GOOD. The general provision of the law creating the department, providing its duties, how they shall function, carries with it incidentally the power to provide things necessary to carry on the work.

Mr. BLANTON. But not to buy every newfangled labor-saving machine that it may, and then not use it because the employees will not let it.

Mr. GOOD. Is it possible that we have a statute creating the great Treasury Department in this country and that when a typewriter breaks down or they want a new ribbon they can not buy it without coming to Congress?

The CHAIRMAN. The gentleman from Texas makes the point of order that this is not a deficiency and that it is not authorized by law. The Chair has called upon the chairman of the committee to produce the law, and the chairman of the committee has not been able to put his hand upon it. The Chair is constrained to believe, however, that the fundamental law establishing this department must have been broad enough to authorize the purchase of the necessities for the proper conduct of the business. Therefore the Chair overrules the point of order based on that ground.

Next let us consider the point that this is not a deficiency item. In the legislative appropriation bill for 1920 there is a provision substantially, if not exactly, in the same language carried in this bill. It carries $7,500 in amount. It appears that an estimate has been made by the department stating that the appropriation is insufficient and that an additional amount is necessary to carry the department through the remainder of the current fiscal year. The Chair is of the opinion that this constitutes a deficiency in the parliamentary sense as used in this House, and therefore overrules the point of order. The Clerk will read.

The Clerk read as follows:

OFFICE OF AUDITOR FOR TREASURY DEPARTMENT.

For compensation to be fixed by the Secretary of the Treasury, of such temporary employees (nonapportioned) as may be necessary to audit the accounts and vouchers of the bureaus and offices of the Treasury Department, $25,000.

Mr. BLANTON. Mr. Chairman, I make the point of order that this is not a deficiency and that it is not authorized by law.

The CHAIRMAN. Can the gentleman from Iowa, chairman of the committee, cite the Chair to the law authorizing this provision?

Mr. GOOD. Section 169 of the Revised Statutes provides:

Each head of a department is authorized to employ in his department such number of clerks of the several classes recognized by law, and such messengers, assistant messengers, copyists, watchmen, laborers, and other employees, and at such rates of compensation, respectively, as may be appropriated for by Congress from year to year.

This language is the same language that was carried in the appropriation for this fiscal year wherein $25,000 was appropriated. They have asked for $35,000, and the committee gave them what it thought would be necessary for the Secretary of the Treasury to have this work done.

Mr. BLANTON. This item seeks to permit the Secretary of the Treasury to fix the compensation.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. SAUNDERS of Virginia. I call the gentleman's attention to the fact that he read the statute in regard to clerks "apportioned for" and this is for clerks "not apportioned for." There is a vital difference.

Mr. GOOD. The gentleman must have misunderstood me. The statute says "appropriated for."

Mr. SAUNDERS of Virginia. I understood the gentleman to say "apportioned for."

Mr. GOOD. If I so read it, it was misreading of the statute. The statute reads as follows:

Each head of a department is authorized to employ in his department such number of clerks of the several classes recognized by law, and such messengers, assistant messengers, copyists, watchmen, laborers, and other employees, and at such rates of compensation, respectively, as may be appropriated for by Congress from year to year.

Mr. SAUNDERS of Virginia. May I ask the gentleman, does that apply to clerks in audit; in other words, does the Auditor of the Treasury Department under that section employ clerks so competent that they can audit accounts of bureaus, and so forth?

Mr. GOOD. The Secretary of the Treasury is the head of the Treasury Department and the Auditor of the Treasury Department is under the Secretary of the Treasury.

Mr. SAUNDERS of Virginia. I understand.

Mr. GOOD. All his force comes within the provisions of the law.

Mr. SAUNDERS of Virginia. Does the gentleman understand that the force in that section would be an expert force and come under the civil service?

Mr. GOOD. They are all civil service employees except the auditor. This does not provide for the salary of the auditor; that is carried in the legislative bill.

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLANTON. Can the gentleman cite us to the law that delegates the right of Congress to fix the compensation of the employees of the Secretary of the Treasury? That is what this paragraph seeks to do—to delegate one function of Congress to the Secretary of the Treasury in fixing the compensation of employees.

The CHAIRMAN. The Chair is ready to rule. Section 169 of the Revised Statutes provides:

Each head of a department is authorized to employ in his department such number of clerks of the several classes recognized by law, and such messengers, assistant messengers, copyists, watchmen, laborers, and other employees, and at such rates of compensation, respectively, as may be appropriated for by Congress from year to year.

A case in point was raised in the House on March 23, 1906. The legislative appropriation bill was under consideration in Committee of the Whole House on the state of the Union, and Mr. Hardwick, of Georgia, made a point of order that there was no law to authorize the proposed appropriation for one telephone switchboard operator in the Department of State. After debate the Chairman of the committee, Mr. Hopkins, of Illinois, held that "a telephone switchboard operator may be fairly classed as a sort of laborer, skilled laborer, within the spirit of the statute."

The Chair is of opinion that this case is covered by the law and that the appropriation is authorized by section 169 of the statutes.

Mr. BLANTON. Mr. Chairman, right there, will the Chair permit me to call his attention to the fact that this is for temporary employees, and is not for permanent employees, classified by law.

The CHAIRMAN. The statute does not say permanent or temporary, but "such other employees as may be appropriated for by Congress from time to time."

Mr. BLANTON. These are temporary employees, nonapportioned.

Mr. BAER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it, if it applies to this point of order.

Mr. BAER. It does not.

The CHAIRMAN. Then the gentleman will refrain.

Mr. BAER. It applies to all these points of order which are continually being made, delaying this bill. I wanted to know if they are going to continue to keep them up all day long?

The CHAIRMAN. The gentleman does not propound a parliamentary inquiry. The Chair, having examined the statute in the case, and the precedents, believes that this appropriation is authorized by law, and that it is a deficiency. The Chair, therefore, overrules the point of order.

Mr. BLANTON. Would the Chair kindly permit me to reserve an exception?

The CHAIRMAN. Does the gentleman wish to appeal from the decision of the Chair?

Mr. BLANTON. No; I just want to reserve an exception.

The CHAIRMAN. The Chair does not understand what that term means as applied to the proceedings of this House. The Clerk will read.

The Clerk read as follows:

For pay and allowances prescribed by law for commissioned officers, cadets and cadet engineers, warrant officers, petty officers, and other enlisted men, active and retired, temporary and substitute surfmen, and one civilian instructor, $1,000,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order on that. Does this carry any increase in salaries?

Mr. GOOD. As the gentleman knows, the Coast Guard have been recently returned to the Treasury Department and they are now receiving additional compensation.

Mr. BLANTON. Unauthorized by law?

Mr. GOOD. No; it is authorized by law, but it is an additional compensation over the compensation received before the war. It is a war-time compensation that is recognized by statute.

Mr. BLANTON. Is this increase embraced in the million-dollar appropriation authorized by law?

Mr. GOOD. Oh, I think everything that is in this bill with regard to the Coast Guard, at least this provision, is authorized by law.

Mr. BLANTON. Will the chairman state that he knows that?

Mr. BYRNS of Tennessee. The paragraph itself states "for pay and allowances prescribed by law."

Mr. BLANTON. And it carries no increases?

Mr. GOOD. No; and the disbursing officer could not pay out a dollar of this appropriation unless it was authorized by law. He could not increase the pay.

Mr. BLANTON. Mr. Chairman, I withdraw the reservation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF INTERNAL REVENUE.

Enforcement of the "national prohibition act": For the employment of additional officers, traveling and other necessary miscellaneous expenses to guard intoxicating liquors in bonded and other warehouses, and prevent violations of the "national prohibition act," $1,000,000.

Mr. GALLIVAN. Mr. Chairman, I reserve the point of order on that. I want to ask the chairman of the committee if we have passed any legislation providing for the guarding of intoxicating liquors?

Mr. GOOD. We have passed some legislation at this session of Congress authorizing the Commissioner of Internal Revenue to enforce the so-called Volstead Act, and it is under that provision of law that they are asking for this money, and the guarding of the liquor is one of the methods by which the law will be enforced.

Mr. GALLIVAN. Mr. Chairman, I think it is a far stretch of the imagination to say that you are enforcing the law by guarding intoxicating liquors. We have passed many penal statutes, but this seems to be the only one for the enforcement of which we are appropriating money. I make the point of order.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question?

Mr. GALLIVAN. Yes.

Mr. BLANTON. If you do not guard it, might not citizens from Massachusetts get some of it?

Mr. GALLIVAN. I do not know that the appetite of the Massachusetts man is quite as keen for it as is the appetite of the gentleman's constituents in Texas. They seem to get it anyway.

Mr. BLANTON. Oh, we drink buttermilk down there.

Mr. GOOD. Mr. Chairman, section 2 of the Volstead Act provides:

SEC. 2. The Commissioner of Internal Revenue, his assistants, agents, and inspectors shall investigate and report violations of this act to the United States attorney for the district in which committed, who is hereby charged with the duty of prosecuting the offenders, subject to the direction of the Attorney General, as in the case of other offenses against the laws of the United States; and such Commissioner of Internal Revenue, his assistants, agents, and inspectors may swear out warrants before United States commissioners or other officers or courts authorized to issue the same for the apprehension of such offenders, and may, subject to the control of the said United States attorney, conduct the prosecution at the committing trial for the purpose of having the offenders held for the action of a grand jury.

This million dollars is for the enforcement of the national prohibition act. It can not be expended for any purpose other than for the enforcement of the very act that section 2 of the Volstead law provides should be enforced by the Internal Revenue Commissioner. He estimated $2,000,000 to enforce that act in addition to the $2,000,000 carried in the act, but the committee felt that a considerably less sum than that would be adequate, especially in view of the fact that there must be some additional legislation if the Commissioner of Internal Revenue shall hold under the present law he has not sufficient authority to force the owners of the liquor to concentrate it in a few warehouses. There are 350 bonded warehouses, 300 distillery warehouses, and about 26 special warehouses, besides a few others.

It is obvious that this liquor ought to be concentrated in a few warehouses, where it can be guarded without great expense. If we throw open these bonded warehouses and let everybody go there and get what liquor they want, does the gentleman think that would be the enforcement of the law that was contemplated?

Mr. GALLIVAN. Mr. Chairman, that is not the question at all. Just as soon as you pass some legislation authorizing the concentration of these intoxicating liquors in certain bonded warehouses I will vote for any appropriation to enforce it, but I respectfully submit to the Chair that as yet we have passed no legislation authorizing the guarding of intoxicating liquors.

Mr. GOOD. Mr. Chairman, I have taken the trouble to look up the question, and good authority holds that the commissioner does have the power to compel this liquor to be concentrated in a less number of warehouses.

Mr. GALLIVAN. Once more I suggest to the gentleman and to the Chair that this is giving authority, and that they do not now have authority.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. BYRNS of Tennessee. Mr. Chairman, the national prohibition act was passed for the purpose among other things of preventing the sale and consumption of liquor. It is well known, of course, that there are millions of gallons of liquor stored in various warehouses all over the country. Now, it seems to me that it can be fairly argued that the law gives to the Commissioner of Internal Revenue, who is charged with the enforcement of the national prohibition act, the right to employ guards to guard that liquor in these various warehouses and prevent its being taken from the warehouses for the purpose of being consumed and sold, possibly, in violation of the law.

The CHAIRMAN. Will the gentleman answer the Chair a question? If the gentleman's contention is correct that he would have ample power to do this, then why is it placed in the bill at all?

Mr. BYRNS of Tennessee. I do not know just why the language was specifically written in the bill. It seems to me, Mr. Chairman, that it was really unnecessary to write it in the bill, because, as I construe it, the Commissioner of Internal Revenue would have the right to employ guards or take any other step that is necessary to prevent the sale of whisky or the taking of whisky from these bonded warehouses without his permit, because otherwise it can only be taken away from the bonded warehouses for the purpose of violating the national prohibition act. If guards are necessary to keep it from being taken away from the warehouses, then clearly the Commissioner of Internal Revenue, it seems to me, has the right to employ guards, and I think it is clearly authorized under the law.

Mr. DEWALT. Will the gentleman yield?

Mr. GALLIVAN. I will yield.

Mr. DEWALT. I desire to ask a question of the gentleman from Tennessee. Does he think that this provision has only in contemplation the guarding of liquors in storage in bonded warehouses?

Mr. BYRNS of Tennessee. Well, that is the main purpose, I take it, of this particular appropriation, although it says for the employment of additional officers, traveling and other necessary miscellaneous expenses.

Mr. DEWALT. If that is the main purpose, let us read the provision, and I call the attention of the Chair to the reading of the provision: "Enforcement of the 'national prohibition act.'" Then comes a colon. "For the employment of additional officers, traveling and other necessary expenses to guard intoxicating liquors in bonded and other warehouses, and prevent violations of the 'national prohibition act.'" Evidently by a legal construction of this phraseology it would have two purposes: First, to guard the liquors in bonded warehouses to prevent the removal thereof, and, secondly, prevent violation of the national prohibition act. Clearly two purposes are expressed. Now, if that be the intendment of this provision, then we have this anomalous situation, that this $1,000,000 may be in whole or in part appropriated and expended on the guarding of liquors in bonded warehouses, or under the provisions of this phraseology it may be totally or in part expended to prevent violations of the prohibition act. Now, is there a dual authority here in the Federal court with reference to a violation of the prohibition act, the Volstead Act, and also authority resting with the Internal-Revenue Department? I say yes, that is true, according to the tenor of the Volstead Act, but if this is intended solely for the guarding of liquors in bonded warehouses and to prevent the removal thereof, then it should be expressed possibly in these terms: "And other necessary miscellaneous expenses to guard intoxicating liquors in bonded and other warehouses and prevent violation of the removal of liquors from such bonded warehouses or illegal use thereof." Then it would confine it to the purpose intended by this act or by this phraseology. But if you leave it as it is now, then the

whole million dollars might be appropriated entirely for the enforcement of the provisions of the Volstead Act other than the guarding of this liquor in these warehouses.

Mr. BYRNS of Tennessee. I agree with the gentleman that the Commissioner of Internal Revenue would have the discretion to use the million dollars for any purpose which he thought necessary to prevent violation of the national prohibition act.

Mr. DEWALT. Other than the removal.

Mr. BYRNS of Tennessee. Other than the removal of liquor in bonded warehouses, but the appropriation is made for the purpose of enabling the Commissioner of Internal Revenue to employ guards, and I think, as the gentleman says, that under its phraseology he would clearly have the right to use it in any way he may think necessary to prevent a violation of the national prohibition act.

Mr. DEWALT. And that was possibly in the mind of the gentleman from Massachusetts.

Mr. SAUNDERS of Virginia. Let me suggest, if the gentleman will pardon me, granting the contention of the gentleman from Pennsylvania, that would not go to the point of order, but only to the exercise of discretion by the department.

Mr. BYRNS of Tennessee. I was just about to make that remark to the gentleman from Pennsylvania [Mr. DEWALT]. Now, it is my contention, in addition, that liquor can not be taken out of the bonded warehouses unless it is taken out by permit from the Commissioner of Internal Revenue, as provided by law. Those who remove liquor from the bonded warehouses without permission of the Commissioner of Internal Revenue do so illegally, and they do so for the purpose of violating the national prohibition act. Why, is it not a fair construction to say that under the national prohibition act Congress has authority to give to the Commissioner of Internal Revenue an appropriation to employ guards to prevent the violation of that act by the removal of whisky from bonded warehouses?

Mr. SABATH. Will the gentleman yield?

Mr. BYRNS of Tennessee. I have not the floor.

Mr. GALLIVAN. I have the floor, and I yield to the gentleman from Illinois.

Mr. SABATH. I agree with the gentleman that the commissioner would have jurisdiction in bonded warehouses, but this provision and appropriation does not only provide for the employment of guards in the bonded warehouses but also provides for them in other warehouses. Wherein has the Commissioner of Internal Revenue or anyone any right or any authority or any jurisdiction to designate or appoint guards for private warehouses? There is nothing here that would preclude or prevent the Commissioner of Internal Revenue from appointing thousands of guards for all kinds of warehouses. The Commissioner of Internal Revenue has only jurisdiction in the Government bonded warehouses, and nowhere else. He has no jurisdiction in any private warehouses. Consequently, the point of order that has been made by the gentleman from Massachusetts [Mr. GALLIVAN] should be sustained.

Mr. GALLIVAN. Now, Mr. Chairman, I would like to ask some one of these gentlemen on the committee for what purpose are these liquors to be guarded? What are they going to do with them? Why are we going to spend a million dollars to guard intoxicating liquors, and for how long, and for what reason, and for what purpose? What is the Government going to do with it?

Mr. BYRNES of South Carolina. There are several reasons for this. First, the Government has a taxable interest in it; and, in the second place, under the national prohibition act the Government is going to spend millions of dollars for the enforcement of the law, hunting down those who are violating the law. Manifestly we ought to guard the warehouses, the sources from which the liquor is taken that is sold in violation of the law. It is unwise to spend millions of dollars to go around the country and arrest men for selling liquor and not make any effort to enforce the law by preventing it from getting out of the warehouses.

Mr. GALLIVAN. Is it clearly in evidence that the warehouses are not now guarded?

Mr. BYRNES of South Carolina. There is one civil-service employee at a warehouse, who is, of course, unable to guard a warehouse during the 24 hours of the day. As a result, nearly every day one of these warehouses is broken into and whisky taken from it. Now, as a matter of fact, this is what happens: The distiller is called upon to pay the taxes even if the liquor is stolen. I doubt seriously whether the Government can make him pay that tax if the question is taken to the courts. The Government claims it can. I seriously doubt when the Government has control of a man's property and he can not get to it himself, and we fail to guard it, we can make him pay $6.40 a gallon tax on liquor which is stolen. We have two reasons for guarding it, namely, to protect property in which we have an interest to the extent of the tax; and, second—and this is the principal reason—to prevent it being taken from the warehouses and having it sold in violation of the law.

Mr. SABATH. Is it not a fact that all that applies to the bonded warehouses controlled by the Government, and that the Government has no jurisdiction over any private warehouse?

Mr. BYRNES of South Carolina. Over warehouses that are under control of the Government.

Mr. SABATH. Those are bonded warehouses.

Mr. BYRNES of South Carolina. Yes. There are different kinds of warehouses. These are all designated as bonded warehouses. They make a distinction between distillery warehouses and general bonded warehouses. I know the gentleman is aware of that, coming from the State of Illinois.

Mr. SABATH. We have not many bonded warehouses in the State of Illinois, I will say to the gentleman.

Mr. BYRNES of South Carolina. They make some distinction between the warehouses of the distillers and warehouses centrally located, which are not called distillers' warehouses. There are in all about 800 warehouses under the control of the Government.

Mr. SABATH. They are under the jurisdiction of the Government.

The CHAIRMAN. The Chair is ready to rule. The act of October 28, 1919, known as the national prohibition act, contains ample provision for its enforcement. In sections 2, 3, and 6 of Title III of that act there are numerous provisions in regard to warehouses for storage and distribution of alcohol to be used for other than beverage purposes. Under the general provisions of section 13 and following sections of Title III the commissioner has power to issue regulations respecting the establishment, bonding, and operation of industrial alcohol plants, denaturing plants, and bonded warehouses authorized therein, and the distribution, sale, export, and use of the alcohol that may be necessary, and so on. Under section 38 of Title II of that act the Commissioner of Internal Revenue and the Attorney General of the United States are respectively authorized to appoint and employ assistants, experts, clerks, and other employees, in the District of Columbia or elsewhere, to enforce this act. It is therefore very clear that there is ample law for enforcing the prohibition act and that an appropriation for enforcing the act is in order.

This paragraph, however, in the bill introduces phraseology which is not contained in any part of the act, so far as the Chair is able to ascertain. Whether or not the law as it now stands authorizes the appointment of guards the Chair is unable to state offhand. Whether or not the commissioner would be amply justified under the law as it stands to employ all the guards he wishes to employ the Chair does not know and is not now called upon to decide. It seems to the Chair that it may be fairly contended that the introduction here of this new language providing explicitly for the employment of guards introduces new legislation. In fact, there would seem to be no other adequate reason for the new language. If it accomplishes this purpose it is subject to a point of order.

The Chair therefore sustains the point of order of the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GOOD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 10, after line 12, insert:
"Enforcement of the national prohibition act: For the necessary expenses in preventing violation of the national prohibition act, $1,000,000."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. SABATH. Mr. Chairman, I would like to ask the chairman of the committee a question or two.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. SABATH. Mr. Chairman, this is in addition to the $2,000,000 appropriation that was made here in the last appropriation bill. Am I right?

Mr. GOOD. Yes.

Mr. SABATH. When did these gentlemen assume jurisdiction? When did that office go into effect? If I am not mistaken, was it not on January 16? Is not that true?

Mr. GOOD. The national prohibition act became effective January 16.

Mr. SABATH. Prior to that this new organization had no jurisdiction?

Mr. GOOD. The gentleman means under the war-time prohibition provisions of that act?

Mr. SABATH. No. This new prohibition organization under the prohibition act went into effect January 16. Is not that correct? The old organization in the Internal-Revenue Bureau up to January 16 had jurisdiction in all these matters relative to the collection of taxes and the enforcement of the war-time prohibition act.

Mr. GOOD. The national prohibition act itself carried $2,100,000 for the enforcement of the act, and it placed upon the Attorney General and the Commissioner of Internal Revenue the duty of enforcing that act.

Mr. SABATH. Yes.

Mr. GOOD. One hundred thousand dollars of that went to the Department of Justice, and the remainder went to the Commissioner of Internal Revenue.

Mr. SABATH. Yes, sir.

Mr. GOOD. Now, as to how much of the $2,000,000 was expended, if any, under the war-time prohibition provided for in that act I am not advised.

Mr. SABATH. Was the appropriation available for the enforcement of the war-time prohibition? Was it not available only for the enforcement of the national prohibition act?

Mr. GOOD. It specifically states that it is available for the enforcement of the provisions of the act.

Mr. SABATH. When was this commissioner appointed who now has jurisdiction? When did he assume jurisdiction?

Mr. GOOD. Do you mean the Commissioner of Internal Revenue?

Mr. SABATH. No; the enforcement commissioner.

Mr. GOOD. January 16, as I am advised.

Mr. SABATH. Was any evidence given as to how much money was expended prior to January 16; and if so, by whom, and for what purposes? Is there any evidence at all?

Mr. GOOD. They have been expending a certain amount of money, and a good deal of money, in preparing their organization to enforce the law. Just how much they have expended this committee is not advised. The matter is one where, by the very nature of things, it is going to be difficult to say how much will be required to enforce the act.

Mr. SABATH. I will be brief. What I desire to know is this: How much has already been expended by this new organization out of the $2,000,000?

Mr. GOOD. I do not believe I can give the gentleman that information.

Mr. SABATH. Then, on what do you base your recommendation?

Mr. BLANTON. Regular order, Mr. Chairman.

Mr. SABATH. This is the regular order.

The CHAIRMAN. The gentleman from Illinois is proceeding in order.

Mr. BLANTON. On what?

The CHAIRMAN. On the amendment offered by the gentleman from Iowa [Mr. GOOD].

Mr. BLANTON. He did not ask to be recognized in opposition to it.

Mr. GOOD. The item carried is on the estimate of the Commissioner of Internal Revenue. He estimated that the total expense of enforcing this law for the balance of this year, including the guarding of the liquor, would be $2,000,000, in addition to the $2,000,000 appropriated. The guarding of the liquor he considers one of the important methods by which the law can be enforced, and that without guarding the liquor it can not be enforced.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SABATH. Mr. Chairman, I ask unanimous consent that I may proceed for another five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GOOD. They asked for $2,000,000 additional, giving them $4,000,000. The committee reported out $1,000,000. They have a force already organized that will take up all of their $2,000,000 carried by the act without providing anything for the guarding of this liquor, and thefts are being committed every day in the removal of liquor from bonded and other warehouses.

Mr. SABATH. I do not object to the expenditure of a reasonable amount, or any amount that will be required to enforce this act; but I do not believe that even if you appropriate this additional $1,000,000 that is asked for, and then an additional $10,000,000, you will be able to enforce this legislation, this prohibition law.

Mr. GARNER. Mr. Chairman, will the gentleman yield right there?

Mr. SABATH. In a minute. And for that reason I believe we ought to know about how much it will take, in the estimation of these gentlemen, at least this year, in attempting to enforce this legislation.

Now, there are some gentlemen who will jump up almost any moment on the floor—sometimes ten or twenty-five times during a day—objecting to the expenditure of 15 cents, or $15, trying to shout "economy!" I do not believe in false economy, although I am a believer in real economy. I believe that this is only a beginning. Within a short space of time there will be a demand for an additional million, or two or five million, and I am satisfied that no matter how many millions you appropriate, you will not be able to enforce this prohibition act, because the people of this country, the people of America, are against this unjustifiable prohibition act, and for that reason I believe that we should consider, and consider well, before we start to vote out million after million to enforce such a law, which is against——

Mr. BLANTON. Against the Constitution!

Mr. SABATH. Yes, sir; against the Constitution of the United States.

Mr. VARE. Mr. Chairman, has the gentleman offered an amendment to reduce the amount?

Mr. SABATH. I have not. I am against any amount until more information is furnished me as to how much has already been expended.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. IGOE. Mr. Chairman, I rise in opposition to the amendment. I desire to ask the chairman of the committee a question. The chairman stated, in answer to the question of the gentleman from Illinois [Mr. SABATH], that it is impossible at this time to estimate how much it will take to enforce this law. At least that is the answer I understood him to give. Is that correct? That is, the officials of the department have been unable to estimate the amount?

Mr. GOOD. I do not understand that any man can tell what it will cost to enforce the prohibition law.

Mr. IGOE. Has the committee allowed the department the amount requested by them?

Mr. GOOD. No. The department asked for $2,000,000 as deficiency, and the committee recommended $1,000,000.

Mr. IGOE. Why did the committee take that position?

Mr. GOOD. If a guard was provided for each warehouse all the time, with the appropriation already made, carried in the act, together with the $1,000,000, they would have enough money to guard all the warehouses in which spirits are stored. Now, if we are going to guard each warehouse with a military company or regiment, that is a different proposition.

The committee also had in mind that some action must be taken soon with regard to concentrating this liquor into a few warehouses instead of being scattered, as it is now, in about 800 warehouses. We must remember that if this liquor is withdrawn for scientific or medical purposes, the person who withdraws it pays a tax of $2.40 a gallon to the Government; but if the liquor is stolen, then the owner must pay the Government a tax of $6.40 a gallon. Now, the Government has a dual interest in this liquor. It is first to see that the tax is paid, and next to enforce the law and to see that the liquor is not used in violation of the law.

Mr. IGOE. The reason I asked the question was this: I noticed the statement in the press the other day that the Anti-Saloon League was raising $25,000,000 from the people of the United States to see that this law was properly enforced; and it seems to me that it is the duty of the Government, through its officers and officials, to enforce the law and not rely upon private concerns or private individuals. Now, why should it be necessary for a concern to raise $25,000,000, when this Government ought to be able to provide the funds and the agents in sufficient amount and number to enforce the law properly?

Mr. GOOD. Of course, I can not answer that.

Mr. BLANTON. Will the gentleman permit me to answer the question?

Mr. IGOE. No; I do not yield.

Mr. BLANTON. I can answer the question.

Mr. IGOE. I want to ask another question. The gentleman said something about having the military to enforce the law. The gentleman does not think we have reached that point yet, does he?

Mr. GOOD. No; I certainly do not.

Mr. IGOE. At least not at this time.

Mr. GOOD. No.

Mr. GARNER. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. GARNER. The gentleman speaks of concentrating these liquors. Under what process of law could we concentrate private property?

Mr. GOOD. I am told that under the statutes the Commissioner of Internal Revenue has power to require the concentration of the liquor.

Mr. GARNER. Could he require a man to take his liquor out of a warehouse and transport it 200 miles? In other words, under what provision of the statute could a man be required to do that?

Mr. GOOD. The general law, with regard to bonded warehouses, I understand, is broad enough. I do not have the law before me. I looked it up the other day in connection with some other Members of the House, and it was the general opinion that there was authority for the concentration of the liquor in the bonded warehouses. I will say to the gentleman that it might be necessary for the Government to pay the expense of the transportation incident to that concentration. I am not so sure about that, but rather think such might be the case. We may need additional legislation.

Mr. GARNER. I will ask the gentleman to put that statute in the RECORD this afternoon, or at some time, so that the Ways and Means Committee can have it, for we have under consideration the question of legislation regarding this bonded warehouse liquor, and so forth; and so far as anyone on the Ways and Means Committee has any information or even suggestion, there is no power in the present law by which the Internal Revenue Department can take charge of private property and move it from one county to another, or from one State to another, without the consent of the owner. Of course, if that statute exists already, we would like to know it. I merely ask the gentleman to put that law into the RECORD.

Mr. GOOD. The attention of the gentleman from Minnesota [Mr. VOLSTEAD] was called to this large estimate for a deficiency and to the fact that if there was not already authority to concentrate this liquor in a few warehouses Congress ought to enact some law granting that authority, because $8,000,000 a year to enforce this law is, it seems to me, an unreasonable charge upon the Government, and that is what it means if these estimates are reliable. So the gentleman from Minnesota [Mr. VOLSTEAD] brought the statute. I do not know that I can put my hand upon it now. He pointed out to me that in his opinion the Internal Revenue Department had pretty broad powers, and the reading of it convinced him that the department has the power to concentrate the liquor in the bonded warehouses. The gentleman can get the reference to that statute from the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. GARNER. Let me say to the gentleman that I fully agree with him that there ought to be legislation on this subject, and I think it is the duty of this Congress before we adjourn to have some far-reaching legislation with reference to the liquors that are now on hand in this country. I think myself to take $6,000,000 a year, and that is what the Internal Revenue Department has asked for——

Mr. GOOD. No; $8,000,000.

Mr. GARNER. I did not know it was as much as that—to take $8,000,000 a year for the purpose of enforcing this statute is to my mind the most ridiculous proposition that has ever been submitted to Congress, although if we may judge by the activity of the Anti-Saloon League, from the newspaper reports, there are a great many people in this country, and very good people, too, who believe that the efforts that the Government might put forth, even with $8,000,000, will not be sufficient, and they are going to supplement it with $25,000,000 with which to enforce this law.

Mr. WALSH. Would it not be a good idea to turn this liquor over to the Anti-Saloon League?

Mr. GARNER. It ought to be turned over to somebody, so as to relieve the Government of this expense.

Mr. MANN of Illinois. I move to strike out the last word. I take it that most of the $1,000,000 proposed by this amendment will be used, if appropriated, for guarding liquor in bonded warehouses. The truth is the man who owns liquor in a bonded warehouse is between the devil and the deep sea. He can not sell it for beverage purposes, he can not withdraw it for beverage purposes, he can not destroy it without paying the Government tax upon it. If somebody steals it from him, he is required to pay the beverage tax upon it. He can not make use of it in any way whatever except to let it remain in his warehouse at his risk, not the risk of the Government. This is under the action of the prohibition law and under the action or nonaction of Congress. Eventually there must be some disposition by Congress of this liquor. I doubt whether the Internal Revenue Office has the power, against the protest of the distillers, to move this liquor from one warehouse to another; but, as a rule, there will be no protest, because in this particular case the proposition is that the Government, forbidding the owner of the liquor to do anything with it at all except to pay the tax on it if he loses it and not permitting him to use it, not permitting him to destroy it, he will not object if the Government attempts to guard him from loss by seeing that nobody steals his whisky.

As long as the Government takes the position that it does, of the dog in the manger, on the subject—and I am not criticizing the Government for taking that position up to the present time—as long as it takes the position of the dog in the manger, it ought at least to guard the manger from theft. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I want to add this to what has been said by the gentleman from Illinois. The situation is this: We have 69,000,000 gallons of liquor, according to the last estimate of the department, in bonded warehouses. There are 400 bonded warehouses, 350 distillery warehouses, 26 general warehouses, and 28 special warehouses. The Commissioner of Internal Revenue can effect a concentration of this whisky in a few warehouses in only one way, and that is by refusing to guard warehouses except those designated by him, and thus bring pressure to bear upon the owners to move the whisky into certain warehouses. The difficulty is that in a great many cases this whisky has been sold, and the owner, the man who holds the certificate, can not be found. If it was owned by one individual, that individual would certainly do what the gentleman from Illinois has suggested—immediately transfer the whisky to a warehouse designated by the Commissioner of Internal Revenue. The distillers have had a conference with the commissioner, and I know that in that conference they expressed an entire willingness to move it, and a great many not only expressed willingness to move it but to make the owner of the whisky pay the expenses of transporting it to the warehouse designated by the commissioner where their property might be protected. But while this would accomplish the removal of the greater part of it, in many instances it is impossible to locate the holder of the warehouse certificate, and if any portion remained in a warehouse it would require guarding.

Now, if we grant this appropriation the commissioner can be depended upon to do all in his power to bring about a concentration of the whisky in order to reduce expense and guard it and reduce the danger of its being stolen. Congress must take some action to arrive at a final solution of it, but until that is done the interest of the distiller and the interest of the Government demand that the Government take care of it. The distiller himself gives a bond to the Government insuring the Government against loss by withdrawal of the liquor. If it is stolen, the Government will seek to recover on the bond.

The appropriation will provide for about 2,000 men. Now we only have 400 men. With the 2,400 men they will have 3 men for each warehouse, so that there will be three shifts and a watchman for each hour of the 24. With all that precaution some of it may be stolen, but in a great measure it will afford sufficient protection. The way that liquor is now stolen trucks come up to the warehouse. A man can not carry away a barrel of whisky in his vest pocket. He must have an automobile to transport it. When they break into a warehouse they steal 8 or 10 barrels of liquor, upon which the Government loses the tax, while the distiller loses his property. I think in the interest of enforcing this law, and in the interest of justice to these people, this appropriation should be made.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in six minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this amendment and all amendments thereto close in six minutes. Is there objection?

There was no objection.

Mr. UPSHAW. Mr. Chairman and gentlemen of the committee, the Congress that passed this prohibition law also passed an act for the enforcement of the law, and it is simply child's play, it seems to me, for this lawmaking body to hesitate about providing the means for a proper enforcement. This matter covered in this item is only a method of enforcement, and that is all. The disposition of the liquor in the warehouses will somehow be provided for later, but I am not discussing that now.

This is the thing I want to emphasize. The eyes of the world are on the United States of America, the first great Government of the people, by the people, and for the people that has put a beneficent law like this by orderly constitutional process on the statute books of the Nation. We owe it to ourselves for subjective reasons and objective reasons that we shall leave no stone unturned to properly enforce this law. [Applause.]

We must do it subjectively, because, I tell you—and every man in the United States who travels over the country knows it—that the same forces that sought to prevent the enactment of the prohibition law are now banded together with a vicious determination that is positively hideous trying to keep the law from being enforced.

Mr. SABATH. Will the gentleman yield?

Mr. UPSHAW. As soon as I say this: I was about to say, as I said to a crowd of men not long ago about another measure which they said they would not obey if it were passed, that it makes a poor impression on Congress, which represents the American flag, to say: "If you pass this law, we will not obey it." A law passed in a country like ours must be obeyed until it is repealed by orderly governmental process. And so I say, as an American citizen, in all good humor, even if I could divorce myself from my well-known dry proclivities, it does not make a good impression on the country, now that this law has been passed, for any Member of this body to stand in this presence and say that we can not enforce the law that we have passed. Such a statement on the part of any Member of this lawmaking, law-abiding body, tends to encourage lawbreakers all over America.

Mr. BROOKS of Pennsylvania. Will the gentleman yield?

Mr. UPSHAW. Not until I get through. Now, some Member wanted to know why the Anti-Saloon League is raising $25,000,000 to enforce the law. I happen to know a good deal about the inner workings of that patriotic body. It so happens that it was the coordinating force of patriotic men who drew together the scattered friends of prohibition and who have done the job so well that they have brought national prohibition long before its most sanguine friends dreamed it could be done. And now they want to help their country that they have helped to redeem to enforce this wholesome law in order to preserve our youth, to preserve our self-respect—yes, and the respect of the onlooking world. [Applause.]

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. UPSHAW. No; the gentleman will excuse me, but I must get this out. I want to give the information asked for, and here it is: It is plain as can be that it is going to cost the Government heavily to enforce this law, and if these patriotic men and women who have contributed to the support of the Anti-Saloon League wish voluntarily, unselfishly, to give their money, two-thirds of which is to be used for the Americanization of millions of foreigners who oppose prohibition and also for the enforcement of the law at home, and one-third of which is to carry the benefits of prohibition to the nations of the earth which are reaching out their pleading hands to us, then we ought in God's name to crown their unselfish efforts with praise instead of criticizing them on the floor of this House. The truth is, everybody knows that their efforts have been effective and that is why the foes of prohibition oppose their efforts now.

Mr. BROOKS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. UPSHAW. Yes.

Mr. BROOKS of Pennsylvania. I just want to make this statement: I have heard more prohibition people say that they would not obey the law than I have heard it said by those who are opposed to prohibition.

Mr. UPSHAW. I answer the gentleman that it is curious that the very gentlemen, my good friends and colleagues, who on the floor of this House fought the enactment of this law are now the ones who oppose any measure to rightly enforce this law. [Applause.]

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. DEWALT. Mr. Chairman, I ask unanimous consent that the amendment of the gentleman from Iowa be again reported.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk again reported the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. GRIFFIN and Mr. SABATH) there were—ayes 47, noes 18.

Mr. BROOKS of Pennsylvania. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Pennsylvania makes the point of order that there is no quorum present. The Chair will count. [After counting.] Seventy-eight Members present.

Mr. BEGG. Mr. Chairman, I move that the committee do now rise.

The question was taken.

Mr. BEGG. Mr. Chairman, I demand tellers.

Tellers were ordered; and Mr. BEGG and Mr. GALLIVAN were appointed to act as tellers.

The committee again divided and reported—ayes 4, noes 98.

So the committee refused to rise.

The CHAIRMAN. One hundred and two Members have voted, a quorum is present. The question is on the motion of the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. BROOKS of Pennsylvania) there were—ayes 75, noes 24.

Mr. BROOKS of Pennsylvania. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. Ninety-nine Members voted. The Chair did not vote, but his presence makes 100, a quorum.

So the Good amendment was agreed to.

The Clerk read as follows:

To pay the estate of Charles L. Freer, deceased, late of Detroit, Mich., the amount of income tax paid by him on profit on the sale, in 1915, of 12,095 shares of Parke, Davis & Co.'s stock, $1,000,000 of the proceeds from the sale of said stock having been given to the Smithsonian Institution for the erection of a building to house the art collections presented to the Nation by Mr. Freer under deed of gift dated May 5, 1906, and the remainder having been paid by Mr. Freer for the purchase of additional objects which have been added to the collections and presented to the Nation by him, $13,252.21.

Mr. BLANTON. Mr. Chairman, I make the point of order that this is not a deficiency and is not authorized by law.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman reserve the point of order for a moment?

Mr. BLANTON. I reserve the point of order.

Mr. MANN of Illinois. Mr. Chairman, this is an unusual item in any bill. Mr. Charles L. Freer, of Detroit, through the course of his life made an extensive and a very expensive collection of beautiful paintings and objects of art which were presented to the National Museum. Subsequently he presented $1,000,000 for the construction of an art building in which to house his collection. It appears that the million dollars raised, which was presented, was raised by the sale of some stock in the firm of Parke, Davis & Co., of Detroit. I would like to have the attention of the gentleman from Texas.

Mr. BLANTON. Oh, I am hearing every word the gentleman says.

Mr. MANN of Illinois. I know, but I like to have undivided attention.

Mr. BLANTON. The gentleman from Illinois always gets that from every Member of this House whenever he takes the floor to speak.

Mr. MANN of Illinois. It is very nice of the gentleman to say that. There was a slight profit upon the sale of this Parke, Davis & Co. stock, upon which an income tax was due. Congress passed an act specifically providing in terms that this tax should not be collected from Mr. Freer, referring to this transaction. I do not recall in what bill that was enacted.

Mr. GOOD. It was in the sundry civil appropriation act.

Mr. MANN of Illinois. I did not expect to take the floor on this matter, and did not particularly inform myself. Congress did specifically legislate providing that this tax should not be paid by Mr. Freer. However, I presume before he knew the act was passed, and, for aught I know, before the act was passed, he made his return and paid the tax. Under ordinary conditions the Government would have refunded this money as being paid improperly. It would be like the collection of income tax from some other source, where the Government constantly makes refunds, under the general law, where the person has paid too much income tax, or collects the balance where he has not paid enough. In this case he had paid the tax. Congress had provided, as I have said, that he should not pay the tax, but because of technicalities, difficulties, I take it, in the way, the department has ruled that it can not refund this tax without further special act of Congress.

Congress having accepted this money, and having specifically provided that the profit tax should not be collected on the profit which was made by the sale of these bonds in order to turn the money over to the Government, it seems to me that we are reneging if, having taken the money, we now refuse to pay it back. That is all there is to it. If Mr. Freer had not paid the tax promptly, he would not have had to pay it at all. He paid the tax without being notified that Congress had remitted it; and now, as we have taken the money, under the circumstances it looks only fair to pay it back.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. BLANTON. Does not the gentleman from Illinois believe that there ought to be some limitation to the items which continually go into deficiency appropriation bills?

Mr. MANN of Illinois. I think this is a proper item in a deficiency bill, as far as that is concerned.

Mr. BLANTON. If the gentleman from Illinois thinks that, I will withdraw the reservation.

Mr. MANN of Illinois. I think it is a proper item in a deficiency bill. If it is anything, it is a deficiency.

Mr. BEE. I understand that the $13,000 is in the Treasury of the United States and that the United States will involve itself in no loss by its being paid back.

Mr. MANN of Illinois. Not at all.

The CHAIRMAN. The gentleman from Texas withdraws his reservation.

Mr. WATSON. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I appreciate the fact that an act of Congress was passed refunding this amount to the heirs of Mr. Freer. In an interview I had with an official of the Treasury Department I was informed that during the year 1918 $12,000,000 was paid into the Treasury on account of excessive taxation; in other words, illegal collections. Running back for a period of three or four years, perhaps there are millions of dollars now in the Treasury belonging to taxpayers. I was also advised the only way to refund the overpayments is by an appropriation in a deficiency bill. Has the chairman of the committee information as to when the Secretary of the Treasury will authorize the appropriations to repay the taxpayers from whom taxes were illegally collected?

Mr. GOOD. Well, there is an indefinite appropriation. The Commissioner of Internal Revenue under the law is authorized to refund taxes which have been illegally collected, and the commissioner is doing that; but this provision is necessary because in this case the tax was not illegally collected, but the tax was legally collected, and after it had been collected in the act of June 12, 1917, Congress directed a cancellation of the tax. Now, the authority to cancel the tax did not convey authority to remit the money already collected, so this is simply necessary now in order to correct the tangle into which we got at that time. If the act of June 12 had directed the return of the money collected, that would have been an end of it, but Congress acted on the assumption that the tax had not been paid and authorized the cancellation of it, whereas the tax had been collected, and it now requires an act authorizing the Secretary or the commissioner to refund it.

Mr. WATSON. I understand that; but in opposition to the gentleman's statement that the United States Treasury is authorized to refund an amount that has been illegally collected, I have a notice from the Treasury Department stating that in regard to the excess income taxes paid in 1916——

Mr. GOOD. Oh, yes.

Mr. WATSON. The notice states that—

refunding taxes illegally collected, hereafter to be made, when an appropriation is made——

Mr. GOOD. That is true; that is, for a tax collected more than three years ago it requires an appropriation, but when the tax is illegally collected, and the person from whom it was collected makes demands for its return because it was illegally exacted within three years from the time he paid it, then the commissioner is authorized under the law now to refund.

Mr. WATSON. Do I understand the money must remain in the Treasury three years before——

Mr. GOOD. No; he can make his demand the next day after he has paid it, or at any time within three years, and the Commissioner of Internal Revenue is authorized to refund it; but if he does not make his demand until more than three years after he has paid it, then it requires an act of Congress.

Mr. WATSON. I am familiar with the statute, Mr. Chairman; but my contention is this, that the Auditor for the Treasury Department should notify the taxpayer of the illegal collection within the three fiscal years in order to avoid a special appropriation, which always causes delay. This procedure, I claim, is not fair or just to the taxpayer.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

MISCELLANEOUS.

For payment to John M. Francis in accordance with the provisions of the act entitled "An act for the relief of John M. Francis," approved December 30, 1919, $181.

Mr. BLANTON. Mr. Chairman, I make the point of order that this is not a deficiency.

Mr. GOOD. It is not subject to the point of order. It is a special act of Congress.

Mr. BLANTON. Oh, it could be a special act of Congress, Mr. Chairman, and yet be properly provided for in other appropriation bills. Certainly it is not a deficiency item.

Mr. MANN of Illinois. Well, I think the gentleman will see he is mistaken. Here was a special act of Congress which ordinarily provides for the appropriation itself. When we pass a private bill to pay a certain sum of money we ordinarily make the appropriation in the act itself. But sometimes we do not, through indavertence. Now, in this case there was no appropriation made by the act itself, and under the general law which forbids the payment of money out of the Treasury without an appropriation, the Secretary of the Treasury is not authorized to pay the $181 which we have already provided should be paid. But we did not provide for it. Now, this is a deficiency item for the very reason it is now due under a special act of Congress.

Mr. BLANTON. I want to ask the distinguished gentleman from Illinois if a deficiency item proper is not a matter of expenditure that has already been incurred by some department of the Government——

Mr. MANN of Illinois. Not at all.

Mr. BLANTON. That it is an expenditure of money that has already been made and not money——

Mr. MANN of Illinois. Not at all. If so, we could not pass a deficiency bill which would wind up with the year. A deficiency item is an item to be expended during the present fiscal year.

Mr. BLANTON. For instance, what are known as the Sevier heirs have a claim 110 years old against this Government amounting to over $100,000,000. Suppose, perchance, they should get that claim through the Claims Committee and have it passed by Congress authorizing the payment to them of over $100,000,000; would that come in a deficiency bill?

Mr. MANN of Illinois. If it was not in the original bill passed making an appropriation it would be in order on the first deficiency bill, because it was due. As soon as we pass an act providing money shall be paid, it is due. It is a deficiency item this year; and if not this year, next year.

Mr. BLANTON. The gentleman thinks this is a deficiency item?

Mr. MANN of Illinois. I do not think there is any doubt about it being a deficiency item. I am not interested in it in any way. I just noticed it.

Mr. BLANTON. I withdraw the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PUBLIC BUILDINGS.

Morgan City, La., post office: For completion (site), $1,800.

Mr. CLARK of Florida. Mr. Chairman, I wanted to ask the chairman of the committee about that item. What is it for and what are the facts connected with it?

Mr. GOOD. This is authorized under the act of March 4, 1913. The authorization for the site was $6,000. Congress has already appropriated $4,200, but the Supervising Architect advises the committee that it will require the full amount of the authorization to pay for the site which has been selected—$6,000—and hence there is a deficiency of $1,800, and the department is anxious to complete the transaction, but can not complete it with this deficiency existing in the appropriation.

Mr. CLARK of Florida. This does not exceed the authorization?

Mr. GOOD. No, sir. The amount carried in the bill, together with the previous appropriation, is the exact sum authorized.

Mr. CLARK of Florida. Mr. Chairman, I simply wanted the matter explained, because it has been determined that we would not have any public-building bill at all.

While I am on my feet, Mr. Chairman, if the gentleman will permit me, I would like to ask him in regard to the item immediately following that. It might save time to give us an explanation of that, too. I refer to the Philadelphia item.

Mr. GOOD. The Treasury Department has a general appropriation for this year of $800,000 for the repair of buildings. The value of the buildings on which these repairs are made runs into hundreds of millions of dollars. It embraces practically all the public buildings under the Treasury Department—about 1,200 in number. That appropriation is allotted, and the usual expense of repair can not be made out of it. It never has been a very large appropriation, but it takes care of the normal expenditure. The roof to the Mint Building in Philadelphia has been on there for some twenty-odd years. It was laid in cement in such a way that the slate has commenced to slide, and they are constantly stopping up the roof with tar and cement, using buckets to catch the water that is coming through the roof of the building. They estimated for $25,000, but the committee discovered that in that building they also proposed to expend $5,000 for pointing up the masonry. We gave them what we thought was necessary to put that roof in proper condition, because there is a decay going on, and a consequent loss in having the moisture coming through the walls.

Mr. CLARK of Florida. Then this does not cover in any way an extension? It is purely for repair?

Mr. GOOD. Purely a repair item, that would not be taken care of out of the annual appropriation.

Mr. GARNER. As I understand, this is somewhat of a precedent in deficiency bills.

Mr. GOOD. No. It has been done every year, practically.

Mr. GARNER. In other words, then, the lump-sum appropriations for taking care of public buildings allocated to the Treasury is estimated for the public buildings in that year, and in the meantime if the situation arises where an appropriation should be made for the repair of a particular building, and your committee concludes it is in the interest of conservation of that building, you will consider the question of putting it in a deficiency bill? I wanted to get that right, so that each Member of Congress would know that he would have the right to approach your committee on the subject.

Mr. GOOD. The last deficiency bill, as I recollect it, carried an item of $100,000 to repair a part of one of the wings of the penitentiary at Fort Leavenworth that had been destroyed by fire after the regular appropriation bill had passed.

The Clerk read as follows:

Philadelphia, Pa., Mint Building: For new roof, $20,000.

Mr. BLANTON. Mr. Chairman, in order to get a ruling by the Chair, I make the point of order. It is not a deficiency and is not provided for by law.

The CHAIRMAN. As explained by the chairman of the committee, the Chair is ready to rule that it is a deficiency and in order in this bill. Therefore the Chair overrules the point of order.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CRAGO, having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 10701. An act granting the consent of Congress to the Whiteville Lumber Co., Goldsboro, N. C., to construct a bridge across the Waccamaw River at or near Old Dock, county of Columbus, N. C.;

H. R. 8953. An act to authorize the incorporated town of Ketchikan, Alaska, to issue bonds for the construction and equipment of schools therein, and for other purposes; and

H. R. 5348. An act for the relief of Mrs. Thomas McGovern.

The message also announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 9065. An act to amend sections 3, 8, 10, 12, 20, and 21 of the act approved July 17, 1916, known as the Federal farm loan act.

SECOND DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Relief of contractors: Toward the amount necessary for the payment of claims of contractors, etc., arising under the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, $500,000: *Provided*, That the Secretary of the Treasury is authorized to make partial payments of any claim payable under said act, and to make payment of any and all loss and expense (exclusive of profits) incurred by a contractor or subcontractor in fulfilling his contract or subcontract with the Treasury Department in excess of the amount which such contractor or subcontractor may receive under the terms of his contract or subcontract if such loss and expense were, in the opinion of the Secretary of the Treasury, due to war conditions.

Mr. BLANTON. Mr. Chairman, I reserve a point of order on that.

Some time ago, under similar law, although involving a great deal more money, this House was subjected to a three days' debate on a political resolution that did not get anywhere after it was debated for that length of time. It called for no action of the House whatever; and I wanted to ask the chairman whether or not, after this lump-sum appropriation is spent, are we going to have another three days' debate hereafter on the subject of proper expenditure under this act as was done under the other one?

Mr. GOOD. I am not a prophet. I can not tell the gentleman.

Mr. BLANTON. Is this a deficiency item?

Mr. GOOD. Yes; it is a deficiency item.

Mr. BLANTON. Is it authorized by law?

Mr. GOOD. The payment of these subcontractors is authorized by the act approved——

Mr. BLANTON. I mean this amount. With respect to this amount that we are attempting to appropriate.

Mr. GOOD. There is no limit put on the amount. The Secretary of the Treasury was authorized to settle with these contractors and pay the loss they sustained because of their work on Government contracts made after April 6, 1917, where their loss was due to war conditions. Of course, if it was due to bad management, they could not recover.

Mr. BLANTON. Well, I will make the point of order, Mr. Chairman, that it is not a deficiency and is not authorized by law.

Mr. GOOD. Will the gentleman confine his point of order to the proviso? The other part is clearly not subject to a point of order. The proviso is subject to a point of order.

Mr. BLANTON. Well, the whole paragraph is subject to a point of order if a part of it is subject to a point of order.

Mr. GOOD. I concede that it is subject to a point of order.

The CHAIRMAN. The Chair sustains the point of order on the entire paragraph.

Mr. GOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 11, after line 12, insert: "Relief of contractors: Toward the amount necessary for the payment of claims of contractors, etc., arising under the act entitled 'An act for the relief of contractors and subcontractors for the post offices and other buildings at work under the supervision of the Treasury Department, and for other purposes,' approved August 25, 1919, $500,000."

Mr. GOOD. Mr. Chairman, I have overlooked a matter. The gentleman from Illinois [Mr. CANNON], a member of the Committee on Appropriations, is very much interested in this item, and I have an agreement with him to the effect that when the item should be reached, if any objection were made to it, I would ask that it be passed over until his return. I therefore ask unanimous consent that the matter be passed over without prejudice, with the point of order pending, until the return of the gentleman from Illinois.

Mr. BANKHEAD. No point of order was made against the amendment.

Mr. GOOD. I know; but the gentleman from Illinois was very much interested in the proviso, and so, to keep faith with him, I would like to have the matter go over until to-morrow.

Mr. BYRNS of Tennessee. Does that include the proviso?

Mr. GOOD. Yes; I have asked that it may all go over until to-morrow, with the point of order pending.

Mr. BLANTON. With the point of order reserved?

Mr. GOOD. Yes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the proceedings be vacated so as to leave the paragraph in with the proviso and a point of order pending until to-morrow. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PUBLIC HEALTH SERVICE.

For medical, surgical, and hospital services and supplies for war-risk insurance patients and other beneficiaries of the Public Health Service, including necessary personnel, regular and reserve commissioned officers of the Public Health Service, clerical help in the District of Columbia and elsewhere, maintenance, equipment, leases, fuel, lights, water, printing, freight, transportation and travel, maintenance and operation of passenger motor vehicles, and reasonable burial expenses (not exceeding $100 for any patient dying in hospital), $4,000,000: *Provided*, That hereafter officers of the Public Health Service may purchase subsistence supplies and articles of serviceable property for the use of themselves and their families from the Army, Navy, and Marine Corps at the same price as is charged officers of the Army, Navy, and Marine Corps: *Provided further*, That the Secretary of the Treasury is authorized to make regulations governing the disposal of articles produced by patients in the course of their curative treatment, either by allowing the patient to retain same or by selling the articles and depositing the money received to the credit of the appropriation from which the materials for making the articles were purchased.

Mr. BLANTON. Mr. Chairman, I reserve a point of order. Will the chairman of the committee agree to accept an amendment striking out "passenger motor vehicles," contained in this paragraph, in line 11?

Mr. GOOD. I am sure that if the gentleman will stop to think a moment he will not want to do that. A great many of these passenger-carrying vehicles are performing a very necessary use, such as ambulance services. Others are passenger-carrying vehicles that are used by the doctors and officers in the service. The other day I was in Chicago, and the doctor in the service there took me out to a hospital. He has two or three hospitals under his charge, and they are miles apart. He uses a machine to go from one to the other.

Mr. BLANTON. These two new buildings, or, rather, additions that have been added to this Public Health Service building, right across from the House Office Building—are they part of this Public Health Service?

Mr. GOOD. Yes; they are.

Mr. BLANTON. Did the gentleman happen to notice those two buildings in the course of construction and the great amount of money that was absolutely wasted in such building? If this

department wastes as much money on passenger vehicles as it did on these annexes, we ought to call a halt.

Mr. GOOD. No; I did not. But as to passenger-carrying vehicles that are used in this service, and they have a good many, let me say we have authorized the Secretary of War to turn over to the hospital service a great many of these passenger-carrying vehicles, and they are authorized by law. They are authorized to use them, and they are using them at hospitals. I think, to some extent, they are very necessary.

Mr. BLANTON. How much of this $1,000,000 is to relieve the influenza situation?

Mr. GOOD. None. In a general way we have an appropriation, an epidemic fund of $400,000 that is available for any epidemic, including the influenza epidemic.

Mr. BLANTON. But does not the gentleman think that there are certain interests now that are trying to take advantage of the present influenza epidemic?

Mr. GOOD. Of course, persons who are the beneficiaries of the Public Health Service can be treated in the hospitals, even though they have influenza.

Mr. BLANTON. For instance, we have a bill before the House, introduced by a Member of Congress, who during this day has said that he is against the Constitution—at least, as to one provision—to suspend the Volstead Act for three months on account of the influenza epidemic, and so with various other matters that have no more pertinency.

Mr. GOOD. So far as the use of automobiles is concerned, I am willing to cooperate with the gentleman from Texas to prevent the misuse of automobiles in the service; but I think that to strike this out might very seriously cripple the hospital service, where they have about 7,000 of our discharged soldiers, and the doctors are compelled to use automobiles in taking the soldiers from one place to another and in visiting the hospitals themselves.

Mr. BLANTON. Mr. Chairman, I will withdraw the reservation.

Mr. MANN of Illinois. I renew the reservation of the point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] renews the reservation of the point of order on the paragraph.

Mr. MANN of Illinois. Mr. Chairman, I was wondering in regard to the proviso. Supposing that hereafter the Public Health Service officials shall be able to purchase Army and Navy supplies on the same basis with the Army and Navy officers, I wonder whether, if we do this for the Public Health Service, we can refuse to do it for any other service in the Government. For instance, if we make the break and provide for other services outside of the military service—and it is a great abuse in the military service—is there any limit on what we will be asked to do in the way of furnishing all sorts of supplies at wholesale prices?

Mr. GOOD. I have here an amendment that I was requested to introduce, and I propose to offer it, and it would practically add another service—that is, the Coast Guard. The Coast Guard have had this privilege during the war, and it has recently been taken from them.

Mr. MANN of Illinois. The Coast Guard had this privilege while they were in the war.

Mr. GOOD. Yes; while they were under the Secretary of the Navy. Now, it does mean a great deal to these men. They put in a list of articles which they are able to buy from the Army and Navy stores with the price to show the saving. Take, for instance, Gillette blades. We go down to the store and buy them——

Mr. MANN of Illinois. I wish the gentleman would use some illustration with which I am familiar. [Laughter.]

Mr. GOOD. I happened to notice that. The cut-rate stores sell Gillette blades for 85 cents a dozen. The regular price is $1 a dozen, but at the Army and Navy stores the price is 30 cents a dozen. Now, I have not compared the prices of all these articles, but here are men in the Public Health Service who were formerly officers in the Army. They were entitled to this privilege while they were officers in the Military Establishment. They became accustomed to it, and it was a great saving to them. Now they are asking for an increase in pay. It seemed to us if we could give them some provision of this kind that would to some extent reduce their cost of living—and they say it will make a very material difference—it might obviate the necessity of a general increase all along the line in the pay of these officers and employees.

Mr. MANN of Illinois. Every officer in the Army wants every privilege of pay or otherwise which anyone in the Navy has. Everyone in the Navy wants the same thing that anyone in the Army has. Every officer in the Coast Guard Service wants the same privilege that officers in the Army and Navy have. Every officer in the Public Health Service wants the same privilege that any of the others have, and if we pass a law relating to any officers of any one of these services and do not pass it as to the others we get requests immediately from the heads of the other departments suggesting that their departments are being discriminated against.

Now, nominally we furnish articles to Army and Navy officers at 10 per cent above their cost. In fact, we furnish them at less than their cost, because they never charge up all the items which go to fix the cost. During the war they maintained one of the most expensive establishments in one of the most expensive localities in this city for the purpose of furnishing a chance to Army and Navy officers to buy things at less than cost. Well, I sympathize with the Army and the Navy. I also sympathize with the clerks in Washington and with the laborers in Washington. The Government does not undertake anywhere, and it ought not to undertake, to do collective bargaining for all of its employees. Under the system of pay that we have in the Army and the Navy not a soul on earth knows how much an Army or Navy officer gets. They do not know themselves, directly or indirectly, and I question the desirability of extending this privilege. I do not think it will have anything to do with the pay they will ask for.

Mr. SAUNDERS of Virginia. Is there any amendment or reservation of order pending?

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] has reserved a point of order.

Mr. GOODYKOONTZ. Mr. Chairman, I desire to ask the chairman of the committee a question. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. GOODYKOONTZ. I would like to know whether any part of this $4,000,000 is intended to be used to pay doctors scattered all over the country, supposed to be looking after soldiers. What I have particularly in mind is the fact that in West Virginia there are said to be about 40 doctors on the pay roll of the public health department, and in the capital of that State there are six doctors on the pay roll. Two of them are being paid $200 a month and the other four $100 a month. They are supposed to be looking after the wounded soldiers, and yet it is said there are only five wounded soldiers in that city. I desire to know whether any part of this $4,000,000 is to be used for paying the salaries of these doctors?

Mr. GOOD. The $4,000,000 is a lump sum and can be expended in any way the service determines the expenditure is necessary in the treatment of the beneficiaries of the Public Health Service. The case which the gentleman refers to was inquired into at the hearings. Dr. Stimson has put in the record, which will be found on page 837 of the hearings, and extending over several pages, a statement in regard to it. I will not read it, but he gives the work that these doctors are doing. As the gentleman from West Virginia has stated, there are four of these doctors in Charleston, W. Va., who are employed in this way. There is no provision that will prevent the employment of physicians in other places. I do not know how it can well be prevented unless the law with regard to the Public Health Service is entirely rewritten defining—and I think it ought to be more clearly defined—what the duties of the Public Health Service are. I think the Public Health Service is extending its power and influence far beyond what was the intention of Congress when the act creating the service was passed.

Mr. LAYTON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. LAYTON. Does not the gentleman think right now that we should have some limitation on the expenditures of the $4,000,000?

Mr. GOOD. I will ask the gentleman from Delaware to write the limitation.

Mr. LAYTON. I am not on the committee.

Mr. GOOD. But the gentleman is a Member of Congress, and an able and very valuable Member. It is an easier thing to suggest a limitation than it is to write one without crippling the service. Here are 7,000 men, discharged soldiers, who are entitled to treatment under the law. Are you going to say that they shall not have more than one physician in a State or more than one physician in a county? There are counties where they do not need any, and possibly there are counties in large centers of population, like Cook County, Ill., or the city of New York, where they need a great many. How are you going to make the limitation? It is easier to suggest a limitation than it is to write it. I have been trying for some time to think of some way of limiting the activities of the Public Health Service so as not to permit them to do things not authorized by law. The only thing that I can think of—and I propose to suggest it to

the Comptroller of the Treasury—is that the accounts be thoroughly itemized, so that no expense can be incurred that is not authorized by law until we have the law rewritten. I will say to my friend from Delaware that I do not see how the committee can limit it without perhaps doing great injury to the service.

Mr. LAYTON. The situation to-day, then, is, according to the gentleman from West Virginia, who states an extreme case, that in that place and other places in this country we may have doctors on the roll at $200 a month while there is not a single patient there. There is not a Member of this House that does not want to make ample provision for wounded soldiers.

Mr. GOOD. I will say that Dr. Stimson makes quite a case for Dr. Davis.

Mr. BYRNES of South Carolina. Will the gentleman from Iowa yield to me to make a statement?

Mr. GOOD. Yes.

Mr. BYRNES of South Carolina. For the purpose of setting the House straight in regard to the statement made by the gentleman from West Virginia, I want to say that these physicians are not all located there for the purpose of looking after patients in the local hospital. Dr. Davis is a district supervisor, with a district of three or four States, and his duties are to examine all applicants under the war-risk act. The statement was made to the committee that he has examined several hundred or more men who are entitled to the benefits of the war-risk act. Some men are not entitled to the benefits and some are. Dr. Davis is the district supervisor. He has associated with him another doctor.

Mr. LAYTON. If the gentleman's statement is correct, I withdraw what I have said.

Mr. GOODYKOONTZ. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GOODYKOONTZ. This is not the case described by the gentleman; it is the case of six doctors in Charleston, two drawing a salary of $200 a month each and four drawing a salary of $100 a month each, with only five wounded soldiers in that community. That is the fact about it.

Mr. GOOD. I will say that Dr. Stimpson gave us this information with regard to the work of Dr. Davis.

Mr. GOODYKOONTZ. I will say that I wrote the department asking how many doctors the department had in West Virginia, and they sent me a list of 10, and I subsequently found they had 40 on the list. That applies to only one State—West Virginia.

Mr. GOOD. I am not willing to defend any unjustifiable act of the Public Health Service. In the past I have indulged in some criticism of this service, and I think it is subject still to considerable criticism. I will say, however, that Dr. Stimpson made a very good case in regard to this specific physician. He said, with reference to Dr. Davis, that the total number of cases examined in Dr. Davis's office as past assistant surgeon were 203; that the total number of cases treated in the office were 22; total number of treatments given to claimants, 63; number of cases sent to the hospital for further examination and treatment, 49; number of claimants reporting for examination, 203; number of claimants authorized to report who have not as yet reported, 77.

That was the work of September 1 to December 26 last.

Mr. GOODYKOONTZ. But he is talking about the Dr. Davis located in Washington. There are two doctors by the name of Davis.

We are warned from every direction to cut down these terrible appropriations. There are lots of good, patriotic doctors in West Virginia who would take delight in serving a few wounded soldiers without charge.

Mr. GOOD. Then there was Dr. Dillon. Is Dr. Dillon located there?

Mr. GOODYKOONTZ. I am not sure that he is on the list.

Mr. GOOD. The location of Dr. Davis is given as Charleston. Dr. Dillon's location is given as Charleston. Dr. George A. McQueen's is given as Charleston, and Dr. Hugh Nicholson's is given as Charleston; those are the ones given by Dr. Stimpson as coming from Charleston.

Mr. BYRNES of South Carolina. On page 839 the name of every physician in the State with his address is given.

Mr. GOOD. That is what I was reading from.

Mr. BYRNES of South Carolina. This is an authorized statement from the Public Health Service. If the gentleman from West Virginia [Mr. GOODYKOONTZ] has the names of other physicians who are on the roll, and whose names do not appear on the list, I wish he would give them to us, as it would put us in a position to take the matter up with the Public Health Service in an intelligent way. In response to a question to put in the RECORD the names of the physicians in the State of West Virginia and their addresses, he has given them, and also the work done by these men in each month, in detail. We have an itemized statement here, and if the statement is untrue, and the gentleman can show it, I know the House would be glad, certainly the members of the committee would be glad, to know it.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BANKHEAD. Reverting to the argument and statement made by the gentleman from Illinois [Mr. MANN] in respect to giving authority to the officers of the Public Health Service to purchase subsistence supplies and articles from the Army, Navy, and Marine Corps at the same price charged officers of the Army, Navy, and Marine Corps, did a system of that kind heretofore exist whereby the members of the Public Health Service were entitled to that benefit?

Mr. GOOD. No. The gentleman will recall that the act of March 3, 1919, very much enlarged the activities of the Public Health Service. By that act all of the discharged soldiers were turned over for treatment to the Public Health Service, except those that are in vocational training, who receive treatment there. Those who are sick or wounded and require medical aid are cared for by the Public Health Service. Before that the service was very small. I have forgotten the number of employees they now have, but my recollection is that something over 6,000 persons are employed.

Mr. BANKHEAD. Is not that rather an argument against the inauguration of this benefit to them?

Mr. GOOD. I think not. A good many of these doctors were officers in the Army.

Mr. BANKHEAD. If the gentleman will permit me, the gentleman by his course now is certainly inviting a further increase of this. He has announced that he has another amendment to give this benefit to the members of the Coast Guard Service. I do not see how in equity and good conscience we can bestow this benefit on these two classes and then oppose bestowing it on every Government employee in the United States. I do not see how the gentleman can argue against extending it still further to other classes, if he is going to arbitrarily bestow it on the officers of the Public Health Service.

Mr. GOOD. I was impressed with the argument that here are a great number of officers who were in the Army for more than a year, some of them for more than two years, who had had the benefits under the law and were permitted to go to the Army stores and purchase articles practically at cost. The Coast Guard Service during the war was under the Navy, and the officers and men in that service were entitled to go to the Navy stores and buy all their necessaries. All at once they are turned back, without changing their salaries, and they are deprived of the benefits that they enjoyed before. My position has been that if the officers of the Army and Navy are entitled to this benefit, then there can be no reason why the officers and men in the Public Health Service and the Coast Guard Service are not entitled to it.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. MADDEN. I do not know how many hundred thousand officers there were in the Army during the war, but there were about 4,600,000 men in the Army and Navy. Nearly all of these men have been turned back to civil life. They have been turned back adrift. A good many of them have employment and a good many have not. None of those men will be entitled to the privileges afforded under the provisions of the bill or the amendment that is proposed. There is quite as much reason why that privilege, which they had while in the Army, should be extended now that they are in civil life as there is that it should be extended to these men who were on the pay roll and who have left the Army. The other men are not on the pay roll at all and may not be on anybody's pay roll. Simply because they are now out of the Army, adrift, and are not cared for in the Government service, being paid out of the Treasury, they must not be considered, while it is argued that men who are on the pay roll but who are also out of the Army are entitled to this privilege. I think it can not be justified unless you extend it to every man who has ever at any time under any circumstances worn the uniform.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. MILLER. Are wounded soldiers under the treatment of the Public Health Service accorded this privilege?

Mr. GOOD. No; because they are not the beneficiaries of the Public Health Service until after they are discharged, and a discharged soldier is not entitled to this privilege.

Mr. MILLER. Then a wounded soldier under the treatment of this same Public Health Service is not afforded this privilege, nor are the men in the Public Health Service afforded the privilege, as the men in the Army and Navy are, and this provision limits it exclusively to officers and their families. Does the gentleman think that is right? Why not give it to the men?

Mr. GOOD. Most of the employees are officers. They are commissioned, I think.

Mr. MILLER. But there are nurses by the hundreds and by the thousand, both men and women. Under what rule does the gentleman distinguish the men in the Public Health Service who are not entitled to this privilege from the men in the Army and the Navy who are?

Mr. GOOD. The gentleman now is arguing for still further increase?

Mr. MILLER. I am not arguing either way. I am asking the chairman on what rule he bases this.

Mr. GOOD I do not know whether the system is good or bad.

Mr. MILLER. I think the whole system is bad.

Mr. GOOD. If it is bad, the whole thing ought to be repealed; and perhaps if we put enough on it it will force its repeal. If it is good for one service that enjoys its privilege, why not extend the privilege to similar classes?

Mr. SAUNDERS of Virginia. Mr. Chairman, I demand the regular order.

Mr. MANN of Illinois. Mr. Chairman, I make the point of order against the first proviso in the paragraph.

The CHAIRMAN. This is clearly subject to the point of order, the word "hereafter" making it permanent law. The Chair sustains the point of order.

Mr. MANN of Illinois. Mr. Chairman, I move to amend, in line 18, by striking out the word "*further.*"

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 12, line 18, after the word *"Provided,"* strike out the word "*further.*"

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

To enable the Secretary of the Treasury to continue in effect the provisions of section 2 of the act entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines," approved March 3, 1919, $500,000, to be expended at the following hospitals and in not to exceed the following amounts, respectively: Alexandria, La., $25,000; Deming, N. Mex., $20,000; Houston, Tex., $10,000; Perryville, Md., $75,000; Greenville, S. C., $75,000; Cape May, N. J., $10,000; Hoboken Pa., $10,000; Dansville, N. Y., $10,000; St. Louis, Mo., $5,000; New Haven, Conn., $25,000; West Roxbury, Mass., $50,000; Helena, Mont., $100,000; Boise, Idaho, $75,000; East Norfolk, Mass., $10,000.

Mr. JOHNSON of South Dakota. Mr. Chairman——

Mr. BEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 13, line 24, after the figures "$10,000," insert: *"Provided further,* That the sum of $20,000 of the appropriation of $150,000 contained in section 6 of the above-named act is made available for such repair work and remodeling as may be necessary to adapt the hospital at Corpus Christi, Tex., to the needs of the Public Health Service."

Mr. BEE. Mr. Chairman and gentlemen of the committee, I shall offer a brief word of explanation of this amendment. In the act of March 3, 1919, $150,000 was appropriated for the purchase of a public-health hospital at Corpus Christi, Tex. While the matter of its purchase was pending and the question of title was being examined, and before title passed, a storm occurred at Corpus Christi, on the 14th of September, 1919, and damaged this property to a considerable extent. Subsequently the title was approved and the money was paid over, the Treasury Department deducting $20,000 from the purchase price paid to the owners for the purpose of making certain necessary repairs to put the hospital back in its original condition, upon the theory that the Government was not responsible for an act of God which caused the damage. By a mistake, the request of the Treasury Department for the use and authorization of the $20,000 went to the Committee on Public Buildings and Grounds and did not reach this committee in time. The purpose of this amendment is to authorize the use of $20,000 already appropriated to make the hospital serviceable for the purpose for which it was intended, and I will say to the committee that I have discussed the matter with the chairman of the committee [Mr. GOOD] and the gentleman who had charge on this side, and that the amendment is acceptable to them.

Mr. GOOD. The matter was pending, as I understand it, before the Committee on Public Buildings and Grounds——

Mr. BEE. By mistake.

Mr. GOOD. And I agree with the gentleman that the money ought to be made available to repair this hospital, otherwise the hospital purchased at Government expense can not be used.

Mr. BEE. And I will say it is standing there idle and without any use whatever, and with this expenditure it becomes available and will be used as soon as repaired from the injury due to the storm.

Mr. GRIFFIN. Mr. Chairman, I reserve the point of order against the amendment.

Mr. GOOD. The point of order comes too late.

The CHAIRMAN. The reservation of the point of order comes too late. The amendment has been debated.

Mr. GRIFFIN. Well, I make the point of order.

The CHAIRMAN. It is too late to make the point of order. Does the gentleman wish to discuss the amendment?

Mr. GRIFFIN. Mr. Chairman, I rise to oppose the amendment. The gentleman from Texas said that this proposed appropriation was pending before the Committee on Public Buildings and Grounds——

Mr. BEE. By an error. I will say, if the gentleman will permit, the Secretary of the Treasury wrote a letter to the Speaker of the House explaining the situation in reference to this hospital, and by some error that communication instead of going to the committee of the gentleman from Iowa went to the Committee on Public Buildings and Grounds, where it had no business and which had nothing to do with it, and that is the reason it is not in the bill and it is now necessary to put it in as an amendment.

Mr. GRIFFIN. Well, I will say, Mr. Chairman, that the objection that I was about to make is that the appropriation is not or has not appeared before the Committee on Public Buildings and Grounds. I do not see the chairman of the committee here or any other member of the committee so far as I can observe, and I felt it my duty to the committee and the House to state that the proposal has not been submitted to the Committee on Public Buildings and Grounds. The communication may have gone to the chairman of the committee. I will not attempt to gainsay that, but it does seem to me, Mr. Chairman and gentlemen, that in view of the fact that we have appropriated $150,000 for this hospital at Corpus Christi, we ought not now at a moment's notice to ask the House to agree to another expenditure of $20,000——

Mr. BEE. Will the gentleman from New York yield?

Mr. GRIFFIN. I will be glad to do so.

Mr. BEE. The gentleman is absolutely in error in this matter. We are not asking to appropriate any additional sum; $150,000 was appropriated for the purchase of this property, and before the title passed the storm came on and damaged the property, and the Treasury Department required the owners of the property, before they paid the money over to permit them to deduct $20,000 from the purchase price in order that the Government might put the property back in condition. There is not a cent asked for more than the $150,000. It does not ask another additional amount whatever; it simply authorizes the use of the money already appropriated.

Mr. GRIFFIN. We have already appropriated $150,000. I will ask the gentleman if he does not think the Treasury of the United States is empowered under the terms of the original appropriation to make the outlay of $150,000? That is, the gentleman from Texas says that $130,000 has been paid for the property and that there is $20,000 in the Treasury unexpended. Now, the Treasury Department already has the authority to expend $150,000, and it does not seem to me it is necessary for any further extension of authority.

Mr. BEE. If the gentleman will permit, the Surgeon General writes to the Secretary of the Treasury and calls his attention to this fact, as follows:

Pursuant to the authority granted, an agreement for the sale and purchase of General Hospital No. 15, at Corpus Christi, Tex., was entered into, but pending consummation thereof the property was damaged by a storm. Thereafter the price was reduced to $120,000, and the property is now being transferred to the Treasury Department. It is therefore essential that the difference of $20,000 between the purchase price and the amount appropriated be made available for repairs to the hospital.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRIFFIN. Mr. Chairman, I ask for an extension of one minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BEE. I do not know, I will say to the gentleman from New York, any other way to reach this subject except the way it has been done, unless you are willing to let this hospital stand there idle.

Mr. GRIFFIN. I would like to ask the chairman of the committee his information concerning that. One hundred and fifty

thousand dollars is appropriated for this Corpus Christi Hospital. Before it has been taken over it is damaged by storm.

Mr. GOOD. One hundred and twenty thousand dollars has already been paid to the owner.

Mr. GRIFFIN. We already have appropriated and money is on hand to pay for the repairs. Do you consider any further appropriation necessary?

Mr. GOOD. The $150,000 was only available for the purchase of the building. Instead of purchasing a building, if, after it had been injured by the storm, the department had said to the owners, "Repair the building and we will pay $140,000," they would have been authorized to pay the $140,000.

The CHAIRMAN. The time of the gentleman has again expired. The question is on the amendment of the gentleman from Texas [Mr. BEE].

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes in further debate on the Speedway Hospital in Chicago.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of South Dakota. Mr. Chairman, I would like to get the attention of the gentleman from South Carolina [Mr. BYRNES] if possible, because in the debate that we had with reference to the general hospital situation, and particularly with reference to the Speedway Hospital on last Tuesday, the debate appearing on page 2125 of the RECORD, the gentleman from South Carolina [Mr. BYRNES] stated, referring to me:

> If the gentleman will put his hand on the contractor and he will sign a contract without the provisions such as I have stated, requiring the payment of money outside the limit of cost, the contract can be signed in an hour.

And the gentleman from North Carolina [Mr. KITCHIN] made practically the same statement, also on page 2125 of the RECORD, when he said:

> The Secretary will sign if the contractor will sign the contract for the amount provided in the act.

Now, Mr. Chairman, I never saw the contractor before in my life. But I went over the record pretty carefully, and I put it up to him to sign this contract presented to the Secretary of the Treasury to sign, and he was willing to do that. The gentleman from North Carolina [Mr. KITCHIN] and the gentleman from South Carolina [Mr. BYRNES] invited me to get this contractor to sign, and they said they would get the Secretary of the Treasury to do so, and now I have the original contract here signed by the Shank Contracting Co., and I ask unanimous consent to insert it in the RECORD before I send it to the gentleman from South Carolina, who, I hope, will take it down to the Secretary and get him to either sign it or refuse to do so.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to insert the contract referred to in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The matter referred to is as follows:

These articles of agreement entered into this 29th day of January, 1920, by and between the United States of America, by Carter Glass, Secretary of the Treasury (hereinafter called contracting officer), party of the first part, and the Shank Co. (a corporation organized and doing business under the laws of the State of Illinois), of Chicago, Cook County, Ill., represented by George H. Shank, its president (hereinafter called owner), party of the second part, witnesseth:

Conveyance of lands: The owner does hereby agree, in consideration of the payments hereinafter provided to be made by the United States of America, to convey or cause to be conveyed to the United States of America, upon the execution of this agreement by warranty deed, the title in fee simply, free and clear of all liens and incumbrances, in and to the following-described lands, tenements, and heriditaments located in the county of Cook, State of Illinois, bounded on the north by Twelfth Street, on the south by Twenty-second Street, on the east by First Avenue, and on the west by Ninth Avenue, described as follows:

The west ½ of section 23 in township 39 north of range 12 east of the third principal meridian, except that part thereof conveyed to the Illinois Central Railroad Co. for a right of way by deed recorded in the recorder's office of Cook County, Ill., as document No. 874485, said tract of land consisting of 320 acres, more or less.

The owner shall furnish to the United States of America an owner's guaranty policy issued by the Chicago Title & Trust Co., of Chicago, Ill., in the sum of $300,000, guaranteeing the unincumbered fee simply title to said real estate and a complete merchantable abstract of title to said premises.

Construction of buildings: 2. The owner does hereby further agree to furnish all the labor, materials, tools, machinery and equipment, and to do all things necessary for the construction and completion upon said site of a four-story fireproof hospital building, a fireproof administration building, a laundry building, a power house, a kitchen, a receiving ward, and communicating corridors in accordance with the plans, drawings, and specifications, which are to meet the general requirements of the Surgeon General of the United States Public Health Service and are to be completed in the manner next hereinafter set forth. The construction of said buildings shall be subject in every detail to the supervision, direction, and inspection of the contracting officer and shall commence upon the day of the date hereof; and in consideration of the premises the owner does hereby agree to complete and deliver over to the contracting officer all of said buildings and structures in accordance with said plans, drawings, and specifications within 100 days after the date hereof (Sundays and holidays excluded). The contracting officer may from time to time accept and use any portion of the buildings or structures which may in his opinion be completed, but such acceptance and use of portions of said buildings and structures shall not be construed to be a final acceptance of the buildings and structures under this contract: *Provided*, That in the event the taking possession of any portion of the buildings or structures prior to final completion shall increase the cost of the construction to the owner the constructing officer will reimburse the owner for such additional cost.

For lack of time, said plans and specifications for the construction of the foregoing buildings and structures are not as full and detailed as they ought to be for working plans and specifications, but notwithstanding the fact, the contracting officer has directed the owner to begin immediately the work of construction, and in compliance with such direction, the owner agrees to begin the work of construction immediately under the terms of this contract without awaiting the final completion of said plans and specifications, and the contracting officer agrees to employ, at his own expense, an architect skilled in hospital construction, to complete said plans and specifications with all reasonable dispatch and to the satisfaction of the contracting officer. The completion of said plans and specifications by said architect shall not, except as herein otherwise provided, involve or include any material changes and alterations in or additions to the plan or design of said buildings and structures; or the kind, quality, character, or cost of the materials which enter into the construction of the same, as such plan, design, and materials appear upon said uncompleted plans and specifications which have been delivered to the contracting officer and are now in his possession.

All material entering into the construction of said buildings shall be first class and all work required shall be done in a good and workmanlike manner to the satisfaction of the contracting officer.

Right of owner to remove materials: 3. It is understood and agreed that in the construction of said buildings the owner shall have the right to use without cost or charge to the Government (except as a part of the contract price) all suitable structures and materials now a part of said premises, but which have been reserved to the grantor in the deed of conveyance conveying said real estate hereinbefore mentioned, except the sewer system, water mains and water systems, metal garages, small hospital building, roadways, and outside fence; but the owner shall have the right to use so much or such parts of said seven excepted items as it may find necessary in the construction of said buildings. In so far as may be possible without interference with or obstruction of the use of the hospital plant by the Government, the owner shall remove those portions of said structures and materials so reserved in said deed of conveyance as shall not be used in the construction of said buildings, and shall clear the said premises of all débris and waste materials.

Additional work: 4. The contracting officer may from time to time by written instructions or drawings issued to the owner make changes in the said plans, drawings, and specifications, or may require additional work hereunder, and the provisions of this contract shall apply to all such changes, modifications, and additions with the same effect as if they were embodied in the original plans, drawings, and specifications, and the owner shall comply with all such instructions and changes; but if such changes, modifications, and additions involve extra labor and material, then the actual cost of such additional labor or material occasioned by such changes, together with a sum equal to 7 per cent thereof, shall be added to the contract price and shall be paid by the Government to the owner (except as hereafter in this clause is otherwise provided). In such event the time for the completion of this contract shall be extended to cover any delay in the completion of said buildings occasioned by such changes, modifications, or additions to said plans, drawings, and specifications.

It is the intention of the parties to this contract that the owner shall construct and deliver said buildings and structures so that the same when so constructed and delivered shall constitute as a whole a practical working hospital; therefore it is agreed that if any changes and modifications in or additions to said plans, drawings, and specifications shall be fairly and reasonably necessary in order to make said hospital in all its parts a substantially practical working hospital, then the same shall be made upon the written order of the contracting officer, and no allowances shall accrue or be paid to the owner under any provision of this clause on account of additional labor or materials occasioned by such last-described changes in or additions to said plans, drawings, and specifications, other than the amount of the contract price hereinafter named; but all the usual furnishings, supplies, and equipment required in the hospital and other buildings shall be supplied and installed by the Government.

Title to buildings: 5. The title to all buildings completed or in the course of construction shall be in the United States.

Delays, etc.: 6. The owner shall not be held responsible for or be deemed to be in default hereunder by reason of delays in the performance of this contract caused by strikes, fires, explosions, riots, transportation delays, acts of God, or other causes beyond the control and without the fault of the owner, including delays caused to the owner by the direct act or failure to act of the contracting officer, and the owner's time for performance of this contract shall be hereby extended to cover the delay in performance so caused to the owner, provided that the owner shall have immediately and fully notified the contracting officer of any such cause of delay and shall have used its best efforts promptly to remove the same and to obviate the effects thereof, and provided further that such delay shall not have been due to the owner's failure to comply with any of the provisions of this contract. The owner shall proceed with the performance of this contract as soon as and to the extent that any such cause of delay shall have been removed. The contracting officer, however, except in the case of delays caused to the owner by the direct act or failure to act of the United States, shall have the right, by giving written notice to the owner, to terminate in whole or in part the performance of the work which has been so delayed, in which event the United States shall make payments to and protect the owner in such an amount as in the opinion of the contracting officer will equitably reimburse the owner. If the owner be dissatisfied with the allowance made under the provisions of this clause it may have recourse to the appeal provided for in clause 19 hereof. The contracting officer shall, if such right to terminate said work in whole or in part be exercised by the contracting officer prior to completion, have the right to use any or all of the machinery, tools, equipment, and materials belonging to the owner at the site to complete such work upon payment for such materials and of a reasonable rental for such machinery, tools, and equipment and of all damages to such machinery, tools, and equipment while so used by the contracting officer.

Liquidated damages: 7. Time shall be considered as of the essence of this contract, and in case of failure on the part of the owner to complete his work within the time specified herein it is agreed by the owner that the United States will be damaged by the delay, and the amount of such damages, exclusive of expenses for inspection and superintendence and necessary traveling expenses being difficult, if not impossible, of definite ascertainment and proof, are hereby agreed upon, liquidated, and fixed in advance in the sum of $500 for each and every of the first 15 calendar days (Sundays and holidays excepted), which the said owner shall delay in the completion of this work beyond the time fixed in this contract, and in the sum of $1,000 for each and every calendar day (Sundays and holidays excepted) which the said owner shall delay in the completion of this work on and after the expiration of said 15 calendar days, which the owner hereby agrees to pay to the United States as liquidated damages, and not by way of penalty. In addition to the liquidated damages herein agreed to be paid, it is hereby agreed by said owner that all expenses for inspection and superintendence, including all necessary traveling expenses connected therewith, during said period of delay shall be paid to the United States. It is further agreed by said owner that such liquidated damages, expenses for inspection, superintendence, and necessary traveling expenses may be deducted and retained from any payment due or to become due to the said owner: *Provided*, That no liquidated damages and no charges for inspection, superintendence, and traveling expenses shall be made where such period of delay shall equal the time lost through any cause for which the contracting officer is responsible either in the beginning or prosecution of the work, to be determined by the contracting officer; but where any delay caused by the said owner is in excess of the time lost through any cause for which the contracting officer is responsible, liquidated damages for such excess time shall be charged against the owner at said respective rates, together with all expenses for inspection, superintendence, and necessary traveling expenses incurred during such excess time.

Provided further, That no liquidated damages and no charges for inspection and superintendence shall be made for any delay excusable under the provisions of clause 6 hereof.

Provided further, That any extension allowed to the said owner by the contracting officer for the completion of this contract shall not affect the right of the United States to collect liquidated damages and expenses for inspection, superintendence, and necessary traveling expenses for any delay caused by the said owner prior to such extension.

Completion and operation of heating plant: 8. The owner shall complete the installation of the heating plant and radiation so that the same will be ready for use at least three weeks before the entire work under this agreement shall be finished; and the Government shall take over said heating plant and said radiation when so completed, and at its own expense furnish all necessary fuel and proper maintenance, and shall operate said heating plant and radiation so as to deliver sufficient heat throughout the whole system in order that the walls may be more thoroughly dried out to receive the decoration called for by the specifications.

Increased cost of labor and materials: 9. It is understood that the contract price hereof is based upon well-established union scales of wages for labor as of August 26, 1918, and upon the prices for materials which the owner agrees to advise the contracting officer of through the delivery to his representative upon the ground, within 15 days from the date hereof, of a complete schedule of all materials to be used in the construction of said buildings and structures and the price at which the same are contracted for, together with such other data as the contracting officer may require in connection therewith at the time, and the delivery of such schedules shall be of the essence of the agreement relating to said materials contained in this clause. Should the owner during the course of the construction of said buildings and structures be required by any increase in such union wage scales or in the market price of such materials to expend more money for the completion of said buildings and structures than that upon which its present contract price is based, then it shall first notify the contracting officer of such fact and, upon 24 hours' notice to the owner, the contracting officer may from time to time elect to furnish and furnish such materials to the owner in quantities provided for in the plans and specifications, in which event there shall be deducted by the contracting officer from the contract price hereof a sum equal to the total value of any such materials so furnished to the owner based upon the prices set forth in said schedule. In the event the contracting officer does not within 24 hours after the receipt of such notice of increased cost of materials elect to furnish and within a reasonable time furnish the same, then the owner shall proceed to purchase such necessary materials, and the amount of such increase so required to be paid by the owner shall be reimbursed to the owner by the Government in addition to the contract price herein named. All savings made by the owner through the purchase of materials so required in the construction of said buildings and structures at prices less than those appearing in the schedule shall be credited upon the contract price hereof, and the contracting officer shall deduct from any sums due the owner an amount equal to all such savings. After approval by the contracting officer of increases in wages to laborers the owner shall be reimbursed in the amount necessarily paid by it on account of increased wages. In case any controversy shall arise hereunder as to the amount of such increase in the cost of labor or of materials, then such amount, if any, shall be determined by the contracting officer. The owner shall not, however, make any departure from the standard rate of wages being paid in that locality without the prior consent of the contracting officer and shall not attempt to secure labor at the expense of other Government work.

Payments by Government: 10. In consideration of the foregoing the United States shall and will pay to the owner the sum of $3,000,000, which amount the owner hereby agrees to accept in full payment of the entire purchase price of the above-described real estate and of the cost of construction and completion of the buildings hereinbefore mentioned except as herein otherwise provided, as follows:

(a) One million four hundred thousand dollars of said amount to be paid upon the signing of this agreement and the execution and delivery by the owner of the warranty deed and the delivery of the abstract and title insurance policy, specified in section 1 of this contract, conveying and insuring the fee simple title to said above-described real estate.

(b) The remainder of said sum of $3,000,000, to wit, $1,600,000, to be paid on the 1st and 15th days of each succeeding month to the owner in installments of approximately 90 per cent of the value of the work executed subsequent to the conclusion of this contract and actually put in place, to the satisfaction of the contracting officer from time to time as the work progresses, the said value to be ascertained by the contracting officer, and approximately 10 per cent thereof will be retained until the completion of the entire work and the approval and acceptance of the same by the party of the first part, which amount shall be forfeited by the said party of the second part in the event of the nonfulfillment of this contract, it being expressly covenanted and agreed that said forfeiture shall not relieve the owner from liability to the Government for any and all damages sustained by reason of any breach of this contract: *Provided, however*, That no payment hereunder shall be due to the said owner until every part of the work to the point of advancement reached, on account of which payment is claimed, shall be found to be satisfactorily supplied and executed in every particular and any and all defects therein remedied to the entire satisfaction of the said party of the first part: *Provided further, however*, That the said work is to be constructed in accordance with plans and specifications transmitted to the owner July 15, August 16, and September 23, 1919, and in accordance with the drawings and specifications mentioned in the letter of January 7, 1920, from the owner to the contracting officer, and, that the owner will furnish three service elevators not shown in any specification, but which appear upon the plans.

Eight-hour law: 11. Wages of laborers, operatives, and mechanics doing any part of the work contemplated by this contract in the employ of the owner shall be computed upon the basic day rate of eight hours work, with overtime rates to be paid for at not less than time and one-half for all hours in excess of eight hours.

Convict labor: 12. That in the performance of this contract the owner shal not directly or indirectly employ any person undergoing sentence of imprisonment at hard labor which may have been imposed by a court of any State, Territory, or a municipality having criminal jurisdiction, nor permit of such employment by any person furnishing labor or materials to such owner in fulfillment of this contract.

Contract not assignable: 13. Neither this contract nor any interest therein shall be transferred by the owner to any other party, except to the extent permitted by section 3477, United States Revised Statutes.

Subcontracts assignable to Government: 14. The owner shall not enter into any contract or subcontract in contemplation of or in connection with this contract without the prior approval of the contracting officer. Every contract and subcontract made by the owner in contemplation of or in connection with the performances of this contract shall state that it relates to this contract and shall contain a provision that its unperformed portion may be assigned at any time by the owner to the United States or its nominee, at the request of the contracting officer. In the event the contracting officer shall request the assignment to the Government of any such contract or subcontract, and the owner shall fail or refuse to immediately assign the same, then and in that event this clause shall operate as an assignment of all of the unfulfilled interest of the owner in such contract or subcontract, but the Government shall not by such an assignment assume any obligation of the owner under such contract or subcontract other than that portion thereof fairly represented by such unfulfilled portion of the contract or subcontract.

Covenant against contingent fees: 15. The owner expressly warrants that it has employed no third person to solicit or obtain this contract in its behalf, or to cause or procure the same to be obtained upon compensation in any way contingent, in whole or in part, upon such procurement; and that it has not paid, or promised, or agreed to pay, to any third person, in consideration of such procurement, or in compensation for services in connection therewith, any brokerage, commission, or percentage upon the amount receivable by it hereunder; and that it has not, in estimating the contract price or compensation demanded by it, included any sum by reason of any such brokerage, commission, or percentage; and that all moneys payable to it hereunder are free from obligation to any other person for services rendered, or supposed to have been rendered, in the procurement of this contract. The owner further agrees that any breach of this warranty shall constitute adequate cause for the annulment of this contract by the United States, and that the United States may retain to its own use from any sums due or to become due hereunder an amount equal to any brokerage, commission, or percentage so paid or agreed to be paid.

Bond: 16. The owner shall prior to commencing the said work furnish a bond, with sureties satisfactory to the contracting officer, in the sum of $1,250,000, conditioned upon the full and faithful performance of all the terms, conditions, and provisions of this contract, and upon the prompt payment of all bills for labor, materials, or other service furnished to the owner.

Members of Congress not to benefit: 17. No Member of or Delegate to Congress, or Resident Commissioner, is, or shall be, admitted to any share or part of this contract, or to any benefit that may arise herefrom, but, under the provisions of section 116 of the act of Congress approved March 4, 1909 (35 Stats. 1109), this stipulation shall not extend, or be construed to extend, to any contract made with an incorporated company for its general benefit.

Substitution of materials: 18. In the performance of this contract the Government agrees to render all assistance possible in the procurement of materials and delivery of the same at the site of the work that it reasonably can; and if the owner is unable to purchase or to procure immediate delivery of any of the materials specified in said plans and specifications and wishes to substitute for such material other material of substantially the same general kind and quality, prompt request shall be made upon the constructing officer representing the contracting officer upon the premises for permission to make such substitution; and in the event the constructing officer shall determine that such substitution can be made without detriment to the interest of the Government under this agreement, such substitution shall be allowed. The determination of such constructing officer shall be made within three days after such request.

Settlement of disputes: 19. This contract shall be interpreted as a whole and the intent of the whole instrument, rather than the interpretation of any special clause, shall govern. If any doubts or disputes shall arise as to the meaning or interpretation of anything in this contract, the written decision of the contracting officer shall govern. If, however, the owner shall feel aggrieved by the decision of that officer, it shall have the right to submit the same to the Secretary of War, whose decision shall be final and binding upon both parties hereto.

Contract binding on successors: 20. This contract shall bind and inure to the owner and its successors. It is understood and agreed that wherever the words "contracting officer" are used herein, the same shall be construed to include his successor in office, any other person to whom the duties of the contracting officer may be assigned by the Secretary of War, and any duly appointed representative of the contracting officer.

Witness the hands of the parties hereto the day and year first above written, all in triplicate.

UNITED STATES OF AMERICA.
By _____, *Contracting Officer.*
SHANK CO.,
GEORGE H. SHANK, *President.*

I hereby certify that I have satisfied myself of the authority of the person signing the contractor's name to this agreement to bind it in the matter, and I have waived the filing of evidence of such authority, as permitted so to do by the Army Regulations.

_____

I do solemnly swear that the foregoing is an exact copy of a contract made by me personally with the contractor named as owner above; that I made the same fairly without any benefit or advantage to myself or allowing any such benefit or advantage corruptly to the said contractor or any other person; and that the papers accompanying include all those relating to the said contract as required by the statute in such case made and provided.

——— ———.

I certify that the award of the foregoing contract was made to the lowest responsible bidder for the best and most suitable articles or services on proposals received. That owing to the peculiar nature of said contract and the special authority of the Secretary of War therefor, no other or competing contractors were notified and considered in connection with said contract.

The work contracted for being an emergency requirement, no advertisement for bids was published in newspapers by order of the Secretary of War, General Orders, No. 49, dated April 28, 1917.

——— ———.

Mr. JOHNSON of South Dakota. Before I proceed further in the debate I want to correct one statement in the RECORD. On page 2125 the gentleman from South Carolina [Mr. BYRNES] said:

The Secretary of the Treasury has explained this thing to me as I have stated, and I know he tells the truth.

I am reported as having said:

I do not think he does.

I had no desire of saying the Secretary of the Treasury was not telling the truth. My remarks referred to his explanation. I ask unanimous consent that the permanent RECORD read:

I do not think he explains.

The CHAIRMAN. Is there objection to the correction asked by the gentleman from South Dakota?

Mr. MANN of Illinois. Mr. Chairman, I have no objection to the committee ordering that to be done, but the committee has no jurisdiction over the permanent RECORD.

Mr. JOHNSON of South Dakota. It will be in the RECORD in my remarks anyway, so the Secretary of the Treasury will know that I have not accused him of prevaricating.

Mr. MANN of Illinois. If the gentleman, as a matter of fact, will go to the reporters and give them whatever memorandum he wants, it will be put in the permanent RECORD at his suggestion.

Mr. JOHNSON of South Dakota. I know the gentleman is going to say there is some change in this contract in that it will cost more money than the $3,000,000. I want to call his attention to the fact that the contract which the Secretary seems to want to sign, as explained to me the other day by the Secretary of the Treasury, has this provision in it:

It is further covenanted and agreed that no claim for compensation for any extra materials or work is to be made or allowed, unless the same be specifically agreed upon in writing or directed in writing by the party of the first part; and that no addition to, omission from, or changes in the work or material herein specifically provided for shall make void or affect the other provisions or covenants of this contract, but the difference in the cost thereby occasioned, as the case may be, shall be added to or deducted from the amount of the contract.

In other words, the Secretary of the Treasury, in submitting the contract that he wants to sign, has a provision in there that could very easily make this Speedway Hospital cost a great deal more than the provisions in the contract which I am going to hand to the gentleman from South Carolina.

Mr. BLANTON. That clause is in every Government building contract.

Mr. JOHNSON of South Dakota. Certainly. It is conceded that it is. But if the Secretary of the Treasury would be consistent, then he would eliminate it from this contract.

I desire to take no more time.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will.

Mr. BYRNES of South Carolina. Who drew the contract? Did the gentleman draw the contract?

Mr. JOHNSON of South Dakota. I did not. It was drawn either by the Shank Co. or their attorneys. I have no intention of drawing contracts for the Secretary of the Treasury or any contractor.

Mr. BYRNES of South Carolina. Do you say it provides for any expense over $3,000,000?

Mr. JOHNSON of South Dakota. Not the one I submit to you to-day, but the one that was submitted to the Shank Co. by the Secretary of the Treasury.

Mr. BYRNES of South Carolina. And the Shank Co. objected to a contract that allowed them to receive more than $3,000,000.

Mr. JOHNSON of South Dakota. They want a contract that is fair to the Government, because, as I told the gentleman at that time, Mr. Hines is trying to give the Government a million dollars. Mr. Shank is not taking a dollar profit from the Government. They have put their shoulder to the wheel, and they are good sports, and they are willing to go through with it.

Mr. GOOD. I will say to the gentleman that I think all these contracts were drawn in the office of the Supervising Architect of the Treasury Department.

Mr. ANDREWS of Nebraska. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from South Dakota yield to the gentleman from Nebraska?

Mr. JOHNSON of South Dakota. I will yield to the gentleman from Nebraska.

Mr. ANDREWS of Nebraska. Before the Committee on Public Buildings and Grounds of the House the contract then presented, ready to be signed by the contractors, was based upon the specifications that were drawn by the Public Health Service itself, and the contractors stated they were ready to sign, but the Surgeon General of the Public Health Service refused to assent to that unless Congress would give $2,500,000 more to put up other buildings, 26, I think, in all, one costing $50,000 for animals for inspection purposes.

Mr. KITCHIN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. KITCHIN. As to the hearings had before the Committee on Public Buildings and Grounds, I doubt if the gentleman from Nebraska has seen them. Will he cite where that state of facts exists? I submit to the gentleman from Nebraska that he is mistaken in saying that at any Government hearing such a contract was presented; not after the act of December 24, 1919, or after the act of March 3, 1919; not one. But every contract which this contractor says he desires the Treasury to sign contained a proviso that if, after October, wages and materials went up, they would have the right to go into the Court of Claims in excess of $3,000,000. The Secretary of the Treasury refused to sign that, saying that he had no authority for it at all; that it was in plain violation of the statute; and that he could not sign it; and not until right this minute, unless that contract does it, has a contract provided for that. That contract is outside of the statute.

Mr. BYRNES of South Carolina. I will say to the gentleman that if this contract has not a joker in it providing for the payment of 1 cent over the $3,000,000 it will be signed.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I would like to have a minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. KITCHIN. I have not seen that contract that the gentleman from South Dakota has; he has got it in his hand; but I think when I read it I shall find some place in it where it makes a liability on the part of the Government for more than $3,000,000, in complying with the statute of October 23 or July 11.

Mr. JOHNSON of South Dakota. I do not know what the gentleman from North Carolina will find in it, but I am sure that the Secretary of the Treasury will find in it what will provide for the soldiers the facilities which the law requires.

This law, passed on March 3, 1919, was passed when the gentleman from South Carolina [Mr. BYRNES] was in the chair and the Democrats were in control of the House. This contract was passed upon by the special Committee on Public Buildings and Grounds of the Senate when the Democrats were in control. It was passed upon by a subcommittee of the Senate Committee on Public Buildings and Grounds, of which Senators REED, Hardwick, BECKHAM, TRAMMELL, LENROOT, and FRANCE were members, and they put the amendment into that bill which said that the Secretary of the Treasury should sign this contract. It has been a matter that has been passed upon by some of the leading Democratic lawyers of the United States and some of the Republican lawyers. But the Secretary of the Treasury, I repeat, will not sign this contract because of some personal feeling that he has, or because of that of some person connected with him, toward Mr. Hines, the man who is trying to give this million-dollar hospital to the Government.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from South Carolina moves to strike out the last two words.

Mr. BYRNES of South Carolina. Mr. Chairman, the fact is that the gentleman from South Dakota [Mr. JOHNSON] never has exactly understood this proposition. When he says that the act of March 3, 1919, passed when the Democrats controlled this House, directed the Secretary of the Treasury in a mandatory way to sign this contract, he has been misinformed and has not read the act. The fact is that under that law the Secretary was not only not bound to sign this contract, but had

the right to spend this money in the construction of another hospital building without taking over the Shank contract at all; and it was thought by the Secretary of the Treasury at one time that the wise thing for him to do would be to build another hospital in the city of Chicago on a site owned by the Government of the United States. While that matter was being considered by the Secretary of the Treasury, and when it was thought that he might do that, a deficiency bill went over to the Senate toward the close of that session. Fearing that the Secretary would not sign the contract with Shank, the Senate inserted a provision requiring him to sign that contract, provided it could be made to suit the needs of the Public Health Service.

Upon the enactment of that law the Secretary submitted the matter to the Public Health Service in order to ascertain their needs. After it had been returned by them it was then submitted to the Supervising Architect for a report as to how much a building such as was required by the Public Health Service would cost. When the report came from the Supervising Architect, it was estimated by that official that it would cost, as I remember, $2,500,000 more. It was then argued that the reason for the additional cost was because the Public Health Service intended to add additional buildings; and therefore, in the subsequent legislation of December 24, the date when the last act was signed, it was required that the contract should be completed within the amount appropriated, $3,000,000; and gentlemen on this floor told me, in response to my questions, that it was their belief that it could be done for $3,000,000 and would be done for $3,000,000. More than one gentleman said that. The Secretary of the Treasury proceeded, in accordance with that law, to offer to sign a contract with the Shank Co. not exceeding $3,000,000.

A conference was held at the Treasury. This matter was brought to my attention yesterday after the matter was brought up in the House by the gentleman from South Dakota on the day previous. The Secretary of the Treasury has submitted this memorandum of a conversation that took place between Mr. Bennet and Mr. Wetmore, representing the contractor, on January 15; and in response to the request of Mr. Wetmore as to whether he would sign a contract not to exceed the lump sum authorized by Congress, Mr. Bennet answered in the negative.

The representative of the contractor said that there should be a provision in the contract that he should receive over and above the $3,000,000 a sum representing the increased cost of labor and material over and above what labor and material cost in October, 1919, the date of the last specification submitted to him. The Secretary of the Treasury took the position, and rightfully so, that under the last mandatory provision of Congress he could not sign an agreement that gave the contractor directly, or by inference, the right to recover from the Government over $3,000,000.

Mr. JOHNSON of South Dakota. Will the gentleman yield for a question?

Mr. BYRNES of South Carolina. Yes.

Mr. JOHNSON of South Dakota. In the law which passed Congress this fall the contractor would have a right to recover in excess of the contract submitted by the Secretary of the Treasury.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. BYRNES of South Carolina. Now, the gentleman says that he has expressed the view of the attorney representing the contractor; that under the last act he can recover more than $3,000,000; and yet every man on the floor of the House, when the bill was up on December 18, gentlemen who had most praiseworthy reasons for acquiring the hospital, in response to my question, said that the reason they advocated it was that not a dollar over $3,000,000 could be expended. Now, the gentleman says that the men who are behind the proposition were mistaken and that an additional amount can be spent, and I think that is the opinion of counsel representing the contractor in this matter. I frankly say that I do not believe that it would be the intent of the owner of the building, but his counsel does believe and does suggest that under the last act there is a way they can receive over $3,000,000; but Congress never intended that they should receive over $3,000,000. The gentleman from Illinois [Mr. MADDEN] stated to me on the floor that the amount should not exceed $3,000,000, and the gentleman from Illinois [Mr. MANN] said he favored it, because $3,000,000 was the outside sum, and for this sum it could be completed. Every man who spoke and advocated it I interrogated, and they said that the intent was that they should be limited to $3,000,000.

Now, the gentleman from South Dakota says that under that law the contractor can come in and get more than $3,000,000, but he never can get it while Carter Glass is Secretary of the Treasury, and I hope that there will never be a Secretary of the Treasury who will allow the owner and contractor to receive more than $3,000,000, which Congress intended should cover the full expenditure for this hospital. [Applause.]

Mr. JOHNSON of South Dakota. The gentleman asked me to give the name of the man who drew the contract which was given to the Secretary to sign, but I was not certain that I could find it. It was drawn by Lieut. Col. A. A. O'Brien, then and now in the War Department.

Mr. BYRNS of Tennessee. That was the war contract; but in this contract, the Shank contract, they would build the hospital and go to the Court of Claims for any excess above $3,000,000. He is coming back to get Congress to give him more than $3,000,000, and yet the gentleman from Nebraska and every man knows that before the Public Buildings Committee he said time and again they were willing to build the building for $3,000,000. Now he says he wants to come back to the Court of Claims and get more, and just as sure as it is signed you will see him back here trying to get more.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes on this subject.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GOOD. Mr. Chairman, I have been going over this matter to some extent and I am satisfied that the position of the Secretary of the Treasury is absolutely indefensible. That he refused to sign the contract is evidenced by the letter to the Shank Co. of January 22, which I shall put in the RECORD. That letter settles that controversy. I followed the Secretary of the Treasury on this hospital matter until I saw that I was getting my fingers burned. Let us see what the history of the hospital legislation is, so far as the Cook County Speedway is concerned.

In February, 1919, the Treasury Department came before the House Committee on Public Buildings and Grounds and asked for legislation authorizing the purchase of this building as a hospital for $3,000,000. Then it was claimed that the hospital was just right. I questioned the item when it was on the floor of the House. I questioned the necessity for any more hospitals, for I then thought that our hospital facilities were ample. Later when the matter came before the House in a deficiency bill, the Secretary of the Treasury said that there was no necessity for this hospital. Later on he said it was too large, and for that reason it should not be purchased. And Gen. Blue and other officers of the Public Health Service came before the Committee on Appropriations and said that we should not acquire the hospital, because it was too large and it would cost too much to operate it, and stated they should have the money to build another hospital in Chicago on land owned by the Government.

Less than 60 days ago the Secretary of the Treasury sent to the House through a letter to the Speaker a statement that the hospital is too small and that he wants $4,000,000 in addition to the amount already appropriated to build an ideal hospital there large enough for the demands on the service. If it was just right in 1919, if it was too small a few weeks later, and we now find it is not half large enough, where and how are we to follow the Secretary of the Treasury in his quibbling—I was about to say small dealing—with a very important work?

A few days ago I was invited to go to Chicago to give an address before the Illinois Manufacturers Association. There has been so much said about the Public Health Service, so much said about this hospital, that I wanted to go out and see it, and so I had an officer in charge of the Public Health Service in Chicago take me out and also take me to one of the hospitals in Chicago that is under his care.

I am not a judge as to the value of those buildings, but they are buildings almost a half mile long, fireproof construction, and are located out there by that beautiful suburb of Chicago, Oak Park, Ill., only two or three blocks removed from the elevated railway system, a distance of about 10 miles from Congress Hotel. This magnificent building can be placed in condition to receive patients within 60 days, so it is claimed.

I want to say to the Secretary of the Treasury and the gentlemen on the other side of the House, as well as on this side of the House, that if this contract is signed for the acquisition of

the land and the buildings, without regard to the equipment for the hospital, there will be no deficiency appropriation, if I can prevent it, in addition to the $3,000,000 carried in the act. When the Public Health Service came before Congress and asked for a million dollars in the bill, a lump sum to repair hospitals already taken over and which might be taken over in the future, it was the intention to expend a large sum in remodeling an old wooden hospital out at the Great Lakes Training Station. They said they expected to expend only $20,000, but the officer in charge at Chicago told me that his estimate was that to make the wooden hospital available and to build additions, making it a hospital that would take care of the service in Chicago, it would require, he thought, about $100,000. When we asked representatives of the service where they would expend the million dollars they were asking for for repairs for hospitals, they could give us the names of only about 20 hospitals, and the total amount estimated for was $500,000. In this bill we have given them every dollar that they asked for, but we have not given them what they wanted to get under a camouflage. It will be impossible for them to use any part of this in remodeling an old wooden hospital at Chicago when the service has said time and again that these men should not be confined in these wooden hospitals, and by that means prevent the securing of adequate hospital accommodation in Chicago.

I went to the hospital under the Public Health Service there in the city of Chicago. I do not recall now how many men were in that hospital, but I visited the various rooms, I suppose as many as 50. There were in the hospital about 35 more patients than they had beds. I saw rooms there no more than 15 feet long and 12 feet wide, with only one window, that contained three men—three of the boys who helped to carry that flag to imperishable glory—lying there in that little room of that hospital, and some of them had to lie in beds outside, there to gain their health and strength. You can take the responsibility, the Secretary of the Treasury can take the responsibility, for that kind of treatment, if he wants to, but I am unwilling to permit the boys in that cold climate, where the mercury runs down to 20° below zero, to be subjected to all of the dangers of a fire in a wooden hospital—especially in view of the fact that the Treasury Department says it is unwise and unsafe to put the boys in a wooden hospital in the District of Columbia, or in Virginia, or in Texas, or in Kentucky, but that they must have fireproof hospitals there.

I submit, Mr. Chairman, that we are getting to a point where Congress will no longer tolerate the quibbling of this man down in the office of the Secretary of the Treasury. [Applause.] Let him sign the contract, and the Committee on Appropriations, of which the gentleman from South Carolina [Mr. BYRNES] is the honored ranking Democratic member on the deficiency subcommittee, will work together to see that there will not be a penny appropriated in excess of the $3,000,000 for acquiring the land and building the hospital. [Applause.]

CHICAGO BROADVIEW HOSPITAL.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, January 22, 1920.

Contract.

SHANK CO.,
30 North La Salle Street, Chicago, Ill.

GENTLEMEN: The act of December 24, 1919, provides as follows:

"* * * That the Secretary of the Treasury be, and he is hereby, directed immediately to acquire the uncompleted hospital building at Broadview, Cook County, Ill., and the site thereof, consisting of 320 acres, more or less, and to cause the work on said hospital building to be completed and the five proposed auxiliary buildings to be constructed in accordance with plans and specifications transmitted to the Shank Co. July 15, August 16, and September 23, 1919, and the appropriation therefor contained in the act entitled 'An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers,' approved March 3, 1919, together with such further changes in said buildings as may be found necessary or desirable."

Under the provisions of the above law it is not possible to accept your proposal exactly as made, but it is possible to accept it with certain modifications hereinafter given. Accordingly, acceptance is made of your proposal No. 1, contained in letter of October 16, 1919, and subject to such conditions as are hereinafter specified and exclusive of that condition contained in said proposal that it is subject to the terms of the form of contract therein mentioned; acceptance is likewise made of your proposal of January 7, 1920. Under these acceptances you are to convey to the United States 320 acres of land, more or less, constituting the site of the Broadview Hospital, Chicago, Ill., together with the improvements thereon, including the uncompleted hospital building, and to complete said building, making such modifications therein as are necessary in accordance with the specification dated September 14, 1918, for the United States Army General Hospital, Chicago, Ill., and the addendum thereto dated April 11, 1919, written in the Office of the Supervising Architect of the Treasury Department, as modified by the supplementary specification dated July 16, 1919, and the drawings mentioned therein, and as further modified by the addendum specification dated September 23, 1919, and the drawings mentioned therein, together with such additional drawings and specifications as may be furnished you by the Supervising Architect of the Treasury Department; and to construct five auxiliary buildings, making such modification therein as said Supervising Architect deems necessary, in accordance with the specification (without date) for the construction of an administration building, commandant's quarters, receiving building, power house and laundry for the Public Health Service Hospital No. 2 at Chicago, Ill., and the drawings mentioned in said undated specification, as modified by the addendum specification dated September 23, 1919, together with such additional drawings and specifications as may be so furnished you.

Said real estate (including the uncompleted building) shall be conveyed to the United States free from all liens and encumbrances whatsoever.

The main building is to have three units remodeled so as to provide for the personnel, shops, etc., in accordance with the drawings and specifications mentioned and your letter of January 7, 1920, to the Secretary of the Treasury.

You are also to furnish three service elevators which you state orally were included in your proposal but which were expressly omitted by the specifications.

Said three service elevators in the main building shall be an approved make; the machines, controllers, cars, safety devices, etc., shall be in accordance with the specifications for the seven passenger elevators to be installed in the main building except that the service elevator cars shall be approximately of the size indicated on the plans, and each service elevator shall have a live-load capacity of 3,000 pounds at a speed of 100 feet per minute. Each of these service elevators shall be installed complete in every detail, including electrical connections, ready for service. Complete detail drawings of the elevator, machines, controllers, cars, safety devices, etc., and specifications for same, shall be submitted (in triplicate) to the Supervising Architect for approval before the elevators are installed. Any features in conection with said service elevators which are not covered by the specifications for the other seven passenger elevators shall be substantially the same in character, workmanship, and materials.

Also, you are to cause to be provided, without additional cost to the Government, in addition to the water mains and connections now in place or required by this contract, service, gas, and electric mains, including electric transformers, the service mains to be connected to the main service supplies and to the separate buildings.

Also, you are to provide any additional foundations or to make any change in foundations of the auxiliary buildings as may be found necessary on account of soil conditions, without additional cost to the Government.

The work is to be completed within three months of the date of this letter of acceptance.

In consideration of the above you will be paid, as stated in your proposal, the amount appropriated therefor by statute, which amount is ascertained as follows:

Section 7a of the act of March 3, 1919, makes the total limit of cost of the Broadview Hospital $3,000,000; section 10 of the same act authorizes the employment of technical and clerical services for the preparation of drawings, supervision, traveling expenses, etc., at a total not exceeding $210,000, such amount to be taken from the sums authorized and appropriated for construction purposes. The proportionate share chargeable against the amount authorized for construction purposes for the Broadview Hospital is $73,770.87, so that the amount provided for by statute for the Broadview Hospital is $2,926,229.13, which is the amount that will be paid to you under this contract, less such other amounts as hereinafter provided in this acceptance, viz:

In accordance with your oral proposal, a deduction of $25,000 is made from the total contract price for the substitution of wood frames for metal frames now required for fly screens, which substitution does not affect the metal bar screens in unit D, which are to remain as now required by the drawings and specifications; or, in lieu of this deduction, it is agreed that you will furnish lighting fixtures of such design and character as may be required by the Supervising Architect.

It is a further condition of this acceptance that before beginning work you will submit for consideration a complete list of practicable changes suggested during your conference at this department, by which the cost of the work will be reduced by approximately $75,000.

Payments are to be made as follows:

Three hundred thousand dollars upon the execution and delivery of the contract, bond, warranty deed, abstract of title, and policy of title insurance to the satisfaction of this department.

Approximately 90 per cent of the value of the building as it now stands, such percentage to be based on the proportionate value of the completed work as may be ascertained by the Supervising Architect.

All future payments of approximately 90 per cent of the value of the work executed and satisfactorily in place, as ascertained by the Supervising Architect, acting through the superintendent, will be made monthly, and payment of the balance retained will be made after the final acceptance by the duly authorized representatives of the Treasury Department of all materials and workmanship embraced in the contract, but payment will not be made until every part of the work to the point to which payment is claimed is satisfactorily supplied and executed in every particular and all defects therein remedied to the satisfaction of the Supervising Architect.

It is a condition of this acceptance that the department shall have the right, if it so elects, after a reasonable notice to you, and before you have entered into subcontracts therefor, to furnish any of the materials required in the construction of said buildings; and for any such materials so furnished you shall make a proportionate deduction therefor from the contract price.

It is intended to have the title to this real estate passed upon by the Attorney General of the United States in the usual way, and it is understood as part hereof that you will comply with the usual requirements of the Department of Justice with respect to the evidences of title if anything more is desired than you shall have already furnished this department.

It is understood and agreed that you will execute promptly a formal contract, with bond in the sum of $700,000, guaranteeing the faithful performance of the work, a form for which will be sent you, and sign the stamped set of the said drawings with red label, forwarded under separate cover, the contract, bond, and drawings to be returned immediately for file in the office of the Supervising Architect.

Payment of the above-mentioned price for said land and improvements (including uncompleted building) and the performance of the work hereinbefore mentioned will be made from the appropriation for "Hospital construction, Public Health Service."

Please promptly acknowledge the receipt of this letter and signify your assent to its terms and conditions.

Respectfully, CARTER GLASS, *Secretary.*

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the paragraph. The gentleman from Iowa [Mr. GOOD] recalls some of the history with reference to this hospital, and says that last June the Secretary of the Treasury declared the hospital building proposed in Chicago was too large. Well, at that time the gentleman from Iowa [Mr. GOOD] was of the opinion that not only was that hospital unnecessary but that most of the others were unnecessary. And he proposed, in connection with the deficiency appropriation bill of June, to suspend operations upon that and all other hospitals, and upon the floor of this House you heard him speak for an hour, telling this House that we had more beds than were needed, and that it was absoluteiy unnecessary to proceed with the construction of this building at that time. When he did that the gentleman had this justification: That the Public Health Service furnished the facts showing that we did have more beds than we actually needed at the time.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. GOOD. It was the Secretary of the Treasury himself who gave me that information.

Mr. BYRNES of South Carolina. No matter whether he submitted it, it came from the Public Health Service.

Mr. GOOD. I do not know about that.

Mr. BYRNES of South Carolina. The figures were accurate, but the situation changed. The number of boys entitled to the benefits of the acts of Congress has been increasing each month and is still increasing, and with the change of the situation this House decided in December to require the Secretary to sign this contract, providing it did not exceed $3,000,000. Let us see what happened. I hold in my hand the hearings before the Public Buildings and Grounds Committee, and on page 33 the gentleman from Florida [Mr. CLARK] asked Mr. Bennett, the attorney for Shank & Co., this question:

> How much money will this bill allow above the appropriation already made, $3,000,000?

Mr. Bennett answered:

> Not a cent.
> Mr. CLARK. It does not increase the appropriation at all?
> Mr. BENNETT. Not one penny.

The gentleman from South Dakota [Mr. JOHNSON] now says that under that act the Secretary is authorized to pay an additional amount or incur an additional obligation.

Mr. JOHNSON of South Dakota. Oh, the gentleman is in error. I said nothing of the kind. I am satisfied that the statement of the chairman of this committee and of the contractor is correct, that this will be built for $200,000 less than the $3,000,000.

Mr. BYRNES of South Carolina. When the gentleman looks at the report of his remarks he will find that he said this afternoon that the contractor claimed under this act of December that the Secretary could incur an obligation over $3,000,000, and the reporter's notes will prove it——

Mr. JOHNSON of South Dakota. Oh, the gentleman has read that into my remarks, because that is not what I intended to say.

Mr. BYRNES of South Carolina. I have not read anything into it. He will see that I am correct when he comes to read the reporter's notes.

Mr. JOHNSON of South Dakota. If that is so, then I want to withdraw the statement.

Mr. BYRNES of South Carolina. The statement he made is correct; that the attorney for the contractor claims that under the last act the Government can be made to pay more than $3,000,000, and the attorney has made the same statement to other gentlemen. After making that statement, the gentleman from South Dakota submitted to me a contract which he says the contractor would be glad to sign, and wants to have signed, and that it provides for no expenditure above the $3,000,000. Let us look at the contract. I told him I knew that if it was drawn by the attorney for the contractor, somewhere in it there would be a joker that would allow him to receive more than $3,000,000, and even while listening to him and others in debate I was able to find it. On the fourth page of the contract submitted to me, ninth paragraph, I find just the provision which I feared, which the gentleman intimated was not here. I have said time and again that the Secretary of the Treasury refused to sign this contract, because the contractor, in addition to the $3,000,000, wants an agreement allowing him to recover a sum representing the increased cost in labor and material. The gentleman submits a contract and it provides exactly for what Shank & Co. have been trying to put over the Secretary of the Treasury, and I will read it to you:

> Should the owner, during the course of the construction of said buildings and structures be required by any increase in such union-wage scales or in the market price of such materials to expend more money for the completion of said buildings and structures than that upon which its present contract price is based, then it shall first notify the contracting officer of such fact, and, upon 24 hours' notice to the owner, the contracting officer may from time to time elect to furnish and furnish such materials to the owner, in quantities provided for in the plans and specifications, in which event there shall be deducted by the contracting officer from the contract price hereof a sum equal to the total value of any such materials so furnished to the owner based upon the prices set forth in said schedule.

Now, listen:

> In the event the contracting officer does not within 24 hours after the receipt of such notice of increased cost of material elect to furnish, and, within a reasonable time furnish the same, then the owner shall proceed to purchase such necessary material, and the amount of such increase so required to be paid by the owner shall be reimbursed to the owner by the Government in addition to the contract price herein named.

[Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of South Carolina. Here is the joker. I knew they could not submit a contract without having a joker that would require the payment of more than $3,000,000.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. BYRNES of South Carolina. I am glad to yield to the gentleman. Read paragraph 9.

Mr. JOHNSON of South Dakota. I ask unanimous consent that the gentleman's time be extended for two minutes.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that the time of the gentleman from South Carolina be extended for two minutes. Is there objection?

Mr. BYRNES of South Carolina. Read paragraph 9; I have marked it.

Mr. KITCHIN. May I ask the gentleman a question?

Mr. BYRNES of South Carolina. I yield.

Mr. KITCHIN. I want to ask the gentleman from South Carolina, is not that the same contract which the Shank Co. brought to the War Department before the Treasury Department took hold of it to get them to sign and they refused to sign it?

Mr. BYRNES of South Carolina. Well, I do not know. All I know——

Mr. KITCHIN. It is a fact.

Mr. BYRNES of South Carolina. It was a contract submitted to me by the gentleman from South Dakota on this floor as being a contract requiring the payment of not over $3,000,000, and if he reads it he will find it requires the payment of an indefinite, indeterminate amount to cover the increased cost of material.

Mr. JOHNSON of South Dakota. Will the gentleman yield for a question in the two minutes which I have secured for him?

Mr. BYRNES of South Carolina. Yes.

Mr. JOHNSON of South Dakota. The Shank Co. in the contract say that they are willing to abide by the price of labor and material on the 16th day of October, when this contract was submitted.

Mr. BYRNES of South Carolina. Why do they put that joker in there if they——

Mr. JOHNSON of South Dakota. That joker—It is not a joker; the gentleman refers to it as a joker, but it is not half as elastic as the provisions in the contract submitted by the Secretary of the Treasury.

Mr. BYRNES of South Carolina. Where is that contract? The gentleman will not deny that will require over $3,000,000?

Mr. JOHNSON of South Dakota. The original contract submitted by the Secretary of the Treasury far exceeded $3,000,000. This contract gives so much more than the contract submitted by the Secretary of the Treasury that there is no comparison.

Mr. BYRNES of South Carolina. Will not the gentleman admit that under that it will require more than $3,000,000?

Mr. JOHNSON of South Dakota. Not more than $3,000,000 if the gentleman will take into consideration the price of labor and materials on October 16, 1917, when the proposal was made. Now, if the Secretary of the Treasury refuses to comply with this law for two or three years more the cost of labor and materials may go up again.

Mr. BYRNES of South Carolina. The gentleman admits he will have to have more than $3,000,000 if prices go above what they were in October, 1919?

Mr. JOHNSON of South Dakota. If the cost of labor and production has gone up since October 16, 1919, it may be necessary to exceed the $3,000,000.

Mr. BYRNES of South Carolina. The gentleman says it may be necessary to exceed it. Does he not know that it will be necessary?

Mr. JOHNSON of South Dakota. It would be under the contract submitted to the Secretary of the Treasury.

Mr. BYRNES of South Carolina. Oh, no. The only contract submitted by the Secretary of the Treasury does not exceed $3,000,000.

Mr. JOHNSON of South Dakota. The Secretary of the Treasury is now trying to get $3,500,000 out of the Treasury.

Mr. BYRNES of South Carolina. The law prohibits the Secretary of the Treasury from signing any contract in excess of $3,000,000.

Mr. KITCHIN. I would like to ask the gentleman from South Dakota a question. Suppose the gentleman himself was Secretary of the Treasury, with this law on the statute books which the gentleman from Iowa [Mr. GOOD] had put on there and which we had all voted for, would you sign that contract under that law, and if you signed it, would you not be violating the law?

Mr. JOHNSON of South Dakota. If I had been Secretary of the Treasury and Congress had passed a mandatory law saying I should sign a certain contract, I would have done it, and would have done it a year ago, instead of letting these soldiers lie around dark rooms suffering from improper treatment and improper beds.

Mr. KITCHIN. Is it the old contract which you have submitted, which the War Department refused to sign?

Mr. JOHNSON of South Dakota. It is the contract which the War Department drew and submitted to Shank. It was drawn by Col. O'Brien.

Mr. KITCHIN. The contract shows it was not submitted to the War Department.

Mr. BYRNES of South Carolina. Mr. Chairman, in conclusion I simply want to say this: The chairman of the Appropriations Committee has gotten upon this floor and announced that, no matter what is done, he is opposed to appropriating any money as a deficiency to pay any additional sum on this contract. Did not the gentleman state that?

Mr. GOOD. I said that I was opposed to appropriating a single dollar in addition to the $3,000,000 for acquiring the land and the building exclusive of what are known as fixtures and equipment.

Mr. BYRNES of South Carolina. Did not the gentleman advocate the signing of the contract which I have read in his presence, which requires, in addition to the $3,000,000, that there should be paid a sum representing the increased cost of wages?

Mr. GOOD. I do not know that it is in the contract.

Mr. BYRNES of South Carolina. If it is, would the gentleman advocate signing it?

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that the gentleman may have a minute more. The gentleman can not embarrass me.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none.

Mr. GOOD. I will say this to the gentleman: If the contract provides that it shall be completed, and the land shall be acquired within the limit of cost, that will control. It will control with me, so far as a deficiency appropriation is concerned.

Mr. BYRNES of South Carolina. But I will call the attention of the gentleman from Iowa to this:

> In the event the contracting officer does not, within 24 hours after receipt of such notice of increased cost of materials, elect to furnish, and within a reasonable time furnish the same, then the owner shall proceed to purchase such necessary materials, and the amount of such increase so required to be paid by the owner shall be reimbursed to the owner by the Government in addition to the contract price herein named.

Would the gentleman advocate the signing of a contract that provides in that way for the payment of an amount in addition to the contract price of $3,000,000?

Mr. GOOD. Not a dollar in excess of the limit of cost. Of course, I would not. I am in favor of this hospital being acquired and completed within a limit of cost and the contract signed just as it was, except that it shall provide that the auxiliary building shall be fireproof instead of a frame building.

Mr. BYRNES of South Carolina. The gentleman from Iowa and the Secretary of the Treasury are together in their views. They both stand ready to sign a contract for $3,000,000 and no more.

Mr. GOOD. I will say to the gentleman that the contract which the Secretary of the Treasury did sign, and which has been handed to me, authorizes the creating of a deficiency. It absolutely authorizes it.

Mr. BYRNES of South Carolina. Where is that contract? I want to see it. I have gotten so I love to read them this afternoon.

Mr. JOHNSON of South Dakota. I read that provision of the contract when I made my remarks.

Mr. GOOD. It is the same provision the gentleman read on Tuesday.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

Mr. BYRNS of Tennessee. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I do not know anything about the particular controversy that has been waged back and forth across the aisle for the last few minutes. But I do want to call the attention of the gentleman from South Dakota [Mr. JOHNSON] in particular to another phase of this proposition now before the House. The gentleman from South Dakota, in the interest, of course, of the proper care and treatment of the soldiers, is very anxious to have the Speedway Hospital purchased by the Government at a cost of $3,000,000. That hospital would take care of a few hundred soldiers. But I want to submit to him that in view of the needs of the Public Health Service it is even more important to have other hospitals not now in charge of the Public Health Service properly repaired and remodeled to take care of the many soldiers who are daily knocking at the doors of the Bureau of War Risk Insurance.

The gentleman from South Dakota [Mr. JOHNSON] the other day, when this bill was under discussion, in general debate made a very caustic criticism of the Secretary of the Treasury and the Surgeon General, because he said that they were placing soldiers in dark rooms and in rooms in hospitals not properly suited for the care of patients. He made the statement then that the Secretary of the Treasury was neglecting the soldiers and was not expending the money that was appropriated under the act of March 3, whereas, as a matter of fact, that money was apportioned among the 17 hospitals that have been taken over by the Public Health Service. The money so appropriated was not sufficient, and the Public Health Service came to the Committee on Appropriations and asked for $500,000 additional to be used for the purpose of placing these 17 hospitals in proper repair. The committee has recommended this sum, but the Bureau of Public Health Service asked for $500,000 more.

For what purpose? Those who appeared before the committees stated that they were taking over all of the desirable Army-post hospitals now used by the Army just as rapidly as they become available, and that they needed the money as soon as these hospitals were taken over to put them in proper repair.

Now, the gentleman from Iowa [Mr. GOOD] a few moments ago left the House under the impression that what they wanted with that $500,000 was to repair, as he said, "some old wooden hospital up in Chicago." I deny that. The hearings before me show that they stated that they wanted that $500,000 to take care of these Army hospitals at these Army posts and camps as they become available. The Committee on Appropriations denied to the Bureau of Public Health Service that $500,000, and the result will be that as those hospitals are taken over from time to time, the Secretary of the Treasury will not have one dollar with which to put them in proper shape and remodel them. And I want to suggest to the gentleman from South Dakota [Mr. JOHNSON], who is so much interested in the comparatively few soldiers who would be sent to the Speedway Hospital in Chicago, that he could render to the disabled soldiers of this country a real and greater service if he would take advantage of this opportunity to offer an amendment to increase this appropriation and give the Secretary of the Treasury the $500,000 for which he asked.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. JOHNSON of South Dakota. Is it not true that the soldiers are being turned out of hospitals all over the United States? Is it not true that there are not sufficient beds for the soldiers in those hospitals? Is not that true?

Mr. BYRNS of Tennessee. I do not know whether that is true or not. But if it is true it shows a greater reason why the committee, controlled as it is by the majority on your side of the House, should have granted this $500,000 to enable the Secretary of the Treasury to take care of those soldiers. [Applause on the Democratic side.]

Mr. JOHNSON of South Dakota. Does the gentleman say it would be worth while to give the Secretary of the Treasury $500,000 for anything when he has told us that he will not expend the $3,000,000 that was carried in the bill which was enacted on March 3, 1919?

Mr. BYRNS of Tennessee. As the gentleman from South Carolina [Mr. BYRNES] has clearly pointed out, the Secretary

has not been able to secure the hospital for the $3,000,000 allowed by the law, and this is certainly no reason why we should deny the Secretary the right to spend $500,000 to put Army hospitals in repair and properly remodel them for these patients who are daily applying to the Bureau of War Risk Insurance. Now, if the gentleman really wants to perform a service to the soldiers, I say to him that now is the time for him to offer an amendment increasing this appropriation $500,000 and give to the Secretary of the Treasury the amount which he says is necessary to properly take care of and to provide for these disabled soldiers.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield again?

Mr. BYRNS of Tennessee. Yes.

Mr. JOHNSON of South Dakota. If I thought that the Secretary of the Treasury and his aides had sufficient thought for the well-being of the soldiers to expend the money that we have already appropriated, I would be willing to offer an amendment to give them ten times that much. As I said the other day, the Secretary of the Treasury now comes in and asks for $85,000,000. He did that on December 5. I was willing for him to expend twice that much; but he will not spend the money that we have authorized him to spend, and he has taken that position every day since the passage of the law in July, 1919.

Mr. BYRNS of Tennessee. The officials of the Public Health Service, since the act of March 3, 1919, was passed, have expended the money appropriated on the repair of these hospitals.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. One minute more, Mr. Chairman. They have not had sufficient money with which to properly repair them. This bill carries the money with which they can put them in proper repair. But the committee has denied to the Secretary of the Treasury $500,000 which he says is necessary for the repair of hospitals to be taken over in the future; and I submit to the gentleman from South Dakota that when it appears later on that he has taken over these hospitals and is unable to repair them the fault will be found to be on his side of the House on account of their refusal to give the sum which he says is needed for that purpose.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BLANTON. Mr. Chairman, I make the point that there is no quorum present.

Mr. GOOD. Will the gentleman withhold that for a moment?

Mr. BLANTON. Yes.

Mr. GOOD. I ask unanimous consent to proceed for five minutes, and then I will move that the committee rise.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, I have tried to explain why the committee did not give the $1,000,000 for the repair of the hospitals. The Public Health Service could only mention certain hospitals on which they desired money for repairs, and we gave them every dollar that they asked for to repair those hospitals. But we did not give the Secretary a lump sum of $500,000 to go anywhere he pleased and repair hospitals. We did not because, as I said, it was the estimate of the doctor in charge in Chicago that the old wooden hospital at the Great Lakes Training Station, in order to take care of the service, would require an expenditure of about $100,000; and if you appropriated it I was satisfied that Mr. Glass would spend $100,000 in repairing those old wooden hospitals, and that that would be thrown away.

But, Mr. Chairman, when did the Secretary of the Treasury, when did that side of the House, become so apprehensive with regard to waste, with regard to the extravagance of the Public Health Service? Down at Dawsonsprings, Ky., they are at work now in building 2 miles of road. The Secretary's office had before it an estimate that if the Secretary would let the contract for grading 2 miles of road to subcontractors it would cost $31,000 a mile, but the Secretary refused and let the contract to one contractor, the man who made his brags to the department's own representative that the Assistant Secretary of the Treasury had promised to let him have the contract whether he was the low bidder or not, and the estimate of the representative of the department is that it will cost $62,000 a mile—a pure gratuity, if not a real graft, of $62,000 in grading 2 miles of road.

Oh, the gentleman the other day said that Mr. Perry had put in the RECORD, in response to Mr. BYRNS's question, a statement showing that it cost $4.50 per cubic yard to grade or excavate for rock. Mr. Perry went up into Connecticut, in the granite quarry fields; he went over into Ohio, in the granite quarry fields, and compared the quarrying of granite rock in Ohio and Connecticut with the price paid in Kentucky for southern sandstone.

I went to the Department of Agriculture, where the department had approved contracts for 50 miles of rock excavation in the State of Kentucky, and what was the price paid in Kentucky? The price averages from $1.15 a cubic yard to $2 a cubic yard; and yet here was a contract where we were paying $4.50 a yard for excavating rock. What kind of rock? The Government agent says it is a sort of decayed sandstone; that you can plow through it and then move it like sand. And yet that contractor is paid $4.50 a yard for moving it when the Government agent said it could be moved for $2.50 at a profit. This is $62,000 of pure graft in the construction of 2 miles of road and you say nothing about it. You appear to approve it. But when it comes to building a hospital where the walls are all up and nothing is to be done but to put in partitions, plaster, hang the doors, put in the heating plant, and plumbing—the interior—then the Secretary of the Treasury objects because he says it will create a deficiency. Flimsy excuse, indeed. What will he say of the cost of his pet building at Dawsonsprings and of the deficiency his own contract will require?

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. SAUNDERS of Virginia. The gentleman from Iowa seems to be entirely familiar with the Speedway proposition. I want to ask this question: Can the Secretary of the Treasury sign any contract except one to complete the job within the cost limit of $3,000,000? Has he any discretion?

Mr. GOOD. The Secretary was authorized by Congress to sign this specific contract. I have never seen the original contract, but it should, if it does not express it, come within the limit of $3,000,000. If there was some way to require it, the additional cost occasioned by obstinacy of the Secretary should be borne by him and not by the Government.

Mr. SAUNDERS of Virginia. The Secretary could not conform to the law and sign any contract that does not provide for the completing of the enterprise within the cost limit?

Mr. GOOD. I think he can sign a contract that Congress has specifically said that he should sign. I think that authority gives three dates. I can not recall them now.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. SAUNDERS of Virginia. I ask that the gentleman have two minutes more as this is an important matter and I want some information.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SAUNDERS of Virginia. Do I understand that there is an act of Congress which designates some particular contract already in being and which can be located that the Secretary shall sign?

Mr. GOOD. I understand so.

Mr. SAUNDERS of Virginia. That contract which we have directed him to sign would provide that the work may exceed the cost limit of $3,000,000?

Mr. GOOD. No; I understand it is within the cost limit of $3,000,000, although I have never seen the contract.

Mr. SAUNDERS of Virginia. Is it not in the interest to get hold of the contract which brings the cost price within $3,000,000?

Mr. GOOD. Certainly. The gentleman from South Dakota had a copy of the contract. I understand Mr. Moyle had agreed with the contractor to sign a contract. Everything was agreed to. I understand there had to be some modifications because by the agreement the five auxiliary buildings were to be constructed of concrete instead of wood as originally planned. Some dates had to be changed because of delay. They have already agreed on that. The contractor and Mr. Moyle, the Assistant Secretary, had taken the matter up and agreed to a contract, but the Secretary found a cause for further delay.

Mr. SAUNDERS of Virginia. We are getting outside of the particular facts that I had reference to. This particular contract that he is authorized to sign is within a cost limit of $3,000,000?

Mr. GOOD. The letter I shall put in the RECORD practically confirms the statement which Mr. Bennett made to me, that they had agreed upon a contract with the limit of $3,000,000, but the Secretary upset the agreement. These men ought to get together and agree on a contract like men instead of quibbling like little children, and if they do not, some one who will handle it like men will be given the authority to handle the matter.

Mr. SAUNDERS of Virginia. I agree to that, and if they bring it within $3,000,000, the Secretary ought to sign it.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12046, the second deficiency bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, the following leave of absence was granted:

To Mr. O'CONNELL, continued leave of absence, on account of sickness.

To Mr. GOLDFOGLE, for to-day, on account of illness.

To Mr. DUNBAR, for four days, on account of important business.

To Mr. MCDUFFIE (at the request of Mr. BANKHEAD), for to-day, on account of illness.

To Mr. ELLSWORTH, indefinitely, commencing Saturday, January 31, on account of important business.

EXTENSION OF REMARKS.

By unanimous consent, leave to extend remarks in the RECORD on this bill (H. R. 12046) was granted to Mr. WATSON, Mr. MCFADDEN, and Mr. MACCRATE.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by putting in a letter written by the Secretary of the Treasury to Shank & Co. under date of January 22, 1920.

The SPEAKER. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3315. An act to promote Americanization by providing for cooperation with the several States in the education of non-English-speaking persons and the assimilation of foreign-born residents, and for other purposes; to the Committee on Education.

S. J. Res. 76. Joint resolution for the investigation of influenza and allied diseases in order to determine their cause and methods of prevention; to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Saturday, January 31, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting tentative draft of a bill to reimburse Capt. H. E. Lackey for checkage against his personal account; to the Committee on Claims.

2. A letter from the president of the Chesapeake & Potomac Telephone Co., transmitting, as required by law, a report of the company to the Congress of the United States for the year 1919; to the Committee on the District of Columbia.

3. A letter from the Secretary of the Treasury, transmitting information regarding the work done by soldiers on public roads in the several States; to the Committee on the Post Office and Post Roads.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. RHODES, from the Committee on Indian Affairs, to which was referred the bill (S. 1329) to authorize the Secretary of the Interior to acquire certain Indian lands necessary for reservoir purposes in connection with the Blackfeet Indian reclamation project, reported the same without amendment, accompanied by a report (No. 591), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 1330) for the relief of V. E. Schermerhorn, E. C. Caley, G. W. Campbell, and Philip Hudspeth, reported the same without amendment, accompanied by a report (No. 592), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CARTER (by request): A bill (H. R. 12157) to amend an act of Congress approved June 30, 1913; to the Committee on Indian Affairs.

By Mr. MCARTHUR: A bill (H. R. 12158) to enlarge the boundaries of the Oregon National Forest; to the Committee on the Public Lands.

By Mr. THOMAS: A bill (H. R. 12159) to provide for the granting of pensions to survivors of certain battalions of Kentucky Militia; to the Committee on Invalid Pensions.

By Mr. PARRISH: A bill (H. R. 12160) authorizing the construction of a bridge and approaches thereto across Red River at a point a little east of north of Nocona, in Montague County, Tex.; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: A bill (H. R. 12161) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: A bill (H. R. 12162) authorizing a per diem allowance for officers on recruiting duty; to the Committee on Military Affairs.

By Mr. HUDDLESTON: A bill (H. R. 12163) providing for a survey of Valley River, in Jefferson County, Ala., with a view to making same navigable; to the Committee on Rivers and Harbors.

By Mr. SUMMERS of Washington: A bill (H. R. 12164) to authorize the construction of a bridge and approaches thereto across the Columbia River between the town of Pasco and Kennewick, in the State of Washington; to the Committee on Interstate and Foreign Commerce.

By Mr. SINNOTT: A bill (H. R. 12165) authorizing the Postmaster General to investigate conditions arising from contracts in star route, screen wagon, and other vehicle service prior to June 30, 1918; to the Committee on the Post Office and Post Roads.

By Mr. ANDREWS of Nebraska: Resolution (H. Res. 452) directing the Committee on Banking and Currency to investigate certain complaints against Federal reserve banks; to the Committee on Rules.

By Mr. MACCRATE: Joint resolution (H. J. Res. 285) directing the Secretary of the Treasury to furnish the Senate and House of Representatives certain detailed information secured from income and profits tax returns of taxable year 1918; to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Legislative Assembly of the State of Oregon, urging legislation to pension pioneer veterans of the Indian wars of 1848 and 1856; to the Committee on the Judiciary.

Also, joint memorial of the Legislative Assembly of the State of Oregon, favoring submission to the States of an amendment to the fourteenth amendment of the Constitution, providing that children of aliens not entitled to naturalization shall retain the nationality of their parents; to the Committee on the Judiciary.

Also, joint memorial of the Legislative Assembly of the State of Oregon, urging enactment of legislation to match the appropriation offered by the State of Oregon for the construction of a national road as a monument to Ex-President Roosevelt; to the Committee on the Judiciary.

Also, joint memorial of the Legislative Assembly of the State of Oregon, favoring the immediate opening of the Klamath Indian Reservation for settlement; to the Committee on the Judiciary.

Also, joint memorial of the Legislative Assembly of the State of Oregon, asking the installation of a life-saving station at the port of Port Orford, in Curry County, Oreg.; to the Committee on the Judiciary.

Also, joint memorial of the Legislative Assembly of the State of Oregon, favoring the passage of the Sinnott bill for the restoration to entry of certain lands in Klamath County, Oreg.; to the Committee on the Judiciary.

Also, joint memorial of the Legislative Assembly of the State of Oregon, favoring the enactment of Senate bill 1309, providing for the construction of a national highway system; to the Committee on the Judiciary.

Also, joint memorial of the Legislative Assembly of the State of Oregon, respectfully urging and requesting enactment of legislation relative to national highway construction and the

creation of a system of national highways; to the Committee on the Judiciary.

Also, joint memorial of the Legislative Assembly of the State of Oregon, requesting appropriation and other legislation to develop the air-patrol service for forests in Northwestern States to combat losses through fires; to the Committee on the Judiciary.

Also, joint memorial of the Legislative Assembly of the State of Oregon, petitioning for legislation effectually to expel and keep out undesirable and disloyal aliens and to strengthen immigration laws now in force; to the Committee on the Judiciary.

Also, joint memorial of the Legislative Assembly of the State of Oregon, favoring Federal aid for the development of the Deschutes irrigation project; to the Committee on the Judiciary.

By Mr. McARTHUR: Joint memorial of the Legislative Assembly of the State of Oregon, favoring submission to the States of an amendment to the fourteenth amendment of the Constitution, providing that children of aliens not entitled to naturalization shall retain the nationality of their parents; to the Committee on Immigration and Naturalization.

Also, joint memorial of the Legislative Assembly of the State of Oregon, urging enactment of legislation to match the appropriation offered by the State of Oregon for the construction of a national road as a monument to ex-President Roosevelt; to the Committee on Roads.

Also, joint memorial of the Legislative Assembly of the State of Oregon, favoring the immediate opening of the Klamath Indian Reservation for settlement; to the Committee on the Judiciary.

Also, joint memorial of the Legislative Assembly of the State of Oregon, asking the installation of a life-saving station at the port of Port Orford, in Curry County, Oreg.; to the Committee on the Public Lands.

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Also, joint memorial of the Legislative Assembly of the State of Oregon, favoring the enactment of Senate bill 1309, providing for the construction of a national highway system; to the Committee on Roads.

Also, joint memorial of the Legislative Assembly of the State of Oregon, respectfully urging and requesting enactment of legislation relative to national highway construction and the creation of a system of national highways; to the Committee on Roads.

Also, joint memorial of the Legislative Assembly of the State of Oregon, requesting appropriation and other legislation to develop the air-patrol service for forests in Northwestern States to combat losses through fires; to the Committee on Agriculture.

Also, joint memorial of the Legislative Assembly of the State of Oregon, petitioning for legislation effectually to expel and keep out undesirable and disloyal aliens and to strengthen immigration laws now in force; to the Committee on Immigration and Naturalization.

Also, joint memorial of the Legislative Assembly of the State of Oregon, favoring Federal aid for the development of the Deschutes irrigation project; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 12166) granting a pension to Frank T. Thomas; to the Committee on Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 12167) granting a pension to Alpheus R. Bascom; to the Committee on Pensions.

By Mr. FESS: A bill (H. R. 12168) granting a pension to Anna M. Bateman; to the Committee on Pensions.

By Mr. FORDNEY: A bill (H. R. 12169) granting a pension to Mary Muhleder; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 12170) granting an increase of pension to Simeon Bailey; to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 12171) granting a pension to Zachariah T. Johnson; to the Committee on Pensions.

By Mr. IGOE: A bill (H. R. 12172) granting an increase of pension to Frederick Nieutzenheizer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12173) granting an increase of pension to Virginia H. Welsh; to the Committee on Pensions.

By Mr. JAMES: A bill (H. R. 12174) to reimburse Clarence J. Vaughn, of Marquette, Mich., for money lost in registered letter; to the Committee on Claims.

By Mr. MONAHAN of Wisconsin: A bill (H. R. 12175) granting a pension to Martin Edwards; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 12176) granting a pension to Anna M. Bremigam; to the Committee on Pensions.

By Mr. OLIVER: A bill (H. R. 12177) granting an increase of pension to Clanton Jarrett; to the Committee on Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 12178) granting a pension to William Pace; to the Committee on Pensions.

Also, a bill (H. R. 12179) granting a pension to Gilbert G. Horsby; to the Committee on Pensions.

Also, a bill (H. R. 12180) granting a pension to John Allen; to the Committee on Pensions.

Also, a bill (H. R. 12181) granting a pension to Alonzo L. Hansel; to the Committee on Pensions.

By Mr. STEELE: A bill (H. R. 12182) granting a pension to Sarah Ella Weidner; to the Committee on Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 12183) granting a pension to Teresa Bruner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12184) granting a pension to Malinda Nulph; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 12185) granting a pension to John Abbott; to the Committee on Pensions.

Also, a bill (H. R. 12186) granting a pension to William T. Conway; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1216. By the SPEAKER (by request): Petition of the San Bernardino Post, No. 14, American Legion, relative to certain land openings, etc.; to the Committee on the Public Lands.

1217. Also, petition of the delegates to the first national convention of the Labor Party, assembled in Chicago, Ill., relative to certain legislation; to the Committee on the Judiciary.

1218. By Mr. BACHARACH: Petition of Atlantic City Chamber of Commerce, recommending the purchase and transport of grain to the countries of central Europe; to the Committee on Interstate and Foreign Commerce.

1219. By Mr. BRIGGS: Petition of the Retail Merchants' Association and the Chamber of Commerce, both of Denton, Tex., against any change in the postal laws; to the Committee on the Post Office and Post Roads.

1220. By Mr. BROWNING: Petition of Thorofare Grange, No. 59, Patrons of Husbandry, of Thorofare, N. J., opposing reenactment into law of the daylight-saving measure; to the Committee on Interstate and Foreign Commerce.

1221. By Mr. FULLER of Illinois: Petition of John A. Simpson, president of the Oklahoma Farmers' Union, protesting against universal military training; to the Committee on Military Affairs.

1222. Also, petition of citizens of Chicago, Ill., favoring the antistrike clause in the railroad bills now pending; to the Committee on Interstate and Foreign Commerce.

1223. By Mr. KETTNER: Petition of Chamber of Commerce of Newport Beach, Calif., favoring the adoption of the following propositions by Congress, to wit, first, cancellation of the "gentlemen's agreement"; second, exclusion of picture brides; third, immediate exclusion of Japanese as immigrants; fourth, passing of laws that will forever bar Japanese from American citizenship; and fifth, to amend section 1 of Article XXV of the Federal Constitution, providing that no child born in the United States of foreign parents shall be considered an American citizen unless both parents are of a race that is eligible to citizenship; to the Committee on Immigration and Naturalization.

1224. By Mr. LINTHICUM: Petition of the Truckers' Association, of Colgate, Baltimore County, Md., relative to certain legislation now pending; to the Committee on Agriculture.

1225. Also, petition of C. E. Seaman, of Baltimore, Md., protesting against the Esch-Cummins railroad bills, etc.; to the Committee on Interstate and Foreign Commerce.

1226. Also, petition of B. Hiltz, of Baltimore, Md., relative to certain legislation now pending; to the Committee on Interstate and Foreign Commerce.

1227. Also, petition of the United Mine Workers of America, Local Union No. 2819, assembled at Frostburg, Md., protesting against the Cummins railroad bill; to the Committee on Interstate and Foreign Commerce.

1228. Also, petition of J. O. F. Covell, of Baltimore, Md., protesting against the Esch-Cummins railroad bills; to the Committee on Interstate and Foreign Commerce.

1229. Also, petition of the A. H. Colmary & Co., of Baltimore, Md., relative to certain legislation now pending; to the Committee on Interstate and Foreign Commerce.

1230. Also, petition of the Farmers' National Bank, of Annapolis, Md., favoring the Cummins railroad bill; to the Committee on Interstate and Foreign Commerce.

1231. Also, petition of the Hubbard Fertilizer Co., of Baltimore, Md., relative to railroad legislation now pending; to the Committee on Interstate and Foreign Commerce.

1232. Also, petition of Hubbard Fertilizer Co., Baltimore, Md., favoring antistrike clause in railroad bills; to the Committee on Interstate and Foreign Commerce.

1233. Also, petition of United States Customs Inspectors Association, favoring Senate bill 3418 and House bill 10532; to the Committee on Interstate and Foreign Commerce.

1234. Also, petition of R. Lancaster Williams & Co., Baltimore, Md., relating to railroad legislation; to the Committee on Interstate and Foreign Commerce.

1235. Also, petition of Blue Ribbon Candy Co., Baltimore, Md., favoring railroad bill as passed by the Senate; to the Committee on Interstate and Foreign Commerce.

1236. Also, petition of Benjamin C. Baxter, Baltimore, Md., opposing Cummins bill and urging retention of Government control of the railroads; to the Committee on Interstate and Foreign Commerce.

1237. Also, petition of Margaret S. Brogdan, supervisor social-service department, Johns Hopkins University, Baltimore, Md., indorsing appropriation for social hygiene; to the Committee on Appropriations.

1238. Also, petition of J. A. Bokel Co., of Baltimore, Md., favoring 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

1239. By Mr. MACGREGOR: Petition of the Buffalo Chamber of Commerce, relative to the railroad situation in regard to tariffs, etc.; to the Committee on Interstate and Foreign Commerce.

1240. By Mr. STINESS: Petition of the President Valera Branch of the Friends of Irish Freedom, of Arctic, R. I., relative to certain legislation now pending; to the Committee on Foreign Affairs.

1241. By Mr. TILSON: Petition of Connecticut Editorial Association, urging legislation against anarchistic movements but opposing anything that will curtail free speech; to the Committee on the Judiciary.

SENATE.

SATURDAY, *January 31, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we can not understand the measure, the moral and spiritual significance of the common facts of life without Thy inspiration and guidance. We have seen from life's minute beginning up at last to man the ever-increasing purpose running. We lift our hearts to Thee to know the meaning of this larger purpose of life to lay hold on eternal life as Thou hast revealed it to us through Thy Son. Grant us this day to live in high and holy communion with Thyself. For Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

FOREIGN SECURITIES IN THE UNITED STATES (S. DOC. NO. 191).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of October 17, 1919, a statement showing the financial obligations of foreign Governments offered in the United States since August 1, 1914, etc., which, with the accompanying papers, was referred to the Committee on Finance and ordered to be printed.

ARMY AND NAVY OFFICERS (S. DOC. NO. 194).

The VICE PRESIDENT laid before the Senate a communication of the Secretary of War, transmitting, in response to a resolution of the 7th instant, lists of commissioned officers in the War Department assigned to duty in other than strictly combat or line organizations, etc., which, with the accompanying papers, was referred to the Committee on Military Affairs and ordered to be printed.

THE AMERICAN METAL CO. (S. DOC. NO. 192).

The VICE PRESIDENT laid before the Senate a communication from the Alien Property Custodian, transmitting, in response to a resolution of the 12th instant, certain information relative to the sale of trust certificates of the American Metal Co. to a syndicate, etc., which was referred to the Committee on the Judiciary and ordered to be printed.

EAST WASHINGTON HEIGHTS TRACTION RAILROAD (S. DOC. NO. 195).

The VICE PRESIDENT laid before the Senate the annual report of the East Washington Heights Traction Railroad Co. for the year ended December 31, 1919, which was referred to the Committee on the District of Columbia and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the amendment of the Senate to the bill (H. R. 4382) to confer on the Court of Claims jurisdiction to determine the respective rights of and differences between the Fort Berthold Indians and the Government of the United States.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 6863) to regulate the height, area, and use of buildings in the District of Columbia and to create a zoning commission, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MAPES, Mr. FOCHT, and Mr. JOHNSON of Kentucky managers at the conference on the part of the House.

HEIGHT OF BUILDINGS IN THE DISTRICT OF COLUMBIA.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 6863) to regulate the height, area, and use of buildings in the District of Columbia and to create a zoning commission, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CALDER. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHERMAN, Mr. CALDER, and Mr. SHEPPARD conferees on the part of the Senate.

TREATY OF PEACE WITH GERMANY (S. DOC. NO. 193).

Mr. LODGE. Mr. President, I ask to have printed in the RECORD in connection with what I am now saying a statement which I made to the press yesterday, and also the statement made by the Senator from Nebraska [Mr. HITCHCOCK]. I do this because it contains a brief report of what the committee which has been meeting lately tried to do in regard to the reservations. I think it would be well to have it completely in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT MADE TO THE PRESS IN REGARD TO THE MEETINGS WITH REFERENCE TO RESERVATIONS TO THE TREATY OF PEACE WITH GERMANY BY SENATOR HENRY CABOT LODGE AND SENATOR GILBERT M. HITCHCOCK.

"For the past two weeks nine Senators—five Democrats and four Republicans—have been meeting to consider the question of changes in the reservations adopted by the Senate before the adjournment of the last session of Congress, commonly known as the Lodge reservations. The Senators who thus met did not constitute a committee. The meetings were entirely informal, and it was understood at the outset that they had no power or authority whatever to bind anyone. Their only purpose was to see whether there were any changes which they would be willing to lay before all the other Members of the Senate for their consideration. No final agreement, even to submit any changes to their colleagues in the Senate, was reached. Some tentative agreements were obtained. Reservations 3, 8, 12, and 13 were tentatively accepted by all without change. It was tentatively agreed to submit the following changes to all the other Senators for their consideration:

"(A). The resolving clause, which is as follows:

"*Resolved (two-thirds of the Senators present concurring therein),* That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and a condition of this resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan:

"The Democrats proposed to strike out all after the word 'ratification,' in line 6, to the end of the clause. The Republicans proposed the following substitute:

"*Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of the treaty of peace with Germany signed at Versailles on the 28th of June, 1919, subject to the following reservations and understandings, which are hereby made a part and a condition of this resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted as a part and a condition of this resolution of ratification by the allied and associated powers, and a failure on the part of the allied and associated powers to make objection to said reservations and understandings prior to the deposit of ratification by the United States shall be taken as a full acceptance of such reservations and understandings by said powers.

"This proposal was tentatively agreed to.

"Reservation No. 4, which is as follows:

"4. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, the tariff, commerce, the suppression of traffic in women and children and in opium and other dangerous drugs, and all other domestic questions, are solely within the jurisdiction of the United States and are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the League of Nations, or any agency thereof, or to the decision or recommendation of any other power.

"Various changes were suggested to this reservation. It was finally tentatively agreed to insert the word 'internal' before the word 'commerce,' in line 3, and to strike out, in line 5, the words 'all other domestic questions,' which were a superfluous repetition.

"Reservation No. 6, which is as follows:

"6. The United States withholds its assent to articles 156, 157, and 158, and reserves full liberty of action with respect to any controversy which may arise under said articles between the Republic of China and the Empire of Japan.

"It was tentatively agreed to strike out the words 'between the Republic of China and the Empire of Japan.'

"Reservation No. 7:

"7. The Congress of the United States will provide by law for the appointment of the representatives of the United States in the assembly and the council of the League of Nations, and may in its discretion provide for the participation of the United States in any commission, committee, tribunal, court, council, or conference, or in the selection of any members thereof and for the appointment of members of said commissions, committees, tribunals, courts, councils, or conferences, or any other representatives under the treaty of peace, or in carrying out its provisions, and until such participation and appointment have been so provided for and the powers and duties of such representatives have been defined by law no person shall represent the United States under either said League of Nations or the treaty of peace with Germany or be authorized to perform any act for or on behalf of the United States thereunder, and no citizen of the United States shall be selected or appointed as a member of said commissions, committees, tribunals, courts, councils, or conferences except with the approval of the Senate of the United States.

"It was tentatively agreed to substitute for this reservation the following wording, which is precisely the same in effect except that under the substitute there is no promise made to pass such a statute, the original form containing the words 'The Congress of the United States will provide':

"No person is or shall be authorized to represent the United States, nor shall any citizen of the United States be eligible, as a member of any body or agency established or authorized by said treaty of peace with Germany, except pursuant to an act of the Congress of the United States providing for his appointment and defining his powers and duties.

"Reservation No. 10, which is as follows:

"10. If the United States shall at any time adopt any plan for the limitation of armaments proposed by the council of the League of Nations under the provisions of article 8, it reserves the right to increase such armaments without the consent of the council whenever the United States is threatened with invasion or engaged in war.

"Many suggestions were made for changes in this reservation, and it was finally tentatively agreed to adopt the following substitute proposed by the Republicans:

"No plan for the limitation of armaments proposed by the council of the League of Nations under the provisions of article 8 shall be held as binding the United States until the same shall have been accepted by Congress.

"Reservation No. 1, which is as follows:

"1. The United States so understands and construes article 1 that in case of notice of withdrawal from the League of Nations, as provided in said article, the United States shall be the sole judge as to whether all its international obligations and all its obligations under the said covenant have been fulfilled, and notice of withdrawal by the United States may be given by a concurrent resolution of the Congress of the United States.

"It was proposed by the Democrats to strike out the word 'concurrent' and insert the word 'joint.' It was suggested by the Republicans to amend this reservation by striking out all after the word 'given,' in line 7, and inserting 'by the President or whenever a majority of both Houses of Congress may deem it necessary.'

"No decision was reached as to the changes proposed in this reservation.

"Reservation No. 9, which is as follows:

"9. The United States shall not be obligated to contribute to any expenses of the League of Nations, or of the secretariat, or of any commission or committee or conference or other agency organized under the League of Nations or under the treaty, or for the purpose of carrying out the treaty provisions unless and until an appropriation of funds available for such expenses shall have been made by the Congress of the United States.

"It was proposed to strike out the word 'or,' in line 3, and insert 'except the office force and expenses.' No decision was reached upon this change.

"Reservation No. 11:

"11. The United States reserves the right to permit, in its discretion, the nationals of a covenant-breaking State, as defined in article 16 of the covenant of the League of Nations, residing within the United States or in countries other than that violating said article 16, to continue their commercial, financial, and personal relations with the nationals of the United States.

"It was proposed to strike out, in lines 19 and 20, the words 'or in countries other than that violating said article 16.' No decision was reached on this proposal.

"Reservation No. 14, which is as follows:

"14. The United States assumes no obligation to be bound by any election, decision, report, or finding of the council or assembly in which any member of the league and its self-governing dominions, colonies, or parts of empire, in the aggregate have cast more than one vote, and assumes no obligation to be bound by any decision, report, or finding of the council or assembly arising out of any dispute between the United States and any member of the league if such member, or any self-governing dominion, colony, empire, or part of empire united with it politically has voted.

"The following was proposed as a substitute for this reservation:

"Until part 1, being the covenant of the League of Nations, shall be so amended as to provide that the United States shall be entitled to cast a number of votes equal to that which any member of the league and its self-governing dominions, colonies, or parts of empire, in the aggregate, shall be entitled to cast, the United States assumes no obligation to be bound, except in cases where Congress has previously given its consent, by any election, decision, report, or finding of the council or assembly in which any member of the league and its self-governing dominions, colonies, or parts of empire in the aggregate have cast more than one vote.

"The United States assumes no obligation to be bound by any decision, report, or finding of the council or assembly arising out of any dispute between the United States and any member of the league if such member or any self-governing dominion, colony, empire, or part of empire united with it politically, has voted.

"No decision was reached on this change.

"Reservation No. 2:

"2. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

"Various amendments and substitutes were offered to this reservation in regard to article 10 of the treaty. It was found impossible to agree on any change in this reservation to be presented to the other Senators.

"Reservation No. 5:

"5. The United States will not submit to arbitration or to inquiry by the assembly or by the coucil of the League of Nations, provided for in said treaty of peace, any questions which in the judgment of the United States depend upon or relate to its long-established policy, commonly known as the Monroe doctrine; said doctrine is to be interpreted by the United States alone and is hereby declared to be wholly outside the jurisdiction of said League of Nations and entirely unaffected by any provision contained in the said treaty of peace with Germany.

"It was proposed by the Democrats to strike out the words 'said doctrine is to be interpreted by the United States alone.' To this consent could not be obtained.

"Speaking for myself alone, I have only this to say: That I was unable to agree to any change in reservations 2 and 5, dealing with article 10 and the Monroe doctrine. In my opinion reservation No. 2, which provides that we shall assume no obligation of any kind under article 10, except the one mentioned in the treaty, that we should ourselves respect the boundaries of other nations, can not possibly permit of change.

"The change proposed in reservation No. 5 in regard to the Monroe doctrine was an absolutely vital one, because it was asserted as an official interpretation by the representatives of Great Britain that the Monroe doctrine under the treaty was to be interpreted by the league. To this I, for one, could never assent, and in view of the statement made in Paris by the British delegation, to which I have referred, I regard the line which it was proposed to strike out as absolutely necessary. The United States has always interpreted the Monroe doctrine alone.

It is our policy. No one else has ever attempted to interpret it, and it is something, in my judgment, which ought never to be permitted, even by the most remote implication. If we should strike out that phrase now after it had been accepted by the Senate, it would lead to a direct inference that we left that question open. The right to interpret the Monroe doctrine, pertaining to the United States alone, must never be open to question.

"H. C. LODGE."

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[From the Washington Post, Jan. 31, 1920.]

SENATOR HITCHCOCK'S STATEMENT.

"Senator HITCHCOCK said:

"'To-morrow I shall not be here, but Senator WALSH of Montana will give notice for me that on Tuesday, February 10, I shall ask the Senate to proceed to the consideration of the peace treaty. I shall be back here before that time. It is my intention to return to Washington from my home in Nebraska Thursday next.

"'At the meeting to-day we presented the last Taft reservation on article 10 as our proposition of a compromise. There was some conversation as to the exact meaning of the reservation. We urged the Republicans to say whether they could accept it or consider it.

"'Senator LODGE said definitely he could not accept it. We then asked if the Republicans had a counterproposal or would make one. Senator LODGE replied that he could not make any proposition on article 10 other than the one contained in the LODGE program of reservations. He said he could not consent to any modification.

"'We did not take up the Monroe doctrine, but Senator LODGE was equally positive there could be no alteration of that reservation. We had accepted the reservation on the Monroe doctrine, with the exception that we proposed an elimination of the right of the United States alone to interpret it.

"'I suggested that perhaps we could agree on some way of taking the treaty up in the Senate, but Senator LODGE said he did not care to have any meeting on that subject.'

"'Do you think you have enough votes to get the treaty up in the Senate?' Senator HITCHCOCK was asked.

"'We do not know.'

COUNTS ON 43 VOTES.

"'How many Democrats do you count on?' was the next inquiry.

"'There will be at least 43 Democratic votes,' replied Senator HITCHCOCK. 'Before the question of the Senate taking up the treaty comes before it for determination conferences will have been held by the Democrats, and possibly the Republicans, to decide whether the reservations as tentatively agreed upon in the bipartisan conferences shall be taken up singly or en bloc.

"'There was no dramatic climax to the conferences. It was agreed by all that unless some compromise could be worked out on article 10 it would be useless to continue the meetings.'

"'Was your move to-day discussed with the White House in advance?' Senator HITCHCOCK was asked.

"'It was not. We are running entirely independently of the White House in this action.'

"Senator HITCHCOCK said he was satisfied that Senator UNDERWOOD will make no move to get consideration of his resolution for a formal committee of conciliation until after the effort is made to get the treaty before the Senate for open consideration on the floor."

Mr. LODGE. I ask at the same time that the statement may be printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. WALSH of Montana. Mr. President, in behalf of the Senator from Nebraska [Mr. HITCHCOCK], I give notice that on Tuesday, the 10th day of February, he will ask the Senate to proceed to the consideration of the treaty of peace with Germany.

RAILROAD CONTROL.

Mr. MYERS. Mr. President, there has been a good deal in the newspapers of late about the farmers of the country joining hands with the railroad brotherhoods in favoring and demanding an extension for two years of the Government control of railroads, and a good deal about the farmers of the country favoring further Government control of railroads, even Government ownership of railroads. A few days ago a delegation of farmers—I read in the newspapers—from Wisconsin called at the White House to urge the President to withdraw his order for the restoration of the railroads to their owners the 1st of March and urging him to favor an extension for two years of the Government control of railroads.

I have a statement issued on that subject by Mr. E. A. Calvin, Washington representative of the Association of State Farmers Union Presidents. It is one of the best and most sensible statements on the subject I have seen, and I ask that it may be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ASSOCIATION OF STATE FARMERS UNION PRESIDENTS,
Washington, D. C., January 29, 1920.

To Members of the United States Congress:

As considerable is being said in the press and elsewhere to the effect that delegations of farmers have recently visited Washington, demanding that the Government retain control of the railroads for at least two years, and stating that this is the wish of the farmers of this country, I feel it to be my duty as a representative of the farmers to set forth their views on this question and to transmit to you resolutions which were adopted by different farm organizations representing the actual American farmers.

At the annual meeting of the Oklahoma Division of the Farmers' Educational and Cooperative Union of America, held on August 19 and 20, 1919, the following resolution was unanimously adopted:

"We view with alarm and oppose the Government ownership of railroads, and especially the Plumb plan, of the Government buying the railroads at public expense, turning them over to the railroad employees, and guaranteeing the railroad employees whatever wages they demand and a division of the profits. If Congress in its wisdom does this, we ask them to also buy all of our farms and their equipment, hire the farmers to operate them at two-thirds of the hourly wage scale paid the average railroad employee, and sell the production to the consumer at cost."

This about expresses the views of an overwhelming majority of the farmers of the Nation, who are members of the Farmers' Union and other farm organizations in the several States, including Louisiana, Alabama, Ohio, Texas, Illinois, and Iowa, which organizations adopted similar resolutions opposing Government ownership.

At the annual meeting of the American Farm Bureau Federation, held in Chicago November 14 last, the following resolution was adopted:

"We are opposed to Government ownership of public utilities. We demand the early return of the railroads to private control, under such conditions and regulations as will render adequate service at just and equitable rates. We particularly demand immediate attention to restoring the efficiency of livestock and other perishable transportation, both in car equipment and train schedules."

If there is any class of our citizens who have suffered from inefficient railroad service and delay in transportation in the last two or three years, it is the farmers; and you can take it as a fact, if we are to believe what they say in their resolutions, that a majority of the farmers of this Nation desire the return of the railroads to their owners at the earliest possible moment, and we consider the President's announcement that they shall be returned on March 1 as sound in principle and highly expedient under existing conditions.

At the fifty-third annual session of the National Grange, at Detroit, Mich., November 18, 1919, the following resolution was adopted:

"While recognizing the evils of uncurbed power growing from swollen fortunes in the hands of unscrupulous and ambitious individuals, the National Grange declares that in a government of a free democracy is lodged ample power to curb all such evils. We declare our opposition to Government ownership and to nationalization of business and industry. We favor the safeguarding and protection of private property on the broad ground that only by the full development of the right of private property can there be perpetuated the full measure of individual initiative and emulation upon which a democracy is based and by which its future is assured."

All fair-minded people will readily agree that the above is sound in principle and in harmony with our democratic form of government. The experience of the last three years of the Government's endeavoring to engage in operating and conducting different lines of business has demonstrated the folly of nationalizing business under control of the Federal Government by commissions or licenses, and the fact has been asserted, and has not been denied, that when the Government endeavored to produce castor oil, those in charge of this industry for the Government succeeded in producing only 2 quarts at a cost of several million dollars. I feel safe in asserting that if this task had been left to the common-sense farmers of Iowa, Missouri, Kansas, and Oklahoma, where castor-oil beans are grown, the

Government would have received an abundance of castor oil at a minimum cost.

Another resolution adopted by the grange is very pertinent and appropriate at this time:

"In war time price fixing may have been necessary; in peace time the grange regards Government price fixing as unjustifiable and indefensible."

What the farmers of this Nation most desire is to extend the market for American products all over the world, and especially at this particular time, when the teeming millions of Europe and Asia are reported to be suffering for the lack of clothing and food; and if steps are taken to open the industries of Europe and the markets of the world to American products, and production in our country be restored to normal, those engaged in agriculture, manufacturing, and all avenues of distribution will soon enjoy an unprecedented prosperity, and at the same time the suffering in European and Asiatic countries will be greatly relieved.

What the farmers want is constructive and not destructive legislation. They are not asking, nor do they desire, any special legislation for the benefit of the farmers only. They want equal opportunities for all, and special privileges for none, and if this policy is adopted by our Government and extended over the world's markets, there will be a revival in all industries as well as that of agriculture, and they desire to extend the American markets for foods and raw materials as well as manufactured articles to all nations of the world.

The farmers everywhere are on record as opposing the establishing and maintaining by the Federal Government of employment bureau agencies over the country to be conducted by the Federal Government, and are opposed to all similar class legislation. They want to be left alone in the pursuance of their business, and do not want their affairs interfered with by socialistic rules and regulations promulgated by a certain department at Washington.

Respectfully,

E. A. CALVIN.

HERBERT C. HOOVER.

Mr. CHAMBERLAIN. Mr. President, quite a good deal of criticism has been indulged in with reference to Mr. Hoover, and there has been question as to his Americanism and his citizenship. I wish to say that while I had charge in the Senate of the food-control bill I came in frequent contact with Mr. Hoover, and I found him at all times to be thoroughly loyal to this country, thoroughly patriotic, and using his best endeavors to assist in successfully prosecuting the war.

I saw in the New York World of the 28th instant a statement with reference to Mr. Hoover over the signature of Dr. Ray Lyman Wilbur, president of Stanford University, who has known him for a great many years. I ask that it may be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SHOWS HOOVER KEPT IN CLOSE TOUCH WITH UNITED STATES.

STANFORD UNIVERSITY, CALIF., *January 27.*

The campaign of lies about Herbert Hoover that is again being given free circulation is an insult to the intelligence of the American people. If facts are sought, I consider it my duty as Hoover's most intimate friend since boyhood to state the truth for those who wish it, so that they may not be misled by the renewal of the former deliberate attempt to attack his nationality, citizenship, and Americanism.

I have maintained close contact with Mr. Hoover throughout his career and know intimately of his comings and goings; his family, birth, raising, and education are known to me in detail. Iowa, Oregon, and California were his only residences, except for his work on the geological survey of Arkansas.

Since his graduation from Stanford University in mining and engineering his professional life always has had a world scope. It began during the period of some 12 years prior to the war, when he enjoyed an international practice as an engineer. No calendar year ever went by, with the exception of 1898 and 1917, in which he was not for some portion of the year a resident of the United States.

On these two occasions of considerable absence he was engaged in engineering constructive work in Australia. His engineering practice has taken him into every country in the world. It is a credit to the universities of the United States that her engineers are in such demand in such work.

It is within my knowledge that the total period that Hoover could have been actually in England would not exceed an aggregate of more than 3 or 4 years out of the total 46 of his life, although at times he left his family there when he was obliged to journey to Russia and other parts of Europe on professional business. His son came home in time for the fall term of school in California as soon as he was old enough for public school.

Mr. Hoover has been actively connected with Stanford University, acting as adviser to the president in the engineering department or as a trustee of the university. For over 12 years he has maintained for his family a home either in San Francisco or at the university. During this entire time his life has emphasized those sterling American qualities that are the pride of us all.

As his friend, college mate, physician, and colleague I am happy to say that I know no finer character, no better American, no more genuine lover of the United States than Herbert Hoover.

I hope that we may speedily have conditions in this country so that vilification, tirades, and abuse may be supplanted by constructive public service.

RAY LYMAN WILBUR,
President of Stanford University.

REAR ADMIRAL CARY T. GRAYSON.

Mr. SHERMAN. Mr. President, a lady, Miss Davis, came to my committee room a week or 10 days ago and made complaint that she had been evicted from her rooms or property that she had occupied, the property being owned by Admiral Grayson, and stated that it was because of an increase of rent demanded. The attorney for Admiral Grayson, or Mrs. Grayson, has written me a letter explaining the transaction. The letter states that Miss Davis was evicted for nonpayment of rent and that the property has since been rented for a lower rental than was paid by the evicted tenant.

I am glad to present this letter, and I ask to have it printed with that explanation.

Mr. WALSH of Montana. I did not quite understand what the letter contains.

The VICE PRESIDENT. The Senator from Illinois stated that complaint had been made that some lady was evicted from the premises of Admiral Grayson upon the grounds that the rent had been increased. He files a letter from Admiral Grayson's attorney stating that she was evicted for nonpayment of rent, and that the premises have since been rented for a less sum than they had been rented to her.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *January 27, 1920.*

HON. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.

DEAR SIR: My attention has been called to your remarks in the Senate on Friday, January 16, in which you stated that you have been informed that Admiral Grayson had evicted a woman tenant from a house of which he was the owner because she objected to an attempted profiteering raise in rent on his part. I assume that as a fair-minded man you will be as anxious to correct an error in your statement as you were to condemn Admiral Grayson because of a supposed delinquency on his part. He is the owner of 1602 Sixteenth Street NW., in this city, which adjoins the house where Admiral and Mrs. Grayson reside. On the 31st day of October, 1918, Susan L. Davis entered into a lease agreement with John W. Thompson & Co. (Inc.), the latter acting as the agents for the owner, by the terms of which Miss Davis rented 1602 Sixteenth Street, partially furnished, for the period of one year beginning October 10, 1918, at a monthly rental of $175 per month, payable in monthly installments in advance on the 10th day of each month beginning October 10, 1918. Almost immediately after she took possession of the premises Miss Davis began to fall back in the payment of rent, until it became necessary to enter suit against her for the possession of the premises. This step was decided upon by John W. Thompson & Co. (Inc.), and, acting as their attorney, I brought suit in its name, under the provision of the aforementioned lease, in the municipal court of the District of Columbia. This cause was known as Landlord and Tenant Proceedings No. 174673, and was for possession of the premises by reason of the nonpayment of rent provided for in the lease. At the hearing of the cause judgment was given in favor of John W. Thompson & Co. (Inc.) and against Miss Davis. After judgment had been obtained against her, Miss Davis came in and paid $175 and $1.85 costs of the suit. This paid the rent up to April 10, 1919, and $100 on account of the month ending May 10, 1919, leaving $75 due on the month ending May 10, 1919. I had numerous interviews with Miss Davis during the month of June in an endeavor to collect the rent, which she promised to pay faithfully many times but which she neglected to do.

It thereupon became necessary to institute suit against her again, which I did in the early part of July, in Landlord and sion of premises and for $425 rent due up to and including the

9th day of July, 1919, being $75 balance due for the month ending May 9, 1919, and $175 for the month ending July 9, 1919. When the case was called Miss Davis failed to appear, and although I could have taken judgment by default I refused to do so, and had the case set down for hearing at a later date. I saw Miss Davis personally and had her agree upon the date of the hearing, and that she would be there in court. When the case was called again she neglected to appear and judgment was had against her for possession of the premises and for $425 rent up to the 10th day of July, 1919. Miss Davis pleaded so hard to be allowed to stay in the house and made so many promises that she would pay, not only the arrears in rent but all future rent, that I agreed to allow her to stay on for a month or two to see if she could make good her promises. She was keeping a boarding house, and she received from roomers and boarders in excess of $900 per month, according to the figures given to me by some of the boarders in the house. It appeared to me that being in receipt of so much money each month she could pay the rent if she were so inclined, and I believed her when she said that she would do so. I was very loath to dispossess her and put her out in the street, because of the many "hard-luck tales" she had to tell. It became apparent, however, that she abused my confidence, and on September the 18th it became necessary for me to take steps to dispossess her and put a deputy marshal in the premises, which I did by virtue of the second judgment above referred to, action under which I had postponed in order to give her an opportunity to live up to these promises made by her. She thereupon paid part of the rent due and entered into a written agreement with me to pay one-half of the money which she received from her boarders on account of current rent and back rent. She did not live up to this agreement, however, and it was not until September 20 that I was able to collect the $425 which was due on the rent up to July 10, 1919, and for which I had obtained a judgment as aforesaid. It became necessary for me to sue her again, which I did in Landlord and Tenant Proceedings No. 179632, and obtained judgment against her for the premises. I then referred the matter to Mrs. Grayson, who acted for her husband, whose time was taken up by the President. As a matter of fact, all my dealings have been with Mrs. Grayson, and I never spoke to Admiral Grayson in my life until after this case was completely closed. I explained to her the difficulty I had in collecting the rent, and also that it was my belief that Miss Davis would not pay either the current rent or the back rent, and that my advice was that she should be dispossessed of the premises. Mrs. Grayson, however, was very sympathetic toward Miss Davis and relied upon Miss Davis's numerous promises to pay. She instructed me to allow Miss Davis to remain in the house another month. At the end of that time Miss Davis not only did not pay anything on the accrued rental but paid only $100 of the $175 due for the current month. When I reported this to Mrs. Grayson she was still generous enough to allow Miss Davis to stay on in the house in hope that she would be able to extricate herself from her financial difficulties. Miss Davis did not live up to her promises to pay, and in our opinion was able to do so but refused to do so. It thereupon became necessary to dispossess her, which was done on or about the 20th day of December, 1919, at which time Miss Davis owed $75 rent on the month ending August 10, 1919, and $175 for each month thereafter, making a total of $775 due up to and including the 10th day of December, 1919. She has not paid and refuses to pay anything on account of this back rent, and it was for this and not for any refusal to pay an increased rental that she was dispossessed. She was treated as leniently and generously as any tenant that I ever knew or heard of. So far from profiteering, I might say that Admiral Grayson has rerented the house for a less price than he rented it to Miss Davis, and that he was induced to rent it to Miss Davis to be conducted as a boarding house right next door to his own home only because, at that time, there were numerous war workers in the city without shelter. The rental paid for this house containing eight bedrooms, two bathrooms, a large parlor, dining room, and kitchen was extremely moderate. The statements made in this letter can be verified by the records of the municipal court of the District of Columbia, by correspondence with Miss Davis, copies of which are in my possession, and by testimony of a number of boarders in Miss Davis's house whose names I will furnish you if you so desire.

Very truly, yours,

I. J. COSTIGAN.

PUBLIC PRINTING.

Mr. WALSH of Montana. I invite the attention of the Senator from Utah [Mr. SMOOT], the guardian of the RECORD, to the request of the Senator from Illinois. Does he think it proper to print such communications in the RECORD?

Mr. SMOOT. Mr. President, I expect within a day or two now to have statistics prepared in relation to the printing not only of the RECORD but the printing of speeches. I hope to present them to the Senate in a very few days. I am quite sure that when the statistics are presented the Senate of the United States is going to agree to stop the printing of matter of every conceivable character and nature in the RECORD.

We have seven men scouring the country to-day for paper upon which to print the RECORD. Senators will notice that in the last few days the RECORD has been printed upon paper that is not black, but nearly so; the poorest sort of paper. We never would have used it in the Government Printing Office a few years ago for any purpose whatever. It is all the paper that we can get in the United States to print the RECORD upon, and if we are going to have a RECORD, we have got to conserve the print paper.

Mr. SHERMAN. Mr. President, in his criticism of the use of newsprint paper, did the Senator from Utah extend it to the various departmental activities engaged in sending out many tons of material? Literally, tons of it come to my office.

Mr. SMOOT. I have done so many times, and I will say to the Senator that later—and I have the matter under way now—we shall find out exactly what printing has been done by each one of the departments.

Mr. President, I have from newspapers of the country letters referring to reports from the Government departments and showing that there is printing only upon one side of the paper—whole reports are so printed—with absolutely no use made of half of the paper. We also find that some of the departments are to-day sending out such printed matter in linen envelopes.

Mr. NELSON. Mr. President——

Mr. SMOOT. I yield to the Senator from Minnesota.

Mr. NELSON. It seems to me the newspapers should never complain of the scarcity of print paper so long as they devote two or three pages daily to the sporting news. Why can they not eliminate those two or three pages of sporting news? We should certainly get along much better if they did so.

Mr. SMOOT. Mr. President, there is much in what the Senator from Minnesota says. I may go further than that, and say that I think the Sunday newspapers throughout the United States have grown to such proportions that there ought to be a halt called on their size by the newspaper publishers themselves.

Mr. NORRIS. Will the Senator from Utah yield to me at that point?

Mr. SMOOT. Yes; I yield.

Mr. NORRIS. The few reports which I get from the newspapers in reference to this matter are from what might be denominated the smaller newspapers, the smaller dailies and weeklies; they are not the newspapers which are known as the large metropolitan newspapers. Those smaller newspapers universally complain of the paper which they think is uselessly consumed by the large newspapers, particularly in the Sunday editions, and the funny page, and also the sporting news, as the Senator from Minnesota [Mr. NELSON] has suggested. They claim that because they are small papers and have not so much money invested and are not able to purchase the large amount of paper purchased by the metropolitan press, they are discriminated against in favor of the larger papers, which get their paper cheaper than they can. They complain that they are not able to get even sufficient paper to print their small editions; and many of them have gone out of business.

Mr. SMOOT. I have received, I was going to say, thousands of just such complaints as those which are referred to by the Senator from Nebraska. The larger newspapers have contracts for their paper in some cases for years ahead; and to-day the small newspapers of the country are doing just what we are compelled to do now to secure paper for the RECORD; they are hunting from one end of the country to the other in order to purchase sufficient paper to print their regular edition.

Mr. NORRIS. Yes; there is no doubt about that.

Mr. SMOOT. And they are paying almost any price asked in order to get it.

Mr. NORRIS. The fact is they are paying prices that are four or five times what they paid previously, and are paying much higher prices than other papers pay for their newsprint paper.

Mr. SMOOT. That may be the case.

Mr. MYERS. Mr. President, if the Senator from Utah will permit me, I will give him an instance of the practice which has just been commented upon. I heartily agree with what the Senator from Utah has said about the reckless and almost criminal waste of newsprint paper by some of the departments of the Government. An instance of it came to my knowledge only the other day. I received a communication from Mr. Will A. Campbell, editor of the Helena (Mont.) Independent, accompanied by exhibits in the form of some printed material

which he had received from some department of the Government which maintains a mailing list and sends out Government publications. I can not say now just what department it is, for I have not the exhibits with me, but he had received three copies of an identical publication. One was addressed to Mr. Will A. Campbell, Helena, Mont.; another was addressed to Mr. W. A. Campbell, Helena, Mont.; and another was addressed to the editor of the Independent, Helena, Mont. They were all the same thing, and my correspondent writes me that such occurrences are frequent; that that is only an instance of what is happening every day.

Here is an instance of absolute waste brought about by pure and sheer carelessness. A great deal of it could be remedied by proper attention on the part of the departments to their mailing lists and to the documents they send out. There should be some remedy for this waste. I hope some method of stopping it may be found and adopted.

Mr. SMOOT. Mr. President, along the line of the observations of the Senator from Montana I will say that I have no doubt that there is not a business man in the United States who does not receive every week in the year over 100 circulars of the same kind from the departments of our Government. Not long ago I had a business man collect for me the publications and documents received by him in the course of three days, and in those three days, as I remember, 165 Government publications were received by that one business man of Kansas.

Mr. BRANDEGEE. Government publications?

Mr. SMOOT. Yes; Government publications. I asked him to send them to me just as he received them; I opened the envelopes containing the publications and sorted them out. There were 11 of one kind from different departments of the Government, word for word alike, and there were 8 of another kind word for word alike. Talk about the waste of paper! It is wicked on the part of the Government of the United States.

Mr. SHERMAN. Mr. President, the Senate has been very economical in the space occupied by it in the RECORD. I have refrained from disturbing the Government Printing Office greatly during this session. I have had the impulse, but have succeeded in resisting it. There is in the south end of my district a newspaper known as the Daily Breeze, which enjoys a very healthful circulation for a country newspaper publishing information not only as to its own affairs but as to the affairs of other people. Its editor is Frank Reed. He recently wrote me that he had been fined $10 by the internal-revenue collector of his district because he was late in filing his capital-stock return, which should have been in the form of an affidavit that the par value of the stock of the Breeze Printing Co. did not exceed $99,000. The capital stock was $4,000. The company prints a daily paper in a town of about 6,000 population. Under the law the internal-revenue collector could have assessed a fine of $10,000, but he wisely made it an amount which it was possible for the Breeze to pay.

So the Breeze paid up and continued on its way. Mr. Reed writes me:

> Our excuse in mitigation of this crime was that the business mail from the Internal Revenue Office, being franked, is identical in appearance with the mail from every department of the Government, which comes to this office in such volume that it would require a private secretary to separate the important mail from that which goes into the waste basket, and, not being possessed of a sufficient income to hire a private secretary, this call for the report went into the waste basket with a great deal of newsprint wasted by the departments, to the editor's subsequent discomfiture.

This communication I have selected from probably a thousand similar ones on this subject from a single State. The departmental mail has become a public pest even to a newspaper man. These knights of the paste pot and shears are entitled to protection from governmental activities along this line, and they are asking for it, and I think, it being in the line of economy of print paper, that it would be well for the department to heed their demand.

Mr. President, if I did not ask to have the letter from the attorney of Admiral Grayson printed at length in the RECORD I should like to do so, because in fairness to him it ought to be done.

The VICE PRESIDENT. The order has already been made to print the letter in the RECORD.

Mr. SMOOT. Mr. President, just a word in relation to the printing that has been ordered by the Senate. I have had extracted from the CONGRESSIONAL RECORD of the proceedings of the Senate all of the speeches that have been delivered on the peace treaty. I have had them bound in one volume, which I have here upon my desk. This [exhibiting] is the result. There are a few over 3,000 printed pages, containing an average of 2,100 words per page, or a total number of words of 6,300,000. Those represent the speeches delivered on the floor of the Senate. I started to segregate the pages of matter that have been inserted in the RECORD at the request of Senators, including newspaper articles, editorials, and letters from citizens; but it soon developed that it was altogether impossible to put them in any reasonable number of books. So it was concluded to abandon the effort. This shows, Mr. President, where we are drifting; and I hope that the Senate, sooner or later——

The VICE PRESIDENT. Is that a public document?

Mr. SMOOT. No; it is not a public document. It is a collection I have had made of all the speeches, printed in one volume.

The VICE PRESIDENT. It would be a good thing to have it printed as a public document.

OFFICE SPACE FOR DISTRICT RENT COMMISSION.

Mr. SMOOT. Mr. President, I wish to call attention to an item that appeared in the Washington Post this morning. It reads as follows:

> RENT BOARD OFFICE FAILS TO SATISFY—LOCATION WILL HAMPER WORK ON HOUSING, SAYS COMMISSIONER MASON.
>
> With more than 1,000,000 square feet of floor space available in the Government office buildings in Washington, Guy Mason, of the District Rent Commission, declared yesterday the choice of the rear of the fifth floor of the Hooe Building, 1330 F Street NW., for the commission's office was an outrage to the public, which has been awaiting anxiously for the rent commission to find a speedy remedy for the rent situation here. The commissioners hope to find a building more suited to their purposes.
>
> "The commissioners are extremely anxious to attack the housing problem in Washington," said Mr. Mason, "and the Public Buildings Commission, of which Senator REED SMOOT is chairman, has placed an additional obstacle in our way by assigning us to offices which will not be ready for occupancy for two or three weeks, and when ready their position on the fifth floor of the building will become an added inconvenience when large numbers of complainants start coming to lay their cases before the commissioners in person."
>
> The commission must pay for occupancy and lighting expenses 83 cents a square foot of the 3,200 square feet allotted in the Hooe Building, according to Mr. Mason.

I am not acquainted with Mr. Mason, but there is scarcely a word of truth in that article. If that newspaper report is true, I can only say if that is the kind of a rent commissioner we have in the District of Columbia as far as he is concerned the renters need not expect results of a practical nature, but will receive false and sensational statements through the public press.

In the act creating the Public Buildings Commission following is the authority granted:

> Said commission shall have the absolute control of and the allotment of all space in the several public buildings owned or buildings leased by the United States in the District of Columbia, with the exception of the Executive Mansion and office of the President, Capitol Building, the Senate and House Office Buildings, the Capitol power plant, the buildings under the jurisdiction of the Regents of the Smithsonian Institution, and the Congressional Library Building, and shall from time to time assign and allot, for the use of the several activities of the Government, all such space.

In the first place, I wish to say that if Mr. Guy Mason made the statement that there are a million square feet of space in the Government buildings in the District of Columbia available, it is an absolute falsehood.

Mr. President, the Rent Commission applied to the Public Buildings Commission for space in some Government building. The authority of that commission is only to allot space for the use of the several activities of the Government. The commission has no power whatever to allot space to activities of the government of the District of Columbia. That question has been referred to the counsel of several of the departments, and the commission received opinions to the effect that the law did not authorize the Public Buildings Commission to assign space for the activities of government in the different departments of the District of Columbia.

If the commission had the authority to assign space for the Rent Commission of the District of Columbia, it would also have authority to assign space for all the activities of the District, and that the commission has not the power to do.

This is what the commission did do when the Rent Commission made an application for space in a Government building. I knew that there were some 3,200 square feet of space in the Hooe Building that was not being occupied to-day, although the Treasury Department had to pay rent for the whole of the space in the building, and I suggested to the rent commissioners of the District of Columbia that if they desired to occupy that space and would pay their pro rata of the rent of the whole building, the Public Buildings Commission would have no objection whatever to their use of the same.

Mr. Sinclair, a member of the commission, together with Mr. Roper, the secretary of the commission, went with the secretary of the Public Buildings Commission and examined that space, and Mr. Sinclair reported to the other members of the Rent Commission of the District of Columbia that the space named was unoccupied and that the commission could occupy it if they paid the same rental per foot as the Treasury Department was paying for the building. On a vote of the commission they

accepted the proposition and said they would move into the Hooe Building upon the terms offered. Now comes a member of the commission in a public statement, as already read by me, which is untrue in nearly every respect.

Not only that, but he is complaining about paying 83 cents a square foot for the rent and lighting of the building, and I ask upon what ground? Take business property in the business section of the District of Columbia anywhere near the Hooe Building and the prices which are being charged to-day per square foot for rent run from $1.50 to as high as $3.50.

So, Mr. President, all the Public Buildings Commission has done in this matter has been to call to the attention of the Rent Commission of the District of Columbia, following its application for space, the fact that there were 3,200 square feet in the Hooe Building that the Government was not occupying at the present time, and that if the commission wanted the use of it, it could do so by paying exactly what the Treasury of the United States to-day is paying per square foot for the space they occupy in the building.

I simply call these facts to the attention of the Senate in the hope that such uncalled for and untruthful statements will not again be made by a member of the Rent Commission of the District of Columbia. I can not understand the motive. The Public Buildings Commission to-day is consolidating every department of the Government in just as compact form as possible. We have been trying for the last two or three weeks to make room, as I stated to the Senate the other day, for the 1,700 employees of the Fleet Corporation, which is now located in Philadelphia, and I think we have accomplished that purpose by transfers and consolidations. When Mr. Guy Mason makes the statement that there are a million square feet of space in the Government buildings which are now unoccupied, it is an absolute untruth.

FOREIGN LOANS.

Mr. SMITH of Georgia. Mr. President, as it seems that we have done so much printing and desire to be so economical, I wish to call attention to a few lines that I read with great interest yesterday afternoon, showing that we have now due us on our European loans $325,000,000 of interest; that none of the accrued interest on the loans has been paid; and that the plan is to defer for a few years the collection of any of the interest. I ask to have printed in the RECORD the amount of the interest due to the United States on these loans by each of the countries to whom the loans have been made. Great Britain, for example, owes us $144,440,837.

Mr. TOWNSEND. Mr. President, does that mean the amount of interest due? That does not include the principal?

Mr. SMITH of Georgia. The interest due is the amount I mentioned. I started by saying that I was calling attention to the interest due on these loans, none of which has been paid, and I understand the proposition is to defer for several years the payment of any of the interest.

I regard this as a matter of very general public interest and a matter of information that is not generally known. I wish to have a memorandum of each of the items of interest printed in the RECORD.

Mr. NORRIS. Mr. President, before the Senator takes his seat, I should like to ask him a question. Has any interest been paid by any government on any of the indebtedness?

Mr. SMITH of Georgia. As I am advised, no interest has been paid by any of the countries to whom the loan has been made.

Mr. BRANDEGEE. Mr. President, some time ago I had inserted in the RECORD a statement which I think is the same one that the Senator saw in the paper yesterday. It was copied, if I remember correctly, from the New York World. I call the Senator's attention, if he has not noticed it—I did not notice it myself until this morning—to the fact that on page 2232 of the RECORD of the proceedings of yesterday the Senator from Oklahoma [Mr. GORE] had placed in the RECORD an article from the Washington Post, giving all this detail, together with the advice of the Secretary of the Treasury in relation to the entire matter, not only as to how we shall finance the moneys that foreign powers have borrowed from us, but the policy of the department as to further aid to Europe and as to related subjects; and on page 2233, in the first column, appears an itemized statement of the amount of interest due to us from other countries. I do not say this in derogation of anything the Senator has just put in the RECORD, but I call his attention to the fact that it is by authority of the Treasury Department.

Mr. SMITH of Georgia. And it was inserted yesterday?

Mr. BRANDEGEE. Yes, sir.

Mr. SMITH of Georgia. Then, Mr. President, I do not care to publish the figures again.

Mr. BRANDEGEE. I suggest to the Senator that he leave it in the RECORD, because I do not think the attention of the country can be called to it too frequently.

Mr. SMITH of Georgia. If there is no objection, I will ask to have published the brief statement that I handed in; and I do wish that the most general knowledge of this situation might go throughout the country. It may relieve the minds of some of those who still are disturbed upon the theory that we have done nothing for European countries, and who urge that the responsibility is still on us to do something for them, lest we might be considered slackers in our treatment of European interests.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

$325,000,000 DUE UNITED STATES FROM EUROPE ON LOANS.

"Accrued interest on loans to European countries totals approximately $325,000,000, according to a table submitted to the House Ways and Means Committee by the Treasury Department, which plans to defer collection for a few years pending reconstruction.

"Great Britain owes the most interest, the total on loans to that country being $144,440,837. Interest owed by other countries is: France, $94,021,749; Italy, $54,256,589; Russia, $16,832,662; Belgium, $11,465,278; Czechoslovakia $1,667,083; Serbia, $917,299; Roumania, $609,873; and Liberia, $548."

Mr. WALSH of Montana. Mr. President, the Senator advised us that the plan was to defer the payment of this interest.

Mr. SMITH of Georgia. The article I have placed in the RECORD states the plan is to defer for a few years interest collections.

Mr. WALSH of Montana. Will the Senator tell us from what source the suggestion comes?

Mr. SMOOT. Why, from the Treasury Department.

Mr. SMITH of Georgia. So I understood in this article.

Mr. WALSH of Montana. The Treasury Department is advising the further deferment of the payment of the interest?

Mr. SMOOT. Mr. President, I will say to the Senator——

Mr. SMITH of Georgia. I yield. I have not any definite information upon that subject, but the statement in this article was that the Treasury Department planned to defer for a few years the collection of interest.

Mr. SMOOT. There is no question about it, Mr. President. That is the recommendation of the Treasury Department, and I wish to say to the Senator that in some cases it could not be otherwise. I am not going at this time into the particular instances; but in the case of a good many of the countries, if we were insisting upon it, the Government of the United States would simply have to advance to them the money to pay the interest. That, however, is not the case with Great Britain and some of the other large countries.

Mr. WALSH of Montana. Mr. President, it is quite likely that interest will have to be deferred on the loans to some of these weaker countries. What I am now seeking information in regard to is whether the purpose or the recommendation of the department is to defer the interest upon all of these loans—for instance, to France and Great Britain and Italy—for an indefinite time?

Mr. SMITH of Georgia. I only saw the published statement of the purpose. I can not think it is true; I felt that public attention should be brought to it. If there is a purpose of that character anywhere it is entitled to public attention, and I think it should be abandoned except in cases where payment of interest is impossible.

Mr. WALSH of Montana. I prosecuted this inquiry because it was disclosed in the consideration of the so-called New bill, to establish a department of aeronautics, that a number of the European countries which are so deeply indebted to us, and so straitened financially that they are unable to pay us the interest upon their loans, are engaged in most ambitious and highly expensive projects to increase their air forces and their air equipment for military purposes. In other words, as it was quite appropriately expressed in the course of the debate, they are carrying on a great program of military organization with money that is furnished them by the United States.

Mr. KING. Mr. President, will the Senator yield?

Mr. WALSH of Montana. Certainly.

Mr. KING. That statement has been made a number of times upon the floor of the Senate. I have before me the testimony of Secretary Baker before the Military Affairs Committee when his attention was challenged to the statement that Great Britain had a budget of $300,000,000 for aircraft for the current year. Secretary Baker denied that, upon the information which he had, and said that the greater part of it was in liquidation of obligations which had been incurred. My infor-

nation is that neither Great Britain nor France is undertaking any very elaborate aircraft production program, and yet, of course, both Great Britain and France are in such a situation that perhaps their needs for aircraft defense are more important than those of this country.

Mr. WALSH of Montana. Mr. President, I spoke of this because I listened with some interest to the address of the distinguished Senator from Indiana [Mr. NEW] the other day, in which he sought to impress the Senate and the country with the idea that we were lagging away behind other countries in aircraft production and in the development of aircraft for military purposes, and that was urged as a reason for the speedy passage of the bill to which I have referred.

Mr. KING. I have no doubt that military and naval officers in Great Britain and France and Italy had very ambitious programs for aircraft production; but those programs have not been carried into effect, and will not be carried into effect. My information is that Great Britain will not expend to exceed $50,000,000 for new aircraft production, but that the great amount that has been mentioned is in liquidation of contracts which heretofore have been entered into.

While I have the floor I desire to make a brief statement concerning our trade relations with Europe and to refer briefly to the statement made by the Senator from Georgia. There seems to be a determined effort upon the part of some American newspapers to mislead the American people concerning the financial and commercial relations between the United States and European countries. Whenever any suggestion is made that the people of Europe should receive financial help, there are some newspapers as well as certain elements in our country that immediately assert that Europe is attempting to deprive the American people of their money and to inflict a serious injury upon us.

Some of the same newspapers are earnestly urging an extension of our commerce with other nations, and criticize with more or less virulence Great Britain when information is forthcoming that that nation is opening up commercial fields in South America and in other countries. There are some in our midst who are constantly denouncing European nations because they owe us, and the purpose seems to be to create an impression in the United States that these obligations have been improperly incurred and that our country has been robbed to the extent of billions of dollars by our allies as well as other European nations.

Before the war our annual exports to Europe were approximately $2,000,000,000, and our entire foreign commerce in 1913 was nearly four and a quarter billions. As the war progressed our exports greatly increased and our foreign trade became so stupendous as to be beyond our comprehension. Our exports during 1918 were nearly $6,000,000,000 and our foreign trade passed the $7,000,000,000 mark. For 1919 our foreign commerce was approximately $10,000,000,000. It is manifest to the dullest student of political economy that this enormous foreign commerce resulted from the extension of credits not only by the Government but by individuals and corporations to foreign purchasers. The money loaned by our Government to our allies, and to other European nations, amounting to approximately $10,000,000,000, did not consist of the actual physical transfer of gold and silver to Europe. Credits were extended to European nations, and these credits were absorbed in paying for surplus American products. Billions of dollars of domestic products were marketed abroad. The products of field and farm and mill and mine were purchased by the peoples of Europe through the credits which we enabled them to obtain. At the beginning of the war we were a debtor Nation. Europe exhausted most of her American securities and lost a large part of her gold supply in paying for surplus products produced in the United States. If our Government had not loaned money to Europe, if credit had not been provided for our allies and other European nations, the surplus products of our own country would have filled to overflowing the terminals, warehouses, and granaries of our country. Prices would have rapidly declined. Labor would have been thrown out of employment and financial disaster would have overtaken us.

So when we criticize Europe for having obtained credits in the United States we are closing our eyes to the immense benefits which the American people derived from the transactions.

Mr. Vanderlip and others who have visited Europe have explained in the clearest possible terms the precarious financial situation there existing. The supply of gold is limited. Most of the European nations are without credit. They are burdened with such stupendous obligations as a result of the war that it is almost impossible for them to obtain credit. There is a lack of raw materials, and all Europe is so burdened as the result of the war that it is difficult, and, in many instances impossible, for the people to engage in manufacturing activities or to undertake the enterprises which formerly brought them work and prosperity. It is unwise to close our eyes to the bankrupt condition of Europe. The condition is such that we can not gloss it over. We are not cut off from Europe in a commercial or financial way; and no one desires that there shall be a complete severance of all business and commercial dealings between this Nation and European countries. Our prosperity is dependent to a large degree upon our exports and upon our foreign trade. If we neither import nor export, a complete business paralysis would soon ensue.

American business men are now penetrating every civilized land for the purpose of obtaining foreign markets for the surplus products of our country. We have built up a merchant marine in order to increase our commercial activity in the world. If our factories and mills are to continue their production, if our farms and fields and mines are to continue to yield their rich rewards, there must be markets found in all corners of the globe. Our flag must be seen in every port, and American goods and products must find purchasers and consumers in the remotest isles of the world. Europe has always been our chief foreign market, and Great Britain and her colonies were purchasing before the war, as I recall, considerably more than 50 per cent of our exports. Instead of criticizing and denouncing Europe because of her obligations to us and her inability to meet immediate interest payments, we ought to be devising plans by which we may extend our trade, increase our exports, and, while helping Europe, obtain legitimate and proper benefits for ourselves.

My attention was recently called to Poland's needs for American products. Representatives from Poland sought to purchase in this country engines and steel products for railroad construction. She did not have sufficient gold with which to make payment. Her boundaries were still undetermined, and she lacked that stability to make her bonds or her securities inviting to American manufacturers. It is clear that if arrangements could have been made by which the desired products could have been supplied to Poland, it would have been of great advantage to that new nation, and it would have been advantageous not only to the steel mills of the United States but to the laboring men, the producers of coal, and the merchants and others living in the section where the steel goods would have been manufactured.

The former Secretary of Commerce called my attention a short time ago to the fact that representatives from one of the agricultural States had visited him for the purpose of having arrangements made, if it were possible to do so, by which one of the European nations could obtain credits in order to purchase 100,000 horses from farmers in the State referred to. The European nation needed the horses and the agriculturists in the State mentioned were desirous of selling them. If the transaction could have been completed the farmers of the United States would have benefited, and, of course, the nation in Europe in need of the horses would have been benefited.

Mr. PHELAN. Mr. President——

Mr. KING. I yield to the Senator from California.

Mr. PHELAN. I have been trying to follow the Senator and desire to interrupt him simply to ask whether he approves of the policy of advancing money out of the Treasury in order to stimulate the sale of American goods?

Mr. KING. Mr. President, that question is not involved in the point I am endeavoring to make, but I have no objection to answering the Senator. When we entered the war it was imperative that we do everything possible to win the war. Our allies needed money and credit, and in aiding them by extending credits we were contributing to the defeat of the enemy and were materially aiding in winning the war. However, I think the time has come when the Government of the United States can not longer continue this policy of loaning to European nations. This is a general statement. It is possible that some contingency might arise which would call for a loan to some European nation. We in common with our allies have promised the peoples of Poland and Czechoslovakia and the Jugo-Slavic State that they should have independence. It is possible that a situation so acute might develop as to call for aid to be extended to one or more of these States by this Government and some of the allied and associated powers. Indeed, I feel that there ought to be some concerted effort by the allied and associated powers to strengthen these new States against the Bolshevist tide. If they should be destroyed no one could predict what the effect would be not only upon Europe but upon the United States. In the interest of our own peace and to prevent the recurrence of war, we might feel compelled to loan money to some European nation.

But I have had in mind in the observations which I have submitted the extension of credits to the peoples of Europe by

the American people themselves and not by the Government. I might also add that the situation of the people in some parts of Europe is such that the Government of the United States might properly make some advances to prevent millions from starvation and death. The distress in certain portions of Europe is beyond our power to comprehend. Poverty, disease, starvation, and death are destroying entire sections and depopulating great cities. The cries of the starving women and children should not be in vain. And, notwithstanding charity begins at home, it would be to our everlasting discredit if we did not look with profound sympathy upon the sufferings of the people of Europe and if we did not attempt in every possible way to alleviate their distress.

Mr. PHELAN. I will pursue the inquiry when the Senator from Utah is through.

Mr. SMITH of Georgia. Mr. President, I only want to call the Senator's attention to the fact that Poland is not one of those who owe us any interest. Austria is not one of those who owe us any interest. The suggestion would be that some of the interest due from Great Britain might be paid to us, and we could loan it to them if we saw fit. They are certainly taking care of their business everywhere, all over Europe and even in Russia.

Mr. KING. Mr. President, I do not recall what nations have failed to pay the interest due the United States.

Mr. SMITH of Georgia. All of them.

Mr. KING. I am speaking in a general way of the conditions which caused the European indebtedness. We had a surplus of agricultural and manufactured products, as well as raw materials, and the nations of Europe were compelled to have them. They became purchasers and we vendors; the transactions were highly favorable to the American people and enabled Europe to prosecute the war and to feed her soldiers and civilians.

Mr. President, we might as well recognize the fact that we are the great creditor nation of the world, and if we continue to do business with Europe we will be compelled to extend credits to her for many years to come. Our bankers and business men must recognize this situation and provide the needed credits. The American people will be compelled to become European investors. There must be a market developed in the United States for European securities. Some of our surplus capital must take the form of foreign securities, and the stocks and bonds of Europe must be absorbed to the extent of hundreds of millions of dollars among the American investing public. This we will be compelled to do, whether we desire to or not, if we continue to trade with Europe. For our own good we must trade; therefore we will be required to take in payment for our products the only thing Europe has at present, viz, evidences of indebtedness and the best form of securities that can be furnished. We all remember that a few years ago we sold our securities in Europe. We settled the balance of trade against us with American securities. We built railroads with money from Holland and France and other European nations, and European capital was employed to develop our country, build our factories, and promote the welfare and prosperity of the country. Now that we are a creditor nation we will be compelled to convert the obligations of Europe into European investments, and so become capitalists in Europe.

If Europe continues to trade with the United States, she must have something to place in the balance. She has no goods or gold with which to settle her balances. There is only one other thing which will enable her to deal with us, and that is credit. The manufacturers in Germany or France or Poland must have raw materials. We have raw materials as well as finished products for sale. For our own good, as well as for the welfare of the sorrowing people of Europe, we must extend to them the necessary credits. This is a time for broad and statesmanlike vision.

Nationalism does not mean isolation, and national prosperity will not be promoted by oppressing or crushing the nations by which we are surrounded.

Mr. PHELAN. Mr. President, the Senator, in answer to my question, said that he was not favoring, as I had understood from his remarks, advancing Treasury money for the rehabilitation of European governments and industries. When the money was advanced out of the Treasury—the proceeds of the sale of bonds—to certain European countries, it developed, and the record will show it, that the money advanced by the United States released their own money, which otherwise would have been employed in the purchase of munitions of war, and their money thus released was employed in the establishment of their industries, which were in competition with our own; and the rather ridiculous situation developed that, for instance, England out of its abundance provided for industries, such as the dye industry, which we at the very same time were endeavoring to establish by the levying of a tariff.

Of course, the surplus supplies of the United States were sold to European countries, and possibly a general benefit accrued to the people; but more particularly a special benefit accrued to those who had war munitions for sale, because it was principally in war munitions that the trade was carried on. But to take the money levied on the property of the people and the incomes of the people and to give it to Europe for commercial and industrial rehabilitation I think is entirely unjustified.

I believe that Mr. Hoover himself, a very benevolent gentleman, said that the remedy to-day was to tell Europe to go to work, and as long as we provided funds there would be a danger of pauperizing Europe, and the habit of work would be lost; and this great, big, and rich Nation, therefore, in the interest of Europe, should refrain from coddling industries when the people have within themselves the power, as we know they have had in other generations, to recuperate and to recover their lost industries.

I have had petitions—and that is why I particularly took the floor at this moment—from constituents in California who have advanced the idea that we went to war for the purpose of establishing a new order of liberty and democracy, where people would be given the right to govern themselves, and where the old autocratic ideas would be, so far as we were able, abolished, and that self-determination would be given to all the people. Now, the protestants in the petitions which I have received say that inasmuch as the Senate has refused in any form to agree to a covenant of a League of Nations by which the countries would be guaranteed in the rights for which we went to war—liberty, democracy, self-determination, and justice—we have to that extent failed in the war; we have not realized our ideals; we have accomplished nothing; and it is a matter of the highest duty to ourselves to refrain from giving money to Europe for the continuation of the old order, because they are simply reerecting governments on the same foundations, and nothing else. And because America is not there to protect the rights for which she strove as a moderator, as a great moral force, the whole scheme of a reorganized world is in the hands of the very nations that have in the past perpetuated the evils and the wrongs of which the petitioners complain.

So I am opposed to advancing money to Europe for rehabilitation, because it is not being reestablished in the right lines. I am opposed on the further ground that the people of this country are carrying unprecedented burdens, and that charity does begin at home. I think a mistake economically would be made if we should do anything tending to pauperize Europe, and prevent her, so far as our charity and benevolence are concerned, from looking to her own resources, looking to her own ability, and throwing herself upon her own capacity. As long as she is coddled, as long as she is considered decrepit, ill, ailing, as Europe always considered Turkey, for instance, "the sick man of the East"; as long as she is put in that light in our eyes, and led to believe, from our solicitude for her welfare, that she is unable to help herself, she will remain helpless.

Mr. CHAMBERLAIN. May I interrupt the Senator before he takes his seat?

Mr. PHELAN. Certainly.

Mr. CHAMBERLAIN. The Senator says that he is opposed to loaning any further money to European countries. Does the Senator think he is likely to be asked to give his consent, or may it not be loaned without asking the consent of Congress?

Mr. PHELAN. The Senator's inquiry is very pertinent. I remember an inquiry at one time during the period when we had little information and everybody was in favor of action rather than talk as to whether our advances to Europe were secured; and I have failed to learn—in fact, I know to the contrary now—that any security was given for any class of loans at any time.

Mr. CHAMBERLAIN. From the statement that was printed in the RECORD yesterday as having been made by the Secretary of the Treasury, it appears that since the armistice was signed the Treasury has made direct cash advances of $2,380,891,000 to the Allied Governments. If we have loaned that much since the armistice was signed, what is to prevent a further loan of $150,000,000, which is a mere bagatelle, in comparison, without appealing to the Senator for any consent?

Mr. PHELAN. I am well aware of that, Mr. President. Of course, those advances were made pursuant to authority given by Congress to the executive department. Hence, the advances are perfectly regular. What shall Congress do now is the question?

Mr. OVERMAN. It ought to be stated that in the communication the Secretary of the Treasury said he is opposed to advancing any more money. His statement is that—

Relative to the solution of the exchange puzzle, Mr. Glass warned that this country could not continue to extend credits on a sufficient scale to cover the present swollen trade balances while paying cash (gold and silver) to Latin-American and Far Eastern traders.

So it is not his policy to advance any more money.

Mr. PHELAN. I have not read the article to which the Senator refers, but if it is not the policy of the Treasury, although it has the power to advance the money, then the Senate will not be called upon to give its consent. I notice the appeal to the House by the Treasury Department is for money for the relief of starving people. That is another phase of the same subject. We ought to be very well advised as to the necessity of that relief before we give it. But "all mankind's concern is charity," and, of course, we are all disposed to be very charitable with other people's money.

Mr. KING. Mr. President, will the Senator yield?

Mr. PHELAN. Certainly.

Mr. KING. The Senator, of course, realizes that the prosperity of the United States largely depends upon finding foreign markets for the surplus products of our people. The Senator knows that for years we have been interested in trying to obtain a merchant marine, so that we could compete, in part at least, with European nations. The Senator knows that unless we do finance Europe, in a way, Europe will be unable to purchase the products of which we have a surplus. I am not in favor of the Government financing Europe, but obviously the manufacturers, the agriculturists, those who have surplus products in the United States who must find markets abroad, must make some provision to aid those who need these products and want to buy them, to effectuate the purchases; and in order to do that American capitalists will be compelled to purchase European securities, and with those European securities Europe, in turn, will be able to finance herself to the extent of purchasing those things of which we have a surplus. Our prosperity depends upon the prosperity of Europe. If Europe becomes bankrupt and her nations fall into chaos and ruin and her entire financial system goes to wreck, it will react disadvantageously upon America, and our men will be turned out of shops and mills and our surplus products will be piled in factories, in granaries, and in terminals, and we will have financial ruin here in the United States.

Mr. PHELAN. Mr. President, I appreciate very much the point made by the Senator from Utah, that there is an absolute necessity for the maintenance of our commerce and our merchant fleet to have the countries of the world exchange their commodities with ours, and therefore he argues we should have a care to see that the European Governments are restored to their pristine ability to engage in such trade.

There are other countries of the world besides Europe, whose trade is not embarrassed, and whose industries may or may not have to be aided by American money The Senator is perfectly right in saying that it is legitimate for American financiers to provide that money, based upon the merits of the enterprise. That is the great field of finance just as the other is the great field of commerce.

But what I am arguing against is the free advancing of the money in the Treasury which belongs to all the people and which the people of the United States have to provide, and, by the payment of interest, have to bear a burden for untold generations. That money should not be advanced by the Government, but Europe should be the object of the enterprise and the encouragement of our financial institutions.

There is a case in point which the Senator from Utah [Mr. KING] will appreciate. The city of San Francisco was utterly destroyed in 1906 by fire. There was a loss of probably $600,000,000 in that small area of 47 square miles. A committee consisting of the Federal judge and the president of the University of California came to Congress and, for the restoration of San Francisco, they asked that Congress guarantee bonds to be issued by the city, because, on account of the fire, the city's credit was utterly lost and she had no ability to go into the financial market and get money on her own securities, and therefore they prayed Congress like a good father to indorse the obligations of the city of Federal importance located at the Golden Gate.

What did Congress do? I thought at that time that Congress had no feeling of interest in this great Federal city by the Golden Gate because it refused. It said: Let the great city by the Golden Gate rehabilitate herself. At that time we were told that it would take five years to clear the débris which was on the streets of San Francisco. Two hundred and fifty thousand people were in the bread lines. San Francisco came to the money markets of the East and financed herself, and it was very good for San Francisco that Congress had refused to give her any artificial support because she was thrown on her own resources. The financiers of the East, after they had overcome their alarm about a recurrence of such a disaster in San Francisco, due to the fear of seismic disturbances, timidly at first and then in competition with each other, very generously at last advanced the money at normal rates of interest.

There is a parallel. San Francisco is better for her self-sufficiency and her self-reliance, and Europe's growth will be more permanent and enduring and the people of Europe will be able better to maintain their self-respect by not leaning upon America. The financiers of America shall do the work of rehabilitation on a business basis, and the Government of America shall look after the internal concerns of the people and see that the great burden of taxation which they bear now is speedily reduced, and one of the best ways of doing it is to collect our interest from Europe, for down in the stockings of Europe we know there is money, because the world to-day, France and England particularly, is exploiting industries and natural resources. Witness Persia, Mesopotamia, Mexico, and South America, where oil exploitation is going on with money which should be put into the United States Treasury in payment of the enormous advances which we made as necessary to preserve the very existence of those countries; and now they are going into foreign fields and interfering with our trade by reason of our bounty.

Mr. SMITH of Georgia. Mr. President——

Mr. PHELAN. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. The Senator from Utah [Mr. KING] suggests the importance of commercial advances to Europe. Does it not occur to the Senator from California that some attention to collecting the interest due on the advances we have made would encourage commercial interests to make loans in Europe? The feeling that those who make a loan are to get their interest is essential to a loan. I fear we are setting a bad precedent.

Mr. PHELAN. Unless in forma pauperis, the European nations have no reason to ask our indulgence. If they are broke, we can not get blood out of a turnip; but I say they are using their money in the great continents of the world for the purpose of securing raw materials, and largely petroleum oil, with the end in view of commanding the commerce of the world, because oil absolutely determines who shall be the carriers upon the sea and ultimately who shall be the industrial winners of the world's trade. Oil is the fuel which can most economically be used, and in competition with oil burners it is impossible for a coal-burning merchant marine to exist. To-day we are importing petroleum. We consume more than we produce, and when we get into the foreign fields we are told very frankly—and the evidence is in the RECORD from Mr. Manning and Mr. Doheny—that England is there first. Why should we indulge that payment of interest when that money which is ours is used against our larger interests in the world of commerce and trade and of war, because a naval craft has a larger radius of sailing and has greater capacity for munitions if she has only oil to carry for the purpose of her propulsion. An oil burner will win against a coal burner, and that is why those nations are feverishly exploring the oil supplies of the world. Let them pay their bills before they indulge in the luxury of acquiring new sources of raw materials which will probably be the determining factor in the ultimate conflict in this world which is sure to come, perhaps not in our time, for commercial greatness and national supremacy.

Mr. SMOOT. Mr. President, what is the order of business?

The VICE PRESIDENT. The good of the world, I think.

Mr. SMOOT. Let us have the regular order until we get through with the morning business.

The VICE PRESIDENT. Petitions and memorials are in order.

PETITIONS AND MEMORIALS.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the joint memorial was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Senate joint memorial 5.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent that—

Whereas there is a long stretch of coast dangerous to shipping lying between Bandon, Oreg., and the Humboldt Bay in northern California, entirely unprotected by life-saving station between said points; and

Whereas the Cape Blanco Reef, the Port Orford Reef, and the Rogue River Reef, on the Oregon coast, are a particular menace to the safety of shipping; and

Whereas in the past, owing to the lack of life-saving facilities in the vicinity of these reefs, a great number of lives have been lost from vessels being wrecked upon these reefs; and

Whereas Port Orford, in Curry County, State of Oregon, is a proper, efficient, and convenient place upon said coast for the location of a life-saving station so located as to be available to give aid to shipwrecks occurring upon either of the above-named reefs: Be it

Resolved, That your memorialists respectfully and earnestly petition and request the Congress of the United States to use all just means to cause a life-saving station to be installed and maintained at the port of Port Orford, in Curry County, Oreg.

Adopted by the house January 16, 1920.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 14, 1920.

W. T. VINTON,
President of the Senate.

Indorsed: Senate joint memorial No. 5. By Senator I. S. Smith.

J. W. COCHRAN, *Chief Clerk.*

Filed January 16, 1920.

BEN W. OLCOTT,
Secretary of State.

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE,

I, Ben W. Olcott, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 5 with the original thereof adopted by the Senate and House of Representatives of the Legislative Assembly of the State of Oregon at the special session of the Legislative Assembly of the State of Oregon January 12–17, 1920, and filed in the office of the secretary of state January 16, 1920, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 20th day of January, A. D. 1920.

[SEAL.]

BEN W. OLCOTT,
Secretary of State.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Forest Reservations and the Protection of Game.

There being no objection, the joint memorial was referred to the Committee on Forest Reservations and the Protection of Game and ordered to be printed in the RECORD, as follows:

House joint memorial 3.

To the honorable Senate and House of Representatives of the United States of America:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully request that—

Whereas loss of timber through forest fires in Oregon and other Northwestern States is detrimental to public welfare, and threatens the permanency of our principal manufacturing industry; and

Whereas use of airplanes furnished by the War Department for patrol of forested areas in Oregon and California the past season aided materially in the work of forest protection; and

Whereas the department air-service officer, Western Department, has submitted a report to the War Department outlining a plan for air patrol of forested areas in the States of Montana, Idaho, Washington, Oregon, California, and western Wyoming; and

Whereas the States above mentioned embrace some 80,000,000 acres of Government-owned forest land and contain fully one-half of all the standing merchantable timber in the United States: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That our Representatives and Senators in Congress be, and are hereby, memorialized and requested to use their best endeavors to secure approval of the recommendations of the department air-service officer, Western Department, for patrol of our forests by airplanes during the 1920 season, and also to provide the Federal Forest Service necessary funds to enable proper cooperation with the air service in order that the maximum benefit may be secured through air patrol.

Adopted by the house January 13, 1920.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 15, 1920.

W. T. VINTON,
President of the Senate.

Indorsed: House joint memorial No. 3. Introduced by Mr. W. V. Fuller.

W. F. DRAGER, *Chief Clerk.*

Filed January 16, 1920.

BEN W. OLCOTT, *Secretary of State.*

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 3 with the original thereof adopted by the Senate and House of Representatives of the Legislative Assembly of the State of Oregon at the special session of the Legislative Assembly of the State of Oregon January 12–17, 1920, and filed in the office of the secretary of state January 16, 1920, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 20th day of January, A. D. 1920.

[SEAL.]

BEN W. OLCOTT,
Secretary of State.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Indian Affairs.

There being no objection, the joint memorial was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

Senate joint memorial 4.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas lying east of the Cascade Mountains and within the boundaries of Klamath County, Oreg., is the Klamath Indian Reservation, a territory some 40 miles square and containing $20,000,000 worth of standing pine timber at the present selling price, which will, at the rapid advancement in the value of timber, double in the next few years; and

Whereas in addition to said timber there is a vast number of acres of hay and pasture land, the body known as the big marsh contains about a hundred thousand acres, that a large number of artesian wells located on said last-mentioned tract and large quantities of hay are cut each year; and

Whereas there are now on said reservation eleven hundred Indians, the number of Indians on said reservation not having varied to any appreciable extent for about 15 years; and

Whereas the opening of this reservation would immediately add to the assessment roll of Klamath County more than $30,000,000 of property and make Klamath County the second county in the State in relation to assessed valuation: Now, therefore, be it

Resolved by the Senate of the State of Oregon, the House of Representatives concurring, That the Legislative Assembly of the State of Oregon favors the immediate opening of the said Klamath Indian Reservation for settlement, preference right of acquiring said lands for settlement being given to those who served in the military or naval forces of the United States during the war between the United States and Germany, the Spanish-American War, or the Philippine insurrection, and have been honorably discharged or separated therefrom or placed in the Regular Army or Naval Reserve; be it further

Resolved, That the secretary of state transmit copies of this memorial to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to the Secretary of the Interior Department of the United States, and to each Senator and Representative from the State of Oregon in the Congress of the United States.

Adopted by the house January 17, 1920.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 15, 1920.

W. T. VINTON,
President of the Senate.

Indorsed: Senate joint memorial No. 4. By Senator Baldwin.

J. W. COCHRAN, *Chief Clerk.*

Filed January 17, 1920.

BEN W. OLCOTT, *Secretary of State.*

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify:

That I have carefully compared the annexed copy of Senate joint memorial No. 4 with the original thereof adopted by the Senate and House of Representatives of the Legislative Assembly of the State of Oregon at the special session of the Legislative Assembly of the State of Oregon January 12–17, 1920, and filed in the office of the secretary of state January 17, 1920, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 20th day of January, A. D. 1920.

[SEAL.]

BEN W. OLCOTT,
Secretary of State.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of the State of Oregon which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the joint memorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Senate joint memorial.

Whereas the thirtieth regular session of the Legislative Assembly of the State of Oregon, by an act filed in the office of the secretary of state March 4, 1919, and being chapter 345, general laws of Oregon, 1919, referred to the people of the State of Oregon for their ratification or rejection at the special election held on Tuesday, the 3d day of June, 1919, an act appropriating the sum of $2,500,000 to be paid to the United States for the purpose of assisting the United States in constructing a military highway to be known as the Roosevelt Coast Military Highway, from the city of Astoria through Clatsop, Tillamook, Lincoln, Lane, Douglas, Coos, and Curry Counties of the State of Oregon to the California State line, and for the purchase of rights of way and property necessary and convenient therefor, to be owned and maintained by the United States, contingent, however, upon the United States appropriating from any fund the sum of at least $2,500,000 for the same purposes; and

Whereas at said special election there were two to one legal and effective votes cast in favor of such measure; and

Whereas said measure became and is now a valid and effective law of the State of Oregon; and

Whereas there is now no adequate military protection for the 400 miles of coast line of the State of Oregon along the Pacific Ocean, and there are but four or five available passes from the interior to the coast and no available communication from place to place along the coast without the construction of a highway such as is proposed; and

Whereas the United States Government is still the owner of several millions of acres of timberlands in forest reserves and which lie between the summit of the coast range and the coast line, which will increase in value by the construction of the Roosevelt coast military highway and the opening and development of the State of Oregon caused thereby, in many times the total appropriation requested from the United States; and

Whereas no appropriation made by the United States Government for forest roads in national forests in other sections will compare with the financial benefit which will accrue to the United States by the opening and development of the lands owned by the Federal Government through the construction of the proposed highway along the Oregon coast; and

Whereas many thousands of acres of the richest land in the State lie in the numberless valleys along the coast between the summit of the coast range and the ocean, which can only be developed by a north-and-south road connecting the communities, and further developed by local roads leading from the trunk road up the valleys; and

Whereas the coast country has and is now contributing through the organization of port districts to the improvement and development of navigation to the benefit of the Nation, and has already paid out and expended approximately $8,000,000 for these purposes; and

Whereas the Nation owes a duty to its soldiers, sailors, and marines in the Great War against Germany and her allies to provide lands and homes, which through the development of the country by building roads and otherwise may be in some small measure a partly adequate compensation for the great work they have performed; and

Whereas the wonderful beauty of the Pacific coast along the Oregon shore line is a priceless heritage to the Nation, which should be fostered and made available to the countless millions in this country, aside from the great financial gain which will accrue to the Nation and the State by the building of this highway and apart from the just demand for military protection along this unprotected coast: Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House of Representatives concurring), That we hereby memorialize Congress to enact suitable legislation to match the appropriation offered to the National Government by the State of Oregon for the building of a national road, and which will be an everlasting monument to the memory of one of the greatest Americans of our time, our late lamented, much loved ex-President Roosevelt, the scholar, the statesman, and the soldier.

Adopted by the house January 15, 1920.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 13, 1920.

W. T. VINTON,
President of the Senate.

Indorsed: Senate joint memorial No. 2. By Senator I. S. Smith.

J. W. COCHRAN,
Chief Clerk.

Filed January 15, 1920.

BEN W. OLCOTT,
Secretary of State.

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of Senate joint memorial No. 2 with the original thereof adopted by the Senate and House of Representatives of the Legislative Assembly of the State of Oregon at the special session of the Legislative Assembly of the State of Oregon January 12–17, 1920, and filed in the office of the secretary of state January 15, 1920, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon. In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 20th day of January, A. D. 1920.

[SEAL.]

BEN W. OLCOTT,
Secretary of State.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Immigration.

There being no objection, the joint memorial was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

Senate joint memorial 1.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled.

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Believing that a race of people who are by the laws of the land not entitled to become citizens of the United States by naturalization, and who are permitted to remain in the United States for business and trade purposes, the children of such aliens should retain the citizenship of their parents; and

Believing that if there is reason for excluding the parents from naturalization, such disqualification should extend to the offspring of such parents; and

Believing that the theory of our system of government and our application of such theory should be the same; and

Believing that the people who choose the men to make, enforce, and interpret our laws should be capable of acquiring citizenship and not have it imposed upon them by the accident of the place of birth: Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House concurring), That the Legislative Assembly of the State of Oregon favors the submission by Congress to the legislatures of the several States a proposed amendment to the fourteenth amendment of the Constitution of the United States, so that such amendment shall provide, when amended, that children born in the United States, or in territory subject to the jurisdiction thereof, and whose parents are not citizens and can not under existing laws acquire citizenship by naturalization, shall retain the citizenship of the parents and shall not become citizens by reason of birth in the United States or in territory subject to the jurisdiction thereof.

Be it further resolved, That upon the adoption of this joint memorial the secretary of state of the State of Oregon transmit copies thereof to the Secretary of State of the United States, to the President of the United States Senate, to the Speaker of the House of Represenatives of the United States, and to each Senator and Representative in Congress from the State of Oregon.

Adopted by the house January 16, 1920.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 13, 1920.

W. T. VINTON,
President of the Senate.

Indorsed: Senate joint memorial 1. By Senator Patterson.

J. W. COCHRAN,
Chief Clerk.

Filed January 16, 1920.

BEN W. OLCOTT,
Secretary of State.

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of Senate joint memorial 1 with the original thereof adopted by the Senate and House of Representatives of the Legislative Assembly of the State of Oregon at the special session of the Legislative Assembly of the State of Oregon January 12–17, 1920, and filed in the office of the secretary of state January 16, 1920, and that the same is a full, true, and complete transcript therefrom, and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 20th day of January, A. D. 1920.

[SEAL.]

BEN W. OLCOTT,
Secretary of State.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the joint memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

Senate joint memorial 6.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

That whereas Congressman SINNOTT, of the third congressional district of the State of Oregon, has introduced a bill which is now pending in the Congress of the United States, having for its purpose the restoration to entry of certain lands in Klamath County, Oreg., which provides:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:*

"SECTION 1. That the Secretary of the Interior be, and he hereby is, authorized and directed to determine and make public announcement of what lands in and around Upper Klamath Lake, in Klamath County, Oreg., ceded to the United States by the State of Oregon by an act entitled 'An act to authorize the utilization of Upper Klamath Lake, Lower or Little Klamath Lake, and Tule or Rhett Lake, situate in Klamath County, Oreg., and Goose Lake, situate in Lake County, Oreg., in connection with the irrigation and reclamation operations of the Reclamation Service of the United States, and to cede to the United States all the right, title, interest, and claim of the State of Oregon to any and all lands recovered by the lowering of the water levels or by the drainage of any or all of said lands' (General Laws of Oregon, 1905, p. 63), may be uncovered and opened to agricultural development by drainage or diking, not impairing the use of the portions of said lake which do not cover title or marsh lands for storage of water or irrigation in connection with the Klamath reclamation project.

"SEC. 2. That title to all said lands can be acquired by homestead entry under the general homestead laws and the provisions of this act, and not otherwise. That the Secretary of the Interior is hereby authorized to permit any drainage district organized under the laws of the State of Oregon, or any person or corporation, to dike or drain said lands at a cost to be fixed by said Secretary, and to have a lien on said lands as security for the payment of the cost of said drainage or diking. That residence and improvement on said lands by entryman shall not be required until his entry shall have been drained.

"SEC. 3. That those who served in the military or naval forces of the United States during the war between the United States and Germany, the Spanish-American War, or the Philippine insurrection, and have been honorably discharged or separated therefrom or placed in the Regular Army or Naval Reserve shall have preference and prior right to file upon and enter said lands under the homestead laws and the provisions of this act for a period of six months following the time said lands are opened to entry. That in opening said lands for homestead entry the Secretary of the Interior shall provide for the disposition thereof to said soldiers, sailors, and marines in one 160-acre tract to each entryman, by drawing, under general rules and regulations to be promulgated by him: *Provided*, That the rights and benefits conferred by this act shall not extend to any person who, having been drafted for service under the provisions of the selective-service act, shall have refused to render such service or to wear the uniform of such service of the United States.

"SEC. 4. That said lands shall not be leased or otherwise disposed of except under the provisions of this act, and the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect."

Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House of Representatives concurring), That the Legislative Assembly of the State of Oregon favors the passage by Congress of said bill, and to that end the Representatives and Senators in the Congress of the United States from the State of Oregon are hereby urged to use their influence in behalf of the passage of said bill; and be it further

Resolved, That the chief clerk of the Senate of the State of Oregon be directed to transmit by mail a copy of this memorial to the President

of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives of the State of Oregon in Congress.

Adopted by the house January 16, 1920.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 15, 1920.

W. T. VINTON,
President of the Senate.

Indorsed: Senate joint memorial No. 6. By Senator Ritner.

J. W. COCHRAN, *Chief Clerk.*

Filed January 16, 1920.

BEN W. OLCOTT,
Secretary of State.

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 6 with the original thereof adopted by the Senate and House of Representatives of the Legislative Assembly of the State of Oregon at the special session of the Legislative Assembly of the State of Oregon, January 12–17, 1920, and filed in the office of the secretary of state January 16, 1920, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 20th day of January, A. D. 1920.

[SEAL.]

BEN W. OLCOTT,
Secretary of State.

Mr CHAMBERLAIN. I present a joint memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Immigration.

There being no objection, the joint memorial was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

House joint memorial 5.

Honorable Senate and House of Representatives in Congress of the United States assembled:

Whereas the people of the State or Oregon believe in an adequate and efficient enforcement of the immigration laws now on the statute books, and the enactment of such additional legislation as may be necessary to bring about the effective exclusion of, and also the deportation from the United States of undesirable aliens, particularly those who are unattached to American ideals and who seek by violent and unlawful means to undermine or overthrow our Government; and

Whereas the United States Immigration Service, through the collection of head tax, imposed upon aliens entering the United States, has caused to be collected and turned into the United States Treasury millions of dollars in excess of the cost of maintenance and operation of said service; and

Whereas the Congress of the United States has not yet made an adequate appropriation for the said United States Immigration Service to permit of a full and adequate scrutiny of those aliens seeking admission into the United States, and the comprehensive inspection, apprehension, and deportation of those undesirable aliens already within our country unlawfully and here to our country's detriment: Now, therefore, be it

Resolved by the Legislative Assembly of the State of Oregon in special session assembled, That we do hereby petition and earnestly pray the honorable Congress of the United States for the passage of such legislation as may be necessary to effectually expel and keep out undesirable and disloyal aliens, and particularly to make the sufficient appropriation of those very necessary funds required to vitalize and make effective the execution of the said immigration laws now in force and to be enacted; and be it further

Resolved, That a copy of this memorial be forwarded by the secretary of state of the State of Oregon to the Senate of the United States, and that copies of this memorial be forwarded by the secretary of state of the State of Oregon to the House of Representatives of the United States, and that copies thereof be transmitted by the secretary of state of the State of Oregon to the Senators and Representatives in Congress of the State of Oregon, with the request that they use every effort within their power to bring about an accomplishment of the ends and purposes herein indicated.

Adopted by the house January 13, 1920.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 15, 1920.

W. T. VINTON,
President of the Senate.

Indorsed: House joint memorial No. 5. Introduced by Mr. Lewis and Mr. Kubli.

W. F. DRAGER, *Chief Clerk.*

Filed January 16, 1920.

BEN W. OLCOTT,
Secretary of State.

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 5 with the original thereof adopted by the Senate and House of Representatives of the Legislative Assembly of the State of Oregon at the special session of the Legislative Assembly of the State of Oregon, January 12–17, 1920, and filed in the office of the secretary of state January 16, 1920, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 20th day of January, A. D. 1920.

[SEAL.]

BEN W. OLCOTT,
Secretary of State.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

There being no objection, the joint memorial was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

House joint memorial 8.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the House of Representatives of the State of Oregon, the Senate concurring, respectfully represent this: That—

Whereas the Oregon Irrigation Congress did heretofore appoint a committee for the purpose of obtaining Federal aid to be used in investigating the irrigation possibilities of what is known as the Deschutes project in central Oregon; and

Whereas, as the result of the efforts of the committee so appointed, the Federal Government has caused a geological survey to be made; and

Whereas the investigation was made under the direction of Prof. Crosby under authority of the Government of the United States of America, who has heretofore filed his report favorable to the development of this project; and

Whereas it is of the utmost importance to the development of the irrigation and farming in central Oregon that the Federal Government take the necessary steps to develop the Deschutes project as speedily as possible, so that approximately 250,000 acres of land may be made productive in Deschutes, Crook, and Jefferson Counties: Now, therefore, be it

Resolved by the House of Representatives of the State of Oregon (the Senate concurring), That the Representative Assembly of the State of Oregon favors the passage of any act by the United States Congress which will provide means with which the Deschutes project may be financed and developed by Federal aid; and be it further

Resolved, That the secretary of state of the State of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the house January 17, 1920.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 17, 1920.

W. T. VINTON,
President of the Senate.

Indorsed: House joint memorial No. 8. Introduced by Mr. Burdick.

W. F. DRAGER,
Chief Clerk.

Filed January 22, 1920.

BEN W. OLCOTT,
Secretary of State.

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify:

That I have carefully compared the annexed copy of House joint memorial No. 8 with the original thereof adopted by the Senate and House of Representatives of the Legislative Assembly of the State of Oregon at the special session of the Legislative Assembly of the State of Oregon January 12–17, 1920, and filed in the office of the secretary of state of the State of Oregon January 22, 1920, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 20th day of January, A. D. 1920.

[SEAL.]

BEN W. OLCOTT,
Secretary of State.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the joint memorial was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

House joint memorial 2.

Memorial to the Congress of the United States of America urging the United States Government to enact pending legislation and such additional legislation as will most adequately and speedily promote highway construction, and urging the appropriation by Congress of sufficient funds to enable the Federal Government and the various States to construct an adequate system of forest roads and post roads.

To the Senate and House of Representatives of the Congress of the United States of America:

We, your memorialists, the Senate and House of Representatives of the State of Oregon, in special session, jointly concurring, respectfully represent that—

Whereas the American Association of Highway Officials in convention assembled at Louisville, Ky., on December 11, 1919, adopted a series of resolutions, copies of which resolutions were transmitted to the House of Representatives and the United States Senate, in which resolutions there were, among other matters urged upon the attention and consideration of the United States Congress, the following facts:

That the States within whose boundaries are included large national forest reserves have expended during the last five years millions of dollars in the improvement of State and country highway systems.

That the majority of these States have issued bonds in large amounts in order to finance modern highway construction.

That there are within the boundaries of these States approximately 150,000,000 acres of national forest reserves.

That State and county highways of national importance traverse these reservations through areas involving the most difficult highway construction of the West.

That the forests in these various States are great national assets, which should be preserved, and the construction of roads and highways traversing the said forests facilitate the control of forest fires, which have in the past caused tremendous losses.

That the appropriations heretofore made by Congress have been inadequate to permit of sufficient road construction within such national forests to keep pace with State and county highway systems and construction or to provide for a standard of construction equaling that of the several States and counties.

That the withdrawal of large areas by the Government has decreased the taxable resources of the States and counties wherein such withdrawals have been made, thereby reducing the bonding capacity of said States and counties.

That it is the duty of the National Government to provide sufficient funds to develop its national resources to the same extent and standards as that of the States and counties similarly situated; and

Whereas the facts and conditions heretofore stated apply with equal force, as emphasized by said American Association of Highway Officials, to Indian and other Federal reservations and to unappropriated lands of the United States; and

Whereas the said American Association of Highway Officials, by said series of resolutions, have urged upon the Congress of the United States the necessity of appropriating at least $10,000,000 per year for the next 10 years, of which appropriation no less than 75 per cent should be expended in the construction of primary State and county highways within and adjacent to national forests, and have urged upon said Congress the necessity of appropriating at least $2,500,000 for the fiscal year ending June 30, 1921, and $5,000,000 per year thereafter for the next nine years for the purpose of constructing highways through Indian and other Federal reservations or unappropriated lands of the United States; and

Whereas the said American Association of Highway Officials did, by said resolution, urge upon the United States Congress the appropriation of the following sums of money:

$100,000,000 for the fiscal year ending June 30, 1921.
$100,000,000 for the fiscal year ending June 30, 1922.
$100,000,000 for the fiscal year ending June 30, 1923.
$100,000,000 for the fiscal year ending June 30, 1924.

And whereas there is pending before Congress proposed legislation having for its aim the creation and construction of a system of national highways, which legislation has received the indorsement of the American Association of Highway Officials; and

Whereas the said American Association of Highway Officials has in said resolutions urged and recommended that the said system of national highways shall be selected by the various States in cooperation with the Bureau of Public Roads; and

Whereas your memorialists, the Senate and House of the Representatives of the State of Oregon, unanimously indorse the facts set out in the resolutions adopted by the said American Association of Highway Officials, and we respectfully urge upon the United States Congress the further fact that the State of Oregon occupies a peculiar and special position with reference to national forests and other national and Federal reserves and, therefore, is in a peculiar and special need of adequate highway construction: Therefore be it

Resolved by the Senate and House of Representatives of the State of Oregon (in special session, jointly concurring), That we do hereby most respectfully urge and request that the Congress of the United States of America give special and immediate attention to the passage of pending legislation relative to national highway construction and the creation of a system of national highways and to such other legislation as will be in harmony with the resolutions of the said American Association of Highway Officials, and we further urge that the said Congress of the United States of America appropriate for highway construction the amounts and appropriations herein designated, and such other additional amounts as will be necessary to most effectively promote highway constructions, and we urge that such appropriations be made in such manner and in such amounts as will most effectively and adequately enable the Bureau of Public Roads to continue its present cooperation with the various States in the construction of highways: Be it further

Resolved, That the secretary of state of the State of Oregon is hereby authorized and directed to transmit a copy of this memorial, under the seal of his office, to every Member of the delegation and to the presiding officer of the Senate of the United States and to the presiding officer of the House of Representatives in Congress.

Adopted by the house January 13, 1920.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 15, 1920.

W. T. VINTON,
President of the Senate.

Indorsed: House joint memorial No. 2. Introduced by Mr. Dennis.

W. F. DRAGER,
Chief Clerk.

Filed January 16, 1920.

BEN W. OLCOTT,
Secretary of State.

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state for the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of house joint memorial No. 2 with the original thereof adopted by the Senate and House of Representatives of the Legislative Assembly of the State of Oregon at the special session of the Legislative Assembly of the State of Oregon, January 12–17, 1920, and filed in the office of the secretary of state January 16, 1920, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon. In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 20th day of January, A. D. 1920.

[SEAL.] BEN W. OLCOTT,
Secretary of State.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the joint memorial was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

Senate joint resolution 12.

Be it resolved by the senate (the house of representatives concurring):

Whereas there is now pending before the Senate of the United States Senate bill 1309, providing for the construction of a national highway system; and

Whereas the provisions of said bill are of great value to the entire United States, and particularly to the Pacific Northwest; and

Whereas said bill has the hearty approval of the Federal highway councils of both the States of Washington and Oregon: Now, therefore, be it

Resolved, That our Senators and Representatives in Congress be requested to favor the passage of said act; and be it further

Resolved, That the secretary of state of the State of Oregon be directed to transmit immediately a copy of this resolution to the President of the United States Senate and to all of the Oregon Senators and Representatives in Congress.

Adopted by the house January 17, 1920.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 16, 1920.

W. T. VINTON,
President of the Senate.

Indorsed: Senate joint resolution No. 12. By Senator Norblad.

J. W. COCHRAN,
Chief Clerk.

Filed January 17, 1920.

BEN W. OLCOTT,
Secretary of State.

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint resolution No. 12 with the original thereof adopted by the Senate and House of Representatives of the Legislative Assembly of the State of Oregon at the special session of the Legislative Assembly of the State of Oregon January 12–17, 1920, and filed in the office of the secretary of state January 17, 1920, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 20th day of January, A. D. 1920.

[SEAL.] BEN W. OLCOTT,
Secretary of State.

Mr. CURTIS. I present resolutions adopted by the Legislature of the State of Kansas in favor of the enactment of legislation to protect the National Guard. I ask that the resolutions be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the resolutions were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

House concurrent resolution 8.

Whereas the record made by the National Guard troops in the Great War and the efficiency of the officers and men entitle the National Guard of the United States to the fullest measure of support and the widest opportunity for the development of a military force which the public sentiment of this country demands shall be the backbone of its military strength—that great body of citizen soldiery who answered the call, never flinched in the face of the severest fire, and whose record of achievement stands as a guaranty of the ability of this organization to handle its own affairs and any situation that may confront it; and

Whereas the National Guard of the United States has developed to a high degree of efficiency when organized under the militia clauses of the Constitution of the United States, which reserve to the States the right of appointment of officers and the training of troops; and

Whereas the subcommittee of the Committee on Military Affairs of the Senate of the United States has reported the Army reorganization bill, S. 3688, which provides that the National Guard shall become a part of the Army of the United States; and

Whereas the adoption of such revolutionary measures will place the appointment of officers of the National Guard in the hands of the President of the United States; and

Whereas under this proposed act the governors of States can not call upon troops for the suppression of any disorders which may arise in the States without first obtaining the consent of the Federal Government; and

Whereas such summary legislation will in effect destroy the traditions of the National Guard and local pride and wipe out an organization which has been the backbone of the military strength of the country: Therefore be it

Resolved by the house of representatives (the senate concurring therein), That we commend the action taken by Members of the Senate of the United States representing the State of Kansas who have opposed the passage of any legislation which shall abrogate the prerogatives of the States guaranteed under the militia clauses of the Federal Constitution; and be it further

Resolved, That we memorialize the Congress of the United States, requesting that they shall take such action in the reorganization of the military forces of the country which shall give to the National Guard the fullest measure of support, the widest opportunity for development, and which shall at all times reserve to the governors of the States the

right of appointment of officers and training of troops guaranteed to them under the militia clauses of the Federal Constitution.

I hereby certify that the above concurrent resolution originated in the house and passed that body January 23, 1920.

W. P. LAMBERTSON,
Speaker of the House.
CLARENCE W. MILLER,
Chief Clerk of the House.

Passed the senate January 23, 1920.

CHAS. S. HUFFMAN,
President of the Senate.
EMMET D. GEORGE,
Secretary of the Senate.

Approved January 27, 1920.

HENRY J. ALLEN, *Governor.*

Mr. CURTIS. I also present a resolution adopted by the Legislature of the State of Kansas, praying that appropriations be made for the construction of good roads. I ask that the resolution be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

House concurrent resolution 4.

A resolution requesting the Congress of the United States now in session to pass the bill, already introduced, appropriating funds to aid the several States in the construction of roads.

Whereas there is now before the Congress of the United States a bill making appropriations for the further cooperation of the Federal Government with the several States in the construction of roads.

Be it resolved by the House of Representatives of the Legislature of the State of Kansas (the Senate concurring therein), That we most respectfully urge the passage of this bill in order that the States may continue their present road-building program and give assistance to many petitions now on file for which there are no Government funds.

I hereby certify that the above concurrent resolution originated in the house, and passed that body January 9, 1920.

W. P. LAMBERTSON,
Speaker of the House.
CLARENCE W. MILLER,
Chief Clerk of the House.

Passed the senate January 23, 1920.

CHAS. S. HUFFMAN,
President of the Senate.
EMMETT D. GEORGE,
Secretary of the Senate.

Approved January 27, 1920.

HENRY J. ALLEN, *Governor.*

Mr. CURTIS. I also present resolution adopted by the Legislature of the State of Kansas, praying for a revision of the immigration and naturalization laws of the United States. I ask that the resolution be printed in the RECORD and referred to the Committee on Immigration.

There being no objection, the resolution was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

House concurrent resolution 5.

Memorializing Congress to revise the immigration and naturalization laws of the United States.

Whereas the strained relations existing between the employers and the employees of the Nation have been found by the agents of Government to be due in large measure to the prevalence amongst our alien residents and citizens of foreign birth to illiteracy, pauperism, wrong ideals of freedom, liberty, and democracy, and prejudice against government, law, and order, engendering an almost complete inability to understand our institutions and government and thus endangering the safety and perpetuity of popular government in State and Nation; and

Whereas we are persuaded that the prevention of increase in this class of population is necessary: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas (the Senate concurring therein), That the Congress of the United States is hereby memorialized to enact into law as speedily as possible measures which shall look to stopping this stream of evil at its source. We earnestly recommend that such a national statute upon immigration should include:

First. An examination at the port of embarkation in the country of which he is a citizen of every prospective emigrant to the United States. This examination should be made so thorough and minute that the consular representative of the United States conducting the same may become thoroughly acquainted with the moral character of the prospective emigrant in the community in which he lives and his financial ability to care for himself and family, if he have one.

Second. His ideas concerning the supremacy of organized government and law, his political ideals and affiliations in regard to the theories of government and society, particularly concerning those doctrines known as free love, polygamy, communism, radicalism, socialism, bolshevism, and anarchy.

Upon completing such examination and finding the prospective emigrant qualified in all the respects indicated to become a citizen of the United States, the consul shall issue to him a passport which will entitle him to enter the United States at the port to which the vessel upon which he embarks is chartered. The immigration officers at the port of debarkation must refuse landing privilege to any immigrant who does not possess such passport.

We further recommend that the period of probation before being admitted to citizenship shall be extended to five years, and until the applicant has satisfied the court that he has the ability to read, write, and speak the English language and to understand the foundation principles of our Government as set forth in the Declaration of Independence and the Constitution of the United States, and all present wholesome restrictions in other respects be retained.

Resolved, That duly authenticated and engrossed copies of this resolution be transmitted to the President of the United States, to the presiding officer of each House of Congress, and to each Senator and every Representative in Congress from the State of Kansas.

I hereby certify that the above concurrent resolution originated in the house and passed that body January 13, 1920.

W. P. LAMBERTSON,
Speaker of the House.
CLARENCE W. MILLER,
Chief Clerk of the House.

Passed the senate January 21, 1920.

CHAS. S. HUFFMAN,
President of the Senate.
EMMET D. GEORGE,
Secretary of the Senate.

Approved January 27, 1920.

HENRY J. ALLEN, *Governor.*

Mr. CURTIS presented petitions of the Judson Kilpatrick Post, No. 36, Grand Army of the Republic, Department of Kansas, of Newton; of General Russell Post, No. 65, Grand Army of the Republic, Department of Kansas, of Pittsburg; of O. M. Mitchell Post, No. 69, Grand Army of the Republic, Department of Kansas, of Osborne; and of Preston B. Plumb Post, No. 55, Grand Army of the Republic, Department of Kansas, of Emporia, all in the State of Kansas, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

He also presented a petition of the Chamber of Commerce of Pittsburg, Kans., praying for the ratification of the peace treaty with reservations, which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Pittsburg, Kans., praying for an appropriation to purchase foodstuffs for the relief of stricken Europe, which was referred to the Committee on Foreign Relations.

He also presented a resolution of the American Commission on Irish Independence, adopted at a meeting held in Topeka, Kans., favoring the independence of Ireland, which was referred to the Committee on Foreign Relations.

Mr. MOSES. I present resolutions relating to the disposition of northern Epirus, the Twelve Islands of the Aegean, and the western coast of Asia Minor, which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas northern Epirus, south of a line drawn from the Bay of Grammala northeastward to the Ostrovista Mountain and thence northward to Lake Ochrida and Prespa, has always been Greek, geographically, historically, ethnologically, and strategically; and

Whereas the Docanese, or Twelve Islands of the Aegean, have always been Greek; and

Whereas the western coast of Asia Minor, from the Gulf of Adramyti to the Bay of Makri, which lies to the northwest of the Island of Rhodes, including the entire Province of Aidin, with the exception of the District of Denizli, including also the District of Ballikesser, which is a part of the Vilayet of Broussa, is preponderantly Greek: Now, therefore, be it

Resolved, That it is the sense of the Senate that northern Epirus, the Twelve Islands of the Aegean, and the western coast of Asia Minor, where a strong Greek population predominates, should be awarded by the peace conference to Greece and become incorporated in the Kingdom of Greece.

Mr. JOHNSON of South Dakota. I present a resolution adopted by the board of directors of the Commercial Club of Aberdeen, S. Dak., relative to an appropriation to purchase grain to feed the people of central Europe and the Near East. I ask that the resolution be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

ABERDEEN, S. DAK.

Resolution.

Be it resolved, That the board of directors of the Aberdeen Commercial Club urgently recommends that Congress, in order to avert famine and to promote the resumption of stable economic and political conditions in the countries of central Europe outside of Germany and in Armenia, authorize the United States Grain Corporation or other suitable agency to purchase and to transport to those countries where famine is imminent and the Governments of which are unable, through lack of necessary resources, to provide for the subsistence of their peoples, food, supplies, and other necessaries of life; to sell such supplies on credit to the Governments of said countries and so to regulate their distribution as most effectively to provide for the prompt and sufficient relief of the populations in need; and that Congress appropriate such sum as may be necessary for the purpose.

THE ABERDEEN COMMERCIAL CLUB,
By A. W. CAMPBELL, *President.*

Correct—attest.
[SEAL.] GEO. C. MANTOR, *Secretary.*
Dated January 20, 1920.

Mr. McNARY presented a joint memorial of the Legislature of the State of Oregon, favoring the submission by Congress to the legislatures of the several States of a proposed amendment to the fourteenth amendment to the Constitution of the United States, providing that children born in the United States or in

the territory subject to the jurisdiction thereof and whose parents are not citizens and can not under existing laws acquire citizenship by naturalization shall retain the citizenship of the parents and shall not become citizens by reason of birth in the United States or any Territories subject to the jurisdiction thereof, which was referred to the Committee on Immigration.

He also presented a joint memorial of the Legislature of the State of Oregon, praying that an appropriation be made for the construction of a national road to be named after the late President Roosevelt, which was referred to the Committee on Military Affairs.

He also presented a joint memorial of the Legislature of the State of Oregon, praying for the immediate opening of the Klamath Indian Reservation for settlement, which was referred to the Committee on Indian Affairs.

He also presented a joint memorial of the Legislature of the State of Oregon, praying for the location of a life-saving station at Port Orford, Curry County, Oreg., which was referred to the Committee on Commerce.

He also presented a joint memorial of the Legislature of the State of Oregon, praying for the enactment of legislation providing for the restoration for entry of certain lands in Klamath County, Oreg., which was referred to the Committee on Public Lands.

He also presented a resolution adopted by the Legislature of the State of Oregon, praying for the enactment of legislation providing for the construction of a national highway system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a joint memorial of the Legislature of the State of Oregon, praying that an appropriation be made to enable the Federal Government and the various States to construct an adequate system of forest roads and post roads, which was referred to the Committee on Post Offices and Post Roads.

He also presented a joint memorial of the Legislature of the State of Oregon, praying for the enactment of legislation providing for the patrol of our forests by airplanes during the 1920 season, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a joint memorial of the Legislature of the State of Oregon, praying for the enactment of legislation to expel and prohibit undesirable and disloyal aliens, which was referred to the Committee on Immigration.

He also presented a joint memorial of the Legislature of the State of Oregon, praying for the enactment of legislation to provide means by which the Deschutes project may be financed and developed by Federal aid, which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. CAPPER presented petitions of Judson Kilpatrick Post, No. 36, Grand Army of the Republic, Department of Kansas, of Newton; of George I. Ransome Post, No. 303, Grand Army of the Republic, Department of Kansas, of Kansas City; of Abilene Post, No. 63, Grand Army of the Republic, Department of Kansas, of Abilene; of Lew Gove Post, Grand Army of the Republic, Department of Kansas, of Manhattan; and of Major Elliott Post, No. 437, Grand Army of the Republic, Department of Kansas, of Ashland, all in the State of Kansas, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

Mr. STERLING presented a resolution adopted at a convention of county commissioners of the State of South Dakota, favoring a national highway system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the New York State Bar Association, praying for the enactment of legislation to amend the procedure in Federal courts, which was referred to the Committee on the Judiciary.

Mr. PHELAN. I present a memorial of the City Council, of Oakland, Calif., remonstrating against the proposed importation of Chinese laborers into the United States. I ask that the memorial be printed in the RECORD and referred to the Committee on Immigration.

There being no objection, the memorial was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

Oakland City Council—Resolution No. 19610 N. S., introduced by Commissioner Morse.

Resolution declaring sense of the council of Oakland as opposing and condemning the importation of Chinese laborers to the United States to compete with American laborers, and urging Congress to prevent such importation.

Whereas a proposition, financed by unknown sources, has been inaugurated for the purpose of importing to the United States a large number of natives of China to work as laborers in this country, thus making them a commodity in the labor market of the United States; and

Whereas this Oakland City Council believes that such a course would be detrimental to the labor conditions in this country by effecting competition between American workers and such Chinese laborers; and

Whereas this council believes that any problem of alleged shortage of farm hands can be solved by the employment of American labor, and without the assistance of Chinese coolies: Now, therefore, be it

Resolved, That the Oakland City Council hereby expresses itself as being opposed to such a plan, and hereby condemns any and all efforts to import oriental laborers or any other encroachment of American ideals: And be it

Resolved further, That a copy of this protest of the council be sent to our Representatives and Senators in Washington.

I certify that the foregoing is a full, true, and correct copy of a resolution passed by the council of the city of Oakland on January 8, 1920.

L. W. CUMMINGS, *City Clerk.*
[SEAL.] By W. W. CHAPPELL, *Deputy.*

Mr. PHELAN presented a petition of Upland Post No. 73, American Legion, of Upland, Calif., praying for the enactment of legislation defining sedition and providing punishment therefor, which was ordered to lie on the table.

Mr. MYERS presented a petition of the Park County Chamber of Commerce, of Livingston, Mont., praying for the enactment of legislation to supply seed grain for 1920 planting to farmers in drought-stricken districts, which was referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (S. 557) for the relief of Oscar C. Guessaz, reported it without amendment and submitted a report (No. 406) thereon.

He also, from the same committee, to which was referred the bill (S. 1533) for the relief of Anna M. Tobin, independent executrix of the estate of Frank R. Tobin, deceased, reported it with an amendment and submitted a report (No. 407) thereon.

Mr. SPENCER, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 151) to permit the payment for certain lands whereon Army supply bases are situated, reported it without amendment and submitted a report (No. 408) thereon.

CUSTER BATTLE FIELD NATIONAL CEMETERY.

Mr. WALSH of Montana, from the Committee on Military Affairs, to which was referred the bill (S. 3485) to provide for building and furnishing a building at Custer Battle Field National Cemetery for use as an office for the custodian and for the convenience and comfort of the public, asked to be discharged from its further consideration, and that it be referred to the Committee on Indian Affairs.

INVENTIONS, PATENTS, AND PATENT RIGHTS.

Mr. NORRIS. From the Committee on Patents I report back favorably with amendments the bill (S. 3223) authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry, inventions, patents, and patents rights, and for other purposes, and I submit a report (No. 405) thereon.

I take this occasion to say to the Senate that I shall ask for permission to take up the bill and consider it at a very early date, possibly on Monday. I call the attention of Senators to the bill at this time so they may look into it if they desire to do so.

The VICE PRESIDENT. The bill will be placed on the calendar.

ARMY REORGANIZATION.

Mr. McKELLAR. On behalf of the minority of the Committee on Military Affairs, I beg leave to submit a minority report (No. 400, Part II) on Senate bill 3792, known as the Army reorganization bill.

In submitting the report I merely desire to call attention to the total figures of the cost of our Military Establishment in the event that the Army reorganization bill reported by the majority is passed by the Congress and approved by the President.

According to the best figures we are able to obtain, the cost of the Army per annum as provided in that bill will be $1,314,143,000. I wish to say that if we pass the bill it will be necessary to increase the taxes upon the people of the United States in order to meet the demands that will be made.

I desire to say that when we pass this bill it will also be necessary to raise the taxes upon the people of the United States in order to meet the demands that will thereby be made. It is incredible to me that the Senate of the United States can for a moment think of passing such a bill at such a time. In presenting the minority report I call the attention of the Senate to the matter, hoping they will read the report before the bill comes up to be voted upon.

The VICE PRESIDENT. The report will be received and printed.

FOREIGN COMMERCE.

Mr. SMOOT. Pursuant to Senate resolution 203, submitted by the Senator from Georgia [Mr. HARRIS] and adopted on October 3, 1919, the various heads of the executive departments have sent at various dates their responses, which were ordered to lie on the table.

In my opinion, these reports should be printed as a Senate document, with a table of contents in the front thereof. To that end I offer the following resolution and ask for its immediate consideration.

Mr. NORRIS. Will not the Senator wait until we reach the order of resolutions?

Mr. SMOOT. This may be regarded as a report of the Joint Committee on Printing. It is really a report of a committee.

Mr. NORRIS. Very well.

The resolution (S. Res. 290) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the several communications from the heads of the executive departments, transmitting, pursuant to a Senate resolution of October 3, 1919, detailed statements concerning the character, amount, and estimated cost of work now being carried on in the respective departments in relation to the foreign commerce of the United States, be printed as a Senate document.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH of Montana:

A bill (S. 3821) to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. CURTIS (for Mr. KEYES):

A bill (S. 3822) for the establishment and maintenance of a forest experiment station on the White Mountain National Forest in the State of New Hampshire; to the Committee on Agriculture and Forestry.

A bill (S. 3823) granting an increase of pension to Charles W. Pierce; to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 3824) granting an increase of pension to Alma L. Bruce (with accompanying papers); to the Committee on Pensions.

By Mr. KING:

A bill (S. 3825) to authorize the construction of the Lincoln and Lee Memorial Bridge over the Potomac River.

Mr. KING. I think the bill should be referred to the Committee on the Library, although it seems to me that it is the wrong committee. I am told that all matters with reference to what may be denominated monuments go to the Committee on the Library.

The VICE PRESIDENT. Does it relate to a national memorial?

Mr. KING. It is to take the place of the old Chain Bridge over the Potomac above Georgetown.

The VICE PRESIDENT. The Chair understands that that part of the river is a nonnavigable stream. The bill will be referred to the Committee on the Library.

By Mr. KING:

A bill (S. 3826) authorizing and requiring the Capital Traction Co. to operate its cars through G Street NW., in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SUTHERLAND:

A bill (S. 3827) granting an increase of pension to Ezra J. Osborn; to the Committee on Pensions.

WRANGELL (ALASKA) BOND ISSUE.

Mr. NELSON. I ask unanimous consent for the present consideration of House bill 10746, being Order of Business 309.

The VICE PRESIDENT. The title of the bill referred to by the Senator from Minnesota will be stated.

The ASSISTANT SECRETARY. A bill (H. R. 10746) to authorize the incorporated town of Wrangell, Alaska, to issue bonds for the construction, enlargement, and equipment of schools, the acquisition and construction of a water-supply system, the construction of a sewer system, the construction of a city dock and floating dock, and to levy and collect a special tax therefor.

The VICE PRESIDENT. Is there objection to the request of the Senator from Minnesota for the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill which had been reported from the Committee on Territories with an amendment, in section 4, page 2, line 19, before the words "per cent," to strike out "7" and insert "6," so as to read:

That the bonds above specified, when authorized to be issued as hereinbefore provided, shall bear interest at a rate not to exceed 6 per cent per annum, payable annually, and shall be sold for not less than their par value, with accrued interest, and shall be in denominations not exceeding $1,000 each, the principal to be due in 20 years from the date thereof.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

LAND FOR WALTER REED HOSPITAL.

Mr. SPENCER. Mr. President, the other day I called the attention of the Senate to the joint resolution (S. J. Res. 147) to amend the Army appropriation act, approved July 11, 1919, being Order of Business 337 on the calendar. The purpose of the joint resolution is to correct a ruling of the auditor in connection with land the purchase of which Congress authorized in connection with the maintenance of Walter Reed Hospital.

Mr. LODGE. Will the Senator pardon me?

Mr. SPENCER. I yield to the Senator from Massachusetts.

Mr. LODGE. We must have an executive session; and if the consideration of the joint resolution to which the Senator refers is going to take any length of time I shall have to object.

Mr. SPENCER. I think it will take no time at all. I think there is no objection to it.

Mr. President, we authorized the expenditure of $350,000 for the purchase of certain land which is necessary for Walter Reed Hospital. In the same act, however, there was a provision prohibiting the use of the money therein appropriated for the purchase of land. The auditor ruled that the latter general prohibition excluded the definite appropriation which we had made. It is in order to correct that ruling that this joint resolution was favorably reported from the Committee on Military Affairs. I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DEPARTMENT OF AIR.

The VICE PRESIDENT. Morning business is closed.

Mr. NEW. Mr. President, the Senate has for the last two or three days had under consideration Senate bill 3348, creating a separate department of air. It is evident that there is still a very general misapprehension on the part of Senators as to just what the bill proposes to do. It is true that the Senate Committee on Military Affairs had the bill under consideration from July to November last, and that the report of the Committee on Military Affairs in favor of the bill was by a majority of 9 to 2. At the same time, as I have stated, it is evident that the purpose and scope of the bill are still misunderstood, and particularly so by certain members of the Committee on Naval Affairs and the Committee on Post Offices and Post Roads, as to its effect and bearing upon the air services in those departments.

I therefore ask unanimous consent to have the bill recommitted to the Committee on Military Affairs for their further consideration. I desire to say in this connection that if that privilege is granted I shall endeavor to see that the members of the committees named are given the fullest opportunity for investigation and such inquiry as they may see fit to make, and I sincerely hope that they will avail themselves of the opportunity which will be then offered, an opportunity of which they did not, perhaps, take full advantage during the long period that the bill was under consideration last summer and fall.

Mr. KING. Mr. President, I think the suggestion made by the Senator from Indiana is very wise, and I am sure it is the best plan to be pursued; but I wish to ask the Senator if it would be possible for his committee or some one to segregate from the two large volumes of testimony relative to the subject matter of the bill and other subjects that which bears alone upon aircraft and have that testimony printed separately? I have spent a great deal of time in going through the two volumes, but it is only with the utmost difficulty, unless one has an abundance of time, that it is possible to segregate the testimony bearing upon that question. Many of us desire to familiarize ourselves with this very important question.

Mr. NEW. I think what the Senator from Utah suggests would be possible and of advantage.

Mr. KING. I merely suggest it to the Senator.

Mr. NEW. Hearings before the Military Affairs Committee were held concurrently on three bills, and it is true that as they appear in the printed volumes of the hearings the subjects are, perhaps, somewhat involved. I will endeavor to see that the suggestion of the Senator from Utah is carried out.

Mr. KING. I have spent a good many hours in going through this testimony, and I doubt if many other Senators

would have the patience to do so; but if it should be printed in compact form Senators will familiarize themselves, I think, with this important matter.

The VICE PRESIDENT. Is there objection to the request of the Senator from Indiana [Mr. NEW] that the bill referred to by him be recommitted to the Committee on Military Affairs? The Chair hears none, and it is so ordered.

INDIAN APPROPRIATIONS.

Mr. GORE. Mr. President, I desire to withdraw the notice given a few days ago of a motion to reconsider the vote by which the Indian appropriation bill was passed.

I make this withdrawal after a conference with and at the instance of Members of the House who are interested in the questions in controversy between the two Houses.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

TREATY WITH PARAGUAY.

The Senate, in executive session, this day ratified the following treaty between the United States and Paraguay, and, on motion of Mr. LODGE, the injunction of secrecy was removed therefrom.

The treaty is as follows:

The SENATE:

I transmit herewith, to receive the advice and consent of the Senate to its ratification, a convention between the United States and Paraguay, signed October 20, 1919, for the development of commerce between them and to increase the exchange of commodities by facilitating the work of traveling salesmen.

WOODROW WILSON.

THE WHITE HOUSE, *24 January, 1920.*

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate, if his judgment approve thereof, to receive the advice and consent of the Senate to its ratification, a convention October 20, 1919, between the United States and Paraguay, for the development of commerce between them and to increase the exchange of commodities by facilitating the work of traveling salesmen.

Respectfully submitted.

ROBERT LANSING.

DEPARTMENT OF STATE,
Washington, October 22, 1919.

The United States of America and the Republic of Paraguay, being desirous to foster the development of commerce between them and to increase the exchange of commodities by facilitating the work of traveling salesmen, have agreed to conclude a convention for that purpose and have to that end appointed as their plenipotentiaries:

The President of the United States of America; Robert Lansing, Secretary of State of the United States of America; and the President of the Republic of Paraguay, Manuel Gondra, envoy extraordinary and minister plenipotentiary for the Republic of Paraguay, near the Government of the United States of America, who, having communicated to each other their full powers, which were found to be in due form, have agreed upon the following articles:

ARTICLE I.

Manufacturers, merchants, and traders domiciled within the jurisdiction of one of the high contracting parties may operate as commercial travelers, either personally or by means of agents or employees, within the jurisdiction of the other high contracting party on obtaining from the latter, upon payment of a single fee, a license which shall be valid throughout its entire territorial jurisdiction.

In case either of the high contracting parties shall be engaged in war it reserves to itself the right to prevent from operating within its jurisdiction, under the provisions of this convention or otherwise, enemy nationals or other aliens whose presence it may consider prejudicial to public order and national safety.

ARTICLE II.

In order to secure the license above mentioned the applicant must obtain from the country of domicile of the manufacturers, merchants, and traders represented a certificate attesting his character as a commercial traveler. This certificate, which shall be issued by the authority to be designated in each country for the purpose, shall be viséed by the consul of the country in which the applicant proposes to operate, and the authorities of the latter shall, upon the presentation of such certificate, issue to the applicant the national license as provided in Article I.

ARTICLE III.

A commercial traveler may sell his samples without obtaining a special license as an importer.

ARTICLE IV.

Samples without commercial value shall be admitted to entry free of duty.

Samples marked, stamped, or defaced in such manner that they can not be put to other uses shall be considered as objects without commercial value.

ARTICLE V.

Samples having commercial value shall be provisionally admitted upon giving bond for the payment of lawful duties if they shall not have been withdrawn from the country within a period of six months.

Duties shall be paid on such portion of the samples as shall not have been so withdrawn.

ARTICLE VI.

All customs formalities shall be simplified as much as possible with a view to avoid delay in the dispatch of samples.

ARTICLE VII.

Peddlers and other salesmen who vend directly to the consumer, even though they have not an established place of business in the country in which they operate, shall not be considered as commercial travelers, but shall be subject to the license fees levied on business of the kind which they carry on.

ARTICLE VIII.

No license shall be required of:

(*a*) Persons traveling only to study trade and its needs, even though they initiate commercial relations, provided they do not make sales of merchandise.

(*b*) Persons operating through local agencies which pay the license fee or other imposts to which their business is subject.

(*c*) Travelers who are exclusively buyers.

ARTICLE IX.

Any concession affecting any of the provisions of the present treaty that may hereafter be granted by either high contracting party, either by law or by treaty or convention, shall immediately be extended to the other party.

ARTICLE X.

This convention shall be ratified; and the ratifications shall be exchanged in Washington within two years, or sooner, if possible.

The present convention shall remain in force until the end of six months after either of the high contracting parties shall have given notice to the other of its intention to terminate the same, each of them reserving to itself the right of giving such notice to the other at any time. And it is hereby agreed between the parties that, on the expiration of six months after such notice shall have been received by either of them from the other party as above mentioned this convention shall altogether cease and terminate.

In testimony whereof the respective plenipotentiaries have signed these articles and have thereunto affixed their seals.

Done in duplicate, in English and Spanish, at Washington, this 20th day of October, 1919.

ROBERT LANSING. [SEAL.]
M. GONDRA. [SEAL.]

ADJOURNMENT.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and at 1 o'clock and 45 minutes p. m. the Senate adjourned until Monday, February 2, 1920, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 31, 1920.

DIRECTOR OF WAR FINANCE CORPORATION.

Franklin W. M. Cutcheon, of New York, N. Y., to be a director of the War Finance Corporation, to fill out the unexpired term of William P. G. Harding, resigned.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

To be colonel.

Lieut. Col. Robert J. Fleming, Cavalry, with rank from January 23, 1920.

To be lieutenant colonels.

Maj. George B. Pritchard, jr., Cavalry, with rank from January 24, 1920.

Maj. Alvord Van P. Anderson, Cavalry, with rank from January 24, 1920.

To be major.

Capt. Frank P. Amos, Cavalry, with rank from January 24, 1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 31, 1920.

SECRETARY OF THE TREASURY.

David F. Houston, to be Secretary of the Treasury.

SECRETARY OF AGRICULTURE.

Edwin T. Meredith, to be Secretary of Agriculture.

DIRECTOR OF WAR FINANCE CORPORATION.

George R. Cooksey, to be a director of the War Finance Corporation.

UNITED STATES MARSHAL.

C. J. Lyon, of Greenville, to be United States marshal, western district of South Carolina.

POSTMASTERS.

NEW MEXICO.

Eduardo A. Trujillo, Taos.

NEW YORK.

Norman Cooper, Athens.
William D. Delaney, Clayton.
Charles V. Ford, Clyde.
Stanley W. Parsons, Copenhagen.
Gertrude R. Moran, East Bloomfield.
William L. Fuller, Ellenville.
Clara S. Mallery, Hillsdale.
George M. Durey, Johnstown.
Wilmer D. Sharpe, Loomis.
Willis P. Beal, Macedon.
Thomas Clougher, Piermont.
James E. McWilliams, Prattsville.
Charles H. Corwin, South Fallsburg.
Carl Fuller, Williamson.
Keeler M. Cole, Windham.

TEXAS.

Ella D. Harris, Angleton.
Robert B. Tuck, Bedias.
Walter C. Allison, Breckenridge.
James D. Cooper, Brookshire.
Clarence W. House, Buffalo.
Annie S. Morgan, Caddo Mills.
John W. A. Jackson, Canadian.
Florence F. Kellogg, Carrizo Springs.
Ray D. Tiller, Carthage.
John J. Crockett, Chapel Hill.
Alexander P. Hanna, Crandall.
Leo S. Spencer, Crowell.
William H. Pitman, Cushing.
Minnie Owens, Dickinson.
Clarence E. Kelly, Eagle Pass.
Lizzie E. Holloway, Ferris.
Harvey C. Dorton, Freeport.
Welcome N. Fields, Ganado.
Cass B. Rowland, Hamlin.
Leslie L. Luque, Hebbronville.
Nannie Yeager, Iola.
Sylvan S. McCrary, Joaquin.
William J. Beck, Kaufman.
James F. Faulkner, McLean.
William F. Lehmann, Needville.
John H. Jackson, Nevada.
Theodor Reichert, Nordheim.
Sallie C. Hankinson, Pleasanton.
James F. Connell, Ranger.
Thomas B. Higgins, Reagan.
Joshua J. Carter, Richland Springs.
Frank P. Bell, Richmond.
Almus L. McDonald, Rising Star.
Robert L. Mobley, Santa Anna.
Hilmar F. Theis, Seguin.
James L. Davis, Tenaha.
Herbert W. Scott, Throckmorton.
Lula Ezell, Timpson.
Garland K. Breeding, Van Horn.
Lawson B. Fulgham, Voth.
Charles B. McCollum, Waco.
John T. Hilburn, Wheeler.
Charles F. Hoff, Yorktown.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 31, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Great Father Soul, a potent factor in shaping the destiny of men and of nations, give us the grace to submit ourselves to the heavenly influence, that our thoughts may be in consonance with Thy thoughts and our ways in consonance with Thy ways; and thus meet the great problems which confront us as individuals and as a people, and solve them to the well-being of our people and of all concerned; and so hasten the coming of Thy kingdom, that happiness and prosperity may smile upon all the world, and glory, and honor, and praise be Thine. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

FORT BERTHOLD INDIANS.

Mr. SINCLAIR. Mr. Speaker, I move to take from the Speaker's table the bill (H. R. 4382) to confer on the Court of Claims jurisdiction to determine the respective rights of and differences between the Fort Berthold Indians and the United States, with a Senate amendment, and concur in the Senate amendment.

The SPEAKER. The gentleman from North Dakota calls up the bill H. R. 4382, with a Senate amendment thereto, and moves to concur in the Senate amendment. The Clerk will report the Senate amendment.

The Clerk reported the Senate amendment.

The SPEAKER. The question is on agreeing to the Senate amendment.

Mr. WINGO. Mr. Speaker, what is this bill about?

Mr. SINCLAIR. It is a bill to confer on the Court of Claims jurisdiction to decide the rights and obligations that exist between this Government and the Fort Berthold Indians. It passed the House in December and passed the Senate, but through an inadvertence a typographical error occurred, which the Senate has corrected by amendment. The word "unit" was printed instead of the word "suits."

The SPEAKER. The question is on concurring in the Senate amendment.

The Senate amendment was concurred in.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA.

Mr. MAPES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6863) to regulate the height, area, and the use of buildings in the District of Columbia and to create a zoning commission, and for other purposes, with Senate amendments thereto, disagree to all of the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Michigan asks unanimous consent to take from the Speaker's table the bill H. R. 6863, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, may I ask the gentleman whether he has talked with the ranking Democrat on the committee in respect to this?

Mr. MAPES. I have.

Mr. GARNER. And this meets with his approval?

Mr. MAPES. It does.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MAPES. Yes.

Mr. CLARK of Missouri. What has ever been done about the apartment house up here near Mrs. Henderson's?

Mr. MAPES. The resolution reported by the committee is on the calendar.

Mr. CLARK of Missouri. Does it restrict the height of buildings, that one can see from the top of Meridian Hill the glories of the city of Washington?

Mr. MAPES. The resolution as proposed provides for a building 2 feet lower than the plans of the building called for.

Mr. CLARK of Missouri. Does that accomplish the purpose that Mrs. Henderson had in mind?

Mr. MAPES. Mrs. Henderson is in favor of the resolution.

Mr. CLARK of Missouri. If she is in favor of it, I am too.

Mr. MAPES. I will say to the gentleman from Missouri that there have been some obstacles in the way of the passage of the resolution, and that there is no present intention upon the part of the chairman of the Committee on the District of Columbia to call it up.

Mr. CLARK of Missouri. The obstacle is the fellow who owns the apartment building that is under construction, is it not?

Mr. MAPES. The plans and arrangements had all been completed and the building started, the proposition financed according to the existing law, and it did not seem practicable or fair to change the regulation at so late a date in the proceedings. In fact, the builders to put up the building had given an indemnity bond of several hundred thousand dollars to erect the building according to certain plans and specifications, which called for a building 2 feet higher than the resolution fixes as proper.

Mr. WINGO. Mr. Speaker, reserving the right to object, I do not recall, but have we not now a commission or something that undertakes to pass upon the height of buildings in the District of Columbia?

Mr. MAPES. No; we have a Fine Arts Commission, but it does not have authority to pass upon the height of buildings.

Mr. WINGO. Does the gentleman mean to say that one can erect a building here of any height without any permit or approval?

Mr. MAPES. He must have a permit, but there is no authority to limit the height of buildings.

Mr. WINGO. What authority have they—just the authority to grant the permits?

Mr. MAPES. There are certain building restrictions and regulations with which they have to comply.

Mr. WINGO. By whom are the restrictions made? Are they made by the commissioners or by Congress or by a commission?

Mr. MAPES. By the commissioners of the District, under authority, of course, granted by Congress.

Mr. MADDEN. Mr. Speaker, if the gentleman will yield, there is a building code which requires the appointment of a building commissioner and building inspectors, who have the authority to specify the kind of construction that shall be employed in the erection of buildings.

Mr. WINGO. Do they not fix the height?

Mr. MADDEN. They have not the power to fix the height.

Mr. WINGO. Somebody in the past has refused to approve plans for buildings that were too high. How is it they permit some persons to put them up and others not? I understand the committee has reported out a bill in this particular Meridian Hill matter. Is it going to be the policy of Congress to undertake to fix the height of each particular building because some one objects that it might obstruct the view, or are we going to have a commission which will undertake to regulate that?

Mr. MAPES. Under the authority of this bill, which has already passed both Houses and which I am asking to have sent to conference, the District Commissioners are given the power to make regulations fixing the height of buildings.

Mr. WINGO. That is the bill the gentleman is now undertaking to send to conference?

Mr. MAPES. Yes.

Mr. WINGO. That will undertake to cover all of this, so that we will not be worried by complaints that come up from time to time?

Mr. MAPES. Yes. If this bill had been a law, there would be no occasion to come to Congress in respect to the building up near Meridan Hill.

Mr. MADDEN. It is within the power of the building commissioner, who is under the jurisdiction of the Commissioners of the District, to say whether a building shall be a certain height or not, if its construction does not comply with what he believes is safe construction.

Mr. WINGO. Somebody in the District heretofore has undertaken to determine the height and character of the material and even the capacity of buildings.

Mr. MADDEN. They have got to do that.

Mr. WINGO. Of certain types of buildings, and yet I notice every now and then that somebody complains because a certain building is too high, or that they permit too many automobiles to go into the garage, or something of that kind. Even the lawyers in the District seem to be confused about where the jurisdiction lies.

Mr. MAPES. There is a law which limits the height of buildings to twice the width of the street on which they are constructed.

Mr. WINGO. But that law has never been enforced that I have been able to find.

Mr. MAPES. I do not know as to that.

Mr. WINGO. The gentleman will find on nearly every important street buildings that violate that provision.

Mr. MADDEN. Of course, the building commission has power to prescribe the kind of material that shall go into the buildings, whether it be fireproof, incombustible, and the manner in which they shall erect the buildings, and they have the right to say how much air space, and so forth, shall be afforded, and how much light space shall be afforded, and so forth.

Mr. WINGO. Is he the gentleman who is permitting these magnificent alleged fireproof apartment houses to be constructed with partitions made of common plaster board, that if an ordinary boy were to fall against it it would break? Is he the gentleman permitting that?

Mr. MADDEN. If they violate the law they are liable.

Mr. WINGO. Who is?

Mr. MADDEN. The commissioner is liable for any injury that may happen by reason of faulty construction.

Mr. WINGO. The point I am getting at is it is notorious that certain buildings are being built and sold to investors as strictly fireproof buildings and in most of them the partitions are nothing but thin plaster board that any ordinary man could take his fist and ram through it. It is true that important structures are being palmed off on the public as fireproof.

Mr. DYER. Mr. Speaker, a parliamentary inquiry. What is before the House?

Mr. LITTLE. Mr. Speaker——

Mr. MAPES. I will yield to the gentleman from Texas [Mr. GARNER], who has been on his feet for some time.

Mr. DYER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman can not take the gentleman off his feet by a parliamentary inquiry.

Mr. DYER. I make the point of order that the House is not in order.

Mr. WALSH. Mr. Speaker, I ask for the regular order.

The SPEAKER. The question is, Is there objection to the request of the gentleman from Michigan to disagree to the Senate amendments and send the bill to conference?

Mr. GARNER. Mr. Speaker, reserving the right to object—if the gentleman from Massachusetts wants to take the responsibility of forcing the question now—I am not so much concerned about the height of these buildings or whether some investor gets cheated in his transaction or not, as I imagine most of them can take care of most of their own property and do not need the guardianship of Congress, but I am concerned in not having this great row we had once before in which a most estimable lady's name, that of Mrs. Henderson, was connected in reference to the changing of Sixteenth Street to the Avenue of the Presidents. I hope there is nothing in this bill that leads in that direction.

Mr. MAPES. There is nothing of the sort in this bill.

Mr. LITTLE. Mr. Speaker——

Mr. WINGO. In reference to the remark of the gentleman as to interest in investors, I am not interested in them, but I have a common interest in the safety and the health of the people of the District, which are being jeopardized by the mere shells being put up in the District of Columbia under the guise of fireproof structures.

Mr. WALSH. Mr. Speaker, I demand the regular order.

Mr. LITTLE. I suggest——

Mr. WINGO. I object, unless we can get some information.

Mr. LITTLE (continuing). That the gentleman notify the United States attorney if there is any crime, and he has been modifying ever since I told him I was going to ask that.

Mr. WINGO. The gentleman may notify him. I do not consider it a part of my duties. I will be glad to give him any facts I get on the subject. I object.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none. The Chair announces the following conferees.

The Clerk read as follows:

Mr. MAPES, Mr. FOCHT, and Mr. JOHNSON of Kentucky.

The SPEAKER. Did the gentleman from Arkansas object?

Mr. WINGO. I said I would object unless I could get information; but I will withdraw the objection, as I understand the gentlemen over there want to attend to some business. If they wish to do that, I shall not object.

The SPEAKER. The Chair hears no objection, and the announcement of the conferees will stand.

DEFICIENCY APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12046.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency bill, with Mr. TILSON in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12046) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes.

The CHAIRMAN. The Clerk will read.

Mr. KINCHELOE. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

Mr. GOOD. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 12 minutes.

Mr. BLANTON. What paragraph is that?

Mr. GOOD. The last paragraph on page 13, which was the last one read.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this paragraph and amendments thereto close in 12 miutes. Is there objection? [After a pause.] The Chair hears none.

Is there objection to the request of the gentleman from Kentucky [Mr. KINCHELOE] to proceed for 10 minutes? [After a pause.] The Chair hears none. The gentleman from Kentucky is recognized for 10 minutes.

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee, my provincialistic friend from Iowa [Mr. GOOD] has always entertained such an opposition to the building of the sanatorium at Dawsonsprings, Ky., that if there were memorial exercises to be held or a funeral oration to be delivered by the gentleman he would certainly bring in Dawsonsprings.

He rushed out to Chicago a few days ago to make a speech before some organization there. He again reasserted his opposition to this proposition. I have always heard that a barking dog never bites. I am also convinced of the proposition that when a man takes both sides of the same proposition at one time or another those who are following or have any confidence in his contention concerning the matter lose faith in him. And yet he comes as a great friend now of the discharged, disabled soldiers, sailors, and marines of this country and criticizes the Secretary of the Treasury and the Bureau of Public Health for not completing, or signing the contract which will complete, the Speedway Hospital in Chicago. If the Speedway Hospital project was meritorious in 1919, when this matter was up, it is meritorious now. If there is a "nigger in the woodpile" now in the matter of the Speedway Hospital in Chicago, there was in 1919.

There was no more bitter speech on the floor of this House when this legislation was being considered than the gentleman from Iowa [Mr. GOOD] made in condemnation of the Speedway Hospital in Chicago. He said yesterday he followed the Secretary of the Treasury, but that he found if he followed him much further his fingers would get burned. If consistency is the criterion, he is already singed all over now.

Why, gentlemen, he pictures now the deplorable condition of these discharged, disabled soldiers in these wooden hospitals in Chicago. When this legislation was pending the Bureau of Public Health and the Secretary of the Treasury sent communication after communication to the Speaker of this House telling of the deplorable conditions not only at Chicago but all over this country; and yet the gentleman from Iowa has done more to retard the enactment of this legislation and the building of these hospitals and providing and caring for these unfortunate boys than any other man on the American Continent.

I shall refer to Dawsonsprings only briefly. I have not time. If you gentlemen will do me the kindness to read the speech I put in the RECORD Wednesday, you will see that it shows whether the contract price for road work there is reasonable or not. He says that Mr. Graff wanted at that time to let the contract to a subcontractor. How would you do that without getting a contractor first to let the contract to? And Mr. Perry says it meant that the Government was to build it, and he said that if this was done the Government would have to have $100,000 worth of machinery and equipment down there to grade two miles and a half of road. And when the proposition came at the instance of the gentleman from Iowa [Mr. GOOD] to repeal this legislation last spring and summer, if he had had his way about it all of this legislation would have been repealed and the boys all over the country would have had no hope of hospital facilities. And then, when the proposition to repeal it came in the urgent deficiency bill, in the last analysis here, notwithstanding his opposition then to the Speedway Hospital, notwithstanding the accusations he made then, somebody at the last moment here, as you gentlemen will remember, made the gentleman change his mind that night and—notwithstanding the Speedway Hospital was then a graft, according to his former statements—he let it go over, and the excuse was that he wanted to get the urgent deficiency appropriation bill enacted. Or, in other words, according to his former position, he would squander $9,000,000 of the people's money in hospital facilities just for the purpose of getting the urgent deficiency appropriation bill enacted into law. And when the gentleman from South Carolina [Mr. NICHOLLS] asked him and said, in substance, "I voted with you all the time against the Speedway; why have you changed?" he answered, and his answer is shown in his speech in the RECORD of July 28, 1919, as follows:

Humiliated as I have been because of the failure of the Rules Committee to report a rule, and actuated only by a desire to pass appropriation bills within the limit of time, I have been forced to take this position.

Why, the attitude of the Secretary of the Treasury has never been changed on the Speedway proposition, but the position of the gentleman from Iowa has been changed in some way, by some means; and because he has changed, he came in a spirit of criticism on the floor here yesterday and not only criticized the Secretary of the Treasury but the Bureau of Public Health in their activities, and says that a part of this little road work at Dawsonsprings is a graft. Gentlemen, in view of the reputation of Carter Glass, the Secretary of the Treasury, and his eminent and faithful service as a Member on the floor of this House, I think it will stand about as well as that of the gentleman from Iowa [Mr. GOOD] when it comes to graft or when it comes to honor and integrity on any proposition. [Applause on the Democratic side.] I do not believe there is a man of higher integrity that walks the soil of the United States than Secretary Glass; and because he has not changed his mind on the Speedway proposition, and because of the further fact that the gentleman from Iowa [Mr. GOOD] has, the latter comes in and criticizes the Secretary of the Treasury.

And yet the gentleman from Iowa comes now to ingratiate himself into the good graces of these disabled soldiers. He is very apprehensive about them now. He wants them all taken care of at this late date. But if it had not been for him, more than any other man, these hospitals, and especially the one at Dawsonsprings, would have been constructed and the soldiers would have been receiving the benefit of them to-day. He may think he is getting by with it, but it will meet with the condemnation of these poor, helpless boys, whom we promised when we went into the war, when we adopted the Bureau of War Risk Insurance act, "You bare your breast to the bayonets of the enemy, and when this great fight is over, if you come home maimed and wounded we will not only pay allowances and an indemnity but we will provide for you hospital facilities." That is what this Congress is trying to do, but the monkey wrench was thrown into the machinery by the gentleman from Iowa on this proposition, and, in my judgment, he will receive not only the wrath of every boy that is in these wooden hospitals and exposed to the hazards of fire and cold but he will be held responsible by every friend of these soldiers on the American Continent.

The CHAIRMAN. The time of the gentleman from Kentucky has expired. The gentleman from Iowa [Mr. GOOD] is recognized for two minutes.

Mr. GOOD. Mr. Chairman, I have no desire to answer the remarks of the gentleman from Kentucky [Mr. KINCHELOE] in kind. I am reminded of lines of Shakespeare in one of his immortal plays:

The robb'd that smiles, steals something from the thief.

I answer the gentleman's remarks with a smile.

The gentleman in his remarks the other day, as found at page 2128 of the CONGRESSIONAL RECORD, refers to a Democrat who was appointed by the Bureau of Public Health of the Treasury Department to go to Dawsonsprings and superintend the work there, and this is what the gentleman says of him:

The Bureau of Public Health sent a man named Graff to Dawsonsprings, and unfortunately his name is spelled G-r-a-f-f, without the "t."

The gentleman realizes that there is a species of graft going on with regard to the contract at Dawsonsprings. There is something going on with regard to that contract that smells to high heaven, where a contractor for 2 miles of grading is receiving $62,000 more for the grading than the Treasury Department estimated it would cost to do the grading. And now the gentleman has tried to malign the character of one man that they sent down there to do the work simply because he dared to tell of the rottenness of the department. As to whether he is honest and reliable, I call the Surgeon General of the Public Health Service. I shall ask leave to put into the RECORD the letter of Rupert Blue, the Surgeon General of the United States Public Health Service. He appointed this man, commending Mr. Graff for his splendid service.

That simply answers the charge of the gentleman. Mr. Graff was all right and would have been all right if he had been willing to do the will of the men from Dawsonsprings who are attaching themselves to the Treasury Department, and especially to the Public Health Service, and are able, apparently, to get just what they want.

I ask unanimous consent that the letter of indorsement of Mr. Graff, the gentleman who has been maligned by the gentleman from Kentucky [Mr. KINCHELOE], may appear in the RECORD.

The CHAIRMAN. The time of the gentleman from Iowa has expired. The gentleman from Iowa asks unanimous consent that the letter referred to be printed in the RECORD. Is there objection?

There was no objection.

Following is the letter referred to:

DECEMBER 29, 1919.

To whom it may concern:

The bearer of this letter, Mr. B. H. Graff, has been employed for a trifle over a year as field engineer of the United States Public Health Service. During this time he has made inspections of many properties in different parts of the United States and reported on them as to their adaptability for hospital uses, the cost of necessary alterations, and the value of the property. These reports formed the basis of the bureau's recommendations in many cases as to the acquisition of the properties and also the basis of negotiations for the purchase or lease of those which were acquired by the Government for this service. These reports were painstaking and thorough, and were found to be particularly dependable as to valuation.

Mr. Graff also negotiated a lease or purchase of several of these properties. During the latter part of his services in the bureau he was in charge of the preliminary survey for construction work and the layout of roads in connection with the large tuberculosis sanatorium which the service is constructing at Dawsonsprings, Ky.

Mr. Graff has shown most praiseworthy devotion to duty and regard for the interests of the service and the Government. His services have been of much assistance in the development of the large hospital program now being worked out by the service.

Respectfully,

(Signed) RUPERT BLUE,
Surgeon General.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Secretary of the Treasury is authorized to pay, out of the unexpended balance of the sum of $1,000,000 appropriated by the joint resolution of October 1, 1918, to aid in combating "Spanish" influenza and other communicable diseases, the bills of the proprietors of certain newspapers published in Chicago, Ill., for the publication of a notice giving warning against influenza on October 3, 1918, as follows: The Chicago Tribune, $600; the Evening Post, $366; the Daily Journal, $366; the Herald-Examiner, $448; the Evening American, $504; the Daily News, $610; in all, $2,894.

Mr. BLANTON. Mr. Chairman, I reserve a point of order on the section.

The CHAIRMAN. The gentleman from Texas reserves a point of order.

Mr. BLANTON. About October 1, 1918, the Public Health Service prepared a notice in the shape of a warning to the American people concerning Spanish influenza. This notice was published almost universally by the daily press all over the country. But I notice from this paragraph of the deficiency bill that certain newspapers in the city of Chicago make a charge against the Government for giving their patrons the benefit of this warning, the same warning which the patrons of every other newspaper in the United States had as a matter of news beneficial to them.

Mr. SABATH. Mr. Chairman, will the gentleman yield for a question?

Mr. BLANTON. In a moment. For instance, the Chicago Tribune, for giving its patrons the benefit of the warning, attempts to charge the United States Government $600. The Evening Post, for giving its patrons the benefit of that warning which would accrue to their help and assistance, attempts to charge the Government $366. The Daily Journal attempts to charge the United States Government $366. The Herald-Examiner attempts to charge the Government $448. The Evening American attempts to charge $504, and the Daily News $610.

Now I yield to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. As I understand, these announcements were placed in the papers as advertisements in a large special place, as advertisements, under the belief at that time that they would be noticed better and quicker by every one than would be the reading material that they have inserted frequently, warning the people against the prevailing influenza.

Mr. BLANTON. Does the gentleman from Illinois believe that the space in the Chicago papers devoted to items of news that would accrue to the benefit of their patrons is to be charged for any more than the like space in the New York papers or the space in the St. Louis papers or the space in the San Francisco papers? Is not the space of one newspaper worth just as much to itself and its patrons as the space of every other newspaper?

Mr. SABATH. There is no doubt about that, but this was placed there as an advertisement.

Mr. BLANTON. Yes. It had to be placed in a certain way in Chicago, but in no other city of the United States. I would like to ask the chairman a question about it. If the chairman is willing to pay these Chicago newspapers these various extravagant sums for something that was to the benefit of their patrons what excuse is he going to offer for not paying like sums to every other paper in the land for the same service? Their space was used. Their patrons got the benefit of this warning and influenza was combated by reason of this warning. If we pay these Chicago papers, why should we not pay them all?

Mr. GOOD. The situation in regard to these newspaper advertisements is this: There was about $10,000 or $12,000 of the million dollars appropriated to combat influenza used for newspaper advertisements. In all cases excepting these the Secretary of the Treasury approved the bills or the contracts for inserting these advertisements. They were display advertisements of a page or half page—I have forgotten the exact space. But in these cases the Secretary did not approve of the plan and the expenditure until after the advertisements were inserted. Therefore under the ruling they had no authority to pay for them. These advertisements were not paid for, and the others were paid for. That is the reason why this item is carried here as legislation in this bill. There is no question about its being subject to a point of order.

Mr. BLANTON. Does not the chairman believe that this kind of a warning to the American people was more in the nature of a news item which the readers of every paper had the right to expect from their newspaper rather than have the Government pay for it as an advertisement?

Mr. GOOD. I think practically the whole expenditure was a waste of money.

Mr. BLANTON. Yes; a waste of money. That is what it is, and we ought to stop it. I will make the point of order against it——

Mr. GOOD. Wait one moment——

Mr. BLANTON. On the ground that it is not authorized in the law, is new legislation, and that it is not germane to the bill.

Mr. GOOD. Will the gentleman withhold that for a moment?

Mr. BLANTON. I make the point of order. It is so clearly a waste of public money that I do not think we should take up time with it.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas withhold his reservation of the point of order?

Mr. BLANTON. I withhold it.

Mr. CHINDBLOM. Does not the gentleman believe that his criticism should be directed even more harshly against the department for having paid certain of these bills than against the newspapers that are trying now to get what the other newspapers have already received?

Mr. BLANTON. I took it for granted that my distinguished friend could understand the criticism, apparently veiled to him, which I was making, that these departments ought to be stopped from wasting the public money in any such manner, and that when the newspapers of the country have news items for their patrons they ought not to charge the Government for it.

Mr. CHINDBLOM. I simply wanted to make it clear that other newspapers received payment for making these publications.

Mr. LITTLE. Did I understand the gentleman from Texas to say "veiled criticism"? [Laughter.]

Mr. BLANTON. It was not veiled to anybody except to my friend over there.

Mr. JOHNSON of Washington. If that was a veiled criticism, what would a real criticism be?

Mr. BLANTON. It might have been a little of both.

Mr. GOOD. Will the gentleman yield further?

Mr. BLANTON. Yes.

Mr. GOOD. I want to say to the gentleman that while I was in Chicago a few days ago I heard a great deal of discussion in regard to the gentleman from Texas [Mr. BLANTON]. There seemed to be a good deal of sentiment that the two most prominently mentioned Democrats of the Nation were the gentleman from Nebraska, Mr. Bryan, and the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Oh, I do not want the gentleman to couple my name with that of Mr. Bryan. [Laughter.] I do not want to be coupled with anything that is not very much alive otherwise, as well as politically.

Mr. GOOD. I am simply telling the gentleman what the Democracy of the Middle West are talking about in this regard, and I hope the gentleman will not destroy his reputation in the country and in the Middle West by criticizing too strongly

the inefficiency of the present administration in the executive departments, because I realize that the gentleman has a great future.

Mr. BLANTON. In answer to the gentleman I will say that I notice a discussion of myself in to-day's Washington Times. The person in charge of that newspaper, who the Attorney General of the United States and the United States Senate a short time ago proved conclusively was a common, subsidized pimp of German brewers during the war, tries to make out that I have been wasting the time of this House because from time to time I have forced a quorum to attend to business. I have to bear criticism from such a source as that! If the fellow who is running that paper only knew it, my people in my country believe honestly and sincerely that if I could adjourn this Congress for half of the days of the year, so that it would be in session only half of the time, I would be doing a service to the American people, because the longer we sit here the more money we waste and expend and appropriate, and the biggest fool laws that an intelligent person ever dreamed of we pass and permit to go on the statute books, and my people know I am rendering a service every time I force a quorum, even though sometimes I thereby force this House to adjourn. So much for what is reported through the country. No sheet like the Washington Times can hurt me here or elsewhere. I make the point of order, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Iowa contend that this is not subject to the point of order?

Mr. GOOD. The item is subject to a point of order.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Aqueduct Bridge: For continuing the construction of the bridge authorized in section 1 of an act entitled "An act to provide for the removal of what is now known as the Aqueduct Bridge, across the Potomac River, and for the building of a bridg in place thereof," approved May 18, 1916, $150,000, one-half to be payable out of the Treasury of the United States and the other half out of the revenues of the District of Columbia.

Mr. BLANTON. Mr. Chairman, I reserve a point of order. I would like to ask the gentleman from Iowa if this is the old bridge over here in Georgetown upon which this Government has wasted so many thousands of dollars during the last 20 years?

Mr. GOOD. This is to build the new bridge authorized to connect Georgetown and Virginia.

Mr. BLANTON. In what way is this a deficiency?

Mr. GOOD. It is to replace the present bridge. It is a deficiency in this sense: We have already appropriated the full amount of the authorized cost, $1,000,000; but the bridge is under construction and will cost approximately, as I recall it, $2,000,000, and only $1,000,000 is authorized. It was authorized before the war. They are working on the bridge, and the Interstate and Foreign Commerce Committee have already reported out a bill to increase the limit of cost, as I recall it, to $2,100,000. Now, a bill of that kind will have to pass. This appropriation is made in anticipation of that bill passing, in order to give the funds that will be immediately necessary so as to continue the work.

Mr. BLANTON. Was there not a contract let for the construction of that new bridge for a specified sum?

Mr. GOOD. No. I yield to the gentleman from Illinois [Mr. DENISON] for information as to that. He is a member of the Committee on Interstate and Foreign Commerce.

Mr. DENISON. I will state that the work was not let on contract. The department asked for contracts, but all of the bids that were offered were so high that the Government rejected them and undertook the building of the bridge itself through the engineers of the War Department.

Mr. BLANTON. Then this is not for an additional amount to pay to some contractor over and above his contract price?

Mr. DENISON. Not at all.

Mr. BLANTON. The Government is building the bridge itself?

Mr. DENISON. Yes; the Government is building the bridge itself, and our Committee on Interstate and Foreign Commerce have already reported a bill to the House authorizing an additional appropriation to complete this work. I hope the gentleman will withdraw the point of order.

Mr. BLANTON. I withdraw the point of order.

Mr. MANN of Illinois. I reserve the point of order. I want to ask a question in reference to this. There was quite a contest in the House concerning the authorization for this bridge. There have been a good many propositions at different times here for different bridges across the Potomac River. There was quite a controversy in the House over the amount which the bridge might cost. Now the War Department goes ahead and makes plans that it may be never could have been carried out for the original sum authorized. So the increase is not on account of the war. I suppose we are in a position where we have authorized the construction of a bridge, turned the construction over to the War Department, expended in the neighborhood of $1,000,000, found that we have not yet commenced the work, and we are held by the throat and compelled to appropriate another $1,000,000.

I really am concerned as to the effect of this item in the bill on the previous authorization. I do not know that I can get any information. I do not know that anybody would be authorized to give the information. The Committee on Interstate and Foreign Commerce have reported a bill, I believe, increasing the authorization. The total amount heretofore authorized has been appropriated. Here comes in an item to appropriate an additional $150,000 not now authorized by law, and the question with me is whether the moment we appropriate the additional $150,000 it does not entirely remove the limitation heretofore provided. If we have appropriated money for a bridge with no limit on the authorization, that is a continuing work or project in process of construction, and there is no limit to the amount of money which may be appropriated therefor. Now, if by this item we exceed the appropriation already authorized and provide for $150,000 additional, does not that constitute a declaration by Congress that this is to carry out a project already under construction, and will it not authorize appropriations hereafter to any extent, regardless of whether we pass the bill reported from the Committee on Interstate and Foreign Commerce or not?

I notice, by the way, that this is called the Aqueduct Bridge. It ought to be called the Georgetown Bridge, but I believe it has a name. Does anybody know the name of it?

Mr. MONTAGUE. It is called the Key Bridge.

Mr. MANN of Illinois. I am glad there is one gentleman in the House, and he from Virginia, who knows the name conferred on the bridge, by whom I do not know, but certainly without any sense. I knew it was called the Key Bridge, but nobody knows why except the gentleman from Virginia and myself.

Mr. SABATH. The gentleman can always get the information on this side.

Mr. MANN of Illinois. I had the information, but I wanted to demonstrate that my colleague knew nothing about it.

Mr. SABATH. Your colleague got the information on this side.

Mr. MANN of Illinois. Mr. Chairman, I withdraw the point of order.

Mr. BYRNS of Tennessee. Mr. Chairman, I move to strike out the last word. I rise for the purpose of calling the attention of the committee to a serious situation that is going to occur in the office of The Adjutant General if this bill passes and becomes a law as it is now written. The facts I should say, in justice to myself, have come to my knowledge since the bill was considered in the Committee on Appropriations. I want to ask the gentleman from Iowa, the chairman of the committee, if he will not consent either to introduce an amendment taking care of the situation, or if he will accept an amendment which I would be glad to offer to correct the situation?

The situation is just this: There was an appropriation of $3,500,000 that was made for the purpose of taking care and custody of the draft records, and for the employment of clerical assistance, for the purpose of furnishing to adjutants general of States statements of the services of soldiers who served in the war with Germany.

You will notice that it was for the specific purpose of furnishing information to adjutants general of the various States.

Now, there is a considerable sum—$700,000 or $800,000—that will not be expended or needed for that particular purpose. The Adjutant General and Secretary of War asked the committee not to make a new appropriation but to authorize the expenditure of a certain amount of that sum already appropriated for the purpose of providing clerks to furnish information as to the records of soldiers to the bureaus and those who are lawfully entitled to call for it. If that is not done, it will be necessary for them to discharge 1,290 clerks employed on that work or to transfer them to other work in his office. If that is not done, The Adjutant General states plainly and emphatically that he will not be able to furnish the information to the War Risk Bureau and to the Auditor of the War Department or to the Federal Board for Vocational Training or to the director of finance which is needed in the settlement of claims made by soldiers and in the disposition of claims for medical treatment, allotment, and allowances, and so forth.

I take it that there is not a Member of this House who desires to see that occur, and yet The Adjutant General says that unless he has that authority he will not be able to furnish that information. What will be the result? The soldier will make application to the War Risk Bureau asking for medical treatment, asking for compensation; the Director of the War Risk Bureau can not settle that until he gets the official record of the soldier from The Adjutant General. Likewise, application will be made to the Federal Board for Vocational Training, and the board which will have finally to pass on that application must have official information from The Adjutant General as to the record of that soldier.

Mr. BEGG. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. BEGG. How have they been doing that in the past?

Mr. BYRNS of Tennessee. They have had a fund down there and have been able to furnish the information, but The Adjutant General says that the fund is exhausted and unless he gets the additional authorization the clerks will have to be discharged. In addition, the Director of Finance passes on the claims of soldiers for back pay and equipment and other claims, and the Director of Finance must have the official record of the soldier furnished by The Adjutant General. The same is true of the Auditor of the War Department in the settlement of these claims.

Now, the proposition comes to this House, as the Secretary of War and The Adjutant General state, that unless he is given the authority he will not have the force with which to furnish the information. The result will be that the soldiers who need medical treatment, these soldiers who are entitled to have compensation, these soldiers who are entitled to equipment, will be delayed possibly for months, and until the next fiscal year, before they can get their claims acted upon. Every Member of the House will be besieged with letters inquiring why the claims are not allowed.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. SMITH of Michigan. The gentleman says that it will be necessary for The Adjutant General to dispense with the services of 1,200 clerks. How many clerks has he?

Mr. BYRNS of Tennessee. I do not recall; I could refer to the hearings.

Mr. SMITH of Michigan. It takes some little while now to get the information.

Mr. BYRNS of Tennessee. Yes; it necessarily does take some time.

Mr. SMITH of Michigan. I do not suppose that I get every letter from my district, but I will say that I have been wondering why the great delays in these matters have occurred.

Mr. BYRNS of Tennessee. I get a great many requests in relation to various claims of soldiers pending before the War Risk Bureau.

Mr. SMITH of Michigan. The gentleman does not get over an average of five a day.

Mr. BYRNS of Tennessee. I get many more than that some days, and when I write a letter to The Adjutant General I get a very prompt response. A very few days brings me a response with respect to the soldier or anything else about which I ask. This Congress made an appropriation of $4,000,000 by way of lump sum to the Secretary of War and he allotted that sum among the various bureaus of his department, and the largest allotment was made to The Adjutant General. These 1,200 clerks have been employed out of that allotment, as I understand it, but that allotment has been practically exhausted, and that is what The Adjutant General means when he says that unless this authorization is given him those clerks now employed under this allotment will have to go out, and he will have no clerks whatever to put upon this work, to furnish this information which is necessary in order to have a speedy settlement of the soldiers' claims. I want to read what The Adjutant General says with reference to the number of clerks he has:

> I now have employed on the records of the soldiers of the World War only 60 per cent more clerks than were employed on the records of the Civil War 30 years after its close. * * * In proportion to the number of men demobilized I have less than one-third the number of clerks that were employed on the records of the Army demobilized after the Spanish-American War. I might add that I am now furnishing in the case of soldiers of the World War information of a kind that was not available until 30 years after the Civil War and for many years after the Spanish-American War. This became possible as the result of changes in the method of keeping the records of The Adjutant General's office, effected during the progress of the war. My request for funds to continue the employment of the present number of clerks would, therefore, not seem to be unreasonable.

I submit these soldiers are entitled to have their claims settled promptly, especially those who are disabled. When the Secretary of War and The Adjutant General come before the committee and say that unless we authorize him to use a part of this appropriation, not to make a new appropriation, but to use a part of the appropriation already made for the employment of these clerks, I think Congress ought to readily accede to it, because if you do not act, then you will be responsible and not the War Department when these soldiers have their claims held up for months. I hope that the gentleman from Iowa [Mr. GOOD] will consent to introduce an amendment which will take care of the situation, or if he will not do it, I would be very glad to do it myself, but I hesitate to do so without his full consent as chairman of this committee.

Mr. GOOD. Mr. Chairman, under all of the circumstances, I do not see how I can possibly introduce an amendment along the line suggested by the Secretary of War. I think there is nothing perhaps that will come before the Congress at this session that is going to determine whether or not we are to have real, efficient management in the executive departments and the discharge of useless clerks any more than this item that the gentleman refers to will disclose. It is here discovered that the Secretary of War threatens, in a letter addressed to the chairman of the Committee on Appropriations, that he will not answer and can not answer letters with regard to discharged soldiers unless we give this appropriation; and yet, out of the lump-sum appropriation of $4,000,000, he has created in his office a publicity bureau—for what nobody knows—with a man at the head of it drawing $3,900 a year. That publicity man is there now with a force under him. The War Department had during normal times, in rough figures, approximately $2,000,000 for its clerical force in Washington, and that amount is carried now in the bill for this year. In addition to that the legislative bill carried $3,500,000 as a lump sum for securing the draft records for the adjutants general of the several States. In addition to that there is another lump-sum appropriation of $4,000,000 for clerks in the War Department—$9,500,000 for clerks in the War Department for the year. Let us see how that was allotted by the Secretary of War. That appropriation of $4,000,000 was given because Congress wanted The Adjutant General to be able to get the records of the soldiers of this war promptly, and not hold those records open for 30 years. The letter of The Adjutant General is rather misleading, not intentionally. The Adjutant General would have you believe by that letter that for 30 years after the Civil War there was a force employed, whereas, as a matter of fact, a force was not placed in the War Department to compile the records until about 30 years after the close of the Civil War.

Let us see what the Secretary of War did with the $4,000,000 that we gave him for the force to furnish the information that the boys who have been discharged want and should have. The Secretary of War took for his own office $277,000, and yet he has his statutory peace-time organization in addition. He gave to the Surgeon General of the United States $335,000. He gave to the Director of Purchase, Storage and Traffic $418,000. He gave to the Chief of Ordnance $680,000. What are these clerks doing? They are down there now doing the work for officers who will not resign, who are here in Washington, as a rule drawing more salary than they could draw at home—not all, by any means, but in the main—preparing work in the Ordnance Department, sending up to Congress this plan and that scheme. There are pending before the Committee on Appropriations estimates for appropriations this year of $117,000,000 for ammunition and for guns in the fortification estimates, when every sensible man in Congress knows that we are going to pay no attention to those estimates, at least to the extent of making any such appropriation, yet they continue to want money in employing clerk hire in working out these schemes.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. Does the gentleman deny the statement made by The Adjutant General that he has now proportionately less than one-third the number employed on this particular kind of work than were employed upon the same kind of work after the Spanish War?

Mr. GOOD. The Adjutant General is mistaken there in arriving at those figures. He says he takes into consideration the number of clerks in the Pension Department also; and if the gentleman will get his figures he will see that he takes the number that was employed in The Adjutant General's office and in the Pension Department then, but now he says nothing about the 2,900 clerks in the Bureau of War Risk, reduced now to about 2,000, who were employed on compensation, and if he adds these to his list his argument falls to the ground. Again, The Adjutant General fails to give any credit to labor-saving devices which has so materially lessened the number of clerks that the comparison is worthless.

Mr. BYRNS of Tennessee. Here is what he says:

I have less than one-third the number of clerks that were employed on the records of the Army demobilized after the Spanish-American War.

Mr. GOOD. I do not know about that. I thought the gentleman had reference to the general work where he makes the comparison with previous years, and in his comparison of previous years he does include the clerks employed in the Pension Office, but he says in his comparison nothing about the 2,900 clerks in the Bureau of War Risk. If we should make a real comparison, let it embrace all the elements involved.

Mr. BYRNS of Tennessee. Oh, certainly they are employed on something else, and if they are not employed they should be discharged.

Mr. GOOD. And with them in the Pension Office the comparison is unfair.

Mr. BYRNS of Tennessee. I am speaking of this particular work.

Mr. GOOD. I want to go on with this and see where the rest of the $4,000,000 was allotted. It has not all been expended by any means. From 14 per cent, outside of The Adjutant General's office, to 65 per cent has been expended. In the Bureau of the Chief of Ordnance, where he allotted $680,000, there remains $340,000 now, and all of $340,000 could be transferred to The Adjutant General's office, and that would give more than half what he is asking for. But he will not do it, and why? Does he want to punish the taxpayer or the discharged soldier, or both?

Mr. BYRNS of Tennessee. If the gentleman will yield——

Mr. GOOD. I yield.

Mr. BYRNS of Tennessee. Granting for the sake of argument that it is true that the Secretary of War has made certain allotments to other bureaus in large sums, the fact remains that The Adjutant General is now without funds to do this work, and the question presented to the Congress now is whether we want to delay the prompt settlement of soldiers' claims.

Mr. GOOD. The Secretary of War has funds; let him reallot it.

Mr. BYRNS of Tennessee. This money has been heretofore allotted.

Mr. GOOD. The Secretary of War can change the allotments by simply signing his name to the paper.

Mr. BYRNS of Tennessee. Does the gentleman know the condition of the allotments at the present time? I do not think we can afford——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. I ask that five minutes more be granted the gentleman.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. I do not think, I will say to the gentleman, that we can afford, merely because the Secretary of War may or may not have allotted too much to some other bureau, to take the position here that in the face of The Adjutant General's positive statement we will take action which will necessarily delay the prompt settlement of soldiers' claims, especially those who are disabled and in need of relief.

Mr. GOOD. If the gentleman will offer an amendment and his side of the House will support it providing that these unexpended balances of the allotment for the Ordnance Department and in the Secretary's office, where he is conducting the publicity work, shall be used to furnish information for the discharged soldiers, I will support that amendment. But what the gentleman wants us to do is to have this Congress—which has complained and complained severely with regard to the fact that in many bureaus of the War Department clerks have been simply falling over each other because of the large number of clerks—he wants us simply to be compelled to pass a resolution here or a bill that will say, "We were mistaken; that the War Department has not enough force to do the work; what we said was not true." I do not intend to place myself in that position, and I do not believe the House does. I have said the War Department has too many clerks. I believed it when I said it. I believe it now. Now, I want to read to the gentleman what Mr. TAYLOR of Colorado, a Democrat, said before the Committee on the Budget with regard to this very thing:

Mr. TAYLOR. The people of the country think that after the war is over we ought to eliminate some of the urgency temporary employees. There is not one of these department heads that will ever cut out any appreciable number, generally speaking. How can we make them economize and stop duplication? Congress would be economical if the departments would do their share.

Now, Mr. Burks answered—Mr. Burks during the war was a major, I think, in the office of the Chief of Staff, and speaks knowingly——

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. Not until I finish reading this. Mr. Burks knows what he is talking about, because he spent two years or thereabouts in the office of the War Department, and he said:

Mr. BURKS. I am glad to hear you say that. A month or two ago I was in the Army, and for the last six months I was connected with the General Staff. I will not mention the particular office because I do not think that is necessary.

Mr. TAYLOR. No.

Mr. BURKS. I saw with my own eyes, day after day, hundreds of clerks who were doing nothing.

Mr. TAYLOR. Everybody sees that. There is one building covering some 15 acres of ground, with three stories, and with 45 acres of clerks in that building, and they probably ought most of them to be sent home.

Mr. BURKS. But at the same time it would have been quite impossible for the head of the division I was working with to determine whether I or anybody else in this organization was unnecessary, for the reason that the information coming to the head of the division was not such as to give him any perspective at all on the amount of work being done or the prospects for the future. He had no perspective on this sort of thing; and when he came to make his estimates for the current year, no doubt, he took the estimates of last year, and he said, "Well, now, here, maybe this thing is going to contract a little, and we had better cut out about 15 per cent and let it go at that." That is probably the way he did it. It emphasizes the fact that you can not get rid of these 25,000 clerks here that are superfluous—

Twenty-five thousand superfluous Government clerks in Washington admitted by a man who was in the office of the Chief of Staff of the War Department, an officer of the Army of the United States; and yet we stand here pledged to economy and by our votes propose to say that the Secretary of War shall continue this waste, inefficiency, and extravagance. I shall not vote for it. I will say to the gentleman I will vote, if necessary; and it may be necessary, it may come to that, that we transfer from the Secretary of War, from the ordnance and other bureaus of the War Department, these clerks who are not needed there to the office of The Adjutant General. I base my statement upon the showing of a man who was in the office of Chief of Staff and who knows.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BLANTON. Mr. Chairman, I ask that the time of the gentleman be extended two minutes in order to enable me to ask him a question.

The CHAIRMAN. Is there objection to the request that the gentleman's time be extended two minutes? [After a pause.] The Chair hears none.

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. I yield.

Mr. BLANTON. I am willing to agree with the gentleman that there are 40 per cent of the clerks in every department in this city who have not got anything on God Almighty's earth to do there, but I want to tell the gentleman this: The secret of the trouble is that we are never going to get rid of these surplus, idle clerks until Members of Congress themselves and the employees' organizations of this city quit meddling in the pie. Every time a department tries to get rid of clerks the clerks go first to their Congressman and then to their clerks' organization, and the Congressman and the organization go back down here and force the department to take them back.

There is where the secret of the trouble is. And until Congress takes some action to send these now useless war clerks home they never are going to be sent home. [Applause.]

Mr. CHINDBLOM. Does the gentleman tell me that any Congressman on this side of the House could go there and get a man put back to work?

Mr. BLANTON. You have more power with the Republican heads of the departments down there than you imagine.

Mr. GOOD. Now, Mr. Chairman, before the war we had in Washington employees in the War Department to the number of 2,911. That was on April 6, 1917. How many do you think we have now? We have 21,216 clerks; and the war is over. The President told us on the 11th day of November, 1918, a year and a half ago:

The war thus comes to an end, and on terms that the German command can not renew it.

And yet you have to-day, or did have on December 31, 1919, 21,216 clerks in the War Department, and the Secretary of War sends his threat to Congress, with all that number of clerks—and only about 1,100 will lose their jobs if we do not grant this appropriation—that he will not answer the letters of Members of Congress, and he will not furnish to the Bureau of War Risk Insurance and other bureaus the information about the discharged soldiers unless we will consent to be held up and grant him the request which he makes, and which would be an indorsement of all of the inefficient work that has been going on in the War Department that Mr. TAYLOR of Colorado has so pointedly called to the attention of Congress.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MERRITT having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 3779. An act to authorize the Ozark Forest road-improvement district of Baxter County, Ark., to construct and maintain a bridge across the White River, near Norfolk, Ark.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 6863) to regulate the height, area, and use of buildings in the District of Columbia and to create a zoning commission, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERMAN, Mr. CALDER, and Mr. SHEPPARD as the conferees on the part of the Senate.

SECOND DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask the indulgence of the committee to proceed for five minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to be allowed to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. Mr. Chairman, I do not doubt but that there are in a number of bureaus and a number of departments of this Government a great many clerks that are not needed. You gentlemen on that side of the aisle are in authority and have a majority, and I assure you I will join hands with you in any effort you may make to cut out useless clerks. But that does not answer the proposition which is now before this committee.

The gentleman from Iowa [Mr. GOOD] says that if I will offer an amendment making available all the money which the Secretary of War has allotted to the Chief of Ordnance and to other bureaus in his department for this purpose, he will support it. Gentlemen, there are two reasons why I can not do that and why it would be improper to do that. In the first place, there is no information here—and the gentleman from Iowa said he did not know—as to what parts of these allotments have been expended up to this time.

Mr. GOOD. I have the information.

Mr. BYRNS of Tennessee. Even if the gentleman has it, the gentleman is not in a position to say as a Representative—and a responsible Representative in this House—that it would be either proper or feasible to take those allotments, all of them, from those bureaus.

Mr. GOOD. I offered the evidence of Mr. Burke.

Mr. BYRNS of Tennessee. As you gentlemen know, the Bureau of Ordnance has or did have hundreds of plants under its control and under its charge. The same is true of other bureaus with reference to work—war work that came over from the war—and everyone realizes that they must have the clerks with which to handle that excess business until it is disposed of. The Director of Purchase and Storage, having hundreds of millions of dollars of Government property to take care of and to dispose of, must have additional clerks for that purpose. And yet the gentleman from Iowa [Mr. GOOD] would have this Congress take from the Secretary of War and from those bureaus the clerks that he has allotted for the purpose of carrying on that business. But I repeat that does not answer the proposition with which this committee and this House is confronted now, and that is whether we are going to deny to The Adjutant General the money and the clerks which he says are absolutely necessary in order to enable him to furnish not only you, the Representatives of the people, but the Bureau of War Risk Insurance, the Auditor of the War Department, the Director of Finance, and the Vocational Board, the information necessary for the prompt settlement of these claims of disabled soldiers and these claims for equipment, and so forth.

If the cry comes hereafter that these claims are not being settled, then the majority of this House must take the responsibility before the country and before these soldiers for their failure to provide the necessary money.

I am as much in favor of economy as the gentleman from Iowa or any other Member of this House, but I do not want to see this House deliberately cripple any activity of this Government which is necessary, and especially an activity which deals with those soldiers who fought so gloriously for their country during the Great War and who have returned home disabled and who need support and compensation from the Government.

Now, the gentleman from Iowa says that the Secretary of War has delivered a threat to the effect that he will not answer your letters. I challenge that statement. The Secretary of War and The Adjutant General stated to the committee frankly that they could not answer your letters; that they could not give you the information as to official records of soldiers unless you gave them the clerks with which to do that. They said that unless this authorization was given they would be powerless to respond to the requests of Representatives. If you gentlemen are willing to take the responsibility of seeing that these claims are delayed and these soldiers do not receive the attention to which they are entitled, then the responsibility is yours.

Mr. GOOD. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. GOOD. I will read to the gentleman a paragraph that seems to me contains even more than a veiled threat:

> Unless relief is afforded either by an additional appropriation by the enactment of legislation permitting the use of the $3,500,000 appropriation as suggested it will be necessary for me to direct The Adjutant General to suspend at once all work connected with records of the demobilized Army. This will mean a cessation of all work connected with furnishing information from these records to the Director of the Bureau of War Risk Insurance, the Federal Board for Vocational Training, the Director of Finance, the Auditor for the War Department, and other public officials of the Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. That is exactly what I said to the gentleman.

Mr. GOOD. That is exactly what I said.

Mr. BYRNS of Tennessee. I submit it to any member of this committee if that constitutes a threat. He said that if you do this thing it will be necessary for him to issue these orders. The gentleman from Iowa talks about the number of clerks employed. It may be there are too many clerks, and I have no doubt that there are too many in many of the departments of this Government, but I deny that The Adjutant General has at the present time too many. The Adjutant General has met the requests of Members of Congress, and has answered twenty-five and thirty thousand communications a day to various bureaus of this Government which have to do with soldiers, and his own letter here shows, and it can not be successfully contradicted, that by reason of the efficiency in that office and the approved methods which he has put in, he has now proportionately less than one-third of the number of employees at work upon the records of the members of the demobilized Army than were employed after the Spanish-American War.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman from South Carolina moves to strike out the last three words.

Mr. BYRNES of South Carolina. Mr. Chairman, I do not think there is any reason for our getting agitated over this question. I believe that in the hearing The Adjutant General presented a case justifying action by the Congress. The majority of the committee thought otherwise, and certainly I shall offer no amendment to remedy the situation unless the chairman of the committee decides to approve it.

But the situation is this: The request of The Adjutant General would mean an expenditure for the purpose of furnishing information to the War Risk Bureau and to the Zone Finance Officer of $674,000. The gentleman from Iowa thinks it unnecessary.

I will say here that no man on either side of the House works more energetically and more effectively for real economy than does the chairman of the Committee on Appropriations, the gentleman from Iowa [Mr. GOOD]. If he ever errs it is going to be on the side of too much economy in his anxiety to cut down the expenditures as much as possible. But I am satisfied that if he will carefully consider this matter he will see that it is impossible to remedy this situation, unless an amendment is agreed to, as suggested by the gentleman from Tennessee. Upon the hearings it developed that instead of the Secretary of War being able to use any part of the $4,000,000 fund for this work in The Adjutant General's Office, he had made an inquiry, as the records show, of each bureau in the department, and instead of their having funds available for this purpose it is probable that there will be a deficit in some of the other bureaus. Now, on page 280 of the hearings there is set forth the unexpended balance in each bureau.

The gentleman from Iowa referred to the amount which was allotted to the Ordnance Bureau, which he thinks should be

given to the office of The Adjutant General if they really need it. The balance left in the Bureau of Ordnance on January 1 was only $276,000, and therefore if the Secretary of War took from that bureau every dollar that it has, it would not enable The Adjutant General to furnish the information that he is required to furnish to the War Risk Bureau and the Zone Finance Officer for more than two months of the five months that remain of this fiscal year.

The gentleman says that money has been spent extravagantly in the War Department, and states that a publicity department has been established, and that money could be saved by abolishing that. He is mistaken about that. It is not an extravagance. Heretofore in each bureau a clerk has been assigned to the duty of giving out information as to the work of each bureau, answering the inquiries of the press and the people. Recently, in order to economize, one man was detailed in the Secretary's office to give out information as to all bureaus, and as a result it is economy instead of extravagance.

Now, the statement made by Mr. Burke, quoted in the budget hearings, is really not relevant to this matter at all. Men will always differ as to the amount and quality of work done by others in the same department, but the fact to-day is that The Adjutant General is confronted with the fact that he must daily furnish, on the average, sometimes as high as 25,000 answers for requests for the service records of men to the War Department, to the zone finance officer, and to the War Risk Bureau, and during a period of three days 67,000 such answers were required.

The gentleman says that with the cessation of war, when the President declared the war was over, conditions had changed, and we ought to reduce these clerks. But when you stop to think of the character of the work that is done in the office of The Adjutant General you will see that that work has not been reduced. None of these requests from the War Risk Bureau, amounting, I have said, to 67,000 in three days, came until after the signing of the armistice, and this is true of requests from the zone finance officer. This work has arisen since demobilization. The requests have so increased as to demand that The Adjutant General assign clerks to this work.

The gentleman says that the clerks now engaged in the active Army should be assigned to this work. Out of this $4,000,000 fund 517 clerks are allotted to The Adjutant General's Office, in addition to four hundred and some odd who are carried on the statutory roll. But where in 1914 we had an Army of less than 100,000 men, to-day we have an Army of 220,000, and if The Adjutant General attempted to reduce this force of 1,000 clerks he never could attend to the work that the active Army now requires. Therefore he must leave those clerks on the work of the active Army and will be unable to answer these requests of the War Risk Bureau and the zone finance office.

If the gentleman from Iowa can find any unused funds and will draw an amendment making it available, I will join with him, because this does not carry an appropriation. It provides for the use of funds out of this same $4,000,000 fund that has been allotted to draft records and to the office that furnishes information to the Attorney General.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. GOOD. The gentleman understands, however, that it will be necessary to make subsequent appropriations for the draft records.

Mr. BYRNES of South Carolina. Yes. I was going to add that. I would not leave the impression that this would not mean an additional appropriation later, because this draft work will have to be completed. But it is only a question as to where The Adjutant General can get this money. He has got to have it. He can not take those 450 or 500 clerks away from the work of the active Army. The gentleman thinks he can get it from the Ordnance Bureau. But the record shows, as I have already said, that only $276,000 was left on the 1st of January in the Ordnance Bureau, and if he tried he could not get along without an addition of between $400,000 and $500,000 between now and the end of the year. The responsibility rests upon every man on the floor of this House. It is not a partisan question. It is a question that every Member of this House is interested in, and I hope that if the gentleman from Iowa can not offer or agree to an amendment such as was suggested by the gentleman from Tennessee [Mr. BYRNS] before the bill is finally disposed of he will frame some amendment diverting from the bureaus he says has surplus funds the money necessary to take care of this important work that is asked for by The Adjutant General's Office.

Mr. GOOD. Will the gentleman yield for a question?

Mr. BYRNES of South Carolina. Yes.

Mr. GOOD. I will ask the gentleman from South Carolina [Mr. BYRNES] and the gentleman from Tennessee [Mr. BYRNS] if they are willing to accept this as an amendment, in view of the fact that the Secretary has $1,195,000 of the $4,000,000 unexpended:

The Secretary of War shall reallot the appropriation of $4,000,000 for temporary employees in the War Department in such manner as will provide an allotment of $500,000 for the office of The Adjutant General in addition to the allotments already made for that office for the current fiscal year for work in connection with the records of the demobilized army.

Mr. BYRNS of Tennessee. That is not the amount of money that he says will be necessary.

Mr. GOOD. I know it is not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. GOOD. The gentleman knows full well that there is quite a controversy between the Bureau of Efficiency and The Adjutant General with regard to the inefficient methods that are employed in that work. The Committee on Appropriations has gone into that somewhat, but, of course, can not decide the matter. I do feel in a general way that there might be some reduction in the force in The Adjutant General's Office without a reduction in the results. Now, this gives him $500,000 out of almost $1,200,000 unexpended. Of that I will say to the gentleman that $276,000 is in the Ordnance Department, $26,000 in the Motor Transportation Force, and $15,000 in the Chemical Warfare Division. Why in the name of common sense have we now officers, clerks, and men working on chemical warfare, emergency employees, 18 months after the war is over?

The gentleman knows full well that the amendment he proposes to offer is subject to a point of order. I am perfectly willing and will do all I can to give The Adjutant General the money to furnish the information with regard to the records of the demobilized armies, but I do insist that these other bureaus of the War Department shall not be permitted to continue in this course of reckless extravagance. If the Secretary of War will not make a fair and just allotment so as to continue furnishing information most desired, why does the Secretary of War want to deny the discharged soldiers the service they are entitled to? Is that the way he feels toward them, that he would prefer to keep useless and unnecessary employees in other bureaus while he would discharge the clerks and refuse to give any information as to the discharged soldiers?

Mr. BYRNES of South Carolina. I should have no objection to agreeing to support the amendment of the gentleman from Iowa [Mr. GOOD] if I had any information at all that would cause me to doubt the accuracy of the statement of the Secretary of War that the amounts allotted to these other bureaus would be expended; but now let me call the attention of the gentleman to the facts. Why they should need money to expend in the Division of Chemical Warfare I do not know, but I can readily conceive that they will need that $15,000. I believe there ought to be some chemical warfare organization in the War Department, and that it is necessary to maintain the bureau, just as it is necessary to maintain the Coast Artillery in time of peace. If you do not maintain them in time of peace, you will not have them when war comes. You can not start after you engage in war.

Manifestly we can not reduce the amount in the Surgeon General's Office, and we have no reason for believing that the $145,000 there can be reduced, or the $29,000 in the office of the Chief of Engineers, or the $27,000 in the Signal Office, and plainly we would be taking charge of the administration of the department and allotting money to one bureau without regard to the necessities of others, whereas the two items named in the estimate submitted by the department can be drawn upon.

I do not agree with the gentleman's statement about extravagance in The Adjutant General's Office. I do not think the gentleman from Iowa means to charge that that particular office has been extravagant. The Adjutant General explained to the committee how each day officers were sent through the different divisions of that office to ascertain whether clerks were at work, and there is no proof to justify any charge that there are any unnecessary clerks in The Adjutant General's Office.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. GOOD. I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. GOOD. I will ask the gentleman from Tennessee if he is willing to support this proposition?

Mr. BYRNS of Tennessee. I want to say to the gentleman from Iowa in all frankness that I do not think this House, with the information that was before the committee and with the information that it has, can afford to undertake to absolutely strip the Director of Purchase and Storage, for instance, the Bureau of Ordnance, and other bureaus of the clerks which the Secretary of War feels it is necessary they should have.

Mr. GOOD. That would not be necessary.

Mr. BYRNS of Tennessee. If these clerks are not necessary, the gentleman should take the responsibility of offering an amendment, after due investigation, to cut out these clerks. I do not think we ought to rob Peter to pay Paul.

Mr. GOOD. They have now practically $1,200,000 unexpended of this $4,000,000. Now, if we give the Secretary of War discretion to make the reallotment of $500,000 out of that $1,200,000, he will still have $700,000 left of a lump sum over and above his $1,200,000 unexpended for his regular establishment. Nobody can be injured by doing that.

Mr. BYRNES of South Carolina. Did I understand the gentleman from Iowa to say the Secretary of War would have $700,000 additional?

Mr. GOOD. After we take out the $500,000 he will still have $700,000 left.

Mr. BYRNES of South Carolina. If he should take back from these different bureaus the money he has allotted to them?

Mr. GOOD. No; if he should take the $500,000 and reallot it, he could take it from any bureau that he saw fit and give it to The Adjutant General to do the work for the demobilized Army, and then he would still have a sum lacking $5,000 of $700,000 for the rest of these bureaus in addition to his regular statutory force.

Mr. BYRNES of South Carolina. To do that he would have to close up other bureaus.

Mr. BYRNS of Tennessee. But $314,000 of that $1,200,000 is now allotted to The Adjutant General, and the result would be that you would cut him down to about $300,000 for allotments to these other bureaus.

Mr. GOOD. I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 15, after line 4, insert:

"ADJUTANT GENERAL'S OFFICE.

"The Secretary of War shall reallot the appropriation of $4,000,000 for temporary employees in the War Department in such manner as will provide an allotment of $500,000 for the office of The Adjutant General in addition to the allotments already made for that office for the current fiscal year for work in connection with records of the demobilized army."

Mr. BLANTON. I reserve a point of order against the amendment.

Mr. GOOD. I ask for the regular order.

Mr. BLANTON. If the gentleman will not permit us to find out something about this, I will make the point of order.

Mr. GOOD. Well, make it, then.

Mr. BLANTON. It is unauthorized by law, is not a deficiency, and is not germane to the bill.

Mr. GOOD. I ask for a ruling.

Mr. BLANTON. I want to discuss it.

Mr. GOOD. We have already discussed it.

The CHAIRMAN. The gentleman from Texas makes the point of order against the amendment. Will the gentleman from Iowa cite the Chair to any law authorizing this appropriation?

Mr. BLANTON. I can give the gentleman a little light. Will the Chairman permit me to ask him a question? If so, I will reserve the point of order.

Mr. WALSH. Mr. Chairman, I demand the regular order.

Mr. BLANTON. Then, I make the point of order.

Mr. BYRNS of Tennessee. Mr. Chairman, the amendment simply seeks to give authority to employ more clerks in the War Department. Under the organic law creating the War Department authority is given to Congress to make appropriations to provide the clerical assistance necessary to carry on the business in that department. That is all this is. It has been ruled hundreds of times that any amendment seeking to add to the number of clerks in a department is in order, because certainly Congress has the authority to furnish the department with the necessary machinery in the way of clerks to conduct its business. Therefore it seems to me that the point of order is not well taken.

Mr. BLANTON. Mr. Chairman, the chairman of the committee having admitted that it was subject to a point of order——

Mr. BYRNS of Tennessee. The chairman of the Committee on Appropriations does not decide these matters. It is a question for the Chairman of the Committee of the Whole.

Mr. JUUL. Mr. Chairman, I ask unanimous consent that the amendment may be again reported.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

The Clerk again read the amendment.

Mr. BLANTON. Mr. Chairman, I would like to be heard a moment on the point of order. In the first place, the chairman of the committee admits that the amendment is subject to a point of order. In the second place, there is no law authorizing the Secretary of War, after an allotment has been made, to reallot the various sums among the various departments. In the third place, as a matter of fact, there are employed in the War Department to-day so many clerks that every morning the heads of the departments have to tell them to make five minutes' work last all day in order that they may apparently have something to do. Because of that fact, unless I can ask a question I shall insist on the point of order. It is not authorized by law, it is not a deficiency, and it is not germane.

Mr. WALSH. Are those the only grounds upon which the gentleman bases the point of order?

Mr. BLANTON. I think that is sufficient.

Mr. WALSH. It is certainly authorized by law for Congress to appropriate for this force. Under a former ruling of the Chair it comes within the rule of deficiencies, and certainly it is germane to the provisions of the bill.

The CHAIRMAN. The gentleman from Texas states numerous grounds for his point of order against the paragraph in question, but to the mind of the Chair he does not make the point of order that is apparent on the face of the amendment, unless by saying that it is not authorized by law he means that it introduces new legislation.

Mr. BLANTON. If it is unauthorized by law, it is certainly new legislation. If the Chair did not understand that, I make that point now.

The CHAIRMAN. It does not necessarily follow, but if that is what the gentleman means, the Chair sustains the point of order on that ground.

Mr. BYRNS of Tennessee. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. BYRNS of Tennessee: Page 15, after line 4, insert:

"So much of the appropriation of $3,500,000 not necessary for the care and custody of the draft records and for the employment of clerical assistance for the purpose of furnishing to adjutants general of States statements of service of soldiers who served in the war with Germany shall be available for the employment of the clerical assistance necessary for the purpose of furnishing such information from the records of the demobilized army as may be properly furnished to public officials, former soldiers, and other persons entitled to receive it."

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment that it is not germane, that it is new legislation, and that it is unauthorized by law.

Mr. BYRNS of Tennessee. May I ask the gentleman a question?

Mr. BLANTON. Certainly.

Mr. BYRNS of Tennessee. Has the gentleman from Texas now included all the points of order that he expects to make on this amendment?

Mr. BLANTON. If they are not sufficient, I expect to make some more if necessary. [Laughter.]

Mr. BYRNS of Tennessee. I have no doubt the gentleman will if he gets a cue from the Chair, as he did a moment ago.

Mr. BLANTON. The only difference is that when I get a line from the Chair I am able to know it and act on it, and sometimes the gentleman from Tennessee might not be able to.

Mr. BYRNS of Tennessee. Well, I will leave that to the judgment of the House. Mr. Chairman, this amendment, it seems to me, is not subject to a point of order. It is in no sense new legislation. As the Chair intimated a while ago and as I attempted to argue, the House certainly has authority to add to the clerical force of the War Department. That has been held any number of times; in fact, every time the point has ever been raised. The House certainly has authority to give the War Department the clerical assistance it needs. This does not seek to make any

new appropriation, but simply provides that out of the appropriation now in the Treasury the Secretary may use such funds as are not needed for other specific work for clerks to do this work.

The CHAIRMAN. The Chair will ask the gentleman, as the law now stands, would the Secretary of War be authorized to do what the gentleman is seeking to have him do?

Mr. BYRNS of Tennessee. The Secretary of War would not be so authorized.

The CHAIRMAN. Would he be authorized if this amendment of the gentleman from Tennessee should be placed in the bill?

Mr. BYRNS of Tennessee. Undoubtedly he would——

Mr. BLANTON. Then it is new legislation.

Mr. BYRNS of Tennessee. I could offer an amendment appropriating $674,000 for the purpose of employing additional clerks in The Adjutant General's Office and it would be in order. Instead of doing that, I am asking the adoption of an amendment which authorizes $674,000 already appropriated to be used for the employment of the same clerks.

I respectfully insist that the question asked by the Chair and my answer by no means determines the point of order. This simply provides for the employment of additional clerks. I take it that the Chair would not hold that an amendment offered to this bill providing for additional clerks would be subject to a point of order, and that is all this does, except that it does not make a direct appropriation, but authorizes money already appropriated to be so expended.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. CANNON. Under the law as it now is, could not the Secretary of War detail clerks from one bureau to another?

Mr. BYRNS of Tennessee. Unquestionably.

Mr. CANNON. And is there not authority of law to detail clerks from one department to another?

Mr. BYRNS of Tennessee. Yes.

Mr. CANNON. I do not know what the truth is, but it seems to be admitted that clerks are scattered here and there where they are not needed. Is not this a matter for administration?

Mr. BYRNS of Tennessee. I do not think so, and that is the whole point of contention. The Secretary of War states that unless this authorization is given he will not have authority to employ clerks and will not have clerks with which he can do this particular work. Somebody has to answer the question and we have to trust somebody. The Secretary of War is on record as saying that he has not in his department clerks that he can put upon this work to continue to perform this service.

Mr. BANKHEAD. Mr. Chairman, I submit that this discussion is not on the point of order.

The CHAIRMAN. The Chair is hearing the gentleman from Tennessee, and it seems to the Chair that it is pertinent to the point of order.

Mr. CANNON. The Secretary of War, it is not controverted, has in his department more clerks than he needs, presumably trained clerks. If he has to employ from the outside new clerks they would have to be instructed, and that would be a matter of months. If it be true that the Secretary of War has useless clerks with full power to detail from one bureau to another, with the President having full power to authorize the detail from one department to another, why can not what the gentleman is seeking be accomplished through administration? I am asking this in the greatest good faith. I think this work is all-important, and it seems to me that with proper administration a new arrangement of Cabinet officers might be wise; but as I am not President and as he does not ask me for advice, I merely make the suggestion.

Mr. BYRNS of Tennessee. The gentleman from Illinois is assuming that the War Department has too many clerks. I am not willing to make that assumption in view of the direct and positive statement made by the Secretary of War that he has not the number of clerks to detail to this work to perform it.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. McKENZIE. Does the gentleman from Tennessee know how many clerks are employed in filing and taking care of the draft records?

Mr. BYRNS of Tennessee. As I remember it, there are 1,290 clerks employed in this particular service of furnishing information in respect to the official records to the various bureaus and the Members of the House and the Senate.

Mr. McKENZIE. If the gentleman will pardon me, I will state that, in my judgment, whatever number there may be employed there could be very safely transferred to The Adjutant General's Office to do this necessary work, because Gen. Crowder, when the question was put to him as to what should be done with the draft records—that is, the questionnaires—stated they could be disposed of in one of three ways.

They could be left in the various precincts and counties or they could be turned over to the adjutants general of the various States, or they could be sent to the War Department. The War Department—for some reason never explained to me, and I can see no earthly sense in it—ordered those draft records shipped here to Washington, and no doubt they have hundreds of clerks down there working on that useless task.

Mr. CANNON. Mr. Chairman, will the gentleman yield further?

Mr. BYRNS of Tennessee. Yes.

Mr. CANNON. In substance I received a letter from some one, I do not recollect whom, informing me that if I would request the Secretary of War, he would send to me the names of everyone in my district who was enlisted for the draft and everybody who was enlisted in the Army, for my use. I just put that advice in the wastebasket.

Mr. BYRNS of Tennessee. That does not involve the use of any great number of clerks, because, as I understand it, these are photostatic copies of the various records.

Mr. BEGG. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. BEGG. Did I understand correctly a moment ago that it was possible to transfer clerks from, we will say, for illustration, the Navy Department over to the War Department?

Mr. BYRNS of Tennessee. I think the Executive has the authority to do that. Of course, the Secretary of the Navy could not do it.

Mr. BEGG. But there is authority for the transfer?

Mr. BYRNS of Tennessee. Under the Overman Act; yes.

Mr. BEGG. The head of one of the departments in the War Risk Insurance Bureau stated a few weeks ago that he had 400 clerks he tried to fire or tried to find somebody to take, and he was unable to do either. He could not find anybody to take them and he could not find any authority to discharge them. He had nothing for them to do. Would it not be economical and good business policy to absorb some of the surplus?

Mr. BYRNS of Tennessee. Suppose they were transferred, from what are they going to be paid? That is just what is wanted. It is desired to give the War Department funds to pay for these clerks.

Mr. BEGG. We could very easily do that, if it was not for the gentleman's own side.

Mr. DENISON. They could be paid from the same fund they are paid from now.

Mr. BYRNS of Tennessee. They are discharging clerks in the Bureau of War Risk Insurance.

Mr. UPSHAW. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr UPSHAW I simply want to ask the gentleman if it is true that The Adjutant General wants more clerks to do the work needed or wants more money to pay those he has?

Mr. BYRNS of Tennessee. He wishes funds to pay those he already has.

Mr. BLANTON. Mr. Chairman, I make the point of order that this discussion is not on the point of order.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Tennessee offers an amendment, by way of a new section, providing that—

so much of the appropriation of $3,500,000 not necessary for the care and custody of the draft records and for the employment of clerical assistance for the purpose of furnishing to adjutants general of States statements of service of soldiers who served in the war with Germany shall be available for the employment of the clerical assistance necessary for the purpose of furnishing such information from the records of the demobilized army as may be properly furnished to public officials, former soldiers, and other persons entitled to receive it.

It appears from the language of this amendment that an appropriation of three and a half million dollars was heretofore made for a specific purpose and that it is now desired that the Secretary of War may use it for a different purpose.

It seems to the Chair that the entire purpose of the amendment is to authorize the Secretary of War to do something which, without the amendment, he has not authority to do. If such is the effect of the proposed amendment, it is in contravention of the rule. The Chair sustains the point of order.

Mr. BANKHEAD. Mr. Chairman, I have an amendment to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 15, after line 4, add the following: "For additional clerical assistance in the Office of The Adjutant General, $674,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that it is new legislation, it is not authorized by law, and not germane to the bill.

The CHAIRMAN. Does the gentleman wish to be heard on his point of order?

Mr. BLANTON. Yes; I would like to be heard.

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to be heard for two minutes on the merits of the proposition.

Mr. BYRNS of Tennessee and Mr. BANKHEAD. I object to that.

The CHAIRMAN. The gentleman can not do that.

Mr. BLANTON. Mr. Chairman, clearly it is new legislation, clearly it is unauthorized by law, clearly it is not germane to this deficiency bill, and I submit it without argument.

Mr. BANKHEAD. Does the Chair desire to hear from me on the point of order?

The CHAIRMAN. The Chair would be very glad to hear the gentleman from Alabama.

Mr. BANKHEAD. Mr. Chairman, we are making an appropriation here under this specific title for the War Department. It is true there is no specific item in this section to which this is offered as an amendment for the office of The Adjutant General. As I understand it, we are appropriating here for deficiencies in all branches of the Government service, including the War Department. This is a specific amendment for additional clerical assistance in the office of The Adjutant General of the Army, which certainly comes under the War Department service. Under the ruling heretofore made by the Chair on the question of what constitutes a deficiency I do not think it is necessary to discuss that phase of the point of order. Congress certainly has authority to appropriate money for clerical assistance in any branch of the War Department of the United States under general law, and this is simply adding an item to the general deficiency as represented here as needed by the argument which has preceded the offering of the amendment and in the hearings before the committee and by the letter from the Secretary of War and The Adjutant General, which are already of evidence in the RECORD.

Mr. WALSH. Will the gentleman yield?

Mr. BANKHEAD. In just a moment. Certainly it is germane to an appropriation for the War Department. Because, forsooth, the committee did not include any particular item or fixed item for the office of The Adjutant General of the Army does not under the rule preclude the offering of the amendment for a purpose of that sort. I will now be glad to yield to the gentleman from Massachusetts.

Mr. WALSH. Does the gentleman contend that the amendment which he offers is germane to the paragraph that is under consideration?

Mr. BANKHEAD. Well, I hope it is; that is the argument I am making.

Mr. WALSH. Providing for the Aqueduct Bridge under the Engineer Department?

Mr. BANKHEAD. I am adding a separate and distinct item.

Mr. WALSH. But he is offering an amendment to the paragraph under consideration.

Mr. BANKHEAD. If it makes any difference, I will offer it as a new section. It does not seem to me that goes to the merit of the argument. I do not think that changes——

Mr. WALSH. It will not cure it.

Mr. BANKHEAD. The philosophy of the argument at all. If it is good, it is good as an amendment just as in a separate paragraph.

Mr. WALSH. It can not be offered as a germane amendment.

Mr. BANKHEAD. That is all I desire to say on the proposition.

The CHAIRMAN. Does the gentleman from Massachusetts desire to be heard? If not, the Chair is ready to rule. The gentleman from Alabama [Mr. BANKHEAD] offers an amendment, on page 15, after line 4, as a new paragraph, providing for additional clerical assistance in the office of The Adjutant General. The gentleman from Texas [Mr. BLANTON] makes the point of order that it is new legislation, that it is not provided for by law, that it is not a deficiency, and that it is not germane.

Mr. BLANTON. And not germane to the preceding paragraph.

The CHAIRMAN. As to the first three contentions of the gentleman from Texas, the Chair believes that the proposed amendment is not new legislation, that it is for a deficiency, and that it is for a purpose authorized by existing law.

The question of germaneness remains and is, in the opinion of the Chair, the sole and controlling question in connection with this amendment. Some 40 years ago, Mr. Carlisle, later an honored Speaker of this House, when occupying this chair as Chairman of the Committee of the Whole House on the state of the Union, made a ruling on the subject of germaneness which has been quite generally followed since that time. I quote briefly from the ruling of Mr. Carlisle, found in Fifth Hinds' Precedents, 5825, where he said:

> While a committee may report a bill embracing different subjects, it is not in order during consideration in the House to introduce a new subject by way of amendment.

This is, of course, only an application of the rule as it now exists that no motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment. He further said:

> The rule does not prohibit a committee reporting a bill from embracing in it as many different subjects as it may choose; but after the bill has been reported to the House no different subject can be introduced into it by amendment. When, therefore, it is objected that a proposed amendment is not in order because it is not germane, the meaning of the objection is simply that it—the proposed amendment—is a motion or proposition on a subject different from that under consideration.

It is not always easy to determine just what is a new subject. Does the proposed amendment introduce a subject different from that under consideration? Let us examine the context of the bill. The preceding section is under the head of "War Department, Engineer Department," and provides for an additional appropriation for the Aqueduct Bridge. The following item is also under the head of "War Department for public buildings and grounds." There is no reference in the bill anywhere to The Adjutant General's Office and no provision is made for it in this bill, so far as the Chair is able to determine. It would seem to be the contention of the gentleman from Alabama that because the committee could have brought in an item on this bill providing for an appropriation, therefore any Member on the floor of the House has the same right to bring in the same item by way of amendment.

The present occupant of the chair can not bring himself into accord with this argument. I agree with the ruling of Mr. Carlisle that a committee may bring in a bill containing any number of items entirely in order for the committee to bring in, but which an individual on the floor of the House can not offer by way of amendment. One reason for this is that the committee holds hearings and considers the evidence pro and con on such matters as may be brought to the attention of the committee by the estimates in the regular way. After considering the estimates the committee makes up its bill. The bill is reported to the House, referred to the Committee of the Whole House on the state of the Union, and printed for the information of the Members. Under the rules of the House Members have a right to assume upon examining the bill that it contains the matters that are going to be considered when the bill is brought before the Committee of the Whole House on the state of the Union for consideration, and that no different subject will be considered. In order to protect the Members in this right the rules prescribe that no new subject shall be brought in under color of an amendment.

It seems to the Chair that, in order to insure orderly procedure in the transaction of the business of the House, to protect Members against surprise by reason of new subjects being brought in under color of amendments which have not received the consideration of any committee and which other Members have not had an opportunity to examine, questions of germaneness should be somewhat strictly construed.

The Chair quotes from a ruling made by Chairman John J. Fitzgerald, in which he quotes from and follows the ruling of Mr. Carlisle. Chairman Fitzgerald said:

> The object of the rule requiring amendments to be germane—and such a rule has been adopted in practically every legislative body in the United States—is in the interest of orderly legislation. Its purpose is to prevent hasty and ill-considered legislation, to prevent propositions being presented for the consideration of the body which might not reasonably be anticipated, and for which the body might not be properly prepared.

It seems to the Chair that the reasoning of Chairman Fitzgerald is preeminently sound, and the precedent made by him one to be followed in the interest of orderly legislation.

Mr. BANKHEAD. Will the Chair indulge me a moment in order that we may have a clear understanding of the interpretation? Is the Chair of the opinion that an amendment could be offered from the floor by the committee covering this subject, or that it would have to be reported by the committee in the bill?

The CHAIRMAN. A member of the committee on the floor, in the view of the Chair, would have no greater privilege in this regard than any other Member of the House. The committee in reporting out a bill, however, could bring in many propositions that might not be in order if presented by a Member on the floor of the House.

Mr. BANKHEAD. Then, according to that interpretation, no item except that which is specifically brought in in the bill, under the head of the War Department, would be germane?

The CHAIRMAN. The Chair does not accept the interpretation of the gentleman, but does hold that an item which introduces a new subject would not be in order if presented by a Member from the floor. Believing the amendment offered by the gentleman from Alabama to be one that would introduce a subject different from that under consideration, the Chair sustains the point of order.

Mr. SAUNDERS of Virginia. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Virginia rise?

Mr. SAUNDERS of Virginia. To move to strike out the last two words.

The CHAIRMAN. The gentleman from Virginia is recognized.

Mr. SAUNDERS of Virginia. Mr. Chairman, in connection with the debate on yesterday relating to the Secretary of the Treasury, and his action in the Speedway Hospital matter, a great deal of material was put into the RECORD, so much material indeed that it is hard to pick out the wheat from the chaff. To separate the real issue from the extraneous matter.

I desire to include as a part of my remarks certain extracts from the original act of authorization, and the contract which was filed on yesterday so as to direct the attention of anyone who may be interested in arriving at the right of this controversy, to the very crux of the matter. I wish to include in my remarks, and I ask unanimous consent that this may be done, subsections a and b, of the original act, No. 326, Sixty-fifth Congress. These subsections give the authorization in detail, and fix the limit of $3,000,000 upon the contract. In subsection a the Secretary of the Treasury is empowered to take over certain land and execute a contract for the construction of certain hospital buildings, at a total limit of cost not to exceed $3,000,000. In subsection b it is further provided that whatever he may do in respect to carrying into effect the authorization of subsection a, he must keep within the limits of cost authorized in that subsection.

Juxtaposition with these subsections I desire to include further, as a part of my remarks, section 9 of the contract that was introduced on yesterday by the gentleman from South Dakota [Mr. JOHNSON].

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend his remarks in the way indicated. Is there objection? [After a pause.] The Chair hears none.

Following are subsections a and b:

a. At Cook County, Ill., by taking over the land and executing the contract for the construction thereon of hospital buildings specified therein of a certain proposed contract executed by the Shank Co., August 31, 1918, and in accordance with such contract and the plans and specifications identified in connection therewith August 31, 1918, by the signature and initials of Brig. Gen. R. C. Marshall, jr., Construction Division Quartermaster Department, United States Army, by Lieut. Col. C. C. Wright, and the Shank Co., by George H. Shank, president, at the cost stated therein, namely, $2,500,000, with such changes in said plans and specifications as may be required by the Secretary of the Treasury to adapt said specified buildings to the needs and purposes of the Public Health Service, at a total limit of cost not to exceed $3,000,000.

b. In carrying the foregoing authorization into effect, the Secretary of the Treasury is authorized to execute the contract with the Shank Co. hereinbefore specified, with such verbal changes as are made necessary by a change in the contracting officers, and to assume all obligations in said contract contained, and to purchase materials and labor in the open market, or otherwise, and to employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of cost herein authorized.

The following is section 9 of the contract:

9. It is understood that the contract price hereof is based upon well-established union scales of wages for labor as of August 26, 1918, and upon the prices for materials which the owner agrees to advise the contracting officer of through the delivery to his representative upon the ground, within 15 days from the date hereof, of a complete schedule of all materials to be used in the construction of said buildings and structures and the price at which the same are contracted for, together with such other data as the contracting officer may require in connection therewith at the time, and the delivery of such schedules shall be of the essence of the agreement relating to said materials contained in this clause. Should the owner during the course of the construction of said buildings and structures be required by any increase in such union wage scales or in the market price of such materials to expend more money for the completion of said buildings and structures than that upon which its present contract price is based, then it shall first notify the contracting officer of such fact and, upon 24 hours' notice to the owner, the contracting officer may from time to time elect to furnish and furnish such materials to the owner in quantities provided for in the plans and specifications, in which event there shall be deducted by the contracting officer from the contract price hereof a sum equal to the total value of any such materials so furnished to the owner based upon the prices set forth in said schedule. In the event the contracting officer does not within 24 hours after the receipt of such notice of increased cost of materials elect to furnish and within a reasonable time furnish the same, then the owner shall proceed to purchase such necessary materials, and the amount of such increase so required to be paid by the owner shall be reimbursed to the owner by the Government in addition to the contract price herein named. All savings made by the owner through the purchase of materials so required in the construction of said buildings and structures at prices less than those appearing in the schedule shall be credited upon the contract price hereof, and the contracting officer shall deduct from any sums due the owner an amount equal to all such savings. After approval by the contracting officer of increases in wages to laborers, the owner shall be reimbursed in the amount necessarily paid by it on account of increased wages. In case any controversy shall arise hereunder as to the amount of such increase in the cost of labor or of materials, then such amount, if any, shall be determined by the contracting officer. The owner shall not, however, make any departure from the standard rate of wages being paid in that locality without the prior consent of the contracting officer and shall not attempt to secure labor at the expense of other Government work.

Mr. SAUNDERS of Virginia. Now, Mr. Chairman, if there is any point to the criticism that was leveled on yesterday at the Secretary of the Treasury, it was that he had failed, either contumaciously or ignorantly, to do something which the Congress had authorized him to do. Congress authorized him to enter into a contract in relation to the construction of this Speedway Hospital, and expressly fixed the limit of his authority in that respect to an expenditure not to exceed $3,000,000. See subsections a and b. If the Secretary of the Treasury had been presented with and asked to sign a sufficient contract, in conformity with subsections a and b, and he had refused to sign such a contract, then the Secretary of the Treasury would be properly amenable to the criticism that has been directed against him by the gentleman from South Dakota and the gentleman from Iowa. As the matter stands, he is entitled to an apology from these gentlemen. On the other hand, if the Secretary of the Treasury has refused to sign a contract imposing upon the Government a contract obligation in excess of the cost limit of $3,000,000, then, so far from being a proper subject of criticism, he deserves to receive and should receive the applause and approbation of the Members on both sides of the Chamber, as a faithful and honorable public servant, worthy of our plaudits. [Applause.]

I have put these citations into the RECORD to enable the Members on both sides of the Chamber—Democrats and Republicans alike—to arrive at the merits of this controversy, relieved of all encumbering and extraneous matter.

The burden of the indictment in this matter was upon the gentleman from South Dakota [Mr. JOHNSON], and in the effort to carry that burden he introduced into the RECORD on yesterday a contract which he invited the gentleman from South Carolina [Mr. BYRNES] to cause the Secretary to sign, should the Secretary of the Treasury without further authorization sign that contract, containing section 9 providing for an increase in the cost limit of the authorization to an indefinite extent that in the result might amount to hundreds of thousands of dollars, he ought to be impeached. [Applause.] I make that broad statement, because that section 9, of that contract boldly and unblushingly provides for a liability to the contractor, that as stated, may be greatly in excess of the definitely prescribed cost limit of $3,000,000.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SAUNDERS of Virginia. I ask for two minutes more, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SAUNDERS of Virginia. So far from undertaking to complete the contract with relation to the hospital within the original cost limit of $3,000,000, the contractor submits a contract under which, should it be signed by the Secretary of the Treasury, the Government has to pay whatever amount may be added to the original cost limit by the expanding cost of labor and materials. Section 9 as cited, is precisely to that effect. So, Mr. Chairman, the gentleman from South Dakota has failed to make good his charge of ignorance, or contumacy. No contract conforming to the authorization has been presented to the Secretary of the Treasury. He has very properly refused to sign any other. If it is desired that he should sign a contract carrying a greater cost limit, a bill or joint resolution to that effect should be introduced and passed. To the present time the attitude of the Secretary of the Treasury has been that of a high-minded, honorable public servant, and it deserves the fullest degree of commendation, not criticism. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PUBLIC BUILDINGS AND GROUNDS.

The appropriation contained in section 4 of the act approved December 5, 1919, entitled "An act to amend an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February

28, 1901, and for other purposes," shall be paid one-half out of the Treasury of the United States and one-half out of the revenues of the District of Columbia.

Mr. VARE. Mr. Chairman, I ask unanimous consent to address the committee for 10 minutes.

Mr. BLANTON. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. VARE. On the subject of the bill.

Mr. BLANTON. I want to ask the chairman a question, if I may, on that.

Mr. WALSH. Reserving the right to object, Mr. Chairman——

Mr. BLANTON. Mr. Chairman, I reserve a point of order. I want to ask the chairman one question, if I may?

The CHAIRMAN. The gentleman from Texas reserves a point of order on the paragraph.

Mr. BLANTON. I wanted to ask the chairman what effect the passage of this paragraph would have upon the action of this House, taken recently, in passing a bill doing away with the old half-and-half system?

Mr. GOOD. It would save the United States about $14,000 a year.

Mr. BLANTON. What effect would that have on the bill that the House passed? I mean the bill that the House recently passed and sent to the Senate?

Mr. GOOD. It does not affect that at all. There was a mistake in the bill that was passed some time ago and became a law in regard to the Metropolitan police. It provided that the park police, who are under the control of the officer in charge of public buildings and grounds, where the salaries have been paid one-half out of the Treasury of the United States and one-half out of the District revenues, should all be paid out of the Treasury of the United States. This provides that one-half should be paid, as formerly, out of the District revenues.

Mr. BLANTON. If we do not pass this paragraph, and if the bill passed by the House some time ago doing away with the half-and-half system is passed by the Senate and becomes a law, then will the police be paid in accordance with this paragraph?

Mr. GOOD. No; because the law provides specifically that the total salary of these men shall be paid out of the Treasury of the United States.

Mr. BLANTON. Why should the police of Washington be paid half out of the money of the people of the United States?

Mr. GOOD. That is the law now. But if we do not adopt this the park policemen will be paid wholly out of the Treasury of the United States.

Mr. BLANTON. All?

Mr. GOOD. Yes.

Mr. BLANTON. And it will not be changed by this bill that we have passed, which the House passed? The gentleman knows what was in that bill doing away with the half-and-half system?

Mr. GOOD. I can not tell the gentleman what will be in the law when it is finally enacted.

Mr. BLANTON. Then the policemen will be paid half and half?

Mr. MANN of Illinois. This only makes provision for the present year.

Mr. BLANTON. In that case, Mr. Chairman, I will withdraw my reservation.

Mr. WALSH. Mr. Chairman, reserving the right to object to the request of the gentleman from Pennsylvania [Mr. VARE], does the gentleman desire to discuss some item in the bill?

Mr. VARE. I desire to discuss the bill generally, and in particular one item.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. VARE. Mr. Chairman, the second general deficiency bill now pending before this body carries a total appropriation of $88,684,342.14, and the report of the committee indicates that there has been a reduction in round figures of $29,000,000.

No Member of this House is more willing to give the committee credit for economy than I am. I am in favor as a general policy of carrying out that principle, namely, that the funds of the Public Treasury shall be conserved. But in order to reduce this bill by $29,000,000 I can not overlook the fact that in reaching that figure there has been eliminated, or rather there has been withheld from this bill, an appropriation of $9,300,000 requested by the Secretary of the Navy. In his letter to the Speaker of the House under date of January 21 the Secretary of the Navy includes recommendations from Admiral Coontz, Admiral Taylor, Admiral Griffin, and Admiral Parks showing the extreme importance of making this appropriation at this time.

This House last year included these very identical items. The distinguished chairman of this committee, Mr. GOOD, stood on the floor of this House and urged their adoption, and the items were placed in the bill, but were taken out by the Senate.

As a Member representing a great navy-yard district, I have seen these battleships returned from military service, and I have seen them anchored in the reserve basin at the Philadelphia Navy Yard. They are there now. The great battleship named in honor of the State of Connecticut, which the chairman now presiding over the committee so well represents, is in the reserve dock. If a call were issued to-morrow, she could not move, not because of a shortage of the crew but because she has been disabled, and she has been lying there disabled for the last eight months. The battleship named in honor of the State of Louisiana is there, and she is disabled. Likewise the battleships *Michigan*, *Minnesota*, *Kansas*, and *New Hampshire*, and more than 100 others, including destroyers and ships of the first class.

In addition to the ships now in commission, during the coming fiscal year 17 dreadnoughts, 13 predreadnoughts, 8 armored cruisers, 18 protected cruisers, and other ships of smaller classes will be placed into service. It will be necessary to keep them in fighting condition. The appropriation for repair of vessels is one absolutely necessary for the proper maintenance of the Navy as a fighting machine. It is imperative that our Navy be kept in first-class condition at all times. Any depreciation impairs its potential strength and our national safety.

We hear much of the charges that the Navy was not in proper condition to enter the war zone when the United States declared war on Germany. If that charge be true and it is attested to by one of the foremost admirals in the Navy, Admiral Sims, the condition resulted from such a lack of foresight in the Navy Department as we would demonstrate here in Congress to-day if we fail to pass the amendments to be offered here. Where is the Member of this House who has talked about preparedness year after year? Where is the man who will stand up here and say that it is good economy to allow these valuable ships to be in a state of deterioration in the face of the highest recommendation that we have to have the same repaired?

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from New York?

Mr. VARE. I regret that I can not yield at this time.

The CHAIRMAN. The gentleman declines to yield.

Mr. VARE. The Philadelphia Inquirer of a recent date, speaking on the policy of economy, said as follows:

A MISTAKEN PIECE OF ECONOMY.

Economy is a word above all others for Congress to heed just now, but false economy is too often extravagance. The refusal of the Appropriations Committee of the House to sanction the request of the Navy Department for $10,000,000 for repairs to ships is an example of this. Were there no other items that could be cut instead?

A fleet on paper is no fleet at all. To lay up capital ships for lack of repairs, to discharge thousands of skilled workmen on whose labors the efficiency of the Navy depends, is to strike at a vital spot in the national means of defense.

Cutting the coat to fit the cloth need not be a bungling job.

The Navy has found it difficult to get enlisted men to serve who are skilled in trades. This has contributed to the poor condition of the ships in many cases. With the proposed increase in pay already passed by the House, I believe this will be overcome. It does not aid the present condition, however. The ships of the Navy are not in condition to meet any foe in their full strength. Unless they are in such condition as to be able to enter a battle when supplied with a crew of fighting strength our full measure of national protection is reduced.

Now, Mr. Chairman, I am extremely interested in a proper policy of economy. I consulted the chairman of the Naval Affairs Committee to-day in the presence of Admiral Taylor, and they both told me that unless this appropriation is made now it will have to be made later this year. So where, therefore, does the economy come in? It seems to me that this is a good business proposition. The appropriation ought not to be made next year. It ought to be made now, so these ships can be placed in proper repair. My friend, the distinguished Republican leader from Wyoming [Mr. MONDELL], a short time ago in the city of Philadelphia made the statement before 400 or 500 of our distinguished citizens that this naval appropriation had to be cut. There was no testimony there at that time. He had not visited the Philadelphia Navy Yard. He had not seen these great battleships tied up there for want of sufficient repairs. When the proper page of this bill is reached the following amendments will be offered to make proper provision.

On page 18, after line 20, insert the following:

Maintenance, Bureau of Yards and Docks: For general maintenance of yards and docks, including the same objects specified under this head in the naval appropriation act for the fiscal year 1920, $2,500,000.

On page 20, after line 2, insert the following:

Bureau of Construction and Repair: For preservation and completion of vessels on stocks and in ordinary, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1920, $3,250,000.

On page 20, after line 2, insert the following:

BUREAU OF STEAM ENGINEERING.

Engineering: For repairs, preservation, and renewal of machinery, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1920, $2,500,000.

On page 20, after line 2, insert the following:

Maintenance, Bureau of Supplies and Accounts: For fuel; the removal and transportation of ashes and garbage from ships of war, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1920, $1,050,000. The limitation in expenditures from the appropriation, "Maintenance, Bureau of Supplies and Accounts, fiscal year 1920," for pay of classified employees is increased by the sum of $800,000.

The following communication from the Secretary of the Navy to the Speaker of the House emphasizes the need of these appropriations:

NAVY DEPARTMENT,
Washington, January 21, 1920.

MY DEAR MR. SPEAKER: The serious situation with reference to the military efficiency of the Navy impels me to write earnestly inviting the attention of Congress to the necessity of the deficiency appropriation of $10,314,962.18, requested by me in my letter to you of the 18th day of December, 1919, and which passed the House last summer, but which failed of passage in the Senate. The conditions are much more serious now than they were when presented at that time and are set forth fully in the accompanying letters from the chiefs of the Bureaus of Operations, Construction and Repair, Steam Engineering, and Yards and Docks. It will be seen from these letters that unless an appropriation is available, there will be a serious loss of the military efficiency of the Navy. These officers whose letters I am inclosing are charged with the responsibility of keeping the fleet in readiness for any emergency that may occur and their letters show the necessity for this appropriation. I need not say to you that the necessity of discharging 13,900 skilled artisans, whose service to the Navy in the war was one of the important factors of its efficiency, would be a matter of grave concern and that without this appropriation it will be my painful duty to discharge these men because there will be no funds to pay them. I am sure that the Congress, when they read these letters from the naval officers who have given this matter great study, will agree with me that this is a matter of immediate importance and prompt action will be taken.

Sincerely, yours, JOSEPHUS DANIELS.

Hon. FREDERICK H. GILLETT,
Speaker of the House of Representatives.

NAVY DEPARTMENT,
OFFICE OF NAVAL OPERATIONS,
Washington.

From: Chief of Naval Operations.
To: Secretary of the Navy.
Subject: Essential deficiency funds.

1. There are transmitted herewith letters from the chiefs of the Bureaus of Construction and Repair, Steam Engineering, and Yards and Docks, setting forth the urgent need for additional funds with which to carry on the essential maintenance work of the Navy.

2. The present unsettled conditions throughout the world demand that the ships of the Navy be kept in efficient condition for action. The number of ships now capable of operating effectively in case of emergency is dangerously small. This condition is a direct result of a lack of funds with which to prosecute vigorously the required repair work on vessels whose material fitness has been lowered through the excessive and continuous demands of war service.

3. Although every effort has been made to reduce maintenance charges by disposing as rapidly as practicable of the vast accumulation of shipping that it was imperative to incorporate into the Navy to meet the needs of a wholly unprecedented war, it has not been possible to adjust to the money available the work necessary on the remaining vessels required for service, as might have been done in a period of peace. The situation, therefore, which now confronts the Navy, in case additional funds are not made available by February, is a reduction of the number of ships which can be made promptly available for operation to a point which will seriously compromise our national security, and also a marked reduction of the force of civilian employees now at work in our navy yards. An estimate of the number of artisans, mechanics, and other yard employees involved in such a reduction has been made and amounts to 13,900 men.

4. This situation was clearly foreseen, as is indicated by the steps taken last August to secure an extension of the maintenance appropriations. It has now developed to the point where further delay in securing additional funds will affect disastrously both the material efficiency of the fighting forces of the Navy and also, in so doing, the valuable work organizations of thousands of skilled mechanics now employed in our navy yards.

R. E. COONTZ.

NAVY DEPARTMENT,
BUREAU OF CONSTRUCTION AND REPAIR,
Washington, January 3, 1920.

To: The Secretary of the Navy.
Subject: Funds.

1. In connection with the item of $3,250,000 additional under the appropriation "Construction and repair of vessels, 1920," contained in the estimates forwarded with letter of the Secretary of the Navy dated December 16, 1919, the bureau notes that the allotments made under this appropriation for the months of July and August were based on a table of expenditures for the fiscal year, drawn up to provide for continuing the work under the appropriation throughout the year without exceeding the amount appropriated—$31,000,000.

2. It appeared to the department early in the fiscal year that the progress being made with work on vessels of the fleet was not sufficiently rapid to meet the requirements of the military situation, and in letter of the Secretary of the Navy of August 14, 1919, this bureau was instructed to increase its monthly allotments to navy yards so as to permit proceeding with the urgent work on naval vessels as rapidly as practicable without a material increase in the force, it being understood that such increase in the allotments would necessitate incurring a deficiency or making a marked reduction in expenditures in the latter part of the fiscal year.

3. In accordance with these instructions, allotments in excess of the amounts estimated as practicable without exceeding the appropriation have been made, and unless additional funds are provided it will be necessary by about the end of January to reduce greatly the allotments to navy yards if a deficiency is to be avoided. The bureau's estimates indicate that it will be practicable from the funds remaining available at the end of January under the present appropriation to provide during the last five months of the fiscal year for the current charges incidental to the operation of the fleet, the payment of classified force and other charges that are necessary to prevent interruption of new building work, the charges necessary to prevent deterioration of vessels, and a small amount to cover emergency work on vessels of the fleet, but it will be necessary to stop all general overhaul.

4. In connection with the overhaul of vessels of the fleet, it is noted that there is a large accumulation of work resulting from two causes—first, the necessity for the postponing during the continuance of hostilities of work which was not of immediate urgency, and, second, the necessity for undertaking on the more modern vessels of changes the necessity for which was made evident or emphasized by experience gained during the war. While the deterioration and reduction in military efficiency that results from postponing work of this character can be accepted during hostilities when keeping the vessel in condition for immediate service is of vital importance, the undue postponement of work under peace conditions puts the Navy of the United States at a disadvantage as compared with other navies and should be accepted only when the reasons for postponement are extremely urgent.

5. A general statement of the condition of work on the principal types of vessels of the fleet and the progress possible with and without additional funds is given below:

(a) Dreadnoughts: Of the 15 dreadnoughts actually in service the overhaul on 2 has been completed, the overhaul on 2 can be completed and 1 about half completed from the funds now available, the overhaul of 4 has been well advanced and could have been completed from the funds available had it not been found necessary to withdraw them from the navy yards before all work had been accomplished, and no work can be done on the remaining 6. With the additional funds work can proceed on all these vessels that can be made available.

(b) Predreadnoughts: Of the 13 predreadnoughts which it is expected to keep in condition for active service, but without undertaking changes necessary to keep them strictly up to date in a military sense, the work on 3 has been partly advanced, but in general the work has not yet been started, due to concentrating on more modern vessels. With the additional funds it will be practicable to proceed with the overhaul of all these vessels, but without the additional funds work will have to stop.

(c) Armored cruisers: Of the eight armored cruisers which it is expected to keep in condition for active service, the work on one has been completed. Practically nothing has been done on the other seven, and little, if any, work can be undertaken unless additional funds are provided.

(d) Destroyers and destroyer tenders: As it is contemplated to keep only about half of the total number of destroyers in active service with the fleet at any one time, it is the bureau's intention to undertake the changes necessary to improve the military efficiency of these vessels on those not with the fleet, replacing the vessels with the fleet in rotation. With the additional funds the work on a certain number of these vessels could be completed, but unless additional funds are provided no work of this nature can be undertaken. The expenditures for the maintenance of these vessels, owing to the large number, 288, involves a considerable sum, although the expenditure per vessel is small. Owing to the limited number of destroyer tenders available, it is very important that they be kept in efficient condition, and practically no work can be done on these vessels unless additional funds are provided.

(e) Submarines and submarine tenders: The conditions affecting the work on submarines and submarine tenders are in general the same as those affecting the work on destroyers and destroyer tenders.

(f) Fuel and supply ships: Under present conditions and with the number of vessels available, the overhaul of these vessels so as to place them in efficient condition is of great importance. Little work other than routine docking can be undertaken unless additional funds are provided.

(g) Miscellaneous vessels of the train: Two of the hospital ships and 12 of the mine sweepers required for fleet operations should be placed in efficient condition. Rather extensive repairs to mine sweepers are necessitated by the work in connection with the removal of the North Sea barrage. The work on the mine sweepers required for immediate service can be undertaken from the funds now available, but no work can be undertaken on the remaining vessels of this class.

(h) Cruisers, gunboats, and miscellaneous vessels not operating with the fleet: Unless additional funds are provided, no work other than absolutely necessary maintenance work can be undertaken on these vessels.

TAYLOR.

NAVY DEPARTMENT,
BUREAU OF STEAM ENGINEERING,
Washington, D. C., January 14, 1920.

From: Bureau of Steam Engineering.
To: The Secretary of the Navy.
Subject: Deficiency appropriation.

1. At the beginning of the fiscal year a tentative monthly allotment was made of funds for labor at navy yards chargeable to appropriation "Engineering," this allotment providing for a gradual reduction in the force employed, in order to keep expenditures within the appropriation. Following representations of the Chief of Naval Operations as to the necessity for completing as quickly as possible the repairs to capital and other ships either undergoing or awaiting repair, the department on August 14, 1919, directed the bureau to increase its monthly allotments for labor with a view to expediting repairs, but without a material increase in the number of men employed. This con-

tinued until about December 1, 1919, when the provision of $2,500,000 for the Bureau of Steam Engineering as contained in the deficiency bill was stricken out in the Senate.

2. Up to this time allotments had been made on the basis of an expenditure of $32,500,000 per annum instead of $30,000,000, but the failure of the Senate to agree to the deficiency appropriation of $2,500,000 made necessary a further reduction in allotments to yards for labor which, if continued, would still further delay work on ships under repair by reason of the reduction in the number of employees. Upon presentation of the situation the department, under date of December 4, 1919, authorized the bureau to proceed on the assumption that the original appropriation of $30,000,000 would be increased by $2,500,000, and allotments are being made accordingly. If this rate is continued and the deficiency requested is not granted, it will be necessary to make a large reduction in the number of employees paid from this appropriation, as the expenditures for the first half of the year have exceeded the pro rata allotment by $1,250,000.

3. The necessity for the additional appropriation arises from the fact that Congress appropriated only $30,000,000 instead of $35,000,000 requested in the estimates of the bureau, which were very carefully made on the basis of the fleet to be maintained and the general condition of the machinery. Subsequent inspection of the ships by the Board of Inspection and Survey has in almost every case shown the necessity for greater repairs than were contemplated when the estimates were prepared.

4. As a result of the reduced appropriation, it has not been possible to proceed with repairs as expeditiously as it was desired, and thus far only five battleships have been overhauled and returned to service, some without the complete accomplishment of some important fire-control work, the necessity for which had been demonstrated from experience gained during the war.

5. Of the remaining battleships in full commission 14 are now at navy yards, some under repair and others awaiting their turn to be taken up when funds are available.

6. One armored cruiser has been repaired and returned to service, another is under repair, and six others are at navy yards awaiting their turn, the only work in progress on them being that necessary for care and preservation.

7. The condition with respect to cruisers and destroyers is similar to that of the armored cruisers, except that in the case of destroyers it is possible to substitute new ones as personnel becomes available and put those in need of repairs in reserve or out of commission, with the repairs held up indefinitely, a condition which is very undesirable and which leads to further deterioration.

8. Work on destroyer and submarine tenders and on vessels of the train is necessarily subordinated to that on capital ships, but with the large number of destroyers and submarines operating with the fleet it is more than ever necessary that the tenders should be in condition, because their presence assists materially in keeping down the cost of repairs, and estimates for this class of vessels were made with this in view. Unless the tenders are available, the volume of repairs to be done at navy yards is automatically increased.

9. The reduced condition of the enlisted personnel, especially in the artificer branch, has made it necessary to do in navy yards much overhauling and repair work which has heretofore always been done by the ship's mechanics and has served to correspondingly increase the expenditure for repairs.

10. Even if the appropriation requested is granted it will not be possible to complete the repairs now in sight during the fiscal year; much of the work must extend well into the next year and the vessels be unavailable for that period.

GRIFFIN.

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NAVY DEPARTMENT,
BUREAU OF YARDS AND DOCKS,
Washington, D. C., January 15, 1920.

From: Bureau of Yards and Docks.
To: Secretary of the Navy.
Subject: Deficiency estimates.

1. In connection with the item of $2,500,000 additional under appropriation "Maintenance, Bureau of Yards and Docks," in the supplemental estimate of appropriations required by the Navy Department and Naval Establishment for the service of the current fiscal year, submitted to the Speaker of the House December 15, 1919 (H. Doc. 532), the bureau submits for consideration the following statement of facts:

Estimates and appropriation for maintenance, 1920.

Estimated by bureau before signing of armistice	$15,000,000
Estimated by bureau subsequent to signing of armistice	12,500,000
Estimated later by bureau (hearings, Dec. 3, 1918)	10,000,000
Recommended by Secretary Dec. 30, 1918	7,500,000
Appropriated by Congress July 11, 1919	7,500,000
Deficiency estimate Aug. 23, 1919 (H. Doc. 204, 66th Cong., 1st sess.)	5,000,000

NOTE.—In H. R. 9205, Sixty-sixth Congress, first session, the House passed an item appropriating $2,500,000, which was stricken out in the Senate. In conference the House receded, and the appropriation was therefore not made.

ALLOTMENTS AND EXPENDITURES.

At the beginning of the fiscal year there were 90 activities for which allotments were required. Upon the theory that some of these would be discontinued during the year, or materially reduced, it was decided to allot approximately 55 per cent of the appropriation for the first half of the year, leaving 45 per cent for allotment during the second half. Accordingly the bureau allotted $4,198,095.05 (55.9 per cent) for the first six months. These allotments were made in three installments, the first for the month of July, the second for the months of August and September, and the third for the months of October, November, and December.

The bureau received many reports that the allotments made would be insufficient, and requests were made for additional funds. Such requests were in most cases necessarily denied; some of the more urgent, which showed real emergencies, were allowed in part, which brought the allotments up to 55.9 per cent.

Reports of actual expenditures and obligations during the first five months of the year showed that the allotments made by the bureau had been, in many cases, overexpended, or overobligated. These reports indicated that expenditures during the first six months would be $4,598,172.96, as against $4,198,095.05 allotted. It was expected that $3,425,000 (45 per cent of the appropriation) would be available for allotment during the second six months, but the overexpenditures during the first six months made it necessary to curtail allotments to $2,901,827.04 (38.7 per cent). The bureau has allotted $1,429,500 for the months of January, February, and March, and reserved $1,472,327.04 for April, May, and June and for emergency allotments during the six months.

REQUIREMENTS OF YARDS AND STATIONS.

For the first six months the yards and stations estimated $7,040,182.62 and were allotted $4,198,095.05. For the second six months they estimate $5,063,442.02, and in addition the Bureau of Navigation asks for $873,824.32 for naval training stations, under the provision of the current appropriation act making this appropriation available, to supplement the regular naval training-station appropriations. This makes a total of $12,977,448.96 estimated for the year as against $7,500,000 now available, or $10,000,000 if the deficiency appropriation now asked for is granted.

The bureau has received many telegrams and letters setting forth the necessity for more funds under this appropriation, and quotes some expressions therefrom to illustrate the views of the officers in charge of the activities for which the funds are used:

New York: "The public works division will practically cease to function."

Philadelphia: "The amounts requested are very conservative and should not be reduced."

Hampton Roads: "Had the commandant maintained the expenditures within the allotments the cessation of all operations at the naval operating base would have resulted."

Boston: "Earnestly request bureau authorize additional sums requested, which are absolutely essential for proper operation of yard."

Puget Sound: "All work enumerated in above reference is of maintenance character, very urgently needed and necessary to meet the demands of rapid overhaul of Pacific Fleet."

Mare Island: "Yard strongly renews recommendation that monthly allotments be materially increased."

Portsmouth: "This amount is utterly inadequate for the needs of this yard."

GENERAL.

The pay of men on leave and for holidays is an item deserving particular mention. The leave and holiday pay of all workmen carried on yards and docks pay rolls comes out of this appropriation, although the pay of the men for working days may be charged to other appropriations. For instance, if it becomes necessary to put a gang of 50 men on a job for repairs to a building damaged by fire or storm, the pay of the men for working days would be chargeable to appropriation "Repairs and preservation," but the pay for any leave taken by any of these men or for any holiday that might occur would be chargeable to appropriation "Maintenance, yards and docks." It should be borne in mind that the Bureau of Yards and Docks is what might be termed a service bureau; that is to say, it serves the other bureaus of the department with public utility services. If it fails to render prompt and efficient service, the work of the other bureaus is adversely affected. Failure to give prompt transportation service, for instance, in connection with a ship-repair job, and consequently, while the Government is saving more or less by not expending the money on transportation facilities, it is paying out probably more than is saved due to the increased cost of the ship repair job. This appropriation to a very large extent provides for the expenses which in a large commercial institution would be termed "overhead charges," and in the case of navy yards, as in the case of a commercial establishment, if the overhead is not charged to the fund provided for the purpose, it must be charged to some other funds, so that there is no ultimate saving by not charging it to the proper funds in the first place.

It is a well-known fact that the cost of labor and material has very materially advanced since prewar times. Due allowance for this should be made in comparing prewar appropriations and expenditures with those of this time.

A further consideration must be urged in requesting an increase in "Maintenance" appropriations. This is the immense increase in naval shore property during the war. The property investment has more than doubled. Shore facilities in 1916 were appraised at $208,894,467. This had increased to $473,971,595.47 at the end of the last fiscal year.

C. W. PARKS.

I hope that Members of this House will be broad enough in their views and that the chairman of the committee himself will be broad enough in his views to treat this subject in the same fair way in which he treated other items in the earlier part of the bill which were subject to points of order, and agree to increase these items to their full amount.

Mr. WALSH. Mr. Chairman, I have listened with a great deal of interest to some of the observations made by the gentleman from Philadelphia [Mr. VARE]. I notice in this morning's Philadelphia paper that the gentleman is taken somewhat to task because he was not present at a meeting of the Appropriations Committee when the item about which he has been talking was under consideration, and it was stated that it was lost by one vote, and thereby some 2,000 workmen in Philadelphia would probably be out of work.

Now, this navy-yard item is a propaganda to keep a lot of men at work whether the work is absolutely necessary at this time or not, and they are bringing pressure to bear upon the Appropriations Committee to put this item in the bill, when properly it is a matter of consideration by the Naval Affairs Committee of this House, and I am informed that the Naval Affairs Committee of the House are giving this matter consideration.

Mr. VARE. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. VARE. I will state to the gentleman that I was here all last week and personally visited the chairman of the Appropriations Committee. I was taken sick last Thursday at the Washington Terminal and sent the chairman of the Appropriations Committee an additional telegram, which he will admit he received. I will go further and say that when I received a long-distance phone call notifying me of the meeting last Satur-

day morning I was sick in bed in my home. I dictated an additional telegram from my sick bed last Friday night, which the chairman of the Appropriations Committee has in his files.

I will go further and say that the gentleman should not take too seriously things that the Philadelphia newspapers sometimes print.

Mr. WALSH. The gentleman just quoted one here himself.

Mr. BLANTON. I make the point of order that gentlemen ought to thrash out Philadelphia politics among themselves and not here on the floor.

The CHAIRMAN. Without objection, the committee will rise informally to receive a message from the Senate.

Mr. WALSH. I do not care to suspend to receive a message from the Senate. The messenger can wait until I have finished my five minutes. Mr. Chairman, I am very glad to hear the explanation of the gentleman from Philadelphia [Mr. VARE], because I know that certain matters are under consideration by his committee, and he is usually present.

Mr. GOOD. I will say to the gentleman from Massachusetts that there is absolutely not a word of truth in the statement in any paper that there would have been any different result if the gentleman from Pennsylvania [Mr. VARE] had been present and voted to put this item in the bill. It would have gone out just the same.

Mr. WALSH. Then, Mr. Chairman, apparently the vicious attack made upon the distinguished gentleman from Philadelphia is unwarranted; but nevertheless, Mr. Chairman, this demand for this sort of legislation, which is going to cost the taxpayers $10,000,000, is nothing but the result of a propaganda. You talk economy here one day, and the next day you are met with propaganda to keep some men at work. Does anyone suppose that these skilled workmen can not find employment elsewhere? I will tell you why they want to find employment in the navy yard. It is because they find work in navy yards much easier than in private employment.

Mr. VARE. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. VARE. When the gentleman has a leaky roof, does he wait until a rainy day to have it repaired or does he fix it while he has efficient men to do it?

Mr. WALSH. There is no analogy in that whatever. The gentleman would have the committee understand that if these repairs were not done instanter, and unless we had a contingent fund of $10,000,000 or $20,000,000 always on hand in order to do this work, we would lose a lot of money. I submit that is not the case in this instance, and that these men desire to retain these positions for the simple reason that working for the Government in the navy yard is not as hard work as working in private employment. Then we will be met with the demand for increases in pay because these men have to work so hard for Uncle Sam. They never have to work so hard but what they are willing to come in and ask for an additional appropriation of $10,000,000 or $20,000,000 in order that they may keep their places.

Mr. VARE. The gentleman from Massachusetts was present last year when this bill passed. He presided in the chair. He saw this House pass a similar bill. That being the case, and these ships having lain idle for six or seven months longer, are they not in greater need of repair now than they were then?

Mr. WALSH. I say that takes action of the Naval Affairs Committee. How do we know but what they may say that a lot of these ships will be put out of commission and that they ought to be sold? This committee has no particular knowledge of the facts, notwithstanding the Secretary of the Navy may have urged such an appropriation. Gentlemen from other districts have these navy yards, and it is true of some of my distinguished colleagues that they become very active when this question comes up for consideration, because the men live in their districts. There may some of them live in my district. My district adjoins the waters of Boston Harbor; but I do not intend to submit to dictation in this matter, and I do not intend to vote for millions of dollars out of the pockets of the taxpayers simply to keep men at work at the behest of organized propaganda. Let them find work in other employments. There is abundant opportunity and at higher wages.

Mr. VARE. Relative to the question of my presence at the meeting of the committee I wish to read the following telegrams I sent to the gentleman from Iowa, chairman of the Appropriations Committee, the first from Union Station, on January 22, and the second from my home in Philadelphia the following evening:

WASHINGTON, D. C., *January 22, 1920.*

Hon. JAMES W. GOOD,
Chairman Committee on Appropriations,
House of Representatives:

I had to go to Philadelphia to-night. I want to remind you of my intense interest in the naval item of the deficiency bill and thank you for your support.

WM. S. VARE.

PHILADELPHIA, PA., *January 23, 1920.*

Hon. JAMES W. GOOD,
Chairman Appropriations Committee,
House of Representatives, Washington, D. C.:

I am unable to attend meeting of the committee Saturday morning, being confined at my home with severe cold. Since coming to Philadelphia I find there are 150 ships awaiting repair at the Philadelphia Navy Yard. It is surely in the line of economy that these ships be repaired. I trust the committee will allow the full amount requested by the Navy Department in the bill now being reported.

WILLIAM S. VARE.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes on this same question.

Mr. GOOD. I shall be forced to object. When we reach the Navy items it will be time enough to discuss them. We have not reached them yet, and this is all out of order.

Mr. MILLER. Will the gentleman kindly explain why he has allowed the debate to proceed thus far?

Mr. GOOD. The gentleman from Pennsylvania [Mr. VARE], a member of the committee, explained that he had not spoken on the bill, and the chairman could not object to a member of the committee who had not spoken at all speaking out of order. When we get to the items relating to naval affairs the gentleman can speak. Let us proceed in order.

The Clerk read as follows:

MILITARY ESTABLISHMENT.

SIGNAL SERVICE OF THE ARMY.

Washington-Alaska military cable and telegraph system: For defraying the cost of such extensions, betterments, operations, and maintenance of the Washington-Alaska military cable and telegraph system, including the same objects specified under this head in the Army appropriation act for the fiscal year 1920, the sum of $95,000 is made available from the appropriation for the "Signal Service of the Army," for the fiscal year 1919, to continue available during the fiscal year 1921.

Mr. McKENZIE. Mr. Chairman, I reserve a point of order.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee in charge of the bill a question.

The CHAIRMAN. The gentleman from New York——

Mr. MANN of Illinois. Mr. Chairman, my colleague has reserved a point of order.

The CHAIRMAN. The Chair did not hear the gentleman from Illinois.

Mr. CALDWELL. Mr. Chairman, I will reserve a point of order. I simply want to ask the chairman a question. How did it happen that you take money away from the Signal Service of the Army to use for this military cable and telegraph system?

Mr. GOOD. This is a request made by the War Department that out of an appropriation, as I recollect, something like $105,000,000 they be permitted to use $95,000 of the unexpended balance to lay this cable. The committee called the attention of the officers who appeared before us to the fact that this was not a deficiency and that it might well wait. It was the contention of the War Department that this cable, which is a self-supporting institution, is getting in bad shape and that they ought to be permitted to commence to get the materials at once. There are about 100 miles of cable giving out and showing great weakness, and they say that unless it is replaced they might lose the use of the cable altogether.

Mr. CALDWELL. I understand that, but the question I wanted to ask is whether the money appropriated for the ordinary expenses of the Signal Service of the Army should be used in this case? Have they more than they want for the service, or is it a fact that they will have to cut out something that the Military Committee has seen fit to authorize?

Mr. GOOD. No; they have an unexpended balance of $25,345,824.57, and the War Department is asking for this.

Mr. CALDWELL. I understand, but when appropriations are made through the Committee on Military Affairs these matters are figured out carefully. We have provided enough money for their activities, and what I wish to know is have we provided a surplus?

Mr. GOOD. I understand they have a sufficient balance to take care of all the anticipated demands that will be made for the balance of the fiscal year.

Mr. McKENZIE. Mr. Chairman, further reserving the point of order, of course the gentleman knows that this is a matter taken care of in the military appropriation bill. I would like to ask whether the chairman of the Committee on Military Affairs was consulted about this in any way?

Mr. GOOD. I do not think he was.

Mr. McKENZIE. The gentleman further states that in his judgment it is not a real deficiency.

Mr. GOOD. It is an emergency, and there is no money with which to do the work.

Mr. McKENZIE. Is it not possible that the Committee on Military Affairs, when it makes its annual appropriation, now

in a few weeks, will make a part of the appropriation immediately available and take care of the matter in that way?

Mr. GOOD. That was my idea in regard to the proposition when it was presented, but the officers were so insistent, saying that they must order their material right away, that it would take approximately a year to get this cable, and insisted very strongly on the appropriation. The committee did not want to take jurisdiction of the subject for the reason that the gentleman from Illinois has expressed. I am not particularly alarmed about it personally, and it may be that some of the officers are more exercised over it than the committee. But it is subject to a point of order, because it changes a designation of an appropriation already made and provides for the expenditure of a part of it in 1921.

Mr. McKENZIE. I think that this very item is a pretty fair argument for a budget system. When these men go to the Committee on Appropriations a few weeks before the military appropriation bill will be reported and get this item put in a deficiency bill without any knowledge on the part of the Committee on Military Affairs if it had not seen the item in this bill, it seems to me is a good argument for the budget system. But, Mr. Chairman, inasmuch as the gentleman says the evidence of a deficiency was not very apparent, I make the point of order against the paragraph.

The CHAIRMAN. What is the gentleman's point of order?

Mr. McKENZIE. My point of order is that it does not represent a deficiency; that there is no deficiency in fact, nor will there be a deficiency existing by the 1st of July.

Mr. MANN of Illinois. Mr. Chairman, it is perfectly apparent that the Committee on Appropriations did not have jurisdiction to make this appropriation for the next fiscal year, as it purports to do here.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

MEDICAL DEPARTMENT.

For the medical and hospital department, including the same objects specified under this head in the Army appropriation act for the fiscal year 1920, the sum of $1,500,000 is made available from the appropriation "Medical and Hospital Department" for the fiscal year 1919.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. I do not like this proposition of taking from the appropriation for the Army——

Mr. GOOD. Let me say to the gentleman that my recollection is that we appropriated for this year the sum of $4,500,000 for medical service in the Army, and three million and a little over has been expended. It will take $3,000,000 to take care of the sick soldiers and supply the medical treatment for them, and they have a balance of only about $1,500,000 in this appropriation.

Mr. CALDWELL. I understand, but you are taking the appropriation out of what you might need for another year.

Mr. GOOD. For the preceding year. There is a large unexpended balance of the appropriation for the medical service.

Mr. CALDWELL. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

MISCELLANEOUS.

For one-half cost of purchasing the bridge across the Missouri River at Fort Leavenworth, Kans., $17,500: *Provided*, That this sum shall not be available for expenditure until local authorities shall have paid over to the Secretary of War a like amount to complete the purchase of said bridge and shall have agreed to reimburse the United States for one-half of the cost of repairing and maintaining the same: *Provided further*, That the ownership of the bridge shall be and remain in the United States, but the public shall have free use thereof for purposes of transit under such regulations as the Secretary of War shall prescribe.

Mr. CALDWELL. Mr. Chairman, I make the point of order against the item.

Mr. BLANTON. Mr. Chairman, I make the point of order that it is new legislation and is not a deficiency and is unauthorized by law.

The CHAIRMAN. The gentleman from New York and the gentleman from Texas make the point of order against the item. It is clearly legislation. The Chair sustains the point of order.

Mr. ANTHONY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. ANTHONY: Page 16, line 5, insert a new paragraph as follows:

"For bridge across the Missouri River connecting the two tracts of land composing the military reservation at Fort Leavenworth, Kans., $35,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that it is new legislation, is not authorized by law, and is not germane to the bill or to the preceding paragraph or to any paragraph.

The CHAIRMAN. The Chair will hear the gentleman from Kansas on the point of order.

Mr. ANTHONY. Mr. Chairman, for the information of the Chair I would state that the Government took possession of the bridge in question during the war under the authority of legislation enacted by Congress authorizing it to take property for the purposes of the prosecution of the war. It formally and duly took over the bridge in question. The question that has been before the War Department has been the determination of the proper price for the bridge. The Secretary of War and the representatives of the owners of the bridge have reached an agreement on the subject, and the Secretary of War has accepted a contract of $35,000 for the bridge in order to settle the claim of the owners against the Government for taking over the bridge. The amendment that I offer is to appropriate the money to complete the payment under the contract made.

The CHAIRMAN. Can the gentleman cite the Chair to legislation authorizing this?

Mr. ANTHONY. The general legislation enacted by Congress authorizing the War Department to take over property necessary for the prosecution of the war, under which the War Department took over the bridge in question.

The CHAIRMAN. Has there been a previous appropriation for this purpose?

Mr. ANTHONY. No; but the Government has expended some $7,000 since they took possession of the bridge in putting in a new floor.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. CALDWELL. Was the seizure of this bridge under the provisions of the Hay bill or under some other statute?

Mr. ANTHONY. Under the general war powers conferred by Congress on the War Department.

Mr. CALDWELL. If it was seized under the provisions of the Hay bill, in order that the seizure might be effective it was necessary that an appraisement be made and that three-quarters of the price be paid.

Mr. ANTHONY. Steps were taken through the formal channels authorized by law and notice was posted by the United States marshal for the district that the Government had taken over the property.

The CHAIRMAN. The Chair is unable to find any specific legislation authorizing the purchase of a bridge across the Missouri River or the building of a bridge across the Missouri River. If there is any authority for it, it must be under the general powers of the Government during the war.

Mr. BLANTON. Let me call the Chair's attention to the fact that this is a proposition for the Government of the United States to go into partnership with certain people in Kansas to build a bridge partly at their expense.

The CHAIRMAN. The amendment is before the Chair and does not require explanation. The provision is for a bridge across the Missouri River. It does not state specifically whether it is to be bought or built, or whether the Government is to go into partnership with anyone. The provision is a bald one, for a bridge across the Missouri River. The Chair, being unable to find any specific authority for it, is not willing to so construe the amendment as to indicate that the general war powers conferred upon the War Department were such as to authorize this committee to appropriate on this bill for a bridge of this kind for which no previous appropriation has been made.

Mr. ANTHONY. Does not the Chair take cognizance of legislation which was passed conferring those war powers on the War Department under which the department had acted?

The CHAIRMAN. The Chair is unwilling by his ruling to hold that the action of the War Department in taking over a bridge, whatever that may mean, thereby placed this committee in a position to appropriate money on a deficiency bill to pay for it in face of a point of order. With such authority as has been laid before the Chairman and such as he is able to find, he is unable to hold the amendment in order. The Chair therefore sustains the point of order.

The Clerk read as follows:

ORDNANCE DEPARTMENT.

The Chief of Ordnance, United States Army, is authorized to expend from the unexpended balance of appropriations heretofore made under the title "Armament of fortifications" for the construction of storage facilities, including necessary appurtenances, for ammunition and components thereof for cannon, small arms, machine guns, and trench warfare, and for other ordnance matériel, not exceeding $6,600,000, which amount shall remain available during the fiscal year 1921: *Provided*, That the Chief of Ordnance, United States Army, is hereby authorized to expend such part, not exceeding $95,000, of the amount herein authorized as may be necessary for the purchase of land in the vicinity of Ogden, Utah, to be used as a site for an ammunition storage depot: *Provided further*, That the construction work hereunder shall be done by contract, let to the lowest responsible bidder, and no bid shall be accepted for any building to cost in excess of $2.45 per square foot for an unlined building or $2.90 for a lined building.

Mr. BLANTON. Mr. Chairman, I reserve the point of order. I want to ask the chairman a question. Why should Congress

in a deficiency bill provide an appropriation of $6,600,000 that could be made available through the year 1921? Has not Congress through its more appropriate committee during the year 1921 plenty of time to make this provision if it becomes necessary?

Mr. GOOD. If this item is carried and the appropriation made, it will be necessary to carry on the work largely in 1921, and the only reason it was undertaken here was because of the very urgent request of the War Department, especially the Ordnance Bureau, that its storage ammunition magazines should be constructed so as to remove the ammunition now on hand to places where, if there should be an explosion, it would not cause the loss of life and property that it will cause if left where it is now stored and there is an explosion.

Mr. BLANTON. Does the gentleman think it a wise idea for Congress in a law to fix a maximum limit of $2.45 per square foot for an unlined building and $2.90 per square foot for a lined building when the gentleman knows that whenever we fix the maximum amount that may be spent that immediately becomes the amount that is spent.

Mr. GOOD. I think that is true, but I think when the gentleman learns just what the facts are he will see the wisdom of doing that very thing. As I recall, the amount estimated for the unlined building was $4.50 a square foot. They said that is what it would cost. We went into the question to ascertain what magazines of this kind which were built during the war cost under the cost-plus system. We found that during the war similar magazines were built under the expensive cost-plus system at an average cost of $2.45 for unlined buildings and $2.90 for lined buildings.

Now they say that to get these buildings it will be necessary to pay a great deal in excess of this; and it was the opinion of the committee that if these magazines were to be constructed now certainly they should not be constructed at a cost in excess of the maximum cost under the cost-plus system, and that is why we put on the limitation; and by putting on the limitation we reduced the appropriation by $1,600,000.

Mr. BLANTON. But suppose in the year 1921 the Republican steering committee of the House and the Republicans of the Senate cease to spend all of their time on bills regulating the height of buildings in Washington and begin to consider the height of the cost of living, and are possibly able to reduce the price per square foot below $2.45 for an unlined building and below the price of $2.90 for a lined building, then would the gentleman want us to get the benefit of that and not want us to have to pay that, because we are going to have to pay the very price we put into this law as a maximum, and the gentleman knows that?

Mr. GOOD. Having suggested to the gentleman that in some parts of the country he was a close second for Mr. Bryan for the Democratic nomination for the Presidency, I did not know he was going to come right back and concede the Republicans would have the control both of the House and Senate in 1921. [Applause on the Republican side.]

Mr. BLANTON. It will be the greatest calamity that ever happened to the American people. Mr. Chairman, I make the point of order that it is new legislation, is unauthorized by law, and not a deficiency.

The CHAIRMAN. The Chair sustains the point of order.

Mr. WELLING. Mr. Chairman, I ask the gentleman to withhold the point of order or the reservation of the point of order.

Mr. MADDEN. The Chair has sustained it.

Mr. BLANTON. I do not think we can gain anything by discussing it. I think we ought to go on with the bill.

Mr. WELLING. I want to be heard on the proposition for a few minutes.

The CHAIRMAN. The Chair will hear the gentleman on the point of order, but the gentleman must address himself to the point of order. The Chair is ready to rule.

Mr. BLANTON. I will not object to the gentleman talking out of order, but I make the point of order.

Mr. WELLING. Mr. Chairman, I do not believe that the Chair will hold that this is new legislation. The very first sentence of this paragraph provides that "the Chief of Ordnance is authorized to expend from the unexpended balance of appropriations heretofore made under the title 'Armament of fortifications.'"

Mr. BLANTON. How much of this is to be spent in Utah?

Mr. WELLING. Oh, my friend, that does not make any difference how much is to be spent in Utah. I am talking about the merits of the point of order that has been urged against this provision.

The CHAIRMAN. Will the gentleman direct his attention to the proviso in this section?

Mr. WELLING. Well, the proviso is probably subject to the point of order.

The CHAIRMAN. That makes the whole paragraph subject to the point of order.

Mr. BLANTON. But the gentleman is directing attention to the entire paragraph. The entire paragraph unquestionably ought to be stricken from the bill.

Mr. WELLING. I want to appeal to my friend to let me have 5 or 10 minutes, under a reservation of his point of order, to explain this provision.

Mr. BLANTON. Mr. Chairman, I would like to hear the gentleman from Utah on any proposition, but the gentleman will recognize that if one single word of this paragraph is subject to the point of order it makes the whole paragraph subject to the point of order.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that the gentleman from Utah be permitted to address the House for five minutes.

The CHAIRMAN. Is there objection?

Mr. BLANTON. I shall not object.

The CHAIRMAN. The Chair hears none.

Mr. WELLING. Mr. Chairman, this paragraph in the bill provides for the proper storage of $474,875,000 worth of ammunition that has been provided during the war. During the war period we shipped this ammunition to the arsenals which were located along the Atlantic seaboard: the Raritan Arsenal, which is near Port Amboy, N. J.; Delaware Ordnance Depot, between Wilmington and Philadelphia, in New Jersey; the Curtis Bay General Ordnance Depot, which is near Baltimore; Big Point General Ordnance Depot, near Norfolk; and the Charleston General Ordnance Depot, near Charleston, S. C. As we prepared the ammunition that was used in the war, all of which was to go overseas, it was forwarded to these depots in shipload lots. It is now located there, and I want to invite the attention of the gentleman from Texas to the fact that it is stored there in such large quantities as to imperil life and property. The people who live near those arsenals to-day are protesting against the large amount of explosives that are located there contrary to the law in every State where it is located. Now, the War Department is going to be obliged, unless this provision for these new arsenals is made, to remove this material to temporary storage quarters at a cost to the department that will exceed the amount that is asked for in this appropriation bill. It is clearly in evidence here in the hearings before the Committee on Appropriations that the Government has been asked to provide for facilities for storing these heavy explosives in places that will be safe for the people who live there.

Now, I want to say in justice to the people who live in my State that no human being from that State has ever appeared before that committee or anybody else and asked for an appropriation that goes to Ogden, Utah. The engineers of the War Department decided this matter themselves. The Ogden depot was selected because it was the proper location for one of these arsenals without any regard to local sentiment. I submit that the purchase of land for the arsenal at Ogden is clearly, under the rulings of the Chair for days past, subject to the point of order, but I want to appeal to the gentleman from Texas to withdraw the point of order and to permit these arsenals to be built, because if they are not built where they belong it will cost the Government of the United States much more to provide temporary storage for this material than is being asked for in this paragraph.

Ogden city is the most important railroad center in the intermountain country. It is within 24 hours of Portland and Seattle in the Northwest by direct rail route. It is but 800 miles from San Francisco, just west of us. It is on the main line to San Pedro and Los Angeles in the Southwest, and from it we can effectively reach in 24 hours our Mexican border or the Pacific coast. There is ample justification for the action of the Army engineers in this case, and any obstacle to the movement is the poorest sort of economy.

If the item goes out of the bill to-day under the House rules, it can be safely predicted that it will be again inserted before the bill becomes a law.

Mr. BLANTON. Will the gentleman yield?

Mr. WELLING. Yes, sir.

Mr. BLANTON. Does not the gentleman believe that in the course of orderly procedure and passing sane legislation there should be some limitation to the kind of appropriations and legislation put into an urgent deficiency bill that come out on the floor of the House?

Mr. WELLING. The gentleman assumes that everything that does not agree with his own particular notion is insane legislation. The Appropriations Committee has prepared this measure, and I assume they knew as much about what ought to have gone into the provisions of the bill as the gentleman from Texas or anybody else. It is an appropriation that is needed now, for the reason that if these arsenals are not begun as soon

as work can be started next spring they will not by any possibility be completed in time to take care of the ammunition before the end of 1920. It is now being stored in violation of the State laws where these ordnance depots are located on the Atlantic coast.

Mr. BLANTON. And yet the gentleman who guides the destinies of this committee now holds it is unlawful to go into this bill.

Mr. WELLING. I believe it is subject to a point of order, but I do not believe just because it is subject to a point of order we ought to delay a needed improvement which the War Department engineers have found to be urgent at this particular time.

The CHAIRMAN. The Chair has already sustained the point of order, and there is no reason to change the ruling. The Clerk will read.

The Clerk read as follows:

Naval Records of the Rebellion: Not exceeding $15,500 of the unexpended balance of the appropriation for the continuation for the fiscal years 1913 and 1914 of the publication of an edition of 11,000 copies of the official records of the Union and Confederate Navies, in the War of the Rebellion, which were continued and made available until June 30, 1918, by the act approved September 8, 1916, are further continued and made available until June 30, 1921.

Mr. BYRNS of Tennessee. Mr. Chairman——

Mr. BLANTON. Mr. Chairman, I reserve a point of order on that.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent that that paragraph be passed for just a few moments until the gentleman from Texas [Mr. HUDSPETH] returns. He has gone to the telephone. He is interested in the paragraph.

The CHAIRMAN. Without objection, the paragraph will be passed over.

There was no objection.

The Clerk read as follows:

Naval Establishment—Bureau of Yards and Docks.

Mr. TINKHAM. Mr. Chairman, I desire to offer an amendment. It comes on line 20, and so I think it had best be offered at this time.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TINKHAM: Page 18, after line 20, insert the following:

"Maintenance, Bureau Yards and Docks: For general maintenance of yards and docks, including the same objects specified under this head in the naval appropriation act for the fiscal year 1920, $2,500,000."

Mr. BLANTON. Mr. Chairman, I reserve a point of order for the purpose of asking a question. I would like to ask the gentleman from Massachusetts [Mr. TINKHAM] how he supposes that certain labor organizations in inland States—1,800 miles from Washington—could know anything about this amendment he is going to offer, so that Members of Congress sitting here in their seats within the last few hours get not one telegram but several, not requesting but telling them to vote for this particular $9,000,000 that the gentleman wants, part of which is to be spent in Philadelphia? How do you expect they find these things out?

Mr. TINKHAM. Five months ago the Secretary of the Navy sent recommendations to the Appropriations Committee concerning these very items. Five months ago these items were considered by that committee. Four months ago the first deficiency bill was reported and contained these very items, and was passed by this House and these items were debated. The items were defeated in the Senate. Then, when the second deficiency bill came up, the Secretary of the Navy sent recommendations for these items again to the Committee on Appropriations. The subcommittee on deficiencies again gave hearings on them. Then, the subcommittee on deficiencies refusing to report the items, the Secretary of the Navy transmitted, on the day after the subcommittee had refused, a communication containing the recommendations from four of the bureaus, from the admirals in charge, recommending these appropriations or items as absolutely necessary for the national defense.

Mr. BLANTON. The gentleman does not answer my question.

Mr. TINKHAM. Wait a moment. And those recommendations were published in nearly all of the newspapers of the United States. That is the way the knowledge has come not only to the people but to the Members of this Congress who are at all familiar with the operations of Congress during the last five months or are familiar with the official records.

Mr. BLANTON. For instance, how would people down in, say, Oklahoma or Kansas know that this amendment was coming up to-day?

Mr. TINKHAM. Because it was in all of the newspapers of the country that these items were necessary for the national defense. [Cries of "Regular order!"]

Mr. BLANTON. I make the point of order that it is new legislation, not germane, and that it is not authorized by law.

Mr. SAUNDERS of Virginia. Mr. Chairman, I would like to be heard on that point of order.

Mr. TINKHAM. May I ask the honorable Representative from Texas to reserve his point of order?

Mr. MADDEN. I make the point of order it is not germane to the subject matter.

Mr. TINKHAM. May I ask the honorable Representative from Texas to reserve his point of order?

The CHAIRMAN. The gentleman from Virginia [Mr. SAUNDERS] requested to be heard on the matter.

Mr. SAUNDERS of Virginia. If the gentleman contends this amendment is not in order, I want to be heard on it.

Mr. TINKHAM. Does the honorable Representative from Texas reserve the point of order?

Mr. BLANTON. The regular order was demanded, and therefore I made the point of order. Otherwise, I would have reserved it.

Mr. TINKHAM. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman on the point of order made against his amendment.

Mr. TINKHAM. Mr. Chairman, what has been the point of order that has been made by the honorable Representative from Texas?

The CHAIRMAN. The gentleman had better direct what he has to say to the point of order made by the gentleman from Illinois [Mr. MADDEN] also. The gentleman from Illinois made a point of order.

Mr. TINKHAM. Will the Chair state what the point of order was?

The CHAIRMAN. That the amendment was not germane.

Mr. LONGWORTH. Mr. Chairman, I ask that the amendment be again reported.

Mr. BYRNES of South Carolina. Mr. Chairman, I am wondering whether the Chair was anticipating whether some one would make the point of order?

The CHAIRMAN. No; the gentleman from Illinois [Mr. MADDEN] made the point of order.

Mr. MADDEN. I made the point of order that it was not germane.

The CHAIRMAN. The gentleman from Ohio [Mr. LONGWORTH] asks unanimous consent that the amendment may be again reported. Is there objection? [After a pause.] The Chair hears none.

The amendment was again reported.

Mr. TINKHAM. Now, Mr. Chairman——

The CHAIRMAN. The Chair will hear the gentleman from Massachusetts as to the point of order.

Mr. BLANTON. Before the gentleman speaks on that, I make the further point of order that it is not germane to the preceding paragraph of the bill which it follows.

Mr. BYRNES of South Carolina. Mr. Chairman, is that the point of order made by the gentleman from Texas as to the germaneness?

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] made the point of order as to germaneness. The Chair will hear the gentleman from Massachusetts.

Mr. TINKHAM. Mr. Chairman, the question of germaneness is merely a question of relativity, and the question of relativity depends on the keenness and logicality of the mind of the man that is determining it.

Now, it is with great interest that I note on page 2220 of the RECORD, in a decision by the Chair in relation to an item in this bill, that the Chair said:

It is clear to the Chair that an estimate having been brought in by a department of the Government, the estimate having been considered by the Appropriations Committee, and it having been found by that committee to be necessary to add to the appropriations heretofore made an additional sum to carry on the activities of this particular department to the end of the present fiscal year, it was properly included in this bill as a deficiency item.

Now, Mr. Chairman, in order properly to rule on the question of germaneness raised, the actual facts in relation to this item should be distinctly and clearly understood by the Chair. It is this: That this item is the very item that has been recommended by the Navy Department of the Government to the Committee on Appropriations as a deficiency item. That is item No. 1.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. I will.

Mr. MADDEN. Does the gentleman contend that because it is within the province of the committee considering the recommendation of the head of a department to incorporate it in its recommendation that it is also proper for a Member on the floor to offer it after the committee refuses to include it in its bill?

Mr. TINKHAM. My answer to the honorable Representative from Illinois is that if the Navy Department in a deficiency bill is given a deficiency appropriation and then there is a subtitle covering a bureau of that department which is given an appropriation, then an amendment under that subtitle, if it is not germane, limits the rights of the House to only increase or decrease the actual amount reported for the particular subject designated and curtails the rights and liberties of the House as it has never been before curtailed by any decision. As I understand it, for 50 years—take for example a river and harbor bill—there has been a right where a bill contained an appropriation for several rivers to add an item for another river. And if the Chair should rule that it is not germane for me to offer the amendment which I have offered when the title had been reported by the Committee on Appropriations and then under that title a deficiency had been reported for a bureau within the department, that no amendment could be made except to increase or decrease the appropriation recommended, then practically all right of amendment is taken away from the House and the right of amendment is reduced to the smallest and most circumscribed limits.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a further question?

Mr. TINKHAM. I will.

Mr. MADDEN. The gentleman fails to grasp the fact that the river and harbor bill is not a general appropriation bill, and that the rule applying to amendments offered to a general appropriation bill do not apply to a river and harbor bill.

Mr. TINKHAM. In reply to the honorable Representative from Illinois I would say that, in the first place, amendments to appropriation bills are usually allowed, and there is no decision that I know which subtracts from the liberality of germaneness in relation to them. In fact germaneness in relation to appropriation bills has always been interpreted as more liberal than the question of germaneness in relation to legislation.

Mr. MADDEN. What I do maintain is that the rule applicable to the river and harbor bill is not applicable to any general appropriation bill, and I think the gentleman himself would be compelled to concede that.

Mr. ELSTON. Can the gentleman state what the difference is?

Mr. MADDEN. One is a general appropriation bill, to which the rule refers, and the other is a legislative bill where the committee preparing it has the power to make appropriations.

Mr. CRISP. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. I will.

Mr. CRISP. I will answer the inquiry propounded to the gentleman from Massachusetts by my friend from Illinois [Mr. MADDEN], the question being, Has the Committee on Appropriations more power to insert a deficiency item in this deficiency bill than the Committee of the Whole or the Whole House on the state of the Union? I answer very clearly, according to my opinion, that the Committee on Appropriations has no more authority than the Committee of the Whole House on the state of the Union. [Applause.] In other words, the standing committees of the House are simply creatures of the whole House, and certainly the creature has no more authority than the creator; and if the Committee on Appropriations has the right to include a deficiency item in a general deficiency bill, then undoubtedly the whole House has that same right. And if the Committee on Appropriations has authority to include in the bill a certain item, then, in my judgment, it is in order for any Member of the House to offer such amendment, for the Committee of the Whole House on the state of the Union certainly has as much power as the Committee on Appropriations.

I want to say, so far as I am concerned, that I recognize no difference in the rules of the House in the consideration of the river and harbor appropriation bill and any other appropriation bill. The river and harbor appropriation bill is one of the regular appropriation bills, the same as any other.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. CRISP. I yield.

Mr. WALSH. I know the gentleman from Georgia is an authority on parliamentary law, one of the greatest in this House.

Mr. CRISP. I thank the gentleman. He is my partial friend.

Mr. WALSH. But he is mistaken in regard to the river and harbor bill. Under the rule it has been decided that it is not one of the general appropriation bills.

Mr. CRISP. I am not aware of that decision; and if that is the decision, I am in error.

Mr. WALSH. Mr. Chairman, will the gentleman allow me to ask another question of the gentleman from Georgia?

Mr. TINKHAM. I will.

Mr. WALSH. Is the gentleman from Georgia willing to admit that in the consideration of an item the Committee of the House is entitled to take into consideration the statement of a head of a department which submits an estimate to the effect that the estimate is not a deficiency?

Mr. CRISP. Answering the gentleman about that, I have given the matter no thought. I endeavored to answer the direct inquiry propounded to the gentleman from Massachusetts [Mr. TINKHAM] by my friend from Illinois [Mr. MADDEN]. Now, this being a general deficiency bill, and including a number of items that are deficiencies for the Navy Department, the Post Office Department, and various other departments of the Government, I do think it would be in order to offer an amendment providing for a deficiency in some other branch of the different services when you are considering the bill dealing with deficiencies for the Navy Department. In my judgment the crux of this whole matter is whether or not the amendment is a deficiency.

Mr. MADDEN. If the gentleman were sure that it were not a deficiency, then his argument would not apply?

Mr. CRISP. I am not prepared to say it is a deficiency. That is a question of fact, but undoubtedly if the matter is not a deficiency it would not be in order even if proposed by the Committee on Appropriations or by a member of this committee here in this House on a deficiency bill.

Mr. CLARK of Missouri. Mr. Chairman, I simply want to straighten out this thing about the river and harbor bill. No rule of the House ever made a river and harbor bill an appropriation bill, but by long practice it has become one of the appropriation bills, and the Speakers have applied to the river and harbor bill the same rules that are applied to appropriation bills, as a matter of practice and not as a matter of rule.

Mr. MADDEN. Will the former Speaker of the House be kind enough to yield to me?

Mr. CLARK of Missouri. Yes.

Mr. MADDEN. I think I may say with a good deal of safety that during the long period of the distinguished service of the gentleman as Speaker of the House he frequently ruled that the same points of order that could be made against an item in a general appropriation bill would not apply if made against an item in the river and harbor bill.

Mr. CLARK of Missouri. The trouble about that is that the Speaker of the House never presides in the Committee of the Whole in the consideration of one of these appropriation bills. When I was Speaker, somebody else always presided in the Committee of the Whole.

Mr. SAUNDERS of Virginia. Mr. Speaker, the gentleman from Georgia [Mr. CRISP] has very correctly stated the situation, in my judgment, with respect to the right of the Committee of the Whole to make, by amendment to the pending bill, any deficiency appropriation that the committee might have made, but failed to make. I do not wish to misquote the gentleman from Illinois [Mr. MADDEN], but I understood him to claim that there is one rule as to germaneness in reference to appropriation bills, and another and different rule for river and harbor bills, general claims bills, and public building bills. Does the gentleman make that contention? I understood him to say to the gentleman from Massachusetts that the rule of germaneness applicable to appropriation bills did not apply to bills of a different character.

Mr. MADDEN. The statutory rule which makes a river and harbor bill distinct in itself is the rule to which I had reference. It may not be incorporated into the rules of the House.

Mr. SAUNDERS of Virginia. I understand perfectly well that the jurisdiction of the Appropriations Committee and the jurisdiction of the other committees are separate and distinct. That distinction is made by the rules; but there is no distinction in parliamentary law between the rule of germaneness as applied to an appropriation bill and the same rule applied to other bills, with one exception, which is made by the rules, and that is revenue bills. As stated by the gentleman from Georgia [Mr. CRISP], the rule for all of these bills is precisely the same, save only that there is a special rule of germaneness provided by our rules for the consideration of revenue bills.

Mr. WALSH. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. WALSH. The gentleman will find, I think, that it has been held that the river and harbor bill is not one of the general appropriation bills, and is not subject to their restrictions as to legislation.

Mr. SAUNDERS of Virginia. The question of legislation is not involved in this discussion.

Mr. WALSH. That goes to the question of germaneness.

Mr. SAUNDERS of Virginia. Not necessarily.

Mr. WINGO. The gentleman referred to the special statute that takes care of certain features of a river and harbor bill when the question of jurisdiction is raised.

Mr. SAUNDERS of Virginia. But that has nothing to do with the general principles of germaneness.

Mr. WINGO. That statute was with reference to jurisdiction.

Mr. SAUNDERS of Virginia. I have not raised any question under the general head of legislation on an appropriation bill. To do so would call for a totally different line of precedents, and would lead the discussion away from the matter under consideration. I maintain that the rule of germaneness as found in the Manual, applies alike to appropriation bills and to general bills of a different character.

It was stated by the Chairman in a ruling recently made that it was not in order to introduce a different subject matter by amendment. This is the exact language of the rule but this language does not carry the meaning attributed to it, either by the Chairman, or the gentlemen who contend that the pending amendment is not in order. This language does not mean that when a proposition is carried in a bill, another proposition directly related to the matter under consideration, is a different subject matter, and therefore not in order as an amendment. To so hold would be to hold out of order 90 per cent of the amendments that have been held to be germane.

The rule of germaneness so construed would have a very limited application. In the very case cited by the Chairman some minutes since, if he will turn to the opinion he will find that the Chair had in mind a proposition that was not akin to the subject under consideration, was not related to it save in the most remote degree, and was therefore a different subject matter. I recall that precedent perfectly well. The bill under consideration was a deficiency appropriation bill, and the amendment offered from the floor proposed to repeal the law which made the superintendent of public printing an appointive officer. This amendment was in no wise germane to an appropriation bill. There was no kinship whatever between the matter proposed by the amendment and the subject matter before the committee. The facts of that case very clearly show what the Chairman had in mind and what Mr. Speaker Carlisle had in mind and what the rule has in mind, by the words "a different subject matter." Every amendment in a sense is a different subject matter, since if it was already in the bill there would be no occasion for an amendment. The words "different subject matter," as used by the rule, mean another proposition not related to or akin to the subject matter of the bill; therefore, a totally different subject matter. The rule of germaneness deals with propositions different from those contained in the bill, but sufficiently akin to be admitted as amendments. The Chair must determine the degree of kinship or relationship. If the thing proposed is remotely akin, then it will not be in order. The content of the amendment may be an entirely different subject matter by name, but so akin to the subject matter under consideration as to be within the law relating to germaneness, and therefore in order. May I take an illustration from a precedent that is often cited? A bill is under consideration to admit the territories of Virginia and Kentucky to statehood. It is entirely in order to add Maryland, another territory, by way of amendment to that bill. Yet there is nothing in the bill about Maryland. The name of Maryland nowhere appears. On the face of the bill it deals exclusively and by name with Virginia and Kentucky.

Apply the principle insisted upon in this discussion, namely, that a different subject matter can not be added to a bill by amendment, and the amendment proposing Maryland would not be in order. If the Chairman interprets correctly the words "a different subject," then the Chairman, who, in the case cited, admitted Maryland as a germane amendment, and all the presiding officers who have adopted and followed that ruling were in error. Yet the veriest tyro in this body knows that in the case supposed, which is cited in the manual as a leading case, the inclusion of the third Territory was held to be in order. What is the principle upon which that precedent rests, a precedent apparently in conflict with the ruling of Speaker Carlisle. The subject matter as to content was the Territories of Virginia and Kentucky. The amendment proposed a different subject matter, the Territory "Maryland" not referred to or contained in the bill. Plainly you would say out of order under the ruling cited by the Chairman, yet that amendment was admitted, and the ruling has been cited and followed a hundred times. The principle is very plain. The subject matter of the bill, the purpose of the bill, was the admission of Territories. The amendment proposing another Territory for admission was plainly akin to the main purpose of the bill. Hence it was germane to this general purpose, and therefore in order. No one questions the propriety of that ruling. It is firmly established as a ruling case. But if the case cited was pending to-day for decision, the same objection that is now made to the amendment of the gentleman from Massachusetts could be made with far greater propriety to the amendment proposing the addition of Maryland to the Territories included by name in the bill. There is a much more apparent kinship between the amendment of the gentleman from Massachusetts and the bill which he seeks to amend than there was between the bill and the amendment in the precedent cited.

I will add a few illustrations derived from the practice of the House in the consideration of the general claims bill, the general rivers and harbors bill, and the general public building bill. Suppose this present contention is correct, this interpretation of the rule well taken, what will happen when these bills are under consideration? Bear in mind that this is an assault upon the power of the House and the Committee of the Whole. It is a limitation of their authority, compelling them to consider only the matters brought in eo nomine by the committee, and excluding all additions of other matter by amendment, however closely that matter may be related or akin to the matter reported by the committee.

First as to the general rivers and harbors bill. Under the present contention no additional river and harbor project could be added to the bill, because it would be a different matter, inasmuch as the committee had declined to include it in the bill. Yet in the past these additions have been constantly made by amendment. Many years ago a river and harbor bill was before the committee. An amendment was offered by the gentleman from Wyoming [Mr. MONDELL] providing for three dams on the headwaters of the Missouri River to impound those headwaters, and thereby promote navigation by increasing uniformity of flow in the river. There was nothing of this character in the bill. It was a different subject matter. Mr. Burton, of Ohio, a very able parliamentarian, insisted that the amendment was not germane, but he was overruled.

Mr. Burton, who had charge of the bill, made the very point of order now made to the Tinkham amendment, namely, that it was not germane. He insisted that his bill had nothing to do with dams, that he was not undertaking to impound waters for any purpose, and that the amendment therefore was foreign to the bill. Yet that amendment was held in order, and the ruling placed upon the very obvious considerations that the bill related, in large part, to the improvement of navigability in the rivers, and the amendment of Mr. MONDELL, whether wise or unwise, in fact had an evident kinship, or relationship on its face to the subject of the bill. Hence under the rule it was germane. (Hinds', Vol. V, sec. 5803.) To a bill generally providing for rivers and harbors an amendment providing an additional harbor is germane. (Hinds', Vol. IV, sec. 4120.)

Mr. TINKHAM. May I ask the gentleman a question?

Mr. SAUNDERS of Virginia. Certainly.

Mr. TINKHAM. Was not this the decision on that point of order? The Chairman said:

> The Chair thinks that this amendment is germane to the subject matter of the bill and the subject matter over which the Rivers and Harbors Committee has jurisdiction.

Mr. SAUNDERS of Virginia. Absolutely. That is the proposition I now maintain, and under no other contention could the amendment of the gentleman from Wyoming have been held in order.

I will take an illlustration from the public building bill. It is competent for the Committee on Public Buildings and Grounds to report a bill including many public buildings. Suppose they appropriate for public buildings for 50 cities, and leave out, say, the cities of Chicago and New York. The committee, for reasons sufficient to itself, chooses to make no appropriations for buildings in those cities. In the bill, we will say, in section 1 is Richmond, in section 2 Philadelphia, in section 3 Savannah, and so on.

Mr. MADDEN. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. MADDEN. Does the gentleman contend that it is within the power of the Public Buildings and Grounds Committee to make appropriations?

Mr. SAUNDERS of Virginia. Oh, no; authorizations. I thought the gentleman had a real question to ask. [Laughter.] As suggested, suppose the committee had left Chicago out of the bill and had made authorizations for the other cities, what would be the attitude of the gentleman from Chicago in respect to offering an amendment to provide for Chicago? Would he hold that such an amendment would be out of order? The question answers itself. He would move to include the city of Chicago. Would that amendment be in order? Plainly. A bill for a number of public buildings can be amended by adding another. (Hinds' Precedents, Vol. V, p. 429, bottom of page, and p.

430, top of page; see also Vol. V, sec. 5840.) But that amendment would not be in order under the present contention. Chicago would be a different subject matter from any contained in the bill. Hence in that view neither Chicago nor any other city could be added to the collection of cities the committee chose to include in its bill. Such amendments, however, have always been held in order, in spite of Speaker Carlisle's ruling, on the ground that they were germane to the subject matter in and purpose of the bill, and hence were not different subject matters in the sense contemplated by that eminent parliamentarian.

Take the general claims bill, that conceivably might include 10,000 claims. The committee reports a general bill, but includes only 50 claimants by name. Amendments adding other claimants would in each case, in a sense, introduce new subject matters to the cases included in the bill. Would these amendments be in order? Not if the present contention is sound. Yet such amendments have always been held to be in order. (Hinds' Precedents, Vol. V, p. 429, bottom of page, and p. 430, top of page, sec. 5840.)

Any claim that the committee might have included in the bill can be added by amendment. The fact that the committee does not report a claim does not deprive the House or the Committee of the Whole from adding that claim to the bill. As the gentleman from Georgia [Mr. CRISP] says, the hand can not be bigger than the body. The committee by failure to include a proper claim in a bill can not keep the committee from adding it by amendment.

The illustrations, Mr. Chairman, that I have given all show that a different subject matter can be added to a bill if it belongs to the general jurisdiction of the committee and might have been reported by the committee. It must therefore be apparent that the true meaning of the words "different subject matter" is a totally different subject matter, not related to or akin to the subject matter of the bill. If the amendment falls under this head, or the kinship is too remote, it will not be in order. Speaker Reed, discussing question of germaneness, said:

> It is impossible to lay down any precise rule on this subject and much depends on the good sense of the presiding officer.

In that connection, he quoted the rule that no motion or proposition different from the subject under consideration shall be admitted under color of amendment.

Yet this same Speaker Reed, when a bill was before the House relating to Federal elections and the functions of Federal courts, admitted an amendment establishing a system of jury commissioners. (Hinds' Vol. V, sec. 5922.) There was nothing in the election bill about jury commissioners. Hence it would seem that an amendment providing them was a different subject matter. But on the principle of germaneness the amendment was admitted.

Take the situation which confronts us to-day. The Chair has held that this is a general deficiency bill in the broadest sense in which it is possible to rule to that effect. This is a deficiency bill in the sense that it not only deals with actual deficiencies created either by action of the departments in excess of their authority in expending more than had been appropriated, or by action of the departments exercising the discretion given to them to contract under exigent conditions further than the amount actually appropriated for would allow them to go.

The Chair has held further that although no actual deficiency has been created, yet where it has been shown by a department that a public work which has been appropriated for can not be completed by that appropriation by reason of the expanding cost of labor, or of material, and more money is required to carry out the project, then that is a deficiency.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. MADDEN. Does the gentleman contend that it is within the power of the head of any department of the Government of the United States to create a condition beyond the amount of the appropriation that has been set apart for the conduct of his department by the establishment of new enterprises or the development of new projects?

Mr. SAUNDERS of Virginia. That has been already ruled on.

Mr. MADDEN. And that would be called a deficiency?

Mr. SAUNDERS of Virginia. Yes.

Mr. MADDEN. If that contention is good, then there is no limit to the power of the departments.

Mr. SAUNDERS of Virginia. I have been contending somewhat to that effect heretofore. I do not undertake to say, mark you, that the executive department can make us appropriate for a project, but if it thinks that the project is in the public interest and ought to be expanded in the public interest, and an additional appropriation is needed to expand it, then, as I understand the rulings heretofore made, this supplementary appropriation is a deficiency, and can be included in a deficiency bill.

Mr. MADDEN. Regardless of whether it is a deficiency in fact, but merely a deficiency in the mind of the department, it must be appropriated for in a deficiency bill, according to the gentleman's contention?

Mr. SAUNDERS of Virginia. Yes. I call the gentleman's attention to the fact that the bulk of the items in this bill are not deficiencies in fact. A member of the committee tells me that none of them is. This committee is clothed with the authority of appropriating under the conditions cited for all the matters that have been defined as deficiencies in the very broadest sense. This section deals with the Naval Establishment, the Bureau of Yards and Docks. The amendment of the gentleman from Massachusetts is for the maintenance of yards and docks, $2,000,000, or whatever the sum may be. In the contention over this point of order I would like for some one to undertake to say that this amendment is not related to the subject matter of the bill and is not related to the particular subject matter now under consideration, namely, yards and docks.

Mr. MADDEN. Does the gentleman maintain that the maintenance of yards and docks includes the employment of men to make guns and machinery of all kinds?

Mr. SAUNDERS of Virginia. No; not at all.

Mr. MADDEN. That is what this appropriation is sought to be made for.

Mr. TINKHAM. Not at all.

Mr. SAUNDERS of Virginia. I will leave the gentleman from Massachusetts to defend his amendment against that charge.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. HICKS. The manufacture of guns in the Navy does not come under the Bureau of Yards and Docks.

Mr. SAUNDERS of Virginia. I am not contending that it does.

Mr. HICKS. I said that in answer to the gentleman from Illinois.

Mr. SAUNDERS of Virginia. I am contending that with respect to the maintenance of yards and docks a deficiency exists for which the committee could have included an appropriation. The amendment is relevant and germane. I contend that the committee on deficiencies could have made this appropriation, and if they could have made it, that the amendment can be offered to this portion of the bill.

I have taken some time in this discussion, Mr. Chairman, because the subject of germaneness is an exceedingly important one. The rights of this House in this connection are exceedingly important. The effect of this point of order, if it be sustained, would be to exclude a very large percentage of the amendments that will be offered in this body.

I will give the Chair a more recent illustration. A few days ago a river and harbor bill was before the Committee of the Whole. The committee reported a lump-sum appropriation. An amendment was offered for some specific projects which were not provided for eo nomine in the bill. There was no reference in the bill to the Mississippi, or the Missouri. Doubtless the Committee on Rivers and Harbors sought to report the bill in a form to exclude, if they could, under the rules the amendments that they knew would be offered. All of the arguments made to-day against this particular amendment were made against the Denison amendment. The river and harbor bill made a lump-sum appropriation, while the amendment proposed to appropriate for development of certain specific objects, not exclusively for maintenance. When the amendment was offered the point of order was made that it was not germane. It was overruled, I think, by the gentleman now occupying the chair.

Later it was renewed in a more amplified form before the Speaker of this body, Mr. GILLETT. The gentleman from North Carolina [Mr. SMALL] offered a motion to recommit, and affording practically a general river and harbor bill with a multiplicity of items not included in the committee bill. The same point of order now raised was raised by the gentleman from Massachusetts [Mr. WALSH], the same objection in respect to germaneness was urged, namely, that the bill related to one subject matter, and the amendment introduced a different subject matter.

The Speaker very properly rules that there was that sufficient kinship, or relationship, between the matter in the motion to recommit and that in the original bill to make the same in order. He so ruled, and a vote was taken on the merits of the amendment proposed. Mr. Chairman, for the reasons that I have given in extenso, I submit that this amendment is in order.

Mr. BLANTON. Mr. Chairman, I would like to be heard on the amendment.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BLANTON. I want to call the attention of the gentleman from Georgia [Mr. CRISP] to the fact that he does not seem to be in line with the decision of Mr. Speaker Carlisle, to which the present presiding Chairman referred this morning, when the gentleman from Georgia says that the Committee of the Whole House on the state of the Union has every bit of the authority that the deficiency appropriation committee has in bringing a bill before the House. Now, the decision of Mr. Speaker Carlisle is that the deficiency appropriation committee can put various and sundry items into a deficiency bill that have no relevancy to each other, and yet when that bill comes before the Committee of the Whole House on the state of the Union, even though it has in it various and sundry items with no relevancy to each other, yet no Member from the floor, not even a member of the committee having charge of the bill, can offer any amendment not germane and introducing a new subject.

Mr. CRISP. Will the gentleman yield?

Mr. BLANTON. I will yield.

Mr. CRISP. I have the very highest respect and the greatest admiration for Mr. Speaker Carlisle. He was one of the great Speakers of this House, a great parliamentarian, and I do not arrogate to myself anything like the ability or knowledge of parliamentary law, or on any other question, which he possessed, but I never can subscribe to the doctrine that one committee of this House—21 members; in fact, 12 members, a majority of the committee—has more power than the other 423; neither can I ever subscribe to the doctrine that the creature has more power than the creator. Now, I know there is a theory, and I know there is a tendency, to try to prevent anything coming up on this floor that has not been considered by a committee, for, you say, you might have ill-advised legislation.

Mr. BLANTON. Was the gentleman from Georgia present when the very efficient chairman gave the reason of Mr. Speaker Carlisle?

Mr. CRISP. I was not.

Mr. BLANTON. He gave this reason, and I would like the gentleman to have the benefit of it: When a committee reports out a deficiency bill the Members of Congress know what is in that bill, and if they do their duty they prepare themselves to meet and either defend or oppose every item in that bill. They are put on notice as to what is coming up; they are not required to anticipate that either the committee or some other Member of Congress will bring in an entirely new subject or entirely irrelevant matter for them to consider and take them by surprise. That was a very good reason which Mr. Speaker Carlisle gave and which the Chair adopted as a ruling, and I take it the gentleman from Georgia will agree with me that the gentleman who now occupies the chair is one of the best parliamentarians in the House, except when it comes to counting the Members to make a quorum; his arithmetic is bad then sometimes; but as to his being a good parliamentarian, he is one. Now, to end the matter, in view of the fact that I want this matter to come out of the bill, I want this amendment kept out of the bill—in view of the fact the distinguished gentleman from Illinois has made a good point of order which is going to force the amendment to come out, I would rather that it came out so far as I am concerned on a Republican point of order than on a Democratic point of order, so I withdraw my point of order, Mr. Chairman.

Mr. CRISP. May I ask the indulgence of the gentleman to complete the statement which I was making?

Mr. BLANTON. I will yield the floor to the gentleman from Georgia.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia.

Mr. CRISP. Mr. Chairman, I do not care to take up the time of the committee only to the extent of completing the answer which I was making to the gentleman from Texas. I think it is a reason why the House might reject an amendment that has not been considered by the committee, but I still assert, in my humble opinion, that one of the standing committees of the House has no greater power than the House collectively, except in one instance, and one only, and that is under the last clause of the Holman rule, and the committee only have greater power there because the rules of the House expressly say so, and the rule must be strictly construed and not enlarged. Under the last clause of section 2 of rule 21—the Holman rule—there is a provision that legislation is in order on an appropriation bill if the legislation is germane and will reduce expenditures, provided it is recommended by a committee of the House or by a joint committee or by the House members of a joint committee. Now, the committee having jurisdiction of the legislative subject matter might propose legislation that will retrench the expenditures which would be in order, where if the amendment were offered on the floor by an individual Member it would not be in order. That is so simply because the rule expressly says so. But, saving that one proposition, I do not believe that a committee has greater power than the House itself.

Mr. BYRNES of South Carolina, Mr. SAUNDERS of Virginia, and Mr. MANN of Illinois rose.

Mr. CRISP. I will yield to the gentleman from Illinois.

Mr. MANN of Illinois. Just for a second. Does not the gentleman at least lose sight of the fact that the Committee on Appropriations is appointed by the House. We are not in the House here. This is another committee of the House, and the doctrine that the creator has greater power than the creature really has not very much to do with the fact that we are in the Committee of the Whole House on the state of the Union, which is as much a creature of the House as the Committee on Appropriations.

Mr. CRISP. Answering the gentleman from Illinois, I think the Committee of the Whole House on the state of the Union, which consists of 435 Members, has more power——

Mr. BLANTON. Sixty Members, usually.

Mr. CRISP (continuing). And is superior to the Committee on Appropriations, just as the House itself is superior to the Committee of the Whole House on the state of the Union.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. CRISP. I will.

Mr. SAUNDERS of Virginia. Does the gentleman agree with me that this matter turns on the meaning of the words "a subject different from that under consideration"?

Mr. CRISP. You mean germaneness?

Mr. SAUNDERS of Virginia. Yes; germaneness.

One of the decisions that was cited by the Chairman this morning in another ruling is found in Fifth Hinds', section 5825. A deficiency bill was under consideration in the Committee of the Whole and an amendment was offered to repeal the law making the Superintendent of Public Printing an appointive officer. Upon that state of facts the Chairman ruled that an amendment bringing in a totally different subject matter, one not related to the subject under consideration, was not in order. The amendment plainly was not related to the subject under consideration, and obviously presented a different subject matter. The Chair therefore correctly ruled that it was not in order. He could not have ruled otherwise.

Mr. CRISP. No.

Mr. SAUNDERS of Virginia. A former Speaker of this body, Mr. Reed, in his booklet on parliamentary law, quotes the rule relating to bringing in different matter by amendment. This provision has been retained in our House Rules for a long time, and in no wise changes the rule of germaneness. This rule is as follows:

> No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Yet the same authority who cited this rule, when presiding in the House during the consideration of a bill relating to Federal elections and the functions of Federal courts, admitted an amendment providing for jury commissioners, a matter that was not in the bill. According to the contentions that some of our friends are making, did not that amendment present a different subject matter?

Mr. CRISP. It did.

Mr. SAUNDERS of Virginia. And yet under the rule of germaneness Mr. Speaker Reed held it to be in order.

Mr. WALSH. Mr. Chairman, I renew the point of order.

Mr. Chairman, the gentleman from Virginia [Mr. SAUNDERS] spent a greater portion of his time on the question of germaneness, and he made an argument with reference to germaneness which in all its aspects, I admit, would apply to a general appropriation bill of the House. Now, in order that an item should be germane to a deficiency bill it must come within the requirements of the rule as to germaneness relating to general appropriation bills or any other subject matter. His reference to the river and harbor bill, I submit, is not analagous to this case, because in treating the river and harbor bill in the Committee of the Whole it is considered as a legislative proposition and not as one of the general appropriation bills of the House. The point of order having been made that the item provided for in an amendment is not a deficiency, in my judgment makes it incumbent for somebody upon the committee to assure the Chair that the item of appropriation provided for a deficiency in the appropriation heretofore made for that particular class of work. Now, if we can provide for these various departments of the Government in deficiency bills, there certainly is no necessity for having the regular general appropriation bills passed for the various branches of the Government. This matter was brought before the Committee on Appropriations at the last session, and the Assistant Secretary of the Navy appeared before the committee, and the chairman of the Appropriations

Committee on opening the hearing on September 10, 1919, made this statement:

Mr. Secretary, the committee had concluded its hearings when we received your letter of to-day with regard to this estimate of $18,600,000 for the Naval Establishment, the items being $5,000,000 for the Bureau of Yards and Docks, $2,000,000 for the Bureau of Supplies and Accounts, $6,500,000 for the Bureau of Construction and Repair, $5,000,000 for the Bureau of Steam Engineering. Officers of the Navy Department have appeared before the committee and have explained in detail the situation and the necessity for this appropriation. If I understand the situation correctly, there is no deficiency?

Mr. ROOSEVELT. That is correct.

The CHAIRMAN. And your present program, unless additional funds are granted by Congress, has so regulated the work of the yards that there will be no deficiency?

Mr. ROOSEVELT. That is right.

The CHAIRMAN. The estimate is made on the theory, I take it, that if the money were granted you would then make your allotments so as to employ more men to repair more of the vessels of the Navy?

Mr. ROOSEVELT. We would try to complete the repairs on the war vessels this year instead of having them drag over two years.

It seems, Mr. Chairman, unless the proponent of the amendment can show that the conditions are materially changed and that this is an actual deficiency in the appropriation made for the purposes to which the amendment refers, which was carried in the general naval appropriation bill for the year 1920, it is not proper.

Mr. DUPRÉ. What is the date of the hearing the gentleman read from?

Mr. WALSH. September 10, 1919.

It is not proper to add this to a general deficiency bill.

Mr. TINKHAM. Will the honorable gentleman from Massachusetts allow me to ask him a question?

Mr. WALSH. I yield to my honorable colleague from Massachusetts.

Mr. TINKHAM. Does he know that the Chair ruled day before yesterday that an anticipatory deficit of this character was in order in a deficiency bill and in this bill?

Mr. WALSH. I will say to the distinguished gentleman that I did not know that, and I do not think the gentleman can point to the RECORD and show where the Chair made any ruling upon an anticipatory deficit. The gentleman is mixing deficits and deficiencies, I think, in his consideration of the matter.

Now, this is for the same purposes as those which are carried in the general appropriation bill, which covers a multitude of items under the head of "Bureau of Yards and Docks," and it seems to me, Mr. Chairman, that to bring in this amendment under cover of a claim for deficiency, unless it can be clearly shown that a deficiency exists, or that obligations have been incurred which have created a deficiency which would exist prior to July 1, this year, it can not actually be made on this bill. If it is for the purpose of instituting new work, or for the purpose, as some of the telegrams say, to keep a lot of men at work [applause], then that is not an actual deficiency such as is contemplated by the rule.

Mr. TINKHAM. Mr. Chairman, will the honorable Representative allow me to read the decision of the Chair?

Mr. WALSH. Certainly.

Mr. TINKHAM. I will say to my honorable colleague from Massachusetts that on pages 2219 and 2220 of the CONGRESSIONAL RECORD, on January 29, the Chair ruled as follows:

The act cited by the gentleman from Massachusetts and explained with clearness by the gentleman from Virginia does not, as it seems to the Chair, enter into the consideration of this point of order. The act referred to was passed for the purpose of controlling heads of departments in the disbursement of appropriations, and not to affect in any way the rules of the House or the proceedings of the House in making appropriations. Therefore the Chair does not feel called upon to construe the act.

The point of order made by the gentleman from Massachusetts is that the paragraph in question does not present a deficiency. He distinguishes between a deficiency and an anticipatory or anticipated deficiency. The Chair is not able, however, to follow this line of argument to any satisfactory conclusion, being unable to distinguish between a deficiency and an anticipated deficiency or an anticipatory deficiency. If the paragraph does not present a deficiency in the parliamentary sense of the word as used in this House, it has no place in the bill.

It has been shown that this appropriation sought to be made in this paragraph is authorized by existing law. It is also shown that it was appropriated for in a previous act, now current law. The question now is whether the present paragraph is a deficiency item appropriate to be included in a deficiency bill.

A deficiency, as used in this House, as was so ably explained by the gentleman from Pennsylvania [Mr. DEWALT], means a deficiency in an appropriation heretofore made. In the practice of the House deficiency bills have always carried the items for the expense of carrying on the different departments of the Government for the time intervening before the end of the current fiscal year. It has been the practice in the House that each appropriating committee, other than the Committee on Appropriations, shall bring out one appropriation bill each fiscal year. The Appropriations Committee brings out the sundry civil bill, one District appropriation bill, one fortifications bill, one legislative, executive, and judicial appropriation bill, one pension appropriation bill, and such number of deficiency bills as may be necessary to take care of the deficiencies arising from lack of sufficient appropriations in all the other bills for carrying on the various activities of the Government to the end of the fiscal year.

It is clear to the Chair that an estimate having been brought in by a department of the Government, the estimate having been considered by the Appropriations Committee, and it having been found by that committee to be necessary to add to the appropriations heretofore made an additional sum to carry on the activities of this particular department to the end of the present fiscal year, it was properly included in this bill as a deficiency item. The Chair therefore overrules the point of order.

Mr. ELSTON. Mr. Chairman, will the gentleman yield for a moment?

Mr. TINKHAM. I will.

Mr. ELSTON. What "gentleman from Massachusetts" is referred to in the quotation just mentioned?

Mr. TINKHAM. The same gentleman that the honorable Representative from California is now questioning.

Mr. ELSTON. The one I am looking at or the one I am pointing at?

Mr. TINKHAM. The one you are pointing at now.

Mr. WALSH. Mr. Chairman, will my distinguished colleague now point out where the Chair has made any ruling upon an anticipatory deficit?

Mr. TINKHAM. In reply I would state that he has ruled that any money necessary to carry on the department in accordance with the recommendations of that department can be met by an item in a deficiency bill. The Navy Department came before the subcommittee on deficiencies of the Committee on Appropriations and said that the Bureau of Yards and Docks and other bureaus could not for the rest of the fiscal year do the work that was necessary and absolutely essential unless certain sums were provided. The amendment which I have offered is in conformity with their request and is to meet those necessary appropriations for expenditure until the first of the next fiscal year.

In accordance with the ruling of the Chairman, it is plainly competent; and if it is not competent in a deficiency bill, then it will be admitted by those who have heard the various items read in this deficiency bill that practically 5 per cent of the items are not competent, because they are to meet expenses to be incurred in the future, although they are recommended by the several departments.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question to his colleague?

The CHAIRMAN. Does the gentleman from Massachusetts [Mr. WALSH] desire to be heard further?

Mr. WALSH. I yield to the gentleman from Illinois.

Mr. MADDEN. I simply wanted to direct a question to the gentleman from Massachusetts, the honorable gentleman from Massachusetts who has the floor [Mr. TINKHAM]. It is this: The opinion of the Chair, to which the gentleman has just called the attention of the committee, had reference to an item in the deficiency bill, reported by the Committee on Appropriations, and to which the gentleman from Massachusetts raised a point of order. Of course, the case at issue now is not at all on the same basis as the question in connection with which the gentleman read the ruling of the Chairman.

Mr. TINKHAM. The honorable Representative from Illinois is entirely mistaken. The point of order was raised in relation to the Council of National Defense and in relation to an item which provided for the pay of certain employees and the extension of their work for the balance of the year. The appropriation now before the committee for yards and docks is for the pay of men and the extension of work, namely, repair work in the Navy Department. They are absolutely of a piece, identical, and one and the same, so far as purpose and policy are concerned.

Mr. WALSH. Mr. Chairman, on January 5, 1920, when the Assistant Secretary was again before the Committee on Appropriations, he was asked by the chairman if there had been any change in the situation which had developed since they conducted their hearings on September 10, 1919, relative to these estimates for yards and docks, supplies and accounts, construction and repair, and steam engineering, and the Secretary said he thought he could stand absolutely on what he said before. So that the situation, from the point of view of repairs, is just as serious as it was then. The committee was interested in the lay off of men that would be entailed if they did not get it.

Now, I submit that it is incumbent upon the committee or the gentleman from Massachusetts, who offers the amendment, to adduce some facts showing that this is an actual deficiency in the sum which was appropriated in the general appropriation bill for these specific objects.

Mr. DEWALT rose.

The CHAIRMAN. The Chair will hear the gentleman from Pennsylvania.

Mr. DEWALT. Mr. Chairman, I do not know that I could add anything to the information of the Chair, because my remarks are addressed entirely to him, as he is the party who

rules on the question, as to the question of germaneness, nor possibly could I enlighten the Chair at all as to the question of whether or not this is a deficiency. But in order to determine the question, Mr. Chairman, we must first find, or attempt to find, what is being done.

Now, what is being done or attempted to be done? First, we have a deficiency bill which includes on this page the item of a naval establishment and a subitem thereunder of "Bureau of Yards and Docks." Now, bear in mind that the line subsequent to the line at which this amendment is proposed contains these words, to which I call specific attention:

The limitation specified in the naval appropriation act for the fiscal year 1920 on expenditures for pay of classified employees from the appropriation "Maintenance, Bureau of Yards and Docks," is increased by the sum of $400,000.

Now, let us bear in mind, first, that here is a specific provision, naming the sum of $400,000 for the maintenance of the Bureau of Yards and Docks, and it provides that the limitation specified in the naval appropriation act for the fiscal year of 1920 on expenditures for pay of classified employees is increased by this sum of $400,000.

Now, the very next thing that we desire to do, it seems to me, is to inquire what this amendment is. What is the amendment as proposed? It is entitled—

Maintenance Bureau of Yards and Docks—

And it says—

for general maintenance of yards and docks—

The very subject mentioned in this bill—

including the same objects specified under this head in the naval appropriation act for the fiscal year 1920—

Referring again to the same act which is referred to in the body of this bill to which this amendment is proposed to be made. Now, what follows? That this shall be an appropriation of $2,500,000. Here it is named at $400,000. It shall be increased by $400,000. Now, what is increased by $400,000? By referring to the act, which is mentioned not only in the amendment but in the act itself, in the deficiency bill, we find that the maintenance of the Bureau of Yards and Docks in that act provides certain things for general maintenance of yards and docks, including not exceeding four naval barracks abroad, and so forth. And then it says:

For incidental labor at navy yards.

Now, conceding, if the Chairman pleases, for the sake of the argument, that this is for labor at these yards, I still say that it is germane to this bill, because it specifies in the bill itself that there shall be an additional enlargement of this appropriation, to wit, $1,500,000, by $400,000 more, and this provides for incidental labor at the navy yards. Therefore they both treat of the same subject, to wit, the maintenance of the yards and docks in the Navy Department, and more specifically they treat of labor in those yards. Now, whether that labor be for the repair of ships or whether it be for the maintenance of docks or for other work to be done there, certainly it is included by the very wording of the act itself.

Now, I think that in itself, in addition to what the gentleman from Virginia [Mr. SAUNDERS] has said, is conclusive proof of the fact that it is germane.

The next question is, Is there a deficiency? The gentleman from Massachusetts [Mr. WALSH] has said that it is incumbent upon the proponent of this amendment to show that there is a deficiency. This Chairman has not ruled that to be necessary. He has ruled that when the department has said that it has a project on foot and that an appropriation has been made, and that in the course of events it is determined by the department that the present appropriation is not sufficient in amount, the deficiency bill can carry another amount enlarging that appropriation. That is the effect of the present Chairman's ruling, made a few days ago. Therefore, if that ruling is correct and if the Chairman desires to be consistent with that ruling, then it follows that there being an appropriation of $400,000 for the Bureau of Yards and Docks, an increase of $400,000 over the amount specified in the naval act of 1920, which specifies that it shall be $1,500,000, this is simply an increasing of that amount more than $400,000, and it becomes not only germane, but if the department thinks it necessary for the enlargement of the project it becomes a deficiency.

Mr. BYRNES of South Carolina. I ask the Chair to bear with me for a moment.

The CHAIRMAN. The Chair will hear the gentleman from South Carolina briefly.

Mr. BYRNES of South Carolina. Mr. Chairman, the gentleman from Massachusetts [Mr. WALSH] stated that the proponent of the amendment must show that there was a deficiency; and in order to show that there was not a deficiency, he read from the statement of Assistant Secretary Roosevelt. In that statement the chairman of the committee, in the hearings on page 1 of last September, asked:

If I understand the situation correctly, there is no deficiency?

That question is often asked by members of the Appropriations Committee of representatives of the departments who seek deficiency appropriations, for the reason that we seek to prevent them from incurring obligations in violation of the statute. Now, if the gentleman from Massachusetts had read further, on the very next page the question was asked:

It is accumulated work in the way of repairs that you want to do this year?

Mr. ROOSEVELT. Yes; and unforeseen work which we did not know about last spring, at the time of the hearings before the Naval Affairs Committee.

Clearly showing that unforeseen work which could not have been anticipated, in the repairs of ships of the Navy, arose and demanded the expenditure of funds greater than the original allotment, thereby incurring a deficiency in the only way it can be incurred, as the Chair very properly said two days ago.

Now, since that time the hearings will show, on page 324——

Mr. DUPRÉ. What is the date of the second hearing?

Mr. BYRNES of South Carolina. Only a few days ago.

Mr. MOORE of Virginia. The hearing was on January 5.

Mr. BYRNES of South Carolina. The statement was by Admiral Parks in response to a question of the chairman:

That was an expenditure for the whole year?

Admiral PARKS. No; that will be required from now on.

This is in reference to an additional item in this bill referring to training stations, which gave to the department the right to draw on this fund to the extent of $800,000, which they propose to do, and thereby reduce this fund and increase the deficiency for yards and docks. Now, let me read to the chairman what was said by Mr. Roosevelt again:

Mr. ROOSEVELT. It means that during the last six months they must cut down. They only have now 40 per cent of the entire appropriation, and the question came up a week ago, just before the first of the year, as to whether they should cut immediately, on January 1, or divide the remaining 40 per cent of the money that was left by six.

Admiral Coontz, on page 325, shows that they had left on December 1 only $3,321,000 out of a total appropriation of $7,500,000. Admiral Parks stated that unless this fund was given to them they would have to cut down the work because unforeseen repairs necessitated the expenditure of so large a part of the money.

The chairman very properly said two days ago, "It is clear to the Chair that an estimate having been brought in by the department of the Government, an estimate that has been considered by the committee to have been found by it necessary to add to the appropriation heretofore, made an additional sum to carry on the activities of this particular department, that it was properly included in this sum." So the only way that the Chair can sustain the contention of those who argue in favor of sustaining the point of order is to say that the Committee on Appropriations has a greater power than an individual Member in this House.

Now, if the Post Office had an actual deficit in the work authorized by law and they came before the Appropriations Committee, and by a vote of one the committee determined not to include it, would the Chair hold that a Member of this House in the Committee of the Whole could not offer an amendment providing for a deficiency of that kind in an appropriation bill? If this is an appropriation bill providing for deficencies in the various appropriation bills as set forth by the Chair two days ago, any Member of this House has the right to offer an amendment providing for taking care of a deficiency in any department of the Government, and to rule otherwise is to make the Appropriations Committee a czar over the membership in this House; and this is true of every other committee that ever undertakes to exercise the power and deny it to other Members of the House. I hope the Chair will not make any such ruling, for the future welfare of this House.

Mr. WALSH. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. WALSH. Does the gentleman contend that in a deficiency bill we could make an appropriation for completing or enlarging or continuing the enlargement of a public building?

Mr. BYRNES of South Carolina. Yes; if there was a deficiency in an appropriation authorized by law and the amount estimated did not exceed the limit of cost, I know of no reason why you could not.

Mr. MONDELL. Mr. Chairman, I did not intend to discuss the point of order and have made no preparation to discuss it, but as the discussion has gone on it has occurred to me that there are certain phases of the question before the House that have not been presented.

The Chair held, in effect, as I understand it, that it was difficult for him to differentiate between a deficiency and an anticipatory deficiency. One can readily understand the difficulty of the Chair in that regard. I would be similarly confused; but if the Chair will allow me, this is not a question between a deficiency and an anticipated deficiency, or an anticipatory deficiency, it is a question whether this is a deficiency at all. I am inclined to think an anticipatory deficiency, or an anticipated deficiency, may be provided for on a deficiency bill. We frequently provide for deficiencies that have not actually occurred.

The question is, What is a deficiency? If the Congress provided a certain sum of money for the operation of the navy yards of the country and in making this appropriation made provision with regard to the number of men to be employed during the season, or the number of ships to be repaired, or the units of work the yards should perform, and it developed during the year that with the appropriation made it would not be possible to employ that number of men or repair those ships or to perform these units of work, the department would be justified in coming before the Appropriations Committee before there was an actual deficiency and in the anticipation of a real deficiency that was in sight ask for a sum needed, and the committee would be justified in granting it as a deficiency.

But it must be a deficiency and not a mere request on the part of a department to be allowed to spend more money and do more work, hire more men, or perform more units of work than were contemplated at the time the appropriation was made.

Mr. TINKHAM. Will the gentleman answer a question?

Mr. MONDELL. Certainly.

Mr. TINKHAM. Is the gentleman aware that nearly all the items that have been passed in this bill are of the character which he states should not be carried in a deficiency bill?

Mr. MONDELL. I am not willing to agree to that at all. I am taking in a way the gentleman's view that there may be such a thing as an anticipatory deficiency. There are such in this bill, but they are deficiencies nevertheless, deficiencies that are certain to occur with the running of time, with the performance of those acts, the doing of that work, the performance of these duties that the Congress directed should be done.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BYRNES of South Carolina. As I understand the gentleman's view, if it required the employment of additional people to do additional work, he would not regard it as a deficiency; but assuming that, as in this case, even though this amount was granted, that the department will have to reduce the number of employees, and yet the department could not repair its ships, then the gentleman would regard that as a deficiency, would he not?

Mr. MONDELL. Not at all.

Mr. BYRNES of South Carolina. Why does the gentleman make the distinction as to the employment of additional operatives?

Mr. MONDELL. Mr. Chairman, let us assume that a million dollars is appropriated for a navy yard, and that means the employment through the 12 months of the year of 1,000 men, but that there are 2,000 men employed. It is plain to anyone that there must be a reduction some time or the intent and purposes of the Congress could not be met, because while the Congress expected to spend a certain amount of money at that point the Congress did not feel under any obligation to employ a given number of men. If it had, it would have so stated. It would have said, "You must employ so many men at a given rate," and then if there was not sufficient money appropriated there would be a deficiency.

Mr. BYRNES of South Carolina. The gentleman misunderstood me. What I intended to tell the gentleman was that if this appropriation were granted the representatives of the department said it would not mean the employment of additional men, but that, in any event, with this appropriation that there would be a reduction of men.

Mr. MONDELL. The gentleman will allow me to make a statement, applying it exactly to the situation referred to. If the Congress, as it did in this case, appropriated a certain sum of money for the navy yards, and a sum of money which would not keep employed for the year all of the men employed on the work for which the appropriation was made, it is perfectly patent that Congress intended that the force be reduced. If the Congress had not intended that the force be reduced it would have appropriated more money, in view of the fact that it would take more money to keep all of the men who were employed at the time the appropriation took effect employed for the entire year.

Mr. SAUNDERS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Mr. Chairman, I do not want to take up the time of the committee unnecessarily.

Mr. SAUNDERS of Virginia. Take this situation: The Congress appropriates for a department money with which to do certain work, which it did in this particular instance. Before the year expires, by reason of an advance in the cost of that work, the particular work can not be done within the appropriation, and the department comes to the Congress and tells it so.

Mr. MONDELL. There is a deficiency.

Mr. SAUNDERS of Virginia. That is this situation exactly.

Mr. MONDELL. Oh, no; not at all.

Mr. BYRNES of South Carolina. Does the gentleman know the evidence is that it costs them two and a half times as much and that that is why they are here?

Mr. SAUNDERS of Virginia. Here is a member of the committee who affirms that statement.

Mr. MONDELL. Not at all. I wish the gentleman from South Carolina would stick to his original line of argument. He argued just a moment ago that what they desired to do here was to do work that they had not anticipated doing, and he read from a statement that was made that they found there were ships that needed repairs that they had not intended to repair.

Mr. BYRNES of South Carolina. The gentleman would do me an injustice.

Mr. MONDELL. I am doing the gentleman no injustice.

Mr. BYRNES of South Carolina. I read the statement of Secretary Roosevelt, but I did not say, it is true, that the hearings show, as they do, through Admiral Taylor and Admiral Parks, that the cost of repairing ships to-day is two and a half times as great as it was when this amount of money was asked for. They gave other reasons, and I did not mean, by failing to state all the reasons given for the deficiency, to exclude them.

Mr. MONDELL. Mr. Chairman, nothing of that kind was presented.

Mr. BYRNES of South Carolina. Does the gentleman say it was not presented in the hearings?

Mr. MONDELL. I can not yield. The gentleman may make his argument if he desires to present it, and the Chair will listen to him. That is not the situation. No gentleman has made that argument, and it would not be conclusive if it were made, although that is one of the factors that have to do with the question of a deficiency, but it is only one of the factors. It is not a controlling factor by any manner of means. The Secretary was asked directly whether it was a deficiency and he said it was not a deficiency in his opinion, and it is not.

Mr. DUPRÉ. Will the gentleman yield?

Mr. MONDELL. What did the Congress do in this case? Congress appropriated a certain sum of money for this work in the navy yards, and when that money was appropriated it was apparent to everybody that it would be impossible to employ all the men then employed in all the navy yards the entire year for that sum of money and keep them busy. Gentlemen here who are now pleading for more money, if they felt it their duty to keep all these men employed, should have asked for an increased appropriation at that time.

Mr. DUPRÉ. Will the gentleman yield?

Mr. MONDELL. That was the time to secure an appropriation sufficiently large to keep the war force of the navy yards going in time of peace. Of course, gentlemen know perfectly well that if they had made that statement before the House and had endeavored to increase the appropriation on that argument they would not have gotten anywhere [applause], because the House would not have agreed that we must keep the war force at work continuously in time of peace.

Mr. DUPRÉ. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield?

Mr. MONDELL. Let me finish the line of argument I was upon.

Mr. DUPRÉ. All right.

Mr. MONDELL. What did the Congress do? It appropriated a certain sum of money. It knew perfectly well at the time it appropriated the money it was not going to be sufficient to keep all the men in the navy yards busy the entire year. That is patent to everyone who is familiar with the facts. Further, the Congress must have known that that sum of money would not repair all the ships in the Navy that might have been injured or put out of commission during the war. No one made any argument in favor of an appropriation that would unquestionably repair all the ships. Congress appropriated a certain

amount of money for that purpose, with the expectation that it would go as far as it would. [Applause.] And it would do just as much as could be done with that amount of money and no deficiency is created.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. MONDELL. When the Secretary comes before the House and says, "We have found that there are some ships that we did not have in mind, that we had not thought about, that we would like to have repaired in these navy yards——

Mr. DUPRÉ. Will the gentleman yield right there?

Mr. MONDELL. It does not change the situation because the gentlemen living in the vicinity of navy yards, and anxious to help us reduce the expenditures in the other lines, are insisting that these navy yards shall be continued in full force at the highest price, no matter what economy is practiced elsewhere. [Applause.]

Mr. TINKHAM. Mr. Chairman, I make the point of order that the gentleman is not speaking to the point of order.

Mr. DUPRÉ. Will the gentleman yield to me?

Mr. MONDELL. I yield.

Mr. DUPRÉ. Is it not a fact that during last September Secretary Roosevelt is quoted in these hearings as having said that there was no deficiency, and this selfsame Appropriation Committee brought in here a deficiency appropriation of $10,000,000, and it only failed because of a conflict between the Senate and the House?

Mr. MONDELL. They were misled at that time by the Navy Department; they have learned better since then.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. MONDELL. Briefly.

Mr. BYRNES of South Carolina. I only want to set myself straight——

Mr. MONDELL. I can not yield; the House is becoming impatient.

Mr. BYRNES of South Carolina. I simply want to say——

The CHAIRMAN. The gentleman from Wyoming has the floor.

Mr. BYRNES of South Carolina. But he yielded to me.

Mr. MONDELL. This is not a question of an anticipatory deficiency or an anticipated deficiency. It is not a deficiency at all. It is a request for an additional sum of money for a purpose for which Congress has already appropriated, and it is simply an effort to increase the general appropriation for this purpose under the guise of a deficiency. It does not belong on this bill. [Cries of "Rule!"]

Mr. TINKHAM. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. TINKHAM. I desire to discuss the question of germaneness. [Cries of "Rule!"]

Mr. Chairman, I have certain authorities which I desire to submit to the Chair.

The CHAIRMAN. The Chair will hear the gentleman briefly in closing.

Mr. TINKHAM. I desire to bring to the attention of the Chair a reference to Hinds', 5910:

On January 31, 1899, the bill (H. R. 11022) for the reorganization of the Army was under consideration in the Committee of the Whole House on the state of the Union, and Mr. William P. Hepburn, of Iowa, offered as a new section or paragraph prescribing frequent target practice by enlisted men and providing for the giving of medals for the best records.

Hon. James Hay, of Virginia, made the point of order that the amendment was not germane to the bill.

After debate Chairman Sereno E. Payne, of New York, overruled the point of order.

Now, Mr. Chairman, if in a bill reorganizing the Army it is germane to offer a new section prescribing frequent target practice, then, after listening to the honorable Representative from Pennsylvania [Mr. DEWALT], showing that the purpose of my amendment is for the exact purposes as covered by the item now contained under yards and docks, it seems to me absolutely impossible for the Chairman to rule that it is not germane.

Now, I want to bring to the attention of the Chair another example from Hinds', 5912:

On January 27, 1903, the House as in Committee of the Whole was considering a bill (S. 2387) to fix the salaries of certain judges of the United States, when Choice B. Randall, of Texas, offered the following amendment:

"That it shall be unlawful for any of the judges of the United States court to accept or receive any gifts, free transportation, or frank from any corporation or person engaged in operating any railroad, steamboat line, express, or telegraph company. Any violation of this provision shall be punished by a fine not less than $100 and not exceeding $5,000."

Hon. John J. Jenkins, of Wisconsin, made the point of order that the amendment was not germane.

After debate, the Speaker, David B. Henderson, of Iowa, said:

"This question is one that troubles the Chair a little, but when we consider that this bill deals not only with the salaries but also with the subject of expenses, the issuing of passes, franks, and other things that keep down the expenses would seem to be germane. At all events, the Chair will overrule the point of order and admit the amendment of the gentleman from Texas."

Now, Mr. Chairman, in closing I, of course, admit that it is a question of relativity absolutely when the question of germaneness of an amendment is raised, but on the particular amendment under discussion I want to draw to the attention of the Chair that the question he is to decide is a most important question on which there are no precedents of exact application, and that his decision involves vitally the rights and liberties of this House. I adjure him to make no narrow decision and to give no contracted construction to a matter of this importance. For by his decision he may bind this House by restraining bonds which gravely imperils its right of action and decision.

The CHAIRMAN. The Chair is ready to rule.

The gentleman from Massachusetts [Mr. TINKHAM] offers to amend, on page 18, after line 20, by inserting the following:

Maintenance Bureau of Yards and Docks: For general maintenance of yards and docks, including the same objects specified under this head in the naval appropriation act for the fiscal year 1920, $2,500,000.

To this the gentleman from Illinois [Mr. MADDEN] makes the point of order that it is not germane, and the gentleman from Massachusetts [Mr. WALSH] makes the point of order that it is not a deficiency.

First, taking up the question of deficiency, it appears that the Secretary of the Treasury, under date of December 18, 1919, transmitted supplemental estimates of appropriations required by the Navy Department and Naval Establishment for the service of the current fiscal year. In this estimate is an item as follows:

Bureau of Yards and Docks: For general maintenance of yards and docks.

Then follows the exact words of the amendment offered by the gentleman from Massachusetts [Mr. TINKHAM]. The total amount asked to be appropriated under this item of the estimates was $2,500,000. The amount appropriated under this item in the last Navy appropriation bill was $7,500,000.

It is urged that at a hearing on this bill the Assistant Secretary of the Navy admitted that it was not a deficiency. The Chair has examined the hearings in this regard carefully, as he has examined the estimates and as he has examined the section of the bill in connection with which this amendment is offered. It is not an easy matter for the Chair to determine what is a deficiency, but from such examination as the present occupant of the chair has been able to give the subject, he is constrained to hold that in the parliamentary sense of the term "deficiency" this is a proper item to be brought in on a deficiency bill, and in order as an amendment, provided that it be germane.

Turning next to the question of germaneness, the Chair heard with interest the argument of the gentleman from Virginia [Mr. SAUNDERS] and of the gentleman from Georgia [Mr. CRISP], two of the ablest parliamentarians in the House and whose opinions the Chair regards very highly. On this occasion, however, the Chair is unable to follow these gentlemen to the logical conclusion of their argument. It seems to the Chair that if he should follow their reasoning in his ruling it might become a very dangerous precedent for the House to follow. It would enable any Member of the House at any time when a deficiency appropriation bill is pending to arise and offer an amendment for an appropriation for any conceivable activity of the Government authorized by law. If it could be shown that a deficiency exists, it would be in order, according to the reasoning of the gentlemen, and would force consideration of a new subject without its having been referred to a committee, without its having been considered by a committee, and without the House having any notice whatever in advance of the consideration of such an item. The Chair is unwilling to follow the judgment of the gentlemen to that extent. The Chair is willing, rather, to follow the precedent set by Mr. Carlisle, when he made the ruling referred to in an earlier ruling to-day, to the effect that the committee having proper jurisdiction of a matter does have a right to bring in matters that no Member from the floor would have a right to bring in as an amendment.

The question here is whether this particular amendment is germane to this bill. In the naval appropriation bill, now current law, under the heading of "Bureau of Yards and Docks," appears the item "Maintenance, Bureau of Yards and Docks," and then follows language embodying the same substance as the language contained in the amendment offered by the gentleman from Massachusetts [Mr. TINKHAM]. To that paragraph was appended a proviso, which the Chair will read:

Provided, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, inspection, drafting, messenger, and other classified work in the navy yards and naval stations for the fiscal year ending June 30, 1920, shall not exceed $1,500,000.

The Committee on Appropriations has reported in this bill a paragraph for the purpose of changing this limitation, increasing it by $400,000, which means that out of an appropriation of $7,500,000 made in the current naval appropriation bill, instead of $1,500,000 being used for the purposes indicated in the limitation, under this bill $1,900,000 may be used. One reason given by the Chair in the ruling which has been referred to several times to-day was that the House should not be taken by surprise, and that in all reasonable ways the membership of the House should be put on notice as to what business is to be transacted.

The Chair still adheres to that ruling. The Chair, after hearing all the able arguments made to-day, still believes that his ruling, made on that occasion, was sound, and he intends to adhere to it in this ruling. So far as that portion of the former ruling has a bearing upon the present point of order, the question is whether this amendment could properly be said to take the House by surprise. What is the amendment? It is proposed to insert in this bill the substance of the very language of the paragraph which is now in the law and to which the very limitation in which this bill seeks to make a change is attached as a proviso. It seems to the Chair that this committee having inserted in this bill a limitation to a paragraph in the current law which makes an appropriation, and having sought to change that limitation, which would change the amount of the appropriation therein made that may be used for certain purposes, surely there can be no question as to the germaneness of an amendment which is not only related to but which embodies the substance of the original appropriating paragraph. There could be no question of surprise. If anyone has read the limitation in the current law, which it is sought to change in this bill, he has surely read the paragraph in the law to which it is a limitation and that paragraph is the substance of the proposed amendment. Surely it can not be contended that it is not germane when it is sought to insert as an amendment the language to which the limitation now in the bill for the purpose of being modified is a proviso of limitation in the current law. Therefore, believing that this amendment is germane to the provisions already in the bill and that it does not introduce a subject different from that under consideration in the bill, the Chair overrules the point of order.

Mr. BLANTON. Mr. Chairman, I ask recognition in opposition to the amendment.

Mr. CRISP. Mr. Chairman, may I propound a parliamentary inquiry?

The CHAIRMAN. The gentleman will state it.

Mr. CRISP. There is no way that I know of whereby anyone can appeal from any particular part of the decision of the Chair, but I would like to make this parliamentary inquiry: In the opinion of the Chair is it within the province of the Chair to decide whether an amendment offered by a Member from the floor is a surprise or not? And if it is not a surprise he will permit a Member of the House to offer an amendment, but if the Chair decides that such an amendment is a surprise to the House he will rule against the offering of such an amendment? Is that the effect of your decision just rendered?

The CHAIRMAN. The Chair will state that in the case of an amendment which is germane to anything in the bill and which does not contemplate the introduction of a new subject under color of an amendment, the Chair will hold it to be in order.

Mr. CRISP. The Chair stated that it had first to be considered by the House committee.

The CHAIRMAN. The Chair does not think he made any such statement.

Mr. CRISP. I think, if the Chair will look at his notes he will find he did.

The CHAIRMAN. The Chair would not want to make such a statement. That is one of the things that might influence the Chair.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. It being marketing day, I make the point of no quorum.

Mr. GOOD. Will the gentleman withhold that?

Mr. BLANTON. Yes.

Mr. GOOD. I simply desire to get an agreement as to the debate. Then I shall move that the committee rise.

Mr. BLANTON. I will withhold, but I would like the chairman to include me for five minutes.

Mr. GOOD. I want to see if we can agree with regard to the time that will be allotted for the debate on this amendment.

Mr. DUPRÉ. I want five minutes, and one of my colleagues wants five minutes.

Mr. TINKHAM. Mr. Chairman, I think we ought to have at least an hour and a half. It is a very important matter.

Mr. GOOD. I assume that there are going to be four other amendments to be offered in regard to this?

Mr. TINKHAM. Three.

Mr. GOOD. Three other amendments. They are of the same character, so far as the general discussion is concerned.

Mr. TINKHAM. That is correct.

Mr. GOOD. I ask unanimous consent that the time on the whole subject be confined to one hour.

Mr. JOHNSON of Washington. Reserving the right to object, Mr. Chairman, let me interrupt the gentleman from Iowa simply to ask him if every Member on this floor who is interested in navy yards has not the right to offer an amendment appropriating money in some degree for this very identical purpose; and, if that is so, whether that would take a considerable time?

Mr. GOOD. I was going to make this unanimous-consent request, that the time for debate on this whole subject be limited to one hour, the gentleman from South Carolina to control 40 minutes in favor of the amendments, and I will control 20 minutes opposed to it.

Mr. BLANTON and Mr. MILLER objected.

Mr. GOOD. Mr. Chairman, I ask that the entire time to be given to the discussion be limited to an hour and a half, to be equally divided between those for the amendments and those opposed; that the gentleman from South Carolina shall control the time in favor of the amendments and that I shall control the time for those opposed to the amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

Mr. CALDWELL. Reserving the right to object——

Mr. WALSH. I demand the regular order.

The CHAIRMAN. The regular order is, Is there objection?

Mr. MILLER. I object.

Mr. GOOD. Mr. Chairman, this is a very important question, a question that, I think, a great many of the Members, especially those that have employees in yards in their districts, are interested in. It involves about $9,300,000. I think there ought to be a limited time for debate. Personally, I shall oppose the amendments, and I do now oppose them. I do not think that these amendments ought to carry, and therefore I move that all time for debate on the amendments be limited to 1 hour and 30 minutes.

Mr. BLANTON. Mr. Chairman, I make the point of order that no quorum is present.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to withdraw my motion.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to withdraw his motion. Is there objection?

There was no objection.

Mr. BLANTON. We can not reach any agreement, and there is no use in wasting further time.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12046, the second deficiency bill, and had come to no resolution thereon.

ORDER OF BUSINESS.

Mr. CALDWELL. Mr. Speaker, I would like to know whether we are to take up this bill on next Monday or Tuesday. I understand the gentleman from Iowa is going to make a unanimous-consent request.

Mr. GOOD. No; I do not intend to make a unanimous-consent request.

The SPEAKER. The Unanimous Consent Calendar will come up on Monday, but there is only about a page, and the Chair would think that it would not take more than an hour or two, and then the Chair would recognize the gentleman from Iowa if he desires recognition.

EXTENSION OF REMARKS.

Mr. WELLING. Mr. Speaker, I ask unanimous consent to extend and revise my remarks on this bill.

The SPEAKER. The gentleman from Utah asks unanimous consent to extend and revise his remarks on this bill. Is there objection?

There was no objection.

BOARD OF VISITORS TO THE NAVAL ACADEMY.

The SPEAKER laid before the House the following appointments to the Board of Visitors to the Naval Academy:

Mr. KELLEY of Michigan, Mr. VARE, Mr. KRAUS, Mr. BYRNES of South Carolina, and Mr. KETTNER.

LEAVE OF ABSENCE.

By unanimous consent, the following leave of absence was granted:

To Mr. NELSON of Wisconsin, for three days, on account of important business.

To Mr. TAYLOR of Tennessee, for 10 days, on account of important business.

ENFORCEMENT OF THE IMMIGRATION LAWS.

Mr. BOX. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the enforcement of the immigration laws.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD on the enforcement of the immigration laws. Is there objection?

There was no objection.

Mr. BOX. Mr. Speaker, in a speech made in this House on January 23, 1920, on the enactment and enforcement of immigration laws necessary to the protection of America as the home of Americans, among other things, I said:

> The history of the dealings of Congress with immigration is the record of difficulties caused by shipowners, contract-labor importers, and other obstructions embarrassing all efforts to protect the country against incoming criminals, prostitutes, paupers, and anarchists.
>
> In the record of this House and reports of committees and joint committees, and commissions created by both Houses, I have not found one statement that these laws are generally and effectually enforced. Again and again in the record of a period of more than 40 years is found the complaint of the violations or evasions of contract-labor laws.
>
> Just now your committee is besieged with appeals from industrial employers not to close the door against incoming labor. This fact, considered with the other facts, should advise American labor that these people are still to be brought here to take their places. The interests of labor require that it be protected from the importation of an endless supply of European pauper labor.
>
> Gentlemen, this problem needs the thoughtful, practical attention of Congress and the country. I am making this statement to bring this serious situation before you and the people. When I became a Member of this body I resolved to do something more than talk about this momentous question, with its bearing upon us and our children who are to succeed us. I sought and obtained a place on the committee which has this subject in charge and have attended every meeting of the committee. As a member of the subcommittee I spent several days in New York, the port through which most of these immigrants enter the country, studying the problem there and seeking to provide a remedy for it. I shall continue to give my best thought, attention, and labor to it and urge upon the committee, upon Congress, and upon the country such measures as will save our country from threatened ruin by the changing of America from a home for Americans to a Babylon of strange voices, strange faces, strange un-American ways, a place from which the spirit of America has taken its departure—another Europe, another Orient.

Since I used the language quoted the attack upon our immigration laws has intensified. For several days now a large delegation have been before the House Committee on Immigration and Naturalization asking that the laws be suspended or modified so as to admit to Texas approximately 200,000 pauper laborers annually and a corresponding number to neighboring States. The delegation consist of plantation owners, a labor agent for several large beet-sugar manufacturing corporations located in some 10 different States, sulphur-mine owners, lawyers, and others representing various interests. Coal-mine owners join in the request. As first proposed the measure would have admitted them only to Texas, Arizona, and New Mexico. A substitute or amendment was then proposed which would have extended the proposition to several other States. Still later it was proposed to give it still wider range, both as to the territory to be affected and the sources from which the immigrant laborers were to be admitted. All of them wanted several hundred thousand admitted annually by the suspension or removal of the literacy test, the $8 head tax, and the labor-contract law. One attorney from New York said he represented certain farming interests of the Southwest, but could not, or would not, tell the committee what or how many farms he represented or the names of the owners.

I am reliably informed that a delegation on the same mission have been before the Senate Committee on Immigration for several days.

As a Member of the House and its Immigration Committee, I am actively opposing the proposition for several reasons, among which are the following:

I know from first-hand knowledge that interested men and corporations are now clamoring for pauper labor from Europe, China, Mexico, and elsewhere, and that these special interests are strong enough in congressional votes and influence to make the clamor a very dangerous one. Many Members represent constituencies a majority of which is of foreign birth and the first generation children of such. Others represent great city or manufacturing districts. Many, for these or other reasons which seem to them sufficient, are opposed to all restriction of immigration. This demand for pauper labor has been heeded too much during the past 20 years. The story is always substantially the same. "We need the labor. The people we want are harmless. Do not let in the undesirable, but let in the ones we want."

If the law is broken down for accommodation of one class or section it will, of course, be destroyed for other classes and sections. The question is whether we shall maintain our immigration laws, at a time when their maintenance is more than ever necessary, or shall now weakly surrender them to give these and other men and interests pauper labor. With me, the question answers itself.

These Mexicans are very ignorant, degraded, and undesirable as citizens. One of these gentlemen said before the committee that the Mexicans were better as citizens than "poor white trash," by which I think he meant very poor white working people. I have known white people in the lowliest condition during my entire life, but I have never known any that as a class were not infinitely better as citizens or otherwise than average Mexicans.

I know that as a class Mexicans do not make good citizens. Let honest man and women reflect on what they have known in the past about politics in certain sections where these "good citizens" held the balance of political power. If 200,000 of these people are admitted to Texas annually they will soon become so numerous that they will swing the balance in close and vital contests, and cause Texas to turn her face backward toward things that are now hateful to most Texans.

The official figures show that 2 out of every 3 of these people who have come into Texas under war emergency orders during the last two and one-half years have not returned to Mexico. These figures are too small because of the admitted fact that tens of thousands were smuggled across by swimming the Rio Grande. In the vernacular of southwest Texas, they are called "wet backs." More than one of these gentlemen frankly, and with apparent pride, admitted that he had paid labor brokers so much per head for these "wet backs" delivered into his custody on the Texas side, a safe distance from immigration stations and officials. One explained that in order to keep them from running away while indebted to him for the price paid for their delivery, and for other advances, the employers had kept their shoes and trousers from them at night. Many similar side-lights were thrown on the character of these people and the manner of dealing with them, but they were all in line with what all Texas and all informed people have known about them since the people of Texas first came in contact with them in the days of Santa Anna and Sam Houston, in the days of the Alamo, Goliad, and San Jacinto.

Our immigration laws are going to be subjected to a severe strain during the next few years. The outside world is full of poverty-stricken human beings whose labor many special interests want. America has what a hungry world wants, a meal to satisfy its hunger. I pity suffering men and women everywhere, but I want our country preserved for a home for ourselves and our children. My position is fixed.

I did not object to any temporary emergency measure necessary to win the war, even to the admission of a comparatively few of these laborers while the boys were away, but this is a question of permanent peace policy, a question whether we shall save America as a home for these same boys, their brothers, their sisters, and their sweethearts.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 3779. An act to authorize the Ozark Forest road improvement district of Baxter County, Ark., to construct and maintain a bridge across the White River near Norfolk, Ark.; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3418. An act to amend an act entitled "An act to provide for the lading or unlading of vessels at night, the preliminary entry of vessels, and for other purposes," approved February 13, 1911.

ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned until Monday, February 2, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting as chairman of the Rock Creek and Potomac Parkway Commission a clause of proposed legislation to permit the acquisition of 47,708.50 square feet of land not now included within the taking lines (H. Doc. No. 639); to the Committee on Appropriations and ordered to be printed.

2. A letter from the president of the Capital Traction Co., transmitting report of the Capital Traction Co. for the year ending December 31, 1919; to the Committee on the District of Columbia.

3. A letter from the Secretary of the Navy, transmitting draft of proposed legislation authorizing the relief of certain disbursing officers; to the Committee on Naval Affairs.

4. A letter from the Secretary of the Navy, transmitting draft of proposed legislation to provide for the relief of members of the United States Naval Reserve Force who were given temporary appointments in the Regular Navy prior to July 1, 1918; to the Committee on Naval Affairs.

5. A letter from the President of the East Washington Heights Traction Railroad Co., transmitting a report of that company for the year ending December 31, 1919; to the Committee on the District of Columbia.

6. A letter from the president of the Georgetown Gas Light Co., transmitting a detailed statement of the business of the Georgetown Gas Light Co., together with a list of stockholders, for the year ended December 31, 1919; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. McKENZIE, from the Committee on Military Affairs, to which was referred the bill (S. 3037) to authorize the Secretary of War to transfer free of charge certain surplus motor-propelled vehicles and motor equipment to the Department of Agriculture, Post Office Department, Navy Department, and the Treasury Department for the use of the Public Health Service, and certain other surplus property to the Department of Agriculture, and for other purposes, reported the same with an amendment, accompanied by a report (No. 593), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FORDNEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 12193) providing for the relief of populations in Europe and in countries contiguous thereto suffering for the want of food, reported the same without amendment, accompanied by a report (No. 594), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 5481) granting a pension to Scott Engle; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7271) granting an increase of pension to John Kennedy; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9505) granting an increase of pension to Robert H. Cowan; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11163) granting a pension to James Hanna; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 12187) authorizing the Pitt River and the Apwaraki Tribes or Bands of Indians of California to submit claims to the Court of Claims; to the Committee on Indian Affairs.

By Mr. WASON: A bill (H. R. 12188) for the establishment and maintenance of a forest experiment station in the White Mountain National Forest in the State of New Hampshire; to the Committee on Agriculture.

By Mr. CONNALLY: A bill (H. R. 12189) to repeal tariff duties on printing paper, wood pulp, and rag pulp; to the Committee on Ways and Means.

By Mr. KAHN: A bill (H. R. 12190) to authorize the Secretary of War, under rules and regulations prescribed by him, to pay cash rewards for suggestions and inventions which result in improvement or economy in the production of munitions or military material; to the Committee on Military Affairs.

Also, a bill (H. R. 12191) to amend section 4888 of the Revised Statutes of the United States, as amended by act of March 3, 1915 (38 Stat. L., 958), so as to require that applications and patents issued for inventions by inventors in Government service shall show the facts of such service; to the Committee on Patents.

Also, a bill (H. R. 12192) to amend the paragraph of the sundry civil appropriation act approved March 3, 1883, relative to patents, beginning with the words "The Secretary of the Interior and the Commissioner of Patents," on page 625 of the Twenty-second Statutes at Large, by substituting a new paragraph in lieu thereof, so as to authorize the grant of patents, without payment of fee, for any invention or discovery useful in or for carrying on the functions and activities of the Government, when the application therefor contains the statement that such invention or discovery may be made and used by and for the Government without royalty; to the Committee on Patents.

By Mr. FORDNEY: A bill (H. R. 12193) providing for the relief of populations in Europe and in countries contiguous thereto suffering for the want of food; to the Committee of the Whole House on the state of the Union.

By Mr. JOHNSON of Washington: A bill (H. R. 12194) providing for a preliminary survey of Cowlitz River, Wash., with a view to the control of its floods; to the Committee on Flood Control.

By the SPEAKER: Memorial of the Legislature of the State of Kansas, requesting the Congress of the United States to take such action in the reorganization of the military forces of the country which shall give to the National Guard the fullest measure of support; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Kansas, requesting the Congress of the United States to pass the bill already introduced appropriating funds to aid the several States in the construction of roads; to the Committee on Roads.

Also, memorial of the Legislature of the State of Kansas, urging the Congress of the United States to revise the immigration and naturalization laws of the United States; to the Committee on Immigration and Naturalization.

By Mr. STRONG of Kansas: Memorial of the Legislature of the State of Kansas, urging Congress to revise the immigration and naturalization laws of the United States; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of the State of Kansas, requesting the Congress of the United States to pass the bill already introduced appropriating funds to aid the several States in the construction of roads; to the Committee on Roads.

Also, memorial of the Legislature of the State of Kansas, requesting the Congress of the United States to take such action in the reorganization of the military forces which shall give to the National Guard the fullest measure of support; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENHAM: A bill (H. R. 12195) granting a pension to Edward S. Patton; to the Committee on Pensions.

Also, a bill (H. R. 12196) granting a pension to Vance K. Stewart; to the Committee on Pensions.

Also, a bill (H. R. 12197) granting an increase of pension to Elizabeth F. McCasland; to the Committee on Pensions.

By Mr. BROOKS of Illinois: A bill (H. R. 12198) granting a pension to Columbus O. Perkins; to the Committee on Invalid Pensions.

By Mr. COADY: A bill (H. R. 12199) for the relief of Louis A. Cornthwaite; to the Committee on Claims.

Also, a bill (H. R. 12200) for the relief of Frederick Hasledel; to the Committee on Claims.

By Mr. DICKINSON of Missouri: A bill (H. R. 12201) for the relief of Elizabeth F. Sullivan; to the Committee on Claims.

By Mr. FREEMAN: A bill (H. R. 12202) granting a pension to Francis H. Johnson; to the Committee on Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 12203) granting an increase of pension to Alonzo D. Prosser; to the Committee on Invalid Pensions.

By Mr. KELLEY of Pennsylvania: A bill (H. R. 12204) for the relief of William E. Lucas; to the Committee on Claims.

By Mr. LESHER: A bill (H. R. 12205) granting a pension to Alfred J. Hester; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 12206) granting a pension to Mary R. Berridge; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 12207) granting a pension to William T. Claiborne; to the Committee on Pensions.

By Mr. TILLMAN: A bill (H. R. 12208) granting an increase of pension to Margaret Hall; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1242. By Mr. FREEMAN: Petition of citizens of New London, Conn., relative to House bill 262; to the Committee on Interstate and Foreign Commerce.

1243. By Mr. FULLER of Illinois: Petition of the Clinton (Ill.) Commercial Club, relative to certain legislation; to the Committee on the Post Office and Post Roads.

1244. By Mr. IRELAND: Petition of sundry city officials of Peoria, Ill., opposing the credit of $150,000,000 to Europe by the United States Grain Corporation and favoring legislation by Congress that will give relief and protection to our own citizens of this country; to the Committee on Interstate and Foreign Commerce.

1245. By Mr. McCLINTIC: Petition of the George Washington Branch of the Friends of Irish Freedom, relative to certain legislation; to the Committee on Foreign Affairs.

1246. Also, petition of the Lions Club of Holdenville, Hughes County, Okla., relative to certain legislation; to the Committee on the Judiciary.

1247. By Mr. MacGREGOR: Petition of the Federal Employees Union of Buffalo, N. Y., relative to certain legislation; to the Committee on Reform in the Civil Service.

1248. By Mr. HENRY T. RAINEY: Petition of citizens of Pike County, Ill., relative to certain legislation; to the Committee on Reform in the Civil Service.

1249. Also, petition of the Kirby-Watkins Post, No. 198, American Legion, of Petersburg, Ill., indorsing House bill 5545; to the Committee on the Public Lands.

1250. Also, petition of the Jacksonville (Ill.) post-office force, indorsing House bill 7012; to the Committee on the Post Office and Post Roads.

1251. By Mr. RAKER: Petition of the Best Gas Traction Co., of Oakland, Calif., relative to certain legislation; to the Committee on Interstate and Foreign Commerce.

1252. Also, petition of the Richard L. Townsend Post, No. 84, of Auburn, Calif., relative to certain legislation; to the Committee on the Judiciary.

1253. Also, petition of the representative meeting of the Philadelphia Yearly Meeting of the Religious Society of Friends, relative to certain legislation; to the Committee on the Judiciary.

1254. Also, petition of the Merchants' Association of New York City, relative to the custom service; to the Committee on Ways and Means.

1255. Also, petition of M. Clark & Sons, of San Francisco, Calif., relative to certain legislation; to the Committee on Interstate and Foreign Commerce.

1256. Also, petition of J. F. Early, of San Francisco, Calif., relative to certain legislation; to the Committee on Agriculture.

1257. By Mr. ROWAN: Petition of Mr. Frederick W. Trow, relative to certain legislation; to the Committee on the Judiciary.

1258. Also, petition of Rigney & Co., of Brooklyn, N. Y., relative to certain legislation; to the Committee on Interstate and Foreign Commerce.

1259. Also, petition of L. W. Trow, of New York, relative to certain legislation; to the Committee on the Judiciary.

1260. Also, petition of Dr. Samuel G. Tracy, of New York City, relative to certain legislation; to the Committee on the Post Office and Post Roads.

1261. Also, petition of Hildreth & Co., engineers, of New York City, relative to certain testimony in the committees; to the Committee on Appropriations.

1262. By Mr. SCHALL: Petition of the Northwestern Lumbermen's Association in convention assembled, relative to certain legislation; to the Committee on Interstate and Foreign Commerce.

1263. By Mr. SINCLAIR: Petitions of the Commercial Club of Jamestown, N. Dak., and the North Dakota Retail Merchants' Association, opposing the repeal of the zone postal system; to the Committee on the Post Office and Post Roads.

1264. By Mr. VARE: Petition of the Central Labor Union of Philadelphia, relative to certain legislation; to the Committee on the Judiciary.

1265. By Mr. WATSON: Petition of Washington Camp, No. 331, Patriotic Order Sons of America, of Glenside, Pa., protesting against the United States of America recognizing the so-called Irish republic; to the Committee on Foreign Affairs.

1266. Also, petition of sundry citizens of Pottstown, Pa., opposing the passage of the Sterling bill (S. 3317) and the Graham bill (H. R. 11430); to the Committee on the Judiciary.

SENATE.

MONDAY, *February 2, 1920.*

Rev. John Paul Tyler, of the city of Washington, offered the following prayer:

Command Thy benediction upon us, we beseech Thee, O Lord, God of our fathers, Lord of all the earth, as we enter upon the activities of this new day and this week. Grant us grace to look to Thee for wisdom and guidance, that with unselfish devotion to the cause of Thy righteousness in the earth we may give ourselves to the tasks before us.

We beseech Thy blessing upon our Nation, upon our world. We pray for the President of our United States, that if it be Thy gracious will he may soon be restored to perfect strength and health again. For every home represented here, for the loved ones wherever they may be, we pray Thy blessing, O Lord. So lead us and guide us, and keep us true and faithful unto Thee, that at last when we come into Thy presence we may hear Thy voice saying, "Well done." And this we ask for Jesus' sake. Amen.

On request of Mr. LODGE and by unanimous consent the reading of the Journal of Saturday's proceedings was dispensed with and the Journal was approved.

DISTRICT OF COLUMBIA APPROPRIATIONS (S. DOC. NO. 197).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Board of Commissioners of the District of Columbia submitting supplemental estimates of appropriations in the sum of $538,905 required by the District of Columbia for the fiscal year 1920, and prior years, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

NATIONAL PARK SERVICE (S. DOC. NO. 198).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior submitting supplemental estimate of appropriation in the sum of $3,000 required by the National Park Service for the protection of a bridge in the Yellowstone National Park, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

DEPARTMENT OF AGRICULTURE (S. DOC. NO. 199).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of Agriculture submitting a supplemental estimate in the sum of $125,000 required by the Department of Agriculture for printing and binding for the fiscal year 1920, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

CUSTOMS SERVICE (S. DOC. NO. 196).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a supplemental estimate of appropriation in the sum of $1,000,000 required by the Customs Service for enforcing the provisions of law governing the importation and exportation of intoxicating liquors for the remainder of the fiscal year 1920, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

WASHINGTON RAILWAY & ELECTRIC CO. (S. DOC. NO. 206).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Railway & Electric Co. for the year ended December 31, 1919, which was referred to the Committee on the District of Columbia and ordered to be printed.

WASHINGTON INTERURBAN RAILROAD CO. (S. DOC. NO. 204).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Interurban Railroad Co. for the year ended December 31, 1919, which was referred to the Committee on the District of Columbia and ordered to be printed.

POTOMAC ELECTRIC POWER CO. (S. DOC. NO. 203).

The VICE PRESIDENT laid before the Senate the annual report of the Potomac Electric Power Co. for the year ended December 31, 1919, which was referred to the Committee on the District of Columbia and ordered to be printed.

GEORGETOWN GAS LIGHT CO. (S. DOC. NO. 205).

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown Gas Light Co. for the year ended December 31, 1919, which was referred to the Committee on the District of Columbia and ordered to be printed.

GEORGETOWN & TENNALLYTOWN RAILWAY CO. (S. DOC. NO. 202).

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown & Tennallytown Railway Co. for the year ended December 31, 1919, which was referred to the Committee on the District of Columbia and ordered to be printed.

CITY & SUBURBAN RAILWAY CO. (S. DOC. NO. 207.)

The VICE PRESIDENT laid before the Senate the annual report of the City & Suburban Railway Co. of Washington for the year ended December 31, 1919, which was referred to the Committee on the District of Columbia and ordered to be printed.

CAPITAL TRACTION CO. (S. DOC. NO. 201).

The VICE PRESIDENT laid before the Senate the annual report of the Capital Traction Co. for the year ended December 31, 1919, which was referred to the Committee on the District of Columbia and ordered to be printed.

TREATY OF PEACE WITH GERMANY.

Mr. LODGE. Mr. President, I desire to give notice that on Monday next, February 9, one week from to-day, I shall ask unanimous consent to suspend Rule XIII with a view of taking up the treaty with reservations. I trust unanimous consent will certainly be given, but in case it should not I give the necessary notice for suspending Rule XIII.

Mr. POMERENE. I did not hear the date the Senator named.

Mr. LODGE. Monday, February 9—one week from to-day.

Mr. ASHURST. Why postpone it so long? Why not to-morrow or the next day?

Mr. LODGE. I did not do it without consideration. Many Senators are absent. I want to give them time to return, and so notice will be given.

Mr. OVERMAN. Let the notice be read.

The Assistant Secretary read as follows:

Mr. LODGE. I hereby give notice, in accordance with the provisions of Rule XL of the Standing Rules of the Senate, that on Monday, February 9, 1920, I will move to suspend paragraph 1 of Rule XIII, in order that the Senate may be given an opportunity to reconsider its final vote upon the resolution of ratification of the treaty of peace with Germany, including the covenant of a League of Nations, and the subsequent action taken to prevent a reconsideration of such vote.

Mr. OVERMAN. I should like to ask the Senator from Massachusetts, as I did not hear clearly, what he said. Is this simply a notice to suspend the rule?

Mr. LODGE. I said I should ask unanimous consent to suspend the rule with a view of bringing the treaty and reservations before the Senate, but if the request for unanimous consent was refused, as I sincerely hoped it would not be, I would then move to suspend the rule; and I gave the notice for that purpose.

Mr. President, I ask to have printed in the RECORD the letter of Lord Grey, which appeared in the papers yesterday.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sunday, Feb. 1, 1920.]

LORD GREY DEFENDS AMERICAN RESERVATIONS; NO OBJECTIONS TO INCREASING UNITED STATES VOTE IN LEAGUE—"OUR OBJECT IS TO MAINTAIN STATES OF BRITISH DOMAINS," NOT TO OUTVOTE AMERICA, HE WRITES—SAYS SENATE HAS REASON AND RIGHT TO PREVENT COUNCIL REPRESENTATIVE COMMITTING COUNTRY TO ACTION OPPOSED BY CONGRESS—PRAISES AMERICAN PEOPLE'S SPIRIT.

LONDON, *January 31.*

Lord Grey of Fallodon, the British ambassador to Washington, now in England, has written the following letter to the London Times:

"Nothing, it seems to me, is more desirable in international politics than a good understanding between the democracy of the United States on one hand and democratic Great Britain and her self-governing dominions, and I hope we may add Ireland, on the other. Nothing would be more disastrous than misunderstanding and estrangement.

"There are some aspects of the position in the United States with regard to the League of Nations which are not wholly understood in Britain. I am in hope that as a result of my recent stay in Washington I may be able to make the position better understood. I venture to offer the following observations. They represent only my own personal opinion; nothing more. They are given simply as those of a private individual.

AMERICANS REGRET IMPASSE.

"In Great Britain and the allied countries there is naturally impatience and disappointment at the delay of the United States in ratifying the peace treaty and the covenant of the League of Nations. It is perhaps not generally recognized here that there is also great impatience and disappointment in the United States. Nowhere is the impasse caused by the deadlock between the President and the Senate more keenly regretted than in the United States, where there is a strong, even urgent, desire on the part of public opinion to see that a way out of that impasse be found which will be both honorable to America and helpful to the world.

"It will be well to understand the real difficulties with which the people of the United States have been confronted. In the clear light of right understanding, what seemed to be disagreeable features of the situation will assume a more favorable and intelligible aspect. Let us first get rid of one misunderstanding. No charge of bad faith or of repudiating signatures can be brought against the action of the United States.

POLITICS NOT SOLE DIFFICULTY.

"The Senate, by the American Constitution, is an independent body, an independent element in the treaty-making power. Its refusal to ratify the treaty can not expose either itself or the country to a charge of bad faith or of repudiation; nor is it fair to represent the United States as holding up the treaty solely from motives of party politics, thereby sacrificing the interests of other nations for this petty consideration.

"It is true that there are party politics and personal animosities in the United States. An American who saw much of England between 1880 and 1890 said that the present condition of politics in the United States reminded him of what he had observed in London when Gladstone had first advocated home rule for Ireland. Party politics and the personal animosities arising out of them operate in every democratic country. They are factors varying from time to time in degree, but always more or less active, and they operate upon every public question which is at all controversial. They are, however, not the sole or even the prime cause of the difficulty in the United States about the League of Nations.

REASONS FOR RESERVATIONS.

"Nor is it true to say that the United States is moved solely by self-interest to a disregard of higher ideals. In the United States, as in other countries, there are cross currents and backwaters in national life and motives. It would be well, therefore, for reasons both of truth and expediency, to concentrate on the real underlying causes of the Senate's reservations in ratifying the covenant of the League of Nations.

"There is in the United States a conservative feeling for traditional policy, and one of those traditions, consecrated by the advice of Washington, is to abstain from foreign, and particularly from European, entanglements. Even for nations which have been used to European alliances, the League of Nations is felt to be something of a new departure. This is still more true for the United States, which has hitherto held aloof from all outside alliances. The League of Nations is not merely a plunge into the unknown, but a plunge into something which its historical advice and traditions have hitherto positively disapproved. Hence this desire for some qualification and reservation.

GRAVE CLASH POSSIBLE.

"The American Constitution not only makes possible but under certain conditions renders inevitable a conflict between the Executive and the Legislature. It would be possible, if the covenant of the League of Nations stands, for a President in some future years to commit the United States, through its American representative on the council of the League of Nations, to a policy which the Legislature at that time might disapprove.

"That contingency is one which can not arise in Great Britain, where the Government is daily responsible to the representative authority of the House of Commons, and where, in case of conflict between the House of Commons and the Government, the latter must either immediately give way or public opinion must decide between them and assert itself by an immediate general election. But in the United States it is otherwise. The contingency is within the region of practical politics. They have reason and, if they so desire, the right to provide against it.

LEAGUE NEEDS AMERICA.

"What, then, may be fairly expected from the United States in this great crisis of world policy? For crisis indeed it is. If the participation of the United States was enormously helpful in securing victory in the critical months of 1918, its help will be even more essential to secure stability in peace. Without the United States present the League of Nations may become little

better than a league of allies for armed self-defense against a revival of Prussian militarism or against the military sequel to bolshevism in Russia. Bolshevism is despotism, and despotisms have a tendency to become militarism, as the great French Revolution proved.

"The great object of the League of Nations is to prevent future war and to discourage from the beginning the growth of aggressive armaments which would lead to war. Without the United States it will have neither the overwhelming physical nor moral force behind it that it should have, or if it has physical force it will not have the same degree of moral force, for it will be predominantly a European and not a world organization, and it will be tainted with all the interracial jealousies of Europe.

DEFENDS AMERICAN PEOPLE.

"With the United States in the League of Nations war may be prevented and armaments discouraged, and it will not be in the power of the fretful nations of the world to disturb the general peace. With America outside the League of Nations the old order of things will be revived, old consequences will recur, there will again be some great catastrophe of war in which it will find itself compelled to intervene for the same reason and at no less or even greater cost than in 1917.

"It would be a mistake to suppose that the American people are prepared or wish to withdraw their influence in world affairs. Americans differ among themselves as to whether they could or ought to have entered the war sooner than they did. It is neither necessary nor profitable for foreigners to discuss this point now. What is common to all Americans and to all foreigners who know the facts is the unselfish, wholehearted spirit in which the American Nation acted when it came into the war.

NOT PLAYING SMALL PART.

"The immediate adoption of compulsory military service, and, even more, the rationing of food and fuel in these millions and millions of households over such a vast area—not by compulsion, but by purely voluntary action in response to an appeal which had no compulsion behind it—is a remarkable and even astonishing example of national spirit and idealism. That spirit is still there. It is as much a part of the nature and possibilities of the American people as any other characteristic.

"It would be a great mistake to suppose that because the citizens of the United States wish to limit their obligations they therefore propose to themselves to play a small part in the League of Nations. If they enter the league as a willing partner with limited obligations it may well be that American opinion and American action inside the league will be more fruitful than if they entered as a reluctant partner who felt that her hand had been forced. It is in this spirit, in this hope, and in this expectation that I think we should approach and are justified in approaching the consideration of American reservations. Difficulties and dangers which Americans foresee in it will probably never arise or be felt by them when they are once in the league; in the same way, the weakening and injury to the league which some of its best friends apprehend from American reservations would not be felt in practice.

SHOULD ACCEPT CONDITIONS.

"If the outcome of the long controversy in the Senate will be to offer cooperation in the League of Nations, it would be the greatest mistake to refuse that cooperation because of the conditions attached to it; and when that cooperation is accepted, let it not be accepted in a spirit of pessimism. The most vital considerations are that the representatives should be appointed to the council of the League of Nations by all nations that are members of the council; that the representatives should be men who are inspired by the ideals for which we entered the war, and that the representatives should be instructed and supported in that same spirit of equity and freedom by the Governments and the public opinion of the countries who are now partners in peace. If that be the spirit of the council of the League of Nations, fear that the representatives of the United States in that council will not take part in realizing the hopes of the league are unfounded.

"There is one particular reservation which must give rise to some difficulty in Great Britain and her self-governing dominions. It is that which has reference to the six British votes in the assembly of the League of Nations.

VOTES OF BRITISH DOMINIONS.

"The self-governing dominions are full members of the league. They will admit, and Great Britain can admit, no qualification whatever of that right. Whatever the self-governing dominions may be in theory and in the letter of the constitution, they have in effect ceased to be colonies in the old sense of the word. They are free communities, independent as regards all their own affairs, and partners in those which concern the empire at large.

"To any provision which makes it clear that none of those British votes can be used in a dispute likely to lead to a rupture in which any part of the British Empire is involved no exception can be taken. That is the only reasonable interpretation of the covenant as it now stands. If any part of the British Empire is involved in a dispute with the United States, the latter will be unable to vote, and all parts of the British Empire, precisely because they are partners, will be parties to that dispute and equally unable to vote. But as regards their right to vote where they are not parties to the dispute, there can be no qualification, and there is a very general admission that the votes of the self-governing dominions would in most cases be found on the same side as that of the United States.

"It must not be supposed that in the United States there is any tendency to grudge the fact that Canada and the other self-governing dominions of the British Empire have votes, but any person with the smallest understanding of public audiences must realize the feeling created by the statement that the United States, with several million more English-speaking citizens than there are in the whole of the British Empire, should have only one vote, while the British Empire has six votes.

"It may be sufficient to observe that the reservation of America does not in any way challenge the right of the self-governing dominions to exercise their votes, nor does it state that the United States will necessarily reject a decision in which those votes have been cast. It is therefore possible—I think it is even more than probable—that in practice no dispute will ever arise. Our object is to maintain the status of the self-governing dominions, not to secure a greater British than American vote, and we have no objection in principle to an increase of the American vote.

"GREY OF FALLODON."

Mr. LODGE. Mr. President, I also ask to have printed in the RECORD the views of James Bainville, the well-known French authority on foreign affairs, on the subject of the reservations passed by the United States Senate to the peace treaty and the League of Nations.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

AMERICAN SENATE'S ACTION DISCUSSED—FRANCE, SAYS MR. BAINVILLE, FEELS THAT UNITED STATES' DESIRE FOR INDEPENDENCE IS REASON FOR RESERVATIONS BEING PASSED.

PARIS, FRANCE.

The views of James Bainville, the well-known French authority on foreign affairs, were recently obtained by a representative of the Christian Science Monitor on the subject of the reservations which had been passed by the United States Senate to the peace treaty and the League of Nations.

"I believe there must be a certain amount of curiosity in the United States," Mr. Bainville declared, "to know how the reservations on the peace treaty voted by the American Senate are considered in France. It goes without saying that the French Government is naturally rather embarrassed. It had expected or it had made others expect that the treaty would be ratified as it stood. It could not have acted otherwise out of courtesy to President Wilson and as a matter of policy. Had our Government expressed a doubt as to its ratification without reservations, it would have tended to have encouraged the opposition in the Senate, which was impossible to do without appearing to interfere in the internal affairs of the United States.

SITUATION UNDERSTOOD IN FRANCE.

"As for the attitude of the public, that is quite a different affair. The French people have been rather slow in understanding what was happening at Washington. To-day it understands the situation, and the general sentiment may be expressed, 'Well, those people are right.'

"An old proverb says 'A man's house is his castle.' This expresses the love of independence which exists so strongly in the hearts of all Frenchmen that they respect it in others. When President Wilson arrived in Paris last year and was received at the French Chamber of Deputies, he made a speech in which he said that the society of nations would exact of each of its adherents a sacrifice of part of its independence. These words caused a certain amount of surprise and displeasure here. The French had not given then much thought to the conditions of the league. Accustomed to alliances, the league appeared to them as a sort of alliance more extended than those already existing. But in an alliance one only contracts limited engagements to which it is necessary to remain faithful, otherwise each one is quite free to do as he likes.

COVENANT EXAMINED.

"Those persons who had been struck by the words of President Wilson then proceeded to examine the covenant, and they discovered that it went very far, indeed. Article 10, in particular, made us reflect. The obligation of defending against all aggres-

sors the frontiers and liberty of other nations, even though they were in Jugo-Slavia or Afghanistan, was a prospect which far from enchanted many Frenchmen. Obliged, in order to guard the Rhine, to continue conscription and a standing army, we asked ourselves whether we would not be exposed, being the first one ready, to be the first to leave and to play, in some part, the rôle of 'soldiers of the League of Nations.'

"Therefore it appeared to us as most natural that the American Senate should pass reservations to article 10 along with other reservations. 'A man's house is his castle.' Whoever subscribes to unlimited or ambiguous engagements is no longer master at home. This is as true of the United States as of France. We have no right to interfere in the discussions which have broken out in the United States. But should you definitely adopt those reservations, France will see no objection to it. Independence is a word which the Americans are not alone in loving. And we understand that the Senate at Washington defended the rule of independence on our account as well as on that of the United States.

FRUITS OF VICTORY.

"But this point being accepted and the ground cleared, much still remains to be done. One must retain the fruits of the victory gained in common and insure the execution by Germany of the treaty she has signed. No one ignores the fact that she has signed it with the firm intention of avoiding her obligations and the consequences of her defeat, if she possibly can. The diplomatic incidents in the month of December are there to prove to us that the German people has neither reformed nor repented.

"An Italian thinker, familiar with history, who is accustomed to consider things with a clear perspective—Guglielmo Ferrero—wrote recently that Germany would only respect her given word on condition that she remained as weak as she was on November 11, 1918, when she had been obliged to lay down her arms, and that the Allies remained as united as they had been during the war. If these two conditions, which are in reality but one, are not fulfilled, Germany will strive to put everything into the melting pot again, and all the sacrifices made by the Anglo-Saxons and Latins will run the risk of being rendered absolutely useless.

NECESSITY OF WATCHING GERMANY.

"Here are, therefore, the two elements of the political situation: On the one hand, a very violent repulsion expressed by the reservations of the Senate to contract unlimited and undefined engagements, and, on the other hand, the necessity of watching Germany, of discouraging any idea of resistance, and of preventing the return of anything that might resemble even dimly her criminal aggression of 1914.

"This double reason leads one to conceive of a practical combination which would conciliate both the sentiments and traditions of the associated nations with their interests. These profoundly human and natural sentiments and traditions render impossible, or at least superficial and fallacious, all vast and ill-defined engagements, such as those implied by article 10. On the contrary, the interest of all the entente powers calls for engagements as limited as they are precise, in order to render their common victory as strong as possible.

"In order that the peace of Europe and of the world should be maintained, it is necessary and essential that Germany should be made powerless to disturb it. Experience has taught us that everything absurd or disagreeable that happens in the Balkans never becomes disastrous or turns into a universal conflagration unless Germany interferes with it, unless she feels herself sufficiently strong, sufficiently able to meddle in it successfully.

OBLIGATIONS TOO HEAVY.

"It is therefore not necessary to provide that the associated powers in the League of Nations should in all cases assume the obligation of interfering in all quarrels and complications in any part of the world. This obligation is far too heavy, and were it expressed upon paper and duly sealed by the great powers, it would remain a dead letter.

"But is it necessary to render this obligation superfluous whilst obtaining the desired result, viz: The tranquillity of humanity, by limiting the power of that great defaulter, Germany?

"To this end we wish and desire a sort of European league, the foundations of which have perhaps been laid in London by Mr. Clemenceau and Mr. Lloyd-George. This league would group all the occidental powers needed to guarantee the full execution of the treaty by the German Government and people. This engagement, essentially defined and limited, would be conformable to the spirit of the reservations passed by the American Senate. It would not entail any nation alienating independence or finding itself forced against its will into vague, far-away complications. This is why the United States could join such a league of guaranty without offending any of the political concepts which are honored in the land of George Washington."

SALE AND TRANSPORTATION OF WHEAT.

Mr. GRONNA. Mr. President, I have a great many petitions and telegrams from people in my State with reference to a very important matter which concerns not only the people of North Dakota but of the entire Northwest. I ask unanimous consent that I may proceed to explain it for not to exceed 10 minutes.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Senator from North Dakota will proceed.

Mr. GRONNA. Mr. President, on the 4th day of March, 1919, an amendment to the food law was enacted which will expire by limitation on the 1st day of June, 1920, if not sooner repealed. It is a law which provided for a sum of $1,000,000,000 for the Government of the United States to purchase wheat. It was believed by a great many people that the guaranteed price of wheat should be maintained, and a great many people feared that the price would go below the price which the Government had fixed for the year 1919. This, of course, proved not to be true.

It is a fact that there is a short crop of wheat throughout the entire world with the exception of the United States. Here we produce about 918,000,000 bushels, which gives us a surplus for exportation of a little more than 300,000,000 bushels.

The law was passed, the appropriation was made, but up to October of last year only 77,000,000 bushels had been purchased by the grain director, Mr. Barnes, which shows conclusively that the grain was being purchased by individuals or by corporations; that there was absolutely no need of this fund; that there was absolutely no need to appoint the grain director, because if the law of supply and demand had been permitted to operate, the price of wheat would have been much higher than it was up to the time when these hearings were held.

Mr. President, I do not wish unduly to criticize Mr. Barnes. He is a public official, and he has undoubtedly felt that it was his duty to keep down the price of wheat, because wheat is an article of food which nearly everyone must have.

Let me say at the outset, Mr. President, that if the farmers of the United States would give the wheat to the miller for nothing, if the farmers would haul their grain to the mill and not charge a single penny per bushel, there could not be a difference of more than 2 cents on a pound loaf of bread, based upon existing prices. I am making this statement in order to inform the public that it is not the price of the unmanufactured wheat which is the cause of the high price of bread.

I wish to read one telegram—although I have a great many of them, and I assume that my colleague has received a great many also—addressed to me—

BROCKET, N. DAK., *February 1, 1920.*

Please use all influence you have with Railroad Administration, and see if they will not furnish cars for grain loading. Elevator is full of grain, and we can not get cars.

EQUITY ELEVATOR & TRADING CO.,
By A. J. ANDERSON, *Agent.*

In this connection I wish to read a bulletin sent out by the grain corporations:

OFFICE OF THE GRAIN BULLETIN,
Minneapolis, Minn., January 28, 1920.
General letter, No. 8.

To subscribers:

The scarcity of cars in the Northwest demands the attention of the individual shipper. The large quantities of high-priced wheat at country points, the declining markets, and the short time left of Government control all tend to heavy financial loss to individual owners.

Every effort has been put forth to get cars into the Northwest without result. The only source of relief now is to wire your Senator and Representative at Washington, impressing on them this need of cars to prevent further loss to you, and asking them to take it up with the Railroad Administration immediately.

Yours, very truly,
THE GRAIN BULLETIN.

Mr. President, it is evident that there is a propaganda going on for the purpose of getting whatever grain may be left, at a much-reduced price, and it will be absolutely of no benefit to the consumers of bread because the price of flour will be based upon the high price paid for wheat.

I have here a map [exhibiting] which was prepared by the Secretary of Agriculture to which I wish to call the attention of Senators. I do not know that it is large enough for Senators to see it from their seats, but it shows that on the 1st day of November, or about the time when Mr. Barnes announced the embargo was to be withdrawn, wheat was worth $2.90 a bushel.

It shows that on the 15th day of November, when the embargo was withdrawn, wheat was $3 a bushel, and on the 15th of December it had advanced to $3.40 a bushel, and later on to $3.55 a bushel, showing that the embargo did affect the price of wheat. As Mr. Barnes stated before our committee, it was his purpose to keep it down. As I said, I am not criticizing him for

it, because he was following the instructions of the President of the United States to keep down the price of wheat if possible; but I do object to a propaganda being conducted by officials of the Government and by the grain speculators to make combinations which will make it possible for the gamblers in grain to move all this grain or to ask that the grain shall be moved. Let me tell you that millions of bushels of this grain has been sold that can not be delivered on account of the shortage of cars.

What I desire to call to the attention of the Senate and of the country is that it is not true that wheat will decline after May 31. It is not true that wheat will decline on June 1 when the law expires by limitation. I am proving by this chart that the statement which I made to Mr. Barnes, who represents the Government, that wheat would advance when the embargo was removed was true. The map to which I have called your attention was prepared by the Department of Agriculture and not by myself.

The grain director has, according to his own admission, done everything in his power to keep down the price of wheat.

I have letters here on my desk charging that the same combination is going on with their manipulations; that cars are not furnished to the farmers of the country because it is desired that this wheat shall all flow to the big milling centers before June 1. They are trying to make the people believe that just as soon as the existing law expires wheat is bound to go down. I dissent from that statement. We know that all of Europe needs grain; that it needs more than we can supply.

Mr. President, my purpose is in the near future to introduce a bill to repeal this law. Let us get through with Government interference; let us do away with Mr. Barnes and let him go back to his own business. I received the other day from the Senator from Texas—I see him in his seat now—a letter calling attention to the fact that the grain business of Texas was being interfered with now by the Food Administration. That is a function which does not belong to the Food Administration any longer, and I thought we were about through with that; but they are still interfering. In connection with the propaganda carried on now to elect Mr. Hoover President of the United States, there is a movement for the purpose, I assume, of showing the women of the country what great efforts Mr. Hoover is making to cheapen the cost of bread.

Mr. President, let me tell you what will happen and let me tell you what has already happened. The reduction in the acreage sown to grain last fall was 40 per cent. What will happen to the spring-wheat crop under existing conditions? We are discouraging the wheat farmers from producing. We all know how difficult it is for them to get labor. Labor is costing them three or four times as much as it did before the war, and yet we are deliberately using a great Government agency to hamper and hamstring the grain industry of the country.

For one, Mr. President, I resent it. Let me say to you that in 1919 Mr. Barnes admitted before the committee of which I am chairman that he made for the United States more than $27,000,000 out of the grain business from the grain which he sold to the neutral countries of Europe, not a penny of profit being charged to our allies. I asked him whether they had charged the Allies any profit, and he said that was unthinkable.

Let me say to you—and I am talking now to the country as well as to the Senate—the wheat farmers of the United States have lost more than $2,000,000,000 because of governmental interference with wheat. I am having prepared, and some day this week I shall introduce, a bill to repeal this entire law.

Mr. McCUMBER. Mr. President, before my colleague takes his seat I desire to ask him if the trouble has not been rather in the administration of the law than in the law itself? The law itself provided that the $1,000,000,000 should be expended only in case, as a result of peace, the price of wheat should fall below $2.26 a bushel, or whatever price was agreed upon, leaving entirely to the law of supply and demand the receipt of any greater price; but, on the contrary, is it not true that the machinery of the Government, instead of being used to prevent the price from falling below that fixed by Congress, was used to prevent the price going any higher than the minimum price; and that, instead of giving us the benefit of the law of supply and demand, the whole billion dollars and all the efforts and all the machinery of the Government have been directed to hold the price down through a license system that would forbid any person dealing in grain if he paid the higher price fixed by the law of supply and demand?

Mr. GRONNA. I agree entirely with my colleague. I understand the law to be exactly as he has explained it. Let me say, however, in further reply to my colleague, that when Hoover appeared before the Agricultural Committee some of the members of our committee argued that we ought to fix a maximum price for grain, for wheat might go too high; but Mr. Hoover made a most bitter protest against that. He said he desired a minimum price fixed; he did not desire a maximum price; but the facts are as my colleague has stated. The minimum price has been made the maximum price and an injustice has been done to the people of the country. Not only that, but there has been a betrayal of the confidence of the Members of the Senate, for we took Mr. Hoover's word; we at no time suspected that he would go back on his word and make the minimum price the maximum price.

I ask unanimous consent that a letter addressed to me, relating to this subject, may be printed in the RECORD, together with the extract from the Market Record referred to therein.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

DEVILS LAKE, N. DAK., *January 30, 1920.*

Senator A. J. GRONNA,
Washington, D. C.

DEAR SENATOR: Am inclosing you a copy of the Market Record for January 29. Wish you would note the lines in italic. I can not get away from the idea that there is a conspiracy by Government agencies to make us northwestern wheat farmers deliver our wheat at about the Government price. If they can hold it back till after June 1, it is a cinch that they will do it, too, as new crop prospects will then come into play. The embargo on rye shipments, according to this, is again into play. They let up till they unloaded what they had squeezed out of the farmers at $1.30 and they let the price come up to $1.85. But now the embargoes are again used and rye prices have declined 20 cents. The farmers who had rye could not get it to market, as there were no cars available. You may think I am a good deal of a nuisance with this grain price business, but we have no one to go to but our Representatives in Washington, as there is where things are being run from under present arrangement. I wired you for the Farmers' Grain Co. this evening on the car shortage and asked that you take the matter of car supply for the Northwest up with the Railroad Administration. We also sent a copy to Senator McCUMBER. Thanking you for anything you may be able to do in the matter, I am,

Yours, truly,

* * * * * * *

[Extract from Daily Market Record, Minneapolis, Jan. 29, 1920.]

"The decline in rye was mostly due to lack of foreign demand, resulting from the *eastern embargoes on shipment to the seaboard*, but there was also weakness shown as a result of sympathy with wheat. Minneapolis rye declined 7½ cents during the week and advanced 9⅝ cents from last year's price; Duluth declined 8½ cents during the week and advanced 8⅝ cents over last year; Chicago declined 9 cents, Omaha 7 cents, and Milwaukee 9 cents from the week before, and gained 4 cents, 26 cents, and 7 cents, respectively, from last year."

PETITIONS AND MEMORIALS.

Mr. WARREN. I present a joint memorial of the special session of the Fifteenth Legislature of the State of Wyoming, favoring further benefits and relief for permanently disabled veterans of the World War. I ask that the memorial be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the memorial was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, W. E. Chaplin, secretary of state of the State of Wyoming, do hereby certify that the annexed copy of original Senate joint memorial No. 1 of the special session of the Fifteenth Legislature of the State of Wyoming has been carefully compared with the original enrolled joint memorial No. 1 filed in this office, and is a full, true, and correct transcript of the same and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 29th day of January, A. D. 1920.

[SEAL.]

W. E. CHAPLIN,
Secretary of State.
By H. M. SYMONS,
Deputy.

Enrolled joint memorial No. 1, senate, special Fifteenth Legislature of the State of Wyoming.

Memorial to the Senate and House of Representatives of the United States, requesting Congress to hasten the bureau of compensation and department of vocational training in assisting permanently disabled veterans of the late war.

Whereas it has come to the knowledge and observation of the members of both houses of the Legislature of the State of Wyoming, both of which concur herein, that there are many veterans of the World War now resident in this State who have become totally and permanently disabled by reason of wounds or disease contracted while in the service of the United States; and

Whereas these veterans are now wholly dependent upon friends and relatives for support and maintenance and are receiving but a small proportion of the compensation and attention which is due them under the Federal law by reason of the dilatory procedure of the department of vocational training and the bureau of compensation and war-risk insurance; and

Whereas it is the belief of both houses of this legislature that the needs and requirements of said disabled veterans should be given the most prompt attention by reason of their patriotic sacrifices in the defense of their country: Therefore be it

Resolved by the Senate of the State of Wyoming and the House of Representatives concurring, That the Congress of the United States be memorialized to authorize and direct immediate attention to the needs of the permanently disabled veterans of the World War in Wyoming and bring about speedy and absolute relief to them through the bureau of compensation and war-risk insurance and the department of vocational training; be it further

Resolved, That a copy of this memorial be sent to Hon. FRANCIS E. WARREN, Hon. JOHN D. KENDRICK, and Hon. FRANK W. MONDELL, Representatives in Congress from the State of Wyoming.

W. W. DALEY,
President of the Senate.
E. J. SULLIVAN,
Speaker of the House.

Approved,

ROBERT D. CAREY,
Governor.

JANUARY 28, 1920—9.25 p. m.

Mr. PHIPPS. I present a copy of a resolution adopted by the Chamber of Commerce of Greeley, Colo., and ask that it be printed in the RECORD.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Resolution adopted at a special meeting of the board of directors of the Chamber of Commerce of Greeley, Colo., January 26, 1920.

"Whereas the progress and the safety of the world demand it; and

"Whereas in order that the vital interests of the United States and its nationals in Europe may be fully protected and the attention of our Government and our people may be concentrated upon our domestic problems, it is essential that the peace treaty be ratified immediately: Now, therefore, be it

"*Resolved*, That the board of directors of the Chamber of Commerce of Greeley hereby urge the President and the Senate to take prompt action with respect to the treaty of peace with Germany, with such reservations as will fully safeguard every fundamental principle of the Government of the United States."

Mr. MYERS presented a memorial of sundry citizens of Hill County, Mont., remonstrating against compulsory military training, which was referred to the Committee on Military Affairs.

Mr. PHELAN presented a petition of N. P. Banks Post, No. 170, Grand Army of the Republic, Department of California, of Glendale, Calif., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented a petition of Piedmont Post, No. 177, American Legion, of Piedmont, Calif., praying for the passage of the so-called Davey sedition bill, which was ordered to lie on the table.

Mr. ELKINS presented a memorial of the Rotary Club of Parkersburg, W. Va., and a memorial of the Rotary Club of Moundsville, W. Va., remonstrating against the so-called Kahn bill, transferring surplus war material from the War Department to other departments of the Government, which were referred to the Committee on Military Affairs.

Mr. FLETCHER. I present a memorial from the Board of Commissioners of State Institutions of the State of Florida, remonstrating against the enactment of legislation providing for the organization of the United States Army subdivided into Regular Army, National Guard, and reserves. I move that the memorial be referred to the Committee on Military Affairs.

The motion was agreed to.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (H. R. 8314) to provide for the training of officers of the Army in aeronautic engineering, and the issue of equipment and materials therefor, reported it with amendments and submitted a report (No. 409) thereon.

He also, from the same committee, to which were referred the following joint resolutions, reported them each without amendment, and submitted reports thereon:

A joint resolution (S. J. Res. 128) relating to schools and libraries at Army posts (Rept. No. 410); and

A joint resolution (H. J. Res. 222) authorizing the Secretary of War to dispose of surplus dental outfits (Rept. No. 411).

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 98) to authorize the Secretary of War to grant revocable licenses for the removal of sand from the Fort Douglas Military Reservation for industrial purposes, reported it with an amendment and submitted a report (No. 412) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PHIPPS:

A bill (S. 3829) making an appropriation for the investigation of underground currents, particularly shallow underground waters, and artesian wells in eastern Colorado; to the Committee on Public Lands.

By Mr. McCUMBER:

A bill (S. 3830) for the relief of John H. Fesenmeyer, alias John Wills; to the Committee on Military Affairs.

A bill (S. 3831) for the purchase of a site and the erection of a post-office building at New Rockford, N. Dak.; to the Committee on Public Buildings and Grounds.

A bill (S. 3832) granting a pension to Knute Westerheim; to the Committee on Pensions.

By Mr. FRELINGHUYSEN:

A bill (S. 3833) to authorize the President of the United States to appoint John H. A. Day an officer of the United States Marine Corps; to the Committee on Naval Affairs.

By Mr. FERNALD:

A bill (S. 3834) granting an increase of pension to Ira W. Arnold (with accompanying papers); to the Committee on Pensions.

By Mr. KING:

A bill (S. 3835) providing for the appointment of an additional circuit judge of the United States Circuit Court of Appeals for the Eighth Circuit; to the Committee on the Judiciary.

By Mr. CALDER:

A bill (S. 3836) for the relief of the owners of the French Auxiliary Bark *Quevilly;* and

A bill (S. 3837) for the relief of the estate of Catherine Locke, deceased; to the Committee on Claims.

By Mr. NEW:

A bill (S. 3838) granting an increase of pension to Mike A. Langeneck (with accompanying papers); to the Committee on Pensions.

By Mr. ELKINS:

A bill (S. 3839) granting a pension to Joseph Stevens; to the Committee on Pensions.

By Mr. FRELINGHUYSEN:

A bill (S. 3840) granting an increase of pension to Lilla May Pavy; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 3841) to provide for the segregation and proper care of the men of the United States Army and Navy afflicted with mental and nervous maladies; to the Committee on Military Affairs.

By Mr. LODGE:

A bill (S. 3842) granting a pension to Anna Mansfield Sherman (with accompanying papers); to the Committee on Pensions.

INTER-AMERICAN HIGH COMMISSION.

Mr. FLETCHER. I introduce a bill to amend the act approved February 7, 1916, entitled "An act providing for the maintenance of the United States section of the International High Commission."

The bill (S. 3828) to amend the act approved February 7, 1916, entitled "An act providing for the maintenance of the United States section of the International High Commission," was read twice by its title.

Mr. FLETCHER. In this connection, as well as in connection with what has already been said, I wish to call attention just for a few minutes to the scope and purpose of this whole movement and organization.

In the statement which I have submitted in connection with the amendments to the diplomatic and consular bill reference is made to the very admirable address delivered by Dr. John Bassett Moore, vice president of the central executive council of the International High Commission, at the recent conference here. I am not asking that that address be printed in the RECORD. I expect later on, however, to ask that it be made a Senate document, because it contains some very valuable information, not only enlightening as to the work that is being done by this conference and by the International High Commission, but as showing the very great progress being made in creating better conditions and better understandings and closer relations with all our Latin American friends. I shall ask, as I say, a little later on

to have that address made a Senate document. For the present I refer to it in connection with the bill which I have just introduced and the amendments to the diplomatic and consular bill. I ask to have the bill referred to the Judiciary Committee.

The VICE PRESIDENT. That reference will be made.

Mr. FLETCHER. I want to refer to just a few points that Dr. Moore made on this occasion. In that address he mentions that—

on March 12, 1915, while the Great War, daily increasing in intensity, was drawing the world more and more into its vortex, the American Governments were, in the name of the President of the United States, invited to send delegates to a conference with the Secretary of the Treasury at Washington, with a view to establish "closer and more satisfactory financial relations between the American Republics." To this end it was intimated that the conference would discuss not only problems of banking, but also problems of transportation and of commerce.

It thus came about that there assembled in Washington on Monday, May 24, 1915, under the chairmanship of the Hon. William G. McAdoo, Secretary of the Treasury, the first Pan American financial conference.

The subjects submitted to the conference embraced public finance, the monetary situation, the existing banking system, the financing of public improvements and of private enterprises, the extension of inter-American markets, the merchant marine, and improved facilities of transportation.

During this conference the subject of a program for future work was referred to a committee, and that committee reported back making recommendations which were unanimously adopted, and this program was agreed on, embracing:

1. The establishment of a gold standard of value.
2. Bills of exchange, commercial paper, and bills of lading.
3. Uniform (a) classification of merchandise, (b) customs regulations, (c) consular certificates and invoices, (d) port charges.
4. Uniform regulations for commercial travelers.
5. Measures for the protection of trade-marks, patents, and copyrights.
6. The establishment of a uniform low rate of postage and of charges for money orders and parcels post between the American countries.
7. The extension of the process of arbitration for the adjustment of commercial disputes.

For the purpose of dealing with these subjects, and particularly for bringing about uniformity of laws concerning them, the committee recommended the establishment of an International High Commission, to be composed of not more than nine members, resident in each country, to be appointed by its minister of finance. The aggregate members thus appointed were to constitute the International High Commission, of which the members resident in each country were to form the national section for that country.

* * * * * * *

The establishment of the International High Commission was a measure of the greatest practical significance. In 1889 there met at Washington the first of the assemblies known as the International American Conferences, of which four have so far taken place and of which the fifth, but for the outbreak of the war in 1914, would long since have been held.

* * * * * * *

But the International American Conferences had one capital defect. They lacked a permanent organization to carry on their work; hence, although they formulated many excellent and far-reaching plans and concluded numerous treaties and conventions, yet after they adjourned there was no one to follow up their resolutions and endeavor to secure their ratification and execution.

The want of such a permanent body was supplied by the creation of the International High Commission, the United States section of which received legislative sanction by the act of Congress of February 7, 1916.

In conformity with the resolutions of the first Pan American Financial Conference, the United States section in due time proceeded to Buenos Aires, where, in April, 1916, the International High Commission held its first general meeting under the presidency of the Hon. Francisco J. Oliver, Argentine minister of finance. All the national sections of the International High Commission were represented at this meeting, more than 70 of its members being in attendance. Nothing could more clearly attest the general interest felt in the work or the universal appreciation of its practical importance.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. FLETCHER. Certainly.

Mr. SMOOT. I am sure the Senator would like, as well as other Senators, to reach the calendar under Rule VIII this morning; and if it is going to take too much time for the Senator to read this matter I shall be constrained to object, so that we can go on with the calendar.

Mr. FLETCHER. I want just a few minutes more to conclude. It would be unfortunate to drop it where it is, because it will take only a few minutes.

Dr. Moore further points out what was considered at Buenos Aires:

At Buenos Aires the commission, besides dealing with the subjects designated by the first Pan American Financial Conference for special treatment, also included in its deliberations the question of international agreements on uniform labor legislation; uniformity of regulations governing the classification and analysis of petroleum and other mineral fuels with reference to national development policies; the necessity of better transportation facilities between the American Republics; banking facilities, the extension of credit, the financing of public and private enterprises, and the stabilization of international exchange; telegraphic facilities and rates, and the use of wireless telegraphy for commercial purposes; and uniformity of laws for the protection of merchant creditors.

At Buenos Aires the International High Commission also took an important step in the further development of an effective organization. This was done by the creation of a common organ or agency, called the central executive council, consisting of a president, a vice president, a secretary general, and an assistant secretary general; and as Washington was unanimously designated as the headquarters of the International High Commission till its next general meeting, the chairman, vice chairman, and secretary of the United States section thus became the central executive council, with the responsibility of supervising, coordinating, and carrying on the commission's work.

The work has been steadily and energetically pressed. Valuable publications intended to elucidate and support the measures which the commission has in charge have been prepared, printed, and circulated, and appreciable progress has been made in securing the adoption of those measures. In these activities the central executive council has had the intelligent, hearty, and efficient cooperation of the several national sections, which have in many instances made admirable studies of the subjects under consideration.

Substantial ameliorations of methods of customs administration have been secured in various quarters. Regulations permitting sanitary visits outside regular hours, the simultaneous loading and unloading of cargoes, and the advance preparation of cargoes have been brought about in numerous countries.

Progress has been made with the adoption of a uniform statistical classification of merchandise, as recommended by the International High Commission at Buenos Aires. Six countries have already taken favorable action, and two more are understood to be on the point of so doing.

Every effort has been made to advance uniform legislation in regard to bills of exchange, checks, bills of lading, and warehouse receipts, and appropriate documentary material has been prepared and circulated on those topics.

In dealing with the subject of bills of exchange the International High Commission, taking into consideration the legal conceptions generally prevailing in the American countries other than the United States, and the opinions of their leading jurists, decided to recommend to those countries the adoption of The Hague rules of 1912, with certain modifications. This decision has been justified by the results. Already The Hague rules have been substantially incorporated in the codes of Brazil, Guatemala, Nicaragua, and Venezuela, and bills to the same effect have been introduced in at least four other countries. We seem to be rapidly approaching the time when, so far as concerns bills of exchange, there will, in effect, be only two systems in use in the Western Hemisphere, based, respectively, on The Hague rules of 1912 and the United States negotiable instruments act of 1916.

Bills have been introduced in the Congresses of Uruguay and Venezuela to incorporate into their commercial codes The Hague rules of 1912 in regard to checks.

In the Congresses of Argentina and Nicaragua measures have been introduced similar to the United States bills of lading act.

The commission has also been glad to observe a growing interest in the adoption of uniform legislation on the subject of warehouse receipts, as well as on that of conditional sales. The Peruvian Congress has lately enacted a law on the former subject, substantially based on the uniform warehouse receipts act in the United States, and a similar step has been under discussion in Argentina, Paraguay, and Uruguay.

Among those measures one of the most important is that bringing into operation the conventions adopted by the International American Conference at Buenos Aires in 1910 for the protection of patents and of trade-marks. By the latter convention the American Republics were divided into two groups, the southern and the northern. Of the southern group, Rio de Janeiro was designated as the official center, and of the northern, Habana; and at each of these capitals there was to be established an international bureau for the registration of trade-marks, so as to secure their international protection in the Americas. This treaty, so closely related to the interests of the countries concerned and not least to those of the United States, had lain dormant and unratified. The International High Commission took it up and brought about its ratification by the requisite number of Governments of the northern group, as a result of which the International Bureau of Habana is now open and in operation. It is hoped that a similar result may soon be attained in the southern group. Meanwhile it would seem to be worth while to consider whether, pending the establishment of the Rio bureau, an arrangement might not be made whereby the members of the southern group, which have ratified the convention, may gain the benefits of international registration by accepting the services of the bureau at Habana.

Another measure that has been vigorously pressed is the convention to facilitate the operations of commercial travelers. In a number of the American countries local taxes, practically prohibitive in amount, on the operations of such travelers, have for many years existed. The International High Commission, at its meeting at Buenos Aires, adopted a resolution containing the bases of uniform regulations for commercial travelers and their samples. Taking this resolution as a starting point, the central executive council drafted an international convention, which, after examination and revision, was submitted by the Department of State to the American Governments, looking to the substitution for all local taxes of a single national fee. This convention, which was first signed and ratified by the United States and Uruguay, has since been signed and ratified by four countries, and has been signed by three more. It is understood that five others are ready to sign, while yet others are still considering it, some of them apparently with favor.

Another measure preferentially dealt with, because of its significance for the future as well as for the present, is the treaty for the establishment of an international gold clearance fund. This treaty has a twofold object. It is designed not only to assure the safety of deposited gold and to avoid the necessity of its shipment when difficulties in transportation exist, but also to facilitate and stabilize exchange through the adoption of an international unit of account. The plan was very carefully studied by the International High Commission at Buenos Aires; and subsequently, through the cooperation of the central executive council with the Department of State at Washington, it was incorporated in a draft of a treaty. This draft has so far been signed with the United States by Paraguay, Guatemala, Panama, and Haiti, but it has been approved in principle by at least six other Republics, some of which are now actively considering its adoption. The treaty by its terms covers only the American nations; but it contains a principle, the discussion of which has lately attracted wide attention and which may prove to be of incalculable value to the world in the future.

I think that is a very important matter.

Nor should we overlook what has been accomplished in extending the practical acceptance of the principle of the arbitration of commercial disputes.

That has been put into effect in Argentina and some other countries, and I will not detail the explanation of how it oper-

ates through chambers of commerce. This matter which Dr. Moore mentions I want to call attention to:

So far as concerns the Treasury of the United States, the entire cost of the commission since it began its work in 1915, including the visit of the United States section to Buenos Aires in 1916, represents an annual average hardly equal to the cost of two large public dinners; and when I speak of expenditures I include not only salaries but furniture and equipment, stationery and printing, the use of the telegraph and the telephone, and expert assistance in law and in languages. The smallness of the expenditures, which is out of all proportion to the work actually done, is to be ascribed not only to the voluntary services rendered by individuals and by public bodies but also and in the main to the devotion of the permanent working force and the exceedingly moderate compensation of those who receive any.

Looking to the future, it may be affirmed that work such as that in which the International High Commission is engaged is of incalculable importance. The American Republics cover a vast area, with an aggregate population of almost 200,000,000. They represent all varieties of soil, of climate, and of resources. Not in any sordid sense, but in the sense of contribution to the comfort and convenience of all men, through sharing the benefits of what the earth produces, it may be said that the future lies with the Western Hemisphere, and that its development has just begun.

CROWN-LAND LEASES.

Mr. UNDERWOOD. I introduce a joint resolution and ask that it be referred to the Committee on Rules.

The VICE PRESIDENT. Does the Senator desire it read?

Mr. UNDERWOOD. Yes; I ask to have it read.

The joint resolution (S. J. Res. 152) authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick relative to the claims of the American interests now holding leases of Crown lands acquired prior to the passage of restrictive orders in council of the said Provinces was read the first time by its title and the second time at length, as follows:

Whereas newsprint paper is a commodity of universal use and is indispensable in the educational process of modern civilization, and the paramount importance of a sufficient production of newsprint to supply the needs of the press of the United States is a self-evident proposition; and

Whereas practically the whole content of newsprint is composed of mechanical and chemical products of pulp wood, the supply of which in the eastern part of the United States is being rapidly exhausted by the growing demand, and the price of which is being advanced to unprecedented levels; and

Whereas the existing scarcity of pulp wood, and its threatened total exhaustion in the United States has become a matter of such grave concern to the paper industry, the users, and the manufacturers of forest products, the Federal Government, and the general public that the Forest Service, the lumber and pulp and paper associations, and the forestry authorities of the country are now formulating a broad and comprehensive national forest conservation and reforestation plan for early adoption; and

Whereas prior to the year 1910 American paper producers purchased and acquired leases of Crown lands in Canada for the purpose, with the knowledge and consent of the respective governments of these woodland Provinces, of cutting the wood on said leased limits, and shipping it to their paper mills in the United States; and

Whereas said leases by statutory provision conveyed to the lessees "all rights of property" to the wood cut on said limits, and American interests, confident of their rights so conveyed to them, did invest large sums of money in building piers, dams, and booms in the rivers flowing through their limits and in the erection of taking-out, wood-preparing, and shipping plants, and for many years, to wit, from about 1890 to 1910, particularly in the Province of Quebec, did cut the wood on said limits and ship it to their mills in the United States in large quantities, with full knowledge and free consent of the provincial government, and in strict accordance with "all rights of property" to them by statute conveyed, and during the same period did pay to the provincial government all prescribed fees and rentals; and

Whereas in the year 1910 the lieutenant governor of Quebec in council did issue an order prohibiting the exportation of pulp wood cut from Crown lands unless manufactured into lumber, pulp, or paper, thereby invalidating the rights of property by statute conveyed, and doing grievous and irreparable injury to said American interests by making valueless their large investments in river improvements and wood preparing and shipping plants, and by depriving said American interests of the wood to which they had been conveyed all property rights; and

Whereas said American interests did acquire and now hold leases of approximately 10,000 square miles of Crown lands in the Province of Quebec, being but 5 per cent of the wooded area of said Province, on which they have regularly paid all prescribed fees and rentals, which said area contains standing pulp wood estimated to aggregate about 32,000,000 cords, the annual growth and increment of which is estimated to amount to about 1,280,000 cords, or, if available for the use of American interests which own the leases of said 10,000 square miles of woodlands, sufficient in annual yield to relieve the present scarcity and prevent threatened exhaustion of pulp wood in the eastern part of the United States, to lower the cost of the raw material of the American newsprint industry, and to stabilize the price of newsprint paper to the consumer, besides assuring an additional supply of raw material that would justify investments for increased production and affording the relief needed while awaiting the results of a national policy of forest conservation and reforestation; and

Whereas the press of the United States, through its national organization, the American Newspaper Publishers' Association, has adopted resolutions urging such action by Congress as will restore the property rights of American interests to the wood on their leased limits in Canada, and particularly on the 10,000 square miles of Crown-land limits in Quebec, by them leased, and thus provide the raw material needed by American mills; and

Whereas similar restrictive orders in council are in effect in the Provinces of Ontario and New Brunswick: Now, therefore, be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, requested to appoint a commission of five, and by appropriate authority to confer on this commission the right, on behalf of the administration and the Congress, to present to the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick, as may be proper, the claims of the American interests now holding leases of Crown lands acquired prior to the passage of the several restrictive orders in council of the three Provinces aforesaid, and to negotiate with said Dominion Government, or with said provincial governments, the cancellation of said restrictive orders in council as they apply to Crown-land leases acquired by American interests prior to the passage of said restrictive orders; and be it further

Resolved, That in the event the cancellation of said restrictive orders in council can not be agreed to by mutual arrangement of the Governments of the United States of America and the Dominion of Canada, that said commission shall investigate, consider, and report to the Congress what action should be taken by the Congress that will aid in securing the cancellation of said restrictive orders in council, or their modification so that they may not continue to militate against the interests of the people of the United States who are now affected by them; and be it further

Resolved, That for the necessary expenses of said commission the sum of $50,000 be, and it is hereby, appropriated from the moneys in the Treasury of the United States not otherwise appropriated.

The VICE PRESIDENT. To what committee does the Senator ask to have this joint resolution referred?

Mr. UNDERWOOD. It is a joint resolution for the appointment of a committee of inquiry, and I ask that it be referred to the Committee on Rules.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so referred.

INTER-AMERICAN HIGH COMMISSION.

Mr. FLETCHER. Mr. President, I submit an amendment to H. R. 11960, which has been referred to the Foreign Relations Committee, and is known as the Diplomatic and Consular appropriation bill. The amendment proposes, on page 18, line 12, to strike out the word "international" and insert the word "inter-American." The change of the name of the Joint International High Commission was agreed upon at the international conference that recently took place here, and it is desired to change the name so as to avoid confusion. Instead of the Joint International High Commission, it is desired to make it the Joint Inter-American High Commission, and more clearly to define the purposes and scope of the commission.

Also, on page 13, line 18, it is proposed to strike out the word "State" and insert the word "Treasury." There is no essential diplomatic function to be performed by this commission at all. The whole plan originated with the Treasury Department, and the Secretary of the Treasury is the president of the whole Joint International Commission, and, of course, he is the chairman of the United States section of that commission. If anything grows out of the work of the commission leading toward the making of treaties or conventions, those matters will be taken up with the State Department, and that is the only time when the State Department has anything to do with the work. Consequently, it is a clear mistake to place the supervision of the expenditure of this appropriation in the hands of the State Department instead of in the Treasury Department, where it belongs.

The VICE PRESIDENT. The amendment will be referred to the Committee on Foreign Relations and printed.

Mr. FLETCHER. In the same connection, I submit a memorandum relating to the proposed amendment, prepared by Dr. McGuire, the assistant secretary general. It is not very long, and I should like to have it printed in the RECORD, because it is important not only for the Senate committee now considering the bill but also for the other branch of Congress when the bill comes before them.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Memorandum relating to the proposed amending of the Diplomatic and Consular appropriation bill.

"The Diplomatic and Consular appropriation bill for the fiscal year 1920–21 was passed by the House of Representatives on January 26. It was referred to the Committee on Foreign Relations in the Senate on January 27.

"The bill contains an item of $25,000 for the maintenance of the United States section of the International High Commission. This is to be expended, according to the bill, under the direction of the Secretary of State.

"The commission was established in 1915 in accordance with recommendations of the first Pan American Financial Conference, held at Washington May 23–29, 1915, under authorization of law contained in an act approved March 4, 1915. It was intended to be a nondiplomatic and technical body, comprising one section each of the American Republics, each section intended to consist of nine jurists and financiers, the chairman ex officio being the minister of finance. In the United States the chairman was intended, of course, to be the Secretary of the Treasury.

"The commission was given authority of law in a brief act approved February 7, 1916. Forty thousand dollars was ap-

propriated in this act to enable the United States section of the commission to proceed to a general meeting of all the sections intended to be held at Buenos Aires in April, 1916, as well as to carry out whatever recommendations might be made by that meeting with a view to the fulfillment of the plans of the financial conference held the previous year.

"Subsequently, in public act 128 of the Sixty-fifth Congress and public act 346 of the Sixty-fifth Congress, appropriations of $25,000 each were made by Congress for the maintenance of the United States section. A financial statement covering the history of the appropriations thus far made and indicating the character of the expenditures will be found in the hearings of January 8 and 9, 1920, held by the Committee on Foreign Affairs, House of Representatives, at that time having before it the bill which is the subject of the present memorandum, namely, H. R. 11960.

"The commission proceeded with its work and has rendered indirectly, through the Secretary of the Treasury and through separate publications of its own, a report as to the progress in the several matters with which it was concerned. Attached will be found a copy of an address lately delivered by the Hon. John Bassett Moore, which summarizes briefly the history, purposes, and accomplishments of the commission up to the present time.

"Acting under authority of law contained in public act 379, Sixty-fourth Congress, the Secretary of the Treasury initiated negotiations for the second Pan American Financial Conference, which was held in Washington January 19 to 24, 1920. This conference considered the work of the commission, which had been established as a result of the recommendations of the first conference, held in 1915. It decided that the name of the commission should be altered so as to read 'Inter-American High Commission' instead of 'International High Commission,' thus giving a more specific and significant indication of the nature of the organization.

"The recommendation that the commission's name be changed came from the conference after the Committee on Foreign Affairs of the House of Representatives had concluded its consideration of the matter, and it was then too late to ask the House of Representatives to alter the name of the commission. For greater clearness in the matter of the commission's activities and authorization of law it was decided to prepare a bill defining the work of the commission in detail and setting it upon a firm legislative basis. Such a bill has been prepared and introduced into the Senate.

"What is now proposed is that H. R. 11960 be amended in two respects, first as to the name of the commission and secondly as to the control of the expenditures.

"The commission is a unit of ministers of finance concerned with problems of fiscal administration, commercial law, and the stabilization of exchange. It works continuously through a simple but effective organization set up in the Treasury Department at Washington. Whenever its conclusions have been sufficiently crystallized, either to warrant or require formal negotiations between governments, either the United States section of the commission or the other section of the commission with which in the given case it may have been corresponding, will approach the respective department of foreign affairs with a request that formal negotiations be initiated. The relations between the United States section of the commission and the Department of State of the United States, as indeed its relations with the Department of Commerce and other national agencies, or with the Pan American Union and other international agencies, have at all times been cordial and satisfactory. The projects elaborated as a result of correspondence between the United States section and the other sections of the commission have regularly and with entire satisfaction to all concerned been laid before the Department of State with a request that formal action be taken, and a number of conventions as well as projects of legislation have been laid before the Senate or House of Representatives of the United States for due consideration as a result of such negotiations.

"No reason is seen why the commission should now be virtually transferred to the Department of State. To assert that the commission will remain in the Treasury Department while its administrative control is vested in the Secretary of State is to overlook the fact that the person who formulates and executes policy is the only person properly to be charged with administrative responsibility. Inside of three months after the control of the expenditures had been vested in the Secretary of State, as called for in H. R. 11960, it would be inevitable that the Secretary of the Treasury would find himself obliged to relinquish all responsibility for the guidance of the commission's labors.

"Moreover, the very central idea of the commission would receive a vital blow. It is a union of ministers of finance. It is not intended to serve as a diplomatic organ. Its transfer to the Department of State, on the other hand, could not but result in the more or less rapid change of character on the part of the commission into an organization essentially diplomatic in character.

"It is therefore urged that H. R. 11960 be amended so as to restore the administrative control of the commission to the Secretary of the Treasury. It is furthermore suggested that on future occasions when provision for the maintenance of the commission is requested that the item be included in the sundry civil bill instead of the Diplomatic and Consular appropriations bill in order to remove any possible ground for the impression that what is dealt with involves an anomalous situation, namely, the presence in the Treasury Department of a body which ought to be in the Department of State."

ADDRESS OF JOHN A. M'MAHON.

Mr. POMERENE. Mr. President, I have before me a copy of a speech delivered by Hon. John A. McMahon, the nestor of the Ohio bar, on January 24, 1920, before the Ohio State Bar Association on the subject of "Government by injunction." Mr. McMahon is in his eighty-seventh year; he was a Member of the House of Representatives and a member of the committee that conducted the impeachment proceedings against Secretary Belknap. He was considered by President Cleveland for the chief justiceship at the time of the appointment of Mr. Chief Justice Fuller. There is no lawyer in the country of higher character or greater ability. This article is a very valuable contribution to the subject of the relations between employer and employee, and I ask unanimous consent to have it printed in the RECORD.

Mr. SMOOT. Mr. President, would the Senator object to having it referred to the Committee on Printing, with the view of having the committee pass upon it?

Mr. POMERENE. If the Senator so requests, very well; but I desire to ask for favorable action upon it, because it is a dispassionate discussion of the subject; and men, whether they are employers or employees, will be interested in it. I know of no better contribution to the subject.

Mr. SMOOT. If the Senator has no objection, I should like to have it pursue the course I have indicated.

The VICE PRESIDENT. Without objection, it will be referred to the Committee on Printing.

Mr. SMOOT. I ask for the regular order, Mr. President.

THE CALENDAR.

The VICE PRESIDENT. The morning business is closed, and the calendar under Rule VIII is in order.

Mr. SMOOT. I ask unanimous consent that in considering the calendar under Rule VIII we start with No. 279, House bill 1713. That is the number which was reached the last time the Senate had the calendar under consideration.

The VICE PRESIDENT. Is there any objection? The Chair hears none. The consideration of the calendar will begin with No. 279.

The ASSISTANT SECRETARY. A bill (H. R. 1713) authorizing and directing the Secretary of War to appoint a commission to investigate and report upon the available sources of water supply for the District of Columbia.

Mr. SMOOT and Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

MINISTER TO FINLAND.

The bill (S. 2690) authorizing the appointment of a minister to Finland was considered as in Committee of the Whole.

The bill had been reported from the Committee on Foreign Relations with amendments, on line 5, to strike out "$12,000" and insert "$10,000"; and on line 8 to strike out "$11,000" and insert "$7,000," so as to make the bill read:

Be it enacted, etc., That the President be authorized to appoint an envoy extraordinary and minister plenipotentiary to Finland, who shall receive compensation at the rate of $10,000 per annum, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $7,000, or so much thereof as may be necessary, to pay said salary to June 30, 1920, inclusive.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM E. JOHNSON.

The bill (H. R. 683) for the relief of William E. Johnson was announced as next in order.

Mr. KING. Mr. President, before consenting to the consideration of the bill, I would like to ask the chairman of the Committee on Indian Affairs, the Senator from Kansas [Mr. CURTIS], a question. I do not see the Senator here, and I ask that the bill be passed over for the present.

The VICE PRESIDENT. The bill will be passed over.

JAMES M. MOORE.

The bill (H. R. 1812) making an appropriation to compensate James M. Moore for damages sustained while in the service of the Government of the United States was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $840 in payment to James M. Moore, late of Company L, Twenty-eighth Regiment United States Infantry, transferred from Company M, First United States Infantry, for injuries sustained, while in the service of the Government in the Philippine Islands as a civilian teamster, in a runaway accident on May 12, 1907.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CARLOW AVELLINA.

The bill (H. R. 5665) for the relief of Carlow Avellina was announced as next in order.

Mr. KING. Mr. President, we have heard so much about the admirable service by the Post Office Department in the aerial mail operations, and that it is so inexpensive, I think this bill ought to be referred to the Committee on Post Offices and Post Roads, and I object to its consideration.

The VICE PRESIDENT. The bill will be passed over.

GEORGE B. GATES.

The resolution (S. Res. 262) referring to the Court of Claims the bill (S. 2675) to compensate George B. Gates for the infringement of his letters patent by the United States was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

RECLAMATION FUND.

The bill (S. 2822) making available additional moneys for the reclamation fund, and for other purposes, was announced as next in order.

Mr. NELSON. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

J. B. WATERMAN.

The bill (S. 2554) for the relief of J. B. Waterman was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on line 6, to strike out "$429.58" and insert "$483.25," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. B. Waterman, of Belpre, Ohio, the sum of $483.25, being the amount paid the Government by him for that value of stamps and money taken from his custody as postmaster at Belpre, Ohio, by burglars on February 13, 1911.

The amendment was agreed to.

Mr. SMOOT. I do not notice in the report accompanying the bill any statement from the department.

Mr. LODGE. The Senator who reported the bill is here.

Mr. SMOOT. I was going to ask him why they did not receive a report from the department as to the circumstances surrounding the case. I know there are many such claims that are disagreed to by the department, and good reasons given why they should not be paid, and I ask, if there is no one to explain it, that the bill go over.

Mr. NEW. This is the case of J. B. Waterman, Calendar No. 290?

Mr. SMOOT. Yes.

Mr. NEW. My attention was engaged elsewhere. I understand the Senator has asked for information as to the circumstances of the case. I can say that it was referred to me, and I will state the circumstances.

The safe was robbed in the post office of which J. B. Waterman was postmaster. The claim was made that the lock on the safe was defective. A post-office inspector made that report and criticized the postmaster for not seeing to it that the lock on the safe was in better condition, but a large number of affidavits were submitted from employees of the office and others having information concerning the condition of the lock, to the effect that it was in good condition, and that no blame attached to the postmaster for its condition.

Mr. SMOOT. Does the Senator know whether the committee referred the matter to the department for report or not?

Mr. NEW. My recollection is that it did.

Mr. SMOOT. That is a general rule of the committee, and yet in the report there is no statement from the department as to whether the claim is a just one or not. I think it ought to go over at least until we have a report from the department as to what the real situation was.

Mr. NEW. I can not say on that point whether it was referred to the department or not.

Mr. SMOOT. I will ask that it go over.

The VICE PRESIDENT. The bill will go over.

FARMERS' NATIONAL BANK, OF WILKINSON, IND.

The bill (H. R. 1761) for the relief of the Farmers' National Bank, of Wilkinson, Ind., was considered in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem certificates of indebtedness of the United States of America, No. 10307 and 10308, each of the denomination of $1,000, and each of the issue dated February 8, 1918, and maturing May 9, 1918, with interest from February 8, 1918, to May 9, 1918, in favor of the Farmers' National Bank, a national banking corporation, of Wilkinson, Ind., without presentation of the certificates, the said certificates of indebtedness having been lost or destroyed: *Provided*, That the said Farmers' National Bank, of Wilkinson, Ind., shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal of said certificates of indebtedness of the United States of America in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the lost or destroyed certificates of indebtedness hereinbefore described.

Mr. NEW. I am thoroughly familiar with this case.

The VICE PRESIDENT. No one has objected.

Mr. KING. I should like to hear an explanation from the Senator.

The VICE PRESIDENT. The Senator from Utah wishes an explanation?

Mr. KING. I should be glad to hear it.

Mr. NEW. The Farmers' National Bank, of Wilkinson, Ind., lost two certificates, or bonds of indebtedness, more properly speaking. I have here a copy of the report.

Mr. WARREN. The bill provides for an indemnity bond from the bank to cover the matter.

Mr. NEW. Yes. There is no reasonable doubt, I think, that the certificates were destroyed. The matter was taken up by the Treasury Department, and the bank proposed to file with the Treasury an indemnifying bond to guarantee against any loss in case the certificates should by any chance ever turn up again, and that was acceptable to the Treasury Department.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVIS CONSTRUCTION CO.

The bill (S. 2861) for the relief of the Davis Construction Co. was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

WAR WITH GERMANY.

The joint resolution (S. J. Res. 139) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany was announced as next in order.

Mr. NELSON. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

COLVILLE INDIAN RESERVATION LANDS.

The bill (S. 620) authorizing the issuance of patent to the Pioneer Educational Society and its successors for certain lands in the diminished Colville Indian Reservation, State of Washington, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That there be and is hereby granted to the Pioneer Educational Society of the city of Spokane, Wash., and its successors, for the support of St. Mary's Mission near Omak, Okanogan County, Wash., the following described lands: East half of the northeast quarter of section 12, township 33 north, range 26 east of the Willamette meridian; the southeast quarter of the northwest quarter, the northeast quarter of the southwest quarter and lots 2 and 3 of section 7, township 33 north, range 27 east of the Willamette meridian, the above-described land comprising about 240 acres lying about 1½ miles west of the mission. The south half of the southeast quarter of section 5, the east half of the northeast quarter and the northeast quarter of the southeast quarter of section 8, the south half of the northwest quarter, section 9, the north half of the northwest quarter of the southwest quarter of section 9, the southwest quarter of the northwest quarter of the southwest quarter of section 9, the north half of the southeast quarter of the northwest quarter of the southwest quarter of section 9, the northwest quarter of the southeast quarter of section 9, and the south half of the southeast quarter of section 9, all in township 33 north, range 27 east of the Willamette meridian, comprising in all about 675 acres, and the Secretary of the Interior is authorized and directed to cause patent to be issued for the same conditioned that if said lands, or any part thereof, shall cease to be used in connection with the said St. Mary's Mission the same shall revert to the United States as a part of said Colville Indian Reservation.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SIOUX INDIAN CLAIMS.

The bill (H. R. 400) authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and insert:

That all claims of whatsoever nature which the Sioux Tribe of Indians may have against the United States which have not heretofore been determined by the Court of Claims may be submitted to the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party, for determination of the amount, if any, due said tribe from the United States under any treaties, agreements, or laws of Congress, or for the misappropriation of any of the funds of said tribe, or for the failure of the United States to pay said tribe any money or other property due; and jurisdiction is hereby conferred upon the Court of Claims, with the right of either party to appeal to the Supreme Court of the United States, to hear and determine all legal and equitable claims, if any, of said tribe against the United States, and to enter judgment thereon.

SEC. 2. That if any claim or claims be submitted to said courts they shall settle the rights therein, both legal and equitable, of each and all the parties thereto, notwithstanding lapse of time or statutes of limitation, and any payment which may have been made upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as an offset in such suits or actions, and the United States shall be allowed credit for all sums heretofore paid or expended for the benefit of said tribe or any band thereof. The claim or claims of the tribe or band or bands thereof may be presented separately or jointly by petition, subject, however, to amendment, suit to be filed within five years after the passage of this act; and such action shall make the petitioner or petitioners party plaintiff or plaintiffs and the United States party defendant, and any band or bands of said tribe or any other tribe or band of Indians the court may deem necessary to a final determination of such suit or suits may be joined therein as the court may order. Such petition, which shall be verified by the attorney or attorneys employed by said Sioux Tribe or any bands thereof, shall set forth all the facts on which the claims for recovery are based, and said petition shall be signed by the attorney or attorneys employed, and no other verification shall be necessary. Official letters, papers, documents, and public records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of said tribe or bands thereof to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys for said tribe or bands of Indians.

SEC. 3. That upon the final determination of such suit, cause, or action the Court of Claims shall decree such fees as it shall find reasonable to be paid the attorney or attorneys employed therein by said tribe or bands of Indians under contracts negotiated and approved as provided by existing law, and in no case shall the fee decreed by said Court of Claims be in excess of the amounts stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and no attorney shall have a right to represent the said tribes or any band thereof in any suit, cause, or action under the provisions of this act until his contract shall have been approved as herein provided. The fees decreed by the court to the attorney or attorneys of record shall be paid out of any sum or sums recovered in such suits or actions, and no part of such fees shall be taken from any money in the Treasury of the United States belonging to such tribe or bands of Indians in whose behalf the suit is brought unless specifically authorized in the contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior as herein provided: *Provided*, That in no case shall the fees decreed by said court amount to more than 10 per cent of the amount of the judgment recovered in such cause.

Mr. CURTIS. I will state that the substitute reported by the Senate committee is exactly the item that passed the Senate during the last session of Congress. The bill as passed by the House provided for the payment of interest on any judgment that may be recovered, and that item was not satisfactory to the committee of the Senate. The committee struck out the House bill and substituted the Senate bill which passed the Senate at the last session.

Mr. KING. What is the basis of the claim?

Mr. CURTIS. Violation of treaty obligations. They claim that treaty obligations were not kept by the Government.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CHOCTAW AND CHICKASAW LANDS.

The bill (S. 3391) to amend an act entitled "An act providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma," approved February 8, 1918 (40 Stat. L., p. 433), was announced as next in order.

Mr. SMOOT. I ask that the bill may go over.

The VICE PRESIDENT. The bill will be passed over.

ROSEBUD INDIAN RESERVATION.

The bill (H. R. 396) to authorize the payment of certain amounts for damages sustained by prairie fire on the Rosebud Indian Reservation, in South Dakota, was announced as next in order.

Mr. KING. I ask that that may go over.

The VICE PRESIDENT. The bill will be passed over.

RURAL HOMES.

The bill (S. 3477) to increase, without expenditure of Federal funds, the opportunities of the people to acquire rural homes, and for other purposes, was announced as next in order.

Mr. KING. Let the bill go over.

Mr. SMOOT. I desire to give notice that at the first opportunity I shall move to take up the bill for consideration, for I think it is of vital importance not only to the States of the South and Northwest but all our Western States where there is privately owned land.

The VICE PRESIDENT. The bill will be passed over.

TIMBER ON PUBLIC LANDS.

The bill (S. 730) to amend chapter 559 of the Revised Statutes of the United States, approved March 3, 1891, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the provisions of chapter 559 of the Revised Statutes of the United States, approved March 3, 1891, limiting the use of timber taken from public lands to residents of the States in which such timber is found, for use within such said State, shall not apply to the timber on the public lands in White Pine County, Nev.; but within such said county the provisions of said chapter shall apply equally to the residents of the States of Utah and Nevada and to the use of timber taken from the above-described tract in either of the above-named States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CAREY ACT ENTRYMEN.

The bill (H. R. 2950) to authorize a preference right of entry by certain Carey Act entrymen, and for other purposes, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior, when restoring to the public domain lands that have been segregated to a State under section 4 of the act of August 18, 1894, and the acts and resolutions amendatory thereof and supplemental thereto, commonly called the Carey Act, is authorized, in his discretion and under such rules and regulations as he may establish, to allow for not exceeding 90 days to any Carey Act entryman a preference right of entry under applicable land laws of any of such lands which such person had entered under and pursuant to the State laws providing for the administration of the grant under the Carey Act and upon which such person had established actual bona fide residence or had made substantial and permanent improvements: *Provided*, That each entryman shall be entitled to a credit as residence upon his new homestead entry allowed hereunder of the time that he has actually lived upon the claim as a bona fide resident thereof.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OCHOCO NATIONAL FOREST, OREG.

The bill (H. R. 348) to add certain lands to the Ochoco National Forest, Oreg., was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the following-described lands be, and the same are hereby, included in and made a part of the Ochoco National Forest, Oreg., subject to all prior valid adverse rights, and that said land shall hereafter be subject to all laws affecting national forests: Sections 27 and 34, township 17 south, range 21 east, sections 3 and 10, and the east half of section 9, township 18 south, range 21 east, all of Willamette meridian and base.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OREGON, SIUSLAW, AND CRATER NATIONAL FORESTS.

The bill (H. R. 8028) to add to the Oregon, Siuslaw, and Crater National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States, and for other purposes, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That such portions of the lands hereinafter described as shall be deemed necessary by the Secretary of the Interior and the Secretary of Agriculture for the conservation and protection of the water supplies of the cities of Oregon City, Dallas, Corvallis, and Ashland, Oreg., and which are within the limits of the grant by the United States to the Oregon & California Railroad Co., that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. *v.* The United States (238 U. S. Stats, p. 393), and an act of Congress approved June 9, 1916, be, and the same are hereby, reserved and set aside as parts of the Oregon, Siuslaw, and Crater National Forests, subject to all laws affecting national forests, as follows:

As part of the Oregon National Forest, south and east of the Willamette meridian, Oregon:

Township 5 south, range 4 east, section 1, all; section 11, all; section 13, all; section 15, north half southeast quarter, southwest quarter, and north half; section 23, all; section 25, all; township 4 south, range 5 east, section 19, all; section 27, northeast quarter; section 29, northwest quarter northwest quarter; south half northwest quarter, and south half northeast quarter; section 31, all; section 35, east half, for the protection of the water supply of Oregon City, Oreg.

As part of the Siuslaw National Forest, south and west of the Willamette meridian, Oregon:

Township 7 south, range 6 west, section 21, northeast quarter southeast quarter, west half southeast quarter and southwest quarter; section 29, northeast quarter and south one-half; section 33, north half northeast quarter, northwest quarter and southeast quarter, for the protection of the water supply of Dallas, Oreg.

Township 12 south, range 7 west, section 15, south half southwest quarter, northwest quarter southwest quarter, and southwest quarter southeast quarter; section 21, southeast quarter and north half; section 23, southwest quarter northwest quarter, and west half southwest

quarter; section 27, all; section 35, north half, for the protection of the water supply of Corvallis, Oreg.

As part of the Crater National Forest, south and east of the Willamette meridian in Oregon:

Township 39 south, range 1 east, section 19, east one-half; section 21, east one-half of west one-half, and east one-half, for the protection of the water supply of Ashland, Oreg.

SEC. 2. That when the Secretary of Agriculture finds that merchantable timber may be cut from the above-described lands without detriment to the purity of or depletion of the water supply, said Secretary is hereby authorized to dispose of such merchantable timber on the lands added to said national forests by section 1 hereof in accordance with the regulations of the Secretary of Agriculture for the national forests, and the entire proceeds of any sale thereof shall be deposited in the Treasury of the United States in a special fund designated as "The Oregon and California land-grant fund," referred to in section 10 of the said act of June 9, 1916, and be disposed of in the manner therein designated: *Provided*, That in the event any of said lands are eliminated from said forests as not necessary for the purposes for which this reservation is made they shall be disposed of in the manner provided for by said act of June 9, 1916.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMY E. HALL.

The bill (H. R. 8598) restoring to Amy E. Hall her homestead rights and providing that on any homestead entry made by her she shall be given credit for all compliance with the law on her original homestead entry and for all payments made on same was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to permit Amy E. Hall, homestead entrywoman on lots 23 and 24, and south half southwest quarter northwest quarter section 17; the south half southeast quarter northeast quarter, northeast quarter southeast quarter, and southwest quarter northeast quarter, section 18, township 9 south, range 10 west, in the former Siletz Indian Reservation, in the State of Oregon, whose homestead application was on January 3, 1914, placed of record in the office of the register and receiver of the United States land office at Portland, Oreg., to make a new homestead entry on any tract of land, not exceeding 160 acres, open to entry under the homestead laws of the United States, which is not otherwise appropriated or reserved, and that she be given credit for all compliance with law on her original homestead entry and for all payments made upon the same, but expressly waiving the requirements as to cultivation under the act of June 6, 1912 (37 Stat., p. 123), giving and granting unto the Secretary of the Interior full and complete authority to carry out the purposes and intent of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

YANKTON AGENCY PRESBYTERIAN CHURCH.

The bill (S. 2442) authorizing and directing the Secretary of the Interior to convey to the trustees of the Yankton Agency Presbyterian Church by patent in fee certain land within the Yankton Indian Reservation was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to convey to the trustees of the Yankton Agency Presbyterian Church by patent in fee the following-described premises situate within the Yankton Indian Reservation, county of Charles Mix, State of South Dakota: Beginning at the northwest corner of lot 9, section 27, township 94 north, range 64 west of fifth principal meridian; thence south 25 degrees 4 minutes west 5.50 chains, to the southwest corner of lot 2, section 34; thence north 64 degrees 56 minutes west 1.40 chains, more or less, to the east boundary of the Presbyterian Church and school reserve; thence north 25 degrees 4 minutes east 5.50 chains, more or less, along the east boundary of the said Presbyterian Church and school reserve to the northeast corner thereof; thence south 64 degrees 56 minutes east 1.50 chains, more or less, to the place of beginning; containing 0.77 acre, more or less; for the uses of said church upon the payment by said trustees to the Secretary of the Interior of the sum of $75, the value of said premises as heretofore found by due appraisal thereof.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN GREGORY COUNTY, S. DAK.

The bill (S. 2786) authorizing the sale of lands in Gregory County, S. Dak., was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior, in his discretion, be, and he is hereby, authorized to sell for cash, under such rules and regulations as he may prescribe, the unallotted, unreserved, and unentered lands in Gregory County, S. Dak., formerly in the Fort Randall Military Reservation.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

VACANCIES IN MILITARY ACADEMY CADET CORPS.

The bill (S. 3682) to regulate the filling of vacancies in the Corps of Cadets at the United States Military Academy not otherwise provided for by existing law, and for other purposes, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That hereafter whenever all vacancies at the Military Academy shall not have been filled as the result of the regular annual entrance examination the remaining vacancies shall be filled by admission from the whole list of alternates selected in their order of merit established at such entrance examinations. The admissions thus made shall be credited to the United States at large and shall not interfere with or affect in any manner whatsoever any appointment authorized by existing law; and whenever by the operation of this or any other law the Corps of Cadets exceeds its authorized maximum strength as provided by law, the admission of alternates as prescribed in this act shall cease until such time as said corps may be reduced to its authorized strength.

Mr. SMOOT. May I ask the Senator from New York [Mr. WADSWORTH] a question?

Mr. WADSWORTH. Certainly.

Mr. SMOOT. Suppose a Senator or a Representative in Congress appoints a young man as a cadet at West Point as principal and he has two alternates appointed to the same place and the principal fails, under the proposed bill what would become of the alternates?

Mr. WADSWORTH. His first alternate goes in.

Mr. SMOOT. If he passes?

Mr. WADSWORTH. Yes; if he passes.

Mr. SMOOT. That is the same as the law to-day?

Mr. WADSWORTH. Yes.

Mr. SMOOT. Why change it?

Mr. WADSWORTH. The situation is this: It sometimes happens that the principal, the first alternate, and the second alternate all fail. That leaves a vacancy in the academy which can not be credited to the district and filled until the following year when a new class of cadets are taken in. This bill provides that in the event of vacancies existing as the result of an instance of that sort alternates who have passed the examination——

Mr. SMOOT. Alternates from some other State.

Mr. WADSWORTH. Alternates from some other State or some other district may be taken in to fill the vacancies, alternates being taken in in the order of their merit, but the district itself will not lose its representation.

Mr. SMOOT. The rule now is that if the principal and the two alternates fail, at the next examination the following year the Senator or Representative has a perfect right to appoint another principal and two alternates for that same cadetship.

Mr. WADSWORTH. Yes; that is true.

Mr. SMOOT. Does this interfere with that right?

Mr. WADSWORTH. No, sir.

Mr. SMOOT. It seems to me, then, that sooner or later there would be a larger number of cadets than could be taken care of.

Mr. WADSWORTH. The bill provides for that very thing; it guards against it.

Mr. SMOOT. I thought it did at the end, but I did not know whether that was specifically provided for in a way that would allow such a case as I have cited to be taken care of.

Mr. WADSWORTH. The trouble with the present situation is that the Military Academy is never filled to its quota; it is generally far below its quota, due to the fact that all of the nominees from the several districts do not pass. While those I might nominate from the State of New York might fail to pass, all the nominees—principal and alternates—whose names might be sent in by the Senator from Utah might pass. In the event that my nominees failed to pass, the bill provides that the nominees of the Senator from Utah, who have all passed, shall get a chance to get in, and so keep the academy filled up.

Mr. SMOOT. Then, taking the case cited by the Senator from New York, under the present practice one year from now the Senator from New York could again appoint a principal and two alternates for the place for which his principal and alternates this year had failed?

Mr. WADSWORTH. Yes.

Mr. SMOOT. If an alternate appointed by some other Senator is allowed to fill the particular place, how is the Senator from New York going to have an opening next year?

Mr. WADSWORTH. Mr. President, the bill provides for that very thing. Let me read the language:

The admissions thus made shall be credited to the United States at large—

Not credited to the district from which the particular alternate may come—

and shall not interfere with or affect in any manner whatsoever any appointment authorized by existing law; and whenever by the operation of this or any other law the Corps of Cadets exceeds its authorized maximum strength as provided by law, the admission of alternates as prescribed in this act shall cease until such time as said corps may be reduced to its authorized strength.

So that the State and the district are protected all the time, and the corps is not allowed to go beyond the authorized strength.

Mr. SMOOT. In other words, the appointments at large are regulated by the number that actually fail to pass in the different States of the Union.

Mr. WADSWORTH. Yes.

Mr. WARREN. I may add to what has been said by other Senators that there has never been a year since the Military Academy was established but that at the end of the year——

Mr. SMITH of Georgia. I hope the Senator from Wyoming will speak a little louder. I am very much interested in this matter, but I was unable to hear what the Senator from Utah [Mr. SMOOT] said.

Mr. WARREN. I started to say, in addition to the explanation already made, that there has never been a year since the Military Academy was established but that at the end of the year some of the freshmen have failed and have had to leave the academy, so that there are openings constantly occurring, and if there should happen to be an excessive number at any given time that condition will be remedied at the end of the year.

The bill was reported to the Senate without amendment.

The VICE PRESIDENT. The question is, Shall the bill be engrossed for a third reading and read the third time?

Mr. SMITH of Georgia. I should like to ask the Senator from New York a question. I caught the first part of his explanation to the effect that if the nominees from New York, to illustrate, failed to pass, and the alternates from the State of Pennsylvania had passed, those alternates could be named to take the places left vacant from New York. I could not hear—because a part of it was a statement by the Senator from Utah [Mr. SMOOT], whose back was toward me—all that was said with reference to what happened at the end of the first year. I heard the Senator say that such appointments were to be charged up against those at large.

Mr. WADSWORTH. To be charged up against the United States at large.

Mr. SMITH of Georgia. At the end of a year, then, the Senator from New York could again name some one, and he only loses the place for the one year?

Mr. WADSWORTH. That is all.

Mr. SMITH of Georgia. That was my understanding, but I could not distinctly hear all of the explanation.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ENLISTED PERSONNEL OF THE ARMY.

The bill (S. 3683) to amend section 2 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That so much of section 2 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as provides as follows: "*Provided*, That hereafter the enlisted personnel of all organizations of the Regular Army shall at all times be maintained at a strength not below the minimum strength fixed by law: *Provided further*, That the total enlisted force of the line of the Regular Army, excluding the Philippine Scouts and the enlisted men of the Quartermaster Corps, of the Medical Department, and of the Signal Corps, and the unassigned recruits, shall not at any one time, except in the event of actual or threatened war or similar emergency in which the public safety demands it, exceed 175,000 men," be, and the same is hereby, suspended until July 1, 1920.

Mr. KING. Mr. President, I should like to have an explanation of the bill from the Senator from New York. I should like him to explain, if he will be kind enough to do so, whether this proposed legislation will be necessary in the event that the Army bill, or some Army bill, shall pass Congress between now and the 1st of July next.

Mr. WADSWORTH. Mr. President, this proposed legislation is necessary to take care of a situation which will immediately arise upon the formal declaration of peace. The bill recites those provisos which now appear as part of the existing law in the national defense act, being the act approved June 3, 1916. The first proviso reads:

Provided, That hereafter the enlisted personnel of all organizations of the Regular Army shall at all times be maintained at a strength not below the minimum strength fixed by law.

Unfortunately, the existing law, the national-defense act, is guilty of that great military fallacy, in connection with legislation, of trying to fix the strength of every constituent part of the Army of the United States, from which we have suffered tremendously, and I hope that the day will come when we shall abandon it.

Provided further, That the total enlisted force of the line of the Regular Army, excluding the Philippine Scouts and the enlisted men of the Quartermaster Corps, of the Medical Department, and of the Signal Corps, and the unassigned recruits, shall not at any one time, except in the event of actual or threatened war or similar emergency in which the public safety demands it, exceed 175,000 men.

If the Senator will turn to the report of the committee, he will find the trouble that will arise in the event peace is declared. The best way for me to explain it is to read a portion of the report. When peace shall have been declared and the national-defense act automatically brought back into operation—

It is possible that we shall have organizations of the Regular Army in Europe and Siberia after the termination of the existing emergency, and the conditions in those regions demand that certain organizations be maintained at a greater strength than the minimum authorized by the national-defense act, and to keep within the appropriations provided it will accordingly be necessary to maintain certain organizations at a strength below the minimum prescribed by law for such organizations. Moreover, it may be possible that, owing to difficulty in obtaining recruits, certain organizations can not be maintained at the minimum strength prescribed, if others in more important places are to be kept at an efficient strength.

That is the whole situation. The bill does not involve the employment of any more soldiers or officers of the Army.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend section 2 of the act entitled 'An act for making further and more effectual provisions for the national defense, and for other purposes,' approved June 3, 1916."

BILL PASSED OVER.

The bill (S. 547) authorizing the enlistment of non-English-speaking citizens and aliens was announced as next in order.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. WADSWORTH. Mr. President, may I inquire if objection was made to the bill the title of which was just read?

Mr. SMOOT. Yes; I desire to have it go over.

Mr. WADSWORTH. I think that is unfortunate.

LANDS WITHIN FORMER FLATHEAD INDIAN RESERVATION, MONT.

The bill (S. 20) to provide for the payment of certain lands within the former Flathead Indian Reservation in the State of Montana was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That in all cases where lands within the former Flathead Indian Reservation which were classified and appraised during the years 1912 and 1913 by the commission appointed for that purpose under authority of the act of June 25, 1910, have been appraised at an amount in excess of the amount at which similar lands were appraised by the Flathead Commission of 1907 and 1908, persons who have between August 26, 1910, and June 14, 1911, settled upon, or between said dates filed applications to enter such lands, and which applications have been or may hereafter be allowed, shall not be required to pay more for the lands so settled upon or entered by them than the highest amounts specified by the Flathead Commission of 1907 and 1908 for lands of like character and similar classification.

SEC. 2. That in all cases where patents shall be issued for land paid for under the foregoing sections of this act there shall be transferred, from any funds belonging to the United States not otherwise appropriated, to the credit of the Indians for whose benefit such lands are disposed of such an amount as shall equal the difference between the amount so paid under said sections and the amount at which the lands so paid for have been appraised or reappraised by the commission of 1912 and 1913.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NICK SITCH AND BILLIE H. EVASHANKS.

The bill (S. 2962) for the relief of Nick Sitch and Billie H. Evashanks was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to certify to the Secretary of the Treasury the amounts paid as fees, commissions, and purchase moneys by the persons hereinafter named, in connection with homestead entries at the United States land office at Glasgow, Mont., in the year 1917, as follows:

Serial No. 044427, Nick Sitch, west half southeast quarter, section 27, and west half of northeast quarter, section 34, township 29 north, range 41 east.

Serial No. 044521, Billie H. Evashanks, south half southeast quarter, northwest quarter southeast quarter, section 34, township 29 north, range 41 east, and west half east half, northeast quarter southwest quarter, section 1, township 28 north, range 41 east.

SEC. 2. That upon receipt of the certificate from the Secretary of the Interior as provided in section 1 of this act the Secretary of the Treasury is hereby authorized and directed to make payment of the amounts so certified out of any moneys not otherwise appropriated, and issue his warrant in settlement thereof.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DELILAH SIEBENALER.

The bill (S. 604) for the relief of Delilah Siebenaler was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of Agriculture be, and he is hereby, authorized to refund to Delilah Siebenaler the sum of $188.41, paid to the Department of Agriculture by said Delilah Siebenaler for certain timber which she cut from her homestead entry within the Cabinet Forest Reserve, Mont., prior to her receipt of patent therefor.

Mr. KING. Mr. President, I should like to ask the Senator from Montana how this payment happened to be made? I can

not understand under what authority the beneficiary of the bill made payment to the Government for the taking of the timber from her own property.

Mr. MYERS. Mr. President, in reply to the Senator from Utah, I will state that a similar bill has passed the Senate twice on previous occasions. The beneficiary of the bill is a widow who entered a homestead in a forest reservation, on land set aside for homestead entry. Before she made final proof she cut and used a little of the timber on the land for domestic purposes; I think principally for building a house, for fencing, and for other like purposes. That is my recollection. At that time she did not have a patent to the land, and some zealous inspector of the Department of Agriculture had a charge brought against her of trespass—of which she may have been technically guilty—and she was required to pay a penalty of $188, the value of the timber. Subsequently, the woman went ahead with her residence, complied with the law, made final proof, and procured patent to the land and it became her land. The case is a very equitable one. There was no fraud charged, so far as I know; but before she had obtained patent the woman used what little timber she cut for fences and other improvements. She may have sold some of it to supply her needs. I can not say as to that. After she acquired title to the land, however, it carried the timber with it. Had she not cut the timber she would in time have acquired title to it. It would have become hers with the issuance of patent. The Government was not hurt. It is a fair and equitable case. I repeat, a similar bill has passed the Senate twice previously, and I think it a meritorious measure. It is a hardship to deprive the woman of this money. It is not just to do so.

Mr. KING. Mr. President, I should like to ask the Senator whether under existing law she could have been compelled to have paid the Government $188? It seems to me when she was on the land under a valid entry, and was perfecting her title, that she would have a perfect right to make any legitimate use of the timber as she would of stone that was on the ground.

Mr. MYERS. I think she would. It may be that she sold a part of the timber to obtain a few dollars of ready money which she needed. Technically she had no right to do that, if she did it. The measure only involves $188, and as the woman later procured title to the land, which would have carried the timber with it if she had never cut a stick of it, the Government is not out anything. I think it small business when the United States takes $188 from a woman in that way, and I think she ought to have it back. The only way for the woman to get it back is by a bill in Congress. I think every sense of fairness requires that the woman's money be returned to her.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DISPOSITION OF LANDS WITHDRAWN UNDER RECLAMATION LAWS.

The bill (S. 795) to provide for the disposition of public lands withdrawn and improved under the provisions of the reclamation laws, and which are no longer needed in connection with said laws, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with amendments. The first amendment was, in section 1, page 2, line 9, after the word "land," to insert "not less than one-fifth the purchase price shall be paid at the time of sale, and the remainder in not more than four annual payments with interest at 6 per cent on deferred payments," so as to make the section read:

That whenever in the opinion of the Secretary of the Interior any public lands which have been withdrawn for or in connection with construction or operation or reclamation projects under the provisions of the act of June 17, 1902, known as the reclamation act and acts amendatory thereof and supplemental thereto, and which have been improved by and at the expense of the reclamation fund for administration or other like purposes, are no longer needed for the purposes for which they were withdrawn and improved, the Secretary of the Interior may cause said lands, together with the improvements thereon, to be appraised by three disinterested persons to be appointed by him and thereafter sell the same, for not less than the appraised value, at public auction to the highest bidder, after giving public notice of the time and place of sale by posting upon the land and by publication for not less than 30 days in a newspaper of general circulation in the vicinity of the land, not less than one-fifth the purchase price shall be paid at the time of sale, and the remainder in not more than four annual payments with interest at 6 per cent on deferred payments.

The amendment was agreed to.

The next amendment was in section 2, page 2, line 24, after the word "character" to insert, "*Provided*, That the accepted bidder must, prior to the issuance of patent, furnish satisfactory evidence that he or she is a citizen of the United States," so as to make the section read:

SEC. 2. That upon payment of the purchase price the Secretary of the Interior is authorized, by appropriate patent, to convey all the right, title, and interest of the United States in and to said lands to the purchaser at said sale, subject, however, to such reservations, limitations, or conditions as said Secretary may deem proper: *Provided*, That not over 160 acres shall be sold to any one person, and if said lands are irrigable under the project in which located they shall be sold subject to compliance by the purchaser with all the terms, conditions, and limitations of the reclamation act applicable to lands of that character: *Provided*, That the accepted bidder must, prior to issuance of patent, furnish satisfactory evidence that he or she is a citizen of the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN MONTANA.

The bill (S. 3138) authorizing the Secretary of the Interior to sell and convey to the Great Northern Railway Co. certain lands for stockyards, and for other purposes, at Browning Station, in the State of Montana, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment in section 2, page 4, line 7, after the word "terms," to insert "and conditions," so as to make the section read:

SEC. 2. That upon appraising the said lands the Secretary of the Interior is authorized and directed to sell and convey the same to the Great Northern Railway Co., a corporation of the State of Minnesota, and owning and operating lines of railway in the State of Montana, and other States, for stockyards and other railway purposes, upon such terms and conditions as he may deem advisable. If the sale of any of the aforesaid lands shall include the whole or any part of the allotment of an individual Indian, the purchase price of such allotted land shall be paid to such Indian, subject to the control of the Secretary of the Interior as to the funds of incompetent Indians.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The joint resolution (S. J. Res. 30) to permit of the disposition of certain lands in Montana ceded by the Crow Indians was considered as in Committee of the Whole.

The joint resolution had been reported from the Committee on Public Lands with an amendment, on page 2, after line 3, to strike out all of section 2, in the following words:

SEC. 2. That all lands not otherwise reserved that have been withdrawn or classified as coal lands, or are valuable for coal, restored to entry under the authority of the act approved April 27, 1904 (33 Stat., p. 352), entitled "An act to ratify and amend an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect," shall be subject to disposal in the same manner and under such terms and conditions as have been or may be provided for the disposition of nonmineral lands opened to entry or sale by the aforesaid act: *Provided*, That such disposals and the lands affected thereby shall be subject to all the provisions of the act approved June 22, 1910 (36 Stat., p. 583), entitled "An act to provide for agricultural entries on coal lands," hereby extended thereto.

So as to make the joint resolution read:

Resolved, etc., That nothing contained in section 31 of the act of March 3, 1891, entitled "An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulation with various Indian tribes, for the year ending June 30, 1892, and for other purposes," shall hereafter be so construed as to prohibit the offering at public sale of any tract of land affected thereby, which is otherwise subject to such offering, under the provisions of section 2455, United States Revised Statutes, as amended by the act of March 28, 1912 (37 Stat. L., p. 77): *Provided*, That in no order for an offering of such lands shall a minimum price be fixed less than the price therefor fixed by existing laws.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (H. R. 4438) to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment was announced as next in order.

Mr. SMOOT. Mr. President, the Senator from Iowa [Mr. KENYON] is absent from the city. I ask that the bill may be passed over until his return.

The VICE PRESIDENT. The bill will be passed over.

WILLIAM S. BRITTON.

The bill (S. 3610) for the relief of William S. Britton, formerly second lieutenant of Infantry, who has been erroneously dropped from the rolls of the United States Army, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to reinstate William S. Britton, formerly second lieutenant of Infantry, who has been erroneously dropped from the rolls of the Army, and to restore him to his former position and rank in the service by the issuance of a new commission to date from the 14th day of May,

1919, and to continue, during the pleasure of the President, not longer than to the date when he shall be released by military hospital authorities; and if such release shall have occurred prior to the passage of this act, to honorably discharge him from his commission as of the date of such release.

SEC. 2. That said William S. Britton shall be entitled to receive the full pay and allowances of a second lieutenant of Infantry from the time he was dropped from the rolls of the Army until he shall be so discharged, and that his status in and relation to the Army of the United States shall be in all respects the same as it would have been had he not been dropped from the rolls of the Army.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SUPERINTENDENTS OF NATIONAL CEMETERIES.

The bill (S. 2956) to amend sections 4874 and 4875 of the Revised Statutes and to provide a compensation for superintendents of national cemeteries was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and insert:

That sections 4874 and 4875 of the Revised Statutes be amended to read as follows:

"SEC. 4874. The superintendents of national cemeteries shall be selected from meritorious and trustworthy soldiers, either commissioned officers or enlisted men of the Regular, Volunteer, or National Army, who may have been disabled for active field service in the line of duty.

"SEC. 4875. The superintendents of the national cemeteries shall be assigned to duties by the Secretary of War and shall be divided into three classes, according to the extent and importance of the cemeteries to which they may be respectively assigned, of which 29 shall be in class 1, who shall receive a compensation of $1,200 per annum; 19 shall be in class 2, who shall receive $1,140 per annum; and 26 shall be in class 3, who shall receive $1,040 per annum: *Provided*, That in addition to the superintendents hereinbefore enumerated there shall be a superintendent of the Arlington Cemetery at Arlington, Va., and a superintendent of the National Cemetery at Mexico City, Mexico, who shall each receive a compensation of $1,500 per annum: *Provided further*, That all superintendents shall be furnished with quarters and fuel and upon honorable discharge or resignation shall receive transportation for themselves and household effects to their respective homes."

Mr. SMOOT. Mr. President, if this bill is to pass, it seems to me that before the word "receive," on line 22, the word "each" should be inserted; on line 23, after the word "shall," the word "each" should be inserted; and on line 24, after the word "shall," the word "each" should be inserted; so that it will read "who shall each receive a compensation of $1,200 per annum," and so forth.

The VICE PRESIDENT. The question is on agreeing to the amendments to the amendment, offered by the Senator from Utah.

The amendments to the amendment were agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend sections 4874 and 4875 of the Revised Statutes relating to compensation for superintendents of national cemeteries."

UNITED STATES EMBASSY AT BRUSSELS, BELGIUM.

The bill (S. 3406) for the purchase of buildings and grounds for the embassy of the United States at Brussels, Belgium, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That for the purchase of buildings and grounds for the residence and offices of the embassy of the United States in Brussels, Belgium, and for making necessary minor repairs in and appropriately furnishing said building the sum of $250,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RESOLUTION PASSED OVER.

The resolution (S. Res. 56) seeking a convention between the United States and certain Central American countries for the protection of migratory birds was announced as next in order.

Mr. LODGE. I ask that the resolution go over in the absence of the Senator from Connecticut and the Senator from Alabama, both of whom are interested in it.

The VICE PRESIDENT. The resolution will be passed over.

JOHN B. H. WARING.

The bill (S. 907) for the relief of John B. H. Waring was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with amendments.

The first amendment was, in line 4, after the word "authorized," to strike out "to nominate" and insert "to restore to John B. H. Waring, late a captain in the Medical Corps, the files of which he was deprived," so as to read:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to restore to John B. H. Waring, late a captain in the Medical Corps, the files of which he was deprived.

Mr. SMOOT. What does that mean?

Mr. SUTHERLAND. That is the regular way of expressing it.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, in line 7, to strike out "John B. H. Waring, late a captain in the Medical Corps, United States Army," and insert "him," so as to read:

and, by and with the advice and consent of the Senate, appoint him an officer of the Medical Corps in the Army of the United States as of May 5, 1917, with such rank as he would have attained had he not been discharged, and when so appointed he shall be placed on the retired list of the officers of the Army.

The amendment was agreed to.

Mr. KING. Mr. President, I should like to ask the Senator from West Virginia if, upon a full investigation, he feels that this bill ought to pass. It would seem to be a reflection upon the officers of the Army, and to convict them of negligence or some delinquency toward this officer. Otherwise, he would not have been separated from the service.

Mr. SUTHERLAND. Mr. President, in reply to the question of the Senator from Utah, I will say that I have gone over this matter very fully, and the subcommittee associated with me did likewise, and there is every reason to conclude that an injustice was done Capt. Waring. I do not know who the officers were that were responsible for it, and have no desire to reflect on anybody. I do not know them personally, or know who they were by name.

This man, after being examined numerous times, first when he was admitted to the Army, and several times later, annually, was found to be in perfect physical condition, and the report so shows. While serving in one of the Philippine Islands, almost directly under the Equator, he was stricken on a very hot day with what they called a light stroke. He was on duty, and it was during maneuvers on one of the very hottest days in the summer, almost immediately under the Equator. As a result of that stroke, he was shifted from one place to another, and for almost six years there was no disputing the fact and no attempt on the part of anyone to dispute the fact that this injury which he received was received in line of duty. Several times later than that he was sent to points where his injury was aggravated, and he was again put in the hospital, and apparently received very poor consideration; and after so long a time he was summoned before a retiring board, and this trouble was diagnosed as being a congenital nervous trouble. This testimony was not upon the judgment of nerve specialists or men who were skilled in that sort of diagnosis, but it was an eye, ear, and throat specialist who gave that opinion. There had been some dispute between Capt. Waring and the Medical Department, so that by reason of this treatment, he having asked several times to have outside specialists brought in and examine him and treat him, there seemed to be, with or without reason, some prejudice in this case; and I am confident that it operated to work out an injustice against him, and that this is a wholly meritorious bill. I have gone into that matter very thoroughly. The entire story is set forth in the report which accompanies the bill; and I am sure that if the Senator will read it he will conclude, just as I did, that it is an entirely meritorious case.

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole House, and open to amendment. If there be no further amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS, ETC., PASSED OVER.

The bill (S. 3746) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3747) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 6639) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and to certain widows and dependent children of soldiers and sailors of said war, was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 7775) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over,

The bill (S. 3395) to discontinue the improvement to provide a channel extending from the sea to the Charleston Navy Yard was announced as next in order.

Mr. KING. Mr. President, I am sure the Senator from Delaware [Mr. BALL] will be very glad to take up this measure; but in the absence of the two Senators from South Carolina, both of whom, I understand, are ill, I ask that the matter may go over.

Mr. HARRISON. Mr. President——

Mr. LODGE. And the next one, too.

Mr. KING. Yes; also the next bill on the calendar.

Mr. HARRISON. I wish to suggest that both Senators from South Carolina are sick in bed.

Mr. KING. I stated that, owing to their illness, I should ask that the bill go over.

The VICE PRESIDENT. Senate bills 3395 and 3396 will be passed over.

The resolution (S. Res. 285) authorizing the subcommittee on Naval Affairs under resolution No. 62, agreed to June 6, 1919, to employ such counsel and clerical assistants as it may deem necessary, was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 310) for the relief of John Murphy was announced as next in order.

Mr. KING. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 8819) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, was announced as next in order.

Mr. KING. I would like to ask for an explanation of the bill.

Mr. SMOOT. Let the bill go over to-day.

The VICE PRESIDENT. The bill will be passed over.

CLAIMS FOR PROPERTY DESTROYED IN THE ARMY.

The bill (S. 3750) to amend an act entitled "An act to provide for the settlement of claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918 (40 Stat., p. 880), be, and the same hereby is, amended to read as follows:

"SECTION 1. That private property belonging to officers, enlisted men, and members of the Nurse Corps (female) of the Army, including all prescribed articles of equipment and clothing which they are required by law or regulation to own and use in the performance of their duties, and horses and equipment required by law or regulations to be provided by mounted officers, which since the 5th day of April, 1917, has been or shall hereafter be lost, damaged, or destroyed in the military service, shall be replaced, or the damage thereto, or its value recouped to the owner as hereinafter provided, when such loss, damage, or destruction has occurred or shall hereafter occur without fault or negligence on the part of the owner in any of the following circumstances:

"First. When such private property so lost, damaged, or destroyed was shipped on board an unseaworthy vessel by order of an officer authorized to give such order or direct such shipment.

"Second. When it appears that such private property was so lost, damaged, or destroyed in consequence of its owner having given his attention to the saving of human life or property belonging to the United States which was in danger at the same time and under similar circumstances, or while, at the time of such loss, damage, or destruction, the claimant was engaged in authorized military duties in connection therewith.

"Third. When during travel under orders such private property, including the regulating allowance of baggage, transferred by a common carrier, or otherwise transported by the proper agent or agency of the United States Government, is lost, damaged, or destroyed; but replacement, recoupment, or commutation in these circumstances, where the property was or shall be transported by a common carrier, shall be limited to the extent of such loss, damage, or destruction over and above the amount recoverable from said carrier.

"Fourth. When such private property is destroyed or captured by the enemy, or is destroyed to prevent its falling into the hands of the enemy, or is abandoned on account of lack of transportation or by reason of military emergency requiring its abandonment, or is otherwise lost in the field during campaign.

"SEC. 2. That except as to such property as by law or regulation is required to be possessed and used by officers, enlisted men, and members of the Army Nurse Corps (female), respectively, the liability of the Government under this act shall be limited to damage to or loss of such sums of money or such articles of personal property as the Secretary of War shall decide or declare to be reasonable, useful, necessary, and proper for officers, enlisted men, or members of the Army Nurse Corps (female), respectively, as the case may be, to have in their possession while in quarters, or in the field, engaged in the public service in the line of duty.

"SEC. 3. That the Secretary of War is authorized and directed to examine into, ascertain, and determine the value of such property lost, destroyed, captured, or abandoned as specified in the foregoing paragraphs, or the amount of damage thereto, as the case may be; and the amount of such value or damage so ascertained and determined shall be paid by disbursing officers of the Army, or such property lost, destroyed, captured, or abandoned, or so damaged as to be unfit for service, may be replaced in kind from Government property on hand when the Secretary of War shall so direct.

"SEC. 4. That the tender of replacement or of commutation or the determination made by the Secretary of War upon a claim presented, as provided for in the foregoing section, shall constitute a final determination of any claim cognizable under this chapter, and such claim shall not thereafter be reopened or considered.

"SEC. 5. That no claim arising under this act shall be considered unless made within two years from the time that it accrued, except that when a claim accrues in time of war, or when war intervenes within two years after its accrual, such claim may be presented within two years after peace is established.

"SEC. 6. That for the payment of claims arising and established under this act there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $300,000.

"SEC. 7. That so much of the act of March 28, 1918 (40 Stat., pp. 479, 480), as makes provision for the presentation, adjustment, and payment of claims of officers and enlisted men for loss of private property destroyed in the military service be, and the same hereby is, repealed."

Mr. KING. Will the Senator from New York explain very briefly what change the bill would make in existing law?

Mr. WADSWORTH. Yes, Mr. President; and I think it will take but a moment. There is a perfectly absurd situation existing in the Army to-day as the result of some rulings handed down by auditors, who certainly can do more to tear a statute to pieces than any body of men I have ever encountered. The explanation will be found in the report, as contained in a letter from the Secretary of War, from which I read:

The original act was intended to provide a simple and expeditious method of settling the claims of officers and enlisted men for reimbursement for personal property lost, damaged, or destroyed in the military services of the United States through no fault of their own. However, a series of decisions by the officials of the Treasury Department have placed such restrictions on the law as to preclude favorable consideration of a majority of the claims which have been filed. These decisions are briefly summarized as follows:

(a) The auditor has disallowed all claims for property lost by fire unless claimants can certify that the loss occurred while the claimant was engaged in saving Government property.

It was never the intention of Congress to legislate anything of that sort.

Mr. LODGE. Of course it was not.

Mr. WADSWORTH. For example, I have heard of a case where a group of officers were housed and sleeping in an officers' shack. The shack caught fire; it was totally destroyed; and one, I think, perhaps two, of the officers were burned to death; and the survivors escaped with their lives by jumping through the window. They put in a claim for the total loss of all their personal property, which was burned up in the wooden shack, but because they could not prove that they were trying to save Government property while they were trying to save their lives they got nothing.

Mr. LODGE. And two perished?

Mr. WADSWORTH. Yes; two perished.

The Secretary continues:

(b) The comptroller has ruled that "money" is not an article of property within the meaning of the act.

In other words, if an enlisted man or an officer has some currency burned or destroyed, through no fault of his own, the auditor has ruled that that is not property.

Mr. KING. Will the Senator permit me to interrupt his explanation? Is it the policy of the Government, theoretically, at least, to compensate officers for all personal property destroyed by fire or by the elements when they are in the service of the Government?

Mr. WADSWORTH. When it is no fault of their own, and they are on duty at the time, and their property is destroyed as an incident of their service.

Mr. LODGE. That has always been the practice of the Government.

Mr. WADSWORTH. It has always been done. Let me continue. It will take only a moment to show the absurdity of the situation.

Mr. WARREN. The Senator will read the balance of the letter?

Mr. WADSWORTH. I want to read the balance of it, because in my judgment the situation is disgraceful. It continues:

Claims from enlisted men whose money was stolen upon being captured by the enemy were disapproved—

Disapproved on the ground that that money was not property. If a man has the misfortune to be captured by the enemy and his watch and clothing are taken away from him, his shoes stripped off his feet, and his money taken out of his pocket and distributed among the captors, he can not put in any claim for the money because it is not regarded as property. This continues:

And there are claims now pending covering the loss of money by 75 enlisted men who intrusted their money to an officer for remittances to their homes, which was lost because this officer was captured by the enemy.

The enemy stole that money; and they can not get their money back from the Government of the United States.

(c) The comptroller has recently decided that property lost in France can not be considered as having been lost "in the field during campaign" unless the claimant was actually in the battle line. This decision will affect practically all losses of personal baggage in the field other than that in course of transportation.

The thing is so ridiculously unjust that when the attention of the Committee on Military Affairs was called to it, it is fair to say we boiled with indignation. This bill is to give the officers and men of the Army a square deal in the matter of reimbursing them for the loss of their property when it is lost through no fault of their own and while they are serving the Government and the people of the United States.

Mr. WARREN. The present law was expected to do that.

Mr. WADSWORTH. The present law was expected to do it.

Mr. KING. I may have an erroneous idea in regard to the obligation of the Government with respect to soldiers; but it does seem to me that if men carry upon their persons into battle large sums of money, and they are captured, there ought to be some limitation upon the liability of the Government. If I, on the morning of a battle, know that I am to be assigned to a perilous situation, where I may be killed or captured, it would seem to me that common prudence ought to dictate that I should not place upon my person a considerable sum of money, and it would seem to me that the Government of the United States ought not to be called upon to meet the loss which I sustain, or, at any rate, it ought to be permitted to establish some rule as to the quantity or the amount of money or personal property which a soldier upon the field may carry with him, where he is in a situation that may involve his capture at any moment.

Mr. WADSWORTH. Mr. President, my only answer to that is that it seems hardly square for the Government of the United States to ask a man not only to risk his life but also, in the event he survives, risk bankruptcy.

Mr. CHAMBERLAIN. May I inquire of the Senator just a moment——

Mr. KING. Yes.

Mr. CHAMBERLAIN. Take a man who is paid on the battle field—because they were sometimes paid practically on the eve of battle—how would he have time to go and deposit his money in some safe depository until after the battle was over? He has to have the money with him. There are no banks following along behind the soldiers. He has to carry it with him. What would the Senator do with a man who was paid on the eve of battle and was killed in battle, or his money was taken from him by his captors? Would not the Senator reimburse him or his estate?

Mr. KING. Mr. President, I suggested a moment ago in the statement which I made—and this is a case of first impression, I will say—that the War Department ought to be permitted to promulgate some regulations which would limit the amount of liability. I do think that it would be negligence on the part of an officer or a soldier to carry with him any considerable amount of money under circumstances such as those just referred to by the Senator from Oregon [Mr. CHAMBERLAIN]. If a man were to carry $1,000 with him upon the battle field, under circumstances where he was reasonably sure he would encounter the enemy, and there was a probability or a possibility of his being captured, there ought to be some way by which the Government could be protected. This may seem to Senators who are familiar with this matter a very improper view; but it suggests itself to me that for the Government of the United States to be liable, in any event, for all amounts soldiers may have with them while in the service of the country, for losses by fire, losses by capture, or losses at sea, is putting the rule rather too strongly, and there ought to be some reasonable limitation upon the liability of the Government.

Mr. LODGE. Mr. President, it has been the uniform policy of the Government and of all civilized Governments, I think, to reimburse soldiers and sailors for the loss of property—and their property is apt to be very trifling—when it was lost through no fault of theirs, by an accident, or in a wreck at sea, or a fire in the barracks, or on the field. I have never heard the principle of that policy opposed before on this floor. The law that now exists was passed to meet those very cases. It is not the War Department or the Navy Department, in charge of the soldiers and sailors, who are trying to stop it; it is some clerks in the Treasury, who take our statutes and put on them their own interpretation of what Congress intends, until they tear them all to pieces; and Congress is constantly employed in passing legislation to get rid of misinterpretations of the statutes by gratuitous and needless rulings in the Treasury Department.

Mr. President, soldiers do not take large sums of money into battle, but they may have a small amount; they may have some locket that they wear, some little trifling article of jewelry to which they are attached. The average soldier does not stop before he goes into battle to see whether he has $10 in his pocket and can go and deposit it in the paymaster's safe. Their minds are not on those things. And when they go into battle, if they lose a small sum of money in that way, it is only decent for the Government to make it good. I think it is amazing, when we are preparing to vote billions upon billions to the returned soldiers, that we should haggle over paying a man for the loss of his clothes in a ship that has been sunk, or a barrack that has been fired, or in a trench in France.

Mr. KING. Mr. President, I agree with the latter sentence which the Senator has just spoken, that we should not haggle over the cases to which he referred. Notwithstanding his implied criticisms of my attitude, I repeat that I think it would be a very proper thing for the War Department to establish some regulations in regard to the liability for loss of property.

Mr. LODGE. The War Department has done it. This all comes through the War Department. The War Department has to give its approval, and the Navy Department has to give its approval, to these claims. They all come through the regular processes. It is two or three clerks in the Treasury who do it.

Mr. KING. If the War Department has promulgated reasonable regulations respecting liability and the proof required, that answers the criticism which I made.

Mr. WARREN. Mr. President, the Senator can rest content that that is true. We have had these claims heretofore, and I know, from the observance of those that have come, that all of them were presented as claims and have been gone over carefully by a board of survey, and they decide not only the justice of the claim but as to whether those things were reasonably necessary for them to have with them at the time.

Mr. CHAMBERLAIN. Mr. President, may I call the Senator's attention to the act of July 9, 1918? It is to be found at page 880 of the Acts of 1918, in chapter 6 of that act, which was an appropriation act. It sets out the law in its entirety and authorizes the payment of these claims, and only the rulings of the auditors defeat the payments.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PAY OF ARMY, NAVY, MARINE CORPS, ETC.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 3383.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3383) to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, and Public Health Service.

Mr. WADSWORTH. May I ask if the amendment offered by the Senator from Washington [Mr. POINDEXTER] is the pending amendment?

The VICE PRESIDENT. It is.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Gronna	Myers	Reed
Bankhead	Harris	Nelson	Sheppard
Borah	Harrison	New	Sherman
Brandegee	Henderson	Norris	Smoot
Calder	Johnson, S. Dak.	Nugent	Sterling
Capper	Jones, Wash.	Overman	Sutherland
Chamberlain	Kellogg	Page	Townsend
Curtis	King	Phelan	Wadsworth
Dillingham	Lodge	Phipps	Warren
Fernald	McKellar	Pittman	Williams
Frelinghuysen	McNary	Pomerene	

Mr. CURTIS. I have been requested to announce that the Senator from Iowa [Mr. KENYON], the Senator from New Jersey [Mr. EDGE], and the Senator from Louisiana [Mr. GAY] are detained on business of the Senate.

The Senator from Maryland [Mr. FRANCE] is absent on account of illness, and the Senator from New Hampshire [Mr. KEYES] is absent on account of illness in his family.

Mr. HARRISON. I wish to announce that the Senator from Virginia [Mr. SWANSON] is detained by illness in his family.

The Senator from Florida [Mr. TRAMMELL], the Senator from Colorado [Mr. THOMAS], the Senator from Arkansas [Mr. KIRBY], the senior Senator from South Carolina [Mr. SMITH], and the junior Senator from South Carolina [Mr. DIAL] are absent on account of illness.

The Senator from Delaware [Mr. WOLCOTT], the Senator from Arkansas [Mr. ROBINSON], the Senator from Maryland [Mr. SMITH], and the Senator from Massachusetts [Mr. WALSH] are detained on public business.

Mr. OVERMAN. I wish to announce that my colleague [Mr. SIMMONS] is unavoidably absent. He has a general pair with the Senator from Minnesota [Mr. KELLOGG]. I ask that this announcement may stand for the day.

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness. I ask that this announcement may stand for the day.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Forty-three Senators having answered to their names, a quorum is not present. The Secretary will call the names of the absentees.

The names of the absent Senators were called, and Mr. RANSDELL answered to his name.

Mr. WATSON entered the Chamber and answered to his name.

The PRESIDING OFFICER. Forty-five Senators have answered to their names. There is not a quorum present.

Mr. WADSWORTH. I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. ELKINS, Mr. MOSES, and Mr. CULBERSON entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-eight Senators have answered to their names. A quorum is present.

Mr. WADSWORTH. I ask that the amendment offered by the Senator from Washington [Mr. POINDEXTER] may be read.

The PRESIDING OFFICER. The Secretary will read the amendment.

The READING CLERK. It is proposed to add a new section in the bill, to be known as section 5, and to read as follows:

That in lieu of compensation now prescribed by law, commissioned officers of the Coast and Geodetic Survey shall receive the same pay and allowances as are now or may hereafter be prescribed for officers of the Navy with whom they hold relative rank as prescribed in the act of May 22, 1917, entitled "An act to temporarily increase the commissioned and warrant and enlisted strength of the Navy and Marine Corps, and for other purposes," including longevity, which shall be based on the total service in the Coast and Geodetic Survey and Army and Navy; and all laws relating to the retirement of commissioned officers of the Navy shall hereafter apply to commissioned officers of the Coast and Geodetic Survey.

Mr. HARRISON. Mr. President, I desire to propound a parliamentary inquiry. Is the amendment divisible? There are some of us who would like very much to vote for the part of the amendment providing for increased pay, but who do not favor the part of the amendment touching retirement. I was wondering if the question could not be divided so that a separate vote could be taken upon those two proposals.

The PRESIDING OFFICER. The Chair rules that the amendment is divisible.

Mr. HARRISON. Then I ask that the vote be first taken on the proposition relative to increased pay.

The PRESIDING OFFICER. The Secretary will read the first part of the amendment, so that the question may be clearly before the Senate.

The reading clerk read as follows:

That in lieu of compensation now prescribed by law, commissioned officers of the Coast and Geodetic Survey shall receive the same pay and allowances as are now or may hereafter be prescribed for officers of the Navy with whom they hold relative rank as prescribed in the act of May 22, 1917, entitled "An act to temporarily increase the commissioned and warrant and enlisted strength of the Navy and Marine Corps, and for other purposes," including longevity, which shall be based on the total service in the Coast and Geodetic Survey and Army and Navy—

Mr. POMERENE. I desire to ask the Senator in charge of the bill a question. What ranks have been conferred upon the members of the Coast and Geodetic Survey and what will be the pay?

Mr. WADSWORTH. There have been conferred on them the assimilated ranks from ensign to captain in the Navy or from second lieutenant to colonel in the Army. That is already a matter of law.

Mr. POMERENE. I have, in times past, looked into this matter, and I am very frank to say that in my judgment this increase in pay ought to be allowed.

Mr. WADSWORTH. They are really in desperate situation; they are the worst off of all.

Mr. POMERENE. I think so.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the second branch of the amendment.

The Reading Clerk read as follows:

and all laws relating to the retirement of commissioned officers of the Navy shall hereafter apply to commissioned officers of the Coast and Geodetic Survey.

Mr. WADSWORTH. Mr. President, I have just a word to say in explanation of that amendment. As the Senate knows, the Senator from Washington [Mr. POINDEXTER] presented this amendment several days ago, but he is to-day absent. I had not studied the amendment very much at the time it was presented, but since then I have had more information given to me about the particular point involved as well as the point in connection with the pay of these officers.

It should be remembered that these officers are appointed on the nomination of the President and confirmation of the Senate. In that respect they hold the same status as do officers of the Army or the Navy or the Marine Corps or the Coast Guard or the Public Health Service. Their duties are continuous; and I venture to say that they spend a greater part of their time at sea than do naval officers. When war breaks out they may be assigned, at the discretion of the President, either to service with the Navy in the assimilated rank or with the Army in the assimilated rank. That was done during the recent war. Some of these officers commanded our troop transports in the Navy; others worked with the Army, and were largely instrumental in making the maps for the use of Gen. Pershing's army in France. As a matter of fact most of the mapping which was done for the launching of the great St. Mihiel offensive was done by the Coast and Geodetic Survey officers who were serving with the Army in their appropriate grades.

There are only 140 of them. The ranking officers holding the grade corresponding to the rank of captain in the Navy or of colonel in the Army are about 12 in number. To-day they are all over 70 years of ago, and one is, I think, as old as 78. It is perfectly apparent that their efficiency is on the decline, if it has not already largely disappeared. There is no provision whatever for retiring them. If this retirement provision is inserted in the bill, the burden on the Treasury annually will be in the neighborhood of $12,000; that is all. If the retirement provision is not inserted in the bill or is not enacted by some other bill, these officers, who are potentially military or naval officers, will be the only ones of their class in the Government who are not entitled to the retirement privilege.

The Chief of the Coast and Geodetic Survey tells me—and, incidentally, he is not affected by the amendment, for the bill is so drawn that it does not cover the chief; he is left just where he is to-day—that partly as the result of the advanced age of the commanding officers of the Coast and Geodetic Survey it has been impossible to keep the ships of the Coast and Geodetic Survey in constant active service.

Contributing to that situation is also the fact that 25 per cent of their commissioned personnel has resigned because the pay is so low. It starts at only $1,000 a year. It is an absurd situation; and the chief of that service contends—and I have a good deal of faith in what he says—that if the retirement privilege is extended to Coast and Geodetic officers, just as it is extended to naval officers, the men who have reached an advanced age can be placed upon the retired list and their places be taken by younger men who come in at the bottom, with the result that the whole service will be kept efficient and will be working 100 per cent instead of, as during the past year, at a very decreased rate of efficiency.

I have no interest whatever in this matter. It is relatively small as compared with the remainder of the bill, and I leave it to the Senate, of course, to decide, and it will decide as it sees fit.

Mr. HARRISON. May I ask the Senator from New York a question?

Mr. WADSWORTH. Certainly.

Mr. HARRISON. The Senator stated that there are 140 officers in this service?

Mr. WADSWORTH. There are 140; they are limited by law.

Mr. HARRISON. Yes. How many are now above the retirement age?

Mr. WADSWORTH. Twelve.

Mr. HARRISON. Twelve in all?

Mr. WADSWORTH. Yes; and they average over 70 years of age.

Mr. HARRISON. Are there many of them who are approaching retirement age; and if so, how many, if the Senator knows?

Mr. WADSWORTH. I can not say; but I assume there are a number. Of course, the average age of the service is going to get higher and higher unless we provide for retirement; in other words, it will become superannuated unless we invent some way of retiring them and getting them out of active service. That is the trouble with the service to-day.

The PRESIDING OFFICER. The question is on the second branch of the amendment.

The amendment was agreed to.

Mr. TOWNSEND. Mr. President, may I ask the Senator from New York a question?

Mr. WADSWORTH. Certainly.

Mr. TOWNSEND. Has the amendment proposed by the Senator from Rhode Island [Mr. GERRY] in regard to the Coast Guard been adopted?

Mr. WADSWORTH. It has been adopted.

LETTER OF LORD GREY—LEAGUE OF NATIONS.

Mr. REED. Mr. President, I desire to give a little attention to an article by Lord Grey which was printed in the press of the country generally on yesterday morning.

The PRESIDING OFFICER. Will the Senator permit the Chair to state that the article was ordered incorporated in the RECORD at the request of the Senator from Massachusetts [Mr. LODGE]?

Mr. REED. I have not yet asked that it be printed, and, inasmuch as it has been ordered printed in the RECORD, I will not ask that it be incorporated in the RECORD again.

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ball	Harding	McNary	Sheppard
Beckham	Harris	Myers	Smoot
Borah	Harrison	Nelson	Sutherland
Brandegee	Henderson	New	Townsend
Capper	Jones, N. Mex.	Norris	Underwood
Chamberlain	Jones, Wash.	Nugent	Wadsworth
Culberson	Kellogg	Overman	Warren
Curtis	King	Page	Watson
Dillingham	Lodge	Pomerene	
Elkins	McCumber	Ransdell	
Gerry	McKellar	Reed	

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absent Senators.

The Assistant Secretary called the names of the absent Senators, and Mr. CALDER, Mr. GORE, Mr. GRONNA, Mr. LENROOT, Mr. MOSES, and Mr. STANLEY answered to their names when called.

Mr. FRELINGHUYSEN and Mr. PITTMAN entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators having answered to their names, a quorum is present.

Mr. REED. Mr. President, I desire to give some brief attention to the letter of Lord Grey which was printed generally throughout the press of this country and of Europe on yesterday. I understand that the full text of the letter has already been placed in the RECORD.

I regard this letter as of very great importance, for reasons that I shall state as I proceed. But, Mr. President, one thing, I believe, ought to be said as a preliminary, and that is that the letter discloses the fact that many Senators have been insisting upon a surrender of American rights which even enlightened British opinion does not demand or justify. I, of course, do not impugn the motives of any of my colleagues. Throughout this long discussion I have not uttered a word intentionally to reflect upon their patriotism or their thorough Americanism. This course I have pursued notwithstanding the fact that the President himself, in some public statements, and Members of the Senate, by statements made upon this floor, have practically accused those who have insisted upon resisting the passage or upon changing the terms of the so-called League of Nations covenant of being "pro-German" or of "acting in the interests of Germany" or of "doing things to please Germany"—very remarkable statements ever to have been made in view of the fact that there is not a single German statesman of prominence who has not been from the first clamoring for the adoption of the League of Nations.

I only call attention to the circumstances in passing because I think that in the future discussion of this covenant foul insinuations against the patriotism of American Senators and foul attacks upon the character of men who have not seen fit to accept this document as it was originally handed to us ought now to cease. But I repeat that the most singular situation ever developed in a great representative body is to find Members of that body insisting upon yielding more of the rights of their country than the other countries of the world demand.

There is another lesson to be taken from this letter. It is that many statements of importance made by the critics of the league, which have on the floor of the Senate and elsewhere been denied, disputed, and almost damned, are now clearly proven to be correct by the declaration of Lord Grey. I do not harshly criticize my colleagues for this, because I can not forget that they had a very high authority for many of their assertions. But as the days have run along has it not become so plain that the wayfaring man, though a fool, could not fail to see that discussion has disclosed this instrument to be full of error and crowded with manifest dangers to the Republic?

When the league constitution was originally handed to us we were told that it was a perfect instrument. I will take the time to read the statement of the President. It will be remembered that before he brought to the country the text of the original document word was sent to the Congress that discussion ought not to take place until he had arrived and had explained the document.

It was because of that request that the chairman of the Foreign Relations Committee refrained from any discussion on his part, although there was some on the floor of the Senate. When the President called before him the members of the Foreign Relations Committee to disclose his views regarding this document he said "each article was passed only after the most careful examination by each member of the committee, and that there was good and sufficient reason for the phraseology and substance of each article."

The document was presented to us as an instrument which, like the laws of the Medes and Persians, could not be altered—with this distinction, that the Medes and Persians refused to alter their laws after they had been passed, while in this instance we were forbidden to alter the document before it was passed. It was handed to us in a manner that reminded me of almost the closing words of Revelation:

> And if any man shall take away from the words of the book of this prophecy, God shall take away his part out of the book of life.

The moment a single voice was raised in this country venturing to call attention to a defect in the league, the possessor of that voice was challenged almost as a traitor to his country and to mankind. Public meetings were held to denounce all who dared to say there was upon the sacred instrument the least spot or blemish. The demand was for the immediate passage without change. Those who dared venture to challenge the instrument in any respect were spoken of as narrow-headed. I remember that our distinguished friend, Mr. Taft, the syndicated patriot of America, was particularly severe in his comments. He denounced everybody who questioned the infallibility of the scheme. "We must accept it at once." "We must accept it without debate." He accused some of ignorance, some were controlled by improper motives, and so forth. Mr. Taft is only one of that type of reformers who have so well made themselves the voice of the great financial interests and international bankers who have been putting up the money for the propaganda in favor of the acceptance of the league.

Women's clubs were called together, and called together by Mr. Taft's organization, or at its instance, to pass resolutions in favor of the immediate acceptance of this document. Civic societies were called upon to pass resolutions denunciatory of all who said there was anything the matter with the league. Paid agents were employed or sent into every State of the Union and into almost every county of every State. In Missouri they opened headquarters and organized an expensive bureau. So it was elsewhere. And yet, sir, before the discussion had been 20 days old errors had been disclosed in the instrument of so grave a character that its authors were compelled by their acts, if not by words, to admit the fact.

We called attention to the fact that the Monroe doctrine was nowhere mentioned, and we pointed out the broad language of the instrument, which undertook a general world jurisdiction, and which necessarily would absorb the Monroe doctrine and destroy it.

Our arguments were denounced as almost imbecilic. We were told that the Monroe doctrine had "been extended to all the world." The statement, of course, could not bear the test of

argument. Accordingly those who brought the instrument to us and told us we must accept it without change themselves went back to Versailles and there confessed that we were right and they were wrong by writing into the instrument a new section, known as article 21, and which I read:

Nothing in this covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.

It was, I repeat, an absolute confession that the immaculate document, which we were denounced for not accepting without dotting an "i" or crossing a "t," was defective. It was an admission that the Monroe doctrine had been granted away.

In this connection I call attention to the fact that the Monroe doctrine is not now saved by the amendment. Why this amendment was drawn in the equivocal language I just read it is impossible for me to say, but if it had been drawn by a smart lawyer on the other side of the table from me I would have said that he intended to mislead me by pretending to do something without actually doing it.

The English view upon this question, set forth in the official Government document, the White Paper, ought to be enough to convince the Senate that the amended treaty does not save the Monroe doctrine. I shall present it in a moment, but first a word of comment.

The Monroe doctrine was an American doctrine. It was a doctrine of self-defense. It was a doctrine which the United States proclaimed and always construed for itself. When only a few years ago, in a controversy with Venezuela, Lord Salisbury asserted that the Monroe doctrine was not international law, he expressed the fixed views of the British Government and of other European powers. When Grover Cleveland said that "it was an American doctrine, governing on this side of the ocean, and that the United States would not only assert it but construe it for itself," Grover Cleveland spoke the American doctrine. Whenever we yield to any foreign tribunal the right to construe that doctrine, we yield the doctrine. There is not a single foreign nation that would not denounce it the moment that nation's interests were concerned. That the purpose of the British Government at this hour is to take from the United States the right to construe the doctrine is shown by the text of the British White Paper. It reads:

The origin of the Monroe doctrine is well known. It was proclaimed in 1823 to prevent America becoming a theater for the intrigues of European absolutism. At first a principle of American foreign policy, it has become an international understanding, and it is not illegitimate for the people of the United States to ask that the covenant should recognize this fact. In its essence it is consistent with the spirit of the covenant, and indeed the principles of the league, as expressed in article 10, represent the extension to the whole world of the principles of the Monroe doctrine; while should any dispute as to the meaning of the latter (the Monroe doctrine) ever arise between American and European powers, the league is there to settle it.

In other words, the British Empire still insists that it has not recognized the Monroe doctrine as international law. It insists that the Monroe doctrine is nothing but "a regional understanding." That was substantially the position taken by Lord Salisbury in the Venezuela controversy. But, above all, the Empire insists that should any dispute ever arise regarding the meaning or the application of the Monroe doctrine the League of Nations has jurisdiction to decide that controversy.

That is to say, this American doctrine is to be construed and applied by a tribunal of seven foreigners, seven aliens, with the right of the United States barred from sitting or casting a vote. Mark you, when a controversy arises over the Monroe doctrine the United States must be a party to that controversy, and by the express provisions of the league no party to a controversy can sit in the controversy. Accordingly, the United States and the nation raising the question would each be barred from sitting. There would remain to decide the question seven of the nine members of the league council, each being an alien to the United States.

Thus the doctrine of James Monroe, the American doctrine, sanctified by time, by the great name of its author and the commendation of the great men of American history, would go for its ultimate construction to a tribunal every member of which despises the Monroe doctrine, every member of which represents a nation that has denied the very existence of the Monroe doctrine, and every member of which even now in the league covenant refuses to acknowledge it as international law or to recognize it as anything but "a regional understanding."

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER (Mr. FERNALD in the chair). Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. REED. Certainly.

Mr. BRANDEGEE. I wish to call to the Senator's attention also that it must be such a regional understanding as makes for peace.

Mr. REED. Oh, yes.

Mr. BRANDEGEE. In other words, if the assertion of the Monroe doctrine at any time involves the exercise of force on our part to prevent its violation, it would not be excepted from the league under this amendment.

Mr. REED. That is absolutely correct, and I thank the Senator for the suggestion.

Permit me to say a word in regard to that. Does that not leave us without any Monroe doctrine at all? A doctrine which you can not enforce is no doctrine. It does not amount to as much as the prayers and remonstrances of the Chinamen did while they stood outside the door of the Versailles peace convention asking for their rights with Japan inside rattling her sword. It does not amount to as much as the supplications and tears of the Egyptian representatives who clamored for the right of self-determination and were thrown in jail for coming to present their humble petition.

Again, Mr. President, when the original document was presented we called attention to the fact that there was a way for a nation to get in and no way for it to get out. On the floor of the Senate in many statements we were criticized and lampooned for making that argument. Throughout the country the Taft circus went upon its tour, and everywhere it appeared all its leading performers, from clown to ringmaster, rang the changes upon the absurdity of anyone claiming that a nation could not withdraw at will and without a moment's notice. Notwithstanding the alleged foolishness of the criticism, it was, in fact, so unanswerable that when the new covenant came back it for the first time contained this language:

Any member of the league may, after two years' notice of its intention so to do, withdraw from the league, provided that all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of its withdrawal.

The insertion of the new language was an absolute admission that there was no method of withdrawal provided in the original document. It was an admission of record that the critics had been right. But, like the clause in relation to the Monroe doctrine, the new language did not save the situation; indeed, in some respects it made matters worse. The new language leaves it in the power of somebody to decide whether a nation "has fulfilled all its international obligations and its obligations under the league." Clearly that can not be the nation at interest, for the nation at interest is barred from even sitting in a controversy where it is a party. Besides, if a nation at interest could decide it for itself, then any and all nations could withdraw, regardless of whether they had fulfilled their obligations or not, by simply asserting that they had done so.

It must be plain to every candid man, therefore, that the right of withdrawal is to be decided by the council or the assembly of the League of Nations. When a question of such character is submitted to either body, there must obtain a unanimous vote. Accordingly, one single nation, by casting an adverse vote, could keep us in the league by claiming that we have not fulfilled all our international obligations.

Besides, a fixed term is now specified, so that, no matter what the emergency, how grave the crisis, how imminent the danger, the United States will be compelled to remain for two years, although by so doing she may jeopardize her most sacred interests.

Again, the critics of this inspired document ventured to call attention to the fact that the United States might be bound in many matters by a mere majority vote. We followed that by a rather clear demonstration, I think, that Great Britain could in almost every instance control that majority. We were denounced upon the floor of the Senate and denounced throughout the country everywhere the Taft circus pitched its tent for having made a groundless attack. We were told that "a unanimous vote was necessary," although there was not a single line in the instrument to indicate the requirement of a unanimous vote upon questions generally.

But behold, after all that denunciation had taken place, after the mind of the country had been poisoned with the thought that a useless and groundless criticism was being made, we found that when the new instrument was presented to us it contained another admission of record that we had been right when we contended that a majority vote would bind. The new instrument wrote in the thing that it had been claimed on the floor of the Senate was in there all the time. We find article 5 with this new language:

Except where otherwise expressly provided in this covenant, or by the terms of this treaty, decisions at any meeting of the assembly or of the council shall require the agreement of all the members of the league represented at the meeting.

On all matters of procedure the vote may be by a majority vote, and so forth. Thus again the framers of the covenant admitted by action that the criticism was sound.

Mr. President, although these changes to which I have called attention—changes of the most vital and important character—were made because of the criticism, I have never heard anybody whose broad and expansive brow had been enlightened by the "narrow heads" admit that he had been mistaken. On the contrary, the abuse of the critics went on just as it had gone on before.

A large number of other changes of the most important character were made in the second document presented to us, but I do not intend to take the time to go through them.

Mr. President, around one question a great deal of debate has raged. I refer to the six votes granted to the British Empire. Let me very briefly review the history of that matter.

For a long time it was claimed in the Senate and claimed by Mr. Taft's organization throughout the country, by every syndicated lecturer, by every syndicated writer, and by every syndicated teacher that it was an absurd thing to claim that the colonies of the British Empire had a right to vote in the League of Nations. Men were denounced here upon the floor and denounced throughout the country for even daring to claim that the British colonies could vote. Long arguments had to be made in order to demonstrate from the text of the instrument that the colonies were asserting the right of full membership.

The President stated as late as September 15 last in his speech at Spokane, Wash.:

There is another matter—I have forgotten who it was that said it, but I would not mention his name if I remembered it [laughter]—that this covenant was an arrangement for the dominance of Great Britain. They base that upon the fact that in the assembly of the council six units of the British Empire are represented, whereas the United States is represented as only one unit. Alike in the assembly and the council, the vote of the United States is an absolute veto. We can always veto, always offset, with one vote the British six votes. I must say that I look with perfect philosophy upon the difference in number.

Again, in speaking at Denver, Colo., he said:

It is in the assembly that the combined representation of the several members of the British Empire are assigned six votes, and you are constantly being told that Great Britain has six votes and we have one. I want you to appreciate the full significance of that. They have six votes in the assembly, and the assembly does not vote. So that bubble is exploded. * * *

The President entirely overlooked the fact that the United States does not have a veto vote in any controversy in which she is concerned. If her life is at stake, she does not have a vote. She does not, when her case is being considered, sit on either council or assembly. But the most remarkable statement is that the British colonies "only vote in the assembly" and that "the assembly does not vote." I call attention to the statement; it furnishes its own comment.

Again, at Salt Lake City on September 23 the President said:

It sticks in the craw of a great many persons that in the constitution of the League of Nations, as it is said, Great Britain has been given six votes and the United States only one. Well, now, that would be very interesting if true, but it does not happen to be true; that is to say, it is not true in this sense, that the one American vote counts as much as the British six. In the first place, they have not got six votes in the council of the league, which is the only body that originates action—

That is a grave mistake—

but in the assembly of the league, which is the debating and not the voting body. And every time the assembly participates in any active resolution of the league that resolution must be concurred in by all the nations represented on the council, which makes the affirmative vote of the United States in every instance necessary. The six votes of the British Empire can not do anything to which the United States does not consent.

A few moments later he said:

I have frequently said, I think, it is very much more important to be one and count six than to be six and count six.

Mr. President, the language I have read does not leave it open to discussion whether or not statements were made that the six votes of the British Empire did not count or whether the statement was made that the six votes of the British Empire could always be offset by the single vote of the United States. The President ignored the fact that the United States does not vote where it is a party at interest.

But, Mr. President, the statement the President made was not alone uttered by him. On the floor of the Senate, after long debate, the distinguished Senator from Oklahoma [Mr. OWEN] had this to say:

Where is the danger of dominance by England, the Catholic Church, or the colored races when no action can be taken except by unanimous consent?

I again call attention, because attention can not be too often called, to the fact that in no case does the United States vote where the United States is a party. It is when the United States is a party that her great and overmastering interests are at stake. It is just when we need to employ the alleged "veto power" discussed by the President that we do not have it at all. But Great Britain can nevertheless cast her six votes.

Again, the Senator from Oklahoma said:

Great stress has been laid upon the number of votes given to Great Britain as in the cases of Australia, South Africa, New Zealand, Canada, and India, while only one is given to the United States.

The answer to this is that since a unanimous decision is required it is not of the slightest importance; and, second, that in so far as mere votes are concerned, the United States has a number of small nations whose support could be relied upon—

Then he cites Cuba and Haiti, and such countries as that as the backers of the United States. But he continues—

but there is nothing in the argument, one way or the other. The argument is specious; it is fallacious; it is misleading and unworthy of being presented to the American Senate. A few votes are of no importance where all must agree.

And the distinguished Senator from North Dakota [Mr. MCCUMBER] had this to say:

But it is complained that in this League of Nations Great Britain has a voting power far superior to our own, because some of her self-governing colonies are allowed a vote, not in the council, which will undoubtedly settle all of the great international questions, but in the assembly, to which some international question might by some possibility be referred.

I desire to interpolate that the plain language of the instrument is that every controversy can be sent to the assembly; that is, every dispute between nations. The plain language of the instrument also is that the assembly has jurisdiction over all matters which may disturb the peace of the world. But the Senator continues:

Let us first consider the fairness or unfairness of such a declaration. I have never heard, either on the floor of the Senate or in any of the addresses which have been made in opposition to this league outside of the Senate, a full, fair statement of its provisions relating to this subject. None of these opponents have told their audiences that in the council the British Empire has, in fact, but one vote.

A little later the Senator said:

In the council Canada has no vote, Australia no vote, New Zealand has no vote, and none of those can become a member of the council without the consent of the United States.

But, answer the opponents of a League of Nations—and especially those opponents who wish to incite a hyphenated American opposition—the disputes may be removed to the assembly where each member of the league, including colonies, would have a vote. But that would never be done unless we ourselves should desire it.

Why "unless we ourselves should desire it"? Our opponents can remove it, whether we desire it or do not desire it. But the Senator continues:

First, because it would require a unanimous vote for removal.

Why, Mr. President, a dispute may be removed as of right by the mere filing of a notice. No vote is taken; it is an absolute and unqualified right. All that is necessary is to file a paper asking for the removal of the controversy. So the Senator proceeded at length to argue that it made no difference whether Great Britain had six votes and we had one.

The distinguished Senator from Virginia [Mr. SWANSON] made a very long and interesting speech.

The Senator declares:

Much opposition has been urged against the league because a great Nation like the United States has only one vote in the assembly, and small nations, like Siam and Liberia, each has a full vote, and also because Great Britain has one vote and her five self-governing colonies a vote each. But what difference does the number of votes make when on all important matters the action of the assembly must be unanimous or have the unanimous concurrence of the council, upon which the United States is permanently represented? Thus in all matters of importance before the assembly, except in cases where she is a party to the dispute, the United States will possess a veto power, and a decision can only be reached by her concurrence. Thus the question of the number of votes in the assembly held by different groups is not vital.

So this Senator held, in a long speech and a labored argument, that the United States was at no disadvantage because of the six votes of the British Empire; that, in fact, our one vote was always as good as their six votes.

Mr. President, I might quote from a very large number of Senators on this side of the Chamber who have argued the same thing, but I am content now to close my quotations with one further—that of the distinguished leader upon the floor in these debates for the league. Not once but many times has he urged the same thing which he stated on this occasion, and which I am about to read.

On October 27, 1919, the Senator from Nebraska [Mr. HITCHCOCK] said—I am reading from page 7550 of the RECORD of that date:

Mr. President, I am unable to understand why it is that Senators view the membership of these self-governing dominions of the British Empire with so much misgiving and so much opposition. Senators have stood here upon the floor and declared that Great Britain had six votes. They have stood here and declared that the British Empire had six votes. It is not possible that intelligent people should believe either statement. Great Britain is not a member of the league. The British Empire is specifically given one vote for the council and one vote for the assembly.

To say that the British Empire has six votes is to say that the fight which Canada, Australia, New Zealand, and the Union of South Africa have made for independent recognition and independent representation in the assembly is a farce. Each has secured a vote for itself because it is not willing to be represented by the Empire.

And so this Senator argued, taking a little different "shoot" from the rest, that these colonies would not vote with the mother country; that they were going to vote with us or for themselves; but all have stood upon the ground that six votes to the British Empire was not a menace. Accordingly, the battle raged for the purpose of showing that as a matter of fact these votes did count; that this representation was a representation that benefited Great Britain.

The first thing that had any tendency to silence the advocates of the doctrine that the membership of the colonies is immaterial is the reading into the RECORD—I believe by myself, but that is unimportant—the letter that was sent by Clemenceau, Woodrow Wilson, and Lloyd-George to the Canadian premier, the substance of which was that Sir Robert Borden was right in his contention that the dominions were full members of the league, eligible to sit on the council. That letter has already been read. I ask, however, to insert it at this point because I do not want to take the time of the Senate to read it again.

The PRESIDING OFFICER. In the absence of objection, it is so ordered.

The matter referred to is as follows:

The question having been raised as to the meaning of article 4 of the League of Nations covenant, we have been requested by Sir Robert Borden to state whether we concur in his view that upon the true construction of the first and second paragraphs of that article representatives of the self-governing dominions of the British Empire may be selected or named as members of the council. We have no hesitation in expressing our entire concurrence in this view. If there were any doubt, it would be entirely removed by the fact that the articles are not subject to a narrow or technical construction.

(Signed) G. CLEMENCEAU.
WOODROW WILSON.
D. LLOYD-GEORGE.

Dated at Quai D'Orsay, Paris, the 6th day of May, 1919.

Mr. REED. Mr. President, many of these claims that the British six votes did not count, or that they were immaterial, or that the British colonies could not vote at all, were made upon the floor of the Senate long after British statesmen had told the world to the contrary. We were presented with the astonishing spectacle of Members of the Senate arguing, not in favor of preserving American rights and American equality, but of insisting upon a construction favorable to England, which would give England six votes to our one. Among the statements that were put forth, I desire to call attention to one made by Lloyd-George on December 28 or 29 in the London Times that—

With regard to the British Empire, each part of it was independent, but each came voluntarily to the assistance of the motherland. They had all suffered very heavily and fought gallantly. Australia had lost as many men as the United States, and it was only right that they should have votes in the League of Nations. Those votes would not, however, be used on any question which would arise between this country and the United States.

Mr. President, the last statement is open to question. For the moment I merely remark that under the plain language of the league covenant the British colonies can vote in every controversy where the British Empire is a party or where any one of the colonies is a party.

Notwithstanding this statement of Lloyd-George, Senators still asserted that the rights of these British colonies were inconsequential and that their votes would not count.

The construction of these Senators evidently aroused the sporting blood of Mr. Gardiner, the editor, or recently the editor, of one of the most powerful British papers—the London Daily News.

Without stopping to read the entire article, I insert it for the second time in the RECORD. I do so because I want the country to know that the Senate had notice from a British source that those who have contended for jamming this league down the throats of the Senate and the throats of the country, disregarding all protests and all warnings, did so with knowledge that British statesmen and British publicists were admitting to the world the truth that the covenant gave Great Britain six votes, which could be cast when the Empire was a party, and that we were entitled to have the inequality wiped out.

The PRESIDING OFFICER. Without objection, the article will be printed in the RECORD.

The matter referred to is as follows:

"Great Britain doesn't want any loaded dice; the British Empire is a unit, one and indivisible."

Admitting that the present draft of the League of Nations covenant gave the Empire a preponderance of votes in the assembly, A. G. Gardiner, editor of the London Daily News, advocated to-day an amendment, stipulating expressly that when one section of the British Empire is involved in a matter all other sections be prevented from voting.

"If asked to accept such an amendment, I am sure the British people willingly would do so," Gardiner said.

"The spirit of the covenant certainly contemplates the British Empire as a unit. But it fails to specify this, probably because the omission never came to the attention of the peace conferees. Now that the issue has been raised, however, it will not be difficult to make the wording conform to the spirit and to eliminate America's cause for fear. Perhaps the wording could be changed without resubmitting the covenant to the nations concerned if Great Britain, as the interested party, would request the change.

"Although the intention of the conferees obviously was not to give the British Empire more votes than the United States, the text of the covenant justifies Senator REED'S assertion. He believes that in case of a dispute between the United States and one section of the Empire, the other sections would be sitting in judgment on the matter. Personally, I think it is debatable how much the scales would be loaded. It is conceivable that Canada's or South Africa's interests might be opposed to those of the Empire, or even allied with America's. But I readily understand the American concern in the matter and recognize it as a real objection which should be met. Perhaps the best way would be to insert a ruling in the covenant specifically covering this exigency."

Mr. REED. And now, sir, comes the letter of Lord Grey. As I read it I want those Senators who voted against the Johnson resolution, proposing an equality of votes for the United States, to consider these words from this British statesman, from the man who sits in this matter "upon the other side of the table," and who lives upon the other side of the ocean. I want them to answer how they will justify themselves to their own consciences for having refused to insist upon the United States having an equality of votes when this British statesman declares that we ought to have an equality of votes. I want the distinguished Senator from Rhode Island [Mr. COLT], who said that it would be impractical to write such a provision in the league, that it might jar with some other portions of that holy document, to consider the language I am about to read. I am wondering what has become of the old American pride and the old American common sense, when we have arrived at a condition where, in order to prove a case on the floor of the Senate, we must not only proceed by logic and argument but we must finally confound our opponents with the admissions of Great Britain's statesmen that they are ready to have an equality of voting, even if American Senators are prepared to concede them six to our one.

Mark you, now, there has been a claim made here, and made persistently over a period of months, not by one but by many men, that the British colonies will not be really members; that they are let in in some way, but have not anything to say; and, as the President put it, they are merely members of a debating society. Let me pause here long enough to say that if the council of the League of Nations is only a debating society, then 23 nations of the world are only permitted to talk while 9 other nations of the world constitute a great military autocracy to regulate them and to control them.

That is the situation wrought out in the holy name of world democracy.

But returning to my theme, is it true that these colonies come in as full members or not? Whatever else you may say of Lord Grey, he spoke in this instance with a clarity that does not leave any room for misunderstanding. I read:

The self-governing dominions are full members of the league. They will admit, and Great Britain can admit, no qualification whatever of that right.

That is what we have argued all along. That is what certain distinguished gentlemen have denounced us for arguing. You can not read that too often:

The self-governing dominions are full members of the league. They will admit, and Great Britain can admit, no qualification whatever of that right.

Then, of course, they are qualified to sit upon the council if elected. Then, of course, any one, two, three, four, or five of them may be elected to sit upon the council at the same time the mother country sits there as a permanent member, all of which was certified to by President Wilson and Clemenceau and Lloyd-George in the letter I have just put in the RECORD. So they do come in as full members without any qualification whatsoever.

Lord Grey continues:

Whatever the self-governing dominions may be in theory and in the letter of the constitution, they have in effect ceased to be colonies in the old sense of the word. They are free communities, independent as regards all their own affairs, and partners in those which concern the Empire at large.

But, Mr. President, regardless of that statement, I say that they are linked to the mother country not merely with hooks of steel but with something that is stronger than hooks of steel—by bonds of flesh and blood. There was not a part of the British Empire, there was not a city in England itself, nor a hamlet, the people of which with greater unanimity stood by the mother country than did the people of Canada, Australia, and New Zealand—aye, it would even seem South Africa.

Mr. President, Senators on this floor denounced some of us for asking an equality of vote on behalf of the United States. They also voted against a proposition giving the United States a vote equal to the vote of the British Empire and of the colonies. What says this British statesman in regard to that proposition?

> Our object is to maintain the status of the self-governing dominions, not to secure a greater British than American vote, and we have no objection in principle to an increase of the American vote.

I wonder what American Senator there is now who, in view of that statement, which apparently is almost an official declaration of the British Government, will vote against an amendment giving to America as many votes as the British Empire?

I wonder how many votes would be cast against the Johnson resolution to-day? If there are any more votes cast against it, I think we ought to introduce a resolution to create a vacancy or two in the Senate and install Lord Grey, who apparently on this question would represent America better than some men on this floor have been doing.

If ever I find that I have voted against giving to the United States a right equal to that given the British Empire and that the next day the Empire has declared that I ought to have voted for my country, I shall be ashamed to meet myself in the dark.

What do these gentlemen say now who have been going up and down the land denouncing everybody who said there was danger in the six votes; what do they say now who have gone over the land abusing everyone who said that the United States ought to have as many votes as the British Empire, now that the great spokesman of the British Empire says that the claim is just, that it is right, that it is fair, that they have no objection whatever to it in principle? It is a strange thing that we must go to British statesmen to learn what are American rights. It is a pitiable thing when the American Senate has to learn the lesson of American rights out of the mouth of a British diplomat.

I appeal to Senators to no longer allow their judgment to be clouded by the prejudices of partisanship, but to meet this occasion like men. Let us so act that in the future no English statesman will be called upon to make public statement of America's rights in order to induce a lot of American Senators to vote for a treaty amendment inserting those rights in the treaty.

Mr. President, the statement I have read needs only to conclude it a reference to Lord Grey's declaration that there are more English-speaking people in the United States than in the entire British Empire, and that, therefore, America's claim that she ought to stand as an equal and have as many votes as the Empire is a reasonable one. That is something that I think most Senators have overlooked. There are more English-speaking people in the United States than in the whole British Empire, and I think they are, man for man, quite as good. Of course, modern Anglo-Americanism compels me to desist at that point.

Mr. President, there is in Lord Grey's statement, and in some of the other statements, some important information as to why Lord Grey gave his pronunciamento to the world. It is plainly the effort of England to get us into this league, to coax us into the league; in a way, and by indirection, to take charge of the affairs of the Senate and tell us how to compose our differences. It is the last bit of evidence, and a very important piece of evidence, too, of the fact that Great Britain and France want us in this league on any terms whatsoever.

The statement was long ago made upon the floor of the Senate by the chairman of the Foreign Relations Committee that the Empire will accept the league with any amendments we may adopt. But, of course, that came from a partisan Republican source, and Democrats upon this side of the Chamber might disregard it. But, sir, every event that has transpired, down to and including the letter of Lord Grey, shows that it is true. We can write the document in any way we desire and they will glady accept it. I propose to devote a few moments of time to expressing my opinion as to why they will accept it, and I think I can follow by evidence so concrete as to place the case beyond dispute.

When this war closed, and our allies proceeded to divide up the world among themselves, they were content. I should perhaps say that Italy was disappointed because she did not get Fiume, but she gained enormously in territory. She obtained a position of commanding importance over portions of the Adriatic which she had not theretofore had and she will receive enormous indemnity.

France regained her lost Provinces and has taken possession for 15 years of all the trans-Rhine country. I have not the slightest doubt in my mind that if she maintains her position of power she will retain that country as a permanent part of her possessions. I do not believe there is a single Frenchman living who in his heart does not expect to hold that territory. France, in addition, acquired enormous dominion in Africa. She satisfied, as far as ambition could be satisfied out of the remaining raw material on the habitable earth, her ambitions for expansion.

Great Britain along with France took over all that was left of the entire continent of Africa. Substantially all, except a small portion held by Belgium, that vast continent, with its untold and undreamed of riches, came under the British flag to stay there perhaps forever. She took over Egypt in absolute violation of the pledges that had been given by Gladstone and other British statesmen. Eleven million protesting human beings are thus brought beneath British domination. She reached out her powerful arms and gathered in Persia. To-day she is more completely in control of Persia than she was of Egypt before the peace council assembled. By taking Persia she closed the Persian Gulf to Russia, a matter that had been in controversy between those two countries for nearly a century and which had been compromised between Russia and England shortly before the war began. Now the Persian Gulf comes under the British flag. She spread her net and gathered in all the islands of the sea south of the Equator, so that with her former possessions she commands the trade routes of the entire south Pacific.

Japan, through the narrow slits of her wicked eyes, gazed greedily at Shantung. She tore the heart out of China and gathered to herself 45,000,000 Chinese inhabitants who are to-day under the thraldom of Japanese military masters.

Then, sir, while our representatives sat at the peace table soundly asleep, as it seems to me, Japan demanded and received all of the Pacific islands north of the Equator which Germany had theretofore controlled. Thus she came into possession of a belt of islands lying between the Philippines and the coast of the United States, bringing her a thousand miles nearer the Hawaiian Islands than is the coast of the United States, and bringing her 2,000 miles nearer striking distance of our coast than she had ever been before.

These bases of supply, these harbors of refuge and ports of attack, give Japan command of the northern Pacific. In case of any war between Japan and the United States they enable her, first, to cut us off from the Philippines; second, to have points of vantage from which to assail and possibly take the Hawaiian Islands, where she already has an enormous population of loyal Japanese; and, third, if ever we are at war with her and our Navy should move to her attack, we must run the gauntlet of her sea fortresses from which she will come forth to strike our fleet.

These are the things our allies gained. There is nothing left of the world on yon side of the Atlantic; there is left scarcely an island of the sea. They have filled themselves to the full.

Now, they desire the United States in the league for three reasons: First, to bind us to an absolute consent to all of these acquisitions they have made; second, to bind us to defend them in their possessions forever; and, third, to bind us with our money and blood to guarantee their existing political independence and to guard their borders against attack. In the name of high heaven, why should they not want us in the league?

So we find an admission made by indirection of this very desire, and back of it, in part at least, are reflected the reasons for the desire. We find this in Lord Grey's letter:

> What, then, may be fairly expected from the United States in this great crisis of world policy? For crisis, indeed, it is. If the participation of the United States was enormously helpful in securing a victory in the critical months of 1918, its help will be even more essential to secure stability in peace. Without the United States present the League of Nations may become little better than a league of allies for armed self-defense against a revival of Prussian militarism or against the military sequel to bolshevism in Russia. Bolshevism is despotism, and despotisms have a tendency to become militarism, as the great French Revolution proved.
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> Without the United States it—the league—will have neither the overwhelming physical nor moral force behind it that it should have, or if it has physical force it will not have the same degree of moral force, for it will be predominantly a European and not a world organization, and it will be tainted with the interracial jealousies of Europe.

Mr. President, those are smooth words. That is the case stated at its best. Let us translate it into plain, blunt language. Without the armies of the United States and the money of the United States the league can not stand. Let us translate that again. The United States is to furnish the men and the money and the power to sustain the league. According to Lord Grey, conditions being very rotten in Europe we are bound to enter the league for Europe's benefit. We are invited to plunge into this broth of perdition for their benefit to guarantee them in the enormous gains—I will not say loot—they have recently taken.

Of course they want us in. The singular thing is that American Senators say, "Let us in; let us in on any terms. We will sign away the rights of our country," even though the case is so plain that British statesmen come forward and say that it is not fair or right that we should be asked to do the things we have been asked to do.

What has become of the old-fashioned Americanism of this country when Senators are eagerly crowding forward with the rights of their people in their hands saying, "Let us give them away." Instead they should say, "We will give only that which must be given."

If I had a lawyer representing me who was engaged in carrying on negotiations with another man, and he should make a proposition to that other man so unfair to me that the man himself would protest, I would discharge that lawyer. If I ever found myself, as a lawyer, making a proposition for my client that was so unfair to my client that the lawyer on the other side of the table said, "No; you ought not to do that; that is not fair to your client," I would quit practicing law. But here is Lord Grey, who tells the American Senate just that. Again, Lord Grey states:

With America outside the League of Nations the old order of things will be revived; old consequences will recur; there will again be some great catastrophe of war in which it will find itself compelled to intervene for the same reason and at no less or even greater cost than in 1917.

That contains two important statements: One is, as I have already said, that the condition over there is so rotten that war is liable to come out of it at any time. If that is true, do you want to bind your sons to enter all of those wars? If so, sign up article 10 and you will be in them without any question.

But Lord Grey undertakes to hold out to us the idea—if not the threat—that if we do not enter the league European wars will come, and that then we shall be dragged into them. Mr. President, they may come and we may be dragged into them; but the difference between the proposition I advance and that advanced by some other Senators is this: They propose to sign an absolute contract to-day that we shall get into those wars.

Mr. SMOOT. So that they will be able to drag us into them.

Mr. REED. Yes. I propose that we shall reserve to ourselves the right to decide, when the issue is presented, whether we ought to get in or ought to stay out. That is a very important distinction.

I have no desire to say a harsh word regarding Great Britain or any country by whose side we have fought; but I can not disregard the plain truth of history; that is, that nations look out for themselves. What has changed the nature of the nations that have been our associates? Did they look out for themselves in this war? Did they look out for themselves when the war was concluded? Did they look out for themselves when it came to taking all the spoils of war? Did they look out for themselves when they awarded us 2 per cent of the ships, an amount so small and so contemptible that our representatives refused to consider it? They said, "You have taken the carcass of the animal, its hide and tallow, and you might as well take the horns and hoofs." They did not say that in so many words, but that is what they meant. These nations have shown no other spirit but the spirit that is manifested by keen, shrewd peoples looking after their interests. So, Mr. President, rest assured that one of the prime causes of future European conflict will be found in the fact that France, Britain, and Japan will be sure to assert their claims very stoutly if they know that the moment war ensues the United States is obligated to come to their assistance with its armies and its navies.

Mr. President, I am getting a little tired of being warned from across the Atlantic and other places that the United States is going to be dragged into every other European war. That is an excuse for dragging us into the league. How do they know that we are going to be dragged into another European war? This country has existed for over 140 years; she was never dragged into a single European war except twice; in the first instance the War of 1812. That came through the aggression of Great Britain, and I do not think Great Britain will repeat the mistake. I hope she is too friendly to us to want to do so. I do not wish to discuss the question of our power and Great Britain's power matched against each other; but if Great Britain is inclined to make that mistake and do that thing again, then I do not want her for a partner, and I do not want to sign an agreement to help her fight her battles.

Will France drag us into a European war? If she should, then the blood of all the slain upon the fields of France would cry out against her, for so long as the memories of men live surely in the hearts of the French people there will be a fervor of love for America when they remember the fact that it was Yankee soldiers whose bodies and bravery stopped the onrushing Hun at the very gates of Paris.

Will Japan? Sir, Japan may. I say now I neither want Japan as an emeny outside the League of Nations nor as a partner inside the league. Who, then, will drag us into war? Will it be Germany? Why, Germany and Austria standing together were not able until the Russian front had been broken to overcome the armies of France and England. Austria has been dismembered.

There is nothing left of that ancient Empire except a small group of people so cut off from their natural supplies that it is now said by economists that they are doomed to starvation.

Need we fear Germany? Germany could not cross the sea to hurt this country even were she rehabilitated and with all her military force intact. How can Germany get across the ocean to attack us when our fleet is superior to hers, and should always be kept superior to hers?

But I have digressed a little from my theme. In 1812 we were dragged into a European war. In 1812 to 1914 there were 106 wars in Europe and Asia. Fifty of them were wars of importance; some five or six were tremendous struggles involving several nations, and one—the closing war of the Napoleonic career—brought a conflagration that swept all of Europe.

Yet in all that time the United States was not required to fire a single shot in one of those wars. If, however, we sign the League of Nations the moment a European war begins the United States is in the struggle. The President himself has so declared; he has said in so many words that "there will be no more neutrals"; that a war anywhere in the world will involve every nation in the world without any action on her part; war once begun we can no longer stand as neutrals.

Mr. President, the reason they want us in is perfectly apparent. It is apparent from what Lloyd-George said; and I also want to call attention to what some other Englishmen have said along this line. I shall read now from Mr. Bottomley, editor of John Bull, a paper with 2,500,000 circulation, an article he wrote in December. He comments upon and lampoons the United States, particularly the Senate, for not having accepted this British document. He goes on to say:

Now what does it all mean? Well, here again I propose to use the completest candor. Having got out of a World War cheaply, America proposes to get out of the peace cheaper. She will have nothing to do with the heavy political obligations undertaken by the delegates at Versailles, and nothing to do, if you please, with President Wilson's League of Nations.

Nothing to do with the heavy political obligations! We are to come in to underwrite the heavy political obligations! To whom are those political obligations due? They are due to France, they are due to England, they are due to Italy, they are due to Japan. These complaining gentlemen are the beneficiaries of the obligations. They are unwilling to collect the obligations due to themselves; they want the United States to come in and guarantee them.

Continuing, this gentleman stated:

The fact that this pinchbeck contraption—

That is, the League of Nations—

was patented in the United States, that the covenant bears in every line the imprint of Washington, does not prevent the Senate from rejecting the whole scheme with contumely.

And why? Simply because, under the terms of the treaty of Versailles, President Wilson, as the Chief Executive authority of the United States, has undertaken important international obligations which, as farseeing Yankee politicians realize, may make it more difficult for America to keep out of the next war than it was to keep out of the last.

Yes; some "farseeing Yankee politicians"—if that is the term this gentleman wants to apply—do realize that the League of Nations covenant "will make it more difficult for us to keep out of future European wars than at present"; and "farseeing Yankee politicians," if the gentleman likes that pleasant term, will insist that the United States shall not underwrite the obligations and guarantee the satisfaction of the cupidity and ambition of all the States of the world.

Continuing, Mr. Bottomley states:

If this treaty were ratified as it stands, the United States would abandon her position of "splendid isolation" and accept a definite share of responsibility for the defense of civilization and the future peace and order of the world.

So they want us in to guarantee the peace and order of the world! That is a fine phrase. It has been much used. Who has been disturbing the peace and order of the world?

Mr. Bottomley says, "Let us have plain speech." Then let us have it.

I voted for this war. I believed that German militarism was a menace. I did not vote for it because German militarism was a menace, however; I voted for it because Germany had offended against the rights of the United States, had sunk our commerce upon the seas, insulted our flag, and murdered our people. But what is the trouble in Europe? Did it spring up in the last few

days or years? Was it born with the Kaiser? Is it a thing that can be charged only to the German people?

Let us exercise our plain common sense and our knowledge of history. The great fundamental cause for trouble in Europe has been the overweening ambition of not one but several of the great powers. Away back yonder, France sought to impress her will upon almost all of Europe. Great Britain never has hesitated at every opportunity to extend her dominions. It may startle some of us to know that in the last fifty or sixty years her policy of imperialism has brought under the British flag a domain almost as large as the entire Empire of Rome.

When Great Britain began that policy, Italy followed her example. She began extending her authority in Africa. In making that extension she ran counter to Germany, and at one time only a few years back Germany and France were at the very edge of bloody war over the mere acquisition of African territory. Russia has wanted to reach warm water to satisfy her national ambition, and she has been blocked at every turn by other European powers. Even when the unspeakable Turk was conquered, and Russia about to obtain her way through the Dardanelles, British statesmanship and the statesmanship of other European countries has blocked Russia's very natural ambition. Germany began to extend her dominions. The rights of small peoples were disregarded. She sent her emissaries into every land. She began acquiring the islands of the ocean and placing her flag upon distant shores.

England became alarmed and annoyed at that. So greater armies were created, greater fleets were builded. The result of these national ambitions, these selfish schemes of aggrandizement has been to keep half the world on the very brink of the bloody chasm for the last quarter century. At last war came, and war will come again in Europe until European nations cease their policy of aggrandizement, until they themselves arrive at different ideals, until they are willing, in the interest of their own peace, to quit preying upon each other.

Sir, I am opposed to the United States undertaking by contract to throw her soldiers into Europe every time the ambition of European countries has resulted in bringing on a European conflict. It is a senseless thing to do. It is, I had almost said, an infamous thing to do.

Mr. President, I think I can show the views of European statesmen. They want us in on their side the moment a war begins. They do not want us in when America's interests are involved, but when their interests are involved. They do not want us in when we have deliberated and concluded that we ought to go in; they want us in the day they fire the first shot. When Lloyd-George presented the league to the British Parliament those hard-headed Englishmen broke into a roar of laughter. "Let us try it," exclaimed the premier. "Had it been in existence in 1914 it would have been difficult for Germany and Austria to make war; and if they had, America would have been in the first day instead of two years afterwards."

In other words, when we sign this League of Nations agreement we become a party to a European war the day the war begins and without any right on our part to determine the question for ourselves.

Mr. Clemenceau also states the gravity of the situation. He also admits that upon the United States must rest the great burden. In his speech at his farewell dinner he states:

> If Great Britain, the United States, and Japan remain united, there is a guaranty of peace which exceeds all those guaranties which can be put on paper. If one day those nations are separated, I dare not think of the misfortune which may result.

What does that language mean? It means that we are expected to enter a quadruple alliance to boss this world; and it means that if the United States stays out, then the plan can not be carried through. That is to say, the burden of bossing this world is largely to rest on the shoulders of Uncle Sam.

Yet men who ask us to sign that kind of obligation, a quadruple alliance to control the world, go up and down the United States telling the women there will never be any more war. The man who will make that statement now, after this debate, is, I think, performing a very poor office for his country.

Again, I call attention to the utterance of a British statesman, Lord Cecil, made on September 17:

> If we rely on the provisions of the covenant for preserving peace, we shall be living in a fool's paradise. The most any instrument can do is to remove obstacles from the path of peace.

Thus this great British statesman, who had much to do with the making of peace, certifies to us that we live in a fool's paradise if we believe that this instrument will bring peace.

What, then, is the alternative? The peace that is to be maintained is an armed peace, and in the maintenance of that peace the United States is to furnish a large quota of men and of money.

We have had much talk to the effect that we would not have to send anybody over to Europe; that there would be no trouble. We have a very severe censorship on news from Europe, an outrageous condition, for which somebody ought to answer to the American people. But finally a speech made by President Wilson to the Roumanian and Serbian delegation makes it perfectly plain that the signing of this obligation puts us into every European war; that the signing of this obligation compels us to send our soldiers to Europe every time the fighting cock of the weather vane shall turn in the direction of fields of blood.

He was urging these people to sign the covenant of the league, and this is what he had to say:

> If these States are solidly established, thanks to the treaty which we are making together, the right belongs to the powers which will guarantee the execution of this treaty, in the last analysis, to see to it that the conditions on which these States will be established are of a sort to insure the public peace. * * *
>
> If the world should be troubled again, if the conditions which we all regard as fundamental are challenged, the guaranties which will be given to you—

That is, to Serbia and Roumania—

> will pledge that the United States will send its Army and fleet across the ocean. Is it surprising, under such conditions, that it should desire to reach a solution of the various problems?

They have been telling the women of the country that we will never have to go to war again; yet here is the President telling the representatives of Serbia and Roumania that the United States proposes to send its men and its fleet across the ocean in order to maintain their governments.

Moreover, he dissipates, I hope forever, the talk that when these delegates get around the table and sign an agreement the sweet spirit of the Master is thereafter to inspire the conduct of all peoples on earth, when he makes this statement:

> I hope that we shall reach * * * a cordial and voluntary agreement to cooperate on the only basis possible. That basis * * * will have to be supplied by those who will furnish the force which will insure the maintenance of peace—by those in whom will dwell that force which will be the supreme guarantee of peace.

In other words, stripping this scheme naked, what is it? It is a gigantic war power, the power of nations combined to crush any nation that opposes their will. It is also the power of the majority to crush any member that opposes the will of the majority. Yet men who advocate a thing of that kind tell the mothers of Israel that their sons will never again have to go to war. While they are saying that out of one corner of their mouths, with a hypocrisy that would shock the better sensibilities of the vilest wretch ever born, they demand a standing army of 578,000 men, and swear they must have it in order to meet their obligations under the league. They demand that every boy, as soon as he arrives at the age of 19, shall become involuntarily a soldier for a period of time. They demand that the universal drafting of every man between the ages of 18 and 45 shall automatically proceed as soon as the United States is engaged in a war. If we agree to become party to every quarrel in the world there will be some kind of a war going on in some part of the world all the time. There are 23 or 24 wars going on to-day.

Mr. President, I come to another statement made by this distinguished Englishman. I offer it for its contrast with the rhapsodies of those who have been telling us that the league will work with absolute perfection; that we are taking no chances; "just sign here, that is all there is to do."

Lord Grey declares—

> The League of Nations is not merely a plunge into the unknown, but a plunge into something which the historical advice and traditions of the United States have hitherto positively disapproved.

Hence he admits we may justly demand reservations. He is much more charitable and reasonable than some gentlemen, who, on the floor of the Senate, have declared that George Washington is dead, Jefferson is dead, the seas have dried up, and that all the old conditions are gone.

Lord Grey recognizes that these doctrines are living things to-day, and that we are departing from them; not that they are doctrines that are outgrown, or that they have been buried in the cemetery of the past.

"This is to be a plunge in the dark," says Grey. Senators, there is only one time when you have the right to cause your country to take a plunge in the dark, and that is when there is no alternative.

A plunge in the dark? An unnecessary experiment with 110,000,000 people. I grant you, sir, when a man is driven by his enemies until he has reached a condition of desperation, when death is on either side and death is in the rear, and certain death will come if he stands still, he may be justified in leaping into a chasm of darkness. But who ever heard of wise statesmen plunging their country into a chasm of darkness and of uncertainty unless forced so to do.

Where did we get authority to take a plunge in the dark? For the benefit of whom? For the benefit of America? No; for the benefit of the people of other countries and of other lands. We are to sacrifice for them. We are to sacrifice what—ourselves?

No; we are to sacrifice the men in offices, who are not heard here; the boys on the farms, who have no voice here; the men of the shops, who are dumb here. In support of the experiment we are to pass another draft law, which automatically lays its hand upon their shoulders, puts them into uniform, drags them to a concentration camp, and orders them to their death without their having ever been heard. That is all justifiable in defense of our country, but in defense of any other country it is a crime against the people.

Before I conclude I desire to make an additional remark in consonance with what I have already said. I have referred to the Army demanded. Let me refer to the Navy. Before we got into the war we appropriated $725,000,000, I think, for ships. That was the largest single order ever given by any Government in the history of the world. The money has not all been expended up to this date, and yet on top of it the Secretary of the Navy has demanded $913,000,000, according to the figures which I last saw, for more fighting ships, ships that are to carry 16-inch guns and which are, of course, to be loaded with missionary tracts and essays of good will and dissertations by Brother Taft, simply to be shot in a playful way among the benighted peoples of the world. Is that the purpose?

Who ever stood and looked at one of those grim super-dreadnoughts as it moved resistlessly through the waves who could not visualize the flame of the deadly breath of the cannon, who could not feel the waters of the ocean vibrate as the tremendous broadside was discharged, who could not behold other vessels battered to pieces and men going down in the waters throwing up their hands and gasping for life? Who has ever seen one of them that has not recognized in it the power and majesty of a mighty nation bent upon preparing for its defense and in some instances preparing for aggression?

They tell us there is to be no more war, and yet at the same time the Secretary of the Navy has asked for a quarter of a million of men to man his fighting craft, a quarter of a million men in the Navy. The largest standing Army we ever had prior to our entrance into the war, save on occasions when there seemed to be a threat of war, was about 80,000 men.

They now ask for the Navy alone a quarter of a million men. Add that to the standing army which they demand and nearly 800,000 men are demanded for the permanent Military and Naval Establishments of the country. That, sir, means at least 1 man out of every 10 in the United States capable of bearing arms. It will burden our country with taxation and make impossible the payment of the enormous debt already fastened upon us.

This is all demanded, according to the sworn testimony, so that the United States can fulfill its obligations under the League of Nations.

Will there ever be any limit to hypocrisy and false pretense in the world? Why not tell the truth to the American people? When we sign this contract we agree to help police the world, and we take a major part in the job. We agree that our armies and our navies shall go into every port and every land and crush any people that dare attack another people, no matter what the right or the wrong of the case may be. We propose to set up an autocracy of power and might. We are to proceed not with the gentle philosophy of Christ, but with the argument of shell and shrapnel, with the logic of steel and death, to enforce our will upon the world; and to do that, in addition to the 750,000 or 800,000 men in the permanent Military Establishment, we are asked by the sponsors of the league to draft every American boy when he is 19 and take him from his mother's hearthstone and put him into a military camp, and, on top of all that, to write into our laws a provision that in case of any war every man between 18 and 45 years of age shall immediately be subject to be called to the colors.

I am glad Lord Grey has written as he has. He has helped to clarify the atmosphere. He has helped to show that an Englishman can be fairer to America than a lot of American Senators have been. While they stand here declaring that we ought not to insist on the same number of votes that Great Britain has, a British statesman says we are entitled to them. What will the American Senators say now? Will they continue to insist that we shall have but one vote and Great Britain six, or will they say that we shall have as many votes as Lord Grey says we should have? I am inclined to try to get this Englishman over here to run for Senator from one of our States.

There is just one other point. Some of us have said that if we entered the League of Nations it would be possible for the American delegate to so involve the United States, especially if there were no reservations, as to commit us to war, although Congress might not want war. That has been pooh-poohed and derided.

What says Lord Grey—

> The American Constitution not only makes possible, but under certain conditions renders inevitable a conflict between the Executive and the legislature. It would be possible if the covenant of the League of Nations stands for a President in some future years to commit the United States, through its American representative on the council of the League of Nations, to a policy which the legislature at that time might disapprove.
>
> That contingency is one which can not arise in Great Britain, where the Government is daily responsible to the representative authority of the House of Commons, and where, in case of conflict between the House of Commons and the Government, the latter must either immediately give way or public opinion must decide—

And so forth.

So you have the statement of this great British statesman that our representative can entangle us, can involve us, and can do it against the will and desire of both of the Houses of the American Congress.

While he points out that danger to us, even as I read his words I am looking into the faces of some American Senators who voted against a reservation reserving to the Congress the right by law to regulate the representative and limit his authority.

What a spectacle it is that we must get a confession from the other side of the controversy before we can gain our case. What a spectacle it is. A great British statesman, speaking from a tribunal so exalted that he is seen of all the world, is heard to admit that in five several instances the league is dangerous to the United States, that Great Britain has an advantage, and certify to all the world that she stands ready to yield that advantage.

What a spectacle, indeed, it must be for the contemplation of those who voted against giving the United States a vote equal to the vote of Great Britain! How shall they justify themselves to themselves?

Mr. President, I have pointed out in instance after instance where by time and discussion the iniquities of this instrument have been disclosed. Every day brings us new evidence of the great mistake we have thus far avoided.

We have converted Mr. Taft on 14 different points. Mr. Taft is now for 14 reservations to the very instrument he declared was perfect and which had been amended at least four times before the 14 reservations were offered. We have also converted Mr. Bryan, who declares in substance that article 10 dare not be submitted to the American people, and who agrees that mandatories are contrary to American policies. We have likewise converted Mr. Lowell. Mr. Lowell was trying to have the league ratified six months or so before it was even born. He was for a league before President Wilson went over to Europe; he was for a league while it was under negotiation; he was for this league after it was delivered.

He assumed to go out and to advise the American people what was in the league and how they ought to vote or think about it. He now declares that article 10 makes for war and not for peace. If article 10 makes for war instead of peace, then article 10 is the most vicious thing ever written in all this world. If article 10 makes for war instead of peace, what has the gentleman to say who went over the country trying to get the American people to coerce the Senate into passing the league with article 10 in it, with all its viciousness?

Mr. President, the President of the United States said some days ago, "Let this matter go to the American people." I say let it go to the American people; let them discuss it. This is their Government; it is not ours; we are only agents.

There is not a man in this body who was elected upon this issue. You are asked to take a leap in the dark, as the British statesman characterizes it. Who is to take it? Are we to take it for ourselves? When we take it we drag with us 110,000,000 people who, up to this time, have had no opportunity to speak. Why are these men running from the people? I have differed from the President in many matters; but I do not think anybody ever accused the President of being a coward. He says "Take it to the people," but when he declares for taking it to the people Mr. Taft throws up both his hands, the pudgy fingers trembling with consternation, as he exclaims, "For God's sake, do not take it to the people." I presume there is a reason for that. Taft remembers the last time he went to the people. [Laughter.]

Why not take it to the people? Why not let them discuss it?

But the most astounding thing I know of is that the great Commoner, who has always declared that the voice of the people is the voice of God, now declares, "Get this thing through in some way, although it has defects; do not take it to the people." Why not take it to the people? Why not give them a chance to speak upon it?

It is said the world will remain at war all the time we wait for the election. What utter rot that is! This war has been

ended for over a year; not a gun has since been fired. The battle flags have been furled upon every field of conflict. They have planted crops where marched the armed hosts, and above the graves of America's dead there grow not always poppies but the wheat that has been sown for another year.

Our commerce has been renewed; you know it; you know there is not a single embargo on commerce between the United States and Germany to-day, save that which is laid by the rules of our Government or the Governments of our allies, and these rules can be relaxed in five minutes' time. One stroke of the President's pen declaring technically that that peace has come which over 12 months ago he declared had in fact come will end any pretense of war.

There is another bugaboo I wish to dispose of, and that is that we must go back to Germany—the expression was "hat in hand"—asking Germany for peace. That statement was not worthy of the high source from which it emanated. The resolution that is before this body providing for the ratification of the treaty, so far as it makes peace between us and Germany, if passed, does not send the treaty back to Germany. But suppose it did send it back to Germany, do we have to go "hat in hand" to that poor, conquered country? Will we be obliged to humiliate ourselves to her statesmen?

There is not a man in this room but knows, there is not a man anywhere with common sense but fully understands, if he has had an opportunity to examine the facts, that to-morrow Germany will accept peace with the United States and the restoration of trade gladly, willingly, anxiously, and that before the peace treaty could be sent across the Atlantic Ocean the German delegates would be at the place selected ready to sign it.

Talk about Germany not trading with the United States unless we adopt the League of Nations! Why, there was not a moment during the war when Germany would not have been glad to have opened her ports to receive American goods and pay for them if we had sent them. There has not been a moment since when Germany would not gladly have taken every supply that America could send her and have paid for it; indeed, she stands there with starving hands outheld begging for the opportunity to buy goods.

What miserable pretense it is to say that we should have to go to Germany as a suppliant! Germany will sign any document the United States hands her.

What has the United States received under this treaty of peace? A few old ships and a responsibility that outweighs the ships in value a thousandfold. Let us have done with that nonsense, for I denounce it as sheer, absolute, wicked nonsense.

Another argument has been put forward that because there is a difference in the value of money in Europe and the value of money in the United States we must have the League of Nations to restore exchange. A lot of business men who ought to know better have taken in that bait.

Mr. President, the only way the League of Nations could raise the value of European money would be by putting the credit of the solvent governments of the world back of the rotten money they have in Europe, and the only two solvent governments there are in the world to-day are Great Britain and the United States, and Great Britain is about ready to file a petition in bankruptcy—but I will not say that.

Mr. SMOOT. And Japan.

Mr. REED. And Japan; but Japan is not going to guarantee anything. Great Britain is not in that bad a condition, and I ought not to have said that; but Great Britain is heavily burdened; and if the League of Nations proposes to have the United States underwrite the rotten securities and the rotten money of Europe, then I am against it on that ground, if for no other; but if it does not propose to do that, what benefit will it have upon exchange?

The trouble with the exchange between the United States and Europe is the difference in the values of money. We have kept to the gold basis. We have inflated our currency a good deal, but back of every dollar we have out there is value. In Europe they have set their printing presses to work, and they have printed vast volumes of money back of which there is substantially nothing. In France some time ago they had $125 of paper money for every dollar in gold. The trouble with exchange is that a Yankee will not trade gold dollars for paper shinplasters. That is the trouble with the exchange situation. I am told by the Senator from Utah [Mr. SMOOT] that France has seven billions of paper money out now. So, Mr. President, as long as there is a difference in the values of money there will be a difference in the price of money.

Mr. President, I have taken the time of the Senate these long hours in reading documents and calling attention to this evidence. I do not know whether it will have any effect upon anybody or not; but I do know that when British statesmen come forward and declare that the league is unfair and that America is entitled to a revision it is time for the American Senate to move up to the line of British statesmen; and if it is not done now before we plunge into this chasm and take this leap in the dark, then I want to say that the American people will right it. What I desire is that they shall have an opportunity to pass upon it before the Senate shall make it a contract.

What man is there of you who fears to take it to his people? Let the great masses express themselves. If your case is good, you ought to welcome the opportunity. If your case is bad, then as an American Senator you ought to want it decided against you.

SENATOR FROM VIRGINIA.

Mr. UNDERWOOD. Mr. President, Hon. CARTER GLASS, the Senator appointed from Virginia to fill the vacancy caused by the death of the late Senator Martin, and whose credentials have heretofore been presented and placed on file, is in the Chamber, and I ask that the oath of office may be administered to him.

The VICE PRESIDENT. The Senator appointed will present himself at the desk for the purpose of taking the oath of office.

Mr. GLASS was escorted by Mr. UNDERWOOD to the Vice President's desk, and, the oath prescribed by law having been administered to him, he took his seat in the Senate.

PAY OF ARMY, NAVY, MARINE CORPS, ETC.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3383) to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, and Public Health Service.

Mr. WADSWORTH. Mr. President, there is but one committee amendment as yet undisposed of in connection with the pending bill. If the Senators present do not care to consider that amendment to-night without calling for a quorum, I shall move a recess until to-morrow.

Mr. SMOOT. The Senator had better do that.

Mr. WADSWORTH. Does the Senator from Mississippi [Mr. HARRISON] believe we should have a quorum in order to consider that amendment?

Mr. HARRISON. Yes; I think there should be a quorum here to vote on the amendment.

RECESS.

Mr. WADSWORTH. I anticipated that it would be impossible to get a quorum at this hour. I therefore move that the Senate stand in recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, February 3, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 2, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, Father of all mercies, we realize from history, observation, and experience that life is a strange medley of good and evil, victories and defeats, hopes and disappointments, joys and sorrows.

Teach us that life is in the making and these are but angels in disguise, leading us on to larger life. Give us patience, fortitude, courage, to meet life and all its circumstances with faith and confidence in the overruling of Thy love for the good of all mankind. In Christ Jesus our Lord. Amen.

The Journal of the proceedings of Saturday, January 31, 1920, was read and approved.

BRIDGE ACROSS WHITE RIVER, ARK.

Mr. ESCH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3371) for the construction of a bridge across White River in Arkansas, and that the House insist on its amendments and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Wisconsin, chairman of the Committee on Interstate and Foreign Commerce, asks unanimous consent to take from the Speaker's table a bill, which the Clerk will report by title, and to disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill (S. 3371) authorizing Gordon N. Peay, jr., his heirs and assigns, to construct, maintain, and operate a toll bridge and approaches thereto across the White River.

The SPEAKER. This is a Senate bill with House amendments disagreed to by the Senate. Is there objection to the request of the gentleman from Wisconsin?

There was no objection, and the Speaker appointed as conferees on the part of the House Mr. PARKER, Mr. SWEET, and Mr. RAYBURN.

INDIAN APPROPRIATIONS.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Indian appropriation bill, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman asks unanimous consent to take up the Indian appropriation bill, disagree to all the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

There was no objection, and the Speaker appointed as conferees on the part of the House Mr. SNYDER, Mr. ELSTON, and Mr. CARTER.

Mr. SNYDER. I ask unanimous consent for a print of the bill with the Senate amendments numbered.

The SPEAKER. The gentleman asks unanimous consent that the bill be printed with the Senate amendments numbered. Is there objection?

There was no objection.

ADDRESS OF HON. JOHN A. M'MAHON.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that there be printed as a document the speech of Hon. John A. McMahon, of Ohio, before the Ohio Bar Association. This man for six years was a Member of the House. He was a very good Democrat then, and I believe him to be a very good Democrat now, but a great lawyer, and he discusses the question of the injunction with great force and with temperate language. I believe that his address ought to be printed as a document, and I ask unanimous consent that it be so printed.

Mr. GARD. Mr. Speaker, reserving the right to object—and I shall not object—I merely desire to say, in support of what the gentleman from Illinois has said, that he told me that of all the great lawyers he had known in the House the greatest he had known in his service were John G. Carlisle and John A. McMahon, the latter of whom served in this House from the third congressional district of Ohio. I have read his address; I think it is a great contribution to the legal literature of the day, and I am very glad the gentleman from Illinois has asked to have it printed as a House document.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] asks unanimous consent that there be printed as a House document the address of Hon. John A. McMahon, of Ohio. Is there objection?

There was no objection.

MEMORIAL TO CERTAIN EMPLOYEES OF THE AGRICULTURAL DEPARTMENT.

Mr. FESS. Mr. Speaker, I ask unanimous consent for a reference of Senate joint resolution 72, which I would like to have read from the Clerk's desk.

The SPEAKER. The gentleman asks unanimous consent for a rereference of a joint resolution of which the Clerk will report the title.

The Clerk read Senate joint resolution 72, authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to employees of the United States Department of Agriculture who died in the war with Germany.

The SPEAKER. What was the reference?

Mr. FESS. It was referred to the Committee on Public Buildings and Grounds and should have gone to the Library Committee.

The SPEAKER. The gentleman asks unanimous consent that the reference may be changed from the Committee on Public Buildings and Grounds to the Committee on the Library. Is there objection?

Mr. GARNER. Reserving the right to object, has the gentleman consulted with the chairman of the Committee on Public Buildings and Grounds?

Mr. FESS. Yes; and he asks that this be done.

Mr. CLARK of Missouri. Where are they going to put up this monument?

Mr. FESS. I do not know.

The SPEAKER. Is there objection?

There was no objection.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. To-day unanimous-consent business is in order, and the Clerk will call the Unanimous Consent Calendar.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 11368) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. CURTIS, Mr. GRONNA, and Mr. ASHURST as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 10746) to authorize the incorporated town of Wrangell, Alaska, to issue bonds for the construction, enlargement, and equipment of schools, the acquisition and construction of a water-supply system, the construction of a sewer system, the construction of a city dock and floating dock, and to levy and collect a special tax therefor, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 147. Joint resolution to amend the Army appropriation act approved July 11, 1919.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution (S. J. Res. 147) to amend the Army appropriation act approved July 11, 1919, was taken from the Speaker's table and referred to the Committee on Military Affairs.

BRIDGE ACROSS THE SAVANNAH RIVER.

The first business in order on the Calendar for Unanimous Consent was the bill (H. R. 10922) to grant the consent of Congress to the Alfords Bridge Co. to construct a bridge across the Savannah River.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOMINICK. I object.

The SPEAKER. The gentleman from South Carolina objects. The Clerk will report the next bill.

CERTAIN ARID LANDS IN THE STATE OF CALIFORNIA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 8864) to encourage the reclamation of certain arid lands in the State of California, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, this bill, as I understand it, is identical with the bill that passed the House a short time ago making provisions contained in this bill applicable to the State of Nevada. Am I correct about that?

Mr. RAKER. Mr. Speaker, I will state that the gentleman is correct.

Mr. MONDELL. That bill is experimental in character, and, in my opinion, is rather dangerously experimental. The situation in Nevada is peculiar. It has by far the largest proportion of its area of any State in the Union now in the hands of the Federal Government. In other words, it has the least proportion of its land of any State in the Union that appeals to the home maker, to the homestead settler. The Congress was of the opinion that we were justified in making a rather questionable experiment, some thought, in the State of Nevada. I am rather inclined to think that we were so justified, but until that experiment has been tried out, until we have learned how it works in Nevada, as we learned how the Kinkaid Act worked in Nebraska, in my opinion it would be unwise to try the experiment elsewhere.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. No; not just now. I feel it my duty to make that statement, because some gentlemen have asked why I, coming from the West, with rather liberal ideas, some think, in respect to matters touching the disposition of public lands, should object to legislation of this kind. I did not object to the legislation so far as it related to Nevada, although I think serious evils may arise under it. I hope not, but it is a new departure. It is a somewhat questionable venture. Let us try it out in Nevada, and if it works well there, there will be plenty of time to try it elsewhere.

Mr. RAKER. Mr. Speaker, there is only an imaginary line on the east side of the Sierra Nevada Mountains between Nevada and California. There are about six counties the land in which is identical with that——

Mr. MADDEN. Mr. Speaker, I demand the regular order.

Mr. MONDELL. That may be true, but under the circumstances I feel that I must object.

The SPEAKER. Objection is heard.

PROCESS IN CAUSES REMOVED FROM A STATE COURT TO A UNITED STATES COURT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10207) providing for service of process in causes removed from a State or other court to a United States court.

The SPEAKER pro tempore (Mr. LONGWORTH). Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter in all cases removed from any State court to any United States court for trial in which any one or more of the defendants has not been served with process, or in which the same has not been perfected prior to such removal, or in which the process served upon the defendant or defendants, or any of them, proves to be defective, such process may be completed by the United States court through its officers, or new process as to defendants upon whom process has not been completed may be issued out of such United States court, or service may be perfected in such court in the same manner as in cases which are originally filed in such United States court.

Mr. DYER. Mr. Speaker, I offer the following committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Committee amendment: Page 2, line 3, after the word "court," insert: "*Provided*, That nothing in this act shall be construed to deprive any defendant upon whom process is so served after removal of his right to move to remand the cause to the State court the same as if process had been served upon him prior to such removal."

Mr. WALSH. Mr. Speaker, I think the gentleman from Missouri ought to make a statement with reference to this amendment. I do not see why it is necessary.

Mr. DYER. Mr. Speaker, I yield to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. Mr. Speaker, some question was raised when the bill was under consideration two weeks ago about whether or not a man who was brought in after a cause was removed to a Federal court would have the same right to remand under the provisions of this bill as he would have had had he been brought in before removal. I do not believe it is necessary to have this amendment, but in order to make sure that he would still have his rights preserved in that respect the amendment has been offered.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DYER, a motion to reconsider the vote by which the bill was passed was laid on the table.

CALL OF THE HOUSE.

Mr. CALDWELL. Mr. Speaker, I make the point of order that there is no quorum present. A very important bill is coming up next, and I think we ought to have a quorum present.

The SPEAKER pro tempore. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and thirty Members present; not a quorum.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Caraway	Ellsworth	Hamill
Ayres	Carew	Emerson	Hamilton
Bacharach	Casey	Ferris	Hoey
Barkley	Christopherson	Frear	Holland
Benson	Clark, Fla.	Fuller, Mass.	Houghton
Blackmon	Cooper	Gallivan	Howard
Bland, Mo.	Copley	Ganly	Husted
Booher	Crowther	Garland	Hutchinson
Britten	Cullen	Garrett	Johnston, N. Y.
Brooks, Pa.	Curry, Calif.	Godwin, N. C.	Kennedy, Iowa
Brumbaugh	Dempsey	Goodall	Kennedy, R. I.
Butler	Dickinson, Mo.	Gould	Knutson
Campbell, Kans.	Dooling	Graham, Pa.	Krieder
Candler	Dunbar	Griest	Larsen
Lazaro	Nelson, Wis.	Rowe	Taylor, Tenn.
Linthicum	Nicholls, S. C.	Sanders, La.	Temple
Lonergan	Nichols, Mich.	Sanford	Thompson
McCulloch	O'Connell	Scully	Timberlake
McDuffie	Ogden	Sears	Towner
McFadden	Oliver	Sells	Walters
McGlennon	Pell	Siegel	Ward
McKinley	Porter	Small	Watkins
MacCrate	Ramsey	Smith, N. Y.	Whaley
Maher	Reed, W. Va.	Steele	Wingo
Mann, S. C.	Riordan	Stephens, Miss.	Winslow
Mead	Robinson, N. C.	Stoll	Woodyard
Moon	Romjue	Sullivan	
Mott	Rowan	Sumners, Tex.	

The SPEAKER pro tempore. Three hundred and nineteen gentlemen have answered to their names; a quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will open the doors. The Clerk will report the next bill on the calendar.

BRIDGE ACROSS AMERICAN CHANNEL OF THE DETROIT RIVER.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 3452) authorizing the city of Detroit, Mich., a municipal corporation, to construct, maintain, and operate a bridge across the American Channel of the Detroit River to Belle Isle.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That authority is hereby granted to the city of Detroit, a municipal corporation of the State of Michigan, and its successors, to construct, maintain, and operate a bridge and approaches thereto across the American Channel of the Detroit River to Belle Isle, in said city, at or near Grand Boulevard East, and at a point suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

AMENDMENTS TO FEDERAL FARM LOAN ACT.

Mr. PLATT. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from New York rise?

Mr. PLATT. To ask unanimous consent to take from the Speaker's table the bill H. R. 9065, a bill to amend the Federal farm loan act, to disagree to the Senate amendments, and ask for a conference.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to take from the Speaker's table the bill H. R. 9065, with Senate amendments, to disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object——

Mr. CLARK of Missouri. I would like to ask the gentleman what this bill is about.

Mr. PLATT. It is a bill which was passed by the House——

Mr. MANN of Illinois. Let it be reported.

The SPEAKER pro tempore. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 9065) to amend sections 3, 8, 10, 12, 20, and 21 of the act approved July 17, 1916, known as the Federal farm loan act.

Mr. CLARK of Missouri. Reserving the right to object, I would like to ask the gentleman what this bill does?

Mr. PLATT. It is an administrative bill which takes some of the red tape out of the farm loan act, so there will not be so many delays——

Mr. CLARK of Missouri. That would be an impossible job.

Mr. PLATT. And was passed by the House last fall.

Mr. CLARK of Missouri. I say to take the red tape out of the departments is an impossible job. [Applause.]

Mr. PLATT. That may be true, but we are taking some of the red tape out.

Mr. CLARK of Missouri. How much?

Mr. PLATT. The bill was thoroughly discussed in the House at the time.

Mr. CLARK of Missouri. Has this got anything to do with the tax on the bonds of these land banks?

Mr. PLATT. Not a thing in the world; it has all to do with the administration of the act.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. PLATT. Certainly.

Mr. BLANTON. Do any of the Senate amendments fix the maximum amount of loans that could be made under this farm loan act?

Mr. PLATT. No; that is not in the bill at all.

Mr. BLANTON. There is nothing in that respect whatever?

Mr. PLATT. No; nothing.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. MADDEN. Reserving the right to object, I would like to ask the gentleman what he is trying to do?

Mr. PLATT. Trying to disagree to the Senate amendments to the Federal farm loan act and ask for a conference.

Mr. GARD. Mr. Speaker, reserving the right to object, is not the proper procedure to conclude the call of the Calendar for Unanimous Consent before taking up anything outside of the calendar?

The SPEAKER pro tempore. Oh, it is always in order to ask unanimous consent if the Chair recognizes a gentleman. The gentleman, of course, can object.

Mr. GARD. I think at this time we should conclude the regular call of the calendar, and for the present I object.

The SPEAKER pro tempore. The gentleman from Ohio objects. The Clerk will report the next bill.

AWARD TO LOYAL CREEK INDIANS.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 1700) to pay the balance due to loyal Creek Indians on the award made by the Senate on the 16th day of February, 1903.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN of Illinois. Reserving the right to object——

Mr. McKEOWN. Mr. Speaker, I understand the gentleman from Illinois reserves the right to object?

Mr. MANN of Illinois. I reserve the right to object.

Mr. McKEOWN. Mr. Speaker, this is a bill for the payment of the loyal Creeks' claim. It seems that back early during the Civil War a number of Indians of the Creek Nation were enlisted in the Federal Army. As a result of this enlistment they were driven out and their property destroyed by the Confederate soldiers, and after the war the United States Government recognized the justice of their claims. As I stated awhile ago, this is a claim made by the loyal Creeks, known as loyal Creeks because they joined the Federal Army instead of joining the Confederate Army; and as the result of having joined the Federal Army the Confederates raided their property and destroyed it and they were left penniless. The United States Government recognized this as a just claim. They appointed a commission to take testimony, and testimony was taken and the commission recommended the amount that should be awarded. This was not approved by the Secretary of the Interior, who only approved it for $100,000. The Creeks refused to accept $100,000 when offered them unless it be taken as part payment. Afterwards they were assured that it would only be taken as part payment, and when the Dawes Commission visited them to conclude a treaty with these Creeks this matter was brought up and it was called to the attention of the Dawes Commission that the United States Government had not carried out its contract.

It was then agreed to submit it to the Senate for arbitration, and the Senate of the United States in the passage of an Indian appropriation bill, or in an appropriation bill, recommended $1,200,000. The House conferees refused to agree to that amount and would only agree to $600,000. So the controversy here is a question as to whether or not the action of the United States Senate, in the first instance, in its arbitration recommending $1,200,000, and after the passage of the bill including only $600,000, was binding upon the Indians; and they are now contending for the $600,000. [Applause.]

Mr. MANN of Illinois. Mr. Speaker, I do not know that I ought to take the time of the House at all under a reservation of the right to object.

This bill provides for a direct appropriation of $600,000, and is probably worthy of consideration by Members of the House. The loyal Creek Indians claim that the Government should make recompense to them because they remained loyal during the Civil War, and there were controversies in reference to the amount which they should be paid. After some consideration an item was inserted in some law providing, as I recall it—I have not recently carefully examined the facts—that the amount to be awarded should be arbitrated by the United States Senate. In 1903 the Senate on an Indian appropriation bill put in an item, as it passed the Senate, carrying $1,200,000 for this purpose, and it is claimed that the insertion by the Senate of this item in the Indian appropriation was a decision in arbitration by the Senate that that amount of money should be paid to the Indians. That item, however, was not agreed to by the House, and the bill with the item in it went to conference. The conferees struck out $1,200,000 and inserted $600,000, with the provision that that amount should be accepted in full settlement of all the claims. That conference report was agreed to by the Senate and the House and became a law. It is now claimed that the mere insertion by the Senate in the first instance of $1,200,000 was a decision by the Senate in the arbitration proceedings, and that no act which could afterwards be taken by the Senate would have the effect of changing that. I can not subscribe to that doctrine at all. If this inclusion in an Indian appropriation bill was a decision in arbitration at all, then the final decision of the Senate was the final decision of arbitration, and when the Senate finally agreed upon $600,000 in full settlement of the claim, that was the final decision of the Senate, and any preliminary decision which they might have reached was not a decision of the Senate at all, because no one could properly contend that the Senate can not change its arbitration decision so long as it retains control over the subject matter. You might as well contend that a court which enters a judgment, and still retains control, can not modify or change its judgment.

Now, this money was accepted in full settlement, and to propose now that it was merely based upon the original action of the Senate, and that therefore because of this action of the Senate we shall pay this other $600,000, seems to me gross expenditure and extravagance. Of course, I know that this bill will be pending here for many years until it is paid. It proposes to pay $90,000 for attorneys' and agents' fees, and no item which will result in paying two or three men $90,000 in fees will die an easy death.

Mr. SNELL. Will the gentleman yield for a question?

Mr. MANN of Illinois. Certainly.

Mr. SNELL. As I understand it, when the War Claims Committee have had a claim of this kind presented, and there was a receipt showing the claimants had received in full for their claims, they do not receive the claim? Is that the ground they have acted on?

Mr. MANN of Illinois. I do not think so, but it certainly is the ground they ought to have acted on.

Mr. SNELL. That is the position they act upon here?

Mr. MANN of Illinois. The claim is made here, to be perfectly frank, that the Government owed $1,200,000 after the Senate had put this, in the first instance, in the Indian appropriation bill, and that a settlement of the amount for less is invalid. Of course, I do not agree to that.

Mr. JUUL. I would like to ask the gentleman a very brief question. The gentleman has very lucidly, I think, stated the legal and legislative aspect of the case. What is the gentleman's idea of the equitable view of the case?

Mr. MANN of Illinois. I think it never had very much equitable consideration. But that is neither here nor there. It is not the equity that they base this claim upon now.

Mr. BLANTON. Is the gentleman going to permit it to come up now under unanimous consent, or is he going to object?

Mr. MANN of Illinois. I am going to object.

Mr. ANDREWS of Nebraska. Has the settlement warrant for this payment been examined by the committee in connection with this report?

Mr. MANN of Illinois. I do not suppose it has, but I suppose there is no reason for its being examined.

Mr. ANDREWS of Nebraska. The settlement warrant would have to be on the terms of the bill and the original appropriation, and that would clinch the argument of the gentleman.

Mr. MANN of Illinois. There is no dispute about the fact that they took the money in full settlement, and then claimed they were forced to take it.

Mr. CRAMTON. Will the gentleman yield?

Mr. MANN of Illinois. I will.

Mr. CRAMTON. This section, section 36, on which they base their claim for arbitration, provides for two steps—first, submission of the claim to the Senate for arbitration; second, in the event any sums are awarded provision shall be made to meet payment. Now, the step that was taken was a step for immediate payment, not for arbitration, by including it in an appropriation bill. It was simply a step for payment without the preliminary arbitration.

Mr. MANN of Illinois. Of course, it is begging the question, really, to say the Senate is authorized to arbitrate something, and they decide that arbitration by including that item in an appropriation bill.

Mr. CRAMTON. There was no arbitration.

Mr. MANN of Illinois. There was no arbitration.

Mr. TILLMAN. Will the gentleman reserve his objection?

Mr. MANN of Illinois. Yes.

Mr. TILLMAN. Mr. Speaker, if the House will remember, this claim bill has been pending here for some time, and it is

certainly a just claim. Since I have been in Congress every Committee on Indian Affairs has recommended its enactment. The Senate has passed the bill two or three times unanimously. The strongest report that has been written on this measure was a report written by Senator MCCUMBER, now a Member of the Senate.

When the Civil War broke out about half the Creeks, the slaveholding half, went into the Confederacy. The poorer half, nonslave owners, were loyal to the Union. They went to Kansas from the Indian Territory at that time, and fought gallantly to preserve the Union. While these loyal Creeks were gone the Confederate Creeks and others destroyed their property. Something like $5,000,000 worth of property was taken.

Just after the Civil War closed two Army officers of high rank, one of them a general and the other a captain, were sent out by the Government to investigate this claim of the loyal Creeks. They found that an immense amount of property had been taken, as above indicated. They made a report of their findings, later referred to by me. The Senate was agreed upon and constituted an award tribunal to investigate whether or not any amount should be paid to the loyal Creeks. They heard all the testimony, and, acting as a court, acting as a judicial tribunal, they decided as a compromise that the loyal Creeks should be paid $1,200,000. Their award was set forth in the form of an appropriation of that sum.

Mr. WALSH. Mr. Speaker, will the gentleman yield there?

Mr. TILLMAN. I will be glad to yield to my friend from Massachusetts.

Mr. WALSH. On what does the gentleman base his statement that the Senate acted as a court or tribunal?

Mr. TILLMAN. For the reason that it did act as a court or tribunal. It was agreed by the parties in controversy that the Senate should make an award, and the Senate did make an award in obedience to that understanding and agreement.

Mr. WALSH. What form of an award?

Mr. TILLMAN. As the gentleman from Illinois [Mr. MANN] suggested, it was in the form of an appropriation for the amount, but that is immaterial. The fact remains that the Senate made that award as an awarding tribunal, and put that in an appropriation bill.

Mr. DALLINGER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Arkansas yield to the gentleman from Massachusetts?

Mr. TILLMAN. Yes.

Mr. DALLINGER. Was there an act passed by Congress making the Senate an arbitration board?

Mr. TILLMAN. I will explain that matter fully, and I think satisfactorily, later to the gentleman and to the House.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. TILLMAN. I will yield to the gentleman from New York.

Mr. SNELL. If this is a bill to pay for property destroyed, why did it not go to the Committee on War Claims instead of to the Committee on Indian Affairs?

Mr. TILLMAN. The Committee on Indian Affairs, and that committee alone, has jurisdiction over a matter affecting any one of the Five Civilized Tribes. It would have resented a reference of the bill to any other committee, because it affected an Indian tribe, and the jurisdiction of the Committee on Indian Affairs covers all matters relating to Indian tribes. That question has never been raised in the way of an objection to this meritorious measure.

Mr. SNELL. Ever since I have been on the Committee on War Claims it has never considered a claim like this, where there has been a receipt given in full. It seems to me it would be an unfair proposition to consider another claim of that kind, where it was thrown out by the Committee on War Claims.

Mr. TILLMAN. The Committee on Indian Affairs has always had jurisdiction of this claim, and that fact was never disputed.

Now, the gentleman from Illinois [Mr. MANN] said that during the closing days of a certain session the House conferees insisted that they were unwilling to allow more than $600,000 as a compromise. The Senate insisted that the whole amount—$1,200,000—should be paid, and finally it was agreed upon, in order to get the measure through at all, that $600,000 should be paid, and the bill went through the House at that amount. There was a provision attached to it that the loyal Creeks should accept that amount as full payment.

But there never was a better-settled principle of law than that a man can not compromise a debt with his ward and thus bind the ward. The amount of the debt had been determined by a tribunal authorized to declare that debt, to wit, the Senate, the tribunal which made the award.

Now, the loyal Creeks are the wards of this Government. This Government could not say to the Creeks, "This amount is due you in equity as well as in law; the award is made; we will throw this $600,000 to you as we would throw a bone to a dog, and you must take it or get nothing." Of course the loyal Creeks accepted the $600,000, but only as part payment. Many of them were ignorant. They accepted it; but they never did consider that that award was fully paid; always insisted on the balance of the award; and they are back here now insisting that the remainder of that award, made by a proper tribunal, should be allowed.

Mr. HARDY of Texas. Mr. Speaker, will the gentleman yield?

Mr. TILLMAN. I will in a moment.

Now, I am impressed, as the gentleman from Illinois is, especially by the equity of this claim. For many years the Government has been paying people who lost property in the South, people who at that time, perhaps, were not loyal to the Government of the United States. They were loyal to their own government, it is true, but not loyal to this one. These Indians are wards of this Government in a peculiar sense. In more than one particular, let me assert. When we have been paying a great many obligations that are not so well rooted in equity as this one, why should not this Congress pay this mere bagatelle, this $600,000 which is undoubtedly due these people. I now yield to the gentleman from Texas [Mr. HARDY] if he still desires me to do so.

Mr. HARDY of Texas. It seems to me that the gentleman is relying upon the report of the committee to the Senate, and the action of the Senate at first in awarding $1,200,000 to these Indians. Is it the gentleman's position that when the Senate had once voted to pay that sum, they could not on the floor of the Senate have changed the sum to a greater or less amount than $1,200,000?

Mr. TILLMAN. They did that very thing, it is true. Yet the fact remains that, having jurisdiction of the subject matter and having determined as a court that $1,200,000 should be allowed, the compromise made since that time does not interfere with the validity of the original award.

Mr. HARDY of Texas. That is what I want to get the gentleman's opinion about. Suppose it had never come over to conference. Suppose the Senate having adopted the item of $1,200,000 had itself, by a motion to reconsider that item, reconsidered it and substituted $600,000, or substituted $2,000,000, would not that have been a valid change, and have made the award, if it was an award, whatever the last action of the Senate was?

Mr. TILLMAN. Oh, of course you could not enforce an award of that kind in a court, but I am trying to enforce it here in a court of equity and good conscience. I am trying to enforce it among gentlemen who believe in the equitable adjustment of this matter.

Mr. HARDY of Texas. Why was the intermediate action of the Senate more sacred than its final action?

Mr. TILLMAN. The gentleman from Texas well knows that frequently meritorious claims are cut down just for the reason that legislators friendly to the claimants can not get the full claim, and so they agree to a less amount, just as the Senate conferees and these Creek Indians accepted $600,000 when they insisted they should have the full amount of the award.

Mr. MCKEOWN. The contention of the Indians is that they agreed that the award should be by the Senate and not by the Congress; not by the House and Senate combined, but the agreement was that they would abide by the award of the Senate.

Mr. TILLMAN. That is true, as the author of the bill, my friend Judge MCKEOWN, well says.

Mr. BLANTON. Will the gentleman yield?

Mr. TILLMAN. I will.

Mr. BLANTON. No money can be taken out of the United States Treasury lawfully except by the joint action of the House and Senate, approved by the President. That is, of course, recognized. A separate act by the Senate surely does not have the force and effect of a law passed by Congress in its proper capacity. The House and the Senate pass a bill. They stipulate in that bill that they will pay these Indians $600,000. They stipulate, further, in that bill that it shall cover every claim that these Indians have against the United States Government, of every kind, nature, and description. In effect, it does that, and the bill becomes a law, is signed by the President, and the Indians accept the $600,000. Are we going to hold that such an act of Congress has no force and effect whatever, that we can open it up and pay another $600,000 whenever we get ready?

Mr. TILLMAN. That does not bind the Indians, because they know that the award made by the Senate in the first place, the award of $1,200,000, was the one to which they were entitled. The Senate alone was constituted as a separate tribunal to make the award. That is the distinction, I will say.

Mr. BLANTON. But their lawyers, who are to get $90,000 if this proposed bill passes, ought to know the law, and they

ought to know that the law that we passed before provided that it should be in final settlement, and that it would bind these Indians when they accepted the $600,000.

Mr. TILLMAN. Their lawyer advised them to accept the appropriation, and it was good advice, and the Indians, at the mercy of Congress in the matter, did the sensible thing in accepting this partial payment, but they were advised and they understood that they had the right to prosecute this claim, as they have been doing and are now doing, which in justice and good conscience should be paid by Congress.

Mr. MILLER. Are the attorneys who settled for $600,000 the same attorneys who are presenting this additional claim?

Mr. TILLMAN. Yes; they are the same attorneys. These attorneys have paid out large sums from their own pockets to present this claim. Col. S. W. Peel has been the most active, paying out much money of his own, doing practically all the work, coming to Washington frequently, visiting the tribe often, doing an enormous amount of drudgery in his efforts to get justice for these people. Col. Peel was for 10 years an honored Member of Congress, and served with distinction as the chairman of the Committee on Indian Affairs. He is now 86 years of age, one of nature's noblemen, and as good a citizen as any State can boast.

By way of summing up and going more into detail, even if I repeat some things, let me say that the Indians relied on the repeated promises and assurance of the Government to reimburse them for their losses and the findings of the two Army officers, Hazen and Field. The United States refused to pay them, relying on the payment of a hundred thousand dollars, as provided in the treaty of 1866. But the Dawes Commission for the United States and the Creek Nation of Indians made a contract by which the Indians took allotments of their lands in severalty and abandoned their Indian government. The differences existing between the loyal branch of the Creek Indians and the United States for the value of the property they lost during the Civil War on account of their loyalty to the United States were agreed to submit that question to the United States Senate for final determination, and it was expressly agreed that whatever amount, if any, found due them should be paid at once. The words "final determination of the differences" and the word "payment" evidently meant an end to the dispute to which both parties were bound. This contract was ratified by both Houses of Congress and the National Creek Council, and therefore became binding upon both parties. In due time the chief of the Creek Nation memoralized the Senate of the United States to make final determination of the value of the lost property of the loyal elements of their tribe. The memorial was regularly referred to the Committee on Indian Affairs, which committee was composed of as able men as was in the Senate. Said committee made an exhaustive examination of said claim. They examined the treaty of 1866 and the payment of the $100,000, as provided in said treaty of 1866, and the ruling of the United States Court of Claims on that question; in fact, had everything before them.

They also examined the promises of the Government to reimburse said Indians for their losses and the findings of Gen. Hazen and Capt. Field, appointed by the Government to ascertain their respective losses and the value thereof, and after a full and thorough investigation of said claims finally awarded said loyal Creek Indians for their losses $1,200,000, and to pay said award as agreed in said contract placed said amount on the Indian appropriation bill and reported the same to the Senate of the United States, which bill passed the Senate unanimously. When the item of $1,200,000 to pay the loyal Creek Indians for lost property during the Civil War was reached the Senate was thoroughly informed that if they sustained that item it would amount to an award upon which an action would lie. Then it passed the Senate by a unanimous vote. When the bill went back to the House the amendments, including the amendment of $1,200,000 to pay the loyal Creeks, were disagreed to and all amendments went to conference. That committee, without any authority of law, only appropriated one-half of said Senate award, to wit, $600,000. This bill is for the other half of said award. In fact, Congress admitted the validity and legality of the Senate award which the House had authorized the Senate to make by paying one-half of the award. The conference committee attempted to avoid the future payment of half of the Senate award by requiring the Indians to execute receipts for the whole amount of the Senate award, and every lawyer knows there is no principle of law better settled than that a receipt for the full amount of a debt when only one-half the amount is paid without consideration as to that part not paid is void.

See authorities cited on that point in the committee report and dozens more could be cited. No decision of any court of good standing can be found to the contrary.

All the decisions cited were between citizens of the United States; so, if such receipts are void as between white men, for a greater reason are they void between the United States and its own wards. This being a Senate award, a great many bills to pay the balance of the Senate award to these Indians have been introduced in the Senate, each of which was favorably reported by the Committee on Indian Affairs of the Senate some three times, added as an amendment to an Indian appropriation bill, and each time went out on a point of order—first, when Senator Clapp, of Minnesota, was chairman of that committee, who made a strong report in favor of paying the balance of said award. Senator MCCUMBER, of North Dakota, when a member of the Senate Indian Committee, made a very exhaustive report in favor of paying the balance of the Senate award. Senator OWEN reported a separate bill from that committee in a recent Congress, and late in the session it passed the Senate, but too late to be considered in the House.

There never has been an adverse report on a bill to pay the balance of the Senate award by Congress. In this Congress Hon. THOMAS MCKEOWN introduced this bill to pay the balance of said Senate award to the loyal Creek Indians. The House Committee on Indian Affairs referred it to a subcommittee of five members. Said subcommittee made a most thorough and exhaustive investigation of the subject of this bill from top to bottom; investigated fully everything in the minority report; examined the treaty of 1866; the findings of the Court of Claims; the payment of the $100,000; the promise of the Government to reimburse said Indians for their losses; the findings of Gen. Hazen and Capt. Field; the various reports from the Senate and the opinion of the Assistant Commissioner of Indian Affairs; and, after full and due consideration, reported unanimously in favor of this bill to the full committee, which committee unanimously sustained the report of the subcommittee, which is now before the House. So the Indian Committee of the Senate says, five or six times, the balance of said award ought to be paid. The Senate itself says it ought to be paid. Senator Clapp, as chairman of the Senate Committee on Indian Affairs, says it ought to be paid. Senator MCCUMBER, as a member of that committee, says it ought to be paid. The Senate of the United States says it ought to be paid. The Assistant Commissioner of Indian Affairs says it ought to be paid. The Creek delegates say it ought to be paid. A subcommittee of five members unanimously says it ought to be paid. The full Committee on Indian Affairs says it ought to be paid.

I hope the House will pass the bill and let these poor, ignorant Indians have at least a part of the value of the property lost during the Civil War on account of their loyalty and military service to the Union.

I submit further facts in support of this bill, even at the expense of being tedious or repeating some things and by way of recapitulation:

The Creek Nation of Indians were about equally divided over the Civil War; one half went with the rebellion; the other half were loyal to the United States. Many joined the Union Army; that branch of the Creek Indians are called the loyal Creeks. The southern Creeks and organized whites drove the loyal Creeks out of their country. The Indian Commissioner says, in his report of 1865, page 39, that the loyal Creeks fought their way northward, tracked by their bloody feet over the frozen ground. In 1865 the commissioner, upon the part of the Government, promised to reimburse the loyal Creeks for their losses. The commissioner's report, 1865, page 39, says they were driven from their homes and lost everything they possessed.

The Government undertook to ascertain their losses and appointed Gen. W. B. Hazen and Capt. F. A. Field, both Regular Army officers. The Indians had no representative whatever; the two Army officers, acting for the Government alone, found their losses amounted to over eighteen hundred thousand dollars, and so reported; their finding was approved by the Commissioner of Indian Affairs. While their report was never challenged, yet it was not paid.

After waiting almost 50 years, in 1900, the Dawes Commission, acting for the Government, concluded a contract with the Creek Nation. Amongst other things, the claim of the loyal Creeks for property lost during the Civil War was to be submitted to the Senate of the United States as a board of arbitration, and whatever they found due should be paid at once.

Early in the Fifty-seventh Congress the chief of the Creek Nation filed in the Senate a memorial, praying that the Senate proceed to determine the amount due the loyal Creeks for their losses. The memorial was duly referred to the Committee of the Senate on Indian Affairs. The committee, after full investigation, having forgotten the liberal promise of the Government, awarded them only twelve hundred thousand dollars, reducing the award of the Army officers about one-third. The committee

placed the amount of their finding as an amendment to the Indian appropriation bill, which passed the Senate unanimously.

When the bill went back to the House, the House disagreed to the Senate amendment of twelve hundred thousand dollars for the loyal Creeks, which amendment went to conference; that committee, further forgetting the liberal promises of the Government for their loyalty and suffering for the Government, cut the Senate award in the middle, appropriating one-half of the Senate award.

The conference committee had no power to make an award. The contract authorized the Senate alone to make a final determination of the amount due the loyal Creeks. No other power could.

The House, having ratified the contract made by the Dawes Commission and the Creek Nation, which conferred the power on the Senate to make the award, is estopped from changing the award when the House directed and authorized the Senate of the United States, and the Senate alone, to make a final determination of the amount due the loyal Creeks for their losses; how can the House now refuse to comply with the Senate's action?

The award was regular and legal. See authorities cited in report.

The receipt for that part not paid is without consideration and void. See authorities cited in report.

Remember all those decisions were made between white men. So if such a receipt will not bar a white man, it certainly will not bar an ignorant full-blood Indian, a ward of the United States.

The Indian Committee of the Senate has made favorable report on the balance of the Senate award some five or six times; some three times as an amendment to an Indian appropriation bill. Each time it went out on a point of order, and on separate bills some three times, which passed the Senate. So the Indian Committee of the Senate says the balance of the Senate award ought to be paid, and the Senate itself says, by passing a bill for that purpose, it ought to be paid. The Assistant Commissioner of Indian Affairs says it ought to be paid. Subcommittee of five of the House committee, after a full investigation, says, unanimously, it ought to be paid, and the full committee says it ought to be paid. The Creek delegates say it ought to be paid. The national attorney of the Creek Nation says it ought to be paid.

Can and will this House ignore all this? Most certainly not. This House will certainly stand by its agreement when it authorized the Senate to make the award; to now refuse would be repudiation.

Mr. WALSH. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Massachusetts demands the regular order. The regular order is, Is there objection to the request for the present consideration of this bill?

Mr. MANN of Illinois. I object.

The SPEAKER. The gentleman from Illinois objects. The Clerk will report the next bill.

Mr. McKEOWN. I ask unanimous consent that the bill be passed without prejudice.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the bill retain its place on the calendar. Is there objection?

Mr. WALSH. I object.

The SPEAKER. The Clerk will report the next bill.

ALLOTMENT OF LANDS TO THE CROW TRIBE.

The next business on the Calendar for Unanimous Consent was the bill (S. 2890) to provide for the allotment of lands to the Crow Tribe, for the distribution of tribal funds, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KELLY of Pennsylvania. Mr. Speaker, I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

CHALMETTE NATIONAL MILITARY PARK.

The next business on the Calendar for Unanimous Consent was the bill H. R. 5918, in reference to a national military park on the plains of Chalmette, below the city of New Orleans.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MANN of Illinois. Reserving the right to object, whatever may be the merits of this proposition—and I assume that it has some merits—it does not seem to me that now is a very desirable time to expend $500,000 to establish a military park.

Mr. O'CONNOR. I think if the gentleman will read the report he will see that there is no expenditure of $500,000 contemplated. This bill simply orders that a survey be made of the proposed park on the Chalmette battle field, and asks for a report as to the expenditure that will be necessary to acquire the ground.

Mr. MANN of Illinois. I have read the report, and I think it might be a wise thing for the gentleman to read it. Here is what the report says:

> This bill provides for the establishment of a national military park just outside the limits of the city of New Orleans on the banks of the Mississippi River, where the Battle of New Orleans was fought on January 8, 1815.
>
> The measure was submitted to the Secretary of War, and he in turn submitted it to the United States Engineers Office for report on the same. This has been made with the recommendation that the park be established.
>
> In order to do so, about 226 acres of land must be purchased, at an estimated cost of $2,000 per acre, and it is figured that the total cost of establishing the park will be, in round figures, about $500,000.

Now, if I am in error, my error comes from reading the report.

Mr. O'CONNOR. Will the gentleman permit me to read the bill? Probably he will then see his error.

> *Be it enacted, etc.*, That the Secretary of War be, and he is hereby, directed to investigate the feasibility of establishing a national military park on the plains of Chalmette, below the city of New Orleans, where was fought on January 8, 1815, the Battle of New Orleans, and to prepare plans of such park and estimate of the cost therefor, and obtain such further information as may enable Congress to act upon the matter after being fully advised.

Mr. MANN of Illinois. I understand the purpose is to establish a park?

Mr. O'CONNOR. Yes; ultimately. There can be no question about that.

Mr. MANN of Illinois. As soon as the legislation can be enacted; and while the commission appointed might find that it would cost more than half a million, the report itself says that it will cost at least that much. I suppose the committee made it as small as possible. I do not think it advisable to enter upon the project now.

Mr. O'CONNOR. Does the gentleman believe that this bill commits Congress to an appropriation in the future?

Mr. MANN of Illinois. If we pass the bill, it commits Congress to the creation of the park and the expenditure of all money necessary to do it.

Mr. O'CONNOR. Will it not require an act of Congress to carry out the idea the gentleman has in mind?

Mr. MANN of Illinois. I think likely; I hope so.

Mr. O'CONNOR. Does not the gentleman know so from his long experience in Congress?

Mr. MANN of Illinois. It would require further action of Congress. I do not think it is wise to begin at this time.

Mr. O'CONNOR. I want to get the record in such shape that there will be no mistake as to the gentleman's attitude and my own. I believe the gentleman is correct in assuming that this is a foundation upon which to build the superstructure of a national park, but I do not think the gentleman contends that this does anything other than to order a survey upon which to base it.

Mr. SNELL. Mr. Speaker, I am opposed to any expenditure of this nature at this time, and I object.

Mr. O'CONNOR. May I ask, Mr. Speaker, unanimous consent to have the bill retain its place on the calendar?

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. SNELL. I shall have to object at this time.

Mr. O'CONNOR. I trust the gentleman who made the objection thoroughly understands that there is no expense contemplated in this bill.

Mr. SNELL. There will be an expense as soon as we get the commission.

EXCHANGE OF GOVERNMENT LANDS, HAWAII.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10432) to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. KAHN. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the bill, as follows:

> *Be it enacted, etc.*, That the President be, and he is hereby, authorized, when in his opinion the public good demands it, to exchange any land or any interest in land owned by the United States now or hereafter set apart for military purposes in the Territory of Hawaii for privately owned land or any interest therein of equal value located in that Territory and selected by the Secretary of War, and thereafter to set apart for military purposes the lands or interest therein so acquired: *Pro-*

vided, That the Attorney General of the United States shall first pass upon and approve the title to the privately owned lands or interest therein to be acquired by the United States before any exchange of lands shall be made under the provisions of this act.

SEC. 2. That the value of the lands or interests to be so exchanged shall be determined by three appraisers, one of whom shall be appointed by the Secretary of War, one by the owner of the private property, and the third shall be chosen by the two appraisers so appointed. The expenses necessary to effect the appraisements herein authorized when approved by the military commander of the Hawaiian Department may be paid out of the current appropriations for contingencies of the Army.

Mr. MANN of Illinois. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 1, line 3, after the word "that," insert the words "at any time within three years from the passage of this act."

Mr. MANN of Illinois. Mr. Speaker, this is a limitation which I think is proper, and I do not think there will be any objection.

Mr. KAHN. Mr. Speaker, the committee has no objection.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. CLARK of Missouri. I would like to ask somebody a question. It seems that the titles to these lands are properly guarded in this bill, but what about the value of the land, who fixes that?

Mr. KAHN. There are three appraisers provided for in the bill.

Mr. CLARK of Missouri. Are the appraisers going to be those people out there or somebody else?

Mr. MANN of Illinois. One is designated by the Secretary of War, one by the owner, and the third appraiser chosen by the two so designated.

Mr. CLARK of Missouri. I observe that your Uncle Sam generally gets gouged in swapping lands. [Laughter.]

Mr. KAHN. I think the officer who will be appointed by the Secretary of War who will look after the interest of the United States will be pretty reliable. The value of land in Hawaii is pretty well known.

Mr. GARD. Will the gentleman yield?

Mr. KAHN. Certainly.

Mr. GARD. Is not the usual and ordinary course for the value to be determined by the Secretary of War rather than by an appraisal board appointed in this way?

Mr. KAHN. The bill provides for this board, and the bill was sent to me by the Secretary of War, who seemed to want to have the board of appraisers fix the price.

Mr. GARD. I was asking the gentleman who has knowledge of these matters if it is not usual to have it fixed by the Secretary of War?

Mr. KAHN. No; I do not think that it is. I think the method provided in this bill is the usual way.

Mr. CLARK of Missouri. What do they want to swap the lands for anyway?

Mr. KAHN. It is necessary, as I understand it, to extend some of the fortifications and the military posts in Hawaii.

Mr. CLARK of Missouri. Is it an effort to get more land for the United States or more land for the speculators?

Mr. KAHN. It is an effort to acquire some additional land for the military posts in Hawaii. If the gentleman has been down there, and I know that he has——

Mr. CLARK of Missouri. No; I have not. [Laughter.]

Mr. KAHN. I thought the gentleman from Missouri was one of the party that was down there several years ago.

Mr. CLARK of Missouri. No; I declined to go on that junket.

Mr. MANN of Illinois. It would have been a good thing for Hawaii and also for the gentleman from Missouri if he had been of the party.

Mr. CLARK of Missouri. I guess that is true, for I understand they had a good time.

Mr. KAHN. If the gentleman will look at the map showing the location of the various fortifications around Honolulu, he will notice that the area around the forts is very circumscribed. It is desirable to extend some of those areas.

Mr. MANN of Illinois. Is not this the fact: That we have either to acquire some more land for the posts out there or trade for it, one of the two?

Mr. KAHN. Yes.

Mr. MANN of Illinois. And we have land that we can trade that is of no value to us?

Mr. CLARK of Missouri. Is the gentleman from Illinois speaking from his own information or from something gathered from the gentleman from California?

Mr. MANN of Illinois. I have not talked with the gentleman from California about the bill at all.

Mr. KAHN. The total area involved in the legislation is about 1,000 acres.

Mr. CLARK of Missouri. Is it good sugar land?

Mr. KAHN. No; this is not sugar land.

The SPEAKER. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, I offer the following amendment, to strike out section 2.

The SPEAKER. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 7, strike out section 2.

Mr. GARD. Mr. Speaker, I do this because I desire to call attention to a matter that has been called to my attention by the gentleman from Virginia [Mr. MOORE] in regard to the appointment of these appraisers. I am wondering whether this method of the appointment of appraisers is the proper method to pursue. The appraisers are appointed, one by the Secretary of War, whose duty it is to determine ordinarily the value of military property to be purchased, as I understand it.

Mr. KAHN. Yes.

Mr. GARD. The second appraiser is to be appointed by the owner of the private property and a third appraiser is to be chosen by the other two appraisers. Does not the matter practically resolve itself into this, that the Secretary of War will probably appoint a military man representing the Government, the owner of the property will appoint some one interested in seeing that the value of the property is kept as high as possible, and the third man to be appointed by these two will practically control the findings of these two men, because as we view the ordinary action of appraisers where they represent interests one man will represent the interest of the United States and the other man a private interest, and is not the third man necessarily the man who will practically determine the appraisement? Is that a proper method to pursue?

Mr. KAHN. While that is what generally happens in all appraisements, the fact remains that the area of land in the Hawaiian Islands is comparatively small and the value of every tract is pretty well known by everyone on the islands.

Mr. GARD. But the value of the land which the Government seeks to acquire usually gets a certain impetus when the Government makes that fact known.

Mr. KAHN. I confess that the gentleman's statement is right. There are a great many men in this country to-day who consider themselves thoroughly honest and honorable who do not hesitate to raise the price when they know that the Government is to be the buyer.

Mr. GARD. That is very true, and that is the point that I was considering. The gentleman has had very great knowledge of military affairs, and has he taken this matter into consideration when he agrees to this matter of the appointment of appraisers?

Mr. KAHN. I have taken that matter into consideration. As I stated, the value of the land in and near Honolulu is pretty well known by everyone.

Mr. GARD. Does the gentleman think it is a safe proposition to allow this third man to be practically the only appraiser?

Mr. KAHN. He is not the only appraiser. He is one of the appraisers. I have no hesitancy in saying that I think the Government will be entirely safe in submitting the matter in this manner.

Mr. GARD. Mr. Speaker, I withdraw the amendment.

Mr. TREADWAY. Mr. Speaker, I move to strike out the last word. The gentleman from California [Mr. KAHN] has stated several times that the value of all of the land in and about Honolulu is pretty well established. I would like to call his attention to the report of the committee along that line. The first tract belongs to a Mr. McCandless, and he values it at $65,000. The Government believes that it could procure it under condemnation proceedings for from twenty to twenty-five thousand dollars. The next tract is valued at $40,000. The owner of the next tract is unknown, and the War Department places an estimate of its value at $1,000. As to the next tract, neither the name of the owner nor the price put upon the tract is known by the department; and the fourth tract is thought to belong to the Bishop estate. So that it would seem that there is a very wide discrepancy in the value of land and ignorance as to the owners. That is somewhat at variance with the statement of the gentleman from California that there is ample knowledge as to the entire value of this property.

I would like to ask one question further, whether or not this is a movement brought forward by those who own some of this land to see to it that the Government gets some land that they do not want in exchange for some they say the Government does want, or has the matter come forward at the request of the War Department in order to improve these various military

posts? It looks to me as though there was considerable possibility of Uncle Sam getting the poor end of the land transaction, very much in the manner referred to by the gentleman from Missouri [Mr. CLARK].

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield for a suggestion?

Mr. KAHN. Yes.

Mr. MANN of Illinois. It is perfectly evident that in this matter the appraisement made will not be binding on the private owners of the property unless they choose to accede to it, and the Government will be bound, practically. Why not have the three appraisers appointed by the Secretary of War? The Government is to pay the expense anyway, and on that basis the Secretary of War deals with the private owners.

Mr. KAHN. I have no objection to that whatever. I am especially interested in preventing the gouging of the Government by anyone. I assume that Mr. McCandless is an honorable gentleman. He has been a Democratic candidate for Delegate from Hawaii a number of times, and I can not imagine that he would want to take advantage of the Government. I will accept any amendment that the gentleman from Illinois would want to offer in that particular.

Mr. MANN of Illinois. Mr. Speaker, I offer to amend, in section 2, by striking out after the word "appraisers," in line 8, page 2, the words "one of whom shall be appointed," and by striking out after the word "War," in line 9, page 2, all the language down to and including the word "appointed," in line 11, and by inserting after the word "appraisers," in line 8, the word "to," so that it will read:

That the value of the lands and interests to be so exchanged shall be determined by three appraisers, to be appointed by the Secretary of War.

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. MANN of Illinois: Page 2, line 8, after the word "appraisers," strike out the words "one of whom shall," and in line 9, page 2, after the word "War," strike out the language "one by the owner of the private property and the third shall be chosen by the two appraisers so appointed"; and in line 8, after the word "appraisers" insert the word "to," so that as amended the lines will read:

"SEC. 2. That the value of the lands or interests to be so exchanged shall be determined by three appraisers to be appointed by the Secretary of War," etc.

The question was taken, and the amendment was agreed to.

Mr. GOOD. Mr. Speaker, I move to strike out the last word. I would like to ask the gentleman from California whether this is in aid of a program of the War Department with regard to the fortifications in the island of Hawaii and with regard to the placement of fieldpieces along the mountain passes and ridges?

Mr. KAHN. No. The largest part of this area is in connection with the enlargement of Schofield Barracks, which, as the gentleman knows, is not on the shore. There are one or two tracts near the shore, especially the one at Pearl Harbor, in the Hawaiian Islands, and the War Department officials feel they require the additional territory to perfect the fortifications there.

Mr. GOOD. Now, the War Department has come before the subcommittee on fortifications for a number of years with regard to a program of placing more guns commencing down at Diamond Head and up along the ridge and again at the Pali and down around Pearl Harbor. Now, they have never been able for more than two consecutive years to bring to the committee the same program, and if this is in aid of that program I want to say to the gentleman I do not think the War Department should ever claim that the adoption of this legislation permitting the exchange committed Congress to their military program on the island.

Mr. KAHN. No; this is not in behalf of that program. As the gentleman knows, it enlarges Fort Shafter a little, and that is, of course, down on the water front, near Pearl Harbor.

Mr. KALANIANAOLE. Will the gentleman yield?

Mr. KAHN. Certainly.

Mr. KALANIANAOLE. I would like to ask the gentleman whether this includes all the lands now under the War Department in Hawaii?

Mr. KAHN. No; this is to exchange some land with private owners so as to acquire this land for Government military posts.

Mr. KALANIANAOLE. So far as this relates to Schofield Barracks I think it ought to be done, but if this includes other lands that the Military Department owns I am opposed to it for the reason that a great many of these lands used by the War Department are lands which were valuable and which were taken from the Territory and may be some time abandoned. Now, if this measure goes through giving the War Department the right to exchange any land, this valuable property that they took away for nothing could be exchanged for any property they might see fit owned by private parties. I think it is unfair to the Territory.

Mr. KAHN. Oh, these lands, as I understand it, are now in private ownership. They are not Territorial lands.

Mr. KALANIANAOLE. As to giving the War Department the right to exchange and get those lands the gentleman refers to, I am in sympathy with that. I am very much in sympathy with that. They should have those lands, but I am opposed to the War Department going outside of these specific names mentioned, and what I am asking the gentleman is if they have the authority under this bill to exchange any of their lands owned by the War Department now?

Mr. KAHN. No; the lands that they propose to acquire are set out on page 2 of the report. The first tract is the Kalena tract, within the boundaries of Fort Schofield Barracks military reservation.

Mr. MANN of Illinois. This would only authorize the exchange of any Government lands now set apart for military purposes, or hereafter set apart?

Mr. KAHN. For that purpose alone.

Mr. MANN of Illinois. And would not cover anything else?

Mr. KAHN. Nothing except lands now used for military purposes.

Mr. KALANIANAOLE. There are some lands, for instance, the Navy Department has occupied on the water front which were very valuable to the Territory for their commerce. Now, the Navy Department, after they develop Pearl Harbor as a naval station, will have no use for those valuable water-front lands, and the War Department wants them, for what purpose I do not know, but to hold on to them, I suppose, and perhaps may exchange them for other lands. We are limited in our area for our commerce at Honolulu Harbor. There are valuable lands held by the Navy Department to-day for which they have no use.

Mr. MANN of Illinois. This would not affect lands held by the Navy Department.

Mr. BLANTON. Mr. Speaker, we can not hear or understand whether the gentleman is for or against this bill. Is the gentleman for or against this bill?

Mr. KALANIANAOLE. I am simply asking the chairman——

Mr. KAHN. I would say to the gentleman that I do not believe that the War Department is authorized to make any exchange for any land that is not at present under the jurisdiction of the War Department. It desires to get from some private owners a few tracts of additional land.

Mr. KALANIANAOLE. They should get those lands. There is no getting out of it but that some of our citizens might try to hold up the War Department.

Mr. KAHN. Mr. McCandless, who was the gentleman's antagonist for the position of Delegate from Hawaii, is the owner of one of these tracts of land.

Mr. KALANIANAOLE. Yes.

Mr. TREADWAY. May I ask the Delegate a question?

Mr. KAHN. Yes.

Mr. TREADWAY. Is he familiar with the Kalena tract, now owned by Mr. McCandless, consisting of 254 acres, on which he places a value of $65,000?

Mr. KALANIANAOLE. I am.

Mr. TREADWAY. In the judgment of the gentleman, is the land worth $65,000?

Mr. KALANIANAOLE. No.

Mr. TREADWAY. That comes back to my original objection to the bill, in that it seemed to me to be a land speculation for the benefit of private individuals.

Mr. KAHN. I think the amendment of the gentleman from Illinois [Mr. MANN] will protect that.

Mr. TREADWAY. I am heartily in favor of the amendment of the gentleman from Illinois, but I do not think it entirely protects us from that possibility. I think the Delegate can give us some valuable information on these values, and it would be for our benefit to know whether or not these moves to secure these exchanges of land are initiated by land speculators or by the War Department. I would ask the Delegate if he has any opinion on that?

Mr. KALANIANAOLE. I do not know very much about that, but I know this: That the private owners at Fort Shafter are in a position to hold up the Government, because they are right in the center of the post there. But it seems to me by condemnation they can get those lands cheaper than they could in any other way.

Mr. TREADWAY. I think the Delegate is disposed to be opposed to this legislation?

Mr. KALANIANAOLE. I am in favor of this legislation to get these lands for the War Department, because they should not be owned by any private concern. They are a part of that post and the War Department should have them.

Mr. KAHN. The War Department takes the attitude that the land is worth only about $20,000 at the outside; and, as that

department has the appointment of all the appraisers, I presume the Government's rights will be absolutely safeguarded so far as the appraisement that is made is concerned.

Mr. TREADWAY. May I ask the Delegate one other question? Is he familiar with the character of the land which it is proposed to exchange for these tracts? In other words, are the lands which the Government now owns, and which these private owners secure in exchange, sugar lands?

Mr. KALANIANAOLE. No; they are not sugar lands.

Mr. TREADWAY. And there can not be that construction put on the move to make the trade?

Mr. KALANIANAOLE. No.

Mr. DENISON. If these appraisers are appointed by the Secretary of War and they fix the value on the land to be secured by the Government, can the Secretary of War reject the findings?

Mr. KAHN. I think he can.

Mr. DENISON. I think the House ought to know with some certainty about that.

Mr. MANN of Illinois. There is no question but that the Secretary of War can reject it. He does not have to make the trade if he does not want to do so. We give the authority to the President to make the trade. We provide that the Secretary of War shall appoint a commission to report upon the value. That is in order to protect the President in making the trade. That is all.

Mr. KAHN. And the Secretary, I take it, would not be bound by that appraisement?

Mr. MANN of Illinois. No. There is no legal appraisement here at all. It is not a condemnation proceeding.

Mr. DENISON. If it was a condemnation proceeding, the Government would have to pay cash, and I thought we ought to be protected if the appraisers value this land too high.

Mr. MANN of Illinois. If they valued it too highly, the Secretary would have to reject it, because the War Department seems to have put an appraisement on it which is one-half of the value fixed by the owner.

Mr. DENISON. I will say that we will await with a good deal of interest to see what the Secretary does in regard to that. He has not followed a course in this country that justifies us to think that he would reject the land if the appraisement was too high.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KAHN, a motion to reconsider the vote by which the bill was passed was laid on the table.

RIGHTS OF WAY, FORT DOUGLAS MILITARY RESERVATION.

The next business on the Calendar for Unanimous Consent was the bill (S. 3327) granting certain rights of way and exchanges of the same across the Fort Douglas Military Reservation in the State of Utah.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. TILLMAN. Mr. Speaker, reserving the right to object, I ask unanimous consent to revise and extend my remarks in the RECORD on the loyal Creek bill.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD on the previous bill. Is there objection? [After a pause.] The Chair hears none. Is there objection to the present consideration of the bill S. 3327? [After a pause.] The Chair hears none. The bill is on the Union Calendar.

Mr. MAYS. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Utah asks unanimous consent that the bill may be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 3327) granting certain rights of way and exchanges of the same across the Fort Douglas Military Reservation in the State of Utah.

Be it enacted, etc., That there is hereby granted to Salt Lake City, a municipal corporation organized and existing under the laws of the State of Utah, a perpetual easement and right of way for the operation, maintenance, repair, and renewal of a conduit and pipe line to be located not more than 25 feet easterly from the conduit and pipe line of the said city now constructed over and upon the Fort Douglas Military Reservation in said State, the same being connected with the water-supply system of the said city; and also for the construction, operation, maintenance, repair, and renewal of all valve houses which may be deemed necessary in connection with said pipe line: *Provided*, That the said conduit and pipe line must be at all times maintained entirely below the surface of the ground; that the ground must at all times be kept in such condition as will enable troops to pass over the same without hindrance; that no fences shall be constructed to prevent the passage of troops; and that all work done upon the reservation in pursuance of this grant shall be to the satisfaction of the post commander and under such regulations as he may prescribe in the interest of good order and discipline; and that in case of the removal of the conduit or pipe line or any of the valve houses the ground shall be restored by the grantee to its original condition.

SEC. 2. That the right to alter, amend, or repeal this act is hereby reserved.

Also the following committee amendment was read:

Page 2, line 14, after the word "condition," insert a colon and the following language:

"*Provided*, That in the discretion of the Secretary of War the privilege herein conferred may be revoked at his instance if and when the regulations as may be prescribed by him to carry into force and effect this act shall be violated upon the part of the said city of Salt Lake City, Utah."

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read the third time.

The question being on the passage of the bill, the question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BLANTON. Mr. Speaker, I ask for a division.

The SPEAKER. The gentleman from Texas calls for a division.

The House divided; and there were—ayes 93, noes 3.

So the bill was passed.

On motion of Mr. MAYS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. MAYS. Mr. Speaker, I ask unanimous consent that the House bill, 11424, of similar tenor, be laid on the table.

The SPEAKER. The gentleman from Utah asks unanimous consent that the House bill, 11424, of similar tenor, be laid on the table. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

QUORUM—CALL OF THE HOUSE.

Mr. VARE. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER. The gentleman from Pennsylvania makes the point of order that there is no quorum present. The Chair is of opinion that there is no quorum present.

Mr. MANN of Illinois. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Illinois moves a call of the House. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Ferris	Kreider	Scott
Ayres	Fuller, Mass.	Larsen	Scully
Benson	Ganly	Lesher	Sears
Bland, Ind.	Garland	Linthicum	Sells
Booher	Garrett	Little	Siegel
Britten	Goodall	Lonergan	Sims
Brooks, Pa.	Gould	McFadden	Slemp
Browne	Graham, Pa.	McGlennon	Smith, N. Y.
Brumbaugh	Greene, Vt.	McKinley	Steele
Burdick	Griest	Mann, S. C.	Stephens, Miss.
Butler	Griffin	Mead	Stevenson
Campbell, Kans.	Hamill	Moon	Stoll
Candler	Hamilton	Nelson, Wis.	Sullivan
Caraway	Hastings	Nicholls, S. C.	Taylor, Colo.
Carew	Haugen	Nichols, Mich.	Taylor, Tenn.
Casey	Hoey	Nolan	Temple
Christopherson	Holland	O'Connell	Thompson
Clark, Fla.	Houghton	Ogden	Timberlake
Cooper	Howard	Oldfield	Towner
Copley	Husted	Pell	Walters
Crowther	Hutchinson	Ramsey	Ward
Dempsey	Johnson, Miss.	Riordan	Watkins
Dent	Johnston, N. Y.	Robinson, N. C.	Whaley
Dooling	Kelley, Mich.	Romjue	Wheeler
Dunbar	Kennedy, Iowa	Rowan	Wilson, Ill.
Edmonds	Kennedy, R. I.	Rowe	Wilson, La.
Ellsworth	Kettner	Sanders, La.	Wingo
Emerson	Knutson	Sanford	

The SPEAKER. Three hundred and fifteen Members have answered to their names. A quorum is present.

Mr. GOOD. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The gentleman from Iowa moves that further proceedings under the call be dispensed with. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

LOAN OF ARMY RIFLES TO THE AMERICAN LEGION.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9112) authorizing the Secretary of War to loan army rifles to posts of the American Legion and concur in the Senate amendments.

The SPEAKER. The gentleman from California asks unanimous consent to take from the Speaker's table the bill H. R. 9112, with Senate amendments, and concur in the Senate amendments. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9112) authorizing the Secretary of War to loan army rifles to posts of the American Legion.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

Mr. BLANTON. Mr. Speaker, the gentleman will remember that when this bill was passed in the House there was quite a controversy over an amendment offered on the floor, which amendment was defeated. Was there any attempt on the part of the Senate to put that amendment back into the bill?

Mr. KAHN. I do not recall that any such effort was made, but at any rate——

Mr. BLANTON. But at any rate the amendment that was defeated here was not put back in the bill?

Mr. KAHN. No. The limitation was put in by the Senate that not more than 10 rifles could be given to one post.

Mr. BLANTON. That is the only material change?

Mr. KAHN. There is no material change. The rifles to be loaned shall be obsolete or condemned rifles.

Mr. CLARK of Missouri. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Certainly.

Mr. CLARK of Missouri. What is the sense of limiting the number of these rifles to 10 to each post?

Mr. KAHN. The posts desire to use the rifles for firing salutes at the graves of their dead comrades. When the burial ceremony takes place they have a firing squad, and they desire to get enough rifles to fire a salute at the grave. Then, too, they want several rifles when the organization parades. They have two or three rifles with the color guard, with the flag.

Mr. CLARK of Missouri. I know; but what I am asking you is, What sense is there in limiting the number of rifles to 10 at each one of these posts?

Mr. KAHN. There was considerable discussion on the bill when it was considered in the House, and a great many Members seemed to feel that the War Department would be authorized to give them several hundred if they made a demand for these rifles.

Mr. CLARK of Missouri. How many men are there in a post?

Mr. KAHN. That depends altogether on how many join. They are not limited.

Mr. CLARK of Missouri. I know. Is there a limited number?

Mr. KAHN. I do not know as to that.

Mr. MADDEN. They have anywhere up to a thousand.

Mr. KAHN. I see one post is making a drive, and the members claim they are going to get 5,000 members. Then there are other posts which have only 40 members.

Mr. CLARK of Missouri. They would cut a fine figure marching in a parade with 5,000 men in column and only 10 guns.

Mr. KAHN. The only intention is to give them guns for ceremonial purposes. As I said, if a member dies they want to have enough guns to fire a salute over his grave.

Mr. CLARK of Missouri. In what shape did the House send over that amendment?

Mr. KAHN. The House sent the bill over without any reference to the number of guns. The Senate limited the number to 10. I have asked the House to concur in the Senate amendments.

Mr. CLARK of Missouri. How many of these rifles has the War Department got?

Mr. KAHN. At the time we got into the war the Krag-Jorgensens, which were obsolete, numbered about 300,000. How many they have at the present time I do not know, but I presume there are considerably less than 300,000.

Mr. CLARK of Missouri. If they had 300,000 Krag-Jorgensens at the beginning of the war that they would not use, it would look as though we had accumulated some other guns under this designation of "useless"——

Mr. KAHN. Or "obsolete"——

Mr. CLARK of Missouri. Yes; "useless or obsolete."

Mr. KAHN. No. The only rifles that we utilized during the war were the Springfields of 1903 and the Enfield rifle, which dates from the middle of 1917.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. GARD. Is the language in the bill to which concurrence is asked "obsolete and condemned"?

Mr. KAHN. Yes; "obsolete and condemned." That language was put in by the Senate.

Mr. GARD. Is a condemned gun supposed to be a gun that may safely be used in ceremonies?

Mr. KAHN. Yes. For instance, a condemned gun might be carried by one of the sergeants accompanying the flags.

Mr. GARD. I understand that; but the gentleman said one purpose was to use them in funeral ceremonies where they fire salutes.

Mr. KAHN. Yes. Those would be the obsolete guns.

Mr. GARD. There are two classes of guns, then—obsolete guns and condemned guns?

Mr. KAHN. I presume they can give out a number of obsolete guns and one or two condemned guns.

Mr. GARD. I do not very much like the use of the word "condemned." I am very much in favor of giving them any guns that they need for their services.

Mr. KAHN. A gun may be condemned and may still be serviceable for some purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from California to concur in the Senate amendments.

The Senate amendments were agreed to.

LEAVE OF ABSENCE TO OFFICERS OF THE COAST GUARD.

The next business on the Calendar for Unanimous Consent was the bill (S. 3202) granting leave of absence to officers of the Coast Guard, and for other purposes.

The bill was read as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to grant leave of absence without pay to such officer or officers of the United States Coast Guard as he may deem advisable, and to permit him or them to accept employment with the Venezuelan Government with such compensation and emoluments as may be agreed upon between the Venezuelan Government and such officer or officers thus granted leave of absence.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DALE. Mr. Speaker, this bill has recently gone on the Calendar for Unanimous Consent, and I ask unanimous consent that it be passed for the present, retaining its place on the calendar.

The SPEAKER. The gentleman asks unanimous consent that the bill retain its place on the calendar. Is there objection?

Mr. WALSH. Reserving the right to object, can the gentleman furnish me a little more information than is contained in the report if the bill is passed over and remains on the calendar?

Mr. DALE. When I came here this morning I thought I understood all the details in connection with this bill, but I have discovered that there are matters on which I personally feel the House should be better posted than I think it could be by a discussion of it to-day. If the bill retains its place on the calendar, I assure the gentleman from Massachusetts that I myself will be better posted about it when it comes up again.

The SPEAKER. Is there objection to the request of the gentleman from Vermont that the bill retain its place on the calendar?

Mr. GOLDFOGLE. Reserving the right to object, I should like to ask the gentleman from Vermont a question. I noticed during the reading by the Clerk that the bill contemplates giving the right to certain officers of the Coast Guard to seek other employment during the absence granted to them. Am I right?

Mr. DALE. I will say to the gentleman from New York that the bill simply gives authority to loan some member or members of the Coast Guard to the Venezuelan Government.

Mr. GOLDFOGLE. What does the bill provide with reference to the pay of the officer during the time that he is absent from duty?

Mr. DALE. When he is out of the employment of our Government he is paid by the Venezuelan Government.

Mr. GOLDFOGLE. Does the bill provide that during the period that he is in the employ of some one else or of another Government he shall not receive any pay from our Government?

Mr. DALE. It does. His leave is without pay.

Mr. GOLDFOGLE. That is the provision of the bill?

Mr. DALE. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Vermont that the bill be passed and retain its place on the calendar?

There was no objection.

AMENDMENT OF FEDERAL FARM-LOAN ACT.

Mr. PLATT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 9065, to amend the farm-loan act, and to disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman asks unanimous consent to take from the Speaker's table H. R. 9065, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. WALSH. Reserving the right to object, is this the bill to amend the farm-loan act?

Mr. PLATT. Yes.

The SPEAKER. Is there objection?

There was no objection, and the Speaker appointed as conferees on the part of the House Mr. PLATT, Mr. MCFADDEN, and Mr. PHELAN.

DEFICIENCY APPROPRIATIONS.

On motion of Mr. GOOD, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12046) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, with Mr. TILSON in the chair.

Mr. GOOD. Mr. Chairman, when the House adjourned on Saturday evening I made an agreement with some of the gentlemen who are interested in the navy yard items that I would ask unanimous consent that the items under the head of Navy Department commencing at page 18, line 19, and ending at the end of line 2, on page 20, be passed over, to be called up later, so as to give some gentlemen who may be out of the city a chance to be here. I ask unanimous consent that those items be now passed over.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the items indicated by him be passed over until to-morrow. Is there objection?

Mr. MILLER. Reserving the right to object, at what stage of the proceedings does the gentleman intend to bring up these items relating to the navy yards?

Mr. GOOD. I think they will probably come up at the end of the bill.

Mr. MILLER. Can the chairman of the committee give any idea when that will be?

Mr. GOOD. I hope the bill will be completed to-morrow.

Mr. MILLER. They will not come up to-day?

Mr. GOOD. If this agreement is acquiesced in I think nothing on this subject will come up to-day.

The CHAIRMAN. Is there objection?

Mr. BANKHEAD. I understood the purpose of this request was to allow gentlemen who are interested in these items an opportunity to get back here?

Mr. GOOD. Yes.

Mr. BANKHEAD. Does not the gentleman think that is a rather unsound precedent to establish?

Mr. GOOD. The gentlemen who requested it were in favor of these amendments. I am opposed to them, but I want to be entirely fair to them, and I hope there will be no objection.

Mr. BLANTON. Reserving the right to object, certain gentlemen who are interested in the spending of millions of money in navy yards at Philadelphia and elsewhere last Saturday proposed an amendment to spend $9,000,000 to keep a bunch of idle fellows on the pay roll. And then they ran off home to enjoy a few days in the metropolis cities of the northeast section, and have not yet returned, but want us to wait on them by holding up this legislation. The chairman says that he is against these $9,000,000 amendments. May I ask the chairman——

Mr. MASON. The regular order, Mr. Chairman.

Mr. BLANTON. We can certainly save time by getting a little information, but if the gentleman wants the agreement which the chairman says he made with his colleagues to permit them to run home and stay three or four days, if he wants that agreement to be carried out he had better not push us with the regular order.

Mr. GOOD. I will say to the gentleman that there need be no misunderstanding. There were quite a number of gentlemen around when the agreement was made, Members on both sides——

Mr. BLANTON. I want to get some information. Is the chairman actively against this amendment or only passively against it? Much depends upon this point.

Mr. GOOD. I am quite actively against it.

Mr. BLANTON. And is the gentleman from Wyoming against it?

Mr. GOOD. I do not know.

Mr. BLANTON. It depends on what the Republican leaders' program is, whether the $9,000,000 is going to be spent, and for the present I object until I get the information.

Mr. MANN of Illinois. I hope the gentleman from Texas will not object. We are not to blame because some one calls for the regular order.

Mr. BLANTON. Is the gentleman from Illinois against the amendment?

Mr. MANN of Illinois. I am; very strongly.

Mr. BLANTON. If he is against it and the chairman, the gentleman from Iowa, is actively against it, we have a fighting chance.

Mr. GOOD. I am against it; and I will say to the gentleman that we have a fighting chance.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Clerk read as follows:

Glacier National Park, Mont.: For reimbursement of the appropriation for the park for the fiscal year 1920 on account of expenditures for fighting forest fires in the park, $19,849.22.

Mr. WATSON. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee why such a large appropriation is required to fight fires in this park. In the bill passed in November, 1919, there were $50,000 appropriated and in this measure $19,000 additional, making nearly $70,000 to fight fires in the Glacier Park. What are the conditions that require such an enormous amount of money? I think the gentleman stated when the last deficiency bill was considered that the appropriations to extinguish fires on public lands could be applied to the national parks, if practicable.

Mr. GOOD. I do not know where the gentleman gets his figures. The actual figures for the Glacier National Park were $80,000, and then there is a deficiency of $60,000. That was for the park.

Mr. WATSON. Sixty thousand dollars for fighting fires?

Mr. GOOD. The appropriation recommended here is the actual amount that the Government owes for fighting the fires. They had very destructive fires in the Glacier National Park last summer, which destroyed a great deal of timber, and which necessitated the expenditure of a large sum for fighting the fires.

Mr. WATSON. Last year the appropriation was $50,000.

Mr. GOOD. The gentleman knows that there are a good many hundred thousand acres of valuable timber in this park. They have had most destructive fires there.

Mr. WATSON. What are the causes of the fires? There are no railways there.

Mr. GOOD. Some fires are started by lightning striking trees, and many are started by carelessness upon the part of tourists, who camp and are not careful to extinguish their fires.

Mr. WATSON. How many foresters are in this park?

Mr. GOOD. I can not give the exact number, but it depends on conditions. When there is a fire they immediately bring in all the fire fighters they can—all that is necessary to extinguish the fire, if they can get them. They do not have a big force of fire fighters there all the time.

Mr. WATSON. Do I understand that there was $69,000 deficiency appropriated for fires in this one park?

Mr. GOOD. I can not recall whether the $62,000 was for the purpose of fighting fires, but we made specific inquiries in regard to this item. The estimate is an actual deficiency; it is the amount that it actually cost for fighting these fires.

Mr. WATSON. How many acres in the Glacier National Park?

Mr. EVANS of Montana. A million acres.

Mr. GOOD. More than that, I think; it is a very large park. I do not carry the exact acreage in my mind.

Mr. WATSON. Mr. Chairman, I withdraw the pro forma amendment.

Mr. BLANTON. Mr. Chairman, I renew the point of order.

The CHAIRMAN. There was no point of order reserved. The Clerk will read.

The Clerk read as follows:

Yellowstone National Park, Wyo.: For reimbursement of the appropriation for the park for the fiscal year 1920 on account of expenditures for fighting forest fires in the park and purchasing hay for feeding of elk, $35,026.64.

Mr. BLANTON. Mr. Chairman, I reserve a point of order. I would like to ask in what way this is a deficiency. It seems to appropriate $35,000 to feed a bunch of elk, when human beings are starving to death in the country.

Mr. GOOD. The director of the national park advises the committee that the situation with regard to the elk is altogether different than it is in regard to the buffalo. The elk is more of

a domestic animal, and if he is not able to paw away the snow and get to the grass he will die of starvation. The grass was all burned out in the national park during the forest fires and there is no grass there for them at all. They will not go to the remoter regions like buffalo will, where they can find grass, and they are dying. The director purchased $30,000 worth of hay out of his appropriation and spent $5,000 in addition from the amount available for fighting fires in Yellowstone Park.

Mr. BLANTON. When did Congress authorize them to spend $35,000 for hay for elk?

Mr. GOOD. They are Government animals; they are animals under the care of the director of the national park and the Secretary of the Interior, and I think these officers, who are intrusted with their care and support, would be under the severest censure if they should allow these elks to starve because the Government refuses to buy hay.

Mr. BLANTON. I do not imagine that they are going to starve.

Mr. GOOD. They are starving, and many of them have starved.

Mr. BLANTON. It is awfully hard to actually starve a wild animal if there is any grass for them.

Mr. GOOD. The director said that the elk are altogether different from the buffalo and other animals of that kind which we have in the park.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph that it is not a deficiency, that it is unauthorized by law, and that it is new legislation.

Mr. GOOD. I do not think it is subject to the point of order.

Mr. MONDELL. Will the gentleman withhold the point of order for a moment?

Mr. BLANTON. I withhold it.

Mr. MONDELL. I am very familiar with the situation. I know the park thoroughly and the habits of the elk there. In addition to the difficulty that arose from the forest fires——

Mr. BLANTON. Will the gentleman yield right there?

Mr. MONDELL. Yes.

Mr. BLANTON. The gentleman from Wyoming intimated the other day that he was not in favor of sending any aid and succor to human beings who are starving to death now.

Mr. MONDELL. I have not said that.

Mr. BLANTON. Is the gentleman willing to appropriate $35,000 to feed a few starving elk and not willing to appropriate money for starving people?

Mr. MONDELL. I have not said that I was not willing to appropriate money.

Mr. BLANTON. I so understood the gentleman.

Mr. MONDELL. I have not said that, but I think that has not very much to do with the present situation.

Mr. GOLDFOGLE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Will the gentleman from Wyoming yield?

Mr. MONDELL. I yield for a discussion of the matter under consideration.

Mr. WALSH. Mr. Chairman, I demand the regular order.

Mr. BLANTON. I make the point of order that it is new legislation, that it is not authorized by law, and that it is not a deficiency.

Mr. GOOD. Mr. Chairman, section 5181 of the Revised Statutes creates the Yellowstone National Park and section 5193 provides for the care and maintenance and protection of the hunting and fishing in the park. These animals belong to the Government, 40,000 elk. The Government provides against the killing of them in section 5193, and provides that the Secretary of the Interior shall make and publish such rules and regulations as may be deemed necessary for the proper management and care of the park and for the protection of the property therein. He has prescribed those rules and has prescribed that those animals that are starving should be fed. They have already purchased about $30,000 worth of hay for these animals, the amount of the appropriation being about a dollar a head for each elk in the park.

The CHAIRMAN. Out of what appropriation is this paid?

Mr. GOOD. It is paid out of the appropriation carried in the sundry civil bill for the Yellowstone National Park, and for the administration, protection, maintenance, and improvement of the park, including not to exceed $7,500 for maintenance of roads, and so forth, leading out of the park from the east boundary, not to exceed $7,500 for the maintenance of roads in the forest leading out of the park from the south boundary, and not to exceed $1,500 for a bridge over the Buffalo Fork of the Snake River, not to exceed $7,600 for the purchase, operation, maintenance, and repair of motor-propelled, passenger-carrying vehicles, including feed for buffalo and other animals, and salary of keepers, $255,500.

Mr. CANNON. Mr. Chairman, ever since the establishment of the park, it has been filled largely with game—buffalo principally, and elk. I recall some years ago crossing over from the Great Falls to Yanceys, along the line of the trail of Gen. Howard when he was chasing Chief Joseph away back yonder, that it took us all day to make that trip, and at the end of that trip—I then was the chairman of the Committee on Appropriations—an appropriation was made to extend the road from Great Falls to Yanceys. This is the greatest of all the parks. Game abounds there, the buffalo more numerous than anywhere else, although it is almost an extinct animal. All the world is interested in that game. On that trip I was satisfied that we saw at least 20,000 elk that were grazing about. Sometimes now the winter is so severe, the snow so great, in the absence of fires the grass is covered up and the elk have to go out of the park down to the plains, and when that happens the hunter and the loafer kill the innocent, nonfighting elk. All of the men, women, and children in the United States, in my judgment, are interested in the parks. Last year, I am told, 40,000 people visited these parks, and I thank God for it. They could not go abroad, and they spent their money here in learning something about their own country.

This statute by its construction is broad enough to protect, first, the timber; and second, the streams; and third, the fish; and fourth, the wild animals, the buffalo being mentioned. There is an appropriation made for all the parks for such protection. This is the chief park of all of them, and the unbroken care for these wild animals, carried for the better part of a generation, it seems to me, warrants such a construction of the statute as would authorize this appropriation.

A few days ago, on my return from the West, I traveled with the man who had charge of Yellowstone Park, and who has had for many years, having also charge in general superintendence of the Glacier, the Yellowstone down to the park recently established in Utah. They are establishing automobile lines, they are building roads under the legislation passed by Congress, the States contributing their part as they contribute farther east, south, and north. I do not believe this is subject to the point of order.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Yes.

Mr. GOOD. Mr. Chairman, I will call attention to the fact that under this same law which I quoted, section 5189, the Secretary of the Interior is charged with the arrest of all persons trespassing, and is authorized to take such measures as may be necessary or proper to fully carry out the objects and purposes of the section, and shall provide against the wanton destruction of fish and game and against their capture for the purpose of merchandise or profit.

Mr. CANNON. I might add further, that there are vast reaches of the finest forests in the world which the Government owns in Oregon, Washington, Utah, and elsewhere.

You can not find for the protection of the timber, Uncle Sam owning it, any more specific legislation for appropriations to fight fires than is found in this statute, so far as my recollection goes. If there were no further provisions of the law, Uncle Sam owning the park, the expenditure under the appropriation to fight fires—and they frequently have fires in these parks, with great destruction of timber—with the general language and the uniform appropriation from year to year, without bringing a strict construction from the general tenor of the act, I am satisfied that it is not subject to the point of order.

Mr. WELLING. Will the gentleman yield for a suggestion?

Mr. CANNON. I will.

Mr. WELLING. I want to say I am familiar with the conditions in the Yellowstone National Park. There were 6 feet of snow there this winter. The snow came down very heavily during the early period of the winter, and 20,000 or 30,000 of these elk were driven down out of the park, where they could not find food. Many of these elk went north into Montana. Many others drifted south into the drainage basin of the Snake River. As they crossed the entrance of the protected park area on the Idaho boundary a very great many of those animals were slaughtered by ruthless hunters, because they had gotten out of the protection of the park preserve. It was necessary for the National Park Service, if they were to protect this invaluable herd of elk owned by the Government, to import hay there, at a cost of from $20 to $30 a ton, to save the lives of those animals, and it seems to me that it would be an outrage to-day if they were not fed and protected and gotten back into the park, where they belong.

Mr. BLANTON. Mr. Chairman, I want to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. BLANTON. Mr. Chairman, it is not a question of saving the lives of this herd of elk. One gentleman says that herd contains 40,000. The gentleman from Utah says that 30,000 have been killed by hunters.

Mr. WELLING. There were 70,000 in the park in the beginning, added up.

Mr. BLANTON. There is a little discrepancy in the arithmetic of the two gentlemen.

Mr. CANNON. I have not been out to count them; I only know in a general way.

Mr. BLANTON. I am not quibbling about that, but the point I make is this, that it is not a question of providing hay to keep them alive, because the hay has already been bought and provided for and is being fed to the elk, and the superintendent of that park has enough hay to keep them alive, but the question is giving back to the superintendent $35,000 more money to expend on something else in the future to make good the money which he has spent for hay. How much money did we give to start with for this year ending June 30? Two hundred and fifty-five thousand dollars to the Yellowstone National Park to spend for this fiscal year. Is there any evidence here to show that by spending the amount of money he has spent for hay that he has exhausted that appropriation of $255,000? No. He may have $200,000 of it left. It is just a question of whether this is a deficiency item and that question alone. We do not know how much he has spent. We do not know how much he has on hand. I say there should be some evidence before the Congress of the proper expenditure of this immense sum of $255,000 that was turned over to the superintendent of this park for park purposes for one year before we go down into the Treasury and spend $35,000 more. I say, Mr. Chairman, that the chairman of this committee has wholly failed to show that this is a deficiency. Clearly, it is new legislation, clearly it is unauthorized by law, and I submit that it ought to come out of this bill. When are we going to stop waste and begin real economy?

The CHAIRMAN. The Chair is ready to rule. It appears that these parks have been authorized by law and set apart for the preservation of certain animals and game in general and that these are being protected by law. The Secretary of the Interior is authorized and empowered to take such measures as may be necessary to protect the animals, fish, and game in the park. It seems to the Chair that the proposed appropriation is clearly authorized by law.

As to the question whether or not it is a deficiency, it seems to the Chair that there can be little doubt. The argument made by the gentleman from Texas might have weight if directed against the merit of the section.

Mr. BLANTON. Will the Chair permit me to propound a parliamentary inquiry to him?

The CHAIRMAN. Yes; if the gentleman will permit the Chair to finish. It does not appear to the Chair that the argument of the gentleman is properly directed to the point of order. Now the Chair will hear the gentleman.

Mr. BLANTON. When we appropriate $250,000 for park purposes for a certain department of the Government, is there a deficiency until that department shows that the same has been actually contracted for or spent?

The CHAIRMAN. There may or may not be, according to circumstances. The Chair overrules the point of order.

Mr. MONDELL Mr Chairman, I do not want to take up the time of the committee unnecessarily, but this matter of the elk in Yellowstone Park having been discussed I think something more should be said. But a small portion of the $220,000, if that is the appropriation for the Yellowstone National Park, is ordinarily used for the purpose of feeding game. A few thousand dollars is ordinarily the maximum. This year conditions were very unusual in the Yellowstone National Park. Not only were there forest fires, as the gentleman from Iowa [Mr. GOOD] has stated, but snowy winter set in in that region about six weeks earlier than it ordinarily does. The snows became very heavy in October, and the elk that ordinarily came down from the high mountains to the lower feeding grounds in December or January came down in October and November.

The elk herd which summers in the park and in the country around it ordinarily divides in its migrations into two main herds—the northern and the southern herds. The southern herd is the larger. Each herd contains somewhere between 20,000 and 25,000 elk. The southern herd migrates into what is known as the Jackson Hole country in Wyoming, and when it passes out of the park it passes into State game preserves quite as large as the park, and is there as thoroughly protected as in the park. Furthermore, if this herd drifts farther south than the Wyoming game preserve, it does so during the closed season in Wyoming. So, as a matter of fact, the southern herd is protected in its migrations. Unfortunately, Montana has never seen fit to protect the elk herd or the portion of the elk herd that drifts north.

Formerly the hunting season in Montana closed, I think, about the 1st of December, and as the main body of the northern herd did not leave the park until after that time, the portion of the herd that drifted beyond the park boundaries was more or less, though never very well, protected there. Recently, I think within the last year, the Montana game law has been modified so as to extend the open season later, which, of course, endangers the lives of any elk which drift north from the northern part of the park any time during the long and late hunting season. However, that extension was not necessary this year to expose the elk to danger of slaughter on the north, for when in October and November the heavy snows drove the great northern herd out of the highlands of the upper park and across the boundary of the park into Montana it was slaughtered mercilessly. I have seen it estimated that 8,000 elk were slaughtered in Montana, and, unfortunately, Idaho did not protect the elk that drifted west. But Montana seems to have made no effort to protect the elk herd, and under the Montana laws hunters came in in droves, and the elk were shot down ruthlessly within sight of the park boundaries and hauled away in carload lots. I am told so many were killed that many carcasses spoiled before they could be carried away.

I make this statement in the hope that this great State, which borders the Yellowstone Park on the north, will follow the example that Wyoming has set in the protection of the elk herd, and change her laws so that when these elk drift north from the park they shall have some hope of at least reasonable protection. It is about time, in the interest of the good name of Montana, that that State made some effort to protect the elk herd. [Applause.]

The Clerk read as follows:

For the purchase of such additional quantities of hay as may be necessary to insure preservation of the northern herd of elk, $8,000.

Mr. BLANTON. Mr. Chairman, I make the point of order that it is not a deficiency and not legislation.

The CHAIRMAN. The Chair overrules the point of order. The Clerk will read.

The Clerk read as follows:

Hereafter all patent fees shall be paid to the Commissioner of Patents, who shall deposit the same in the Treasury of the United States in such manner as the Secretary of the Treasury shall direct, and said commissioner is authorized to pay back any sum or sums of money paid to him by any person by mistake or in excess of the fee required by law.

Mr. WALSH. Mr. Chairman, I reserve a point of order on that. What is the practice now about these patent fees?

Mr. GOOD. The practice now is that if even a copy of a patent is requested, a copy costing 10 cents, and the applicant sends in the 10 cents, the money is covered into the Treasury under the law, and the Comptroller of the Treasury Department states if that patent is not available and the money must be returned, the red tape that must necessarily be gone through in accordance with the law to return the 10 cents requires an expenditure of about $1 in clerk hire to get the voucher issued and the money sent back.

Now, the Comptroller of the Treasury and the Commissioner of the Patent Office have said that it would greatly facilitate matters in their office if they had some common-sense plan of returning the small fee that was sent in when the office could not supply the copy that was requested.

Mr. WALSH. Do I understand now that if a person sends a dollar to the Patent Office for copies, when they receive that dollar and they know they have not the copies that they can not return the dollar to the man who sends it?

Mr. GOOD. That is true. It must be covered into the Treasury of the United States as miscellaneous receipts, and then an original voucher must be issued; and they say that the various hands it must pass through before the voucher can be sent out involves an expenditure of about $1.

Mr. WALSH. Let us see what they will do under this:

Hereafter all patent fees shall be paid to the Commissioner of Patents, who shall deposit the same in the Treasury of the United States in such manner as the Secretary of the Treasury shall direct, and said commissioner is authorized to pay back any sum or sums of money paid to him by any person by mistake or in excess of the fee required by law.

How are they going to eliminate this clerk hire, then?

Mr. GOOD. The Secretary of the Treasury will prescribe rules by which that money is to be held, the part of it that is held as a special deposit until the matter is adjusted. It now goes into the Treasury as miscellaneous receipts and it can not go out again until the money is appropriated. This gives the Secretary of the Treasury jurisdiction to prescribe rules and regulations with regard to this special deposit, so that it can be paid without going through the red tape required at present.

Mr. WALSH. The Secretary of the Treasury has no authority to do that now?

Mr. GOOD. No authority at all.

Mr. WALSH. But he has with reference to some other departments of the Government. Is that the result of general legislation?

Mr. GOOD. As a general rule. Where the money goes into the Treasury as miscellaneous receipts, I do not know of any rule by which he can pay it without an appropriation. The Constitution says it can not be paid out except in pursuance of act of Congress.

Mr. WALSH. So, if it is done by any department, the gentleman thinks it must be by specific authorization of law?

Mr. GOOD. I think so.

Mr. WALSH. Mr. Chairman, I withdraw the point of order.

Mr. GREEN of Iowa. Mr. Chairman, I would like to ask the chairman another question, and I move to strike out the last word.

It seems to me the regulations ought to go a little further than expressed in this paragraph. Would it not be well, in line 23, to add "such regulations as the Secretary of the Treasury shall prescribe," so that we will have a definite rule with reference to these payments by mistake?

Mr. GOOD. That is practically the same that we have. It reads:

In such manner as the Secretary of the Treasury may direct.

Mr. GREEN of Iowa. The way the paragraph is drawn that refers only to deposits, as I understand it.

Mr. GOOD. This paragraph was drawn and submitted to the Comptroller of the Treasury. In matters of that kind I do not believe that the committee ought to report out legislation unless the official who is to pass upon it sees and approves, and this provision was submitted to the Comptroller of the Treasury and has his approval.

Mr. GREEN of Iowa. I do not care enough about it to offer an amendment, but often I have thought that these gentlemen in the departments do not know just the exact form of law to carry out their intention.

Mr. GOOD. The comptroller is pretty careful about these matters.

Mr. MANN of Illinois. Does the comptroller direct that this money shall be deposited in the Treasury and then have it withdrawn without an appropriation?

Mr. GOOD. The Commissioner of Patents and the Comptroller of the Treasury both appeared before the committee and asked for this specific legislation in the exact words carried in the bill. Now, whether they propose every day to deposit this money or whether the regulations shall prescribe that enough shall be held to meet contingencies, I do not know. I only know that Judge Warwick came before us, and I submitted to him this question:

You have suggested some legislation, reading as follows:

"Hereafter all patent fees shall be paid to the Commissioner of Patents, who shall deposit the same in the Treasury of the United States in such manner as the Secretary of the Treasury shall direct, and said commissioner is authorized to pay back any sum or sums of money paid to him by any person by mistake or in excess of the fee required by law."

Will you explain what the present law is and the expense or delay which its operation entails and which might be avoided by the enactment of the proposed legislation?

Then he goes on and states in substance what I have tried to explain and states that this provision will cure that defect.

Mr. MANN of Illinois. Well, I hope it will. I think there ought to be a provision to cure it. I do not myself understand how, when we require money to be deposited in the Treasury, we can then say that without an appropriation the Commissioner of Patents may pay back part of this money.

Mr. GOOD. I see the point. I am not the author of the amendment. The committee is simply reporting it as it was submitted by the head of the department that is administering it and the Comptroller of the Treasury, who must pass upon it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For producing copies of weekly issue of patents, designs, and trademarks; production of copies of drawings and specifications of exhausted patents and other papers; and for expense of transporting publications of patents issued by the Patent Office to foreign governments, $25,000.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN of Illinois. I have had several communications recently with reference to the delay in obtaining copies of specifications, and so forth, in the Patent Office. I suppose the intention was to blame Congress because there was not a sufficient appropriation. I do not know. I do not know whether the information or the suggestions came from the Patent Office or not. I had a letter the other day from a patent attorney asking for specifications, and they said they did not have any, but had ordered them printed, so I suppose they had the money for it. They could not have ordered them printed without having the money. But they seek to put the blame on Congress. Is there any justification for that?

Mr. GOOD. I do not believe so. For this year the estimates under the provision we are now considering were for $140,000, and Congress appropriated $135,000, and has already appropriated $15,000 as a deficiency, which makes $150,000, or $10,000 more than was originally estimated for this year.

Now, it is true that the demand in the Patent Office for publications of this kind has very largely increased; an increase amounting, I think, to as much as 30 per cent over last year for copies of patents. We increased the fee required from 5 to 10 cents per copy, but the commissioner states that that has had no effect at all so far as demand is concerned, but that while it has doubled his receipts recently the demand keeps coming. For instance, my recollection is that the total receipts of the Patent Office increased from $1,975,000 to $2,418,000 for the year 1918, and the increase is greater in the first six months of this year by about 20 per cent than it was over last year.

Mr. MANN of Illinois. Of course, there is no reason that I can see why they should not have money enough to print patents and specifications which they propose to sell.

Mr. GOOD. They ought to have the money, because it is a money-making proposition for the Government.

Mr. MANN of Illinois. Yes.

Mr. GOOD. We get for them more than they actually cost.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Hereafter the accounting officers of the Treasury are authorized to credit the accounts of the special disbursing agent of St. Elizabeths Hospital with such amounts as he has or may hereafter pay in carrying out the provision of the sundry civil act of July 19, 1919, relating to the readjustment of salaries at the hospital, and the schedule of salaries and allowances for maintenance, where the latter is not provided by the hospital, approved by the Secretary of the Interior August 1 and November 25, 1919, respectively, or as may be modified hereafter by him, notwithstanding the act of April 6, 1914, or section 4839, Revised Statutes, United States, as amended.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order on the paragraph.

Mr. WALSH. Mr. Chairman, what is the necessity of making this permanent law?

Mr. GOOD. The necessity is this: It will only make it permanent law for this year, because the sundry civil act provided only for the current year. The Secretary has authority only to fix the rates of pay for one year.

The gentleman will recall the condition formerly out at St. Elizabeths. Under the provisions in the sundry civil act of July 19, 1919, the salaries of nurses, for example, were fixed at $30 a month. The result was that where individuals were paying $30 to $35 a week for trained nurses, they could not hire any nurses at St. Elizabeths Hospital, and I think very few were hired, and most of them were incompetent. Now, the sundry civil act of July 19, 1919, provided that for this current year the Secretary of the Interior should fix the salaries of the employees, and under that law he fixed two different standards of salaries, one standard for the persons who were housed and fed by the Government within the grounds and a little larger sum for those who provided their own subsistence and dwelling. You will recall that they asked for something like two or three hundred thousand dollars for additional buildings. We did not give them that money. We thought it better for some of them to live outside.

Now, the Secretary has fixed the rate of pay at $1 more per day for the laborers and trained nurses who live outside and board themselves and rent their homes than is paid to those who live within St. Elizabeths Hospital; but under the ruling, while he was given that authority to fix the pay, the comptroller holds that in fixing that rate of pay he has brought in another element not specified in the law, and that is the question of subsistence.

Mr. WALSH. If you write this language into this act, will it not be used to sustain the contention that it was intended in the sundry civil act of 1919 to fix those rates of pay and make them the permanent rates there?

Mr. GOOD. I do not think so.

Mr. WALSH. Then, what is the word "hereafter" doing in here?

Mr. GOOD. It can only possibly have reference to the rest of this current year, and this is only a direction to the accounting officer. Whereas the accounting officers are not given the power to fix the rates of pay which are paid under the law, the Secre-

tary of the Interior is authorized to adjust the compensation of the officers at St. Elizabeths Hospital. That only gave him the authority the gentleman speaks of.

Mr. WALSH. They sometimes hang a very persuasive argument upon the use of a single word in a statute, particularly after the appropriation is made. I think if the gentleman would agree that the word "hereafter" might be stricken out, so that it would only apply during the balance of the present fiscal year, it would be satisfactory, and I will withdraw the reservation of the point of order and offer an amendment in line 18, to strike out the word "hereafter."

Mr. MANN of Illinois. I reserve a point of order on the paragraph.

Mr. WALSH. Then I will not go any further.

Mr. MANN of Illinois. Did the gentleman from Iowa state the full case? How much of these accounts has been disallowed so far?

Mr. GOOD. Just the two items that are mentioned in the first paragraph. They are the only two that have gone to the accounting officers. There are a good many others that have not yet been presented to the auditor and accounting officers. This one went to the Treasury, and the auditor disallowed that.

Mr. MANN of Illinois. What does this consist of?

Mr. GOOD. Accounts of George W. Kreis, special disbursing agent for St. Elizabeths Hospital, $185.66, covering items disallowed by the accounting officers of the Treasury in his accounts for the period ending September 21, 1919. I understood there were two claims.

Mr. MANN of Illinois. Was not the principal one the increase in the salary of the superintendent of the hospital? Perhaps his salary ought to be increased. My recollection is——

Mr. GOOD. The gentleman is correct with regard to the salary of the superintendent, Dr. White. It was increased by the Secretary of the Interior from $5,000 to $7,000 a year; but that is not included, as I recall, in this $185.

Mr. MANN of Illinois. I am inclined to think that is the principal item in the $185. I am not sure. That is one of the principal items, anyhow.

Mr. GOOD. Yes; I find that was the item for the first month.

Mr. MANN of Illinois. So that while the gentleman has given the reason in reference to the nurses, up to date the principal difficulty has been that the salary of the superintendent, without authority of law, was increased from $5,000 to $7,000 a year. Now, it may be that that salary ought to be increased, but that plainly was not contemplated by the sundry civil act of July, 19, 1919.

Mr. GOOD. No. In considering that matter the committee did not consider the question of the salaries of the officials, unless they were minor officials, but principally the nurses and attendants and persons who were employed in the hospital.

Mr. MANN of Illinois. As a matter of fact a situation arose in reference to the nurses and some of the attendants which required correction. Congress endeavored to correct that in the sundry civil act of July 19 last. Thereupon, as soon as that act was passed the superintendent of the asylum, Dr. White, who, I believe, is a very capable gentleman, who very likely may be entitled to the increase of salary, secured from the Secretary of the Interior, not in accordance with the law but against the provisions of the law, a recommendation that his salary be increased $2,000 a year. When that item reached the comptroller's office it was disallowed. Now, this proposes to allow it.

Mr. GOOD. Yes.

Mr. MANN of Illinois. Not only for the past but for the future.

Mr. GOOD. Yes.

Mr. MANN of Illinois. And that salary is permanently increased. Well, it may be that it ought to be increased, but I do not like the subterfuges about these things, asking Congress to legislate upon one subject, which it does, and then seeking to apply it to something else to which it does not apply, and when they find they can not get that by the accounting officers, then ask for a provision which gives no indication on its face of what it was intended for, but seems very fair on its face, and they want to slip it through. Now, perhaps we ought to increase the salary of Dr. White. Probably he is worth $10,000 a year, very likely. I do not know.

Mr. GOOD. It was not the intention of the committee to slip anything through. That arose entirely from the fact that the salary of Dr. White was involved with employees; but in looking up the record I find that that is the original item referred to and the way it arose. The sundry civil act provides as follows:

That the Secretary of the Interior is authorized to adjust the compensation of the officers and employees of St. Elizabeths Hospital.

Now, as the gentleman from Illinois said, the comptroller ruled that under that provision the Secretary of the Interior had not the authority to increase the salary of Dr. White from $5,000 to $7,000, which he did. With regard to Dr. White, I do not know anything about the man who was the superintendent of this hospital before him.

Mr. MANN of Illinois. He has been there a long time.

Mr. GOOD. But I do know that under the authority granted in the sundry civil bill he was able to hire some help that he could not hire before. Up to that time the condition was deplorable. Since then there has been a complete readjustment of things there. I regard Dr. White as a very able superintendent. From what I have seen of the man I have no doubt that he could secure a great deal more compensation in the general practice.

Mr. MANN of Illinois. I think he is a very competent man. I agree with the gentleman about that; but I am frank to say that when they come before us and ask to have certain legislation enacted purporting to be solely for the purpose of securing ordinary help at the hospital, I do not like it when the first thing they do under that legislation is to increase the salary of the superintendent, and that is the main increase that is made. The principal increase that was made was in the salary of the superintendent. I dare say that never was in the mind of the Committee on Appropriations at all when it reported the original item.

Mr. GOOD. The gentleman from Illinois is right about that. I want to say this in all fairness to Dr. White: As far as the committee was informed Dr. White knew nothing about the request for an increase of salary. That was made by Admiral Braisted. He came before the committee and said: "On account of the high cost of living, I suggested to Mr. Lane that we give him $10,000. That was talked over, and the alternative was reached, and we agreed to give him $7,000."

Mr. MANN of Illinois. I can understand how a naval officer felt about it; you could not get salaries high enough to suit them under any circumstances. Here was plainly a case where it was not the intention of Congress to have a certain thing done. That is what they did, and it was the principal thing they did.

Mr. GOOD. No; it was as far as the increase of salary of any one person was concerned. They did not have nurses, could not get them at $30 a month, and the principal thing they did was to increase the salaries of a great many people, and now they have attendants there whereby I imagine as much as $60,000 more will be expended for attendants this year than last year.

Mr. MANN of Illinois. In violation of the ruling of the comptroller?

Mr. GOOD. No.

Mr. MANN of Illinois. The principal item in the disallowed account, if I recollect correctly, was the increase in the salary of the superintendent. It may be that it was properly increased, but not increased in a proper way.

Mr. CANNON. Will the gentleman yield?

Mr. MANN of Illinois. Certainly.

Mr. CANNON. The sundry civil bill authorized the Secretary of the Interior to increase the salaries of the officials. He did increase the salary of the officials under that authorization, and increased the salary of Dr. White from $5,000 to $7,000. But it went to the Comptroller of the Treasury, and he said "Nay, nay; the statute fixes it at $5,000." It not being specifically repealed, he held that the act did not authorize the increase.

I know Dr. White very well, and I do not think that he was conniving to cover up anything. I hope the gentleman from Illinois will not interpose any point of order, because the sundry civil bill in its provision evidently intended to give this authority and change the law, but the comptroller, who had the last guess, said no.

Mr. MANN of Illinois. I do not think that was the intention. Here were salaries not fixed by law, and the design was to let the Secretary of the Interior fix those increases of salaries. Here was a salary that was fixed by law, and I do not think it was contemplated in the act at all that that should be increased. I think the history of the act will show that it was not intended to change salaries fixed by law. Dr. White is doubtless a very efficient superintendent. It is said that he has asked for no increase. I know of no reason why we should force him to take it against his will. However, I do not think I shall interpose a point of order, but I think we have been imposed upon.

Mr. GOOD. I find that they had 1,061 employees on the day the hospital officials were before the committee. Of these, between 500 and 600 were living in the hospital and had quarters provided there. About the same number had quarters outside. The one thing that the committee was impressed with was that they had made a fair arrangement with the employees by

having them get quarters outside, which would cost the Government less than to have them quartered in the building.

Mr. MANN of Illinois. A large share of those people have had quarters outside all the time. They have never been frank with the committee in telling the situation about it. I do not feel that I know enough about St. Elizabeths to make the point of order, and I withdraw the reservation of the point of order.

Mr. WALSH. Mr. Chairman, I move to strike out the word "hereafter" in line 18, page 23.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 18, strike out the word "hereafter."

Mr. WALSH. Mr. Chairman, I understand the gentleman from Iowa has no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 28 ayes and 4 noes.

So the amendment was agreed to.

Mr. EAGAN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. EAGAN: Page 24, after line 4, add a new paragraph, as follows:

"BUREAU OF MINES.

"Tunnel investigations: For investigations of conditions dangerous to health and safety in tunnels, shafts, and similar confined places, caused by deleterious gases, or arising during the construction of tunnels, shafts, and similar engineering works, with a view to improving such conditions by determining the most efficient means of protection from these dangers, including all equipment, supplies, expenses of travel, subsistence, and all other expenses requisite for and incident thereto, including personal services in the District of Columbia and elsewhere, to be immediately available and continue available during the fiscal year 1921, $100,000.

Mr. GOOD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. EAGAN. Mr. Chairman, the purpose of the amendment is to provide the sum of $100,000 to conduct "investigations of conditions dangerous to health and safety in tunnels, shafts, and similar confined places caused by deleterious gases," and so forth. The rapid increase of the use of motor vehicles is creating a new problem in the ventilation of subways, tunnels, and other confined places through which these vehicles must pass.

It is just and proper that the Federal Government should investigate this problem rather than local communities or States. Tunnels are being considered in many parts of the United States. The largest one for which immediate information is wanted is the proposed vehicular tunnel between New York and New Jersey under the Hudson River. This tunnel will be 9,000 feet long and will have an estimated maximum number of 2,000 automobiles and trucks per hour passing through it during the rush periods. The amount of poisonous gas given off by this long line of machines is almost beyond conception; certainly it can not be guessed at. That this fact is fully appreciated by the New York State Bridge and Tunnel Commission and the New Jersey Interstate Bridge and Tunnel Commission is shown in the following letter from the chairmen of the two commissions to the Secretary of the Interior, asking the Bureau of Mines to conduct investigations on automobile exhaust gases with respect to tunnel ventilation.

[New York State Bridge and Tunnel Commission and New Jersey Interstate Bridge and Tunnel Commission, Office of Chief Engineer, Hall of Records.]

NEW YORK CITY, *October 28, 1919.*

The Hon. FRANKLIN K. LANE,
Secretary of the Interior, Washington, D. C.

DEAR SIR: The States of New York and New Jersey are about to construct the first subaqueous highway tunnel in this country, and in planning this work the question of ventilation is receiving very careful consideration. At the present time there are in use in London two highway tunnels similar to the tunnel which the States are undertaking, and up to the present time their ventilation has not proved a serious problem, but neither of these tunnels is as long nor carries the amount of traffic which it is expected will use our tunnel.

In studying the ventilation problem the New York State Bridge and Tunnel Commission and the New Jersey Interstate Bridge and Tunnel Commission, through its engineers, have made a very careful search, covering the entire field of investigations carried out up to the present time, in order to determine the amount and composition of the exhaust gas of motor vehicles and the amount of dilution necessary to obtain adequate ventilation. The most extensive work which has been carried out in this country is that which has been conducted by the Bureau of Mines; and with this in view, our chief engineer, Mr. Clifford M. Holland, recently met the Director of the Bureau of Mines, Mr. Van. H. Manning, in New York City, and discussed with him the question of carrying out investigations which would afford the needed information on this subject. The Bureau of Mines has already conducted tests on the allowable percentage of carbon monoxide in connection with accidents in mines, but not from the point of view of the continuous presence of small percentages such as would be serious from long-continued exposure.

We are writing you to learn if it will be possible to obtain the valuable services which can be rendered by the Bureau of Mines in these investigations. It is felt that tests carried out under the direction of your department with its staff of experts will be authoritative and fill a pressing need for public information to-day.

Respectfully,

GEORGE R. DYER, *Chairman,*
MORRIS M. FROHLICH, *Secretary,*
New York State Bridge and Tunnel Commission.
W. H. NOYES, *Chairman,*
E. MORGAN BARRADALE, *Secretary,*
New Jersey Interstate Bridge and Tunnel Commission.

Following is a letter from A. D. Neeld, a civil engineer, of Pittsburgh, to the Bureau of Mines, suggesting the bureau make a complete investigation of this subject:

NOVEMBER 24, 1919.

Hon. VAN. H. MANNING,
Director Bureau of Mines, Washington, D. C.

DEAR SIR: I have charge of the construction of a general traffic tunnel in the city of Pittsburgh, Pa., for the county of Allegheny, Pa. This tunnel, or I should say these tunnels, consist of two parallel tunnels 59 feet between centers, each of them being about 5,700 feet long and 26 feet wide.

In making a study of the conditions to be met in a project of this nature almost the first problem encountered is that of supplying a sufficient quantity of fresh air for the comfort and safety of men and animals using the tunnel. The general use of gasoline-motor cars narrows the study to the determination of the quantity of gasoline consumed by the various kinds of motor cars under the conditions of highway traffic, the quantity and composition of the exhaust gases, and the effects of these exhaust gases on men and animals.

I have been able to find but little information on these questions. There have been a few isolated tests made on passenger automobiles and motor trucks, insufficient, however, on which to base a design for ventilation. The best information to be found on the subject is in Bulletin No. 74 of the Bureau of Mines, which gives very satisfactory data on the maximum production of carbon monoxide by gasoline mine motors, but does not take up automobiles and motor trucks.

On the effect of this gas on men and animals I have found only the most general statements.

In view of the fact that projects for general traffic tunnels are under consideration in a number of cities in the country, I am of the opinion that this subject is of sufficient general interest to justify the Bureau of Mines in making a complete investigation of the use of gasoline in motor cars and the effects of the exhaust gases on both men and animals.

Yours, truly,

(Signed) A. D. NEELD.

Following is a letter to the Director of the Bureau of Mines from the chief engineer of the Boston transit department:

CITY OF BOSTON,
TRANSIT DEPARTMENT,
Boston, December 2, 1919.

Mr. VAN. H. MANNING,
Director United States Bureau of Mines, Washington, D. C.

DEAR SIR: In making studies for a proposed tunnel under the harbor for vehicular traffic between East Boston and Boston we are considering the question of ventilation, particularly in regard to the disposing of the exhaust gases from motor vehicles. If your bureau has made any experiments which throw any light on this question, I should be glad if you would kindly send me any bulletin which your bureau may have issued in regard to this matter. If you know of any other sources of information, or should your bureau undertake any further investigations along this line, I should be very glad if you would let me know.

There seems to be very little published information on the probable injurious effects of the carbon monoxide in automobile exhaust gases, though it is a matter of increasing importance on account of the great increase in motor vehicle traffic.

Very truly, yours,

EDMUND S. DAVIS,
Chief Engineer.

Mr. WALSH. Will the gentleman yield?

Mr. EAGAN. I will.

Mr. WALSH. The tunnels where they use electric motors for power are not filled with gases?

Mr. EAGAN. I should think not.

Mr. WALSH. Why is it necessary to spend $100,000 to discover that?

Mr. EAGAN. The purpose of the amendment is to get aid from the Federal Government in making the investigation, because the information will be of use throughout the country, and because tunnels for the purpose of providing ways for motor vehicles are under consideration in several different parts of the country at this time. The States of New York and New Jersey propose to expend $10,000,000 each in the construction of this tunnel, and I contend that it is in many respects an undertaking that will be of great benefit to the commerce of the country. Because of the large expenditure which both States expect to make in connection with this great undertaking they feel they ought not to be burdened with the additional expense of ascertaining this information which when secured will be of great value not only in the construction of the tunnel under the Hudson River but in all similar undertakings.

Mr. GOOD. Mr. Chairman, an estimate was made for an appropriation of $100,000 for this purpose. The committee heard Dr. Manning, of the Bureau of Mines, and others in support of it, and it appeared very conclusively in the hearings that the Bureau of Mines did not have jurisdiction of this subject, that they were not authorized by law to do the work, and therefore we ought not to report out any appropriation for that purpose. I make the point of order that the amendment is not germane, is not authorized by law, and is legislation.

The CHAIRMAN. It would be very clearly legislation, which is sufficient to sustain the point of order, and it is not germane. The Chair, therefore, sustains the point of order on those two grounds.

The Clerk read as follows:

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL.

For compensation to assistant postmasters at first and second class offices, $350,000.

Mr. BLACK. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 24, line 21, after the figures "350,000," strike out the period, insert a colon, and add the following language:

"*Provided*, That the tenth provision of section 2 of an act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, is hereby amended so that it will hereafter read as follows:

"'*Provided further*, That no assistant postmaster or supervisory official at offices of the first class shall receive a less salary than $100 per annum, including the increase herein provided, in excess of the sixth-grade salary provided for clerks and carriers in the City Delivery Service, nor shall an assistant postmaster at any office of the second class be paid a less salary, including the increase herein provided, than that paid the highest-salaried clerk or letter carrier employed in such office.'"

Mr. GOOD. Mr. Chairman, I make the point of order that the amendment is legislation and is not authorized by law. I will reserve it if the gentleman wishes.

Mr. BLACK. Mr. Chairman, I do not think the amendment is subject to the point of order, because the effect of it is to reduce expenditures and would, therefore, come within the provisions of the Holman rule, which permits legislation on an appropriation bill.

Mr. GOOD. Mr. Chairman, I reserve the point of order.

Mr. BLACK. Mr. Chairman, speaking to the merits of the amendment, since the gentleman has reserved the point of order, I want to make this brief explanation: The appropriation bill for the Post Office Department for 1920 carried, I believe, $4,281,500 for assistant postmasters at first and second class post offices. That was thought and estimated to be sufficient to take care of these expenses for the fiscal year 1920, including the increases which had been provided by Congress from time to time; but the Comptroller of the Treasury, in construing that part of section 2 which consists of the tenth proviso, held that the proviso referred to the basic salaries, and the effect of this construction was to increase the expenditure by $493,000 for this fiscal year. In order that we may have the situation clearly before us, it is necessary to go back and see what we have done with reference to the increases in these salaries. In the Post Office appropriation bill of 1919 we took up what might be called the graded employees, like clerks, carriers, railway mail clerks, and we increased their salaries by increasing the compensation of their grades. For instance, the salaries of the respective grades of postal clerks and carriers before the passage of that law was from $800 to $1,200. We really had five classes then, but what is known as the Madden reclassification bill made six classes or grades, ranging from $1,000, being the entrance grade, to $1,500, the sixth grade. That took care of some 75,000 clerks and carriers. As to railway mail clerks, the entrance grade was $900 at that time, and I believe ranged up to $1,800, being 10 grades. We changed that and made the entrance grade $1,100 and then on up to $2,000 for the tenth grade, and suspended the automatic promotions for that year. That gave each employee of the classes I have named for that fiscal year a flat salary increase of $200. As to rural carriers, we gave them a flat increase of $300 on the standard routes, raising it from $1,200 to $1,500. That took care of most of the employees except the assistant postmasters at first and second class offices and supervisory officials and employees of that kind. They were not graded employees, and so we gave them an increase of $200 per annum where their basic salaries were $2,200 and less.

That was for the fiscal year 1919. The practical working out of that law dissatisfied the assistant postmasters at some offices in this way: We will say that at an office where the postmaster was receiving $2,400 per annum the assistant would get $1,200 as a basic salary. His increase would be $200 per annum. That would make his total salary $1,400, and he would thereby receive less salary than the highest grade clerk or carrier, who could go up to $1,500. Therefore, they complained to the committee about that and said that they ought to receive at least as much as the highest paid clerk or carrier. In 1919, when the appropriation bill for 1920 went to the Senate, the Senate put on an amendment in the form of a proviso, and which reads as follows:

Provided further, That no assistant postmaster nor supervisory official in offices of the first class shall receive a less salary than $100 per annum in excess of the sixth-grade salary provided for clerks and carriers in a city delivery office, nor shall an assistant postmaster at any office of the second class be paid a less salary than that paid the highest salaried clerk or letter carrier employed in such office.

Now, what was the intention of Congress as to that provision? We will again take as an illustration a second-class office where the salary of the postmaster is $2,400. Under the law the basic salary of the assistant postmaster is $1,200, and under the provision of section 2 he would only get an increase of $200, which would make a total salary of $1,400. Now, it was the intention of the committee in adopting the proviso that in cases of that kind the assistant postmaster would receive a salary of not less than the highest grade employee at the office, which would put him at $1,500, which is the salary of the highest grade employee or carrier at a second-class office. Now, in first-class offices it was intended that the supervisory officials should be paid $100 more than the highest salaried employees of the sixth grade, but the comptroller, when the matter was put up to him, construed that it meant the basic salary, and that therefore all these assistant postmasters at second-class offices receiving less than the highest paid employee should go up to the highest paid salary, which is $1,500, and in addition to that should receive the $200 increase in salary and also the $150 bonus given by the joint resolution of November, 1919——

The CHAIRMAN. The gentleman has occupied five minutes under the reservation of the point of order.

Mr. BLACK. I ask that I may have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN of Illinois. Mr. Chairman, might we have the amendment again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection.

The amendment was again reported.

Mr. GOLDFOGLE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. BLACK. I will yield to the gentleman from New York.

Mr. GOLDFOGLE. Does not the gentleman think that the language used in the proviso put in by the Senate is perfectly clear?

Mr. BLACK. I am not, of course, attempting to argue for a moment that the construction of the comptroller is not the correct construction, because I think it is according to the reading of the language, and yet I know it was the intention—at least I think I do from the debates which took place and general understanding—that it was the intention of Congress to give these assistant postmasters and supervisory officials the $200 per annum increase which was provided in the bill and add a further proviso that their salaries, meaning undoubtedly to include the increase, should not be less than that of the highest grade employee at second-class offices and should not be less than $100 more per annum at the first-class offices.

Mr. GOLDFOGLE. Does the gentleman think——

Mr. BLACK. Now, my amendment, Mr. Chairman, if the gentleman will permit me, merely adds to the language of the proviso, in the two proper places, the words "including the increases herein provided," which assures that these particular employees will only receive the increases which Congress, I think, evidently intended to give.

Mr. GOLDFOGLE. Now, does the gentleman think that this amendment of his, which is intended to make clear, as he says, what is in doubt, ought to be inserted in a deficiency bill, or, rather, ought to be reserved for the action of the Post Office Committee of the House in connection with such other propositions as may be pending there, or may be taken up hereafter in relation to salaries generally of offices?

Mr. BLACK. If the gentleman will permit, I will answer that by saying that if I thought there was any doubt whatever. If I thought that there was even room for reasonable doubt of the intention of the Congress or the committee, I would not offer this as an amendment to an appropriation bill; but I believe that the gentleman himself is bound to admit that Congress had no intention whatever, for instance, of promoting an assistant postmaster in a second-class office, where the salary is $1,200 a year, to $1,500 and then giving in addition another $200 increase of salary. Feeling that I know what the intent of Congress was, I have not hesitated to offer an amendment of this kind. I think the intent of Congress was clearly set forth by the First Assistant Postmaster General in his testimony before the committee in this case where he makes this statement:

The appropriation bill under which we are operating this year provided a war bonus. It provides that the salaries of supervisory officers as first-class offices shall not be less than $100 greater than the salary of the highest paid clerk or carrier, and at second-class offices it shall be no less than the salary of the highest paid clerk or carrier. The comptroller ruled that that meant on the basic salary and not on the bonus, and it was therefore necessary to promote assistant postmasters at second-class offices where they received less than the highest salary paid to a clerk or carrier to a salary equivalent to the salary paid the clerk or carrier. That meant the promotion of those at first-class offices who received less than $1,800 to $1,800. It involved an additional expenditure of $493,000.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection.

The amendment was again reported.

Mr. MADDEN. Mr. Chairman, now I do not know exactly what the gentleman from Texas expects to accomplish by the amendment. I did talk with the gentleman a few minutes before he introduced the amendment, or rather he talked to me, and told me what the decision of the comptroller was. The legislation that this amendment refers to was put in the bill in the Senate last year. It was known as the Wadsworth amendment. The Wadsworth amendment was a very comprehensive piece of legislation that would have gone much further than the bill itself went. When the bill went to conference the conferees saw that the amendment offered by Senator WADSWORTH was not well thought out, that it would complicate the situation in the Post Office Department in respect to these salaries, and the conferees agreed upon the language to which the gentleman's amendment now refers.

I do not know what effect the amendment would have on the situation as it exists. The Post Office bill has passed the House for this year. It is now under consideration in the Senate. It will undoubtedly go to conference, and it is altogether likely that there will be plenty of opportunity to consider the question involved in the gentleman's amendment in an orderly way. I do not believe it is good practice to pass an important matter like this, involving a great many men in an important service, without giving it the most careful consideration. And while I believe it was never the intention of the Post Office Committee, either of the House or of the Senate, to do more than to give these assistant postmasters $100 above the highest-paid clerk, I am not at all sure that the amendment of the gentleman accomplishes that purpose. In any event, I would not be willing——

Mr. BLACK. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLACK. I will state to the gentleman that I agree with him that it is ordinarily not wise to offer an amendment of this kind from the floor, but it was so clearly the intention of the committee to do what the gentleman says was intended to be done, to wit, to raise the assistant postmasters in second-class offices to the highest-paid clerk or carrier and the supervisory officials at first-class offices $100 beyond such salary, that I have added to the language simply the words:

Including the increases herein provided.

And that, it seems to me, would clearly mean that the total salary of the assistant postmaster in a case of that kind, including the increase that he is to receive by the bill, shall not be less than that of the clerk or carrier, but would not be more, unless it would be so by the regular increases provided in the bill.

Mr. MADDEN. I am sure the gentleman does not intend to do anything that ought not to be done.

Mr. BLACK. One more statement, and then I am through. I would not offer it except for the fact that the mistake has already cost the Government $493,000, and I do not think anybody will pretend that it was the intention of Congress to give this added amount. All assistants do not get it. If they do not happen to reside in an office where the salary would be less than the highest-grade employee, they would only receive the increase provided in the bill, which is $200 per annum.

Mr. GOOD. Will the gentleman from Illinois yield?

Mr. MADDEN. Yes.

Mr. GOOD. What does the bill that has just passed carry with regard to this?

Mr. BLACK. I will say to the gentleman this matter was never called to the attention of the committee, and I only knew of it by reading the hearings and finding out why this deficiency.

Mr. GOOD. The gentleman can see then what position we would be in if we adopted this amendment. The salaries of these persons would be reduced for the balance of this fiscal year and then increased again at the end of the fiscal year.

Mr. BLACK. I am assuming now if the House will adopt it, it will be notice to the Post Office Committee in regard to the situation.

Mr. GOOD. The Post Office Committee and the House have already acted.

Mr. BLACK. I will say this, that I have only offered this amendment out of a sense of responsibility. The House can do whatever it wants to do with it. While the comptroller's decision, I am satisfied, is correct as to the language written, it is clearly causing this class of employees to receive an increase which Congress did not intend. At least that is the view I take of the matter, and I have discharged my duty in calling it to the attention of the House.

Mr. GOOD. I think the comptroller's decision did cause an expenditure of $493,000 more than was anticipated, and while I am not familiar with and did not follow the legislation closely enough to know just what was the intent of the framers of that provision, it does seem to me that under this decision more money is being paid out than was originally intended.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. MADDEN] has expired.

Mr. MADDEN. I think under the circumstances and in view of the fact that the matter can be taken up in the conference committee between the Senate and the House and given the kind of consideration it merits I will feel compelled to make the point of order against the amendment.

Mr. BLACK. Mr. Chairman, on that point of order I do not wish to argue at length, except to say that it seems to me that it would come within the provision of the Holman rule. It is intended to amend a section of the Post Office appropriation bill that increases the salary of the postal employees, and if the amendment were adopted it would have the effect to bring about a reduction in the expenditures of this particular item, and, I think, would come within the Holman rule. And it is germane because it relates to the particular expenditure under consideration at the present time.

Mr. GOOD. Mr. Chairman, I think there is no question about the germaneness. But I do not see where it comes within the Holman rule. There is no reduction in the appropriation.

There appears to be no reduction in the number of persons that would fall within this class. As to whether or not it would effect a reduction on its face, I am unable to say. The gentlemen who have studied it, of course, can figure it out how it may effect a reduction. But the gentleman's amendment goes further than that. It provides that "hereafter" the tenth proviso of section 2 of the Post Office appropriation bill "shall read as follows," and so forth. That word "hereafter" used in that sense is pretty broad, and, I think, would make that provision permanent law.

Mr. BLACK. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLACK. That would be explained in this way: Section 2 of the Post Office appropriation bill for 1920 only applies to the fiscal year 1920 and dies with the close of the year; and therefore the effect of this amendment, of course, could not have any further extent than the section itself.

Mr. GOOD. That would be true if the tenth proviso only carried an appropriation, but it does not carry an appropriation but regulates salaries, and it goes on to provide that "Hereafter it shall read as follows." And I rather supposed it was in the gentleman's mind that by putting it in in that form at least there could be a contention made that that was the law with regard to succeeding years.

Mr. BLACK. I think not, for this reason, that section 2 itself is temporary, and none of the salary increases that it makes are permanent, but they only apply to the fiscal year 1920; and, of course, amending the tenth proviso could not have possibly any further effect than for the fiscal year 1920.

The CHAIRMAN. The Chair is ready to rule. It is conceded that this is new legislation and that such is the purpose of it, so that if the amendment is in order it must be under section 2 of Rule XXI, known as the Holman rule. In order to bring itself within the provisions of the Holman rule, it having been offered by a Member from the floor, it must be germane to the subject matter of the bill and must retrench expenditures, either by reducing the number and salary of officers of the United States, by a reduction of the compensation of any person paid out of the Treasury of the United States, or by a reduction in the amount of money covered by the bill. It is difficult for the Chair to determine, in fact it would be a matter of conjecture so far as the Chair is concerned, whether the effect of the amendment would be a retrenchment of expenditures or not. At any rate, it does not appear upon the face of the amendment that it retrenches in either of the required ways. After hearing the gentlemen who know more about the Postal Service than the present occupant of the Chair, the gentleman from Illinois [Mr. MADDEN] and the gentleman from Texas [Mr. BLACK], the Chair is still very much in doubt as to whether it will make any retrenchment whatever.

By permission of the committee the Chair submits two brief excerpts from rulings made by the gentleman from Georgia [Mr. CRISP].

On March 11, 1916, in construing the Holman rule, Chairman CRISP said:

The Chair does not believe that the opinion of some one that the amendment might reduce and the opinion of another that it might not is legitimate for the Chair to consider, but the Chair must determine from the amendment itself whether or not its natural consequence is to reduce expenditures.

Later on, the same day, when the same matter was offered in a different form, Chairman CRISP said:

The Chair is of the opinion that the amendment must show on its face that it does perform one of the functions required under the rule to make it in order.

Mr. BLACK. Will the Chair permit me to make one observation on that point?

The CHAIRMAN. Yes.

Mr. BLACK. I think the Chair will find that it will bring about a reduction in salary, and in this way: The section itself recites the increases that are given to assistant postmasters, which, as I have stated to the Chair, are $200 per annum where the annual salary does not exceed $2,200 per annum and 5 per cent increase where the salary exceeds $2,200 per annum. Now, after providing for that increase, the committee added the tenth proviso, which said that even after the assistant postmaster has received the increase he shall still receive a salary which shall not be less than that paid to the highest paid clerk or carrier in a second-class office.

Now, what was the effect of that? The effect of that was to guarantee that no assistant postmaster should receive a less salary than $1,500 at a second-class office. The comptroller has construed that. He has ruled that by reason of not adding the proviso which I have added here, viz, "including the increases provided herein," that the language of the original proviso must be construed to refer to the basic salary.

Mr. MADDEN. Does the comptroller say that?

Mr. BLACK. I am putting the language in my own way, but that is the effect of the comptroller's ruling. I do not have the text of his ruling here.

Mr. MADDEN. The comptroller did not say that, did he?

Mr. BLACK. He may not have used that exact language, but that is the effect of his ruling; and by adding, as I have added in this amendment, the words "including the increases herein provided," then the Chair is bound, in finding out whether the assistant postmaster's salary shall be equal to the highest paid employee, to include the increases that are provided in section 2, whereas under the present text of section 2 he does not have to include those increases.

The CHAIRMAN. The fact that the gentleman is offering this amendment as a Member of the House and not by order of the Committee on Post Offices and Post Roads limits the application of the Holman rule to a considerable extent. Even upon the able statement of the gentleman from Texas, the Chair does not yet think it clear that the amendment brings itself under the provisions of the Holman rule, and therefore sustains the point of order.

Mr. SNELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. SNELL. I do so for the purpose of asking the chairman of the committee a question. I noticed in the Washington Post on Saturday and Sunday that the Post Office Department is sending out letters and conducting a propaganda in relation to the high cost of living. I would like to know upon what authority or from what appropriation such money and the time of those employees come, if the gentleman can tell me?

Mr. GOOD. I am not advised. There was no estimate for any deficiency that would require an additional appropriation because of such activity that I know of.

Mr. SNELL. But it must cost money to do that, must it not?

Mr. GOOD. They might have authority to do that under the authority given in the Post Office appropriation bill, which provides:

That to promote the conservation of food products and facilitate the collection and delivery thereof from producer to consumer and the delivery to producers of articles necessary in the production of such products the Postmaster General is hereby authorized to conduct experiments in the operation of motor-vehicle truck routes, to be selected by him—

And so forth.

Mr. SNELL. The gentleman thinks under that he could send out letters and conduct a propaganda such as they are conducting at the present time?

Mr. GOOD. I know of no other provision in the Post Office appropriation bill which would enable him to do that.

Mr. BLACK. Mr. Chairman, if the gentleman will permit, I may say that the Fourth Assistant Postmaster General, in endeavoring to ascertain whether or not the motor-truck service is a practical one, sent out a number of inquiries to farmers who live in the section of the country that is served by it. Now, whether or not that truck service is of the benefit that the Fourth Assistant Postmaster General thinks it is I am not prepared to say at this time, but I think undoubtedly the sending out of these inquiries and questionnaires is within the limit of the appropriation made for that purpose, and I do not see how it could be criticized. It occurs to me as a very proper thing to do in order to get information.

Mr. SNELL. One of the things they have discovered is that there is a shortage of farm labor. Is there anything new in that?

Mr. BLACK. I am not prepared to say that there is.

Mr. SNELL. The point I am driving at is this: Nearly every department of the Government is running some kind of propaganda and having news agencies to disseminate information about something or other that they are doing all the time. It seems to me there ought to be some way of stopping that.

Mr. BLACK. Congress authorized this appropriation for this truck service, and of course the amount appropriated was not exceeded, and is really a small amount, relatively, for that purpose; but, of course, as to whether it is wise or unwise, that is a matter of judgment.

Mr. SNELL. Do you think all of our departments should be running propaganda all the time on the high cost of living and everything else? Is not there any way of stopping it?

Mr. BLACK. I think a good deal of unnecessary printing is indulged in, but I do not think the Post Office Department can justly be accused on that ground. I believe it is doing less than almost any other department.

Mr. SNELL. My criticism was not made against that, but against the sending out of propaganda of every kind, name, and description.

Mr. BLACK. I do not think the gentleman can bring that accusation against the Post Office Department. So far as I know it gets out no bulletin or publication of that sort, and I think if the gentleman will watch the mail that comes to his office he will find that his charge does not lie against the Post Office Department.

Mr. SNELL. Is there any way of stopping it in the other departments?

Mr. BLACK. I am sure there is less from the Post Office Department than from any other. I agree with the gentleman that there is some from other departments that should be stopped.

Mr. SNELL. It seems to me Congress should do something to stop all these printing presses running on propaganda all the time.

The CHAIRMAN. The Chair would like unanimous consent to extend his ruling just made on the amendment of the gentleman from Texas, by adding two or three brief extracts from two decisions made by the gentleman from Georgia [Mr. CRISP]. Is there objection?

There was no objection.

The Clerk read as follows:

For unusual conditions at post offices, $125,000.

Mr. SAUNDERS of Virginia. I reserve a point of order. What does that item refer to—$125,000 for unusual conditions at post offices? What sort of a deficiency is that?

Mr. GOOD. That phrase refers to conditions such as prevail in some mining and oil fields, for example, where a town has sprung up almost overnight. A post office must be established, and a considerable expense is involved.

Mr. SAUNDERS of Virginia. It would seem to be reasonable to have a fund of that sort on hand, but it is not contended that that is a deficiency, is it? None of the rulings that we have had would make that a deficiency.

Mr. GOOD. The Postmaster General asked for $150,000 for unusual conditions. Mr. Koons says:

That appropriation is used where the conditions are very unusual, such as now obtain in mining regions, oil regions, and in Alaska. It was also used for the Army camps during the war. We are using very little of it for Army camps now. The only reason for the deficiency in that appropriation is because of the oil fields in Texas and Wyoming, where unusual conditions exist, and we can not secure employees at the regular rates of compensation.

Mr. SAUNDERS of Virginia. According to that statement he does not even know that he will necessarily need this money.

Mr. GOOD. Yes; he does.

Mr. SAUNDERS of Virginia. He thinks it is likely to be needed, but he does not know that it will be.

Mr. GOOD. There is an actual deficiency in the appropriation. Mr. Koons says:

We have only $10,718, or that was the balance on January 10. Now, there may be a few quarterly allowances out, but the unexpended balance is $10,718. We are spending the greater part of this in Wyoming and Texas at this time, and I am afraid the demand will increase as new oil fields open up.

Mr. SAUNDERS of Virginia. That statement supports my contention. He anticipates that as these oil fields are devel-

oped these demands will be made in connection with post offices.

Mr. GOOD. No. For instance——

Mr. SAUNDERS of Virginia. That is his statement.

Mr. GOOD. I call attention to the statement that the gross receipts for four quarters ending September 30, 1919, at Burkburnett, Tex., were $33,077, and at Ranger, Tex., $50,062. These were fourth-class post offices and they must have clerks.

Mr. BLANTON. They are first-class offices now.

Mr. SAUNDERS of Virginia. They have been provided for, have they not?

Mr. GOOD. I do not know as to the towns mentioned; but similar conditions are springing up all the time.

Mr. SAUNDERS of Virginia. I merely wish to get at the facts. Is this $125,000 required for the payment of existing obligations that have arisen out of unusual supervening conditions?

Mr. GOOD. Yes. They had $250,000 this year, and they have expended it all except $10,000 in the first half of the year, and Mr. Koons says this will hardly be enough to take care of them.

Mr. SAUNDERS of Virginia. Hardly enough to care for obligations already existing or for anticipated obligations?

Mr. GOOD. It is for clerk hire, for clerks already employed, doing work in certain post offices.

Mr. BLANTON. Will the gentleman yield to me?

Mr. SAUNDERS of Virginia. These, then, are actual obligations growing out of unusual development in the oil and other fields?

Mr. GOOD. That is the statement of the Postmaster General.

Mr. BLANTON. This very office at Ranger, mentioned by the chairman of the committee, grew from a little town of about 200 or 300 people in a very short space of time to a city of between 25,000 and 30,000 people.

Mr. SAUNDERS of Virginia. I understand that to be true.

Mr. BLANTON. And the patrons of the office have had to stand in line there three and four hours at a time to get their mail. It is to meet such conditions as that.

Mr. SAUNDERS of Virginia. Not conditions likely to arise in the future, but conditions that have already arisen?

Mr. BLANTON. Yes; and the same way in my colleague's district.

Mr. SAUNDERS of Virginia. They have already arisen. That is all I want to know.

Mr. BLANTON. But the emergency still exists.

Mr. SAUNDERS of Virginia. You are not providing for any new fields likely to be developed?

Mr. GOOD. No. Just for unusual conditions that may arise and that have arisen.

Mr. SAUNDERS of Virginia. I withdraw the reservation of the point of order.

The Clerk read as follows:

For continuing magnetic observations and to establish meridian lines in connection therewith in all parts of the United States; magnetic observations in other regions under the jurisdiction of the United States; purchase of additional magnetic instruments; lease of sites where necessary and erection of temporary magnetic building; continuing the line of exact levels between the Atlantic, Pacific, and Gulf coasts; establishing lines of exact levels in Alaska; determination of geographical positions, by triangulation or traverse, for the control of Federal, State, boundary, and other surveys and engineering works in all parts of the interior of the United States and Alaska; determination of field astronomic positions; for continuing gravity observations; and including the employment in the field and office of such magnetic observers, at salaries not exceeding $2,200 per annum, as may be necessary, $47,100.

Mr. MANN of Illinois. I move to strike out the last word. What is the reason for these several deficiency appropriations under the Coast and Geodetic Survey? Why can they not get along within the limits of appropriations which have been made?

Mr. GOOD. I do not know that I can answer that question. I only know that in presenting the matter before the committee it was apparent that they were not getting along; that unless the committee gave them an additional appropriation it would be necessary to discharge a great many of the men that they had trained in the service, to let them go because of a lack of appropriations. It would be necessary, as far as the coast surveys were concerned, to tie up their vessels and quit work, and then on July 1 lift anchor and begin to make their surveys again and complete their work.

Mr. MANN of Illinois. I suppose that very likely during the war a number of employees of this service were otherwise engaged?

Mr. GOOD. That is true of some of them.

Mr. MANN of Illinois. Whether the appropriation was reduced during that period I am not informed, but if there is any service of the Government which could restrict itself a little bit at this time it should be some of these surveying services.

If the Coast and Geodetic Survey did not do any work for 10 years it would be a loss scientifically and there might be some loss economically, but in the main the only loss would be that some men did not draw salaries for doing the work. If we are ever to have economy we have got to commence on these things which are not essential. If the Coast and Geodetic Survey can not live within its appropriation, what department of the Government can?

Mr. GOOD. I suppose there are but few departments of the Government where there is a greater demand now made upon it, because of activities undertaken during the war, than on the Coast and Geodetic Survey. The gentleman knows that we have appropriated and authorized over $3,000,000,000 for new ships. Col. Jones, the head of the service, tells us that there are great demands being made for charts and they have to perform this work.

Mr. MANN of Illinois. None of this money is appropriated for charts.

Mr. GOOD. Oh, yes; we have an appropriation for charts.

Mr. MANN of Illinois. We have not reached it yet. You have appropriations for continuing magnetic observations, surveys and resurveys of coasts, and so forth.

Mr. GOOD. It comes under the head of office expenses. We cut these estimates over $100,000.

Mr. MANN of Illinois. You ought to have cut them $300,000 or $250,000, anyhow. We can not keep up this sort of thing. The Coast and Geodetic Survey is a good service. It is mainly scientific. They do good work, but a good deal of it is useless. Very little of it is absolutely necessary to-morrow. If they can not keep within the appropriation made, who will endeavor to do it?

Mr. GOOD. If we refuse to give the appropriation that is necessary to be expended for charts, they might not be able to chart a rock which might send thousands of innocent people to the bottom of the deep, and the blame would be on Congress. Here we are embarking on a new enterprise; as the gentleman knows, we are building a merchant marine and extending it by leaps and bounds. We have increased appropriations in recent years, but the cost of the surveys has increased so that at the present time they are not getting as much service out of the appropriation as they did before the war.

Mr. MANN of Illinois. We have been making these appropriations ever since I have been a Member of the House and long before. They will be making them 100 years from now; and yet the gentleman assumes that if they do not make an appropriation to discover something to-morrow the whole world will go to pot. They will be discovering these things 100 years from now, and they can not learn it all to-morrow.

Mr. GOOD. They claim that there are some parts of the sea that they have not charted, and other parts where, because of the ocean currents, there may be some change because of the movements of the sand, and they will have to continue the surveys.

Mr. MANN of Illinois. The gentleman knows, because he is familiar with the subject, that most of these surveys are resurveys. When they make a survey, in a few years they will make a resurvey of the survey, and keep it up.

Mr. GOOD. I think a good deal of the money is being spent in the Northwest where they never have made any surveys.

Mr. MANN of Illinois. Oh, they can spend money by the millions on these surveys up in Alaska, surveying every little inlet, but I do not know why they should do it all at once. They can not finish it in the lifetime of the gentleman from Iowa, much less in mine.

The Clerk read as follows:

Vessels: For repairs and maintenance of the complement of vessels, including traveling expenses of persons inspecting the repairs, and exclusive of engineer's supplies and other ship chandlery, $22,370.

Mr. SAUNDERS of Virginia. Mr. Chairman, I reserve a point of order. What "complement of vessels" is referred to in that connection?

Mr. GOOD. That refers to the crew on the vessels.

Mr. SAUNDERS of Virginia. It says "for repairs and maintenance of the complement of vessels."

Mr. GOOD. It has reference to all the vessels. There are about 14 vessels in the Coast Survey, including those turned over by the Navy. The Navy Department has some junk that it is trying to get rid of. They put some onto the Coast Guard, some onto this service, and some more that they want to repair and want ten or fifteen million dollars for that purpose.

Mr. SAUNDERS of Virginia. It is rather an indefinite way of stating it—"repairs and maintenance of the complement of vessels."

Mr. GOOD. That is the language of the current appropriation.

Mr. SAUNDERS of Virginia. In what bill was the original appropriation for this purpose made?

Mr. GOOD. In the sundry civil bill $56,000 was carried for this year.

Mr. SAUNDERS of Virginia. Has it been ascertained that the department can not by reasonable economy live within that appropriation? There is no actual deficiency in this instance, is there?

Mr. GOOD. Yes; there is. As I stated, they had $56,000, and about $10,000 remains for the rest of the year.

Mr. SAUNDERS of Virginia. So that there is no actual deficiency?

Mr. GOOD. Oh, yes. They have a great many men employed, and the actual deficiency is that if this money is not appropriated, of course they will have no money to pay their salaries, and then the work would have to stop.

Mr. SAUNDERS of Virginia. Why did they go ahead so rapidly that they spent their money at too speedy a rate?

Mr. GOOD. I do not know. I am not responsible for the way the executives conduct the departments. I think they have all spent too much money. My recollection is that in this coast survey they have about 14 vessels, and they have a repair force. We appropriated $56,000 for the whole year. They have gone to work and expended a great deal more than they ought to have expended, and have only $10,000 left for the rest of the year.

Mr. SAUNDERS of Virginia. I am not criticizing the gentleman; I am standing with him. What I am trying to get at is, how is it that this department, spending apparently with such extravagance that it now has only $10,000 on hand, can come before this committee and secure this deficiency appropriation? Why not invite this department to live within its appropriation?

Mr. GOOD. We have been extending that invitation pretty generally to all of them.

Mr. SAUNDERS of Virginia. Decline once to give them an additional appropriation, and they will be compelled to exercise economy.

Mr. GOOD. In this case that would necessitate the discharge of all of the men who are engaged in this repair work.

Mr. SAUNDERS of Virginia. This is for repairs and maintenance.

Mr. GOOD. Repairs can not be done without employing men.

Mr. SAUNDERS of Virginia. Oh, no; but you need not discharge the men because you omit to repair the vessels. It seems to me that if for these particular functionaries the sundry civil appropriation bill made an appropriation which was calculated, according to the estimates then submitted, to be sufficient for the remainder of the year, or for the coming fiscal year, they ought to be able to show the Appropriations Committee, and through that committee the Committee of the Whole, that they have properly expended the amount of money that was originally turned over to them. If they desire more money, though they still have $10,000 on hand, what evidence have they submitted that in the exercise of reasonable economy they will not be able to live within that balance during the remainder of the year?

Mr. GOOD. They estimated for this service $25,370. The committee went over the matter very carefully. Here was a service that had $56,000. It is true that that is a little larger than it was back in 1914 and 1915, but the statement of Col. Jones was to the effect that it was costing more than twice as much to do the work. I assume that the contractors get for the same amount of work twice as much money as they did five or six years ago. I think the gentleman will concede that.

Mr. SAUNDERS of Virginia. I understand that this appropriation was made somewhere about the middle of last year.

Mr. GOOD. Yes; and I agree that they ought to have allotted this and stuck to their allotment, but they have not done it, and because the department fails to follow the law when it comes to a question of this kind and we find that here is a service which has no money, in view of the fact that they have not taken on a great lot of useless employees, whose efficiency was away down, what else can we do but appropriate? If they had done that, that would be a different question; but this is to maintain practically the force that they have had all of the time, and while they have had a little more money, it is not so much more, not enough to cover increased costs.

Mr. SAUNDERS of Virginia. But the fact that a department does not follow the law furnishes no reason why we should uphold them in their contempt of that law. When this appropriation was originally made, was it then sufficient, in the judgment of the chairman?

Mr. GOOD. Of course, the chairman has nothing to do with the expenditure of this money. I have not been to any of the places where it was expended.

Mr. SAUNDERS of Virginia. When the department came before the gentleman's committee for the original appropriation of $56,000, from the evidence they submitted at the time, having reference to the future, and necessarily it was all prospective, was that amount deemed sufficient for the needs of the department, provided it exercised reasonable economy in its expenditure?

Mr. GOOD. But the gentleman will remember that I was not a member of the sundry civil subcommittee when the original item was framed and the hearing had. We did not have any supplementary hearing. We had no hearing on this item.

Mr. SAUNDERS of Virginia. But the gentleman was chairman of the committee at that time?

Mr. GOOD. No; not last winter, when the hearings were had. We did not reopen the hearings on this provision but accepted the judgment of the gentleman from Kentucky [Mr. SHERLEY] and the other members of the committee.

Mr. SAUNDERS of Virginia. The chairman did not know what his committee was doing in this respect?

Mr. GOOD. I think I knew as much about what the committee was doing as the gentleman did when he was a member of the Committee on Appropriations and tried to accept the judgment of the other subcommittees.

Mr. SAUNDERS of Virginia. Do I understand that the chairman accepted their judgment without verifying it by an examination of the record or evidence?

Mr. GOOD. We examined it to some extent.

Mr. SAUNDERS of Virginia. Now according to the contention made here yesterday by the gentleman from Wyoming——

Mr. GOOD. I will say to the gentleman if he is satisfied this is too large that in the interest of economy I shall not oppose his offering an amendment to reduce it.

Mr. SAUNDERS of Virginia. I can not have any judgment about that until I secure the facts through the chairman of the committee. That is what I am trying to do.

Mr. GOOD. The hearings are available to the gentleman from Virginia, and he is a very good reader.

Mr. SAUNDERS of Virginia. Not as available as to the chairman of the committee. If the chairman of the committee thinks this department has exercised reasonable discretion and prudence, in the expenditure of the original appropriation and needs this additional allowance——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I want to ask the gentleman, by reason of this controversy between the gentleman from Iowa and the gentleman from Virginia, what was the estimate submitted by the sundry civil bill under which $56,000 was allowed?

Mr. GOOD. Thirty-one thousand dollars. Then there was a supplement estimate of I can not tell the gentleman how much, but when the estimate was originally submitted it was submitted before the armistice was signed and on the theory that we would still be at war this year and some of the vessels were held by the Navy, were being repaired by the Navy, and then subsequently a considerably larger estimate was submitted.

Mr. BYRNS of Tennessee. Unquestionably there was a larger estimate submitted?

Mr. GOOD. Yes; at least equal to $56,000.

Mr. BYRNS of Tennessee. The point I am inquiring was simply to develop whether or not this deficiency was not due to the fact that they were not given enough money at the start?

Mr. GOOD. Of course, I could not state that, that was not developed at the hearing.

The Clerk read as follows:

For all necessary employees to man and equip the vessels, including professional seamen serving as mates on vessels of the survey, to execute the work of the survey herein provided for and authorized by law, $68,000.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph. What authority of law is there for paying professional seamen serving as mates on vessels of the survey, and do I understand there is required from the 1st of January to July $68,000 for this particular purpose?

Mr. GOOD. Yes; they asked for $84,852.

Mr. WALSH. Well, we made an appropriation for these vessels for the whole year. Now it seems they are $68,000 short.

Mr. GOOD. Capt. Parker appeared before the committee with regard to this item and he said that the amount estimated was needed because the expenses have increased and the wages alone were twice what they were. He was asked if the number of vessels was about the same, and he said, "Yes; but the

wages of those in the lowest grade are three times what they were in 1915." He was asked how much they paid, and he said, "We are paying the standard wage, the Shipping Board wage, which is recognized by the merchant service and below which it is not possible to hire labor."

If there is any department of the Government that is demoralizing wages, demoralizing the activities of the Government, so far as the hire of skilled workmen and mechanics is concerned, it is the Shipping Board. There seems to be no limit beyond which it will not go. They are bidding against the other departments of the Government, and some departments in endeavoring to get efficient men find that the Shipping Board is bidding against them and taking their men away.

Mr. LONGWORTH. That is what I was about to ask the gentleman. They are bidding against the Navy, are they not?

Mr. GOOD. The Navy, the Coast Guard, the Lighthouse Service, and the Coast and Geodetic Survey. All of them have to compete with the Shipping Board, and a great deal of this expense of an additional appropriation is necessary because of the unbusinesslike and wasteful methods and lack of business management of the affairs of the Shipping Board. If they would get back to normal conditions and would pay a reasonable and fair wage, then the other departments of the Government would not have to go into competition with this concern that is employing so many men. The language to which the gentleman refers is the same language the item has carried for a number of years, and I assume that there is authority for it. I know of no law that fixes the rate of compensation of the employees. Capt. Parker has said that he is compelled to pay the wage that the Shipping Board pays for the same clerks, and I suppose the sky is the limit with them, as it is with the Shipping Board.

Mr. WALSH. How many vessels have they got?

Mr. GOOD. My recollection is they have 14 all told, but one of them is not in commission.

Mr. WALSH. Well, I withdraw the reservation.

Mr. SAUNDERS of Virginia. Mr. Chairman, I renew the reservation in order to ask the chairman whether the reservation of the gentleman from Massachusetts was to the paragraph beginning on line 18 or the one beginning on line 22? I could not catch it.

Mr. WALSH. Beginning with line 18.

Mr. SAUNDERS of Virginia. Very well. I withdraw the reservation, and I will reserve it to the next paragraph.

The Clerk read as follows:

For making alterations to vessels transferred from the Navy Department, $20,500, to continue available during the fiscal year 1921.

Mr. SAUNDERS of Virginia. Mr. Chairman, I reserve a point of order on that. That is certainly out of order.

Mr. GOOD. I did not catch the gentleman.

Mr. SAUNDERS of Virginia. That paragraph, beginning with line 22, is certainly out of order. It reads:

For making alterations to vessels transferred from the Navy Department, $20,500, to continue available during the fiscal year 1921.

Mr. MANN of Illinois. Why is it out of order?

Mr. SAUNDERS of Virginia. Because there is no evidence here to show that it will be necessary to run into the year 1921. That is going rather far ahead to show whether or not there is a deficiency.

Mr. GOOD. Of course, the last line would make it subject to a point of order.

Mr. MANN of Illinois. I do not think the last line would make it subject to a point of order.

Mr. GOOD. This makes it available during the fiscal year 1920.

Mr. MANN of Illinois. This committee has jurisdiction to make appropriations for the Coast and Geodetic Survey. Ordinarily those appropriations come in the sundry civil appropriation act. A committee, such as the Committee on Naval Affairs, makes appropriations for the Navy, and the deficiencies can only be considered by the Appropriations Committee. This subject matter is wholly under control of the Committee on Appropriations. It has been ruled time and time again that while you can not put a provision in one of the ordinary appropriation bills as being immediately available, without making it subject to a point of order, in a bill coming from the Committee on Appropriations that provision is in order because the Committee on Appropriations has jurisdiction over deficiencies. Now, this bill, while it is entitled a bill for deficiencies, and for other purposes, the Committee on Appropriations, reporting a deficiency, having jurisdiction of the subject matter, may make it available for the next fiscal year. I can not cite the rulings on the subject, although I can remember a number of them.

Mr. SAUNDERS of Virginia. Mr. Chairman, it is entirely competent for the Committee on Appropriations to report deficiencies in any bill, so far as that is concerned. The committee is not limited to reporting deficiencies in the deficiency appropriation bills, but that does not mean that anything can be put in a deficiency appropriation bill that properly belongs to other bills. This is an appropriation bill providing for deficiencies arising or likely to arise in this fiscal year. We are dealing with deficiencies. But the pending item is a proposition to provide first a deficiency appropriation for the balance of this fiscal year and then, going beyond the same, to extend the appropriation through the fiscal year 1921. It is certainly opening up a new view of deficiency appropriations to undertake to say that such an appropriation can be continued during the next one or two fiscal years.

Mr. MANN of Illinois. It is a question of the authority of the committee to report it. The Committee on Appropriations has jurisdiction over this subject matter and reported this item in a bill that is called a deficiency bill "to supply deficiencies in appropriations for the fiscal year ending June, 1920, and prior fiscal years, and for other purposes." The committee has jurisdiction to report an item relating to this subject matter in some appropriation bill. Ordinarily for the next fiscal year it will be carried in the sundry civil appropriation bill. But it has jurisdiction of the subject matter, unless I am very much mistaken.

Mr. SAUNDERS of Virginia. It has jurisdiction, Mr. Chairman, to deal with this subject matter in an appropriate bill.

Mr. MANN of Illinois. The gentleman from Virginia assumes that it is within the limit of making a deficiency for this fiscal year. That is not correct at all. This is not the limitation on the Committee on Appropriations.

Mr. SAUNDERS of Virginia. I think my contention is correct. I would like to see some one of the alleged numerous decisions holding otherwise.

What is the deficiency which the committee is undertaking to deal with? This department, which has had an appropriation for this fiscal year, in substance said to the committee, "I can not live within the appropriation already made; I can not carry on my work to the termination of this year with the funds appropriated for that purpose." The committee can provide for this deficiency, but it can not exercise in this bill the jurisdiction of the sundry civil bill or the legislative bill and provide for the fiscal year 1920.

Mr. MANN of Illinois. It is the same committee.

Mr. SAUNDERS of Virginia. Yes; that is true; but in a deficiency bill it can not encroach upon the jurisdiction of the sundry civil bill or the legislative bill. This bill is dealing with deficiencies, and is limited to deficiencies. It is supplementing appropriations made in the other bills which, for the period for which they were made, have proved to be insufficient. The committee in this bill undertakes to supply those deficiencies, but it can not, after doing this, proceed to make an appropriation properly belonging to one of the other committees.

Mr. MANN of Illinois. Certainly not. But the trouble with the gentleman's contention here is that the Committee on Appropriations does have jurisdiction over the legislative and sundry civil bills.

Mr. SAUNDERS of Virginia. We are now dealing with the deficiency bill.

Mr. MANN of Illinois. We are dealing with the authority of the Committee on Appropriations.

Mr. SAUNDERS of Virginia. We are dealing with the matter proper to be reported in a deficiency bill and the limit of jurisdiction of such a bill.

Mr. MANN of Illinois. If the gentleman can find any special limits, I do not know where he will find them. The Committee on Appropriations has jurisdiction over certain subjects. That committee can report appropriations relating to those subjects. Now, as to appropriations coming within the jurisdiction of other committees, the Committee on Appropriations can report nothing except a deficiency in those matters which relate to other committees, like the Committee on Naval Affairs or the Committee on Military Affairs or the Committee on Agriculture. They can report only as to deficiencies on matters which belong to those other committees. But in this case the jurisdiction of the Committee on Appropriations is coextensive with the subject. They are not confined to the reporting of deficiencies, and if they choose, in reporting a deficiency bill, to make an item over which they have jurisdiction good for the next fiscal year, that is a matter properly before the House, because it is within their jurisdiction.

Mr. SAUNDERS of Virginia. Mr. Chairman, permit me to call the attention of the gentleman from Illinois and the Chair to one precedent which would seem to be precisely opposed to the contention that the gentleman from Illinois is making.

This is a ruling to be found in volume 4 of Hinds' Precedents, sustaining a point of order made by Mr. CANNON, of Illinois:

Appropriations for continuation of work on a public building, and not intended to supply any actual deficiency, belong to the sundry civil bill, not the general deficiency.

If that does not fit this situation, I do not see how a precedent can be found that would do so. If this provision to carry this appropriation into the next fiscal year belongs to the sundry civil bill, then it certainly has no place here.

The CHAIRMAN. On what page is that?

Mr. SAUNDERS of Virginia. That is on page 373, section 3562:

Appropriations for the continuation of work on a public building, and not intended to supply any actual deficiency, belong to the sundry civil bill, not the general deficiency.

Mr. MANN of Illinois. I have no doubt that question arose on an amendment offered by a Member from the floor of the House.

Mr. SAUNDERS of Virginia. It was offered by a Member in Committee of the Whole.

Mr. MANN of Illinois. Yes; from the floor, and it was clearly out of order.

Mr. SAUNDERS of Virginia. If that amendment was clearly out of order it was on the ground that the matter proposed by the amendment did not belong to the jurisdiction of that prescribed for the deficiency bill. In fact the ruling expressly says that an item of the character proposed belonged to the sundry civil bill. If it had been competent for the committee to report the item, as a matter of jurisdiction in the bill, then it could have been added by amendment.

The CHAIRMAN. If the gentleman from Virginia will look at page 374, at the latter part of the quotation from the ruling, he will find that it refers to the very matter suggested.

Mr. SAUNDERS of Virginia. What is that?

The CHAIRMAN (reading)—

The right of individuals upon their own responsibility to offer amendments to appropriation bills has been very much restricted by the third clause of Rule XXI of the new rules. Without commenting upon that clause, the Chair holds that the amendment is not in order, coming from an individual Member of the House and not from a committee having jurisdiction of the subject matter.

Mr. SAUNDERS of Virginia. Yes; but that does not apply to this situation. The ruling holds that an appropriation for the continuation of work on a public building, and not intended to supply any actual deficiency, belongs to the sundry civil bill, and not to the general deficiency. All I have to say, Mr. Chairman, is that this is a general deficiency bill, and the item not only provides for a deficiency, but undertakes to provide for a continuation of this work with this fund during the fiscal year 1920. This fund is sought to be projected into that year. If this is thought to be desirable the committee can make a provision to that effect in the sundry civil bill, soon to be reported. I submit that by this precedent this item so far as it provides for the fiscal year 1920 plainly belong to the sundry civil bill and not the general deficiency bill. Hence it is not now in order.

The CHAIRMAN. The gentleman from Virginia [Mr. SAUNDERS] makes the point of order that the paragraph is not in order because of the fact that it makes available an appropriation during the fiscal year 1921.

Mr. BLANTON. Mr. Chairman, these rulings by the present occupant of the Chair are of such great importance and interest to all of us who want to learn parliamentary law that I think we ought to have more Members here, and I make the point of no quorum present.

Mr. GOOD. I will ask the gentleman to withhold that. We are just about through with this subject, and when we finish it I will move that the committee rise.

Mr. BLANTON. The gentleman and myself have been here a good long time to-day.

Mr. GOOD. I know, but I am willing to stay longer, and I know the gentleman is a hard-working man and is willing to do the same thing.

Mr. BLANTON. But I would like to have a little company. I am getting lonesome.

Mr. GOOD. I will ask the gentleman to withhold his point of order.

Mr. BLANTON. I make the point that there is no quorum present. We can finish this bill to-morrow.

The CHAIRMAN. The gentleman makes the point of order that no quorum is present. The Chair will count.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the second deficiency appropriation bill (H. R. 12046) had come to no resolution thereon.

RATIFICATION OF WOMAN SUFFRAGE AMENDMENT BY WYOMING.

The SPEAKER laid before the House a communication from the governor of the State of Wyoming announcing the ratification by the legislature of that State of the proposed amendment to the Constitution of the United States extending right of suffrage to women.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 8953. An act to authorize the incorporated town of Ketchikan, Alaska, to issue bonds for the construction and equipment of schools therein, and for other purposes;

H. R. 5348. An act for the relief of Mrs. Thomas McGovern; and

H. R. 10701. An act granting the consent of Congress to the Whiteville Lumber Co., Goldsboro, N. C., to construct a bridge across the Waccamaw River at or near Old Dock, county of Columbus, N. C.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. LONERGAN, for one day, on account of important business.

To Mr. WINGO, for one day, on account of illness.

To Mr. AYRES, indefinitely, on account of illness.

ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Tuesday, February 3, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a supplemental estimate of appropriation required by the Customs Service for enforcing the provisions of law governing the importation and exportation of intoxicating liquors, fiscal year 1921 (H. Doc. No. 641); to the Committee on Appropriations and ordered to be printed.

2. A letter from the president of the Washington Railway & Electric Co., transmitting reports of the Washington Interurban Railroad Co., the Georgetown & Tenallytown Railway Co., the City & Suburban Railway, the Washington Railway & Electric Co., and the Potomac Electric Power Co. for the year ended December 31, 1919; to the Committee on the District of Columbia.

3. A letter from the president of the Washington Gas Light Co., transmitting a detailed statement of the business of the Washington Gas Light Co., with a list of the stockholders thereof, for the year ended December 31, 1919; to the Committee on the District of Columbia.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 12182) granting a pension to Sarah Ella Weidner, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PLATT: A bill (H. R. 12209) to abolish the Subtreasuries and to transfer their duties to the Federal reserve banks, the Treasury at Washington, the mints, and assay offices, and for other purposes; to the Committee on Banking and Currency.

By Mr. KALANIANAOLE: A bill (H. R. 12210) granting statehood to the Territory of Hawaii; to the Committee on the Territories.

By Mr. PORTER: A bill (H. R. 12211) increasing the fees charged for passports to $10 and for viséing of foreign passports to $4; to the Committee on Foreign Affairs.

By Mr. JEFFERIS: A bill (H. R. 12212) to repeal section 852, chapter 16, and the first paragraph of section 848, chapter 16, Revised Statutes of the United States, and to amend the first paragraph of page 377, chapter 200, volume 35, part 1, ses-

sion 1, United States Statutes at Large of the Sixtieth Congress; to the Committee on the Judiciary.

By Mr. HAWLEY: A bill (H. R. 12213) authorizing F. R. Beals to construct, maintain, and operate a bridge across the Big Nestucca River in Tillamook County, Oreg.; to the Committee on Interstate and Foreign Commerce.

By Mr. MASON: Resolution (H. Res. 453) requesting the Secretary of State to furnish the House of Representatives with certain information regarding the Russian situation; to the Committee on Foreign Affairs.

By Mr. FORDNEY: Resolution (H. Res. 454) for the immediate consideration of H. R. 12193; to the Committee on Rules.

By Mr. SIEGEL: Joint resolution (H. J. Res. 286) providing that Lincoln's birthday shall be a legal holiday; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DUPRÉ: A bill (H. R. 12214) granting an increase of pension to Celeste Doussan Bisset; to the Committee on Pensions.

By Mr. HILL: A bill (H. R. 12215) granting an increase of pension to Eunice A. Smith; to the Committee on Invalid Pensions.

By Mr. JEFFERIS: A bill (H. R. 12216) granting a pension to Patrick Hughes, alias Patrick Keagan; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 12217) for the relief of Thomas Etherton; to the Committee on Military Affairs.

Also, a bill (H. R. 12218) granting a pension to John M. Graham; to the Committee on Pensions.

Also, a bill (H. R. 12219) granting an increase of pension to Margaret A. Osborn; to the Committee on Pensions.

Also, a bill (H. R. 12220) granting a pension to Eliza Monroe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12221) granting an increase of pension to John V. Thompson; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 12222) granting a pension to John D. Hoskins; to the Committee on Pensions.

Also, a bill (H. R. 12223) granting a pension to Henry Mason; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 12224) granting a pension to Charles L. Cook; to the Committee on Pensions.

By Mr. McPHERSON: A bill (H. R. 12225) granting an increase of pension to James A. Boster; to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 12226) granting a pension to Carrie Hover; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 12227) granting an increase of pension to Howard F. Waters; to the Committee on Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 12228) granting a pension to William S. Starnes; to the Committee on Pensions.

Also, a bill (H. R. 12229) granting a pension to Hugh Sizemore; to the Committee on Pensions.

By Mr. RUCKER: A bill (H. R. 12230) granting an increase of pension to Lowell O. Carpenter; to the Committee on Pensions.

By Mr. SLEMP: A bill (H. R. 12231) granting a pension to Charles A. Skaggs; to the Committee on Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 12232) granting an increase of pension to Carrie Lourenia Briney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12233) granting a pension to John H. Lytle; to the Committee on Pensions.

By Mr. TAYLOR of Arkansas: A bill (H. R. 12234) granting an increase of pension to John F. Scott; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 12235) granting a pension to James Fullen; to the Committee on Pensions.

By Mr. ZIHLMAN: A bill (H. R. 12236) for the relief of Anthony Schartzenberger; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1267. By the SPEAKER: Petition of Board of Commissioners of the Potlatch Highway District, Potlatch, Idaho, and also various officials and citizens of Payette, Idaho, and Rigby, Idaho, favoring Federal appropriations for highways; to the Committee on Appropriations.

1268. By Mr. CANNON: Petition of Kyger Post, No. 204, Georgetown, Ill., favoring antisedition legislation; to the Committee on the Judiciary.

1269. By Mr. LONERGAN: Petition of Connecticut Foundrymen's Association, against restrictions on immigration, except such as will keep out undesirables and those favoring soviet, communist, or similar forms of government; to the Committee on Immigration and Naturalization.

1270. By Mr. ROWAN: Petition of Mrs. James Bennett, opposing the treaty of peace with Germany; to the Committee on Foreign Affairs.

1271. Also, petition of the P. J. Carlin Construction Co., of New York City, relative to certain legislation now pending; to the Committee on Interstate and Foreign Commerce.

1272. Also, petition of the Association of State Farmers' Union Presidents, E. A. Calvin, Washington, president, of Washington, D. C., relative to certain legislation; to the Committee on Interstate and Foreign Commerce.

1273. By Mr. SABATH: Petition of Central Labor Union, of Kansas City, Kans., protesting the passage of the Cummins and Esch bills and urging the retention of the railroads by the United States for a period of two years; to the Committee on Interstate and Foreign Commerce.

1274. By Mr. SIEGEL: Petition of United Restaurant Owners' Association of Greater New York, in regard to pogroms being perpetrated in Ukraine; to the Committee on Foreign Affairs.

1275. By Mr. SINCLAIR: Petition of the Board of County Commissioners of Adams County, N. Dak., urging the passage of House bill 11852, to provide for the relief of the farmers of the drought-stricken area of North Dakota; to the Committee on Appropriations.

1276. By Mr. TINKHAM: Petition of the Central Council of Irish County Associations, of Boston, Mass., relative to certain legislation; to the Committee on Foreign Affairs.

1277. By Mr. VARE: Petition of Commercial Exchange of Philadelphia, Pa., asking that relief be sent European countries in the appeal for food; to the Committee on Foreign Affairs.

1278. Also, petition of Philadelphia Chapter, Society of Friends, asking defeat of legislation for suppressing free speech; to the Committee on the Judiciary.

1279. By Mr. WATSON: Petition of Commercial Exchange of Philadelphia, Pa., urging Congress to avert famine and promote the resumption of stable economic and political conditions in the countries of Central Europe and in Armenia; to the Committee on Foreign Affairs.

1280. Also, petition of the Edgewood Grange, No. 688, opposing universal military training; to the Committee on Military Affairs.

1281. By Mr. YATES: Petition of Walter S. Mix, Medical Corps, United States Army, General Hospital No. 20, Whipple Barracks, Ariz., urging the passage of House bill 10853; to the Committee on Military Affairs.

1282. Also, petition of Maj. Frank L. Hatch, War Department, Washington, D. C., favoring universal military training; to the Committee on Military Affairs.

1283. Also, petition of the Equitable Powder Manufacturing Co., East Alton, Ill., and the Bloomington Association of Commerce, Bloomington, Ill., relative to House bill 10453; to the Committee on Interstate and Foreign Commerce.

1284. Also, petition of the Illinois Agricultural Association, of Chicago, Ill., and F. W. Pringle, also of Chicago, relative to certain railroad legislation; to the Committee on Interstate and Foreign Commerce.

1285. Also, petition of the American Legion, Jefferson Post, No. 141, of Mount Vernon, Ill., relative to certain legislation; to the Committee on Foreign Affairs.

1286. Also, petition of citizens of Annawan, Ill., relative to the revenue act of 1918; to the Committee on Ways and Means.

1287. Also, petition of Mr. M. Isham Randolph, of Chicago, protesting against the amendment adopted by the Senate amending the water-power bill, House bill 3182, by prescribing that the executive head of the organization to carry out the provisions of the bill must be a military engineer; to the Committee on Water Power.

1288. Also, petition of Louis Brockwell, chairman of American Legion, post of St. Charles, Ill., urging a plan of universal military training patterned after our army of occupation system, calling for six months' training for able-bodied men aged 18 and 19 and the retention of those who have displayed proficiency; to the Committee on Military Affairs.

1289. Also petition of H. J. Juers, of Colfax, Ill., relative to Senate bill 3317 and House bill 11430; to the Committee on the Judiciary.

1290. Also, petition of Rueckheim Bros. & Eckstein, Chicago, Ill., urging the preservation of the States' commission jurisdiction, as provided in House bill 10453, with the exception of creating a transportation board; to the Committee on Interstate and Foreign Commerce.

1291. Also, petition of Illinois Retail Hardware Association, Elgin, Ill., advocating the retention of the present powers of the various State commissions as provided for in House bill 10453, but opposing the creation of a transportation board; to the Committee on Interstate and Foreign Commerce.

1292. Also, petition of Mort Reiser Co., of El Centro, Calif., urging the passage of the so-called Kettner bill, House bill 11553, providing for the temporary financing of a canal designed to tap the Colorado River for irrigation purposes and give relief to the people of Imperial, Calif., from the dependence they are now under to the Mexican Government for water supply to irrigate their lands; to the Committee on Irrigation of Arid Lands.

1293. Also, petition of Edison Electric Appliance Co. (Inc.), Chicago, Ill., urging the passage of the so-called Kettner bill, House bill 6044, providing for the temporary financing of a canal designed to tap the Colorado River for irrigation purposes and give relief to the people of Imperial Valley, Calif., from the dependence they are now under to the Mexican Government for water supply to irrigate their lands; to the Committee on Irrigation of Arid Lands.

1294. Also, petition of Bricklayers and Stone Masons' Union of Chicago protesting against the Cummins antistrike and Esch bills; to the Committee on Interstate and Foreign Commerce.

1295. Also, petition of Inland Steel Co., Indiana Harbor, Ind., urging legislation relative to House bill 10453, with the exception of the creation of a transportation board; to the Committee on Interstate and Foreign Commerce.

1296. Also, petition of the Manhattan Electrical Supply Co. (Inc.) of Chicago, Ill., protesting against Senate bill 2232, providing for the placing of the Bureau of Education under the Department of Labor; to the Committee on Education.

1297. Also, petition of Appleton Manufacturing Co., Batavia, Ill., urging the passage of House bill 10453, with the exception of the creation of a transportation board; to the Committee on Interstate and Foreign Commerce.

1298. Also, petition of Lehigh Stone Co., Kankakee, Ill., urging the passage of House bill 10453, with the exception of the creation of a transportation board; to the Committee on Interstate and Foreign Commerce.

1299. Also, petition of Western Wheeled Scraper Co., Aurora, Ill., urging the passage of House bill 10453, with the exception of the creation of a transportation board; to the Committee on Interstate and Foreign Commerce.

1300. Also, petition of Bartles-Sweney Oil Co., Peoria, Ill., urging the passage of House bill 10453, with the exception of the creation of a transportation board; to the Committee on Interstate and Foreign Commerce.

1301. Also, petition of C. A. Brant and 40 other citizens of Peoria, Ill., urging the passage of Senate bill 1699 and House bill 3149, making provision for superannuated employees of the Government; to the Committee on Reform in the Civil Service.

1302. Also, petition of the Williams Sealing Corporation, Decatur, Ill., urging the passage of House bill 10453, providing for the termination of Federal control of railroads, especially the adoption of the changes outlined in a memorial of the National Association of Railway and Utility Commissioners, so far as this memorial does not approve the formation of a transportation board; to the Committee on Interstate and Foreign Commerce.

1303. Also, petition of American Steel Foundries, urging that in railroad legislation it would be wise at this time to give the railroads a chance to catch up with the growth of the country; to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *February 3, 1920.*

(Legislative day of Monday, February 2, 1920.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

SOUTHERN LIVE-STOCK PRICES (S. DOC. NO. 209).

The VICE PRESIDENT laid before the Senate a communication from the Federal Trade Commission, transmitting, in response to a resolution of July 25, 1919, the report of the Federal Trade Commission on southern live-stock prices, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

WASHINGTON GAS LIGHT CO. (S. DOC. NO. 208).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Gas Light Co. for the year ended December 31, 1919, which was referred to the Committee on the District of Columbia and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 3452) authorizing the city of Detroit, Mich., a municipal corporation, to construct, maintain, and operate a bridge across the American Channel of the Detroit River to Belle Isle.

The message also announced that the House had passed the bill (S. 3327) granting certain rights of way and exchanges of the same across the Fort Douglas Military Reservation, in the State of Utah, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House agrees to the amendments of the Senate to the bill (H. R. 9112) authorizing the Secretary of War to loan Army rifles to posts of the American Legion.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 9065) to amend sections 3, 8, 10, 12, 20, and 21 of the act approved July 17, 1916, known as the Federal farm-loan act, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PLATT, Mr. MCFADDEN, and Mr. PHELAN managers at the conference on the part of the House.

The message further announced that the House insists upon its amendments to the bill (S. 3371) authorizing Gordon N. Peay, jr., his heirs and assigns, to construct, maintain, and operate a toll bridge and approaches thereto across the White River, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PARKER, Mr. SWEET, and Mr. RAYBURN managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11368) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs for fulfilling treaty stipulations with various Indian tribes, and for other purposes; agrees to the conference asked for by the Senate, and had appointed Mr. SNYDER, Mr. ELSTON, and Mr. CARTER managers at the conference on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 10207. An act providing for service of process in causes removed from a State or other court to a United States court; and

H. R. 10432. An act to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 3418. An act to amend an act entitled "An act to provide for the lading or unlading of vessels at night, the preliminary entry of vessels, and for other purposes," approved February 13, 1911;

H. R. 5348. An act for the relief of Mrs. Thomas McGovern;

H. R. 8953. An act to authorize the incorporated town of Ketchikan, Alaska, to issue bonds for the construction and equipment of schools therein, and for other purposes; and

H. R. 10701. An act granting the consent of Congress to the Whiteville Lumber Co., Goldsboro, N. C., to construct a bridge across the Waccamaw River at or near Old Dock, county of Columbus, N. C.

WOMAN SUFFRAGE.

The VICE PRESIDENT. The Chair lays before the Senate a certified copy of joint resolution adopted by the Legislature of the State of Wyoming, ratifying the Susan B. Anthony amendment to the Constitution of the United States extending the right of suffrage to women, which will be filed.

PETITIONS AND MEMORIALS.

Mr. CAPPER presented resolutions adopted at the fifty-fifth annual convention of the National Wool Growers' Association held at Salt Lake City, Utah, and of the New Jersey Retail Clothiers' Association, favoring the passage of the so-called pure-fabric bill, which were referred to the Committee on Interstate Commerce.

He also presented a memorial of sundry citizens of Rice County, Kans., remonstrating against compulsory military training, which was referred to the Committee on Military Affairs.

He also presented a petition of the Fortnightly Club, of Topeka, Kans., praying for universal military training, which was referred to the Committee on Military Affairs.

He also presented petitions of McPherson Post, No. 4, Grand Army of the Republic, Department of Kansas, of Independence; of Lebanon Post, No. 240, Grand Army of the Republic, Department of Kansas, of Lebanon; and of Siverd Post, No. 85, Grand Army of the Republic, Department of Kansas, of Winfield, all in the State of Kansas, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS (by request):

A bill (S. 3843) to regulate the employment of minors within the District of Columbia; to the Committee on the District of Columbia.

By Mr. GRONNA:

A bill (S. 3844) to provide for discontinuing the purchase and sale of grain by the Government, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. HARRIS:

A bill (S. 3845) to provide for increasing the number of cadets at the United States Military Academy; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 3846) authorizing the adjustment of the boundaries of the Olympic National Forest, in the State of Washington, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. SHERMAN:

A bill (S. 3847) granting an increase of pension to John Howard; to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 3848) authorizing the Pitt River and the Apwaraki Tribes or Bands of Indians, of California, to submit claims to the Court of Claims; to the Committee on Indian Affairs.

HOUSE BILLS REFERRED.

H. R. 10207. An act providing for service of process in causes removed from a State or other court to a United States court, was read twice by its title and referred to the Committee on the Judiciary.

H. R. 10432. An act to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii, was read twice by its title and referred to the Committee on the Pacific Islands and Porto Rico.

PAY OF ARMY, NAVY, MARINE CORPS, ETC.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3383) to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, and Public Health Service.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Hale	McKellar	Smoot
Brandegee	Harrison	McLean	Sterling
Calder	Henderson	Moses	Townsend
Capper	Johnson, S. Dak.	New	Trammell
Chamberlain	Jones, Wash.	Page	Wadsworth
Culberson	Kellogg	Phipps	Warren
Curtis	King	Pomerene	Watson
Dillingham	Lodge	Sheppard	
Elkins	McCormick	Sherman	
Fernald	McCumber	Smith, Ga.	

Mr. MOSES. I wish to announce the absence of my colleague [Mr. KEYES] on account of illness in his family. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Thirty-seven Senators have answered to the roll call. Call the roll again.

The roll of absent Senators was called, and Mr. HARDING, Mr. HARRIS, Mr. JONES of New Mexico, Mr. KIRBY, Mr. MCNARY, Mr. NORRIS, Mr. NUGENT, Mr. OVERMAN, Mr. RANSDELL, and Mr. SPENCER answered to their names when called.

Mr. FRELINGHUYSEN, Mr. GERRY, Mr. GRONNA, and Mr. SMITH of Maryland entered the Chamber and answered to their names.

Mr. GERRY. I wish to announce that the Senator from Virginia [Mr. SWANSON] is detained by illness in his family.

The senior Senator from South Carolina [Mr. SMITH], the junior Senator from South Carolina [Mr. DIAL], and the senior Senator from Florida [Mr. FLETCHER] are detained from the Senate by illness.

The Senator from Delaware [Mr. WOLCOTT], the Senator from Arkansas [Mr. ROBINSON], and the Senator from Massachusetts [Mr. WALSH] are absent on public business.

Mr. CURTIS. I have been requested to announce that the Senator from Maryland [Mr. FRANCE] is detained from the Senate by illness.

The Senator from Iowa [Mr. KENYON], the Senator from New Jersey [Mr. EDGE], and the Senator from Louisiana [Mr. GAY] are absent on business of the Senate.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present. The question is on the amendment of the Committee on Military Affairs, which will be stated.

The ASSISTANT SECRETARY. On page 1, line 9, the committee proposes to strike out "50 per cent" and to insert—

20 per cent: *Provided*, That such increase shall not apply to enlisted men whose initial pay, if it has already been permanently increased since April 6, 1917, is now less than $33 per month.

Mr. TRAMMELL. I desire to offer an amendment to the amendment of the committee.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. On page 1, line 9, before the words "per cent," strike out "20" and insert "31," and strike out the proviso.

The VICE PRESIDENT. The proviso is not in the bill. You can not move to strike out an amendment that is not in.

Mr. TRAMMELL. I was seeking to perfect the committee amendment. I thought that might be done by offering an amendment to the amendment.

The VICE PRESIDENT. You can offer an amendment to the amendment; but the Chair understands that the Senator is proposing to strike out the proviso, which is not in the bill.

Mr. TRAMMELL. Mr. President, I have been absent from the Chamber for several days, and I am not sure of the parliamentary status. I thought that, as a matter of parliamentary procedure, an amendment might be amended by offering to strike out and in lieu thereof to insert, and I thought an amendment could be perfected also by striking out a part of a proposed amendment, as by inserting something.

The VICE PRESIDENT. Yes; it is all right, as the Chair now sees it.

Mr. TRAMMELL. Mr. President, I very much appreciate the fact that the distinguished chairman and other Senators interested in the pending bill have been kind enough to let it go over for a few days on account of my absence from the Senate, due to illness, because I really feel very much interested in the matter of trying to adjust the increase which is proposed between the pay of officers and enlisted men.

One week ago to-day I offered one or two amendments having in view the same purpose which is sought by the amendment which I have offered to-day. It has been disclosed in discussion here that the pending bill carries with it an increase of about 31 per cent to all of the officers of the Army and Navy, and that in its present form it carries with it an increase of 20 per cent to only a small part of the enlisted personnel of the Army and the Navy.

Mr. KING. Mr. President, will the Senator from Florida yield to me for a question?

Mr. TRAMMELL. I yield to the Senator.

Mr. KING. Mr. President, I desire to ask the Senator from Florida when the pay of the enlisted personnel was increased from $15 a month to $30 or $33 a month what increase did the officers get?

Mr. TRAMMELL. At that time they did not get any increase; but I submit that the fact that a private was serving his country for practically nothing and the Government penalized him for a long time by requiring him to serve for $13 or $15 a month should fix no standard by which the question of raising his pay should be governed in this bill, which is supposed to provide for increasing the salaries of both officers and privates. I submit that the same conditions in regard to the high cost of living and the same conditions as to the expenditures required for the individual man confront the private as confront the officer. I do not mean that the officer does not have greater expenses and greater responsibilities and greater demands upon him, but that in considering the question of the pay of privates there should also be considered those elements which cause the suggestion of an increase in the pay of the officers.

Mr. McKELLAR. Mr. President, will the Senator from Florida yield to me?

Mr. TRAMMELL. I yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator from Utah spoke of the increase in the pay of privates; but that was during the war, when the privates were conscripted into the Army; and, it seems

to me, it ought not to be taken into account here. I think the pay of the privates should be increased by the same percentage as the pay of the officers is increased, and that it would be outrageous if we did not do so.

Mr. TRAMMELL. Mr. President, that is the point. My position is that there is no justice, no fairness, and no equity in increasing the salary of the officers at the present rate by 31 per cent and not also increasing the salary of the enlisted men of the Army and the Navy by the same percentage. Take the present cost of living, the present demands upon an officer or upon a private of the Army or the Navy, and consider the salaries of the two; which appeals more, from a standpoint of justice, for an increase? Take the private who gets $30 a month. It is true that he gets his suit of clothes and his provisions, and then he gets a small pittance of $30 a month. Take the officer, beginning with the lieutenant, and he receives a salary, with allowances, at the present time of about $2,500 a year; the captain, with his present allowances, receives a salary of about $3,200 or $3,300 a year; a major, with his allowances, receives a salary of from $3,800 to $4,000 a year; a lieutenant colonel receives probably as much as $4,600; and yet it is contended that these officers who are receiving salaries of from $2,500 to $6,000 or $8,000 a year should have their present salary increased by 31 per cent, and that as to the poor enlisted men, who are only getting $30 a month, 48 per cent of them should not receive any increases whatever, and those who do get any increase should only receive an increase on the basis of 20 per cent. I can not understand the justice of dealing with the situation in that way.

Of course, there is some talk about the condition of the Treasury. If the Treasury will only stand an expenditure of a certain amount of money for salary increases, why confine the salary increase to officers? Why not equalize conditions, and if it becomes necessary to do justice by the enlisted men, cut down the percentage, and give the enlisted men and the officers the same percentage of increase, making that percentage what the Treasury will stand? When it comes to dealing with the enlisted man, who had to sacrifice during the war at $30 per month, who had to go into the positions of danger and of hazard, and many of whom had to sacrifice their lives, do not say to them, when it comes to the question of giving them an increase of salary, "We have got to safeguard the Treasury," but when it comes to dealing with officers' salaries and increasing the salaries of officers, receiving from $2,500 a year up, say, "We have rather a prosperous Government; we have sufficient funds to increase your salaries 31 per cent." I can not see the logic of that; I can not see its justice or equity. Why that contention should be used against the enlisted man and not be used against the officers I can not understand.

What I desire, Mr. President, is to put them all upon an equal footing; to do justice by the officer; to accord him equity; to give him recognition for his services; and also to give the same consideration to the enlisted man. I am unalterably opposed to picking out 48 per cent of the Army that is the poorest paid and saying to that 48 per cent, "We do not propose to give you an increase of salary at all, although this Government is able and is willing to increase the salary of a major, who is already getting about $4,000 a year, $1,200 a year more, by giving him $100 a month more, and yet we are not willing to increase the pay of enlisted men on a basis of 30 per cent, which would amount to about $9 a month." No objection is made by the friends of the Treasury to giving an officer receiving $4,000 a year an increase of $100 a month in his salary—and the increase grows heavier as the salaries become larger—but when it comes to dealing with the private, who is only getting $30 a month, all at once it becomes so essential to protect the Treasury of the country that it is said we can not give him an increase of $9 a month.

Mr. President, I appreciate and respect the officers. A great many of them performed very commendable service. Many of them are worth what they are receiving; while, on the other hand, many of them are not worth what they are being paid. There are a great many officers in the American Army to-day, so far as that is concerned, who are drawing considerably more salary than they could draw in private life. That is not true as to all of them. There are others who could do better in private life probably than they are doing in the public service. I have no regret in connection with giving a reasonable increase to those who are entitled to it—and we have got to deal with all alike; we have got to deal with the officer who goes ahead and does his duty and performs commendable service and fix a salary based upon that class of officers, instead of the class of officers who are serving in some of the departments, some of them drawing major's salaries and lieutenant colonel's salaries, and doing nothing except what might be called clerical work that a civilian employee would only get $100 or $125 a month for doing. I have been impressed with the fact that we have had too many officers around Washington drawing big salaries who are doing little else than clerical work; yet in order to provide for those who merit an increase it is necessary to treat all alike. It is not a matter of contending against the officers, for I respect and esteem those who have done their duty; but it is a matter of appealing, as I see the matter, for justice for the enlisted man. That is why I have offered the amendment, and I hope it will be adopted.

Mr. CHAMBERLAIN. Mr. President, following the logic of the Senator from Florida, there is absolutely no reason why we should not increase the enlisted men's salaries and make them the same as the salaries received by the commissioned personnel of the Army. Why not do that? Why not give the enlisted men, 200,000 or, possibly, 250,000 of them, exactly the same salaries that are given the highest-paid commissioned officer in the United States Army? It will be found, Mr. President, that the Senators who are insisting so strenuously upon increasing the enlisted man's salary will be denouncing anything that looks like universal military training, because it costs so much, and, besides, tends to militarism and the Prussianizing of the American Army.

If you should search the legislative history of the country over, you could not find a better way to create militarism in this country than by raising the salary of the enlisted personnel to such a figure that everybody would want to go into the Army. The work would be easier than in the industries or on the farm, and the pay better.

I have always opposed these increases. I opposed the increase when the national-defense act of 1916 was up for consideration. The proposal does not recognize that any duty at all devolves upon the young men of the country to serve their country in their country's need without payment of a large compensation therefor. The men who go into the Army in times of peace go in because they like the Army, or for physical training, or for the education it affords, or in many cases in times of peace many of them are ne'er-do-wells, who go into the Army in order to find a place to earn a living easily and a place to rest, and not because they have any particular love of country. In times of war, however, conditions are different. Young men go into the Army not so much because they love the Army or for a life of ease but because they love their country. They do not go into it for pay at all, and I venture to say that 90 per cent of the young men who went into the service with the American Expeditionary Forces would have gone into it without any pay whatsoever but simply because they wanted to serve their country.

Mr. President, it will absolutely bankrupt this country to undertake to increase the pay of the enlisted personnel proportionately to the increase in the pay of the commissioned personnel of the Army. As a matter of fact, the young men who go into the service in times of peace go into the service because they like the service, and they go in and serve only three or four years and then go out. They do not intend in many instances to make it a profession. The commissioned officer is trained at the expense of the Government in the great majority of cases, and he goes in to make it his business and his profession, and he marries and raises a family, and he is bound to maintain them conformably to his station in life. The enlisted man goes in and goes out, and practically none of them, except those who become noncommissioned officers, ever marry or raise families. The noncommissioned officers are professional soldiers. They are the backbone of the Army. They are the training force of the Army, and provision is made in this bill for increasing their pay.

I think it would be a very great mistake to undertake to increase the pay of the enlisted men; and I call the attention of the Senate to the fact that these young men who go into the Army as volunteers in peace times at the ages of 15 to 25 make more money than many of the clerks who are working in Washington at $125 to $150 per month. They do not have any rent to pay; they do not have any clothing bill to pay; they do not have any board bill to pay; and they come out at the end of the month and every dollar of the $30 that they get is simply that much money saved. On the other hand, we know from discussions here in the Senate and we know from the evidence that has been adduced before the committees that young men and young women who are working here for $125 to $150 a month do not have anything left at the end of the month because they have to pay high prices for everything they have. The Government of the United States takes care of these young men, and, in addition to that, they are furnished under the law now an education if they see fit to acquire an education.

A few days ago it fell to my lot to visit Camp Holabird, in Maryland, where they have about 1,000 young men who went into the service voluntarily in order to learn some trade. They start in at the very base of manual training, and they go through to a point where they can absolutely take an automobile from the ground and manufacture one, with the result that after one year's service in this industrial-training school they are furnished positions in the automobile factories of the country, the officers over there tell me, at salaries ranging from $40 to $60 a week. They are trained mechanics. They understand the automobile in every part. They have specialized in the carbureter system, or in the motor system, or in the ignition system, or some other part of an automobile. They can specialize as well as become proficient in the whole of the automobile parts; and so it is that these young men who go into the Army under this volunteer system will have the benefit of the Government's training by expert teachers, and they go out not only better men from a disciplinary standpoint and from a physical standpoint, but they go out with their hands, their eyes, and their brains trained to occupy a place in life that will entitle them to receive better salaries.

Mr. HARRISON. Mr. President, will the Senator from Oregon yield for just a moment?

Mr. CHAMBERLAIN. Certainly.

Mr. HARRISON. I notice that this bill carries with it an increase in the pay of all enlisted men and members of the female Nurse Corps of the Army. How many female nurses are there now in the Army?

Mr. CHAMBERLAIN. I do not know what the Nurse Corps is now. It was very large during the war, but it has been gradually reduced. They did not have as many as they wanted during the war.

Mr. HARRISON. May I ask what is the salary of a nurse?

Mr. CHAMBERLAIN. There is a bill pending now to give them the relative rank of a lieutenant. That would make the salary about $125 a month.

Mr. WADSWORTH. No, Mr. President; will the Senator yield?

Mr. CHAMBERLAIN. I yield to the Senator from New York.

Mr. WADSWORTH. I think the Senator is mistaken, in that that provision which is carried in the Army reorganization bill would give the nurses the pay and allowances of officers, but not the assimilated rank.

Mr. CHAMBERLAIN. Yes; I believe that is right.

Mr. WADSWORTH. I think the pay of the nurses runs from $60 to $100 a month. I am not certain, however.

Mr. HARRISON. May I ask how many nurses there are in the Army?

Mr. WADSWORTH. I can not remember how many there are. I can ascertain the number in a short time.

Mr. HARRISON. Did they receive more money while they were abroad than they get in this country?

Mr. WADSWORTH. I think they received the 20 per cent extra foreign-service pay.

Mr. HARRISON. I have understood that they only receive now $60 a month.

Mr. WADSWORTH. That is the lowest grade.

Mr. HARRISON. Most of them are in the lowest grade, are they not?

Mr. WADSWORTH. I assume so. That is always the case in any military establishment.

Mr. President, I rise, first, to a parliamentary inquiry. My recollection is that the Senator from Florida [Mr. TRAMMELL] offered two amendments to this amendment upon the first day that the bill was brought up, first changing the 20 per cent in line 9 to 30 per cent, and that was voted upon, and then moving to strike out the proviso, and that was voted upon and defeated. Is it in order to move again to strike out the proviso?

Mr. TRAMMELL. Mr. President, I submit that the amendment as proposed in its present form raises a different question from the amendments as offered heretofore. It fixes a different percentage, and it couples them together, and they stand together. In the other instance they stood separate and apart. In other words, the test would be whether or not this amendment would carry with it a different effect from that which the other amendment would carry if adopted; and as a matter of fact it would carry with it a different effect if adopted.

The VICE PRESIDENT. The former amendment was to strike out "20" and insert "30."

Mr. WADSWORTH. Yes.

The VICE PRESIDENT. This is to insert "31."

Mr. WADSWORTH. Yes. Then a motion was made to strike out the proviso, and that was voted upon and failed of passage. Now the Senator from Florida moves to strike it out again as part of another amendment. That question has already been voted upon by the Senate.

The VICE PRESIDENT. The Chair rules that the motion to strike out "20" and insert "31" is in order; that the rest of the motion, to strike out the proviso, is not in order in the Committee of the Whole; that the only way in which the question can be raised is to reserve a separate vote upon it when the bill comes into the Senate.

Mr. McKELLAR. Mr. President, I hope very much that the amendment of the Senator from Florida [Mr. TRAMMELL] will be adopted. I think we all recognize the fact that the pay of officers and of men should be increased. I think it should be increased, and it seems to me the increases provided in the bill for the officers are reasonable and fair, and I intend to vote for that provision as far as the officers are concerned; but I think it is absolutely fair to the men that their compensation should be increased also. Their salaries are very small. They get $360 per year. We are having difficulty about getting troops for the Army, and no wonder, with the pay as small as it is. The increase provided for by the amendment of the Senator from Florida is only $117.50 for each man.

I think it is no more than fair that we should treat the officers and enlisted men of the Army on the same basis. We do not change their relative pay at all. The Senator from Oregon suggested that the position of the Senator from Florida was that we ought to increase the pay of privates to the same point as the pay of officers. I did not understand the Senator from Florida to make any such claim at all. His purpose was merely to raise them horizontally all along the line, recognizing the differences that now exist in the pay.

Mr. CHAMBERLAIN. Mr. President, may I correct the Senator? I did not claim that the Senator from Florida insisted upon raising the enlisted men's pay as high as the pay of the commissioned personnel. I said his logic led to that conclusion.

Mr. McKELLAR. I misunderstood the Senator, then. I thought he said that the Senator from Florida had suggested doing that. Now, I think it is but fair that whatever rate of increase is given to the officers, we should provide the same increase for the men. It is because of the high cost of living that we are doing this thing. Very well; the same high cost of living applies to the enlisted men in the Army just exactly as it does to the officers, and the same rule ought to be applied. We ought not to have one yardstick by which to increase the pay of the officers and another one by which to increase that of the men.

Mr. KING. May I ask the Senator a question?

Mr. McKELLAR. Certainly.

Mr. KING. As I understand, the Army pays for the clothing of the men, furnishes them their food, and furnishes them their quarters, so that the high cost of living has absolutely nothing to do with their living expenses, whereas with the officers they have to furnish their own clothing.

Mr. McKELLAR. Oh, yes; the high cost of living does have everything to do with the living expenses of the men. We know that the very small allowance given the men is not sufficient to support them properly, and we are having great trouble in the Army to-day because we can not get more recruits, and we ought to have them. I hope the amendment of the Senator from Florida will be agreed to.

Mr. WARREN. Mr. President, I hope the amendment may not prevail. I speak from the standpoint of the enlisted man. The idea of the private soldier not receiving any additional compensation now applies only to the men when they first go in. In the first place, they can not be married men when they go in, because the rules prevent that. They go in usually as young men for the first term as apprentices, for what they can learn and what they can see, and, if they remain longer, they receive an increase in pay. If they become good soldiers, they become privates of the first class and then are promoted up through the several grades—corporal, sergeant, and so on. So the class to which the proposed increase of pay does not apply are merely the ones who are there to-day and perhaps to-morrow, but usually for a short time, or for only a short time at that salary.

As to the cost of living, they not only get their clothing but they get their food; they get it cooked and delivered to them; they have their beds to go to; while an officer has all of that to provide for himself. The commissioned officers do not reach the rate of pay that has been mentioned by the Senator from Florida [Mr. TRAMMELL] until they have served a long time. For instance, the pay of $4,000 for a major is the maximum after he has served some 20 years. For the first five years

he receives only $3,000 per annum, a lieutenant colonel only $3,500, a colonel only $4,000 after that length of time. Whether men in the Army are officers or not, they are likely to be married and have families. This bill provides very heavy increases of pay for those enlisted men who may have families and have served a long time.

The term "private" is entirely different from the term "enlisted man," because the latter term covers a large proportion of higher-paid men; it covers a much larger number of first-class privates and noncommissioned officers than of privates proper.

These men not only have their clothing and their food furnished them but they have the very best of medical attention; they have the best of dental attention; they have the education there for them if they will take it—vocational and otherwise. Thus the high cost of living for the enlisted man is all borne by the Government, and this of itself amounts to a very large increase in pay. In fact, except in times of war—when, of course, all soldiers have to take like risks—life is made as easy for them as anyone could naturally expect if they have no especial duties to perform. It means merely that they get an amount of training that keeps them in a healthful and fit condition and that educates them.

As I said before, thousands of these men enlist and go into the Army for the time being, with no intention of serving longer than the one term, and if they had no pay at all they would consider that there was no loss but that there was some gain, because, as has been asked by the Senator from Oregon [Mr. CHAMBERLAIN], how many of the clerks in Washington are laying up money? How many spend as they go everything they make? A soldier has what is paid to him absolutely clear. There is no occasion for him to spend a nickel except for postage or for tobacco, if he uses it; and his tobacco, or much of it, is furnished him by the Red Cross, Salvation Army, Young Men's Christian Association, and other associations.

When an enlisted man is a good soldier he almost immediately rises above the first-grade payment. If he is a marksman, he receives more each month for that. If he reenlists, he receives more. If he becomes a first-class private, he receives more, and, of course, much more as a noncommissioned officer. In fact, a great many of the enlisted men receive and save more than it is possible for any officer to save during a year, no matter what his rank may be.

The man who enlists in the Army goes in of his own accord. He knows what the future is; he knows there is a chance to rise. The officer goes into the Army and takes his chances of rising. It takes time, long service, continual education. He becomes married, has a family, spends as he goes, and, as we all know, the officers at retirement time are almost always without any competence and have hardly enough to make good the fall between full pay and the three-quarters pay of retirement.

When a private goes in and remains a private, does not rise to the rank of private of the first class, almost always it is his own fault, lack of application. But take the ne'er-do-wells who go into the Army, and they are becoming fewer and fewer, their service does not always last even a great proportion of the term of enlistment.

The officers of the Army have not, since the remembrance of anyone in this Chamber, had any rise in salary except in 1908, a rise that averaged less than 10 per cent. Ordinary privates in the ranks had a rise since that time from $13 to $15, and that has been doubled since, and first-class privates and all the other enlisted men have had still higher rates of increase. There is also provision for 20 per cent extra pay for foreign service, whether in war or in peace. So that so far as the conditions relatively are concerned they have had their salaries doubled and nearly trebled, while the officers have had merely an increase of 10 to 20 per cent.

The men in the ranks may be concerned in the high cost of living if they have families, but otherwise it is no concern of theirs, so far as their own salaries and the opportunity to save those salaries are concerned.

The officers, I submit, who have had one increase of 10 or 15 per cent and now have another one offered are relatively worse treated than are the privates. But when one considers that of the privates some 40 per cent are the only ones who draw about $30 or $33, and that a great proportion of the enlisted force are receiving two, three, and some of them about four times that increase, one can see that the purpose is to provide for the soldier, first, to make him fit, and second, to provide for those who have increasing responsibilities with age and accumulation of family.

Mr. SMITH of Georgia. Mr. President, I shall not vote for the amendment of the Senator from Florida, and in just a word or two I wish to give my reasons for not voting for it.

This increase for the officers is intended to meet the increased cost of living. That is largely the reason given. I would be glad to see the increase limited to two years, with a view of continuing it if the present cost of living continues as it is, but when things get to be normal, to return to the old figures of pay.

But as to the privates, the increased cost of living does not reach them. That percentage of increase falls on the Government. They get the increase by reason of the fact that it costs the Government an amount beyond what it formerly cost to feed and clothe them. As the cost of food has increased, as the cost of clothing has increased, these elements that affect the cost of living, privates receive by the Government paying for it. The Government does not furnish the officers food and clothing. So I think the privates get their increase due to the increased cost of living paid by the Government for the cost of their living.

Again, Mr. President, my hope for the Army is that the enlistments will be for short service, made up of young men who have finished the grammar schools, but have not funds to continue their education. With the liberal provision that has been carried in a recent bill for training outside of the military training to be given privates in the service, as we settle down to normal conditions and have the men in camps and not in active service, I hope that substantial benefits may come to the privates from the educational opportunities for character building and vocational training that has been provided. If with proper enthusiasm that kind of service is given to the privates it will be worth the while of the young men who have not the opportunity to go beyond the grammar school in their educational preparation for life to spend a couple of years in the Army, with their expenses paid, and take advantage of what I hope will be the substantial facilities afforded for special training for different lines and callings.

The situation differentiates the private entirely from the officer, and the reason for the percentage of increase to the officer in no sense applies to the private. It is the officer's life business. I hope that with most of the privates it will be a temporary training school. One is the business of the man for life; the other, I trust, may be a training school, helpful to young men between the ages of 18 and 21, and so helpful to them that the button which shows that a young man served as a private in the Army means that that young man has learned the importance of discipline, of self-denial, of respect for authority; and also that he has had special training in some vocational line that will fit him the better for civil life.

Mr. HARRISON. Mr. President, I want to call the attention of the Chair to a recent ruling on this proposition. The Chair has ruled that since we voted on the proviso another vote can not be taken on it, but a vote can be taken on raising the per cent from 20 to 31. That places me in this attitude:

Personally, I am in favor of the increase from 20 to 31 per cent and striking out the proviso, because I think it ought to apply to all the privates and not to a part of the privates. But if we are defeated, for instance, in the amendment now pending, raising the 20 per cent to 31 per cent, without a vote on the proviso, and it gets into the Senate, then the vote will come, say, on the 20 per cent and the proviso together, and if we vote against it, it leaves in the bill the 50 per cent increase; that is, if the committee amendment is not carried.

It does seem to me that we ought to have an opportunity to vote on the whole amendment, because we have not done that. We have voted only on the increase from 20 to 31 per cent. At another time we voted on whether or not the proviso should be incorporated in the bill. Those were separate amendments. We have never voted on the proposition to strike out 20 per cent and insert 31 per cent, and in the same amendment to strike out the proviso. Consequently, when the bill comes into the Senate, under the rules of the Senate we will be in a position where we must vote against the committee amendment and leave in the bill the original provision of 50 per cent.

Personally, I am not in favor of raising it to 50 per cent, because that would be much more than the increase provided for the officers. But I am in favor of making the increase for the privates as much as the increase for the officers, namely, 31 per cent. However, under the ruling of the Chair, unless we can vote on the proposition as now offered by the Senator from Florida [Mr. TRAMMELL] raising the 20 per cent to 31 per cent and striking out at the same time the proviso, we will never have an opportunity in the Senate of voting for that proposition.

So I submit to the Chair that in view of that state of affairs we ought to be permitted to vote on the amendment offered by the Senator from Florida.

In further discussion of the matter, I may say that there may be Senators who would have voted against increasing the amount to 31 per cent from 20 per cent, but who would have voted to strike out the proviso, and vice versa, so we ought to

have an opportunity of voting straight on the proposition of reducing it from a 50 per cent increase as originally proposed in the bill and increasing the 20 per cent as suggested by the committee to 31 per cent, and on the proviso at the same time.

The VICE PRESIDENT. The Chair does not think that the right is foreclosed to raise those questions in the Senate.

Mr. HARRISON. I understand that we can ask it in the Senate. For instance, if the amendment, as proposed by the Senator from Florida, to the committee amendment is defeated, the 20 per cent increase remains in the bill. We have already voted on the proviso and it remains in the bill. Therefore when we get into the Senate we can vote on the proposition of striking out all the Senate committee amendment, namely, the 20 per cent increase and the proviso; but if we should strike it out it would leave in the bill the 50 per cent increase. Some of us are not in favor of the 50 per cent increase, but we are in favor of giving them a 31 per cent increase.

The VICE PRESIDENT. The Chair does not see any reason why the Senator can not offer an amendment to that effect in the Senate. Why not?

Mr. HARRISON. That is very satisfactory, if we can do it.

The VICE PRESIDENT. The Committee of the Whole business is utter folly. It has been carried down through generations, but it is utter folly and ought to have been done away with years ago. The Committee of the Whole originated in legislative bodies when there were no such things as committees to consider bills. A bill was introduced, the body resolved itself into committee of the whole, the regular presiding officer left the chair, and the committee of the whole, acting as Senate committees now act, made amendments and reported them then to the body. The Committee of the Whole ought to have been abolished long ago. The only thing it does is to give a double chance. If you get cleaned out in Committee of the Whole, you can start in and try it again in the Senate.

Mr. HARRISON. Under the ruling of the Chair when cleaned out in Committee of the Whole the same proposition can be renewed in the Senate.

The VICE PRESIDENT. There is no doubt at all that if the 31 per cent proposition failed, and if the proviso was adopted, you could have a seperate vote on the proviso when it came into the Senate, and if it fails there you can move to strike out 50 per cent and insert 31 per cent. You can do anything in the Senate that you can do in Committee of the Whole.

Mr. HARRISON. The thing I want to get at is, if the 31 per cent amendment fails, the proviso as already carried being then in the bill, will we be permitted in the Senate to offer an amendment increasing the 20 per cent to 31 per cent, and vote on that together with the proviso at one and the same time?

The VICE PRESIDENT. In lieu of the words proposed to be inserted by the committee, whatever they may be, when we get through the Committee of the Whole, you can move to insert something else. There is no doubt about that.

Mr. HARRISON. Very well. If that is the ruling of the Chair, it is perfectly satisfactory to me.

The VICE PRESIDENT. It was to prevent three votes instead of two on the question that the Chair ruled. The question is on the amendment of the Senator from Florida to the amendment of the committee.

Mr. TRAMMELL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. I am released on this vote and at liberty to vote. I vote "nay."

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the junior Senator from Pennsylvania [Mr. KNOX] and vote "nay."

Mr. RANSDELL (when Mr. GAY's name was called). I desire to announce the absence of my colleague [Mr. GAY] on business of the Senate. He has a general pair with the Senator from New Hampshire [Mr. MOSES].

Mr. JONES of Washington (when his name was called). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent on account of the illness of his wife. I have agreed to take care of him by a pair during his absence, and I therefore withhold my vote.

Mr. KELLOGG (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and vote "nay."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY]. In his absence I transfer that pair to the junior Senator from Washington [Mr. POINDEXTER] and vote "nay."

Mr. PHIPPS (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. DIAL]. I transfer that pair to the junior Senator from Maine [Mr. HALE] and vote "nay."

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the junior Senator from Iowa [Mr. KENYON] and vote "yea."

Mr. TRAMMELL (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. COLT]. In his absence I transfer that pair to the Senator from Massachusetts [Mr. WALSH] and vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT], which I transfer to the senior Senator from Illinois [Mr. SHERMAN] and vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Arizona [Mr. SMITH], and I vote "nay."

The roll call was concluded.

Mr. BALL (after having voted in the negative). I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. I learn that that Senator has not voted. I transfer my pair with him to the junior Senator from California [Mr. JOHNSON] and let my vote stand.

Mr. BECKHAM. Has the senior Senator from West Virginia [Mr. SUTHERLAND] voted?

The VICE PRESIDENT. He has not.

Mr. BECKHAM. I have a pair with that Senator. In his absence I withhold my vote.

Mr. RANSDELL (after having voted in the affirmative). I have a general pair with the Senator from New Hampshire [Mr. KEYES]. In his absence I transfer that pair to the Senator from Arkansas [Mr. ROBINSON] and let my vote stand.

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN], which I transfer to the Senator from Nevada [Mr. PITTMAN], and vote "nay."

Mr. JOHNSON of South Dakota (after having voted in the affirmative). I have a pair with the Senator from Maine [Mr. FERNALD]. I transfer that pair to the Senator from Nebraska [Mr. HITCHCOCK] and allow my vote to stand.

Mr. HENDERSON. Has the junior Senator from Illinois [Mr. MCCORMICK] voted?

The VICE PRESIDENT. He has not.

Mr. HENDERSON. I have a general pair with the junior Senator from Illinois. In his absence I withhold my vote.

Mr. GERRY. I desire to announce the unavoidable absence, on account of illness, of the senior Senator from South Carolina [Mr. SMITH] and the junior Senator from South Carolina [Mr. DIAL].

The roll call resulted—yeas 18, nays 28, as follows:

YEAS—18.

Ashurst	Harrison	Nugent	Townsend
Borah	Johnson, S. Dak.	Pomerene	Trammell
Gerry	Kirby	Ransdell	Underwood
Gore	McKellar	Sheppard	
Harris	McNary	Sterling	

NAYS—28.

Ball	Elkins	Moses	Smoot
Brandegee	Frelinghuysen	Myers	Spencer
Calder	Harding	Nelson	Thomas
Capper	Kellogg	New	Wadsworth
Chamberlain	King	Page	Warren
Curtis	Lodge	Phipps	Watson
Dillingham	McCumber	Smith, Ga.	Williams

NOT VOTING—50.

Bankhead	Gronna	McCormick	Shields
Beckham	Hale	McLean	Simmons
Colt	Henderson	Newberry	Smith, Ariz.
Culberson	Hitchcock	Norris	Smith, Md.
Cummins	Johnson, Calif.	Overman	Smith, S. C.
Dial	Jones, N. Mex.	Owen	Stanley
Edge	Jones, Wash.	Penrose	Sutherland
Fall	Kendrick	Phelan	Swanson
Fernald	Kenyon	Pittman	Walsh, Mass.
Fletcher	Keyes	Poindexter	Walsh, Mont.
France	Knox	Reed	Wolcott
Gay	La Follette	Robinson	
Glass	Lenroot	Sherman	

The VICE PRESIDENT. On the amendment of the Senator from Florida to the amendment proposed by the committee the yeas are 18 and the nays are 28. The Senator from Nevada [Mr. HENDERSON], the Senator from Washington [Mr. JONES], and the Senator from Kentucky [Mr. BECKHAM] being present make a quorum. The amendment to the amendment is rejected.

Mr. TRAMMELL. I desire to reserve the right to have a separate vote on the amendment in the Senate.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole and open to further amendment.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. The Chair assumes that it is desired to reserve a vote in the Senate on the amendment just acted upon.

Mr. HARRISON. I desire to reserve a separate vote in the Senate on the amendment, or to offer an amendment in the Senate increasing the percentage of increase for privates from 20 per cent to 31 per cent, and also to strike out the proviso.

The VICE PRESIDENT. The question is on concurring in the other amendments to the bill which have been made as in Committee of the Whole. Without objection, they are concurred in. The question now recurs on concurring in the reserved committee amendment. Is the Senator from Mississippi now prepared to offer his amendment?

Mr. HARRISON. I am. I offer an amendment to the committee amendment, on page 1, line 9, before the word "per cent," to strike out "20" and to insert "31," and also to strike out the proviso beginning in line 10, on page 1, and going down to the end of line 2, on page 2.

The VICE PRESIDENT. The question is on the substitute amendment for the committee amendment offered by the Senator from Mississippi [Mr. HARRISON].

Mr. HARRISON. I ask for the yeas and nays on the amendment to the amendment.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). Making the same announcement as heretofore, I vote "nay."

Mr. FRELINGHUYSEN (when his name was called). Making the same announcement as before, I vote "nay."

Mr. JOHNSON of South Dakota (when his name was called). Making the same announcement in reference to my pair and its transfer as I previously made, I vote "yea."

Mr. JONES of Washington (when his name was called). Making the same announcement as before, I withhold my vote.

Mr. MOSES (when his name was called). Repeating the same announcement regarding my pair and its transfer as previously made, I vote "nay."

Mr. MYERS (when his name was called). I announce the same transfer of my pair as on the last vote, and vote "nay."

Mr. PHIPPS (when his name was called). Making the same announcement regarding the transfer of my pair as heretofore, I vote "nay."

Mr. STERLING (when his name was called). Making the same announcement with regard to my pair and its transfer as before, I vote "yea."

Mr. WATSON (when his name was called). Making the same announcement as on the last vote, I vote "nay."

Mr. WILLIAMS (when his name was called). Reiterating my previous announcement upon the last vote concerning my pair and its transfer, I vote "nay."

The roll call was concluded.

Mr. RANSDELL. I transfer my pair with the Senator from New Hampshire [Mr. KEYES] to the Senator from Arkansas [Mr. ROBINSON], and vote "yea."

Mr. BECKHAM. Making the same announcement as before, I withhold my vote.

Mr. PITTMAN. I have a pair with the Senator from Connecticut [Mr. MCLEAN]. I transfer that pair to the Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. KELLOGG. Making the same announcement as to the transfer of my pair as before, I vote "nay."

Mr. BALL (after having voted in the negative). I find that the senior Senator from Florida [Mr. FLETCHER] has not voted. I have a general pair with that Senator, which I transfer to the junior Senator from California [Mr. JOHNSON], and will let my vote stand.

Mr. MOSES (after having voted in the negative). The junior Senator from Washington [Mr. POINDEXTER], to whom I transferred my pair, having returned to the Chamber and voted, I now transfer my pair to the senior Senator from Wisconsin [Mr. LA FOLLETTE], and will permit my vote to stand.

The result was announced—yeas 20, nays 29, as follows:

YEAS—20.

Ashurst	Harrison	McNary	Ransdell
Borah	Henderson	Nugent	Sheppard
Gerry	Johnson, S. Dak.	Phelan	Sterling
Gore	Kirby	Pittman	Townsend
Harris	McKellar	Poindexter	Trammell

NAYS—29.

Ball	Frelinghuysen	Myers	Thomas
Brandegee	Harding	Nelson	Wadsworth
Calder	Kellogg	New	Warren
Capper	King	Page	Watson
Chamberlain	Lodge	Phipps	Williams
Curtis	McCormick	Smith, Ga.	
Dillingham	McCumber	Smoot	
Elkins	Moses	Spencer	

NOT VOTING—47.

Bankhead	Glass	Lenroot	Simmons
Beckham	Gronna	McLean	Smith, Ariz.
Colt	Hale	Newberry	Smith, Md.
Culberson	Hitchcock	Norris	Smith, S. C.
Cummins	Johnson, Calif.	Overman	Stanley
Dial	Jones, N. Mex.	Owen	Sutherland
Edge	Jones, Wash.	Penrose	Swanson
Fall	Kendrick	Pomerene	Underwood
Fernald	Kenyon	Reed	Walsh, Mass.
Fletcher	Keyes	Robinson	Walsh, Mont.
France	Knox	Sherman	Wolcott.
Gay	La Follette	Shields	

So Mr. HARRISON'S amendment to the committee amendment was rejected.

The VICE PRESIDENT. The question now is on concurring in the committee amendment.

The amendment was concurred in.

Mr. KING. Mr. President, is the bill subject to amendment?

The VICE PRESIDENT. The bill is in the Senate and open to amendment.

Mr. KING. I move to amend the bill by adding a new section, as follows:

This act shall expire by limitation June 30, 1922.

The proposed amendment continues the act in force for two years. It seems to me that at the expiration of that time conditions will be so changed as to require new legislation. In my opinion it would be unwise to fasten this bill upon the country for an indefinite period. If it be conceded that there should be an increase in the pay of officers and others who are in the military and naval service of the country, because of the high cost of living, then, I submit, there should be a time limit upon the measure.

Mr. WADSWORTH. Mr. President, that, of course, is a question of judgment. It is pretty hard for us to say what is going to happen two years from now, but I venture to say to the Senator from Utah that when the two-year period shall have expired the Congress of that day will not reduce the pay of anybody, no matter what has happened in the interim.

The important thing in this bill is that the great bulk of the increase in pay is brought about through the payment of a commuted ration, so that if the cost of living has gone down when two years shall have expired the Government's outlay probably will decrease by just that much, because it will cost that much less to purchase and distribute the rations to the officers and to the men. If the life of the proposed act is limited to a fixed period the doors will be thrown open all over again, and if a new arbitrary adjustment is attempted by legislation expressed in dollars and cents to conform with the changed living conditions of that period, if they shall have been changed, Congress will be confronted with the same old difficulty of trying to figure out how much money in cash shall be paid to a man in order to give him what is known as a living wage. The plan of affording an increase by a commutation of rations gives him a living wage, no matter what the living cost, and I had hoped that feature would become permanently fixed in the pay schedules of the Army and Navy.

Mr. KING. Mr. President, the arguments which have been made in support of this bill are that the low compensation allowed officers, coupled with the very great increase in the cost of living, has made it impossible for them to remain in the Army and that many of them are resigning. There is a great deal to be said in favor of allowing some increase in the compensation of officers, but the conditions that will prevail two years from now, of course, no one knows. It seems to me that when we get back to normal conditions many things will need readjustment, and I believe that with this act in force for two years we can see its virtues and its infirmities, and at the end of the two years we will be prepared to deal justly and fairly with the officers and the privates of the Army. I am not satisfied with this bill and will feel constrained to vote against it; but if the tendered amendment is adopted, I should feel strongly inclined to vote for it. If conditions at the end of the two-year period have so changed that the compensation prescribed by this bill be too great, then Congress can deal with it in a suitable manner. If Congress were not constantly in session, it would be a different proposition; but we know from the history of the past few years that Congress will be in session practically all the time, and with the experience under this bill we will be enabled to deal fairly and justly with the situation when we are confronted with it.

I hope the amendment will prevail.

The VICE PRESIDENT. The question is on the amendment of the Senator from Utah.

The amendment was rejected.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service."

CIVIL-SERVICE RETIREMENT.

Mr. STERLING. I move that the Senate proceed to the consideration of Senate bill 1699, for the retirement of employees in the classified civil service, and for other purposes.

Mr. POMERENE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Hale	McNary	Smoot
Beckham	Harding	Moses	Spencer
Brandegee	Harris	Myers	Sterling
Calder	Harrison	New	Thomas
Capper	Henderson	Norris	Townsend
Chamberlain	Johnson, S. Dak.	Nugent	Trammell
Curtis	Jones, Wash.	Phelan	Wadsworth
Dillingham	King	Pomerene	Warren
Frelinghuysen	Kirby	Ransdell	Williams
Gerry	Lodge	Sheppard	
Gronna	McKellar	Smith, Ga.	

Mr. GRONNA. I have been requested to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Forty-two Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absentees.

The names of the absent Senators were called, and Mr. ASHURST and Mr. PITTMAN answered to their names when called.

Mr. MCCUMBER, Mr. ELKINS, Mr. PHIPPS, and Mr. BORAH entered the Chamber and answered to their names.

Mr. KING. Mr. President, is it proper in the midst of the roll call to make a motion to adjourn?

The VICE PRESIDENT. It is.

Mr. KING. I move that the Senate adjourn.

On a division, the motion was agreed to; and (at 1 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 4, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 3, 1920.*

The House met at 12 o'clock noon.

Prayer was offered by the Rev. Milton O. Beebe, Chaplain of the United States Army, as follows:

Our Father, it is with a sense of gratitude for Thy past mercy and dependence upon Thee for present blessings that we call upon Thy name this morning. Help us to go forth to the duties of to-day unafraid, with a consciousness of Thy presence ever with us, knowing that until the evening shadows fall, indeed forever, Thou wilt be our guide. Give us strength to do only those things Thou wouldst have us to do and which will reflect honor on Thy holy name among our fellows. For our Nation we pray that it may be Christian in every essential. For those who create our policies and establish our laws we pray for divine guidance and wisdom. Amen.

The Journal of the proceedings of yesterday was read and approved.

HELIUM GAS.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by incorporating a brief statement as to the discovery, use, and production of helium, a non-combustible gas, about which there is much misunderstanding.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD on the subject of helium gas. Is there objection?

There was no objection.

RESIGNATION FROM COMMITTEES.

The SPEAKER laid before the House the following communications:

HOUSE OF REPRESENTATIVES,
Washington, D. C., January 21, 1920.

To Hon. FREDERICK H. GILLETT,
Speaker of the House of Representatives.

SIR: I hereby resign as member of Committee on Agriculture, to take effect at once.

E. J. JONES,
Twenty-first District, Pennsylvania.

COMMITTEE ON THE CENSUS,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 22, 1920.

Hon. FREDERICK H. GILLETT,
Speaker of the House, Capitol.

MY DEAR SIR: I respectfully tender my resignation as a member of the following-named committees: Invalid Pensions, Census, Insular Affairs, Expenditures of the Department of Commerce.

Respectfully, yours.

WILLIS J. HULINGS.

HOUSE OF REPRESENTATIVES,
Washington, D. C., January 21, 1920.

Hon. FREDERICK H. GILLETT,
Speaker of the House of Representatives.

SIR: I hereby present my resignation as a member of the Committee on Interstate and Foreign Commerce.

Very truly, yours,

HENRY W. WATSON.

The SPEAKER. Without objection, these resignations will be accepted.

There was no objection.

ELECTION TO COMMITTEES.

Mr. MONDELL. Mr. Speaker, I present the following nominations for election to membership of committees, and move their election.

The Clerk read as follows:

Mr. MONDELL moves the election of the following Members to the standing committees of the House:

HENRY W. WATSON, of Pennsylvania, to be a member of the Committee on Ways and Means.

EVAN J. JONES, of Pennsylvania, to be a member of the Committee on Interstate and Foreign Commerce.

WILLIS J. HULINGS, of Pennsylvania, to be a member of the Committee on Agriculture.

LEONARD S. ECHOLS, of West Virginia, to be chairman of the Committee on Expenditures in the Navy Department.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to speak for a quarter of a minute in order to ask the gentleman from Wyoming a question.

The SPEAKER. The gentleman from Texas ask unanimous consent to proceed for a quarter of a minute. Is there objection?

There was no objection.

Mr. BLANTON. How soon may the House expect the vacancy on the Military Affairs Committee to be filled on the majority side?

Mr. MONDELL. When the committee on committees shall have acted.

Mr. BLANTON. These vacancies were filled so promptly I thought that maybe we could expect equally prompt action as to the Military Committee.

The SPEAKER. Without objection, the Members nominated will be elected.

There was no objection.

SECOND DEFICIENCY BILL.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12046, the second deficiency bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TILSON in the chair.

The CHAIRMAN. When the committee rose on yesterday the last paragraph on page 20 had been read and a point of order was pending against the paragraph. Unless the gentleman from Illinois [Mr. MANN] cares to be heard on the point of order the Chair is ready to rule.

The gentleman from Virginia [Mr. SAUNDERS] made the point of order that the paragraph is not in order because the latter portion of the paragraph makes the appropriation available during the fiscal year 1921. It is contended that the subject matter of this amendment being within the jurisdiction of the Committee on Appropriations, is in order on a deficiency bill, although it operates beyond the current fiscal year. The Chair is unable to find any case directly in point. The case cited by the gentleman from Virginia on yesterday enunciates the principle, although the case itself might perhaps be differentiated from the case now pending.

In the syllabus of the citation referred to—Hinds' Precedents, volume 4, section 3562—this proposition is enunciated:

Appropriations for the continuation of work on a public building, and not intended to supply any actual deficiencies, belong to the sundry civil bill, not to general deficiency bills.

Pending the consideration of the bill, Mr. Butterworth, of Ohio, offered the following amendment:

For completing the customhouse and post-office building at Cincinnati, Ohio, $150,000, said appropriation to be immediately available.

Against this amendment Mr. Joseph C. S. Blackburn, of Kentucky, made the point of order under Rule XXI.

The Chairman ruled:

Although the bill under consideration is not, technically speaking, a general appropriation bill, yet Rule XXI of the old series was always held to apply to bills of this character, as well as to original appropriation bills. The difficulty with the amendment of the gentleman from Ohio seems to be that it does not come from any committee having any jurisdiction of the subject. The right of individuals upon their own responsibility to offer amendments to appropriation bills has been very much restricted by the third clause of Rule XXI of the new rules. Without commenting upon that clause, the Chair holds that the amendment is not in order, coming from an individual Member of the House and not from a committee having jurisdiction of the subject matter.

Mr. Thomas B. Reed, of Maine, having called attention to the fact that this was a public work or object already in progress, the Chairman said:

There is now a law making an appropriation for the work upon the Cincinnati customhouse and courthouse for the present fiscal year. This bill is one making appropriations for deficiencies only. The amendment proposed by the gentleman from Ohio is not to supply any actual deficiency, but to make provision for the completion of the work. If the bill under consideration was the sundry civil appropriation bill, a bill which properly relates to these subjects, the Chair would hold that such an amendment would be in order although offered by an individual.

As the Chair stated at the outset this case can be differentiated to some extent from the case now pending, but is analogous in principle.

One more brief citation from the precedents. It is found in Hinds' Precedents, volume 4, section 3746:

The general deficiency appropriation bill was under consideration, and Mr. Steele, of Indiana, offered an amendment to insert an appropriation for the Marion Branch of the Soldiers' Home for the construction of a storehouse and repairing the old storehouse and constructing fireproof vaults therein for offices.

Mr. Bartlett, of Georgia, made the point of order that there was no legislation authorizing the appropriation, and Mr. Livingston raised the further point of order that the appropriation was not in order on this bill.

After debate the Chairman—and I may say that the Chairman was Mr. James S. Sherman, later Vice President of the United States—said:

The Chair held in a former Congress, in reference to Annapolis Academy, that an amendment providing for an additional building there was in order. The Chair stated at the time he held so in deference to former decisions, not because he would have so held had it originally come before the present occupant of the chair. If there was no other question involved now than the question of the enlargement of the plant, the necessary enlargement, the Chair would be inclined to hold that it was in order, following the precedent established in the Naval Academy case and cases upon which it was based. * * * If the Chair may suggest to the gentleman from Illinois, it seems to him that in the preservation of harmony between the bills that this item in all fairness ought to be on the sundry civil bill and not on the general deficiency bill. The Chair is unable to find any ruling which holds one way or the other upon the proposition.

The present occupant of the chair is almost in the same situation in which Mr. Sherman found himself at that time, so far as precedents are concerned, except such support as is given by the rulings in the two somewhat analogous cases just cited. In the interest of orderly legislation in the future, it seems to the Chair that the principle announced by Mr. Carlisle in his ruling and again enunciated in the ruling of Mr. Sherman should prevail. This item, which it is conceded is not a deficiency and which might be carried in the sundry civil appropriation bill for the fiscal year 1921, should not, in the interest of orderly legislation, be in order on a deficiency appropriation bill. The Chair, therefore, sustains the point of order.

The Clerk read as follows:

The amount which may be expended during the fiscal year 1920 for expenses of branch offices from the appropriation "to further promote and develop the foreign and domestic commerce of the United States" is increased from $60,000 to $62,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. Why was not the phraseology in this paragraph just to put in an appropriation of $2,000, which would be an increase, so that there could not be any misunderstanding about the appropriation?

Mr. GOOD. That is carried just as the Department of Commerce requested.

Mr. BLANTON. It would have answered the same purpose to put it at $2,000.

Mr. GOOD. They have the money. It is just an increase of the limitation.

Mr. BLANTON. It is only $2,000 that we are appropriating?

Mr. GOOD. We are not appropriating anything. They have the money, but they can not spend more than $60,000 for office rent in branch offices.

Mr. BLANTON. The point I am making is that this only authorizes an increase of $2,000.

Mr. GOOD. No; it does not do that. It authorizes them to expend $2,000 more than they are now authorized to expend out of the present appropriation.

Mr. BLANTON. That is exactly what I was trying to get at.

Mr. GOOD. They have money enough. This increases the limitation from $60,000 to $62,000. They have a large appropriation and enough money to pay the $2,000.

The Clerk read as follows:

Damage claims: For payment to the Metropolitan Coal Co., Boston, Mass., for damage to wharf belonging to that company at Chelsea, Mass., by collision of light vessel *No. 66* on April 10, 1917, $150.

Mr. WALSH. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee if this claim of $150 is one that has been passed on by the department under authority of law to settle claims up to a certain amount.

Mr. GOOD. It is. The department has authority to settle claims not exceeding $500, and this claim has been settled by virtue of that authority.

Mr. WALSH. This award is satisfactory, I assume, to the coal company?

Mr. GOOD. I suppose so. It is an audited claim.

Mr. MONDELL. Mr. Chairman, some days ago I discussed the cost of a system of universal compulsory military training. Since that time I have been somewhat surprised to hear, from sources that ought to be well informed, the assertion that such a system if inaugurated would enable us to largely reduce the regular Military Establishment and thus bring about economies which would largely offset the cost of such a system.

The fact is that the adoption of a system of universal compulsory military training of the youth of the land would not in and of itself make possible any appreciable reduction of the regular Military Establishment. Its tendency would rather be to necessitate an increase in that establishment, and the facts that lead to this conclusion are so clear and apparent that there is very little ground for any difference of opinion.

Years ago, before we had taken on obligations in the Philippines, Hawaii, and the Canal Zone, a soldier to a thousand of the population was generally accepted as the very minimum of a military organization. That would mean 110,000 soldiers for our present population on that old basis before we had assumed any of our later-day obligations and before we had developed our modern coast defenses.

Since then we have come into our responsibilities in the Philippines, Hawaii, and the Canal Zone. A division is the War Department's estimate of a garrison for each of those places, and estimating a division at 27,000 men we have 81,000 as overseas garrisons. Add to this the small garrisons of Alaska and a division of men available for border service, and we have in the neighborhood of 225,000 men of the line.

To put it another way, let us estimate the overseas garrisons at 81,000 men, replacement troops in equal number, who during their term of duty at home are performing a variety of services at home, and we have a total of 162,000. Add to these 30,000 as the very smallest peace detail for our coast defenses, and we have 192,000, and adding to this number about a division of troops for the border and for a variety of services and we arrive at about the same number, 225,000, as the approximate minimum number of the line of the Army. Adding to these the various staff corps, we have somewhere between 225,000 and 275,000 as the minimum for line and staff of the Regular Establishment while we have our present responsibilities overseas, and particularly as long as we have the present unsettled conditions on the border.

No system of military training, unless it be a system of military service under the guise of training, can effect a reduction of the comparatively small Regular Establishment necessary to man coast defenses, to patrol the border, for garrisons overseas, to provide even a skeleton organization for Army posts and training schools, to afford details of instructors for educational institutions, and to form the nucleus of an armed, trained, and organized force in the case of emergency.

On the other hand, the adoption of a system of universal compulsory military training would have a tendency to and would, in my opinion, result in some increase both of the enlisted force and the officers of the Regular Establishment. My estimate of $700,000,000 as the annual cost of a system of universal compulsory military training, involving the training of 600,000 men annually, was based on the same percentage of officers for the troops in training as are provided for the regular organizations. As a matter of fact that estimate is too low, as to the number of officers and as to the cost, for it would require more officers for the proper intensive training of a given number of men than would be required for a force of equal size in the Regular Establishment, and furthermore, while the men would only be under training six months the officers, or a large part of them, would necessarily be under pay the entire year. These training officers would, as a matter of fact, be a part of the Regular Establishment, but in my estimate I do not add them to the cost of the Regular Establishment, because I had charged that cost in my estimates against the cost of training, where it belongs.

Furthermore, the actual training, at least the initial training, in small bodies, of men in training would largely fall to the lot of the noncommissioned men of the Regular Establishment, and I do not know how these men could be taken from the Regular Army without necessitating an increase of the Regular Establishment by the number of men required to replace these men taken from their organizations for this special work.

It is further true, moreover, that a system of universal compulsory military training would necessitate some additional Regular Army organizations to serve in various capacities in and around the training camps and cantonments, and this in addition to the regular commissioned and noncommissioned officers who would be detached for service with the men in training.

It is true that the Secretary of War has submitted estimates for a Regular Army of approximately 570,000 men, but nobody, outside of the administration and the General Staff of the War Department, is in favor of any such force, and the estimate presented for this, as submitted by the Secretary of War, amounted to $989,578,657.21, not a dollar of which was to cover the cost of a military training system.

In conclusion, may I sum up the facts of the situation? The Secretary of War has recommended an Army of 570,000 men, to cost nearly a billion dollars. Nobody, outside of the General Staff and the administration, is considering any such establishment. The committees of the House and Senate are likely to provide for a Regular Establishment somewhere between 225,000 and 275,000 officers and men, line and staff. At the present cost this would involve appropriations of from $425,000,000 to $475,000,000. This force could not be reduced by any system of military training, unless by military training is meant military service. The tendency would be to increase it, as I have suggested. A system of universal compulsory military training, such as has been proposed, would cost at least $700,000,000 per year, after the first year. Add to this the cost of the Regular Establishment at the lowest figure suggested, $425,000,000, and we have a total of $1,125,000,000 as the lowest annual cost of a moderate Regular Establishment and system of universal compulsory military training such as is proposed, without taking into consideration the expenditure of at least $300,000,000 to prepare the camps for the system of training.

This estimate is, however, much below the cost of the Regular Establishment proposed by the bill now before the Senate and the universal compulsory military training system which it provides. The regular Military Establishment provided for in that bill, without any military training whatever, will cost at least $600,000,000. Add to this $700,000,000 as the cost of the universal compulsory military training system which that bill provides, and we have a total cost of $1,300,000,000 as the minimum cost of the military program outlined in the Senate bill.

This total is much more than our entire average annual Federal expenditures for all purposes prior to our entry into the European war. At a time when, on the basis of present estimates, we are facing a deficit of nearly $3,000,000,000, such expenditures are, of course, unthinkable. As no one anticipates putting any kind of a training system into operation at this time there is no reason why the matter should be determined upon one way or another, until we shall find ourselves in better financial condition.

The Clerk read as follows:

DEPARTMENT OF LABOR.

COMMISSIONERS OF CONCILIATION.

To enable the Secretary of Labor to exercise the authority vested in him by section 8 of the act creating the Department of Labor, and to appoint commissioners of conciliation, for per diem in lieu of subsistence at not exceeding $4, traveling expenses, and not to exceed $1,500 for personal services in the District of Columbia, $25,000.

Mr. BLANTON. Mr. Chairman, I reserve the point of order against the paragraph. I want to call the attention of the chairman of the committee to the fact that we are wasting about $200,000 per year on this Board of Conciliation, and that this is absolutely a waste of public money to give them an additional $25,000, as proposed by this section, as it brings no service of any value whatsoever to the people of this country. I want to quote from the Philadelphia Public Ledger of the other day the following, showing exactly what I state is true:

CITY TAILORS ASK QUICK DISMISSAL OF UNITED STATES MEDIATOR—WILL SPURN SERVICES OF LENNON, SENT BY SECRETARY WILSON TO SETTLE STRIKE—CALL CHIEF CONCILIATOR A PARTISAN SYMPATHIZER—SEND LABOR CHIEF LETTER TO SHOW UNION BIAS DISPLAYED BY FEDERAL EMPLOYEE.

A letter asking the immediate dismissal of John B. Lennon, conciliator of the Department of Labor, was sent to Washington yesterday by merchant tailors of this city, who say that Mr. Lennon is a partisan labor sympathizer. Mr. Lennon had just been designated as mediator in the strike between journeymen and master tailors that has been in progress in this city since September 18.

After failure to settle the matter in conference to avoid court proceedings, the merchant tailors asked William B. Wilson, Secretary of Labor, to take a hand in the matter, stating that the "merchant tailors had given in to the strikers on all points except that of the open and closed shop."

Yesterday morning Philip R. Muller, a tailor, at 1527 Walnut Street, received a letter from the Secretary of Labor saying that Mr. Lennon had been designated as mediator. Mr. Lennon has been associated with the interests of labor for many years. He was treasurer of the American Federation of Labor from 1909 to 1917; editor of the Tailor, a union newspaper, from 1886 to 1910, and general secretary of the Journeymen Tailors' Union of America from 1886 to 1910.

Mr. Muller immediately answered the Secretary of Labor, saying:

"I beg to acknowledge receipt of your letter of December 31 on the subject of the tailor strike in Philadelphia and note that you offer a representative of your department as conciliator in this matter.

"I further note that you state John B. Lennon, commissioner of conciliation, has been detailed by you to make this investigation. I call your attention to the position taken by Mr. Lennon in the following letter, dated December 13, 1919, and published in a paper called 'The Tailor,' the official organ of the Journeymen Tailors' Union of America——

Mr. BANKHEAD (interrupting the reading). Mr. Chairman, what is the matter before the committee?

The CHAIRMAN. The reservation of a point of order.

Mr. GOLDFOGLE. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The gentleman is proceeding by unanimous consent.

Mr. BANKHEAD. He did not ask unanimous consent.

Mr. BLANTON. I am proceeding on a reservation of a point of order under the direction of the Chair.

Mr. BANKHEAD. What is the point of order that he reserves?

Mr. BLANTON. I reserve the point of order, and when the times comes I shall probably make it, but I want to see if I can get some light from the chairman of the committee.

Mr. BANKHEAD. I demand the regular order.

Mr. BLANTON. The gentleman from Alabama does not want any light on the question. He seeks to protect the Department of Labor, when, from letters received from his district, his constituents do not seem to agree with him. Mr. Chairman, I make the point of order that this paragraph seeking to appropriate $25,000 is not a deficiency; it is unauthorized by law and it is new legislation. I think it is so clearly out of order that I do not care to argue it; but I do ask unanimous consent to put the balance of this article in the RECORD, showing that conciliation as conducted by Secretary of Labor Wilson is a farce in this Government.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. SABATH. Mr. Chairman, I object.

The CHAIRMAN. Does the gentleman from Iowa wish to be heard on the point of order?

Mr. GOOD. Mr. Chairman, the appropriation is clearly authorized by law.

The act of March 4, 1913, creating the Department of Labor, provides:

The Secretary of Labor shall have power to act as mediator and to appoint commissioners of conciliation in labor disputes whenever in his judgment the interest of industrial peace require it to be done.

The Secretary of Labor has appointed 28 commissioners under that authority. The appropriation for this year is not sufficient. The estimate for a deficiency was $50,000, and the committee reported out one-half the amount for which the Secretary asked.

The CHAIRMAN. Has there been an appropriation for this purpose heretofore?

Mr. GOOD. Yes; an appropriation of $175,000 for the current year, which is not sufficient, according to the statement of the Secretary of Labor, who made a regular estimate for a deficiency.

The CHAIRMAN. The Chair overrules the point of order, and the Clerk will read.

Mr. BLANTON. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. BLANTON. I move first to strike out this paragraph.

The CHAIRMAN. The gentleman moves to strike out the paragraph.

Mr. BLANTON. I ask to be recognized.

The CHAIRMAN. The gentleman from Texas.

Mr. BLANTON. Mr. Chairman, I will now read the article from the Philadelphia Public Ledger which I started a while ago:

CITY TAILORS ASK QUICK DISMISSAL OF UNITED STATES MEDIATOR—WILL SPURN SERVICES OF LENNON, SENT BY SECRETARY WILSON TO SETTLE STRIKE—CALL CHIEF CONCILIATOR A PARTISAN SYMPATHIZER—SEND LABOR CHIEF LETTER TO SHOW UNION BIAS DISPLAYED BY FEDERAL EMPLOYEE.

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"'THOMAS SWEENEY,

"'*General Secretary Journeymen Tailors' Union of America.*

"'DEAR SIR AND BROTHER: I am more than proud of the fight our international union is making for free shops, weekly wages, eight-hour day, etc. Great results have already been secured and the remainder of the fight the tailors are going to win sure. The response of our local unions with the cash makes that a certainty. My contribution has gone in to you and to-morrow I will pay some more to the secretary of No. 24.

"'This fight must be won and will be won clear from the Atlantic to the Pacific, and when won the tailors will have one of the best and most effective unions in the United States, and I am sure that victory is on the way and that the J. T. U. of A. will soon achieve a splendid and complete triumph.

"'My best wishes to every member, and particularly to the men and women on the picket line.

"'Very truly, yours,

"'JOHN B. LENNON.'

"I am loath to believe," the Muller letter continues, "the charges made upon the floor of the Senate that the Department of Labor contains radicals and Bolshevists, and I can hardly think that the Department of Labor would employ men as conciliators in settling a strike who have publicly expressed themselves in favor of that strike.

"Might I suggest that the immediate dismissal of Mr. Lennon from the position of a commissioner of conciliation would go far to reestablish the confidence the public should have in the department?

"Very truly, yours,

"PHILIP R. MULLER."

That Mr. Lennon will fail as a mediator is the conclusion of the merchants, for last night William H. Dixon, chairman of the strike committee of the Merchant Tailors' Association, said that they would have nothing to do with Mr. Lennon when he arrives.

Now, Mr. Chairman, is not the information contained in the above article from the Philadelphia Public Ledger pertinent to the proposal in this bill to increase the two hundred-odd thousand dollars we have already appropriated for the purpose of conciliating labor for the present fiscal year by giving them now an additional $25,000? Is this a subject which does not interest the gentleman from Alabama [Mr. BANKHEAD] and the gentleman from Illinois [Mr. SABATH]? Out of the 6,000 strikes which occurred during the war, between April 6, 1917, and November 11, 1918, only a comparatively few were settled through conciliation, and then they were settled only by the Government conciliators allowing every demand made by the strikers.

Now, take the case cited by the Philadelphia Ledger. The employers had granted every single demand numerously made by the striking tailors, except the one question of closed shop. The employers had the right to expect from the Secretary of Labor, provided he was running the United States Department of Labor in the interest of all the people and not in the interests of unions, that the Secretary of Labor would send an unbiased conciliator who would give the right of an employer to maintain an open shop proper consideration. All the employers asked was the privilege of running their own business and of employing tailors whether they belonged to unions or not. And the Secretary of Labor sent them Mr. John B. Lennon. Was he a fair conciliator? Was he an unbiased conciliator? Was he a Government conciliator from whom these employers could expect any assistance in obtaining from their employees, to whom they had already granted every other of their numerous demands, the sole right of employing some nonunion tailors if they desired?

Let me read you again the letter from John B. Lennon published in the union's official organ, The Tailor, which letter was dated as late as December 13, 1919, on that very subject:

THOMAS SWEENEY,

General Secretary Journeymen Tailors' Union of America.

DEAR SIR AND BROTHER: I am more than proud of the fight our international union is making for free shops, weekly wages, eight-hour day, etc. Great results have already been secured and the remainder of the fight the tailors are going to win sure. The response of our local unions with the cash makes that a certainty. My contribution has gone in to you and to-morrow I will pay some more to the secretary of No. 24.

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My best wishes to every member, and particularly to the men and women on the picket line.

Very truly, yours,

JOHN B. LENNON.

Mr. Chairman, we are appropriating several hundred thousands of dollars for this Board of Conciliation year after year, and we are asked now, as a deficiency, to give them $25,000 more. The question is, Are we going to waste it? The people of the United States are getting no benefit from it. The Secretary of Labor is running this, as well as every other of the various departments under him, in the interest of labor unions, and not in the interest of labor in its broad sense. The Department of Labor is improperly named, and should be called the department of union labor, and Secretary Wilson should be more properly called the secretary of union labor. John B. Lennon had indorsed this very strike; had called the strikers brothers; had called their strike his strike; had called their fight his fight; had said that he was proud of their contending for closed shops, which he designated as free shops—free of unorganized labor—and was proud of all of their other contentions; had contributed his money to their cause, and in his letter promised that he would contribute more money, he stating, "This fight must be won, and won clear from the Atlantic to the Pacific," and sent his best wishes to the pickets surrounding the employers' places of business. Was John B. Lennon a proper Government conciliator? Do you approve of the Secretary of Labor sending that kind of a man on Government expense? It is up to you, good Republican colleagues of mine, to decide this question, because you are in the saddle with respect to legislation, and your steering committee can pass any kind of legislation here it wants. Are you willing longer to continue this wasteful farce? The people of this country are going to get tired of this some day. They are slowly organizing and locating responsibility for these conditions. They are going to rise up some day at the primaries and at the general election and they are going to make some of your faces scarce on the floor of the House if you do not pay some attention to some of these things that are going on in this country. Mark my prediction! You have had 5,000,000 organized men, organized like men never have been organized before, who have been attending to the elections heretofore and having legislators obey their will, but, you mark me, not very long from now you are going to have 110,000,000 of people attending to the election; and you had better look out, you had better pay some attention, because when at elections the whole American people begin to speak you will not have any chance to answer, because after the primary is over and after the general election is over some of you will be gone.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, there is truth in what the gentleman has said, but I think he exaggerated the case. I have not been in sympathy with some of the men who have been appointed as conciliators. I think in some instances, in quite a number, the Secretary of Labor appointed men who were not in a position, because of their attitude toward the employer, to sit in judgment on his case, but that is not a question for Congress to determine. All Congress can do is to provide the funds. If the funds have been misused, as the gentleman from Texas would have us believe and states, that is a matter that Congress can not very well regulate when we have a department like this. But when we give great power to an executive—and you must give great power to the executive—if he abuses this power and does not appoint the proper persons, are we going to punish the men who compose either the employer class or the employee class when real labor disputes do exist by not providing the machinery that was authorized by this act?

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman.

Mr. BLANTON. If the executive of that department is crooked, and we know it, are we not responsible when we continue to put funds in his hands?

Mr. GOOD. I would not want to charge that the Secretary of Labor is crooked. I served with him in the House. I would not make that charge. I thought he was a very able and straightforward and honorable man.

Mr. BLANTON. The gentleman is not keeping up with his record in the Labor Department.

Mr. GOOD. Be that as it may, they ask for $50,000 here. Notwithstanding the fact that there may be some of this fund expended as the gentleman has said, the committee felt that this department would need $25,000 for the rest of the year, and that it ought to get along with $25,000. I think perhaps they do at times employ more conciliators than are necessary, but I am not in charge of the department. I do not execute this appropriation; neither does the gentleman from Texas. We have

given the authority to the Secretary of Labor, and in a large measure we have to submit to what he does.

Mr. FESS. Will the gentleman yield?

Mr. GOOD. I will.

Mr. FESS. Is the chairman of the committee entirely satisfied that the work of the conciliation board has been of value?

Mr. GOOD. I think on the whole they have done a great deal of good work. I think there are cases where they have done very questionable things. For instance, a man came to me a year ago and said that one of the conciliators, Mr. Fred Feick, as I recall, a State senator from Indiana, who lives down, I believe, at Garrett, Ind., went among the employees of two or three of the factories at some town in Indiana there and told them that they ought to be dissatisfied with the hours of labor and with their wages. He left, and in about a week they all struck, and then the Secretary of Labor sent this same man Feick, who had stirred up the strike, back there as a conciliator. Of course, I do not approve a thing of that kind. I do not believe the Secretary himself would approve of a thing of that kind if he knew it. But notwithstanding that, we have had manufacturers come before us, and manufacturers have written us, saying that they have been benefited by this service, and labor organizations and laborers outside of organizations have said to the committee and its members that this law has been of great benefit in settling disputes. I do not approve, of course, the misuses to which the funds are placed at times, but I think there was good reason and wisdom in the law, and that the abuses of the law are the exception and not the rule.

Mr. FESS. Will the gentleman yield further?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. BYRNES of South Carolina. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. BYRNES of South Carolina. I rise in opposition to the amendment. This item of $25,000 provides for the maintenance of a service that should be maintained by this Government. During the war $2,000,000 was spent by what is known as the War Labor Board for mediation and conciliation. Since the end of the war the work has devolved upon the Board of Mediation and Conciliation. The work of mediation in connection with the Shipping Board has also devolved upon them. They handled 1,780 cases, and in practically every one of the 1,780 disputes intrusted to them a strike was prevented and an economic loss to the country prevented.

Mr. BLANTON. Will the gentleman yield right there?

Mr. BYRNES of South Carolina. No; I will not yield.

The duty of acting as a mediator and conciliator in an industrial dispute is always an unenviable duty. The man must necessarily incur the displeasure of one side or the other. It is inevitable that some gentleman, dissatisfied with the settlement of a dispute, should write to a Member of Congress, as the gentleman from Texas says he was written to, to advise him that he was dissatisfied with the settlement of the dispute.

He says a member of organized labor should not be sent. I presume he thinks that no one but a member of the Merchants and Manufacturers' Association of the United States should be sent to settle a dispute between labor and capital. But the Department of Labor can not do that. I do not contend that in every instance they should send a man who is identified with organized labor, but certainly if they hope to bring the warring factions together they must send some man who has the confidence of the laborers as well as of the employers.

The gentleman says that some gentleman from Indiana before the committee referred to the conduct of a man who encouraged men to become dissatisfied with their jobs. I never heard that man testify. I wish I had. Any gentleman can make an ex parte statement, but I would have liked to cross-examine him. If convinced he was telling the truth I would certainly have disapproved of such conduct as much as any man in this House.

But the fact is that this board, employing commissioners, has been able to satisfactorily settle nearly 2,000 disputes. Since the 1st of January there has been a great reduction in the number of strikes in this country, and this service has contributed to that happy result at a time when unrest exists all over the world. If this board can settle one industrial dispute, can prevent one strike, it has more than justified its existence and justifies the expenditure of $200,000 a year for its maintenance. In so far as what the gentleman says about the Secretary of Labor, I want to say this: The Secretary of Labor, as the gentleman from Iowa [Mr. GOOD] has said, served as a Member of this House. The gentleman from Texas says he is crooked, but there is not a man in this House who served with Mr. Wilson who will believe for an instant what the gentleman from Texas says. [Applause.] There is not a fair or an honest man in this country, either in the Merchants and Manufacturers' Association, in the American Federation of Labor, or among any other class of people, who believes Secretary Wilson is crooked. They may disagree with him in his policies; they may disapprove of his appointments; but they will never believe him "crooked." I do not approve of some of his policies, but, in common with all Americans, I have unbounded confidence in his integrity. [Applause.]

Mr. FAIRFIELD. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Indiana is recognized in opposition to the pro forma amendment.

Mr. GOOD. Mr. Chairman, may we have an agreement as to the time? I ask unanimous consent that all debate on this paragraph and all amendments thereto be concluded in 10 minutes, to be divided between the gentleman from Indiana [Mr. FAIRFIELD] and the gentleman from Missouri [Mr. RUCKER].

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. FAIRFIELD. Mr. Chairman, it is not unusual for executive officers to be criticized. Wholesale criticism, however, the assailing of a man and accusations of being crooked, ought to have behind them some evidence of a character that would address itself to the membership of the House. I have no doubt but that this committee or commission on conciliation has done much good. There have been mistakes, perhaps, in the personnel of its appointments. But it is a rare thing in executive departments when some mistakes are not made in regard to personnel.

However, my attention was attracted to the criticism upon Mr. Feick, of Garrett, Ind. I know Mr. Feick very well. He is a hard hitter against Republicans in that district, and therefore I hold no special brief in his interest. But it does seem to me that when the name of a man is used on the floor of this House and his activities are thus directly brought into question there should be some supporting evidence for the criticism against him. Knowing Mr. Feick as well as I do, and not being by any means anxious that he should be particularly defended by me, I have wondered if, after all, a little statement like that going out through the RECORD might not do a man a great injury when really the facts in the case did not warrant the statement. I understand that the chairman of the committee [Mr. GOOD] said that he had heard of the incident he mentioned, or did it appear in the record of some hearing? Will the chairman state?

Mr. GOOD. The matter was brought to my attention by a man who claimed to be a manufacturer of that locality, claiming to know the facts; and when the hearings were had a year ago I asked Mr. Samuel J. Gompers, the chief clerk, what the facts were, and he said he did not know. The understanding was that there would be a note put in the record of the hearing, but there was no defense made or explanation made to the charge. You will find it in the hearings on the legislative bill last year. If the statement was not true, it was never corrected by the Department of Labor or anybody else. It was made right to the Department of Labor by this man who called it to my attention, and he claims to have been injured by it.

Mr. FAIRFIELD. I know the man has been very active in labor circles and has been sent here and there in conciliation work. I do not know how effective he has been, but he has been retained, as I understand, upon the commission for that purpose.

What I really intended to say is that perhaps what brings this Congress and every Congress into disrepute throughout the country is the wild accusations that are made again and again against men without any basic evidence to sustain them. My own judgment is that this country is big enough and our legislative duties are onerous enough to make it desirable that no reflection should be cast from the floor of this House upon any man unless one felt impelled thereto by the necessity of protecting the public. [Applause.] When that becomes a habit here you will find the Congress will enjoy a higher regard in the minds of the people of this country. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired. The gentleman from Missouri [Mr. RUCKER] is recognized for five minutes.

Mr. RUCKER. Mr. Chairman, like the chairman of the committee [Mr. GOOD], I thought the gentleman from Texas [Mr. BLANTON] made a strong point by the recital he made in support of his motion to strike out this paragraph. One inadvertent statement by him, however, weakens his case very materially, in my opinion.

Many years ago there came to this country a poor boy from a foreign land. Being poor, he sought honest labor as a means of livelihood. Upon his earnings he supported a family. A coal miner, working most of his time out of human sight, or

at least out of the sight of most people, yet by his demeanor, by his upright character, by his integrity, and his native honesty he won the confidence and esteem of the people of a great congressional district in the State of Pennsylvania. Those people several times elected him to membership in this great legislative assembly. Here he so demeaned himself and proved himself possessed of such great and striking ability that he was appointed to one of the most important committees of the House. There he associated with gentlemen of distinction and won their favor and their applause. From this House he was chosen by the President of the United States, by reason of his ability and his integrity of character, to fill the exalted position of Secretary of Labor.

I say such a man, with such a history, is never a crooked man, and I dissent with all the emphasis I can employ from that part of the gentleman's argument. [Applause.] I say in corroboration and support of what has been said by the gentleman from South Carolina [Mr. BYRNES] and the gentleman from Indiana [Mr. FAIRFIELD] that every man who knows Secretary Wilson knows that he is an honest man, a worthy man, and a capable public official. [Applause.] That he has made mistakes I am not here to deny, but in the estimate of some people I have made mistakes; the gentleman from South Carolina may have made mistakes; even the distinguished gentleman from Indiana may have made mistakes; but I do not think either of them has made any mistakes; and some people think the distinguished gentleman from Texas sometimes makes mistakes. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to proceed for five minutes to reply to the gentleman. I have been criticized here very severely.

Mr. GOOD. The time has been fixed.

The CHAIRMAN. There is one minute of the time fixed remaining.

Mr. BLANTON. I ask unanimous consent to be allowed to proceed for five minutes.

Mr. GOOD. Let the gentleman take time on the next paragraph. I shall not object to his taking time on the next paragraph.

Mr. BLANTON. I ask unanimous consent to proceed for five minutes.

Mr. MACGREGOR. I object.

The CHAIRMAN. The gentleman from New York objects. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For Labor Administration: To enable the Secretary of Labor to carry on the work of mediation and conciliation in labor disputes, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1919, $39,912.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. Gentlemen, I did not make an idle statement in regard to the Secretary of Labor. I had plenty of foundation for it. The record shows beyond any question of doubt that he has spent several thousand dollars of the people's money of this Government unauthorized in behalf of an anarchist, the bomb-throwing anarchist Mooney, in California. The record shows that he has sent his employees unauthorized out to California at the expense of the Government and had them install dictograph machines in the district attorney's office to help anarchists escape the proper punishment of the law. The record shows that he has filled his department down here with representatives of various labor unions over the land on big salaries, paid by the Government, with big expense accounts for traveling, not for the Government but in the interest of various unions. The record shows that in the 6,000 strikes that occurred throughout the war, from April 6, 1917, to November 11, 1918, he has sent as conciliators not men who were unprejudiced but men who were highly prejudiced in favor of one side of the controversy alone, the side of the union, and that a strike has been settled only when every single contention of the strikers has been allowed.

The record, not coming from me but coming from the best friend he ever had on earth, one of the heads of his department, John B. Densmore, shows that this great Secretary had to run away from his own State of Pennsylvania and that he went out to Iowa under shadow and stayed in Iowa for several years until the clouds could blow over before he could go back to his home State. I could recount record after record where he has placed such men in office as Frederick C. Howe as immigration commissioner at New York, whom we Democrats finally had to admit had helped thousands of anarchists to escape deportation, and the President had to remove from office this Frederick C. Howe, who has since been placed in charge of the Plumb Plan League by organized labor. When his old colleagues and brother members of the United Mine Workers of America called a strike, designated as unlawful and without excuse by both the President and the courts, this Secretary of Labor, without any authorization of law whatever, immediately promised said brother miners a flat increase in wages of 31 per cent, when finally the President's commission allowed only 14 per cent; and this member of the Cabinet, Secretary of Labor Wilson, almost disrupted the Cabinet of the United States trying to defend these miners in their unlawful undertakings and tried to force the Cabinet to do that which was not right when these miners were trying to freeze to death millions of helpless women and innocent little children. And this Secretary of Labor Wilson waited weeks, months, and years, until he has lately been confronted with his confederation, with anarchists, to hold, as he has done within the last few days, that to be a member of the communist organization, which seeks to overthrow and destroy this Government by physical force and violence, is cause for deportation. Oh, if I had time I could give plenty of reasons for asserting that the Secretary of Labor is crooked. Any Cabinet officer of this Government that fraternizes with, helps, aids, and assists anarchists who are trying to overthrow this Government is crooked.

Why, every posted person knows that William Z. Foster is an anarchist, and every person posted knows that John L. Lewis had to sit up all night debating the question whether he would disregard the law and risk severe punishment from the courts administered by Judge Anderson before he decided that "he could not fight his beloved Government" and decided that he would obey the law. And we know that Secretary Wilson fraternizes with such men.

I know that these anarchistic labor leaders do not like me, because in my fight for a square deal for all the people I have given them cause to dislike me. And I know that in this House whenever any of them are attacked there is always somebody ready to take their part and always somebody to applaud them, because Samuel Gompers is always ready and willing to pat them on the back and cause them to be reelected.

My standing is not good with the Anarchist Thomas Mooney, who in cold blood murdered with bombs many innocent people, and my standing with Secretary Wilson and Samuel Gompers, who are friends of Thomas Mooney and who are aiding him to escape proper punishment, is not good. I have no standing with anarchists, either singly or collectively.

When I cite these facts I do not expect any standing with such men as William Z. Foster, who has the approval of Secretary Wilson and his associates. I do not expect approval from the anarchistic leaders of labor of this country, because I have been fighting them here in behalf of the people. I do not expect any standing with them. I do not expect any standing with some of the men in this House who seem ready at all times to lick the foot soles of Samuel Gompers and Secretary Wilson whenever they are justly assailed in this House. I do not expect any standing from that kind of cattle; but I have got a standing with my many brave, honest colleagues of this House and the honest, loyal American citizenship throughout the United States, whose good opinion is worth while, and if the gentleman from South Carolina [Mr. BYRNES] could see the indorsements that I have gotten from his State and every State in this Union, and if the gentleman from Indiana [Mr. FAIRFIELD] could only read some of the letters I have received from his district indorsing the fight that I have been making on this floor, and if my good friend from Missouri [Mr. RUCKER]—and he is my friend—could see the splendid letters of indorsement that I have gotten from some of the best men in Missouri in behalf of my stand, these three gentlemen would find that my standing outside of these labor unions and their satellites and their friends and the men who do their bidding is a pretty good standing after all in the country.

Mr. RUCKER. Will the gentleman yield?

Mr. BLANTON. I will have to decline, as I have not the time. I have only a few minutes. This is not a personal fight I am making. I am making a fight to clean up these departments of improper people in charge of them. It is a fight to rid my Government of anarchy. It is a fight in behalf of the whole people of this country and not in behalf of a little organized clique of 5,000,000 men whose anarchistic leaders are running this Government. You know they are running it as well as I know it. You look into my eyes and you know that every time Samuel Gompers comes in here and tells us to do something he stampedes Congress. Why, Dr. FESS, the gentleman from Ohio, a short time ago got up here and made the best speech I ever

heard a man make one day, and said we ought to be men, that we ought to put all men on the same footing, and that we ought not to exempt organized unions from the law; and in the Committee of the Whole House, where no record is made of how each Member votes, we stood by him; the Republicans stood by him, the Democrats stood by him, and we refused to exempt members of labor unions from the provisions of law. Then Mr. Gompers and his American Federation of Labor came in and gave the membership of this House his orders, and the mouthpiece of organized labor, the gentleman from California [Mr. NOLAN], called for a record vote in the House, and the great majority of you bowed your heads, obeyed orders, complied with the dictates of the dictator, and once more exempted members of organized labor from the provisions of general law. [Applause.] How long are you going to keep it up? How much longer is this Government and Congress going to be of, for, and by Samuel Gompers and the American Federation of Labor?

I sympathize with and feel sorry for some of you colleagues of mine, for I know that you want to be reelected, and I know just what troubles you. Here is a sample of what you are afraid of:

In the Federal Employee, the official magazine of the National Federation of Federal Employees, for June, 1918, the vote cast by each Congressman on the Borland amendment, requiring the 240,000 Government employees to work eight instead of only seven hours per day, is given, with the following comment:

If a Congressman's votes and policies have been against the interests of employees this fact should be made known throughout his district, and if he has shown an attitude offensive toward organized labor every voter in his district should know it.

And this red-flag admonition to all organized labor voters was sent broadcast into the districts of the various Congressmen who had dared to vote to require employees to work eight hours a day during war times.

Again, from the September, 1918, issue of the Federal Employee I quote:

THE DEFEAT OF REPRESENTATIVE BORLAND, AS TOLD BY ONE OF OUR BRETHREN WHO WAS IN THE FRAY—A REMARKABLE DEMONSTRATION OF THE VALUE OF UNION SOLIDARITY AND AFFILIATION.

[By Gilbert E. Hyatt, president of National Federation of Postal Employees.]

Those ultraconservative members of the civil service who have not realized the value of organization, particularly in its inevitable and most beneficial aspect, that of affiliation with the other great organized agencies under the banner of the American Federation of Labor, have been given a demonstration so plain that he who runs may read of what these things mean and of the real spirit of unionism.

No Federal employee is ignorant of the constant persecution of his brothers in the District of Columbia under the guise of establishing what Mr. Borland was pleased to name an eight-hour day. The single-minded persistence of the advocate of this measure, culminating in the veto by President Wilson of the appropriation bill carrying the amendment in question, is too well known in all details to need repetition, but the story of Borland's rebuke and defeat by organized labor simply on this ground is a lesson that every member of the civil service should ponder on, for in it is contained the secret of any future defense that they will make and of any future gains for their cause. * * *

An appeal was made to organized labor and every legislative agent in Washington responded. President Gompers sent a scathing telegram to the Central Labor Union of Kansas City (Borland's home), and the legislative agents of the railroad brotherhoods went on record in the plainest language. The writer of this article had the honor, as a member of the Brotherhood of Locomotive Firemen and Enginemen, of bearing their personal message to the railroad men of Kansas City. As a result the Kansas City central body passed a resolution without a dissenting word or vote at a crowded meeting condemning Borland and instructing their legislative committee to organize the campaign for his defeat. A joint committee of railroad men was formed to do a like service for their members, and the outcome was the overwhelming defeat now passed into history. * * *

It should be fully appreciated by the civil-service employees that these men had not one iota of personal interest in the point at issue, and that they had no personal contact with the class of workers attacked. * * * Mr. Borland had done many favors of a personal nature for members of organized labor in his district, and many of the men who worked for his defeat expressed friendship for him, but factional alignments, craft divisions, and personal friendships were thrown aside to fight for a basic standard of their doctrine.

I quote the concluding paragraph of the said telegram sent by Samuel Gompers, president of the American Federation of Labor, also published in this magazine, which is as follows:

Let the inspiring word go forth, "We stand by our friends," and administer a stinging rebuke to men of any party who are either indifferent or hostile.

What was Congressman Borland's crime committed for which his office was taken away from him as a punishment? He merely asked that Government employees in war times work eight instead of seven hours per day. He conscientiously believed that when we required our soldier boys to work sometimes 24 hours out of the 24, sometimes in trenches drenched and knee deep in mud, on $33 per month, who, if he momentarily slept from exhaustion or should demand a single dollar more pay, would be stood up against a wall and shot in eternal dishonor, that it was not unreasonable to demand of Government employees, many of whom were filling the jobs vacated by these soldier boys, and who were working under pleasant surroundings and safe environments, that in war times especially they should work eight instead of seven hours. By a roll-call vote the House of Representatives twice went on record supporting Mr. Borland in his contention.

Now, let me put into the RECORD again a few matters of history from the RECORD:

NUMBER OF WAR STRIKES CERTIFIED TO BY DEPARTMENT OF LABOR.

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, February 6, 1919.

Hon. THOMAS L. BLANTON,
House of Representatives, Washington, D. C.

DEAR SIR: Your letter of January 23, 1919, addressed to Hon. W. B. Wilson, Secretary of Labor, is received. In reply thereto I will say that the Bureau of Labor Statistics of this department compiles, from various newspapers and other sources, as complete a list as possible of all strikes that occur. This list is not complete, and it may also contain some duplications, because it is not always possible to tell from newspaper reports whether the report is concerning a new strike or whether it refers to a strike previously reported. Therefore the figures given can not be more than an approximation. After eliminating duplicates as far as possible this list shows that there were approximately 6,000 strikes between April 6, 1917, and November, 1918, the average duration of which was approximately 17 or 18 days.

Regretting that I am unable to furnish you more accurate information, and trusting that this approximate figure may be of some value to you, I am,

Very truly, yours,

H. L. KERWIN,
Assistant to the Secretary.

In his autobiography Secretary Wilson of the Department of Labor states that since November, 1873, he has been a member of the Mine Workers' Union, and has taken an active part in trade-union affairs ever since, and was international secretary of the United Mine Workers of America from 1900 to 1908. In his address published in the CONGRESSIONAL RECORD, June 24, 1919, page 1712, Secretary Wilson says:

I make no hesitancy in saying that I am a trade-unionist myself. I believe in trade-unionism. * * * When the demand for shipworkers and shipbuilders came from Seattle our employees in the interior of the country said to those who were applicants for employment that "it is not advisable to go to Seattle unless you are either a union man or willing to join the union," and we are held up as a trade-union department because we made that statement. We continued to make it. We are making it now. We will continue to make it. * * * If there was an industrial dispute in existence we would not be the agency through which labor could be furnished to that industrial dispute.

On June 27, 1919, before the Joint Committee on Labor hearings, Director Densmore testified (pp. 233–234):

The CHAIRMAN. In that connection, are you a relative of the Secretary of Labor?

Mr. DENSMORE. I am not any relative of the Secretary of Labor, as has been reported.

Senator KENYON. How do you think that story arose, Mr. Densmore? Did you live where he lived, in Iowa?

Mr. DENSMORE. Well, Senator, Secretary Wilson, when I was about 5 years old, as you have asked the question, was blacklisted in Pennsylvania, and he could not get any kind of a job, not only in the city where he was but in the coal mines or elsewhere, and he had to leave——

Senator KENYON. I did not ask you about that.

Mr. DENSMORE. But I want to tell the story. He came to Iowa and he came to my father. My father was the superintendent of the water-supply system of the Illinois Central Railroad, from your city, Fort Dodge, Senator KENYON, to our city, Waterloo, Iowa, at that time, and he got Mr. Wilson a job as a fireman on the Illinois Central, and enabled him to support his family until things blew over in Pennsylvania, when he went back, and it is true that he did live at our house.

What do you suppose that Director Densmore meant when he said that Secretary Wilson was "blacklisted in Pennsylvania, and he could not get any kind of a job, not only in the city where he was but in the coal mines and elsewhere, and he had to leave"? Blacklisted for what? What had he done that prevented his getting work in Pennsylvania and caused him to go to Iowa? I mention the above, because it may throw some light on late actions of the Secretary of Labor.

DEPARTMENT OF LABOR ASSISTING MOONEY.

Mr. Speaker, on June 21, 1919, I stated that it was a strange situation when we were appropriating $1,400,000 additional to apprehend anarchists, while at the same time Secretary Wilson was reported to have spoken at Atlantic City from the same platform with Mrs. Rene Mooney, wife of the convicted anarchist, intimating that he was still trying to get Mooney a new trial, and I cited excerpts from the following papers:

[Daily Oregonian, Portland, Oreg., June 13, 1919.]

Secretary of Labor Wilson, speaking before the convention of the American Federation of Labor to-day, urged organized labor to refuse to support the nation-wide strike which has been proposed as a protest against the conviction of Thomas J. Mooney. Mr. Wilson told the delegates that the Government was investigating the claim that new evidence justified a new trial, and that he was devoting much time to the case.

The Secretary declared that so far the Government's inquiry had shown that the judge and jury before whom Mooney was tried had conducted themselves properly and that on the evidence the jury had to convict.

Note the statement that "he—Secretary Wilson—was devoting much time to the case."

[Detroit Free Press, Detroit, Mich., June 13, 1919.]

WILSON HINTS AT A NEW TRIAL IN MOONEY CASE—CABINET MAN TELLS LABOR CONVENTION EVIDENCE IS BEING INVESTIGATED.

ATLANTIC CITY, N. J., *June 13.*

Secretary of Labor Wilson, speaking before the convention of the American Federation of Labor to-day, urged organized labor to refuse to support the nation-wide strike which has been proposed as a protest against the conviction of Thomas J. Mooney. Mr. Wilson told the delegates the Government was investigating the claim that new evidence justified a new trial, and that he himself was devoting much time to the case.

[Chronicle, San Francisco, Calif., June 13, 1919.]

UNITED STATES SIFTING EVIDENCE IN STEP TO SECURE NEW TRIAL, SAYS SECRETARY OF LABOR.

ATLANTIC CITY, N. J., *June 13.*

Secretary of Labor Wilson, addressing the convention of the American Federation of Labor to-day, * * *. He said the Government was investigating the evidence in the case in connection with the movement for a new trial for Mooney.

And at the same time I charged that Director Densmore had spent some time in California installing a dictagraph in the district attorney's office in an effort to assist Mooney.

On July 1, 1919, my colleague from Texas, Mr. HARDY, spoke in defense of Secretary of Labor Wilson, stating that the above newspaper reports were very unjust and unfounded, and he printed in the RECORD (pp. 2247–2250) what he said was the manuscript copy of the address of Hon. William B. Wilson, Secretary of Labor, before the American Federation of Labor convention, Atlantic City, N. J., June 13, 1919, delivered to him by Secretary Wilson. I raised no objection. I am glad he printed it, for it clearly shows that every word in said newspaper articles is true, and that Secretary Wilson deserved even graver criticism. You will note that he began his address by the salutation "fellow trade-unionists." Note also (p. 2249) that in advising the convention not to call a nation-wide strike to force Mooney's freedom, and concerning such advice, he said:

You may accept it or leave it, as your own judgment tells you is best.

He, a Cabinet officer of the United States, head of the Department of Labor, and high up in power and authority in the American Federation of Labor, leaving the question thus open by telling them:

You strike or not strike, as your own judgment tells you is best.

Why should he leave the question open, when he admitted that Mooney had had a fair trial? For he said (p. 2249):

We looked into the Mooney case, and in doing so we came to this conclusion: That so far as the jury was concerned that passed upon the evidence presented to it, it could have come to no other conclusion under its sworn duty than to convict Mooney; that so far as the judge was concerned that tried the case, he tried it with absolute fairness.

Why did not this Cabinet officer of a Republic that stands for law and order then tell his audience, in which there were at least some anarchists, that the State of California had lawfully tried, convicted, and was punishing a red-handed, cold-blooded, murderous anarchist, who had deliberately caused the death of numerous innocent men, women, and children, and the serious injury of scores of law-abiding people, by throwing a bomb into a preparedness parade, and that neither the people nor the Government had any right to go behind the verdict of a California jury and the judgments of the California trial and appellate courts, nor to interfere with justice, law, and order in the State of California by letting unions, ignorant of the evidence, attempt to free a criminal through strikes simply because he was a union man?

But instead of closing the matter with advice of unmistakable directness, Secretary Wilson left it open to be further fanned by the flames of passion and prejudice by stating:

Every effort that the national administration was able to put forth was put forth for the purpose of trying to secure that new trial, and we are not through with it yet. We are still working on it. [Applause, long and continued.]

Note that Secretary Wilson said: "We are still working on it," and "We are not through with it yet," in regard to getting a new trial for an anarchist now serving his just punishment in a California penitentiary. By what authority of law is Secretary Wilson messing in this California case? Who authorized him to work on it or to interfere? Congress has never authorized any investigation. Congress has never authorized the expenditure of one single dollar on the Mooney case. Secretary Wilson has no connection with the Department of Justice. Simply because Mooney was a unionite does not give the Department of Labor any more jurisdiction than the United States Health Department would have where the murderer happened to be a doctor. And it is a very significant fact that all of the Washington papers heralded the news that Mrs. Rene Mooney, wife of the convicted anarchist, having failed to get an audience with the President, went immediately to the Department of Labor to see Secretary Wilson, intimating that she was always sure of an audience there.

THE MOONEY CASE.

A REPORT ADDRESSED TO THE SECRETARY OF LABOR BY J. B. DENSMORE, DIRECTOR GENERAL OF EMPLOYMENT.

SAN FRANCISCO, CALIF., *November 1, 1918.*

Hon. W. B. WILSON,
Secretary of Labor, Washington, D. C.

SIR: Pursuant to instructions received from time to time during the past six months, I have the honor to report that I have conducted a secret and altogether informal inquiry into the Mooney case, and beg leave to submit herewith the results of my investigation. Before entering into a recital of the various steps pursued in carrying out the operation, it might be well to call attention to a number of peculiar features which have characterized this case from the beginning, in order that there may be no misconception, either as to the issues involved or as to the necessity which arose for the employment on the part of the investigators, of somewhat unusual methods of obtaining information.

On the surface and in its narrowest aspect the Mooney case may be defined as the case of the people of the State of California against Thomas J. Mooney and certain other defendants, four in number, charged with perpetrating a bomb outrage in the city of San Francisco during the Preparedness Day parade, on July 22, 1916, thereby causing the deaths of 9 or 10 persons and the injury of numerous others. Of the five defendants, four have been tried. Two of these, Mooney and Warren K. Billings, were found guilty, Mooney now being under sentence of death and Billings serving a life term in the penitentiary; the other two, Mrs. Thomas J. Mooney and Israel Weinberg, were acquitted. The case against the fifth defendant, Edward D. Nolan, has virtually been dropped for lack of evidence. All five of these persons have been more or less prominently identified with the union-labor movement in San Francisco.

It was charged by the prosecution that these five defendants were animated by anarchistic motives and that the bomb explosion which they were alleged to have planned and consummated was the climax of a carefully laid plot to strike a blow at existing social and political institutions and intimidate all those who were in any way concerned with placing the country in a state of military preparedness.

In my investigation of the Mooney case I have kept these facts well in mind and proceeded on the theory that an unwarranted attack upon labor leaders, with a premeditated and deliberate intention to injure and discredit union labor generally * * *.

The alternative plan was to proceed secretly, with but two or three men, and make no move that would attract attention. * * *

It was therefore decided to work secretly.

I had at this time two trusted assistants in San Francisco, and to these I confided my plan of operations, leaving, however, the execution of the details very largely to their own judgment. * * * It was absolutely necessary to the success of the operation to install a dictaphone in the office of the district attorney, Mr. Charles M. Fickert. This task was a seemingly impossible one, owing to the fact that Fickert keeps himself barricaded behind double-locked doors on the fourth floor of the Hall of Justice, in a private office to which only one other man has the keys.

The full details as to how this dictaphone was finally installed will probably never be divulged, as no good purpose could be served by a recital of the facts, interesting as they are. Some idea of the difficulties involved will be gained when it is stated that more than two months of careful and clever work were required before the installation was complete and the machine in actual operation.

Fickert's office in the Hall of Justice is a very large room in the southwest corner of the building, on the topmost floor. (See diagram, Exhibit A.) It is lighted by two arched windows, one overlooking Portsmouth Square to the west, the other fronting Merchant Street on the south. The district attorney's desk is in the extreme southwest corner of the room, between the two windows. Besides the desk, the room contains a large oblong table; otherwise there is little furniture. On floor and table, in picturesque disarray, are countless exhibits alleged to relate to the activities of the I. W. W.'s, the Mooney defendants, and other reputed agitators and dynamiters.

For dictaphone purposes the location was by no means an ideal one. Rumbling teams and street cars, tooting automobiles, the shouts of Chinese children playing around the Robert Louis Stevenson fountain in the park opposite—these and other sounds from Kearney Street ascended and mingled with the voices of those conversing within the room. The room itself was about 25 by 30 feet, and when conversations were held in a low voice at some distance from the transmitter the results attained were not always satisfactory.

Considerable experiment was thus required to adjust the delicate microphone to the peculiar and somewhat baffling conditions. After trying out various combinations of batteries, resistance coils, amplifying valves, and receivers, and making several novel improvements never before attempted in similar lines of work, a final satisfactory adjustment was at last achieved.

I know of no better way to present the mass of valuable information secured through the use of this machine than to incorporate the full transcript in the body of this report. It is lengthy, but at the same time it is illuminating; and any digest, paraphrase, or abridgment would perhaps fail to convey either the true atmosphere of the district attorney's office or the full significance of the record itself. In view of the importance of the case, it is not believed that further apologies are necessary for this introduction of what in other circumstances might justly be considered an unconscionably long and detailed account of miscellaneous and not always interesting conversations.

In order to complete these prefatory remarks, it might be well to add that the conversations in the following transcript were all overheard by two or more persons, usually by three, though sometimes by more than three. For the sake of clearness it has been thought best to insert brief notes of explanation wherever necessary; these are invariably given in brackets. Wherever the conversation was obscure or inaudible, the fact is noted. In the telephone conversations, both voices could usually be heard. Sometimes, however, the microphone failed to transmit the voice at the far end of the line.

Now, Mr. Chairman and colleagues, I submit the above as a few of the reasons why I have called the Secretary of Labor crooked. The above is indisputable evidence of the fact that the Secretary of Labor, wholly unauthorized by law, has been spending the people's money assisting an anarchist convicted of foul murder to escape the penalty of the law. He has even

gone to the extreme of having one of his highly paid employees to take with him a bunch of thugs to California and install a dictagraph machine in the district attorney's office there to help criminals to escape. As I said before, any man who will help anarchists in the United States is crooked, especially if he is a Cabinet officer.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Enforcement of laws against alien anarchists: For the enforcement of the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 16, 1918, and acts amendatory thereof, including salaries and expenses of officers, clerks, and employees in the District of Columbia and elsewhere, per diem in lieu of subsistence, supplies, rentals, deportation expenses, and all other expenses incident to the enforcement of said laws, to be expended under the direction of the Secretary of Labor, $750,000.

Mr. RAKER. I offer the following amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 33, line 9, strike out "$750,000" and insert "$1,000,000."

Mr. RAKER. Mr. Chairman, the testimony in this matter appears on pages 692 to 699 of the printed hearings before the committee. It will be seen that the officer in charge of this work asked Congress to give $1,000,000 for this purpose. I think anyone who has read the hearings and gone into the matter will appreciate fully the reasons for the appropriation. One of the extra costs borne by the Government now is because of the want of efficient assistance both in making the original arrest, the transportation to the place of hearing, the detention and final deportation abroad of these anarchists. The mode and method of the hearing is specified in the record. Anyone who examines the record of the 249 anarchists who were deported on the *Buford* on the 21st day of December, 1919, will find that the men were not only confessed anarchists but were proven anarchists by the record, and that the majority of them not only believed in the destruction of this Government but they believed in the assassination of public officials, and they believed in the unlawful destruction of life and property. The written record is there in each instance. Myself and others read part of those records.

There is no need of camouflaging the fact that the evidence is not clear and conclusive against many others who have been apprehended by the Government.

The money will not be expended unless it is actually used, but the Government is expending a large amount of money by holding these men at Ellis Island and elsewhere because of want of funds and want of means of transportation, and it ought not to be delayed for a moment.

Mr. FESS. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. FESS. There is a good deal of talk about these men promising to come back here. Are our laws such that they are not to be embarrassed by that?

Mr. RAKER. If the law is enforced, by proper picture and record and finger prints and examination on return, they can not come back under our law. But the criminal may disguise himself in many ways and he might and possibly could get back. The evidence taken before the committee shows that there is but little obstruction to men coming in on the Canadian border because of the want of guards and the want of machinery. From the testimony presented to the committee in the last two weeks by capable men, men from the southern border of the Mexican line, the same state of facts exists.

The CHAIRMAN (Mr. WALSH). The time of the gentleman has expired.

Mr. RAKER. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAKER. There is no obstruction in a way to keep men from coming over the Mexican border, and we need more patrols on both borders.

Mr. FESS. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. FESS. How many are there at Ellis Island awaiting deportation?

Mr. RAKER. I am not able to give the gentleman the number at this date.

Mr. FESS. I understood from the Department of Justice that there probably would be 6,000 people subject to such punishment already determined.

Mr. RAKER. They have already investigated and have before them the record that will bring it up to between 5,000 and 6,000. I want to say to the committee that they will not spend a dollar unless it is absolutely necessary. Let us not hamper the department when they are working faithfully—the Department of Justice and Bureau of Naturalization are properly handling this subject in all of its phases, to the end that the men may be properly disposed of after full hearing on their cases.

Mr. BOX. Will the gentleman yield?

Mr. RAKER. Certainly.

Mr. BOX. What is there to prevent the deported anarchists from disguising themselves and returning as seamen, and then deserting and gaining the interior?

Mr. RAKER. Nothing. I answered that to a question by the gentleman from Ohio, Dr. FESS. I say it is a misfortune; but it is true. They can disguise themselves and come back, as the gentleman suggests. There should be a more stringent examination and inspection. It is difficult to prevent them from coming in now because they have not the force of inspectors.

Mr. VAILE. Will the gentleman yield?

Mr. RAKER. I will.

Mr. VAILE. Does the gentleman recall the testimony taken before the committee to the effect that it is easy to come across the Mexican border, and that Emma Goldman and Berkman were urged to go into Mexico and carry on their propaganda?

Mr. RAKER. That is a fact; they can come and do come across the Mexican border by thousands. One man said he had in his employ 150 men, and only 1 of them had come across the border legally and had a certificate. So you see that we have a disadvantage surrounding us all the time, and we ought to provide sufficient funds so they may be prevented to the further end that where the public officers in this country have followed the law and made the arrests, trials have been had, evidence conclusive that if these men are anarchists and bomb throwers, they can be deported. The evidence in many cases shows actually that the men have tried to destroy property and lives, and we should provide a sufficient fund whereby they can be deported, and whereby those who can not be deported shall be promptly and speedily prosecuted. That this service finding this evidence shall turn it over to the Attorney General's office, and vice versa from the Attorney General's office to the Labor Bureau and the Bureau of Immigration, to the end that the men may be deported if found here in violation of the law. I say it is penny-wise and pound-foolish to talk about economy in a thing that is absolutely necessary. It is a question actually before you. It is a live question; there is no theory about it. It is right here, and the evidence has been clear and conclusive upon these subjects, and I ask of the committee now, in passing upon this matter, that they give the department sufficient funds to employ help, so that the law may be enforced. These men are already arrested in the usual way, and a hearing must be had by the immigration inspectors. That case is transferred and sent to the Bureau of Immigration. Then it goes to the law department and is examined——

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I rise to oppose the amendment. I desire to say that the three items under the title in this bill "Immigration Service" represent in full the amount which the Director General of Immigration can use at present. These items come up as deficiencies. It is not possible in this deficiency bill to undertake to set up an additional border patrol service nor to enact laws, no matter how badly needed. These are the sums necessary to cover deficiencies and to go on with the deportation work to the end of the fiscal year. These are the sums asked for during the hearings before the committee.

Mr. RAKER. They asked for a million on the first sum and $150,000 where the committee gave them $100,000. So the committee in both instances reduced the amounts, one $250,000 and the other $50,000.

Mr. JOHNSON of Washington. The service can do with the money offered. It is satisfactory to them. We ought not to make unnecessary appropriations for work that can only be guessed at when further deficiency appropriations can be made later if needed.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Deportation of aliens under the laws regulating immigration: For the expenses of deporting to the countries whence they came, as specified in the immigration act of February 5, 1917, of alien public charges and others ordered deported under the laws regulating immigration since July 31, 1914, including conveyance to the frontier or seaboard for deportation, transportation charges when payable by the United States under the terms of existing law, including maintenance expenses, expenses of attendance and per diem in lieu of subsistence, and all incidental expenses in connection therewith, to be expended under the direction of the Secretary of Labor, $100,000.

Mr. RAKER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 33, line 21, after the word "labor" strike out the figures "$100,000" and insert "$150,000."

Mr. RAKER. Mr. Chairman and gentlemen of the committee, the Commissioner of Immigration, Mr. Caminetti, appeared before the committee and urged that $150,000 be authorized for this service. That will be found on page 699 of the hearings. This service ought to be given the full amount to the end that the law may be carried out, and I hope that the amendment will be agreed to.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

BUREAU OF LABOR STATISTICS.

For per diem in lieu of subsistence, special agents, and employees, and for their transportation; experts and temporary assistance for field service outside of the District of Columbia, to be paid at the rate of not exceeding $8 per day; traveling expenses of officers and employees, purchase of reports and materials for reports and bulletins of the Bureau of Labor Statistics, and for subvention to "International Association for Labor Legislation," and necessary expenses connected with representation of the United States Government therein, $12,250.

Mr. BLANTON. Mr. Chairman, I make the point of order that this is not a deficiency; it is new legislation and is not authorized by law.

Mr. GOOD. Mr. Chairman, the Bureau of Labor Statistics is authorized by law.

Mr. BLANTON. They are not authorized to have a per diem and traveling expense of $8 a day, and all such new provisions as that doubling such allowances. There is no law for that.

Mr. GOOD. They come under the general provision of law.

Mr. BLANTON. The only law we have ever had authorizing per diem was as riders on appropriation bills, and then it fixes it at $4 a day. This is a change of law. It is certainly new legislation and it is not a deficfency.

Mr. GOOD. Mr. Chairman, the act of March 4, 1913, provides that the Bureau of Labor shall hereafter be known as the Bureau of Labor Statistics and that the Commissioner of the Bureau of Labor shall hereafter be known as the Commissioner of Labor Statistics, and that all of the powers and duties theretofore possessed by the Commissioner of Labor shall be retained and exercised by the Commissioner of Labor Statistics.

Section 948, prescribing the duties of the commissioner, provides that it shall be the duty of the commissioner also to ascertain and report the effect of the customs laws, and so forth, and that he shall also establish a system of reports by which, at intervals of not more than two years, and so forth.

The CHAIRMAN. Can the gentleman cite the Chair to any authority for paying a per diem in lieu of subsistence?

Mr. GOOD. There is no per diem in lieu of subsistence provided for in the bill. That is simply a limitation—that they shall not pay more than $8 a day for wages.

The CHAIRMAN. If the gentleman will read lines 23 and 24, on page 33, he will see that it provides for per diem in lieu of subsistence.

Mr. BLANTON. At $4 per day, and this is certainly a change of law, as it provides $8 per day.

Mr. GOOD. Mr. Chairman, the sundry civil appropriation act for the fiscal year 1915 provides:

That the heads of executive departments and other Government establishments shall authorize and prescribe per diem rates of allowance not exceeding $4 in lieu of subsistence to persons engaged in field work or traveling on business outside of the District of Columbia and away from their designated posts of duty, when not otherwise fixed by law. For the fiscal year 1916 and annually thereafter estimates of appropriations from which per diem allowances are to be paid shall specifically state the rates of such allowances

The section just read is permanent law, and has been so construed by the Auditor and Comptroller of the Treasury.

The CHAIRMAN. The Chair thinks, in view of the language read by the gentleman from Iowa, that a per diem in lieu of subsistence is authorized by law.

Mr. BLANTON. But where a certain amount of money is appropriated under a law of that kind, is it a deficiency to come in in an item like this and ask for a new amount, when there is no deficit whatever?

The CHAIRMAN. The Chair would say that this item is for the rest of the current fiscal year, and therefore is a deficiency.

Mr. BLANTON. But I quote a very eminent authority, the gentleman from Massachusetts [Mr. WALSH], who, in a point of order which he made the other day that the matter in question was not a deficiency, asserted that it devolves on the chairman in charge of the bill to show that it is a deficiency where a point of order is made that it is not a deficiency, and the chairman has not shown that.

The CHAIRMAN. The Chair overrules the point of order, and the Clerk will read.

The Clerk read as follows:

NATURALIZATION SERVICE.

For compensation, to be fixed by the Secretary of Labor, of examiners, interpreters, clerks, and stenographers, for the purpose of carrying on the work of the Bureau of Naturalization, provided for by the act approved June 29, 1906, as amended by the act approved March 4, 1913 (Stat. L., vol. 37, p. 736), and May 9, 1918 (Stat. L., vol. 40, pp. 542–548, inclusive), including not to exceed $35,000 for personal services in the District of Columbia from February 1, 1919, and for their actual necessary traveling expenses while absent from their official stations, including street car fare on official business at official stations, together with per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and for such per diem, together with actual necessary traveling expenses of officers and employees of the Bureau of Naturalization in Washington while absent on official duty outside of the District of Columbia; telegrams, verifications of legal papers, telephone service in offices outside of the District of Columbia; carrying into effect section 13 of the act of June 29, 1906 (34 Stat., p. 600), as amended by the act approved June 25, 1910 (36 Stat., p. 765), and in accordance with the provisions of the sundry civil act of June 12, 1917; and for mileage and fees to witnesses subpœnaed on behalf of the United States, the expenditures from this appropriation shall be made in the manner and under such regulations as the Secretary of Labor may prescribe, $100,000: *Provided*, That no part of this sum shall be expended for or in connection with the training or education of aliens for citizenship until the arrearage of work connected with the granting of citizenship to aliens shall have been disposed of.

Mr. BLANTON. Mr. Chairman, I make the point of order that it is not a deficiency, that it is not authorized by law, and that it is new legislation.

Mr. GOOD. Mr. Chairman, the object for which this appropriation is sought is authorized by law. There is an estimate from the Secretary for a deficiency. Part of this appropriation is to carry into effect the provisions of law where the officers of the courts must do the actual work of naturalization. The act of June 29, 1906, gives to the United States circuit and district courts now existing, or which may hereafter be established by the Congress, and so forth, the naturalization jurisdiction of the courts therein specified, and shall extend only to alien residents within the respective judicial district.

Then the provisions of the act establishing the bureau (section 961 of the Revised Statutes) provide that the Bureau of Immigration and Naturalization shall be divided into two bureaus, to be known hereafter as the Bureau of Immigration and the Bureau of Naturalization, and the title "Chief of the Division of Naturalizatiod and assistant chief" shall be Commissioner of Naturalization and Deputy Commissioner of Naturalization, and that in the absence of the Commissioner of Naturalization the deputy commissioner shall be the administrative officer.

Section 953 provides—

That the designation of the Bureau of Immigration, Department of Commerce, shall be changed to the Bureau of Immigration and Naturalization, which said bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to the duties that are now provided by law, shall have charge of all matters concerning the naturalization of aliens. It shall be the duty of said bureau to provide for the use of the bureaus of immigration stationed throughout the United States books of record wherein the Commissioner of Immigration shall cause a register to be made——

The CHAIRMAN. The Chair would like to ask the gentleman from Iowa if the citation of the various statutes contained in this paragraph are the authorities for the things it proposes——

Mr. GOOD. They are.

The CHAIRMAN. The Chair would like also to ask the gentleman from Iowa to discuss the language of the proviso as to whether or not that is not new legislation.

Mr. GOOD. That is simply a limitation on the amount that can be expended. The limitation simply provides "that no part of this sum shall be expended for or in connection with the training or education of aliens for citizenship until the arrearage of work connected with the granting of citizenship to aliens shall have been disposed of." At the present time a great deal of this appropriation is being expended for what is known as "Americanization," and the committee was of the opinion that a part of the deficiency that now exists was created because of the expenditure along this line, and therefore we placed the provision that so far as this appropriation is concerned no part of it should be expended until this work of naturalization is brought up to date.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. BLANTON. Mr. Chairman, I think it is so plain that with the average judgment of the presiding officer he ought not to hesitate to determine a question of this kind properly.

The CHAIRMAN. The Chair believes that the authority cited is sufficient to warrant the language used in the paragraph, and therefore the point of order that the legislation is not authorized by existing law is overruled. The gentleman

from Iowa states that this is an appropriation to be used during the balance of the present fiscal year to carry on activities already undertaken by the department, or at least that is the understanding of the Chair, and therefore seems to be in the form of a limitation on account of the fact that before this deficiency appropriation shall be available arrearages of work in connection with the bureau shall be brought up to date, and in the view of the Chair that is a proper limitation, and the Chair overrules the point of order.

Mr. GOOD. Mr. Chairman, in the paragraph we have just passed there is a typographical error, and I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 34, line 18, strike out "1919" and insert in lieu thereof "1920."

The question was taken, and the amendment was agreed to.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee what are these arrearages of work connected with the granting of citizenship to aliens which are regarded as of so much more importance than the instruction of the alien in citizenship before granting final papers to them?

Mr. GOOD. Oh, the testimony before the committee was that in some places like New York, where there is great congestion, the aliens have to take two citizens of the United States with them to the court in order to go through the regular prescribed form, and he might sit there all day, because they are not able to get to the ear of the court or the commissioner.

Mr. SABATH. And they are obliged to come back?

Mr. GOOD. Yes; and they are obliged to come back. Now, instead of spending the money for naturalization we have commenced on a plan by this bureau of trying to cram these aliens so as to make them fit for citizenship in a day or two, a system that ought never to have been established at all, and they are spending a whole lot of money in doing that kind of work and not upon their work of naturalization. They are carrying on a kind of work that the public schools of the United States are intended to carry on. These aliens ought to go to our schools and there learn to read and write and become familiar with the Constitution instead of having somebody just before they go before the judge or the commissioner to interpret the Constitution of the United States and give them instructions as to how to answer the questions. Now, it was the opinion of the committee that while there were thousands of these aliens who were entitled to citizenship, this money should be spent in hiring clerks to help naturalize them and stop the work of education done in this bureau until the arrearage of naturalization work was brought up to date.

Mr. BRIGGS. Is the effect of this provision, however, to deny the opportunity of full instruction to those who want to be citizens in the principles of the Constitution, or has it reference only to those who are really prepared to become citizens and who are delayed in the procedure of obtaining final citizenship?

Mr. GOOD. Every city in the United States, every village, hamlet, and municipality furnishes public-school facilities. They can go to the public schools, and this is to stop another system of schools until they have performed what was the intention of Congress, which is to naturalize the citizens who were entitled to immediate naturalization, and those who have not availed themselves of the public schools of the States can wait until they have availed themselves of those privileges.

Mr. BRIGGS. The reason I asked in this connection is I understood the Bureau of Naturalization was establishing now a condition that certificates of proficiency or the completion of a course for citizenship shall be presented from some public school or other educational institution before aliens will be recommended for their final papers. Would the language of this provision interfere with the carrying out of that provision?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRIGGS. I ask for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman for two additional minutes? [After a pause.] The Chair hears none.

Mr. GOOD. I hope it will have an effect of stopping a whole lot of this foolishness that has been going on and the useless expenditure of money, duplicating what the States and the cities are spending the taxpayers' money of those places for.

Mr. BRIGGS. I am not speaking about the duplication of the work. I am speaking of what the States and cities are doing in this way, in giving aliens a course in civil government, so that when they come up before the courts and say that they are attached to the principles of the Constitution they know what the principles of the Constitution are.

Mr. GOOD. This does not take a citizen out of the night school or anywhere else.

Mr. BRIGGS. Does it interfere with the requirement that they shall have a certificate of knowledge of civil government before they shall be regarded as properly ready for citizenship?

Mr. GOOD. It does not change existing law at all. It simply directs the officer to spend the money as was intended.

Mr. SABATH. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Illinois rise?

Mr. SABATH. To strike out the last two words.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that debate on the pending paragraph and all amendments thereto close in six minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SABATH. Mr. Chairman, I have had no chance or opportunity to examine the evidence that has been adduced by the committee on this appropriation, and especially as to the provision in this appropriation, but I have heard the chairman of the committee state that a great deal of this money that has been formerly appropriated for the naturalization service has been expended for educational purposes in schools. I was under the impression that only a small part of the appropriation has been expended, and that only for booklets and pamphlets that would tend to teach these aliens and familiarize them with the history of the United States and our Constitution. Therefore I desire to ask, Is it not a fact that the money has been expended only for such literature as would familiarize these people with the history of our country and the Constitution?

Mr. GOOD. No. This appropriation is not available for the publication of or the sending out of pamphlets and books. There is a separate fund out of which such expenditures are made. But what they do out of this is to send their examiners and inspectors all over the country to tell those in charge of the schools how to conduct their schools with regard to this class of persons. We propose to stop that.

Mr. SABATH. Out of this appropriation, can the chairman of the committee tell me how much has been expended?

Mr. GOOD. Mr. Crist said it was all mixed up together and was very hard to tell. He thought possibly 25 per cent, or thereabouts, was spent for such purpose.

Mr. SABATH. I have met Mr. Crist, and he is rendering splendid help in sending out publications to the public schools of the United States.

Mr. GOOD. He is very enthusiastic in his work, and when a man becomes an enthusiast he is liable to overstep.

Mr. SABATH. I appreciate that; but I did not know that any of this appropriation had been used for the purpose of paying any teachers for school rents or any such purpose. I was under the impression it had been used only for the purpose of printing these publications that should go to the hands of the school-teachers who are trying to prepare these applicants for naturalization.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FIRST INDUSTRIAL CONFERENCE.

For salaries and expenses of the First Industrial Conference called by the President of the United States, including printing, personal services in the District of Columbia, payment to Pan American Union for use of its building, including light, telephone service, and all other necessary expenses, $9,147.57.

Mr. LAYTON. Mr. Chairman, I move to strike out the last word.

Last Friday, I think it was, I asked the chairman of the committee, when the matter of the Public Health Service was under discussion in this bill, a question. I rather felt at the time that the chairman was a little brusque with me in his answer and intimated that as a new Member of Congress I should be entirely familiar with all the statutes of the United States and with all the governmental functions. I was very much interested in the matter under discussion in the House—the Public Health Service—because of the fact of being a physician and having some views in respect to the extension of governmental activities generally which have cropped up during the war going far beyond what I think they ought to go, and I made up my mind to obtain, if I could, a little information on the subject. I will give it to the House, as well as to the chairman of the committee, if he is not already familiar with the facts. I asked the Public Health Service a specific question and I have a specific answer from them, as follows:

TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
Washington, February 2, 1920.

The Hon. CALEB R. LAYTON,
House of Representatives, Washington, D. C.

MY DEAR MR. LAYTON: In the matter of medical officers connected with the Public Health Service, I am pleased to furnish the information that there are about 2,300 physicians in the service appointed for duty

and they are all medical graduates and properly licensed to practice. The aggregate annual pay of these physicians is approximately $4,601,000. This is exclusive of nurses, attendants, etc.

Respectfully,

J. C. PERRY,
Acting Surgeon General.

Now, Mr. Chairman and gentlemen of the committee, I, as one Member of this House, object to the extension of a public service of this character. Here we have on the pay rolls of the United States a number of licensed physicians drawing salaries that are nearly 50 per cent of all the physicians we had for 4,000,000 troops in the war. When you take into account those who are dead and need no physicians; when you take into account the comparatively small number of casualties that we had, and those who came back here by the hundreds of thousands who are stronger and better than they were before they enlisted, I say that this number of physicians is a fraud upon the taxpayers of this country, unless it be the intention of the Congress to substitute Government physicians and surgeons for all those engaged in civil practice.

As the chairman of the committee has just said, there are civil functions that ought not to be interfered with. I think he made that statement a moment ago. So in this case the physicians of this country ought to be allowed to take care of these matters in a civil way.

I am not opposed, Mr. Chairman, to a national Public Health Service. The matter of the public health is one that involves well-defined principles of economics, as well as human happiness and well-being. What I am opposed to is its extension to abnormal and unjustifiable proportions which usurp the rights as well as the duties of the States, and interferes with physicians and surgeons in their civil occupation. Extended, all these various functions inaugurated under the stress of war simply means the gradual nationalization of every civil function now performed by men and women in their individual capacity and acting upon their own initiative. This tendency is well revealed in every direction, and is known to all thoughtful men, but there is a strange paralysis of action in opposition to this tendency. There are many of these governmental activities, too many in fact for me to mention in the presence of this House, who are more familiar with them than I am. In addition to the Public Health Service and its extension to a point where, after the war is over, there are still employed 2,500 physicians at a salary aggregating $4,691,000, I desire to call the attention of the House to the matter of national education. No one denies that education is the very foundation of intelligent citizenship, and essential to the preservation of our Government, where the people themselves rule under a democratic form. In this matter there is an increasing encroachment upon the several States of the Union. Federal control is extending itself to such a degree that the people of the various States, whose duty it is to provide for education themselves, are gradually losing their initiative, and growing more and more to lean on the paternal arm of the Federal Government. Many of these estimable people are seeking more and more to broaden the scope of Federal control. Most of them are ignorant of the consequences. Some of them are secret disciples of nationalism and internationalism, of which the foundation stone is socialism. I am opposed to this tendency in every form, except where it be a clear and indubitable national necessity. All of these various activities should be reserved to the States and their people, where it is possible, in order that they may become capable citizens because they have been compelled to grapple with and work out their own problems. Paternalism is inherently enervating and does not make for capable, robust citizenship.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Delaware asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. CHINDBLOM. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. I would like to ask him whether there was any authority of law for the calling of this conference, and whether this appropriation is based upon any existing statute?

Mr. GOOD. No.

Mr. CHINDBLOM. I am not going to raise a point of order, but I want it as a matter of information.

Mr. GOOD. No. There is no law authorizing the President to constitute this conference. The conference was constituted by the President and the amount carried in the bill is just the exact amount of the expenditures, or the amount of the bills that have accumulated because of that conference.

Mr. CHINDBLOM. Who reported these expenditures to the committee?

Mr. GOOD. As I recall, the President turned this whole matter over to the Department of Labor, to make the arrangements, and authorized them to incur the indebtedness. I think it was while Mr. Roosevelt was President that Congress enacted a law which absolutely prohibited the creation of a conference of this kind or a commission of this kind, and provided that no money should be expended for that purpose unless duly authorized by law. That statute is still on the statute books. But this conference was created, and this is an actual deficiency, although created in violation of that provision of the statute. But the committee felt that the proper thing to do was to bring it before the House.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SECOND INDUSTRIAL CONFERENCE.

For salaries and expenses of the second industrial conference called by the President to meet December 1, 1919, including reporting, printing and binding, rent, traveling expenses, and contingent and other miscellaneous expenses, $12,000.

Mr. WALSH. Mr. Chairman, I make a point of order against the paragraph, in view of the statement made by the chairman.

Mr. GOOD. Mr. Chairman, will the gentleman withhold the point of order?

Mr. WALSH. Yes.

Mr. GOOD. Mr. Chairman, this conference is now at work. From the reports that come out I understand the conference is really doing effective work. The Hon. Samuel W. McCall, former governor of Massachusetts and formerly a Member of this body, is a member of this conference, and men of that character have been brought together to study some of these questions. The Department of Labor estimates that it would cost more than is carried here—as I recall, $25,000. Mr. McCall and Mr. Rosenwold, another member of the conference, came to us and said they could get along with $12,000. As I recall, they are not receiving any salaries. This is just for the actual expenses. I believe that just at this time—and I think I voice the sentiment of the entire committee—when we see the unrest throughout the United States, we feel if $12,000 is expended in this way by men who are brought together from all parts of the United States to study the industrial situation, it will be money well expended. I think if the gentleman will look over the names of the men whom the President has called together on this occasion, he will concede that we ought to congratulate the President in taking the step, even though no authority exists for the conference. At least, the expense of stenographers and clerks ought to be paid, so that the conference can work in an efficient manner. I hope the gentleman from Massachusetts will not raise the point of order.

Mr. WALSH. Well, Mr. Chairman, I think it is time to stop spending the people's money for these conferences. The gentleman mentions the name of a former governor of Massachusetts, a former Member of this House. Well, he is traveling somewhat upon reflected glory at the present time, and while he may think he is doing a lot of good work, and although a lot of these other cranks that are collocated together under the name of conferences and industrial commissions and committees may all be obsessed with the idea of the gentleman from Massachusetts, yet they are all costing money, and it is time to show a little spirit of retrenchment. [Applause.]

Talk about unrest! Of course there is going to be unrest if we have conferences called to keep these problems stirred up and stewed up all the time. [Applause.] They are no nearer solution after the conference dissolves and they go back to their respective homes than they were before they undertook it.

The first industrial conference came to a deadlock and was a failure. Each side blamed the other. I do not believe that this second one is going to get very much further. I submit to the chairman of the committee that it is time for Congress to express its view upon this matter. Are we going to continue indefinitely these war powers and this war legislation and these war conferences? This conference was called—the first one—probably through an interpretation of the war power, without any specific authority. Now, the time for these things has passed, and I submit, unless we give specific authority, the law of 1909 which governs matters of this sort ought to be respected. I would like to ask the gentleman from Iowa whether this sum

of money has been incurred, and, if so, in what way the indebtedness has been incurred?

Mr. GOOD. I suppose a part of this has been incurred. The estimate made by the executive secretary and approved by the Secretary of Labor provides for traveling expenses for members of the conference, $6,000; traveling and per diem expenses of witnesses to the conference, $1,000; secretaries, $2,000; clerical and stenographic assistants, $2,000; printing, postage, and sundry expenses, $1,000. I hope the gentleman will not make a point of order. I realize that there ought to be legislation along this line, but I think the committee and Congress might be criticized at this time if this appropriation is not made, and for that reason the work should proceed.

Mr. WALSH. Well, the gentleman should not urge that as the reason—because Congress might be criticized. It might be criticized because it did make an appropriation of $12,000 for this purpose.

Mr. GOOD. It might justly be criticized. We have already appropriated for one of these conferences—the coal conference. We have already carried an item in the bill for that, and that has been passed. We have given an appropriation for that conference, and I submit to the gentleman that we ought at least to give this conference a fair trial.

Mr. WALSH. How many of these conferences are there now at large? We have had the coal conference and the industrial conference, and has there not been recently some international allied conference operating down here, occupying Government buildings?

Mr. GOOD. That was a conference of labor, provided for by the League of Nations, and that conference was called because Congress passed a resolution directing the President to call it and providing that he should not appoint commissioners unless——

Mr. WALSH. Oh, probably that would have been called if we had not directed the President to call it. We did not direct him to call the coal conference.

Mr. GOOD. The coal conference was called, as the gentleman will remember, when Congress was in recess, and that was called as the result of an agreement between the coal operators and the coal miners.

Mr. WALSH. That is the conference about which great promises have been held out of public benefit to consumers of coal as the result of their operations?

Mr. GOOD. Yes, sir.

Mr. WALSH. I predict that the public benefit will vanish into thin air. Instead of the consumers of coal paying less for fuel as the result of that conference and its operations they will be paying more. There is no authority of law for this industrial conference, and really the expenditure that has been incurred ought to come out of the funds of the officer responsible for calling it.

But in view of the plea of the gentleman from Iowa [Mr. GOOD], who is convinced because a former governor of Massachusetts happens to be a member of it, which fact is not even persuasive with me, that some benefit may come, I am going to withdraw the point of order.

Mr. BLANTON. Mr. Chairman, I reserve the point of order to call the attention of the chairman to the fact that in the preceding paragraph we have appropriated $9,100 and more, part of which the provision says is to pay the Pan American Union for the use of this building down here during that first conference. Now that building is maintained here in the city of Washington partly at the expense of the people of this Government. I understood that conference was called in the interests of the other people who are interested in the Pan American Building, the same as the people of the United States, and why we should be called upon to pay out $9,100 for the use of that building a few days in the interests of the people of the countries involved, I can not see. Now we are asked to pay out $12,000 more.

Mr. GOOD. If the gentleman from Texas will yield, there is no rent paid for the use of that building. That language is submitted in the estimate, but it is for the heating and the expense of lighting the building during the conference.

Mr. BLANTON. Does not the gentleman think he ought to draw the bills that he brings in here in such words that they will mean what they say, so as not to mislead us?

Mr. GOOD. This was the estimate made by the Department of Labor, and they have the entire charge of the expenditure of these funds. We went into the matter in the hearing, and it was made very clear that this money was not for the use of the building. The very question that the gentleman has raised here was raised there, and it was explained that not a penny of this was for the use of the building. It was just for the heat and light.

Mr. BLANTON. Mr. Chairman, I applauded every word said by the gentleman from Massachusetts [Mr. WALSH], and I think I was the only man in the House who did applaud him. I want to make my applause good, because my economy is more than lip economy, and I make the point of order against this paragraph that it is not authorized by law, is not a deficiency, and that it is new legislation.

The CHAIRMAN. The gentleman makes the point of order against the first paragraph on page 36. Can the gentleman from Iowa cite the Chair to any authorization of law?

Mr. GOOD. There is no authority of law for it.

The CHAIRMAN. The Chair sustains the point of order made by the gentleman from Texas.

The Clerk read as follows:

LEGISLATIVE.

House Office Building: For maintenance, including miscellaneous items, and for all necessary services, $19,505.20.

Mr. BARBOUR. Mr. Chairman, I move to strike out the last word. I wish to ask the chairman of the committee a question: What is the meaning of the words "including miscellaneous items, and for all necessary services," in line 9?

Mr. GOOD. It includes all expenditures for the maintenance of the House Office Building except heating the building. Everything necessary for the maintenance of the building except the heating is included.

Mr. BARBOUR. I should like to ask the chairman, further, if that contemplates the expenditure of any money for the purpose of eradicating the mice, cockroaches, and other vermin that infest the House Office Building? [Applause.] I ask that question for the purpose of calling attention to what I consider a very deplorable condition existing there.

Mr. GOOD. It would be paid out of this fund. The whole question of superintending that work is under the jurisdiction of the House Office Building Commission.

Mr. BARBOUR. Then I think something ought to be done to jack up this House Office Building Commission, or the superintendent, or whoever it is that is responsible for those conditions. I have got a collection of bugs in my office that I dare say will compare with anything in the Smithsonian Institution. [Laughter.] They have ruined a large supply of stationery which I recently received and which was charged up to my stationery account.

Mr. BLANTON. I will ask the gentleman whether there is any bug juice over there? [Laughter.]

Mr. BARBOUR. I have had the superintendent of the office building spray a solution, supposed to be an insect destroyer, three or four times around my office, and afterwards the bugs seemed to be larger than they were before.

Mr. JUUL. They got fat on it.

Mr. BARBOUR. They have even eaten the covers off the books; and I think it is time that somebody who is responsible for this condition sat up and took notice of what is going on over there. There are enough employees sitting around in the House Office Building warming chairs and apparently doing nothing but drawing their salaries, so that, it seems to me, they could put things in a somewhat decent and livable condition there.

Mr. KING. Perhaps if there was anything fit to eat furnished in the House Office Building restaurant the gentleman's books would not be disturbed by the cockroaches. [Laughter.]

Mr. BARBOUR. It has been some time since I endeavored to eat anything in the House Office Building restaurant.

Another thing, while I am on my feet and if I am in order, I would like to call attention to the fact that while there are several men on duty over there wearing the uniforms and badges of policemen it is a common occurrence for things to be stolen out of the House Office Building. It seems to me that if some of the fellows wearing those uniforms would get out of their chairs occasionally and patrol the halls of the office building this condition might not exist. I think it is a crying shame that the House Office Building is in the condition in which it is. I make these remarks for the purpose of calling the matter to the attention of the House, in the hope that something will sometime be done to remedy the conditions existing there. [Applause.]

Mr. JUUL. Mr. Chairman——

The CHAIRMAN. The gentleman from Illinois is recognized in opposition to the pro forma amendment.

Mr. JUUL. Mr. Chairman and gentlemen, here are $19,505.20 appropriated for the House Office Building. If I am not misinformed, part of this money goes to maintain the restaurant over there. I think it is a long while since the Members having their offices there have sampled any of the food in the House Office Building restaurant.

Mr. GOOD. Nothing in this fund goes to the restaurant.

Mr. JUUL. We are paying for housing, light, and heat for that restaurant. I take it that comes out of some fund. Now, some committee somewhere in this House ought to be responsible for a thorough clean-up. If I can find the item in this bill that pays for anything for that restaurant over there I want to move to strike it out. The poor girls and other employees who have to go there to eat are charged double and treble prices for stuff that is not fit to set before a human being. The people who run that restaurant have rent free, light free, and heat free, and they furnish wretched stuff to eat. They charge exorbitant prices for it, and we as Congressmen let them fool with us and do us.

Then, after we have let them charge us exorbitant prices for poor food, insufficient food, and poor service, we go out and kick against the restaurants on the outside because they do the same thing.

Mr. BLANTON. Has the gentleman received a communication from the gentleman from Illinois [Mr. KING]?

Mr. JUUL. I am sorry that we have not a lot more of Kings to straighten this thing out. Now that I am on my feet, Mr. Chairman, I want to say one word more.

Mr. GOOD. There is nothing in the bill pertaining to the restaurants. The gentleman must speak to the House Office Commission that has charge of it. There is nothing carried in this bill that pertains to the restaurants.

Mr. JUUL. I want to say that over in the Senate restaurant an entirely different atmosphere prevails. They have different food, different service, and the prices are moderate. I think it is high time that we quit this foolishness and that somebody or other should look after it and give us decent service.

Mr. GOOD. The circumstances in regard to the restaurant of the Senate are different from that here. The Senate restaurant is run under an arrangement that the Government will pay any deficit in operation. Here neither the restaurant on the House side of the Capitol nor the restaurant in the House Office Building is any deficit taken care of by an appropriation.

Mr. JUUL. How can there be a deficit when they do not pay for heat, they do not pay for light, they do not pay any rent, and they charge exorbitant prices and furnish poor food. [Laughter.] How can there be a deficit?

Mr. GOOD. The gentleman will have to take that up with the House Office Commission. I am not on the commission.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. JUUL. I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. JUUL. I will.

Mr. BYRNS of Tennessee. I think the House restaurant in the office building is under the jurisdiction of the Committee on Public Building and Grounds.

Mr. JUUL. I want to say that there is as much difference between the restaurant in the House Office Building and that of the Senate as between night and day. I think we are soft in the top story to let them treat us the way we are treated.

Mr. BYRNS of Tennessee. The only way for the gentleman from Illinois is to take it up with the proper parties having jurisdiction.

Mr. JUUL. It is a case where you find the finger pointing in two directions. When you try to point your finger to the guilty party, it is always over in the next county. [Laughter.]

Mr. DENISON. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, I notice that this item calls for the expenditure for miscellaneous items. I would like to ask, as a matter of information, what the deficiency is for?

Mr. GOOD. It involves miscellaneous items, as the word indicates. Occasionally it is necessary to change all the locks on the doors—that is, to change the cylinders of the locks.

Mr. DENISON. Why is that necessary?

Mr. GOOD. Because there are certain master keys made and somebody gets possession of them. Some Member may lose his key and some one may find it. When he goes out of Congress he may give the key to a clerk in his office, and after a while a great many keys are out and Members are having things taken from their rooms. Mr. Woods has informed the committee that it has always been necessary, after the lapse of two or three years, to change the cylinders, and that involves an expense alone of $2,993. There are many items of that kind. Then there are changes made in the rooms, some painting is done, all maintenance items. It is a very large building, and the expense is not very large when you consider the size of the building that must be maintained. Here comes a complaint like the complaint made by the gentleman from California, that in many cases there is not enough work done. The complaint of the gentleman from California is that there is not sufficient work done in cleaning up the offices.

Mr. BARBOUR. If the gentleman will yield, my opinion is—and I have made some investigation—that the people in charge do not follow up and see that the work is done. They sit around in chairs, and it would do them good to get up and find out if the charwomen and others employed to do the work really do it.

Mr. GOOD. Those persons who sit at the elevators have nothing to do with cleaning up. They have their hands full if they run the elevators and run them properly.

Mr. BARBOUR. Who has control of the char work? Whoever it is, he is not doing his duty.

Mr. GOOD. Neither the elevator men nor the police are under the control of the superintendent; but if the gentleman has a complaint, I suggest that he take the matter up first with the superintendent of the building, and then if he does not get a result go to the commission.

Mr. BARBOUR. Who is the commission?

Mr. GOOD. The Speaker of the House, the ex-Speaker [Mr. CLARK of Missouri], and the gentleman from New Jersey [Mr. BACHARACH].

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read:

The Clerk read as follows:

For folding speeches and pamphlets, at a rate not to exceed $1 per thousand, $8,000.

Mr. GOOD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 36, after line 19, add the following:

"For payment of Peter F. Tague, in the contested-election case of Tague against Fitzgerald, ordered and recommended by Committee on Elections No. 2, $2,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For allowance to the following contestant and contestee for expenses incurred by them in the contested-election case audited and recommended by the Committee on Elections No. 1:

Victor L. Berger, $2,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order. I want to ask the chairman whether or not he thinks it is right for the people of the United States to pay a disloyalist $2,000 of their money for trying to break into Congress when he knew he was not qualified, when he knew he was disloyal to his flag in war time, when he knew that he was preaching propaganda to disorganize and dismember the Government? Are we going to pay him $2,000 additional after he has drawn a salary for months and months, and also drawn for his clerk hire and his secretary's hire and his office expenses?

Mr. GOOD. Mr. Chairman, the law provides that in a contested-election case, where the election of any person who has a certificate is contested, there shall be paid to the contestee and to the contestant a sum not to exceed $2,000 for the expenses of the contest. This sum has nothing to do with the recent action of the House in denying Mr. Berger a seat. In the election in the fall of 1918 Mr. Berger was a candidate from the fifth congressional district from the State of Wisconsin. He was declared elected, and he came to the House with a certificate of election. He presented it. His election was contested by another candidate. He had a right under the law to be heard. He had all of the rights that any person would have under similar circumstances. It is not for the Committee on Appropriations to say whether or not because it believes a man is entitled to a seat or is not entitled to a seat the law shall be enforced. The Committee on Appropriations in reporting this item had but one duty to perform, and that was to obey the law, and the man or the class of men who would turn a man out of Congress because he was not a good, loyal citizen of the Republic, and then in turning him out would themselves refuse to abide by the law by not given him the money which the law says he shall have in my opinion would be but little better than the man who violates the law in the first instance. The law is that Mr. Berger is entitled to his expenses in that contest. He was entitled to a hearing, and the Committee on Appropriations, without any division at all upon the subject, was in favor of following the law and in favor of the law being enforced. This appropriation is in obedience to the statutes of the United States. We have no discretion in the matter. This item was certified unanimously by the Committee on Elections that heard the case. It bears the indorsement of the gentleman from Massachusetts [Mr. DALLINGER], who asked that the appropriation be made.

Mr. BLANTON. Mr. Chairman, the law and the rules of this House provide that whenever a man who holds, presumably, the qualifications of a Representative comes here upon a contested election and that contest is heard, he shall be paid a sum of not to exceed $2,000 for his expenses. The law nowhere provides and the rules of this House nowhere provide that one who is disloyal, who has no right to a seat in the House of Representatives, who comes here and who is heard only on a question of his loyalty to his flag, shall be paid anything. The very moment that the Sixty-sixth Congress met, Victor L. Berger appeared here on the floor of the House and asked to be sworn in, and at that moment the gentleman from Massachusetts [Mr. DALLINGER] offered a resolution to the effect that that man was disloyal to his flag and his country in time of war, and that he had no right to claim a seat in this House, in the first instance.

That was the question which was passed upon before the committee, not a contested-election case. It was the question of Victor L. Berger's loyalty to his country and to his flag in time of war.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. I regret I have not time now to yield. That was the question upon which evidence was heard, that was the question which the committee spent days and weeks in hearing testimony on, filling a thick book with hundreds of pages of evidence. It was not the question of a contested-election case. There is no law authorizing this payment. If it were a contested-election case, immediately upon the deciding that Victor L. Berger was not entitled to a seat, Mr. Carney would have been sworn in here as a Representative in Congress. Was Mr. Carney sworn in? No. Was Mr. Berger sworn in? No; because the committee found that he was disloyal. My friend from Iowa [Mr. GOOD], the great economist chairman of the great Republican Committee on Appropriations of this House, comes in and in effect says he wants to pacify Mr. Berger by handing over $2,000.

Mr. GOOD. I have said nothing of the kind.

Mr. BLANTON. That is the meaning of the gentleman's words.

Mr. GOOD. It is not the meaning of my words, and my words can not be construed in any such way.

Mr. BLANTON. Every Member of this House has a right to construe the acts of individuals and the English language in the way in which it appears to him reasonable, and I want to say it appears to my mind reasonable that this is an effort to pacify Mr. Berger and to pacify the thousands of disloyal socialists of his district who tried to send him here and tried to force this House to take him, to gulp him down, however bitter and poisonous the dose was.

Mr. GOOD. The Committee on Appropriations is composed of 21 members. My recollection is that every member upon it voted against seating Mr. Berger. Not a single member of that committee raised any question at any time with regard to our obligation in this matter. The whole expense was involved in determining in a lawful way, as the House I hope will always proceed to determine, the question of the right to a seat on the floor of this House. It was to determine whether or not Mr. Berger was entitled to sit here.

Mr. BLANTON. And, Mr. Chairman——

Mr. WALSH. Mr. Chairman, I demand the regular order.

Mr. BLANTON. And, Mr. Chairman, not a single one of those 21 members of the Appropriations Committee has ever voted against giving all of these fine cedar boxes, these fine oak boxes, and these fine pine boxes that my friend from Illinois [Mr. CANNON] has been drawing each year for 40 years and that have been allotted to me and every other Member of Congress ever since I have been here, notwithstanding that we have no excuse whatever for taking these gifts at the expense of the people, and we ought to stop such waste.

Mr. WALSH. Mr. Chairman, I demand the regular order.

Mr. BLANTON. I make the point of order that it is not authorized by law; it is not a deficiency, and it is new legislation.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. I have not the floor, but I yield.

The CHAIRMAN. The regular order has been demanded.

Mr. CANNON. I ask unanimous consent to proceed for 30 seconds.

The CHAIRMAN. The Chair will hear the gentleman briefly on the point of order.

Mr. CANNON. In order that the RECORD may be kept straight, I want to say that the $2,000, as I think the House understands, is expenditure made in the inquiry respecting Mr. Berger's right to a seat when he first was elected to the Sixty-sixth Congress. After Mr. Berger was thrown out he went back and was again a candidate, and was again denied a seat without any investigation, because the Committee on Elections, after a thorough investigation, had determined the question of fact to their satisfaction. I have no doubt that the appropriation ought to be made.

Mr. BLANTON. But the hearing was not on the contest; it was on the matter of his loyalty and his qualifications to a seat in this House.

Mr. CANNON. Well, if you please, the House is making an effort to get the facts, and he had his day in court. The gentleman would not hang a dog until he had given him a chance.

Mr. BLANTON. Yes; but after giving him a chance and convicting him and he deserved hanging you would hang him in Illinois just the same as we would in Texas.

Mr. CANNON. We kept him out, and he is being prosecuted in the courts.

Mr. BLANTON. And we want to pacify him by giving him $2,000——

Mr. CANNON. Oh, no; the gentleman is not just in that remark, and I do not think he means it.

Mr. MANN of Illinois. Mr. Chairman, I think some gentlemen are under a misapprehension as to what this item is. I do not understand that this item is for the payment of the expenses of Mr. Berger or Mr. Carney before the special committee appointed by the House to consider Mr. Berger's case. When Mr. Berger received the certificate of election under the law Mr. Carney filed notice of a contest, as I understand—I do not pretend to know very much about the facts—and testimony was taken under the contest. That contest was referred to the Committee on Elections No. 1, I assume, because that made the order. The House, however, on the opening day appointed a special committee to consider not the contested-election case but the right of Mr. Berger to be sworn in. Now, the two cases are separate. One is the contested-election case filed under the law, and under that law it is provided that the Committee on Elections which has charge of contested-election cases shall certify to the Committee on Appropriations payment or audit up to $2,000 of the expenses of the contestant and the contestee. Apparently the Committee on Elections No. 1, to which the contest was referred, has made the proper certificate certifying the expenses of $2,000, both to the contestant and contestee. I do not understand that that has anything to do with the contest or the investigation of the special committee of the House as to the prima facie right of Mr. Berger to be sworn in. Under the law the Committee on Appropriations has followed the certificate of the Committee on Elections No. 1 in reference to the expenses of the contest, the most of which would naturally be incurred, and probably were incurred, before Congress met at all, because the notice of contest has to be filed within, I think, 40 days of the time the certificate was issued. The reply notice has to be filed within a certain time, testimony taken, and, while I do not know what the facts are, I assume, from the certificate of the Committee on Elections, that this item is to pay for the expenses of taking testimony in the contested-election case and not in the case before the special committee.

Mr. GOOD. That is right.

The CHAIRMAN. In the Chair's opinion, Twentieth Statutes at Large, page 400, contain all the authorization that is necessary for such an appropriation as is carried here in the usual amount granted in contested-election cases, and the Chair overrules the point of order.

The Clerk read as follows:

For reimbursement to the official stenographers to committees for amounts actually and necessarily expended by them during the first session of the Sixty-sixth Congress, $700 each, $2,800.

Mr. BEE. Mr. Chairman, I move to strike out the last word, not to discuss any matter that is pending but to make a few observations on another subject. I think the contention of the gentleman in reference to the payment of Berger's bill was correct under the law, because there was a contest. I think also under some conditions and circumstances there ought to be allowances of attorneys' fees and expenses of the contestant. I know it is the existing law, and I am not making any suggestion to change it, but I just want to make an observation on the subject of paying contestants in these cases attorneys' fees and expenses. If I read history aright, there was a man from South Carolina some years ago who made a habit—and the gentleman from South Carolina will bear me out as to whether I am correct or not—of contesting the election of a successful opponent in every election, with the result that he was able to maintain himself upon the attorneys' fees and expenses he realized by reason of the contest. Now, there ought to be some way in which the law can be changed to reach a condition of that kind. If a man has a real, genuine claim to a contest, I do not know that he ought to be precluded from presenting it, but this business of allowing every man disappointed by reason of the election seeking a return for the

evil that he claimed had been done to him—and this is not political and is applicable to either party—should not be encouraged, because it amounts to making a contest.

Mr. ROSE. Will the gentleman yield?

Mr. BEE. I will.

Mr. ROSE. I did not happen to be in the hall at the time of the discussion with reference to the item appropriating $2,000 to Victor Berger. I have listened to what the gentleman from Texas [Mr. BEE] has to say about contested-election cases, but as I understand the law every time that bills for expenses are presented to the committee they are scrutinized and the committee must be satisfied before an appropriation would be made, and in the case of Victor Berger——

Mr. BEE. I am not discussing the Berger case at all.

Mr. ROSE. But what I have said is that the rule followed in every election contest, if the contest has merit, the interested parties must be able to satisfy the Committee on Elections to which it was referred of the justice of the claims presented; and the committee has it in their power to refuse to recommend an appropriation for the amount for which either the contestant or contestee makes application.

Mr. BEE. For any expenses whatever?

Mr. ROSE. They have it in their power to refuse it. The Committee on Elections No. 1, of which I am a member, has refused in certain instances to pay one copper. I think power is lodged in the committee to determine the amount awarded the contending parties, not exceeding $2,000 to contestant or contestee.

Mr. BEE. I will say to the gentleman from Pennsylvania that is the very principle I have in mind. I have been keeping up for many years with these contested-election cases, and if the gentleman's committee has that power, of course it can be stopped; but I do not want anything done that will encourage the contest by these disappointed candidates, and that is the reason why I am making this statement.

Mr. ROSE. The case to which the gentleman refers was heard and considered by the committee to which I have referred.

The CHAIRMAN. The gentleman from Missouri [Mr. CLARK] is recognized in opposition to the pro forma amendment.

Mr. CLARK of Missouri. Mr. Chairman, it may be of interest to state to the gentleman from Texas [Mr. BEE], and also to the gentleman from Texas on my left [Mr. BLANTON], that at one time and for a long time this expense about contested elections was so rank that it became a public scandal. A fellow would start a contest and run up his bill to thousands and thousands of dollars. Finally Congress passed this law limiting it to $2,000, which is not very much of an encouragement to an ordinary man running for Congress to come here and try to get in. So the limiting of the amount to $2,000 did a great deal of good here.

Now, the man that the gentleman from Texas [Mr. BEE] was talking about, from South Carolina, was named Prioleau, who claimed to be one of the old Huguenots. Anyway, he nearly pestered the life out of me when I was Speaker. He would write me a letter every three or four weeks, wanting this $2,000. He received only two votes, and I expect, then, he repeated and voted for himself. [Laughter.] Anyhow, I suggested to the members of the Committee on Elections that that fellow ought to have snuffers put on him. [Laughter.] He came to see me. I told him he did not have any right to that $2,000, and that if I had my way he would not get it. So the Committee on Elections came in here and reported he had no sort of claim to the money. That was five or six years ago, and nobody has heard anything from him since.

Mr. BYRNES of South Carolina. He has stopped running.

Mr. CLARK of Missouri. The gentleman says that he has stopped running.

This $2,000 limit was a very healthy performance.

Mr. GARNER. Will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. GARNER. And no part of the $2,000 goes to the contestant or contestee. They must make a certificate and affidavit that this money is to be paid out to other parties before the committee will issue a certificate.

Mr. CLARK of Missouri. So far as Carney is concerned, his sort of claim is res adjudicata in this House, and has been for 20 years. He did not have a shadow of a claim to a seat here, and Berger did not have a claim, and so the seat was left vacant.

Mr. BEE. I want to say to the gentleman from Missouri that I have accomplished a double purpose. I hope the country will have its attention called to the rules of the House, which are generally misunderstood. We are indebted to the gentleman from Missouri [Mr. CLARK] for his statement in regard to the matter.

Mr. CLARK of Missouri. While I am at it, I will make a few more remarks.

The first one is that the contested-election cases grow fewer and fewer as the years go by here. In the second place, they are tried now with some semblance of justice. I saw them throw a man out here once that had 13,000 majority. Of course, that was preposterous. The credit for making these election cases a kind of lawsuit and having some decency and justice about them belongs to the gentleman from Illinois [Mr. MANN]. [Applause.] He is the man who did it.

Mr. BLANTON. Will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. BLANTON. I want to ask the gentleman, if, in the last contested-election case in Alaska, the losing party to that contest, after having drawn his salary for practically two whole years, after having drawn his secretary's salary for practically two whole years, did not in addition to that draw several thousand dollars' mileage and also his $2,000 of expenses?

Mr. CLARK of Missouri. Of course he did. I do not know anything about the figures, but I will guarantee the fact to be that both of those gentlemen from Alaska spent more than the $2,000 allowed by Congress; and I will make one further postscript to these remarks, namely, that if Sulzer had made the same kind of an argument before the Elections Committee that he made on the floor of the House they never would have seated Wickersham. He had no business in here, anyway, on that occasion.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

Mr. GOLDFOGLE. Mr. Chairman, I move to strike out the last word.

I have had some experience in election cases. I was chairman of one of the election committees, and found in many of the cases that the amount actually and necessarily expended on each side far exceeded $2,000. Now, the practice has always been, at least within my long service in the House, that every chairman of the several Election Committees took care to see that the law with regard to certification of reasonableness of expenses and of sending the papers to the Committee on Appropriations was observed. The law requires not only that there shall be, as suggested by the gentleman from Texas [Mr. BEE], an affidavit showing the items of expenditure that have been made or incurred, but also there shall be verified vouchers filed with the Committee on Elections.

And I doubt whether any Elections Committee, at least within a long number of years past, has allowed any certificate to be issued or that the chairman made or issued any to be filed with the Appropriations Committee until verified vouchers were filed with the Elections Committee. There were cases in which $2,000 was claimed by one or other of the parties to the contest, where it appeared that the amount claimed was excessive or else had not been reasonably incurred. I recall one in particular that came before my committee, where the expenditure was not necessarily incurred, and one where the contest should never have been begun, and in those cases I cut the amount down in one case from $2,000 to $1,200 and in another down to $1,000. And so in some other cases reductions were made. It depends, after all, on the chairman of the Elections Committee as to what certification he will make. If, after examination of the papers submitted by the contestant or contestee and the examination of the vouchers accompanying the papers, the chairman finds the amount is reasonable and has been necessarily incurred, he simply makes the certificate and files it with the Committee on Appropriations. It is, after all, with the Elections Committee, or with the chairman of such committee, as to what amount shall be allowed. That is about the size of it.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For miscellaneous items and expenses of special and select committees, exclusive of salaries and labor, unless specifically ordered by the House of Representatives, for the following fiscal years:

For 1920, $142,000.

Mr. GARNER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. GARNER. I do so to ascertain from the chairman of the committee just what this $142,000 is for.

Mr. GOOD. What was the question of the gentleman from Texas?

Mr. GARNER. I just wanted to know what the $142,000 was for. What necessity is there for this tremendous appropriation for the contingent expenses of the House that has brought about

this extraordinary sum as compared with anything else that we have ever had since I have been a Member of Congress?

Mr. GOOD. No; I think not. I think that is not true.

Mr. GARNER. I think it is, considering the length of time we have been in the Sixty-sixth Congress. It occurs to me that it is larger than anything we have ever had here before.

Mr. GOOD. The items estimated for by the Clerk of the House are as follows:

Special and select committees and committees operating under authority of resolutions, $77,207.13.
Telegrams, from March to June, 1920, four months, $26,000.

That is not the telegrams of the select committees. Those are telegrams of Members of the House.

Mr. GARNER. Mr. Chairman, will the gentleman yield there?

Mr. GOOD. Yes.

Mr. GARNER. Is not that an extraordinary sum as compared with other sessions of Congress?

Mr. GOOD. No. The amount has decreased considerably. It is quite large, but it is considerably less than it has been in the recent past.

Mr. GARNER. What was the $77,000 for?

Mr. GOOD. That was for the select committees and committees operating under authority of resolutions of the House.

Mr. GARNER. Did the chairman have any hearings on the question of the details of expenditures in that particular?

Mr. GOOD. Yes. The Clerk of the House came before the committee and gave us rather detailed information in regard to it.

Mr. GARNER. What are the principal items, if I may ask the chairman, so that the committee may have some slight information as to this tremendous expense that is being incurred by the various committees?

Mr. LONGWORTH. May I suggest to my friend that these committees are investigating the expenditure of infinitely larger sums of money than any Congress heretofore has appropriated for, and the expenses necessarily are larger?

Mr. GARNER. That has nothing to do with the question of whether these committees are extravagant or not. The question is whether these investigating committees that are investigating the expenditures of the Government are not quite as extravagant as the people they are investigating. The question is, Have they not been somewhat extravagant themselves?

Mr. CANNON. If my friend will allow me, the expenditures during this war have been greater than all the expenditures, as I am informed, from the formation of the Government down to the beginning of this administration.

Mr. MADDEN. Twice as great.

Mr. CANNON. "Twice as great," the gentleman says.

Mr. GARNER. Undoubtedly; but that does not show that if the gentleman from Illinois was making an investigation he would not exercise some discretion and some restraint in spending the public funds in making that investigation. That is what I am trying to ascertain from the gentleman from Iowa now, as to what bounds of reason have governed the various special committees and expenditure committees in making these investigations. I am trying to get the items for which the expenditures were made.

Mr. LONGWORTH. Surely the gentleman will agree that in the investigation of an expenditure of funds amounting to something over $20,000,000,000 necessarily unusual expenses are incurred.

Mr. GARNER. I merely wanted to get some detailed information. I ask unanimous consent, Mr. Chairman, for five minutes more, if necessary, in order to get it from the gentleman from Iowa.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. GARNER. If the gentleman from Iowa is not too much disturbed by others around him, I would like to get some idea of the items for which the $76,000 has been used.

Mr. GOOD. I am not disturbed. The $77,000——

Mr. KITCHIN. If the gentleman will permit, I will suggest that the chairmen of these various investigating committees be invited to attend this session. No doubt they could make a better explanation of the expenditures of their committees than could the chairman of the Committee on Appropriations. For instance, there is Mr. GRAHAM of Illinois. He is chairman of the war expenditures investigation committee and of one of its subcommittees. There is my friend MCKENZIE, of Illinois, who is chairman of another special subcommittee. There is my friend FREAR, who is a great economist; he is chairman of another subcommittee; and there is my friend, the Hon. JOSEPHUS WALSH, of Massachusetts, who, by the way, is named after the distinguished Secretary of the Navy from the State of North Carolina. [Laughter.]

Mr. WALSH. No. I deny that. [Laughter.] And I do not need an invitation to be present. I am usually here, and I am willing to give the gentleman any information I have.

Mr. KITCHIN. There is my friend, ROYAL JOHNSON, a distinguished soldier, from South Dakota. He is at the head of one of the committees that sailed around the world and went to Europe, and perhaps to Asia, Africa, and other places; and——

Mr. LONGWORTH. May I say to my friend——

Mr. KITCHIN. Not now. There is my friend, Mr. REAVIS, of Nebraska, who is one of the automobile investigators. If they were here they could explain. They knew these items were coming up this afternoon and knew that the gentleman from Texas was going to ask some questions about them and that he was very curious to know how all this money could possibly be spent; and he is going to be just about as curious as the chairman of the Appropriations Committee was when the matter came up before him. He wanted to know——

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield? I do not want to embarrass the gentleman.

Mr. KITCHIN. I will yield if the gentleman will not embarrass me. [Laughter.]

Mr. LONGWORTH. I simply wanted to suggest on behalf of Mr. GRAHAM of Illinois that he and his committee have just returned from an investigation of Muscle Shoals and Nitro, and that they are so shocked with the wanton waste and extravagance exhibited there that they are too ill to attend the sessions of the House. [Laughter.]

Mr. KITCHIN. I would prefer to have direct evidence rather hearsay as to that. As to the shock caused by their investigation of Muscle Shoals, the great extravagance of the expenditures of Mr. GRAHAM'S committee have greatly shocked this House. [Laughter.]

Mr. MADDEN. I think the gentleman will be perfectly satisfied with the kind of report that the gentleman from Illinois [Mr. GRAHAM] makes as to Muscle Shoals.

Mr. KITCHIN. I have no doubt I will.

Mr. MADDEN. And I hope that the gentleman will join Mr. GRAHAM of Illinois and others of us in bringing to light any extravagance he may find growing out of the expenditure of public money.

Mr. KITCHIN. So far as I know his reports have been perfectly satisfactoory. He has found nothing as yet.

He has made several reports. He has been investigating for four or five or six months. He has been from this place to that place, and he has never yet been able to fix the responsibility for a single act of omission or commission upon a single human being. It has cost us some $30,000 or $40,000.

Mr. MADDEN. The administration is responsible for all the iniquities that have happened.

Mr. KITCHIN. I understand, but your committees have spent $70,000, and they have never been able to point their finger to a single individual connected with the administration who is responsible for any culpable act of omission or commission. [Applause on Democratic side.]

Mr. JUUL. Will the gentleman yield?

Mr. KITCHIN. I am not the chairman of the committee, but if the gentleman wants any information I will be glad to give it to him.

Mr. JUUL. I was going to ask the gentleman if his idea was that they had covered their tracks so well that we could not find them.

Mr. KITCHIN. I do not know. I presume that about 19 out of 20 of them who had anything to do with this were Republicans. I believe some of the smoothest Republican employees in the country were running the matters of contracts and war expenditures for the administration, and if they did anything wrong they were able to cover their tracks. I do not say they did anything wrong, especially since the final reports of these committees are not in. I retain the privilege of thinking.

Mr. JUUL. If there are any Republicans who did anything wrong, I hope they will be caught and punished.

Mr. KITCHIN. Not by these Republican committees.

Mr. GOOD. I will try to answer the question that has been asked.

Mr. KITCHIN. I should like to have five minutes more. I am speaking in the time of the chairman. It is very kind of him. Of course, if I could get the time here I could go into that phase of the investigations more completely and definitely for the gentleman from Illinois.

Mr. GOOD. I hope the gentleman will make no request for time. We must get along with the bill. I am anxious to make a statement about the matter under consideration.

Mr. KITCHIN. If I can give you some information, I will be glad to do so. [Laughter.]

Mr. CANNON. Will the gentleman from North Carolina yield?

Mr. KITCHIN. I yield to the gentleman from Illinois.

Mr. CANNON. Inasmuch as the gentleman is attacking these investigating committees and subcommittees, and I presume they are pursuing their investigations under oath, I will ask the gentleman if he has been sworn, or is he making a statement here to discredit the committees of the House, or is he just making a speech?

Mr. KITCHIN. Now, Uncle JOE, you always misunderstand me. [Laughter.] I am attacking no one, no committees. I am discrediting no one, no committees. I am not really objecting to anything, and I am not going to object to anything. I am going to vote for everything the chairman of this committee asks me to vote for, I think, and the steering committee, too, I reckon. [Laughter.] I just want some information. I know it can be explained. For instance, on page 1014 of the hearings on this bill is a statement of expenses of the subcommittee on aviation. The gentleman from Wisconsin [Mr. FREAR] is chairman of that subcommittee. He is not here. He is an economist, and I know if he were here he could explain it thoroughly to my satisfaction.

Mr. MADDEN. Why does not the gentleman wait until Mr. FREAR is here?

Mr. KITCHIN. He is not here, and this item was not brought up until this afternoon. I know the gentleman from Wisconsin [Mr. FREAR] could explain it. On page 1014 is an item, "G. G. Gabrielson, 14 days and 5 hours, at $25 a day, $365.63; expenses, $490.89." I can not understand, you know, why his expenses were about $100 more than his salary, unless he was hired on the expense basis instead of on the salary basis, so that the expenses would be the principal thing and the salary the incident—why his salary should be $25 a day and his expenses $35 a day. I know that Mr. FREAR could explain that.

Here is another little item. My friend the gentleman from Illinois [Mr. MCKENZIE] is present, and there is absolutely no doubt that he can explain this. On page 1015 I find "O. W. Illig, 25 days, at $15 a day, $375; expenses, $187."

Another one: "W. J. Sperl, 25 days, at $15 a day, $375; expenses, $185.61."

Here is another one for my friend FREAR's subcommittee: Salary, 18 days 3 hours, at $25 a day, $459.38; expenses, $512.67."

Here is another one under my friend GRAHAM's subcommittee: "Services, 4 days, $200; expenses, $193." In some of these cases I would rather be employed on the expense basis than on a salary basis.

Mr. LONGWORTH. Perhaps the expenses were incurred in the moonshine district of the gentleman's State.

Mr. KITCHIN. In Ohio?

Mr. LONGWORTH. No; in the gentleman's State.

Mr. KITCHIN. Not in my State.

Another thing, and I want to ask my friend the Hon. JOSEPHUS WALSH about that. I have heard some rumors, and the gentleman can correct them. I do not understand why, with four men on the committee, when my friend WALSH went out on the Pacific coast, maybe with one or two clerks and a janitor or a porter—I guess the railroad paid the porter and the janitor—I do not understand why his railroad expenses should be $4,061, when the railroad expenses of my friend Mr. FREAR, who carried more parties to the Pacific coast and went into a larger examination, should have had railroad expenses of only $1,401. I was wondering how the gentleman from Massachusetts [Mr. WALSH] rode and how the gentleman from Wisconsin [Mr. FREAR] rode. Evidently one of them rode on a freight train and the other one rode on a special observation car. [Laughter.] Why such a difference in Members of Congress?

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

Mr. KITCHIN. I hope the Clerk will not read until we get some additional information.

Mr. GOOD. I ask for five additional minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent for five additional minutes. Is there objection?

There was no objection.

Mr. GOOD. As I recall, when the resolution was up providing for the appointment of this select committee to investigate the War Department, the statement was made that the total expense would likely involve about $250,000. My recollection is that the gentleman from Texas [Mr. GARNER] asked why they did not ask for the full amount to be appropriated at that time, and expressed his willingness to vote for it. Now, I have forgotten just the amount of the total appropriations for the purpose, but it does not approach the amount estimated at that time, as I remember.

The gentleman asked what this fund is to be used for. I will say that $35,000 of the $77,000 is estimated for the investigation of the Ordnance and Quartermaster Departments and camps—aviation, $4,000; foreign expenditures, $13,000. Those are the large items. The gentleman complains because these items are large. In going over the matter in the committee I attempted to develop, as much as I could, that we ought to be careful in the House and not spend money uselessly. I had in mind the waste, the extravagance, of the prior House in this regard. I did not want in this Congress that we should follow in the footsteps of the previous Congress and waste the people's money as you on the other side wasted it.

For instance, formerly under the expenditures by select committees you paid out $37,000 for investigation of the antitrust act. You paid out $49,906 for investigation of the Sugar and Steel Trusts. You paid out for investigation by a Committee on Banking and Currency of the so-called money trust, every penny of which was thrown away, $61,217. You paid out in the investigation of the affairs of the District of Columbia $51,191.03. You paid out for the investigation of the F. P. Lawson leak $22,883.76. You paid out for the Ballinger-Pinchot investigation $25,000.

Do you say that you did not pay any big fees? I think no one will make that claim in view of the evidence before the Committee on Appropriations. You paid an expert accountant, J. McRea, $50 a day. You paid in the Lawson investigation to Mr. Sherman L. Whipple, counsel, $15,000 and expenses of $1,270.

Mr. LONGWORTH. Can the gentleman tell how much they paid Samuel Untermyer?

Mr. GOOD. I have forgotten; it is here somewhere; and I will get to it.

Mr. LONGWORTH. It was a good, substantial amount.

Mr. GOOD. Oh, yes; he got a substantial amount. You paid W. H. Spaulding, accountant, $13,275. You paid H. P. Willis $1,500 as an expert on rural credits. You paid Dr. Charles W. Richardson for professional services and expenses for four and a half days, at $500 a day, $2,487. You paid Samuel Untermyer for professional services, from April 12 to February, 1913, $15,000.

Well, it seems to me that you set a pretty high mark. It seems to me that as far as we know now these expenditures, involving more than $20,000,000,000 of Government contracts, have not approached anything like the extravagance of the previous investigations that never amounted to anything and which cost the Government hundreds of thousands of dollars. I hope that in its investigations the special committees of the House may keep in mind at all times the desire of Congress, so frequently expressed, that the executive departments shall maintain economy, shall be economical, and if we expect that of the various executive departments we ourselves must be economical. But I submit that in all the investigations the amount expended to date is not in excess of the amount that was anticipated that would be required to be expended at the time the resolution was passed and the amount which gentlemen on that side urged Congress to then appropriate for investigation.

Mr. WALSH. Mr. Chairman, in view of the question asked by the gentleman from North Carolina and for the purpose of the RECORD, because I know that he had the information before he asked the question, I desire to say that the Select Committee to Investigate the United States Shipping Board traveled to the Pacific coast and along the Pacific coast in a special car, perhaps something unheard of for a congressional committee, but it was found by myself on investigation, after outlining the itinerary of the trip and the time required to make it, that it would cost very little more to have the car where the committee could make its headquarters and on which they could and did hold some hearings, and proceed in that way.

Up to a couple of days before the committee departed on that trip it was expected that the minority members of the committee would be able to accompany the rest of the committee. But the gentleman from Pennsylvania [Mr. STEELE] informed me that he would be precluded from going owing to the very serious illness of his mother, which illness, I understand, still continues. The gentleman from Texas [Mr. CONNALLY] had expected to go, but unexpectedly a matter of great importance came up within his district. He informed me that he had constituents, very important business men, here, which he felt he could not leave, and he owed them his assistance and influence in the situation that had arisen in his part of the State.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. WALSH. No; not until I make this statement, which may not be perfectly satisfactory to the gentleman from North Carolina——

Mr. KITCHIN. Oh, it is perfectly satisfactory to me. The gentleman and his committee ought to ride in a special car, for I think he would have more intimidation and be able to get at the truth.

Mr. WALSH. I know the gentleman will recall that it is no new precedent. I think the Committee on Appropriations or a select committee made a trip to a certain section of the country for this purpose. I will say that the chairman endeavored to procure minority members to go with the committee, and conferred with the minority leader, ex-Speaker CLARK. He endeavored to fill the vacancy and consulted in my presence over the telephone with two or three Members, one of which was the gentleman from Mississippi [Mr. VENABLE], but he was unable to go.

Now, I would state to the gentleman from North Carolina that while the expenses of the trip were somewhat more than that of the expenses of the gentleman from Wisconsin [Mr. FREAR], the committee on the investigation of the Shipping Board took its stenographer and its clerk and a statistician along with them. Also, at the request of the Shipping Board, it took one of the expert officials of the Shipping Board.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, before the gentleman proceeds, I want to see if I can not get an agreement on the time for the discussion of this matter. I ask unanimous consent that all debate upon this paragraph and all amendments thereto be limited to—how much time does the gentleman from Wisconsin want?

Mr. FREAR. I do not know how much I want.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto be concluded in 11 minutes.

The CHAIRMAN. Is there objection?

Mr. FREAR. Mr. Chairman, I object.

Mr. KITCHIN. Mr. Chairman, reserving the right to object, I would like to have five minutes. I think we ought to give some time to the gentleman from Wisconsin to give him a chance.

Mr. FREAR. Certainly we are entitled to be heard after the newspapers have given attention to the chairman of this committee.

Mr. KITCHIN. And if any other of these gentlemen, members of the committee, should come in, I think they ought to have a chance to explain also.

Mr. GOOD. The gentleman knows that in the exercise of proper procedure, we could get along. Mr. Chairman, I move that all debate upon the paragraph and all amendments thereto——

Mr. FREAR. Oh, the gentleman will not gain any time in that way.

Mr. WALSH. Mr. Chairman, I do not yield any further.

The CHAIRMAN. The gentleman from Massachusetts has been recognized.

Mr. WALSH. Mr. Chairman, I would like to state that hearings were held at various points along the Pacific coast, and it is expected that the committee will visit other sections of the country in the near future. Whether we shall go in the same manner has not yet been determined.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield for a brief statement?

Mr. WALSH. Yes.

Mr. JOHNSON of Washington. I would like to say for the benefit of every member of this committee that the people of the Pacific coast shall ever be grateful to the investigating committee headed by the gentleman from Massachusetts [Mr. WALSH], which came there and exposed some conditions in connection with shipbuilding in that part of the country, which exposures have resulted in grand jury indictments and which will result in other indictments. All of that inquiry money was well spent, and it is due to those who faithfully performed their contracts with the Government that all others be exposed, tried, and convicted.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. WALSH. I prefer not to yield.

Mr. WINGO. I want some information.

Mr. WALSH. I yield for a question.

Mr. WINGO. I want to know if the gentleman's committee took advantage of the authorization of the House to employ a maritime lawyer to assist them?

Mr. WALSH. We have not as yet.

Mr. WINGO. Does the gentleman contemplate doing that?

Mr. WALSH. I do not think it will be necessary.

Mr. WINGO. I had hoped that the gentleman would do so. I am not criticizing him.

Mr. WALSH. I doubt if it will be necessary. I will say that the chairman found that to make a complete audit of the books of the United States Shipping Board or the Emergency Fleet Corporation would cost between $300,000 and $400,000, and the committee decided not to undertake any such work.

While I do not desire to submit any partial report, I will state for the information of the Members of the House that the work of the committee is going along; that we found a situation in Seattle, resulting from the operations there, which I brought to the attention of the United States Attorney General and about which I and the committee felt it unwise to further interrogate witnesses, and that only recently one of the former officials of the Seattle office of the Shipping Board has been indicted by the grand jury there. I think the people may expect further indictments to follow. The United States attorney is to be congratulated upon the securing of this indictment.

Mr. Chairman, the committee investigating the Shipping Board is investigating the expenditure of a very considerable sum of money, the inception of which antedates the war by several weeks. The board was organized in January, I think, of 1917, although some of its activities began prior to that time. As far as I am personally concerned, and as far as the other members of the committee are concerned, so far as I know, this investigation is not proceeding along partisan lines, and if I have anything to do with it or any influence to wield, I shall do my best to see that it is not a partisan investigation, but is an attempt to find out how this vast sum of money has been expended, what has been done, and what has been accomplished. I am sure the gentleman from North Carolina [Mr. KITCHIN] would not expect this or any other committee to embark on an investigation of this character without at least visiting some of the scenes of activity and having some hearings in the locality where the expenditures of money were being made and the activities were carried on.

Mr. FREAR. Mr. Chairman, I was unfortunate in not being present to hear the suggestions made by the gentleman from North Carolina [Mr. KITCHIN], but I understand that he raised a question in respect to some of the expenditures that have been incurred by the investigating committee of which I am a member.

Mr. KITCHIN. The gentleman no doubt has been misinformed. I expressly said that I knew the gentleman from Wisconsin [Mr. FREAR] could explain and give the information which I desired.

Mr. FREAR. I am very glad to have the opportunity, but first let me say what I have to say in my own way, and then I will be very glad to answer any question.

Mr. KITCHIN. I wish to say that my desire for information was exactly like that of the chairman of the Committee on Appropriations before that committee. He said then that these figures of the investigating committees have been growing so large that he was anxious to know what the committees were doing, and so forth.

Mr. FREAR. Oh, I am very familiar with what the chairman has said, and I will ask the gentleman not to interrupt me, because I have read what he said in the New York Times. What he said has been bandied about to some extent, and it struck me as being a very unfair criticism for the chairman of any committee to make regarding men who are called upon to perform these investigating duties. We were drafted by the House unanimously to conduct this investigation to ascertain where $1,000,000,000 has been expended for aircraft. We have endeavored to do this fairly, without any political bias, and we have endeavored in every way we could to ascertain the facts.

We have taken over 4,000 printed pages of testimony, most of which work has been conducted by ourselves. We were directed by the committee of fifteen to go to the Pacific coast, and we were requested both in person and by Judge Hughes's report to go to the coast and take testimony there regarding the spruce situation. For anyone at this time, a member of any committee, chairman or otherwise, to cast aspersions against the committee, as was represented by this newspaper, is not only uncalled for but it is grossly unfair. The proper course to pursue is to call the chairman or any member of a committee and find out what the expenditures are and ask explanations if desired. I did not want to serve on this committee, and I handed in my resignation to the Speaker after I had been appointed. I undertook the work finally as a matter of public duty, however, and I am ready to answer any questions either by the chairman of this committee or by the gentleman from North Carolina. If

you have any questions to ask regarding the committee's expenditures, I shall be glad to answer them.

Mr. KITCHIN. I just happened to notice the question which the chairman of the Committee on Appropriations put in the hearings. I just casually observed it——

Mr. FREAR. The gentleman has a good casual observation.

Mr. KITCHIN. I just happened to read it, and I said to myself that I would look over these items and see what alarmed the gentleman from Iowa [Mr. GOOD], and with reference to the gentleman's committee I do say, on the whole, maybe every bit of it, it looks to me as if the expenses were very small as compared with the work done. But I did notice this item——

Mr. FREAR. And I will say that the investigation has cost me $100 over and above what I believed was a proper charge against the Government, but was paid for tips and other incidentals.

Mr. KITCHIN. It has been very economically done. But this item——

Mr. FREAR. I am not to blame for it.

Mr. KITCHIN. I am not kicking at extravagance, but some of the things I do not understand. Now, here is one of G. G. Gabrielson, 14 days and 5 hours, at $25 per day, $365; expenses, $490. I did not know how the expenses could be greater than the salary.

Mr. FREAR. I am very glad to have the gentleman ask the question, and it is a simple one to answer. Gabrielson was an expert accountant hired by the committee at $25 a day. He is now receiving $35 a day from private parties. He was recommended by the firm by which he was employed, the Scudder firm, and by Judge Hughes as being a very reputable man from a very reputable firm. That includes the expenses and transportation from New York to Seattle and Portland and back to New York and board of three weeks, including his assistant, while engaged in going over the Spruce Corporation books so as to make a report in order that we might have an intelligent understanding of what those books contained.

Mr. GREEN of Iowa. And if he had had to pay Washington Hotel rates, he would not have gotten through on that amount.

Mr. FREAR. Gabrielson did not even go to an expensive hotel. I held him down under a previous agreement to $5 a day and he complained, because he said it was not fair.

Mr. KITCHIN. He gets about $35 a day for expenses.

Mr. FREAR. No; $25 for services and whatever the expenses reached for himself and his assistant from New York to the coast and back.

Mr. KITCHIN. Fourteen days and $490 expenses.

Mr. FREAR. He was engaged over three weeks from the time he left New York, three or four weeks.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KITCHIN. At 14 days and expenses, $490, it makes it about——

Mr. FREAR. Mr. Chairman, I ask unanimous consent to continue for five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FREAR. This is car fare, hotel bills, everything of that kind has been charged up. He paid those himself and we reimbursed him for his bill.

Mr. KITCHIN. I am asking the gentleman for the information of the House——

Mr. FREAR. There is another thing I would like to have the gentleman ask about—a $2,500 item in the bill—if the gentleman will do so.

Mr. KITCHIN. I reckon that is all right; I had not seen that.

Mr. FREAR. I wanted to explain that, because it is one thing commented on in the newspapers and, I understand, by the chairman of the committee. The Sergeant at Arms turned over $2,500 to my order in order that we could pay items as they were incurred out West without sending away back here to Washington. It was his proposal. I drew a check for every dollar of that to the secretary of the committee, and I insisted that he should make an itemized report for everything in the way of expenditures. That he did; and I never handled a dollar myself. The receipts are filed with the Clerk of the House. That covered hotel bills out West, railroad fare, and incidentals.

Mr. KITCHIN. I notice the Sergeant at Arms has twice as much confidence in the gentleman from Wisconsin [Mr. FREAR] as he had in the Hon. JOSEPHUS WALSH. [Laughter.]

Mr. FREAR. Mr. Chairman, I refuse to be interrupted to allow a lecture by the gentleman from North Carolina on the subject of my colleague from Massachusetts. Has the gentleman any further questions? I am ready to answer them.

Mr. KITCHIN. I notice the gentlemen's traveling expenses were smaller in proportion to the distance they traveled than any other committee. How many did the gentleman take with him to the coast?

Mr. FREAR. I think there were five Members all the time, and sometimes six or seven.

Mr. KITCHIN. Did the Hon. JOSEPHUS WALSH, of Massachusetts——

Mr. FREAR. I want to answer any question the gentleman wants, but not to lecture my good friend from Massachusetts. Has the gentleman any further questions?

Mr. KITCHIN. I am just comparing. Now, it cost him, with only four Members, to take the same trip, $4,061 railroad fare, and the gentleman from Wisconsin, with five Members, only $1,402. I was wondering on what kind of a train the gentleman's committee rode. Did they ride on freight cars, cattle cars, or how did they get through with such a small amount?

Mr. FREAR. At times we were riding on hand cars and at times on speeders, and sometimes we were thrown off the track, and we had some very serious accidents. However, we took whatever conveyance was available.

Mr. KITCHIN. If my friend WALSH had taken the same precautions, they would have saved a few thousand dollars.

Mr. GOOD. The gentleman said that the chairman of the committee had said something——

Mr. FREAR. Let me say the chairman of the Appropriation Committee was quoted by the New York Times, which has unjustly criticized our committee from start to finish, from the time we first called Homer Cummings before us to find out why he made the false statement that this was to be a junket trip, when, in fact, it was undertaken by the direction of and on the unanimous report of the committee of 15.

We were selected by the unanimous vote of this House. We did not want the job, but that paper has persistently misrepresented us up to the present time—insisted that we acted in a partisan way. And the chairman of the Appropriation Committee furnished the ammunition which is used and which is being constantly used against the committee. We are ready to explain every dollar expended and every action taken by the committee.

Mr. KITCHIN. Now, I would like to hear from the gentleman from Illinois [Mr. MCKENZIE].

Mr. CANNON. Mr. Chairman, I demand the regular order.

Mr. KITCHIN. I submit the regular order is the gentleman from Illinois [Mr. MCKENZIE] should take the stand. [Laughter.]

The CHAIRMAN. The Clerk will read.

Mr. CONNALLY. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. CONNALLY. I move to strike out the last three words.

Mr. GREEN of Iowa. Mr. Chairman, I make the point of order that all debate on this has been exhausted.

The CHAIRMAN. The gentleman from Texas makes a pro forma amendment.

Mr. CANNON. I do not want to make a point of order on anybody.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in five minutes.

Mr. KITCHIN. Just reserving the right to object, I would like to have about five minutes, unless the gentleman from Iowa will retract what he said about the former investigation. I would like to have five minutes to reply to him.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on this paragraph and all amendments thereto close in 10 minutes. Is there objection?

Mr. CONNALLY. Reserving the right to object, do I get five minutes of that?

Mr. GOOD. Yes.

The CHAIRMAN. The Chair hears no objection. The gentleman from Texas [Mr. CONNALLY] is recognized.

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, I happen to be a member of the select committee appointed to investigate the operations of the Shipping Board, about which the gentleman from Massachusetts made a statement a few moments ago. He was substantially correct in the statement to the effect that I had stated to him a few days before the committee left that I should be unable to go. That statement, as I say, is substantially correct. The gentleman from

Pennsylvania [Mr. STEELE] was also a member of the committee, but owing to sickness in his family he could not go. I had intended to go until a few days before the committee left. I had visited the Pacific coast before, and had no desire to make the trip for purposes of pleasure. At the same time I had been appointed a member of the committee and I intended to go, until some matters came up with the departments which were of great importance to my district and which demanded immediate and constant attention.

In addition, matters of legislation were then in prospect which increased my reluctance to going.

I have no first-hand information about the expenses, but I have confidence in the gentleman from Massachusetts [Mr. WALSH], and I am sure that he, with the light then before him, did the best that he could.

There is one point, however, I desire to call to the attention of the committee, and that is the statement of the gentleman from Washington [Mr. JOHNSON] that he already knew of great benefits that had resulted from the visit of the committee to the Pacific coast, in that it had resulted in indictments being found and prosecutions being brought about which would result in punishing some of those who had been guilty of misconduct in their dealings with the Government. I am glad, in that connection, to hear the statement of the gentleman from Massachusetts that this investigation is not to be partisan but that it is to be nonpartisan, nonpolitical, and a real investigation, and I join in the hope that such may be the conduct of the committee as to justly merit that characterization; and, so far as my efforts on the committee are concerned, I shall undertake to make them absolutely nonpartisan and impartial. It shall not make any difference to me who the party may be. If he is guilty, he should be punished. However, I think I detect an early divergence from that announced policy on the part of the gentleman from Washington in the statement he made a little while ago.

I happen to know, without going to the Pacific coast, without having made the trip with the committee, that long before the committee was created the Department of Justice had begun investigation of the very matter which the gentleman from Washington says has so developed as to result in indictments by the grand jury. I happen to know, without going to the Pacific coast, that the Shipping Board, through its own bureau of intelligence, before the committee was even appointed, had already laid these matters before the district attorney of that district, and that the Attorney General had, through his secret agents, already been investigating these very matters. And I deem it a rather extravagant claim on the part of the gentleman from Washington——

Mr. WALSH. Will the gentleman yield?

Mr. CONNALLY. Let me finish the sentence.

I deem it a rather extravagant claim on the part of the gentleman from Washington to affirm that the visit of this committee to the Pacific coast had resulted in these indictments, because it should be known that the Department of Justice, in pursuance of investigations which it had instituted long before, has secured the indictment of this Capt. Blaine, to which reference was made by the gentleman from Washington.

Now I yield to the gentleman from Massachusetts.

Mr. WALSH. If the gentleman will permit, I will state that what he has said is true, with this exception, that the Attorney General had completed his investigation, that the secret service of the Shipping Board had stopped its operations on these lines, and it was only when additional information was furnished that they sent their agents, and recalled some agents who had been in the field to undertake operations there.

Mr. CONNALLY. I will state in reply to the gentleman from Massachusetts that I thank him for his partial confirmation of what I have said, but I happen to have had opportunity to confer with the Shipping Board and with the individual officials who conducted these investigations, and I happen to know that concurrently with the efforts of the gentlemen on the Pacific coast these investigations were still being carried on, and that it was my advice that a great deal of the information which the committee is in some quarters credited with having laid before the Department of Justice was, in fact, received by the committee before its departure from the secret-service agents of the Shipping Board.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GOOD. Mr. Chairman, I will yield three minutes to the gentleman from North Carolina [Mr. KITCHIN].

Mr. BYRNES of South Carolina. Mr. Chairman, in agreeing to the 10 minutes, I thought the gentleman understood the gentleman was to have 5 minutes. I ask unanimous consent that the time of the gentleman be extended 2 minutes.

Mr. GOOD. Oh, no.

Mr. BYRNES of South Carolina. I misunderstood then.

Mr. GOOD. I yield to the gentleman three minutes.

Mr. KITCHIN. I thought the understanding was that I was to have five minutes, but I will take what I can get and am very thankful for it.

Mr. BYRNES of South Carolina. I agree to the request, then, because I had promised the gentleman from North Carolina five minutes, and I would like to comply with my promise.

Mr. GOOD. I will yield the gentleman four minutes.

The CHAIRMAN. The gentleman from North Carolina is recognized for four minutes.

Mr. KITCHIN. That is as generous as I could expect from the chairman of this committee. [Laughter.] The gentleman was explaining the extravagance of these so-called investigating committees. I did not say they were extravagant, but the gentleman from Iowa was the first to intimate that they were extravagant, and I have simply asked for an explanation.

He said the Democrats had expended an extravagant sum of money on the Money Trust investigation, which he says amounted to nothing, and had paid so much money to a lawyer, and so much money to this man, and to that man, and the other man.

Why, gentlemen, that Money Trust investigation was worth hundreds of millions of dollars to the American people. That Money Trust investigation resulted in the change of our financial system. It resulted in the passage of the Federal reserve act and the rural credits act. It divulged the fact that one firm in the United States controlled a whole banking system in the United States. It could make or prevent panics at its will. Commerce and business of the entire country were subject to its will. It controlled, through its banks and interlocking directorates, more than two-thirds of the voting stock of the railroads of this country.. [Applause.]

That investigation caused the American people and the Congress to take the control of the banking system, the control of expansion and contraction of money and credit out of the hands of that firm and the Wall Street banks and put it in the control of the Government. It was said that Mr. Whipple, employed as attorney with the so-called leak investigating committee, got $15,000. Who caused that leak investigation? The Republicans in that Congress. Who fixed the amount of that fee? The Democrats asked the Republicans on the committee to fix it at what was right, and the Republicans, with Mr. LENROOT at their head, fixed it at $15,000. All agreed that that was fair and just. I think Mr. CAMPBELL of Kansas was on that committee, and he agreed that it was right. That committee had only one attorney.

Mr. BYRNES of South Carolina. What do they pay?

Mr. KITCHIN. They have got an attorney not only for the general committee but for all except a few of the subcommittees. They have one man as attorney, Gen. Ansell, employed by Mr. Graham's committee, at the rate of $20,000 or $25,000 a year. They have another subcommittee of this war investigating committee which has a lawyer at about $1,200 or $1,500 a month. Each of these lawyers has a clerk and a secretary whom we are paying. Democrats never did this.

Mr. FREAR. Does the gentleman say my committee was employing Mr. Ansell as an attorney who receives $20,000?

Mr. KITCHIN. No; yours has not, and Mr. WALSH's has not. When we investigated a real matter that interested the whole country we made better bargains than these committees have made. You will find that in these investigating committees under Democratic Congresses we employed the Scudders, and we paid them $25 a day. But these committees pay them $50 a day.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. I am sorry I have not the time to yield.

Mr. FREAR. Judge Hughes requested us to employ that firm.

Mr. KITCHIN. The Democrats used them. They did such good work for the Democrats in their investigations that the Republicans took them and paid them 100 per cent more than we paid.

The gentleman from Iowa [Mr. GOOD] says we expended a vast sum of money in these investigations. He said no Republican questioned the expenditures at the time. No man could question them, because we had nonpartisan investigations, both Republicans and Democrats being on those investigating committees, and the Republicans indorsed every one of the items and came in here and said they were right. Not a Democrat and not a Republican questioned it. Not a man in the country questioned it, because every one knew they were economical expenditures, and they knew that the investigations were necessary. [Applause.]

The CHAIRMAN. The time of the gentleman from North Carolina has expired. The Clerk will read.

The Clerk read as follows:

For stationery for officers and committees of the House on account of the first session of the Sixty-sixth Congress, $6,387.95.

Mr. CANNON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CANNON: Page 37, after line 21, insert the following:

"For an assistant clerk to the Committee on Appropriations at the rate of $3,000 per annum from February 16 to June 30, 1920, inclusive, $1,125."

Mr. BANKHEAD. Mr. Chairman, I reserve a point of order on that.

Mr. CANNON. Mr. Chairman, the Committee on Appropriations has one clerk and three assistants. One of these assistants has resigned, a very able clerk. The clerk of the committee is a very able clerk.

I want to say to the House, that this committee, reporting bills carrying many hundreds of millions of dollars—I might say billions—for the consideration of the House, requires much of investigation. In addition to that there is a deficiency bill. This is the second one we are considering now at this session, and we shall have to consider a third one. They require an examination of all the bills of all the committees that report appropriation bills.

I became a member of the Committee on Appropriations in 1878. There was a boy brought up from Tennessee by the name of James C. Courts. John D. C. Atkins was the chairman of the committee. At that time the committee had all the bills making appropriations for the Government service. It never had but one clerk previously. His health failed. At the end of the first Congress in which I served on this committee this young man from Tennessee became the clerk of that committee, and in all the decades that passed from that time up to the time of his death there was no man who ever occupied such a position, so far as I know and can ascertain, who was so well equipped from the standpoint of all legislation requiring experience as James C. Courts.

One night—or rather one morning—just before the adjournment of a short session, with the sundry civil bill undisposed of, a gentleman now dead, Mr. DeArmond, from Missouri, when I offered a conference report on the sundry civil bill, and the Congress was to expire on the 4th day of March, asked for an hour. I said, "I hope not; I can not assent." "Ah," said Mr. DeArmond, "the gentleman has no quorum here. I demand it." Very well. He took his hour, and he ran amuck. Except the gentleman from North Carolina [Mr. KITCHIN], I think there never was a man so able with his tongue as DeArmond was. It was like a knife and a dagger. He wound up by making a little attack in two sentences upon myself as chairman of that great committee to the effect that "the clerk had made the reputation of every chairman of that committee, including the then present chairman." I had to extend more time to him, but finally he sat down, and I said, "Yes; that is true about the clerk and the chairman of the Committee on Appropriations, and I wish to God that somebody would get a competent clerk for the gentleman from Missouri." That closed the debate, and in two minutes the conference report was agreed to, and at 12 o'clock noon—by this time it had gotten to be 6 in the morning—the last bill was passed. Mr. Courts has crossed over, but I want to say that I am satisfied that James C. Courts shortened his life by a decade or longer by his great, strenuous, and valuable work.

I want to make another statement. When I was Speaker of this House for eight years there stood at my right hand another man, Mr. Asher Hinds, author of the eight great volumes of Hinds' Precedents. I believe he shortened his life, by a decade or more, by the compilation of those Precedents and the assistance that he gave to the Speaker, who frequently needed help during those eight years.

Now, as a successor to Mr. Courts as clerk of the Committee on Appropriations we have the present clerk, Mr. Marcellus C. Sheild. I think he is quite the equal of James C. Courts. Time and again I have noticed that Members on both sides of the House, when they want something quick, go in to see Mr. Sheild, as they used to go in to see Mr. Courts, because the information is furnished them promptly. I think Mr. Sheild is fully Mr. Courts's equal in his familiarity with appropriations, in his courtesy, and in his usefulness to the House. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HICKS. I ask unanimous consent that the time of the gentleman from Illinois be extended five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman from Illinois be extended five minutes. Is there objection?

There was no objection.

Mr. CANNON. I want to say that the clerk and assistant clerks of the committee, which sometimes has three or more subcommittees sitting, work most nights and most Sundays. The health of the present clerk is threatened. The first assistant has resigned. He hopes he can do better in his profession.

I offer this amendment now, because I believe it will bring a man as an assistant clerk at $3,000 a year who will be fairly well equipped touching the public service. I believe this assistant is needed. The expense is negligible when compared with the magnitude of the appropriations which are handled. I offer this amendment, and I trust the gentleman will not make the point of order.

Mr. BANKHEAD. I reserved the point of order, and the item is certainly subject to it; but is it the judgment of the chairman of this committee that this additional clerk is necessary in order to carry on efficiently the work of the Committee on Appropriations?

Mr. GOOD. I felt a good deal as the former chairman of the committee did. I had hoped that the work of the committee would let up. This matter was presented to Mr. Sherley a year ago by some of the clerks of the committee. They thought they were working beyond their strength. Mr. Sherley felt that perhaps after the signing of the armistice the work would decrease. Instead of that the work has increased. The clerks have never complained, but just as the gentleman from Illinois [Mr. CANNON] has explained to the House, these clerks work overtime. They work all day and they work into the night. They are compelled to work practically every Sunday. They feel they ought to have some additional help, and while I have hesitated to ask for an additional clerk, the gentleman from Illinois [Mr. CANNON] has stated the facts.

Mr. BYRNES of South Carolina. We are all for this.

Mr. BYRNS of Tennessee. I hope there will be no objection to the adoption of this amendment.

Mr. BANKHEAD. In view of the statements made by the chairman of the committee and by the gentleman from Illinois [Mr. CANNON], I withdraw my reservation of the point of order.

Mr. BYRNS of Tennessee. As the gentleman from Illinois [Mr. CANNON] has well said, there has never been any question of politics or partisanship in the selection of the clerks to the Committee on Appropriations. As has been stated, for many years, beginning under a Democratic chairman and continuing under Republican chairmen, the gentleman from Illinois [Mr. CANNON] being one of them, a gentleman from Tennessee—Mr. James C. Courts—served as clerk to the Committee on Appropriations. At his death Mr. Fitzgerald, who was then chairman of the committee, appointed the present clerk, Mr. Sheild, and I very earnestly indorse all the gentleman from Illinois [Mr. CANNON] has said concerning him. He is as well qualified as was Mr. Courts for the difficult and responsible duties of his position, and that is paying him a very high compliment, for Mr. Courts was recognized by everybody as an authority on appropriations. When Mr. Sherley came in as chairman of the committee, succeeding Mr. Fitzgerald, he retained the personnel of the committee force. When Mr. Sherley retired and Mr. Good became chairman, without inquiry as to the politics of the various clerks to the committee, he retained the force as he found it. The Committee on Appropriations, as every member of the committee knows, has a most competent force. There is not, in my judgment, a man in the city of Washington who has more general information as to the appropriations of this Government than the present clerk of the committee, Mr. Sheild.

Nor is there a man who is more useful to the Congress than Mr. Sheild in his present position. As the gentleman from Illinois [Mr. CANNON] has said, he works not only in the daytime but he works at night in the performance of these duties, and is wearing himself out at it. The committee is divided into some five or six subcommittees. Two of these subcommittees, as a rule, are running all the time. It is necessary to have clerks attending upon these subcommittees. The hearings of the committee have increased in volume 200 or 300 per cent over what they were before the war came on. As you know, the appropriations have increased enormously. All of this has resulted in greatly increased work. Notwithstanding that fact, there has been no increase in the force of the Committee on Appropriations since the year 1913. In justice to these gentlemen who are so faithfully performing this service and in justice to the Congress itself, which must depend largely upon these clerks in the matter of information and the many details connected with these appropriations, I hope this amendment will be adopted without question.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. CANNON].

The amendment was agreed to.

The Clerk read as follows:

GOVERNMENT PRINTING OFFICE.

Holidays: To enable the Public Printer to comply with the provisions of the law granting holidays and the Executive order granting half holidays with pay to the employees of the Government Printing Office, $70,108.81.

Mr. SAUNDERS of Virginia. Mr. Chairman, I reserve a point of order. Is this amount appropriated here rendered necessary by any recent legislation?

Mr. GOOD. This is to provide the pay for the present force. Under the law the Public Printer is authorized to pay the employees for holidays just as though they were at work on a regular work day.

Mr. SAUNDERS of Virginia. Is this legislation that has been enacted since the general appropriation bill was passed?

Mr. GOOD. No.

Mr. SAUNDERS of Virginia. How does it come to be a deficiency? In other words, why was it not provided for?

Mr. GOOD. The exact amount of the estimate was appropriated for this item. The force has increased somewhat, and my recollection is that there have been some holidays and half holidays given since then.

Mr. SAUNDERS of Virginia. That is what I wanted to bring out.

Mr. GOOD. The amount necessary to take care of January 1, February 22, May 30, and two half holidays in June totals $92,000. The estimate provides also for one contingent holiday of $23,000.

That is the statement of Mr. Ford before the committee.

Mr. SAUNDERS of Virginia. What is meant by a "contingent holiday"?

Mr. GOOD. We asked that question and Mr. Ford said:

We do not know and we do not include it in our regular estimate, but always provide for it in the deficiency estimate. This year we have already had one contingent holiday—Pershing day. If an Executive order is issued declaring a holiday we have to close down, and that is the reason we put in the deficiency estimate for one contingent holiday. If there should be none the amount would revert to the Treasury.

Mr. SAUNDERS of Virginia. Mr. Chairman, I withdraw the reservation of a point of order.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MADDEN having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2690. An act authorizing the appointment of a minister to Finland;

S. 620. An act authorizing the issuance of patent to the Pioneer Educational Society and its successor for certain lands in the diminished Colville Indian Reservation, State of Washington;

S. 730. An act to amend chapter 559 of the Revised Statutes of the United States, approved March 3, 1891;

S. 2962. An act for the relief of Nick Sitch and Billie H. Evashanks;

S. 604. An act for the relief of Delilah Siebenaler;

S. 3138. An act authorizing the Secretary of the Interior to sell and convey to the Great Northern Railway Co. certain lands for stockyards, and for other purposes, at Browning Station, in the State of Montana;

S. J. Res. 30. Joint resolution to permit of the disposition of certain lands in Montana ceded by the Crow Indians;

S. 3610. An act for the relief of William S. Britton, formerly second lieutenant of Infantry, who has been erroneously dropped from the rolls of the United States Army;

S. 2956. An act to amend sections 4874 and 4875 of the Revised Statutes and to provide a compensation for superintendents of national cemeteries;

S. 3406. An act for the purchase of buildings and grounds for the embassy of the United States at Brussels, Belgium;

S. 907. An act for the relief of John B. H. Waring;

S. 20. An act to provide for the payment for certain lands within the former Flathead Indian Reservation, in the State of Montana;

S. 3750. An act to amend an act entitled "An act to provide for the settlement of claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes;

S. 2442. An act authorizing and directing the Secretary of the Interior to convey to the trustees of the Yankton Agency Presbyterian Church by patent in fee certain land within the Yankton Indian Reservation;

S. 2786. An act authorizing the sale of lands in Gregory County, S. Dak.;

S. 3682. An act to regulate the filling of vacancies in the corps of cadets in the United States Military Academy not otherwise provided for by existing law, and for other purposes; and

S. 3683. An act to amend section 2 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes";

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 1812. An act making an appropriation to compensate James M. Moore for damages sustained while in the service of the Government of the United States;

H. R. 2950. An act to authorize a preference right of entry by certain Carey Act entrymen, and for other purposes;

H. R. 348. An act to add certain lands to the Ochoco National Forest, Oreg.;

H. R. 8028. An act to add to the Oregon, Siuslaw, and Crater National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States, and for other purposes;

H. R. 8598. An act restoring to Amy E. Hall her homestead rights and providing that on any homestead entry made by her she shall be given credit for all compliance with the law on her original homestead entry and for all payments made on same; and

H. R. 1761. An act for the relief of the Farmers' National Bank of Wilkinson, Ind.

The message also announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 400. An act authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims.

SECOND DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

The printing and binding for the Post Office Department, exclusive of the money-order office, $150,000: *Provided*, That the Postmaster General is authorized hereafter to have executed in the field offices of the Postal Service or in private establishments such printing for the Postal Service as in his judgment can be more economically done there than at the Government Printing Office.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the proviso.

Mr. GOOD. Mr. Chairman, the situation with regard to the printing in the Post Office Department is this: Under the law now the postmaster at Seattle, Wash., where they may have a paper mill and a big printing establishment, where he could have the work done cheaply, is obliged to have it done by the Public Printer in Washington, who has to buy the paper, ship it here, and ship the printing back there. They can not have any public printing done in that locality. The result has been that the Post Office authorities came before us and said that a large part of their estimate is because of the present requirement of the law that compels them to have the public printing done in the Government Printing Office. Take the Postal Guide, for instance. The Post Office Department asked for bids on that. A printer in Albany, N. Y., bid for the complete guide in cloth $22,900. The Public Printer charged $40,000. If the gentleman will take the hearings, page 420, he will find that in all or nearly all of the statements there it costs about 25 per cent more to get the work done in the Government Printing Office than it would cost by private contract. This provision merely provides that the Post Office Department may submit for competitive bids and let it to the lowest bidder. That is in effect what the provision is. That ought to be the law. If that were the law, it would not only bring efficiency to the Government Printing Office, where there is now not the semblance of efficiency, but it would permit the Government to have the work done where it could get it done the cheapest. I submit that the Government ought to be permitted to do that thing. I realize that it is a change in existing law.

Mr. HICKS. Will the gentleman permit a question?

Mr. GOOD. Certainly.

Mr. HICKS. Were there submitted to the Committee on Appropriations about how much it would save the Government if this proviso was inserted in the bill?

Mr. GOOD. In this specific item that we have carried here, the $150,000, the Post Office Department makes the claim that if we do not carry this legislation we must increase it by $50,000. We decreased the amount by $50,000 because the Post Office Department said that if they were permitted to do this they could decrease the expenditure by that amount. The gentleman from New York asked about other departments—not all of the other departments were before us for deficiencies.

The matter came up after we heard some of them and did not know that there was any such claim made, but the general impression is from the officials who expend money for public printing that if they had this right they would save a great deal of money. The Post Office Department and the Treasury Department both claim that if they could have their printing and binding done by contract, let it to the lowest bidder, they would save a great deal of their appropriation. How much they would save in the whole service I do not know, but I believe it would run into a great many thousand dollars, and I hope the gentleman from Massachusetts will not make the point of order.

Mr. WALSH. Mr. Chairman, I have read the hearings and listened to the claims made by the gentleman from Iowa. I doubt if we should single out the Postmaster General for this purpose. The gentleman referred to the Postal Guide. I think that is published under a specific provision of law in the legislative bill.

Mr. GOOD. They all have to go to the Government Printing Office under the law.

Mr. WALSH. I think not. I think the legislative bill or the sundry civil bill gives them authority to have the Postal Guide printed outside of the Government Printing Office.

Mr. GOOD. That has been superseded by an act which compels the printing of the Postal Guide and all other Government publications to be done in the Government Printing Office. I am sure that if the gentleman will go into any department of the Government to-day and talk with the officers that have to do with letting of printing he will be convinced that there must be some change in this respect.

Mr. WALSH. I am convinced of that; we ought to have less printing done; but this allows them to go out into the open market wherever they think they can get their printing more economically done.

Mr. GOOD. It will still have to be done by contract.

Mr. WALSH. This does not say that it will be done by contract. He just ascertains that it will be more economical to do this in private establishments than in the Government Printing Office.

Mr. GOOD. I hope the gentleman will allow us to make this experiment.

Mr. WALSH. I do not care to permit the Post Office Department to embark upon any such experiment. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For printing and binding for the Treasury Department, $25,000.

Mr. SAUNDERS of Virginia. Mr. Chairman, I reserve a point of order. I would like to ask the chairman of the committee a question. I notice on this page that there are many large amounts appropriated for the various departments under the head of deficiencies. These departments heretofore under the appropriate bills have already received appropriations deemed to be sufficient. Is it impossible for a department to live within its appropriation? Here is $1,000,000 for public printing and public binding, and paper, in addition to what this bureau has already received under the sundry civil appropriation bill for the fiscal year 1920. Below that are various appropriations for other departments. I am interested to ascertain why it is that the functionaries of these departments can not submit to the committee on appropriations when the regular bills are under consideration reasonable estimates of what the expenditures are likely to be, so that it will not be necessary in all of these cases to follow up the regular appropriation with a deficiency appropriation.

Mr. GOOD. Mr. Chairman, in this particular instance, as I recall the explanation, it was that the Public Health Service was having a great deal more printing done, and also the claim is made that there has been great increase of cost in the printing.

Mr. SAUNDERS of Virginia. Increased cost since the sundry civil appropriation act was passed?

Mr. GOOD. They asked for $100,000, and we have given them only $25,000.

Mr. SAUNDERS of Virginia. I wonder that they did not ask for $200,000. Have these increases, these decided increases, in the cost of printing occurred since the last sundry civil appropriation act was passed?

Mr. GOOD. They claim there has been quite a considerable increase, especially in the cost of printing, since the last sundry civil appropriation act.

Mr. BYRNES of South Carolina. And has there not been an increase in wages, too?

Mr. GOOD. I am not sure whether that has occurred since the passage of the last sundry civil appropriation act or not.

Mr. BYRNES of South Carolina. By reason of the act of Congress, the testimony of the Public Printer was that there has been an increase in the cost of labor.

Mr. SAUNDERS of Virginia. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. MILLER. Mr. Chairman, will the gentleman from Iowa yield to me for a question?

Mr. GOOD. Yes.

Mr. MILLER. I would ask the chairman of the committee in regard to this item of $1,000,000 for printing, whether there are in that any holdovers from the Bulletin of Information that was published at No. 10 Jackson Place?

Mr. GOOD. No; there is nothing of that kind in this item.

The Clerk read as follows:

None of the judgments contained herein shall be paid until the right of appeal shall have expired.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee a question. I do not know that I quite understand how these items specified at the bottom of the page as judgments of the Court of Claims can be deficiencies, when none of them becomes available until after the right of appeal has expired. How can they be considered deficiencies?

Mr. GOOD. Without looking at any of these particular judgments, I think none of them is certified to the committee until after the right of appeal has expired. The rights of appeal are expiring every day.

Mr. LONGWORTH. It seems to me on the face of things that they can not be deficiencies until the right of appeal has expired. This provision applies to all of these judgments, and one can not tell from reading the bill whether the right of appeal has expired. If it has expired, then there is no use of putting the provision in.

Mr. GOOD. The committee had before it the date when they would be payable, if not appealed. For example, I know there was one judgment of about a thousand and ninety-six dollars on which the right of appeal will expire on the 8th of February. The department assures itself that the right of appeal will not be exercised before they certify the judgment. These are judgments that the department knows will not be appealed, because the attorneys have assured them that they would accept the award.

Mr. LONGWORTH. Has this provision been carried in deficiency appropriation bills heretofore?

Mr. GOOD. It has been carried right along.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to strike out the last word. Do any of these judgments carry the payment of interest?

Mr. GOOD. All judgments of the United States courts carry an interest payment of 4 per cent, as I recollect, after the date of its judgment.

Mr. SAUNDERS of Virginia. All claims against the United States are recovered by judgment obtained in a court of the United States?

Mr. GOOD. I am not sure about the Court of Claims.

Mr. SAUNDERS of Virginia. All judgments obtained against the United States in a court of the United States other than the Court of Claims carry an interest rate of 4 per cent?

Mr. GOOD. Yes.

Mr. SAUNDERS of Virginia. From the date of the recovery of the judgment?

Mr. GOOD. Yes; so that it is important that the Government pay the judgment and not let it drag.

The Clerk read as follows:

For collecting the revenue from customs, $1.10.

Mr. SAUNDERS of Virginia. Mr. Chairman, what sort of claims are these? Some of these seem to be very trifling in amount. How are these claims established? I see here, for instance, a claim for $1.10.

Mr. GOOD. Most of them are claims where they are certified by the auditor and the appropriation has expired and it has been covered back into the Treasury under the covering-in act.

Mr. SAUNDERS of Virginia. For instance, what sort of a claim would it be for collecting the revenues from customs, $1.10?

Mr. GOOD. That likely is a refund to some one where the collection was made more than three years before there was a demand for its return.

Mr. SAUNDERS of Virginia. Where the Government collected from the individual, in excess of what it should have collected, $1.10?

Mr. GOOD. Yes. When an application for its return is made within three years from the time the collection is made, then the Secretary of the Treasury is authorized to return it.

The Clerk read as follows:

For payment of judgments against internal-revenue officers, $25,665.15.

Mr. SAUNDERS of Virginia. I would like to ask the chairman of the committee if he will not pass by the item under lines 23 and 24. I will give the chairman my reason for making that request: There is now on the way from the Treasury Department a letter from Commissioner Roper addressed to the chairman of the committee relating to a claim that should have been long ago paid, a judgment against certain officers of the United States. There is no question about this liability. The claim was inadvertently omitted from the document which covered cases of this character. The letter will be here, I imagine, within five minutes.

Mr. GOOD. These are audited claims we are reading.

Mr. SAUNDERS of Virginia. Well, this is an audited claim of which I speak. It was negligence on the part of the Treasury Department that it was not presented to the chairman of the committee when he was making up this bill.

Mr. GOOD. Which item is that?

Mr. SAUNDERS of Virginia. The one relating to payment of judgments against internal-revenue officers.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that the item referred to in lines 23 and 24, page 40, be passed over temporarily.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that lines 23 and 24, on page 40, be passed over temporarily to be returned to later. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

For allowance or drawback, $1,787.12.

Mr. WALSH. The language of line 25 in the copy I have reads, "For allowance or drawback." It was read by the Clerk "allowance of drawback." I would like to ascertain what the language was.

The CHAIRMAN. The Clerk will report the language referred to.

The Clerk read as follows:

For allowance or drawback, $1,787.12.
For surveying the public lands, $9.49.

Mr. BLANTON. Mr. Chairman, this is an item for surveying the public lands, $9.49. I would like to ask the chairman if these are lands we are going to give our returned soldiers——

Mr. GOOD. No.

Mr. BLANTON. For their service in France?

Mr. GOOD. No; these are some lands in Texas which we would not inflict on the soldiers.

Mr. BLANTON. If they are lands in Texas, it would take more than that to survey a half an acre, because of their value.

The Clerk read as follows:

For purchase and transportation of Indian supplies, 1918, $8,557.12.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee a question. I notice a deficiency item here for the support of Indian schools of 1 cent. I want to know if that is about the amount of money that has been given for the support of the Washington schools here in the District of Columbia? I understand from one of the teachers of the Central High School that on yesterday there were 15 large classes of students, young men and young women, boys and girls, going to that school—15 large classes organized without a single teacher to teach them, because of the fact that there was not money to employ them. Now, that is an awful condition to exist here in the District of Columbia. We have been starving our teachers too long. There was a provision in this bill to meet the emergency, but the most of it was stricken out. Has the chairman explained the situation to the gentleman from Virginia [Mr. SAUNDERS], who, on a point of order, caused that appropriation to be stricken out, because I believe if the distinguished gentleman from Virginia, who is a man of the best judgment in this House, had understood the exact situation with respect to the schools in the District of Columbia at this time, that rather than have stricken out the item he would have been in favor of doubling every dollar of it?

Mr. SAUNDERS of Virginia. I have no objection to its being returned to the bill.

Mr. BLANTON. Will not the chairman of the committee by appropriate amendment ask that that item be put back in the bill, because as a matter of fact in the various high schools of this District to-day, in every single school building, there are several large classes of boys and girls who are wholly without teachers because of the want of funds, and I am sure it is of sufficient importance for the chairman to put those items back in the bill?

Mr. GOOD. There is an understanding we will return to that item.

Mr. BLANTON. Well, I am very glad of it.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read:

The Clerk read as follows:

For International Radiotelegraphic Convention, 1918–19, $275.24.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. I wish to ask the chairman of the committee——

Mr. BLANTON. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. GREEN of Iowa. I wish to ask the chairman of the committee a question if the gentleman from Virginia will permit. What was this radiotelegraphic convention? What had our Government to do with it?

Mr. GOOD. What is the item?

Mr. GREEN of Iowa. The item is for International Radio-Telegraphic Convention, 1918–19, $275.24.

Mr. GOOD. So far as these audited claims are concerned, it has not been the practice of the committee to conduct hearings further than to find that they had been audited in accordance with the law, and I can not give the gentleman any further information than he finds here. There has been appropriation made in the past for this convention, but I presume it is a claim that grew out of the convention, and has been audited in accordance with the law. We only inquire into the question as to whether or not the claims fall within the class and have been properly audited and found to be all right.

Mr. GREEN of Iowa. Then this claim was audited and allowed?

Mr. GOOD. Oh, yes.

Mr. BLANTON. I wanted to ask the chairman if this item is authorized by law.

Mr. GOOD. It is.

Mr. BLANTON. Is it a deficiency?

Mr. GOOD. Yes; they are deficiencies, because there is no appropriation out of which to pay them.

Mr. BLANTON. How is there a deficiency?

Mr. GOOD. It has been audited since the sundry civil bill passed.

Mr. BLANTON. Is it an item of new legislation?

Mr. GOOD. No.

Mr. BLANTON. When was this radiotelegraphic convention authorized by law?

Mr. GOOD. I will give the gentleman the law in regard to audited claims. Just when this claim originated I can not say.

Mr. BLANTON. When was the payment of $275.24 for an international radiotelegraphic convention, to be held in 1918–19, authorized by law?

Mr. MANN of Illinois. The gentleman is mistaken. This is not a convention held. Here is the situation——

Mr. BLANTON. That is what it stated in the bill.

Mr. MANN of Illinois. All these claims are certified by the auditor as correct, and payable, and authorized by law. That is all we have to concern ourselves with.

Mr. BLANTON. In the short time I have been in Congress I know of no such authorization by Congress to hold this kind of convention. When was it authorized?

Mr. MANN of Illinois. My recollection is that there was an authorization and an appropriation, but I am not able to tell the gentleman when and where. But it could not be audited unless the auditor found there was an authorization of law for it, and, ordinarily, unless there had been an appropriation for it. Whether the auditor made an incorrect finding, I have no way of knowing; but that is the finding.

Mr. BEGG. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee if this is just a way around exceeding the appropriations? Now, I happen to be on the committee that went through a very strenuous struggle on some of these items, and we cut some of them down materially, and I beg to call the attention of the gentleman from Illinois to his statement that these are all authorized by law before the auditor could audit them. I do not believe there is any law to provide for contingent expenses to foreign missions.

Mr. MANN of Illinois. The gentleman is mistaken.

Mr. BEGG. And for half of these other things, if the gentleman will permit me, there is not any basic law, and it is simply a custom that has been allowed to grow up in these departments whereby they can spend any amount of money they want to, after the committee has gone carefully into the situation and then has seen fit to give them less than they asked for. They get around the bush in some other way and get it audited and present the claim as an audited claim, without any facts to warrant it.

And I want again, if I may, to call the attention of the committee to the antideficiency law, which provides specific methods whereby they can exceed their appropriation. And it does

seem to me—and I am in sympathy with the chairman of the committee in all that he is asking for, and am willing to go with him all the way—we are forgiving each time the violation of the law, not only in spirit but in actual expenditure, by permitting them to come up and ask for money before they actually commit the violation of the law, and we give it to them. I can not see any excuse for one-half of the items on pages 45 and 46, so far as they are being deficiencies are concerned. And I can see no excuse for their happening in the future. I will be glad if the gentleman from Illinois will tell me where the law is that authorizes contingent expenses and post allowances.

Mr. MANN of Illinois. Mr. Chairman, there are two kinds of claims which may properly be audited where Congress has made an appropriation for a specific purpose. Claims arising under that are properly audited, although it frequently happens that the money is not available, because it may have been covered into the Treasury before the amount is payable. In another class of cases is authority of law to do a particular thing, whether an appropriation is specifically made or not. But the auditor can not audit any of these claims unless he finds there is authority of law for incurring the claim.

Now, I have not examined into all the audited claims in this bill, but I have examined a great many in the course of my experience in this House, sometimes suspecting, like the gentleman who just addressed the House, that a claim had been audited without authority of law in order to beat the devil around the stump; and I never was able to find one, and if the distinguished gentleman is able to find one he will put quite a feather in his hat. And I suggest to him that he can not do a better thing than take up the lot of claims he refers to here and go and examine the audit and find out whether there was actually authority of law or not, because, if there was not, the auditor ought to be removed from office and would be subject to impeachment. He can not audit a claim simply because he thinks it ought to be paid. He has to audit a claim because there is an authorization of law to incur the claim. There can be no such authorization of law unless there is some specific law giving the authority or an appropriation authorizing its expenditure.

Mr. BEGG. The point I wanted to call to the gentleman's attention is this: I will agree that the claim is a bona fide claim and the auditor is excused——

Mr. MANN of Illinois. The bona fides of the claim has nothing to do with it. That is what the auditor is for—not to examine the bona fides of the claim, but to ascertain whether it is authorized by law.

Mr. BEGG. I want to call the gentleman's attention to this fact, that in these post allowances and these contingent expenses there is no basic law on the statute books of the United States further than the temporary provision which made available the sum of money for doing that specific work, and whoever contracts to do work beyond that appropriation is technically, if not actually, a law violator.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BEGG. May I proceed for two minutes more?

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MANN of Illinois. Under the circumstances named by the gentleman the claim would not be audited.

Mr. BEGG. I want to call the gentleman's attention to the fact that that thing is being done every day. It is being done not only in one department but in all the departments, and they do not undertake to deny it.

Mr. MANN of Illinois. I will undertake, if the gentleman will give me a specific case, to investigate it myself.

Mr. BEGG. I will ask the gentleman to go and investigate and see if they have not exceeded their appropriation in these very bills that they bring up here and ask for a deficiency on, every one of them. There is not any way of getting around it. The testimony of the State Department before the Committee on Foreign Affairs was to the effect that they wanted this lump sum contingent, and this credit that was to be apportioned to the Secretary of State by the President of the United States according to his wishes and whims, to take care, as they said, of the differences in living conditions, and the very fact that they are brought in as audited claims must be proof either that they are not in existence or else they have been actually expended. Now, if they are not in existence they ought not to be here. I do not criticize the chairman of this committee or say that he is wrong in bringing in a deficiency that does not exist; but when the Committee on Foreign Affairs has cut them down and has said, "You must live within the appropriations," are they to be allowed to go along and spend the money regardless of the limit set and come back here for a deficiency? We have cut off, for example, $300,000 from one item and two or three hundred thousand on another item.

It seems to me that this Congress ought to get down and make good its statements to the public to the effect that it is trying to economize. I want to say to you that I do not believe in carrying on these expenses as they have been going on in the war, and I am not in sympathy with the payment of these bills if they are illegally contracted, and I am in favor of making the man that contracted for them come along and pay it out of his own salary.

Mr. GOOD. The gentleman complains about the items on page 46 for post allowances to diplomatic and consular officers, $248.89?

Mr. BEGG. Yes. That is only one of many.

Mr. GOOD. That was an appropriation for 1917. By its very terms the balances were covered into the Treasury on June 30, 1919, and then this claim comes before the auditor after that date, and there is no way except to follow the provisions of the law and to audit the claim and send it to Congress. That is what has been done, so far as this claim is concerned.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. CLARK of Missouri. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. CLARK of Missouri. I do so for the purpose of asking the gentleman from Iowa [Mr. GOOD] a question. Are we sliding back into the bad old system of allowing these heads of departments to exceed the appropriations or not?

Mr. GOOD. Oh, they have been exceeding the appropriations. That is the reason for deficiencies.

Mr. CLARK of Missouri. When was that law repealed by which we made it a criminal offense for one of them to exceed the appropriation?

Mr. GOOD. It has not been repealed. It is on the statute books still, but nobody has gone to jail. They have been violating the law just the same.

Mr. CLARK of Missouri. Why do they not enforce the law?

Mr. GOOD. I do not know. I am not in charge of any executive department.

Mr. CLARK of Missouri. The gentleman has been here a long time, and he and others are always talking about the extravagance of Congress. The truth is it is the extravagance of the executive departments. We warned them time after time to stop it, and they did not heed the warning, and finally we made it a criminal offense for them to exceed the appropriations; and yet they are going on just as before.

Mr. GOOD. We also provided that the person violating the law should be discharged, but nobody has been discharged and nobody has been sent to jail. Then the question is, Shall Congress refuse to make an appropriation to cover the balances so that the service may continue even though the appropriation falls into the hands of the person who has violated the law?

Mr. CLARK of Missouri. If they practice that kind of a caper, what was the sense of putting that statute on the statute books, forbidding them to do it and making it a criminal offense?

Mr. GOOD. That statute was put on the books so that the head of a department can lodge a complaint against the man who violates the law. Congress can not discharge a man. The head of an executive department can, when the man violates the law, and he can lodge a complaint against the man with the Attorney General.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. BYRNES of South Carolina. The gentleman and others state that the department violates a statute which prohibits any of them from incurring a deficiency. Why does not somebody state which one? In my short experience I do not know one who has been named as having actually violated the statute. If they have, why not say so? Why not let us say in the RECORD who did it? The hearings up to this time at which I have been present fail to show who did it. Time and time again chairmen of the Appropriations Committee, for the purpose of holding them down, have delivered lectures on the subject, and very good ones, too, but I do not now recall a single instance where an executive officer has done that.

Mr. GOOD. There are quite a number of instances that were called to the attention of the executive departments in these hearings. The printed hearings will show that.

Mr. BYRNES of South Carolina. I do not think the gentleman will find it in the hearings. I should like to be shown.

Mr. CANNON. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. CANNON. During the war at least two chairmen of the Appropriations Committee were confronted by emergencies where appropriations of money were absolutely necessary. They said, "Well, now, we can not pass this at once. We will say to you that you will be cared for by a report of the committee on the proper bill, for the action of the House, and we have no doubt that the appropriation will be made." I never said it myself, because I was not the chairman of the committee, but I agreed to it in my heart, and we agreed to care for them in that way for that purpose. There is a maxim, "Inter arma leges silens"—In time of war the laws are silent. Well, that is not universally true by any manner of means, yet in point of fact I have no doubt that in many instances during the war the laws were silent, and had to be under the conditions that existed.

Mr. ANDREWS of Nebraska. Mr. Chairman, I move to strike out the last two words. When an annual appropriation is made, and that appropriation has been exhausted, it is illegal for any auditor to certify a claim to Congress. If, on the other hand, the appropriation was not exhausted, $1,000 for instance remaining, and that $1,000 was covered into the surplus fund or to miscellaneous receipts at the end of the second year after the one for which the appropriation was made, then an auditor might state an account within the limit of that $1,000 as a legal claim against the Government, but he could not go beyond the $1,000. Moreover, if a statutory salary is fixed at $2,000, and Congress fails to make the appropriation for the payment of that salary, an auditor may state an account to the Congress for an appropriation to pay that as a legal claim. So far as the annual appropriations are concerned an auditor has no authority under the law to state an account under any circumstances. But again, take these refunds of customs and internal-revenue taxes. In normal times prior to the war we were paying refunds of customs and internal-revenue taxes running from $15,000,000 to $20,000,000 a year, where taxes were collected in excess of the legal amounts. There are permanent indefinite appropriations for the payment of those refunds, and a case of that character should not appear here. It should be paid out of the permanent indefinite appropriation provided for in the permanent statute.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS of Nebraska. In a moment. If, however, one of those refund cases has gone to court, and the court has allowed costs and interest in addition to the amount of the tax collected in excess, you will have the claim plus cost plus interest, with no appropriation for costs or interest. That claim when audited should be sent here for an appropriation.

Now, in the main any auditor who certifies claims under any other conditions will be laying himself liable to the penalties of the law that have just been specified. Many times the executive departments will come and ask auditors to state claims in excess of the appropriations. That is not an uncommon thing. It is an easy way to evade responsibility. Why? Because an executive office does not, as a rule, desire to come before the Appropriations Committee and tell why the deficiency arose. They can find a way through much more easily, if they can persuade an auditor to certify a claim and present that to the committee. That battle was fought over for years in the Treasury Department, and in the course of that contest we established this rule, that whenever an executive office exceeded or had reached the limit of the appropriation and found it necessary to incur a liability beyond that limit, it should come to Congress with an estimate of an appropriation to be made.

There are other cases that might be cited, but I will not take more time now, and I yield to the gentleman from Iowa [Mr. GREEN], if I have any time left.

Mr. GREEN of Iowa. I do not quite understand yet how the auditor was justified in allowing some of these items—one item of over $100,000. The gentleman spoke of his right to allow a claim not in excess of $1,000.

Mr. ANDREWS of Nebraska. Suppose, as an illustration, there is an annual appropriation of $12,000 for a specific purpose and $11,000 has been drawn out and paid. One thousand dollars remains. The claim, say a year or two after the fiscal year for which the appropriation was available, comes along for $800, and the thousand dollars has been covered back as miscellaneous receipts. The claim for $800, if created within the year for which the appropriation was available, may be stated, and the certificate should come to Congress for a reappropriation of the $800 of the $1,000 in excess.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last two words. It would seem from what the gentleman from Nebraska says that this is a complicated subject, and if all he has said is correct—and I have no doubt that it is, because he has had long experience as an auditor—these items ought not to be passed by the Appropriations Committee on the mere certificate of the auditor. It is apparent, as I understand the situation, that the certificate of the auditor is sometimes used, as the gentleman from Illinois has said, to whip the devil around the stump in order that the congressional committees who make the appropriations will not too closely examine into the cause of the deficiency; if they did, they might not allow the appropriation. So it seems that when we have items aggregating over $150,000 we ought not to pass them merely on the certificate of the auditor.

Mr. ANDREWS of Nebraska. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. ANDREWS of Nebraska. Take the question of the refund of internal-revenue taxes. Suppose a million dollars had been paid in internal-revenue taxes, and suppose the ruling of the commissioner had changed the original finding and that $500,000 had been collected in excess. If that question were determined in court and the costs and interest had been rendered in the judgment along with the claim for a refund of $500,000, under the ruling of the Comptroller of the Treasury the payment of $500,000 plus costs and plus interest would come here for appropriation to pay.

Mr. GREEN of Iowa. I understand that quite well; but what the Appropriations Committee should do is to find out whether these large items are one of those cases so that they may know whether the item ought to be audited.

Mr. ANDREWS of Nebraska. Will the gentleman further yield?

Mr. GREEN of Iowa. Yes.

Mr. ANDREWS of Nebraska. At that point it would be wise to call in the auditors whose certificates are here and ask them those questions, and thus verify the record.

Mr. GREEN of Iowa. I think so; otherwise it is quite likely that large sums will be devoted to purposes which Congress does not approve.

The Clerk read as follows:

Recapitulation of claims allowed by the Auditor for the Post Office Department.

Mr. GOOD. Mr. Chairman, I move to strike out, in page 50, line 13, the words "recapitulation of."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 50, line 13, strike out the words "recapitulation of."

The amendment was agreed to.

The Clerk completed the reading of the bill.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that the Clerk be authorized to correct the totals in the bill.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the Clerk be authorized to correct the totals in the bill. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, we have passed over a few items. The first is on page 3, lines 8 to 11, and I will ask to return to that item.

There was no objection.

The Clerk read as follows:

Night schools: For teachers and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and teachers and janitors of night schools may also be teachers and janitors of day schools, $25,000.

Mr. GOOD. Mr. Chairman, I understand that the point of order is withdrawn. Now I ask unanimous consent to return to the first item on page 3, line 1.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

Two principals of junior high schools, at $2,500 each.

Mr. GOOD. Mr. Chairman, I move to insert "two principals of junior high schools at $2,500 each."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. GOOD: Page 3, line 2, insert "two principals of junior high schools at $2,500 each."

The amendment was agreed to.

Mr. GOOD. The next item is on page 11, commencing at line 13. My recollection is that the proviso went out on a point of order and it was unanimously agreed that it could be returned to with the point of order still pending, as if no action had been taken on the point of order.

Mr. BLANTON. I understand that the proviso is not offered.

Mr. GOOD. The first part went out. The whole thing is offered.

Mr. BLANTON. It all went out.

Mr. GOOD. Oh, no.

Mr. BLANTON. If part of it is subject to a point of order, all of it would be.

Mr. BLACK. The RECORD will show that the gentleman from Texas agreed to reserve his point of order to the whole paragraph. Whether or not he still makes it remains to be seen.

Mr. GOOD. The whole paragraph should be read, with the point of order of the gentleman from Texas reserved.

Mr. BLANTON. Mr. Chairman, the paragraph was read before I reserved the point of order. I now withdraw the point of order, and it is useless to reread it, unless somebody wants to renew the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. GOOD. Mr. Chairman, the next item is on page 18.

Mr. CLARK of Missouri. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Missouri. When they read one of these paragraphs that have been passed do they not have to vote upon it before it goes into the bill?

Mr. BLANTON. But this particular paragraph never went out.

The CHAIRMAN. It had gone out, but was restored at the time.

Mr. MILLER. Mr. Chairman, I ask unanimous consent to return to page 13 and move to strike out the last word for the purpose of asking the gentleman from Iowa a question. On page 13, in the enumeration of hospitals, $500,000 is appropriated for certain hospitals—I think 14. Does that carry the idea that all other hospitals in the country for the care of soldiers are properly equipped and that no repairs will be necessary?

Mr. GOOD. These are the only ones they could enumerate that have been taken over from the War Department on which they expected to expend money.

Mr. MILLER. I notice half of this appropriation goes to three States—Maryland, Montana, and Idaho.

Mr. GOOD. The committee had nothing to do with that. The Public Health Service said they needed these temporary hospitals and needed the equipment, and we gave them all that they asked for these particular hospitals.

Mr. BLANTON. Mr. Chairman, I think we ought to have a quorum here. I make the point of order that there is no quorum present.

Mr. GOOD. If the gentleman will withhold that for a moment, I have only one item more and then we will rise.

Mr. BLANTON. We have been working here a good long time and I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and two Members present, a quorum.

Mr. GOOD. Mr. Chairman, I ask now unanimous consent to return to page 18, line 4.

The CHAIRMAN. Is there objection?

Mr. BLANTON. I object.

Mr. PARRISH. Mr. Chairman, this, I understand, was passed with unanimous consent to be returned to.

Mr. GOOD. Yes.

Mr. PARRISH. The gentleman from Texas [Mr. HUDSPETH] desires to offer an amendment. He does not happen to be on the floor at this time. If it would be agreeable to the chairman, I would like to have this item passed until he can be present.

The CHAIRMAN. Unanimous consent was given at the time to return to this item.

Mr. GOOD. Mr. Chairman, I have looked into the matter and I do not believe it would be wise to change the wording here. If this were a new matter we might use different words, but these words have been used during all of the years and the appropriation has been carried in that form. The records have been published under these names, and I think I would not care to wait to have the gentleman here.

Mr. BYRNS of Tennessee. Mr. Chairman, I happen to know that the gentleman from Texas [Mr. HUDSPETH] had some telephonic communication with the Navy Department. I do not know what the facts are. It will not take over 10 minutes to dispose of this proposition when we get to it, and the bill will have to be passed over to-night on account of the navy-yard amendment. In view of the fact that the gentleman from Texas is not in the Chamber at this moment, I hope that the gentleman from Iowa will not insist upon disposing of this matter now.

Mr. GOOD. Mr. Chairman, I will ask that this item be passed over for the present.

Mr. PARRISH. I am very much obliged to the gentleman.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that this item be passed over, to be returned to later. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent to insert in the RECORD a letter from the Secretary of the Treasury with reference to the statements which have been made as to his attitude in reference to the Speedway Hospital. I refer to the former Secretary of the Treasury, Hon. CARTER GLASS.

Mr. GOOD. I have no objection.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

Mr. WALSH. Mr. Chairman, reserving the right to object, is this a letter from the gentleman while Secretary of the Treasury or since he became a Member of the other body?

Mr. BYRNES of South Carolina. This is, I think, one of the last letters written by him before leaving the office of the Secretary of the Treasury, explaining to the House that while gentlemen criticized him the Hon. JOSEPH W. FORDNEY was in his office and in his presence he offered to sign a contract to pay $3,000,000 to the contractor in this matter.

The CHAIRMAN. Is there objection?

Mr. CHINDBLOM. Will it appear in to-day's RECORD?

Mr. SAUNDERS of Virginia. We will now go to page 40——

Mr. GOOD. I will after we finish the other.

Mr. SAUNDERS of Virginia. The gentleman does not have to get unanimous consent, he has the right to return to it.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none.

Mr. GOOD. I will do that to-morrow. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 4046, had come to no resolution thereon.

AGRICULTURAL APPROPRIATION BILL.

Mr. HAUGEN. Mr. Speaker, by direction of the Committee on Agriculture I offer a privileged report on the bill making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

The SPEAKER. The gentleman from Iowa offers a report, which the Clerk will report.

Mr. BLANTON. I reserve all points of order on the bill.

The SPEAKER. The gentleman from Texas reserves all points of order on the bill.

The Clerk read as follows:

A bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

The SPEAKER. Referred to the Committee of the Whole House on the state of the Union and ordered printed.

CONFERENCE REPORT, INDIAN APPROPRIATION BILL.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent that the report of the conferees of the Indian appropriation bill may be filed at any time between now and midnight.

The SPEAKER. The gentleman from New York asks unanimous consent to file the conference report on the Indian appropriation bill at any time until midnight. Is there objection?

Mr. GARD. Reserving the right to object, when does the gentleman intend to bring it up?

Mr. SNYDER. I intend to bring it up to-morrow if I can get the floor to do so.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. HICKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a speech delivered by my colleague, Congressman CROWTHER, before the American Legion at Fort Plain, N. Y., January 8, on the subject of "America first."

The SPEAKER. The gentleman asks unanimous consent to extend his remarks for the purpose indicated. Is there objection? [After a pause.] The Chair hears none.

NAVY YARD, NEW ORLEANS.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter from John M. Parker, of the city of New Orleans, the next governor of the State of Louisiana, in

connection with the necessity of maintaining the docks and navy yard at New Orleans.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD by inserting a letter with respect to the navy yard at New Orleans. Is there objection?

Mr. BLANTON. Mr. Speaker, I regret to do this against my friend from Louisiana, but I object.

The SPEAKER. Objection is made.

Mr. BLANTON. We will thrash that out to-morrow.

Mr. O'CONNOR. But I can not get time to thrash it out, and that is the reason I ask this.

ORDER OF BUSINESS TO-MORROW.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to dispense with business in order to-morrow under Calendar Wednesday.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to dispense with Calendar Wednesday business for to-morrow. Is there objection?

Mr. WALSH. Well, Mr. Speaker, the Committee on the Judiciary has the call under a special order for to-morrow and the next Calendar Wednesday, and while I do not know what the chairman of the committee intends to call up, whether it is the sedition bill or some of the other measures on the calendar, I do not think after a special order has been made that we should eliminate that day.

Mr. MONDELL. Mr. Speaker, the chairman of the committee, whom I consulted before I made this request, has no objection to having the Calendar Wednesday dispensed with for to-morrow.

Mr. MORGAN. Will the gentleman yield?

Mr. MONDELL. Yes. I want to say to the gentleman that it is highly important that we should conclude the bill to-morrow that is now before the House, and that we take up the Agricultural bill.

Mr. MORGAN. Here is a question I want to ask. If Calendar Wednesday is dispensed with for to-morrow, the Judiciary Committee has the next call for two days?

Mr. MONDELL. The Judiciary Committee does not lose its right.

Mr. WALSH. I think it would under the special order.

The SPEAKER. The Chair thinks not.

Mr. BLANTON. Mr. Chairman, I withdraw my objection to the request of the gentleman from Louisiana [Mr. O'CONNOR].

The SPEAKER. The Chair thinks it is not a special order exactly. The Chair thinks it was simply a permission to the Judiciary Committee to introduce the bill that evening without losing the two days, and that committee will have the right for the next two days. Is there objection?

Mr. WALSH. Reserving the right to object, do I understand the gentleman from Wyoming to say that the chairman of the Judiciary Committee stated that he had nothing urgent to bring up to-morrow?

Mr. MONDELL. I did not say just that. The chairman of the committee said that he had no objection to dispensing with the Calendar Wednesday call for to-morrow.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, did the gentleman from Wyoming confer with the chairman of the committee this afternoon about that matter?

Mr. MONDELL. I did.

Mr. GARD. And he has no objection, and it is understood that the committee has the two succeeding Wednesdays following to-morrow?

Mr. MONDELL. That is true.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

NAVY YARD AT NEW ORLEANS.

Mr. O'CONNOR. Mr. Speaker, I renew my request to print the letter to which I have already referred.

The SPEAKER. Is there objection to the gentleman printing the letter from Mr. Parker?

Mr. WALSH. Mr. Speaker, I do not think that letter ought to go in here in connection with this bill.

Mr. O'CONNOR. It is in connection with the maintenance of navy yards and docks, is it not?

Mr. WALSH. Mr. Speaker, I will not object.

Mr. BLANTON. I withdraw my objection, Mr. Speaker.

Mr. O'CONNOR. Mr. Speaker, I have asked unanimous consent to print in the RECORD a letter from John M. Parker, a distinguished citizen of New Orleans and the next governor of Louisiana, with reference to the maintenance of the Government navy yard at New Orleans. He is a gentleman who has devoted himself assiduously to the Mississippi River and its problems, the cotton industry in all its ramifications, and the general welfare of the country in every particular, and who is known in our national politics as the friend and companion of the late Theodore Roosevelt when that distinguished American was the candidate of the Progressive Party for the Presidency of the United States. He was subsequently a candidate for the Vice Presidency himself. Following is the letter:

JANUARY 29, 1920.

Hon. JAMES O'CONNOR,
House of Representatives, Washington, D. C.

DEAR MR. O'CONNOR: I to-day wired you as follows:

"Hope you will use every means at your command to assist in taking steps to assure steady work at navy yard. Am writing."

From an intimate personal knowledge as to the value of a splendid inland harbor like New Orleans, the immense amount of shipping which left this port during the period of the war, and the fact that with the opening of the Lakes to the Gulf deep waterways many trunk lines of steamers centering in this port, and water transportation through 29 States, justify me in making the strongest appeal that lies in my power that Congress in its wisdom should maintain and keep up to the highest degree of efficiency the naval station and dry dock of this city.

We have the finest and safest fresh-water port in the world; are in very close touch with the vast oil fields of Louisiana and Texas and coal fields of Alabama; are the second largest port in the United States, with a magnificent fresh-water harbor, free from danger of tropical storms of any character, and feel that based on the past record we have a perfect right to appeal to the patriotic Congress to realize the urgent importance of the maintenance on the Gulf of Mexico of a great harbor and naval station in immediate touch with the huge Government warehouses here, and where the products of the whole Nation can be promptly and quickly concentrated and shipped to the world.

Bespeaking the most vigorous action at your hands in this important matter, I am,

Very truly, yours, JOHN M. PARKER.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 4382. An act to confer on the Court of Claims jurisdiction to determine the respective rights of and differences between the Fort Berthold Indians and the Government of the United States; and

H. R. 9112. An act authorizing the Secretary of War to loan Army rifles to posts of the American Legion.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 8953. An act to authorize the incorporated town of Ketchikan, Alaska, to issue bonds for the construction and equipment of schools therein, and for other purposes;

H. R. 5348. An act for the relief of Mrs. Thomas McGovern; and

H. R. 10701. An act granting the consent of Congress to the Whiteville Lumber Co., Goldsboro, N. C., to construct a bridge across the Waccamaw River at or near Old Dock, county of Columbus, N. C.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2690. An act authorizing the appointment of a minister to Finland; to the Committee on Foreign Affairs.

S. 620. An act authorizing the issuance of patent to the Pioneer Educational Society and its successor for certain lands in the diminished Colville Indian Reservation, State of Washington; to the Committee on Indian Affairs.

S. 730. An act to amend chapter 559 of the Revised Statutes of the United States, approved March 3, 1891; to the Committee on the Public Lands.

S. 2962. An act for the relief of Nick Sitch and Billie H. Evashanks; to the Committee on the Public Lands.

S. J. Res. 30. Joint resolution to permit of the disposition of certain lands in Montana ceded by the Crow Indians; to the Committee on Indian Affairs.

S. 604. An act for the relief of Delilah Siebenaler; to the Committee on Claims.

S. 3138. An act authorizing the Secretary of the Interior to sell and convey to the Great Northern Railway Co. certain lands for stockyards, and for other purposes, etc.; to the Committee on Indian Affairs.

S. 3610. An act for the relief of William S. Britton, formerly second lieutenant of Infantry, who has been dropped from the rolls of the United States Army; to the Committee on Military Affairs.

S. 2956. An act to amend sections 4874 and 4875 of the Revised Statutes and to provide a compensation for superintendents of national cemeteries; to the Committee on Military Affairs.

S. 20. An act to provide for the payment for certain lands within the former Flathead Indian Reservation in the State of Montana; to the Committee on Military Affairs.

S. 2786. An act authorizing the sale of lands in Gregory County, S. Dak.; to the Committee on Public Lands.

S. 3406. An act for the purchase of buildings and grounds for the embassy of the United States at Brussels, Belgium; to the Committee on Foreign Affairs.

S. 907. An act for the relief of John B. H. Waring; to the Committee on Military Affairs.

S. 2442. An act authorizing and directing the Secretary of the Interior to convey to the trustees of the Yankton Agency Presbyterian Church by patent in fee certain land within the Yankton Indian Reservation; to the Committee on Indian Affairs.

S. 3682. An act to regulate the filling of vacancies in the Corps of Cadets in the United States Military Academy not otherwise provided for by existing law, and for other purposes; to the Committee on Military Affairs.

S. 3683. An act to amend section 2 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes"; to the Committee on Military Affairs.

S. 3750. An act to amend an act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes; to the Committee on Military Affairs.

H. R. 400. An act authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims, with Senate amendment; to the Committee on Indian Affairs.

EXTENSION OF REMARKS.

Mr. CARSS. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a letter from myself to Secretary of the Navy Daniels and his reply thereto.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to print in the RECORD a letter written to Secretary Daniels and the reply to him by the Secretary. Is there objection?

Mr. BLANTON. Reserving the right to object, I want to ask the gentleman if it is in connection with his $9,000,000 proposed appropriation that is coming up to-morrow?

Mr. CARSS. I will say to the gentleman from Texas that this letter is an account of a rescue of human life that took place on the Great Lakes.

Mr. BLANTON. And it has no reference to what is coming up to-morrow?

Mr. CARSS. None whatever.

Mr. BLANTON. I have no objection.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. CARSS]? [After a pause.] The Chair hears none.

The following is the correspondence referred to:

HOUSE OF REPRESENTATIVES,
Washington, D. C., January 21, 1920.

Hon. JOSEPHUS DANIELS,
Secretary of the Navy, Washington, D. C.

MY DEAR MR. SECRETARY: It is popularly supposed that the thrilling deeds of the Navy are only performed on the high seas. In the heart of America, however, there took place one of the most daring rescues that has been recorded in the annals of modern seamanship.

Capt. John Anderson, of Chicago, in command of "sub" chaser 428, bound from Chicago to Grand Marais, Minn., performed a deed of daring that will long be told on the upper Great Lakes. This "sub" chaser, by your orders, had been allotted to the Life-Saving Service for use as a patrol boat at Grand Marais, Minn., but, encountering terrific gales on lower Lake Superior, had been forced to put in at Grand Marais, Mich., for shelter. Scarcely had she reached this place of safety when word came that the freighter *D. N. Runnells* was pounding to pieces on the reefs outside and all hope for the safety of the crew was given up. Despite the fears of old marines that he and his crew would never return, Capt. Anderson, with his crew, acting in conjunction with the local life-saving force, put out to rescue the crew of the *Runnells*. Three times was Capt. Anderson swept out of the lifeboat, but managed to swim back and clamber in, and at the risk of their very lives these brave men succeeded in rescuing the entire personnel of the stranded *Runnells*. Just as the last of the 17 rescued had reached safety the *Runnells* broke in two and sank beneath the turbulent waves. To the bravery and heroism of Capt. Anderson and his crew 17 worthy sailors owe their lives to-day.

But, my dear Secretary, had it not been for your action in allotting this excellent little ship to the station at Grand Marais, Minn., this heroic rescue would not have been possible and 17 lives would have been lost.

On behalf of my constituents in Minnesota who follow their dangerous calling on the upper Great Lakes, I wish to thank you for responding to our request for the allotment of this splendid little ship. It is one protection they have against the treacherous elements.

I beg to remain

Cordially and sincerely, yours,

WM. L. CARSS.

NAVY DEPARTMENT,
BUREAU OF NAVIGATION,
Washington, D. C., 29 January, 1920.

MY DEAR MR. CARSS: I am directed by the Secretary of the Navy to acknowledge receipt of your communication, dated 21 January, 1920, relative to the bravery of Capt. John Anderson, in command of submarine chaser *No. 428*, and to inform you that the department will take pleasure in submitting it to the Board of Awards for consideration.

Very truly, yours,

THOS. WASHINGTON,
Rear Admiral, United States Navy,
Chief of Bureau.

The Hon. W. L. CARSS, M. C.,
House of Representatives, Washington, D. C.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. PELL, for the rest of the week, on account of illness in family.

To Mr. DONOVAN, for five days, on account of death in family.

ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 12 minutes p. m.) the House adjourned until Wednesday, February 4, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting request for legislation authorizing the publication of the Daily Shipping Bulletin; to the Committee on Naval Affairs.

2. A letter from the Secretary of the Navy, transmitting report and request for legislation for the relief of the owner of Lock No. 15, Conwall Canal, Ontario, Canada; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. NOLAN, from the Committee on Patents, to which was referred the bill (H. R. 9932) authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes, reported the same with amendments, accompanied by a report (No. 595), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN, from the Committee on Agriculture, to which was referred the bill (H. R. 12272) making appropriations for the expenses of the Department of Agriculture for the fiscal year ending June 30, 1921, reported the same without amendment, accompanied by a report (No. 596), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. IRELAND: A bill (H. R. 12237) authorizing the Secretary of War to donate to the town of Hanna City, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12238) authorizing the Secretary of War to donate to the town of Toluca, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12239) authorizing the Secretary of War to donate to the town of Varna, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12240) authorizing the Secretary of War to donate to the town of Hennepin, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12241) authorizing the Secretary of War to donate to the town of Lafayette, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12242) authorizing the Secretary of War to donate to the town of Deer Creek, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12243) authorizing the Secretary of War to donate to the town of Hopedale, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12244) authorizing the Secretary of War to donate to the town of Mackinaw, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12245) authorizing the Secretary of War to donate to the town of Morton, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12246) authorizing the Secretary of War to donate to the town of Tremont, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12247) authorizing the Secretary of War to donate to the town of Green Valley, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12248) authorizing the Secretary of War to donate to the town of Bureau, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12249) authorizing the Secretary of War to donate to the town of Depue, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12250) authorizing the Secretary of War to donate to the town of Lamoille, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12251) authorizing the Secretary of War to donate to the town of Dunlap, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12252) authorizing the Secretary of War to donate to the town of Elmwood, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12253) authorizing the Secretary of War to donate to the town of Glasford, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12254) authorizing the Secretary of War to donate to the town of Spring Valley, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12255) authorizing the Secretary of War to donate to the town of Walnut, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12256) authorizing the Secretary of War to donate to the town of Tiskilwa, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12257) authorizing the Secretary of War to donate to the town of Sheffield, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12258) authorizing the Secretary of War to donate to the town of Ohio, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12259) authorizing the Secretary of War to donate to the town of New Bedford, Ill., one German cannon or fieldpiece and shells; to the Committee on Military Affairs.

By Mr. HULL of Tennessee: A bill (H. R. 12260) to amend section 600 of an act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes"; to the Committee on Ways and Means.

By Mr. HICKEY: A bill (H. R. 12261) to amend paragraph 10 of section 4 of an act entitled "An act to establish a Bureau of Immigration and Naturalization and to provide a uniform rule for the naturalization of aliens throughout the United States"; to the Committee on Immigration and Naturalization.

By Mr. McPHERSON: A bill (H. R. 12262) to purchase a site for the erection of a post-office building in the city of Cassville, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12263) to purchase a site for the erection of a post-office building in the city of Neosho, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12264) to purchase a site for the erection of a post-office building in the city of Monett, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. GARD: A bill (H. R. 12265) to regulate the employment of minors within the District of Columbia; to the Committee on the District of Columbia.

By Mr. DARROW: A bill (H. R. 12266) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918; to the Committee on Education.

By Mr. ZIHLMAN: A bill (H. R. 12267) to regulate motor-vehicle traffic in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ACKERMAN: A bill (H. R. 12268) to create revenue for defraying, carrying out, contributing toward, or meeting the requirements of any legislation to be presently enacted awarding funds to any enlisted or commissioned man in the United States Army, Navy, or Marine Corps who now has or who hereafter may receive an honorable discharge therefrom; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: A bill (H. R. 12269) to amend the naturalization laws to provide for the Americanization of aliens, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. RAMSEYER: A bill (H. R. 12270) to amend an act entitled "An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes"; to the Committee on Reform in the Civil Service.

By Mr. KAHN: A bill (H. R. 12271) to amend the act entitled "An act for the organization of the militia of the District of Columbia"; to the Committee on Military Affairs.

By Mr. HAUGEN: A bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921; to the Committee of the Whole House on the state of the Union.

By Mr. OVERSTREET: Joint resolution (H. J. Res. 287) to enable the Public Health Service to cooperate with States in the investigation and control of malaria in the United States, and for other purposes; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRITTEN: A bill (H. R. 12273) granting a pension to Eliza Raley Adams; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 12274) granting a pension to William H. Hambleton; to the Committee on Pensions.

By Mr. DENISON: A bill (H. R. 12275) granting a pension to Mary S. Davis; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 12276) for the relief of Frank Emile Parrott; to the Committee on Claims.

Also, a bill (H. R. 12277) for the relief of the estate of Leavitt Grimes; to the Committee on Claims.

Also, a bill (H. R. 12278) for the relief of Lee Martin; to the Committee on Claims.

By Mr. FOCHT: A bill (H. R. 12279) granting an increase of pension to Carrie M. Booher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12280) granting an increase of pension to James Hafer; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 12281) for the relief of the William Gordon Corporation; to the Committee on Claims.

By Mr. HULL of Tennessee: A bill (H. R. 12282) granting a pension to Nancy Haleman; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 12283) granting a pension to David C. Stephens; to the Committee on Pensions.

By Mr. LAYTON: A bill (H. R. 12284) granting an increase of pension to William Johnson; to the Committee on Pensions.

By Mr. McPHERSON: A bill (H. R. 12285) granting a pension to Mary L. Farrar; to the Committee on Invalid Pensions.

By Mr. RANDALL of Wisconsin: A bill (H. R. 12286) granting a pension to Elmina Dutcher; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 12287) granting an increase of pension to W. N. Caldwell; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 12288) granting a pension to William Wilburn; to the Committee on Pensions.

Also, a bill (H. R. 12289) granting a pension to Mack Hickey; to the Committee on Pensions.

Also, a bill (H. R. 12290) granting an increase of pension to Lewis A. Shelton; to the Committee on Pensions.

By Mr. TINKHAM: A bill (H. R. 12291) granting a pension to Maria Theresa Smyth; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 12292) for the relief of Clair J. McFadden; to the Committee on Interstate and Foreign Commerce.

By Mr. VINSON: A bill (H. R. 12293) granting an increase of pension to Clark Brown; to the Committee on Pensions.

By Mr. WOODYARD: A bill (H. R. 12294) granting an increase of pension to Samuel A. Greenlee; to the Committee on Pensions.

By Mr. ZIHLMAN: A bill (H. R. 12295) for the relief of Frank H. Walker and Frank E. Smith; to the Committee on Claims.

Also, a bill (H. R. 12296) granting compensation to Charles K. Remsberg; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1304. By the SPEAKER: Petition of citizens of Clarksburg, W. Va., relative to certain legislation; to the Committee on Foreign Affairs.

1305. Also, petition of the first national convention of the Labor Party assembled in the city of Chicago, relative to certain legislation; to the Committee on the Judiciary.

1306. Also, petition of the Board of County Commissioners of Franklin County, Idaho, relative to certain legislation; to the Committee on Appropriations.

1307. By Mr. FOCHT: Evidence in support of House bill 12143, granting an increase of pension to Samuel P. Burns; to the Committee on Invalid Pensions.

1308. By Mr. FULLER of Illinois: Petition of the Michigan Central Railroad System Federation of Railway Shop Employees, opposing the pending railroad legislation; to the Committee on Interstate and Foreign Commerce.

1309. Also, petition of the United States local inspectors, Steamboat-Inspection Service, of Chicago, Ill., for increase in pay; to the Committee on the Merchant Marine and Fisheries.

1310. Also, petition of the Private Soldiers and Sailors' Legion of the United States, favoring House bill 10373; to the Committee on Military Affairs.

1311. Also, petition of the American Association of State Highway Officials, favoring House bill 9412; to the Committee on Military Affairs.

1312. By Mr. GALLIVAN: Petition of the Roger Casement Branch of Friends of Irish Freedom, of Boston, Mass., relative to certain legislation; to the Committee on Foreign Affairs.

1313. By Mr. GLYNN: Petition of citizens of Cornwall, Goshen, New Hartford, Kent, and New Preston, all in the State of Connecticut, favoring the right of suffrage for the American Indian; to the Committee on Indian Affairs.

1314. By Mr. MORIN: Petition of the Pierce McCan Branch of the Friends of Irish Freedom, of Pittsburgh, Pa., urging that no payment of interest due on foreign loans be deferred and that no financial or commercial assistance be given to any State which is seeking, directly or indirectly, to reduce an alien people to subjection or to hold in subjection a people which is working toward its own liberation; to the Committee on Ways and Means.

1315. By Mr. RAKER: Petition of the Napa (Calif.) Chamber of Commerce, relative to certain legislation; to the Committee on Naval Affairs.

1316. Also, petition of G. H. Hacke, director, Department of Agriculture, relative to certain legislation; to the Committee on Ways and Means.

1317. Also, petition of the Bennett Co., of Forks of Salmon, Calif., relative to certain legislation; to the Committee on Interstate and Foreign Commerce.

1318. Also, petition of R. H. Marchant, of Oakland, Calif., relative to certain legislation; to the Committee on Interstate and Foreign Commerce.

1319. Also, petition of the San Francisco (Calif.) Labor Council, relative to certain legislation; to the Committee on Foreign Affairs.

1320. By Mr. ROUSE: Petition of the Newport Lodge, No. 273, Benevolent and Protective Order of Elks, relative to certain legislation; to the Committee on the Judiciary.

1321. By Mr. SMITH of Idaho: Petition of the John Regan Post, No. 2, American Legion, relative to certain legislation; to the Committee on Irrigation of Arid Lands.

1322. Also, petition of the Rotary Club, Boise, Idaho, relative to certain legislation; to the Committee on the Judiciary.

1323. Also, petition of citizens of Kalamazoo and Calhoun Counties, Mich., relative to certain legislation; to the Committee on Military Affairs.

1324. By Mr. TINKHAM: Petition of the Roger Casement Branch of Friends of Irish Freedom, Boston, Mass., relative to certain legislation; to the Committee on Foreign Affairs.

1325. By Mr. WOODYARD: Petition of the Federation of Farm Bureaus of the State of West Virginia, favoring House bill 10511; to the Committee on Agriculture.

SENATE.

WEDNESDAY, *February 4, 1920.*

Rev. Alfred E. Barrows, D. D., of the city of Washington, offered the following prayer:

Our God and our Father, Thou whose throne is eternal in the heavens, the scepter of whose kingdom is a scepter of righteousness, we beseech the granting and guiding of Thy Holy Spirit in all the councils of this body. We pray that Thou wilt grant wisdom from above, that righteousness and justice and truth shall prevail. We come thanking Thee for guidance in the days that are past and for the blessings that have come upon us as a people and a Nation. We pray that Thou wilt so guide our leaders and strengthen them that in the days to come we shall do Thy will here upon earth more and more, to the glory of Jesus Christ, in whose name we lift up our prayer. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of the legislative day of Monday, February 2, 1920, was dispensed with, and the Journal was approved.

NAVAL STATION, PEARL HARBOR, HAWAII (S. DOC. NO. 210).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Navy of the 28th ultimo submitting a supplemental estimate of appropriation, in the sum of $128,260.60, required by the Navy Department for the Naval Station, Pearl Harbor, Hawaii, etc., which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

ARMY AND NAVY OFFICERS (S. DOC. NO. 194).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 7th ultimo, further information relative to the name, rank, assignment, headquarters, etc., of commissioned officers assigned to duty in other than strictly combatant or line organizations, which, with the accompanying paper, was referred to the Committee on Naval Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11368) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921.

The message also announced that the House had passed a concurrent resolution authorizing the Clerk of the House in the enrollment of the bill H. R. 11368, the Indian appropriation bill, to dispose of the amendment of the Senate numbered 94 to the bill, in manner and form as if the House had receded from its disagreement thereto and had agreed to the same, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 4382. An act to confer on the Court of Claims jurisdiction to determine the respective rights of and differences between the Fort Berthold Indians and the Government of the United States; and

H. R. 9112. An act authorizing the Secretary of War to loan Army rifles to posts of the American Legion.

PETITIONS AND MEMORIALS.

Mr. SMITH of Georgia presented resolutions adopted by the Parent-Teachers' Association, of La Habra, Calif., favoring the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. CURTIS presented a memorial of Clarence Lieurance Post, No. 2, American Legion, of Neosho Falls, Kans., remonstrating against compulsory military training, which was referred to the Committee on Military Affairs.

He also presented resolutions of Eldred Post, No. 174, Grand Army of the Republic, Department of Kansas, of Medicine Lodge; of Graham Post, No. 92, Grand Army of the Republic, Department of Kansas, of Seneca; of Beloit Post, No. 147, Grand Army of the Republic, Department of Kansas, of Beloit; of Lebanon Post, No. 240, Grand Army of the Republic, Department of Kansas, of Lebanon; and of McCaslin Post, No. 117, Grand Army of the Republic, Department of Kansas, of Paola, all in the State of Kansas, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

Mr. HALE presented a petition of Roosevelt Post, No. 67, American Legion, of Bridgton, Me., praying for the passage of the so-called Davey sedition bill, which was referred to the Committee on the Judiciary.

Mr. CAPPER presented a petition of McCaslin Post, No. 117, Grand Army of the Republic, Department of Kansas, of Paola, Kans., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented a petition of Hays Local Lodge, No. 1223, Farmers' Educational and Cooperative Union, of Windom, Kans., praying for the passage of the so-called Capper-Hersman bill providing for collective bargaining, which was referred to the Committee on the Judiciary.

CRATER LAKE NATIONAL PARK, OREG.

Mr. MCNARY, from the Committee on Public Lands, to which was referred the bill (S. 2797) to add certain lands to the Crater Lake National Park, Oreg., reported it without amendment and submitted a report (No. 413) thereon.

PRINTING OF NATIONAL BANKING ACT.

Mr. NEW. For the Senator from New Hampshire [Mr. MOSES] I report back favorably from the Committee on Printing Senate concurrent resolution No. 10, and I ask unanimous consent for its adoption.

The concurrent resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 1,500 copies of the national banking act as amended to date for the use of the Senate and to be distributed through the Senate document room.

ADDRESS BY HON. JOHN A. M'MAHON.

Mr. NEW (for Mr. MOSES), from the Committee on Printing, reported the following resolution (S. Res. 293), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript, "Government by Injunction," presented by the Senator from Ohio [Mr. POMERENE] be printed in the CONGRESSIONAL RECORD.

The matter referred to is as follows:

[From the Dayton Daily News, Saturday, Jan. 24, 1920.]

HON. JOHN A. MCMAHON DISCUSSES RIGHT TO STRIKE—DEAN OF BAR TALKS UPON INJUNCTIONS—POINTS OF VITAL INTEREST TO BOTH LABOR AND CAPITAL BROUGHT OUT IN WELCOMING ADDRESS BEFORE OHIO STATE BAR ASSOCIATION.

"I have been chosen, as the senior member of the Dayton bar, to welcome you to our city. It is a high honor. I doubt my physical capacity to be equal to the occasion. As to the mental outfit, you must be the judge. It is not for me to depreciate myself. I can only say, in the cryptic language of an ancient Dayton lawyer, in delivering a Fourth of July address many years ago: 'It meaneth not my adequacy to be satisfactory.' You who are skilled in the interpretation of wills, contracts, and statutes must decipher this for yourselves. The job may be equal to an interpretation of the League of Nations. Do not be alarmed, my brethren. This is not the subject of my address. We have invited you here as our guests, and do not wish to disperse you on the first day. Our young men think they have much to show you, and to learn much from the meeting with so many able and experienced men of the profession, to say nothing of the pleasure of association with so many congenial and delightful companions, as nearly all lawyers are—or at least were before prohibition stalked into our midst. Whether our constitutions will change with the other constitutions, who can say? At any rate, until the stocks on hand are depleted and the bootlegger is finally suppressed we are not entirely bereft. For the present we are living under the headway of the past, and we defy the enemy. As to the future, we can join with the illustrious Micawber in 'waiting for something to turn up.'

"In the meantime the members of the committee, as well as the members of the bar generally, will do their best in dispensing Dayton hospitality in accordance with the precedents heretofore established. And in their behalf, and on behalf of the citizens of Dayton, we welcome you with the greatest cordiality, wishing you as much pleasure in your visit as you have conferred pleasure and honor by coming to see us.

"The city is yours for the time being. Do not fear to avail yourself of its privileges. The judges of all the criminal courts, the whole staff of the office of the prosecuting attorney and of the office of the city solicitor are with us in this greeting, and to make assurance doubly sure the judges who preside in the courts of last resort will be particeps criminis and unfitted to judge you harshly. We can not guarantee you against one powerful member of society, however. You must take your chances with the rest of us with the autocrat of the automobile. When you get to the street crossing our warranty of safety expires. Keep your eyes on the traffic policeman, say a short prayer, think of the dear ones at home, cast your eyes both ways for a car, especially in the direction the car is coming, and start across with hope if not with confidence. If anything untoward happens, the worthy coroner will give you a verdict; those of us who are left will commemorate your memory in resolutions that would surprise you in the next world if, as Sir Oliver Lodge says, there is communication between the spirits of the seen and the unseen world. We can not say that you died upon the glorious battle field of Cantigny, Chateau-Thierry, or the deadly Argonne, but we will come as near to it as a decent regard for truth will permit. One other danger we can assure you against. Although you are all 'intellectual,' no Lenin or bloody Trotski will bar your way.

"All jesting aside, my brethren, this is a memorable occasion, and I hope it will be a memorable meeting. The profession we represent is one of immense importance. While the most of us are engaged in no greater work than the settlement or trial of disputes between neighbors or business men about contracts, wills, personal injuries, patent claims, etc., this individual work is the necessary part of the great system whereby the fabric of government is made stable. In the great variety of business which grows up in a civilized community, society is divided into innumerable specialized occupations. Some are farmers, merchants, manufacturers, machinists, doctors, ministers, railroaders, bakers, teachers, druggists, day laborers, clerks, lawyers, bookkeepers, etc. Most of them are productive occupations; some, especially the professional ones, are nonproductive but equally as essential to society as the others. All are necessary to a civilized community. Each one fills a niche, and when he performs his duty, obeying its laws and fulfilling his duties as a citizen, such person is an honorable member of his State or city, no matter how humble his occupation or how moderate his income.

"Lawyers can boast that our profession leads us into broader paths than almost any other occupation. In settling the controversies that arise in our communities we are the ministers of justice and assist in the preservation of the peace. In the handling of these disputes we must frequently familiarize ourselves with the details of the business in which they arise. In a city of the size of Dayton, or even smaller, a lawyer may become for the time being a doctor, a surgeon, a minister of the gospel, a chemist, a bookkeeper, a skilled mechanic in any trade in order to understand his case and its technical testimony, and to cope with the vagaries of those who are called as experts in the business. We have one additional cause for pride. Many of us are called into positions of honor, where an accurate knowledge of law is essential. We are all born members of the legislatures or of Congress, and might all be there, if there was room enough! The broader questions of city, State, national, international government are ours to settle, when law is involved, and while the positions are few compared to the large number of lawyers, the road to the highest position is broad and open to us all. Neither birth, nor wealth, nor other European qualification is necessary. Industry, integrity, perseverance, and brains are the only essentials.

"We have a right to be proud of our profession and of its history and the record of its members. They have stood in the forefront when liberty was concerned. I do not need to allude to the pages of English history. The American Revolution is sufficient object lesson. In the military annals of that period what names more striking than Hamilton, Marshall? And when the war was won who took the leading part in the framing and adoption of the great charter of our liberties, the Constitution, by which the States were bound together by solemn agreement? The story has been so often told to us in childhood and manhood as to need no repetition before so learned an assembly.

LOOKING TOWARD THE FUTURE.

"In these times the future is more important than the past. Our forefathers fought for and achieved liberty. They established perpetual peace by the league of States, or a union of the people of the States, if you prefer the language. It is our duty to preserve the Union by preserving the Constitution, which is its sole tie. It is the agreement under which we came together. If we abandon the agreement, a condition of Balkanism would arise far exceeding in disastrous results the European imbroglio. It would install war instead of peace, anarchy in place of government, and barbarism, finally, instead of civilization.

"The war has disturbed and prostrated Europe and Asia. Its results have not been fortunate for us. We are confronted with all sorts of problems, chief among which is the high cost of living, the antics of a few thousand wild-eyed foreigners. The audience need not be alarmed. I will not discuss any of these. As a distinguished governor of Ohio once said, in real gubernatorial language, when he was seeking to quiet the inmates of a hotel, when a midnight fire was in progress near by, 'Do not be alarmed, ladies, the fire is not here; it is elsewhere!' So with my discussion. It is 'elsewhere.' Among other internal troubles we have had strikes of every kind, in every place, and for all sorts of reasons. I am not about to discuss them. But they lead up to a situation in our affairs which concern us most intimately as lawyers or judges or persons connected with government and as lovers of our form of government.

LABOR'S PLATFORM.

"Pending one of the great strikes in which the miners believed themselves justified in freezing the innocent bystanders all over the United States in order to compel a few employers to comply with their demands—about the justice of which I, in common

with many others, am unable to give an opinion—President Gompers called together at Washington a formidable meeting of the representatives of 119 national and international unions, said to represent 4,000,000 workers tied up with the American Federation of Labor. The purpose of the meeting was to formulate a platform of principles and to lay down the law to Congress, the administration, and all other evil-minded persons.

"There is much in this platform to which no exception can be taken. Much of it is mere platform stuff intended for the groundlings, but there are some propositions that should be fully considered and discussed by lawyers, as they concern us specially.

"I quote from the reported platform as follows:

"Powerful forces are seeking more and more aggressively to deny to wage earners their right to cease work. We denounce these efforts as vicious and destructive of the most precious liberties of our people. The right to cease work—strike—as a final means of enforcing justice from an autocratic control of industry must be maintained.

"We realize fully all that is involved in the exercise of the right to strike, but only by the exercise of that right can industrial autocrats be compelled to abandon their concept of tyranny and give way to the establishment of freedom and justice in industry.

"Government by injunction has grown out of the perversion of the injunction process. By the misuse of that process workers have been forbidden to do those things which they have a natural and constitutional right to do.

"The injunction as now used is a revolutionary measure which substitutes government by judicial discretion or bias for government by law. It substitutes a trial by one man, a judge, in his discretion, for a trial by jury. This abuse of the injunctive process undermines and destroys the very foundations of our free institutions. It is subversive of the spirit of a free people working out their destiny in an orderly and rational manner.

"We urge that the judges of our Federal courts shall be elected by the people for terms not exceeding six years.

"We assert that there can not be found in the Constitution of the United States or in the discussions of the Congress which drafted the Constitution any authority for the Federal courts of our country to declare unconstitutional any act passed by Congress. We call upon the people of our country to demand that the Congress of the United States shall take action for the purpose of preventing the Federal courts from continuing the usurpation of such authority.

"Here is a carefully prepared platform, the work of some lawyer, which not only concerns us as members of the profession but every citizen who loves his country and believes that its prosperity depends upon the enactment of good laws, their observance, and the preservation of order, through the power of the courts, as the proper authority to determine what are the rights of men or associations of men, when controversies arise between them, especially when the numbers are great and threaten the peace of society.

"The Federation of Labor is manifestly within its rights in announcing its platform. It does not advocate force to overthrow the Constitution. And as it denounced the methods of the I. W. W. and the Bolsheviki, it has a right to urge the adoption of its ideas as stated in its platform by the methods and in the manner provided in the Constitution. And the members of the unions are entitled to proper consideration of their views. It has been too much the habit to denounce the ideas of persons with whom we disagree or whose views are inimical to our interests. It is our duty as lawyers to take up these subjects in our counties when they arise, and to give to the people, and especially to members of the unions, the proper argument to show them the fallacy of their theories or the falsity of the facts upon which some of them are founded if we do not agree with them.

THE RIGHT TO CEASE WORK.

"I approach this argument with this feeling: The great multitude of our people have little acquaintance with the situation and are open to conviction. And our profession puts us under obligation to furnish them the information upon which they must act, for this has been our life study.

"I have said that this part of the platform was prepared, in my judgment, by a lawyer. It is as remarkable for what it does not say as for what it claims. For example, under the title 'The right to strike' we find the words used to describe this right as follows: 'The right to cease work, strike, as a final means of enforcing justice from an autocratic control of industry.' Here the official definition of the word 'strike' is 'the right to cease work.'

"If that is the whole meaning of the word 'strike,' we shall have little quarrel, except in the case of policemen, firemen, railroad men in a body, and other public employees who owe a duty to the public and whose services are essential to the public life or safety. As to them, even no one will doubt the individual right to resign—that is, to 'cease work'—when they find better employment. But to become affiliated with another powerful organization and subject to its orders, assuming inconsistent obligations, and pursuant thereto to resign in a body and abandon the great city of Boston to the thugs of their own and other neighboring cities was an unspeakable offense deserving of the punishment it received and the public condemnation of the demagogues who abetted them in the election of Gov. Coolidge, notwithstanding the efforts of trimming politicians to prevent it.

"Outside of the claim made that public officials should not be permitted to connect up their own local organizations with the American Federation and subject to their orders, there is no recorded case where workingmen have been compelled to return to work by the order of any court, even where the unions were bound up by contracts in writing which had not expired. There is no law that compels a man to work when he chooses to cease work. Of course a general coal or railroad strike intended to freeze or starve the general public presents a special question. Every government is entitled to preserve itself or its people when the conditions arise that necessarily follow a general concerted and simultaneous quitting of work, especially when it is in possession of the war powers still existing.

"Evidently the shrewd lawyer who drew the platform appreciated the difficulties of his job. We all know that in common parlance and practice the word 'strike' means much more than 'ceasing work,' and it is this part of the practice that has been enjoined by the courts. We know, as a matter of fact, that when a general strike is called at any factory or other place of work it is not long before pickets, sometimes in large numbers, are thrown out to cover every approach by new hands. Persuasion, intimidation, and violence are often used to prevent anyone from going to work. The police are called in. Finally the troops.

THE RIGHT TO PICKET.

"Does the right to strike extend to the right to picket and the persuasion of new workers not to enter the factory? If so, how many pickets? Or does it extend further, to intimidation of either the employer or of his new workers? Or may the men who have 'ceased to work' finally resort to violence at the factory or in the streets or in the alleys at night or maiming those who may be willing or anxious to work in the deserted factory, or who are so engaged?

"When strikes take place and intimidation or violence actually result, who shall be the judges as to how far the rights of the parties extend? The two contending parties have no tribunal to appeal to except the established courts of the country, the judges thereof being most generally men of learning in the law and of unimpeachable integrity, whose independence, if at all qualified, leans more to the man who labors than to his employer. When the court finds that the worker has exceeded his right to strike by resorting to intimidation or persuasion amounting to intimidation or violence or other exceptional means, it issues an injunction to prevent the invasion of the other man's rights, and he is punished for contempt if he disobeys.

"Here I again recur to the platform, particularly to that part which proposes to abolish injunctions in such cases. Here facts are falsified, or at least so colored as to amount to a fraud upon the honest union man who has not contrary knowledge. The platform avers that by the misuse of the injunction 'workers have been forbidden to do those things which they have a natural and constitutional right to do.' It may happen in isolated cases that judges may have erred or been extreme from want of knowledge or from the circumstances surrounding the case. But I deny that any respectable court, especially of the last resort, 'has forbidden workers to do things which they had the natural or constitutional right to do.' The astute lawyer who drew these declarations was too keen to specify the things which judges had so ruled. Specification was dangerous. He knew the rulings of the courts are all a matter of record and that if the things complained of were wrong he had only to cite the case and the facts to let us know what right had been denied the worker and when and where. The Supreme Court of the United States has made a record upon these questions, and nearly every State supreme court as well, and to one who has knowledge of what has been decided this part of the platform is a combination of deceit and falsehood, worked up in fustian style to deceive the worker by the use of clap-trap language, viz, 'government by injunction,' stating untruly that injunction as now used is a revolutionary measure, which substitutes government by judicial discretion or bias for government by law. I affirm the contrary. It enforces only those rights which exist in law and prevents the overthrow of law and order by forbidding the invasion of the rights of others by force or intimidation. It is an ancient, familiar remedy, and properly applied when the situation calling for and justifying it occurs.

"Let us examine the familiar uses to which the writ of injunction is put—the great bulwark provided by the law from ancient times to prevent the oppression of the weak by the strong. And pausing there, let me quote the first section of the bill of rights of the constitution of Ohio, being article 1:

"SECTION 1. All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying life and liberty, acquiring, possessing, and protecting property, and seeking and obtaining happiness and safety.

"This is to a certain extent duplicated in the thirteenth, fourteenth, and fifteenth amendments to the United States Constitution.

GOVERNMENT BY INJUNCTION.

"A more comprehensive statement of the foundations upon which a republic is based can not be found anywhere. It is not a preamble. It is a declaration of rights—innate, inalienable. I see in it no distinction of classes. Based upon this declaration, which has been in our constitution practically since it became a State, and other provisions of that instrument, courts of equity have habitually granted injunctions in the greatest variety of cases. For the benefit of the person unlearned in the law I state a few. The bar is well informed on this subject.

"If there is a line dispute between two farmers or lot owners in a city and the man of force undertakes to throw down the fence, the man of peace is accorded an injunction to prevent the removal until the court finds out who is right. So if one owner builds a dam and floods his neighbor's farm, or diverts a spring or a stream of water necessary for his cattle and household purposes, or shuts up a right of way to the public road, or digs a ditch which throws the water into unusual channels the court interferes. So if a man steals your patent, is guilty of unfair competition, counterfeits your trade-marks, or endeavors to persuade your valuable clerks who are under contract or your inventors who have secrets and confidential information, the court of equity steps in with an injunction. If you sell a lot with building restrictions, equity compels the purchaser to observe them by forbidding him to violate his contract. If a nuisance is about to be erected in your neighborhood, you can depend upon the court to give you protection. If an improper tax or assessment is levied upon property, you can enjoin the collection until its propriety is tried. If the city council passes an illegal ordinance under which your rights are invaded, you can enjoin action until its validity is passed upon. If you own a piece of property and some one is claiming an adverse interest, you can enjoin him from asserting it, as it damages your title, and a trial is had. And the courts have gone so far as to protect the divorced wife of a scalawag who haunts the house and the neighborhood and makes her life miserable by his conduct.

"This array of instances in which the court acts is formidable. But it is not complete. The area of jurisdiction is as wide as that of human rights invaded by unscrupulous men. Are all these remedial measures to be abolished because they are 'government by injunction'? In all the above cases the judge alone tries the case, finds the facts, and makes the order; if he is not obeyed, he cites the party for contempt and may or may not try the question himself. The court compels the wrongdoer to desist from his work because he is invading the rights or property of his fellow man. All this is 'government by injunction,' viz, compelling a man to do his duty to his neighbor. Can any laboring man point out the difference between all these cases and the cases in which injunctions have been issued in strike cases? Can any lawyer put us wise? I think not. I do not so much blame the member of the union who trusts in his leaders and their legal advisers; but I do blame the leaders who are endeavoring to make them believe that they are the victims of usurping courts, who ignore their rights and trample them down when there is no proof and none can be produced. I have a firm belief that a large portion of the union men do not understand the situations. I speak to you, and through you to them, as I do now. These men are among the most intelligent of our laboring class. In legal matters they are not learned; they need our help, not our abuse. And we owe to them all the help in our power to come to a just decision. It is not enough in a republic to say that such is the law and condemn everyone who does not obey. A further duty we owe to the public, viz, to prevent it from falling into disrepute by false charges of favoritism, oppression, usurpation, etc., unchallenged and undenied. We want not only a law-abiding community, we want a contented community. And it is a good sign of the times that many employers are adopting methods in their relation to their employees that may bring about such a result. Perfect peace is not possible; but let us have all we can.

"Now, I base my hope of good results from education and publicity upon what I know after long experience of efforts to throw the labor-union question into politics. It has rarely been successful. I have one very striking instance in my mind. The Ohio constitutional convention of 1912 was practically in the hands of labor. Many amendments were proposed to our constitution, and under the belief that change means progress many of them were adopted by the people, some valuable. The subject we are now discussing was under consideration, and the convention adopted the following, being section 21 of article 4:

"SEC. 21. Laws may be passed prescribing rules and regulations for the conduct of cases and business in the courts of the State, regulating proceedings in contempt, and limiting the power to punish for contempt. No order of injunction shall issue in any controversy involving the employment of labor except to preserve physical property from injury or destruction; and all persons charged in contempt proceedings with the violation of an injunction issued in such controversies shall upon demand be granted a trial by jury as in criminal cases.

"It was voted on by the people in September, 1912, as a section by itself. This was labor's pet proposal.

"Now look at the result. The people voted it down by a majority of 16,406. Cuyahoga County voted 'yes' by about 30,000, Hamilton 'yes' by 20,000, Lucas 'yes' by 8,000, and Franklin by 1,700.

"Contrast the vote in the great manufacturing centers in the Miami Valley. In the counties of Montgomery, Clark, Miami, Greene, Shelby, Preble, Warren, Butler, and Darke the majority against the amendment was 11,500, only two counties voting 'yes,' one by 100 votes, the other by 240.

"This result shows what discussion will do. A vigorous campaign of instruction brought it about. Labor could not rally its members in a body in support of its platform. The question is settled in Ohio.

ELECTIVE JUDICIARY.

"Two more points remain to be considered. The union leaders demand that the Federal judges shall be elected by the people and for terms of six years only.

"Whatever may be said for or against an elective judiciary in counties, districts, or States, one can not help believing that an elective Federal judiciary would be the downfall of the whole system. Our forefathers discussed these matters most fully, and it was concluded that in a combination of independent States a thoroughly independent and separate judicial system was essential to its success. Let us imagine what would result if labor's plan was adopted. First, we should have primary elections over the whole United States, involving the candidates in a campaign to become known. Then we should have a campaign of election. Every conceivable political trick would be put in use by friends or advocates of the candidates. There would be combinations of States, candidates, or of special interests, politicians, etc. Money would be contributed by the friends of the candidates having schemes to promote or ends to subserve, and the bench would become the roosting place of rich lawyers, or lawyers having rich friends, or backed by interests or classes, and they would in all probability reach the bench, leaving behind them their independence at least, the chief jewel in the crown of the judge. But I do not fear that labor will ever achieve its point. It is not to its interest that it should. The Constitution provides expressly that all Federal judges shall be retained during good behavior, and an amendment would be necessary to change it. And when change is attempted there will be ample time for discussion.

"One more demand is to be considered. It is that Congress shall take action to prevent the Federal courts from declaring an act of Congress unconstitutional. Such action by the courts is declared to be 'usurpation.'

"Why the Federation of Labor did not also denounce similar actions by State courts as to acts of the State legislature and as to acts of Congress one can not conceive. All State supreme courts exercise now the power to declare State laws or Federal laws unconstitutional; and they exercise the power as inherent in the court without express grant, as a necessary result of our system of government. And why did it not denounce the exercise by Federal courts of the power to declare laws passed by the States unconstitutional, if these laws violated the Constitution of the United States—a power exercised every day?

BAD LOGIC.

"The facts and logic of the platform are bad. In early English days before the revolution it was held by able English judges, Coke, Hobart, Holt, and others, that an act of Parliament contrary to Magna Charta, common right, or justice was void. The revolution was largely based upon this denial of unlimited parliamentary authority. It was called a 'lawyers revolution.' John Adams said:

"The stamp act, I take it, is utterly void, and of no binding force upon us, for it is against our rights as men and our privileges as Englishmen.

"As there was no court or tribunal to which our forefathers could successfully appeal, nothing was left but a resort to arms.

"In the Articles of Confederation first adopted between the States, which was nothing more than a league, express power was granted to Congress to provide for the settlement of disputes, and a method was adopted which was not satisfactory.

"When the convention was in session when our present Constitution was adopted, the question we are now discussing was under consideration. I quote from the third report of a committee of able lawyers, five in number, made in January, 1917, to the New York State Bar Association:

"Judicial review is a world-wide practice in federations. Judicial review of the validity of laws is as much a world-wide practice in federations as in the ratio at which gold and silver should be coined. Its only rival in federations is the German system of a Federal council (State government appointed without the voters of either the States or the Empire having any voice in the matter) which, when in accord with the Kaiser, had plenary or dictational powers. Madison, Washington, and Hamilton, with the support of the Virginia school, tried their best to incorporate a Federal council or council of revision into our Federal Constitution, but they were defeated by Massachusetts and the more democratic States. Then the fathers resorted to judicial review."

(Citing Hamilton, Jefferson, Madison, and Farrand's records of the Federal convention.)

"In a previous report by this same committee, made in November, 1915, most exhaustive in its character, it proposed the following resolution which was adopted by the State Bar Association of New York on January 15, 1916:

"*Resolved*, That any contention that the Supreme Court of the United States in enforcing the Federal Constitution has usurped the power to pass upon the constitutionality of the legislation enacted by Congress is contrary to both the letter and spirit of the Federal Constitution is unwarranted by the history of the United States, and by the history of federations possessing a written fundamental law, but without any Federal council with plenary powers to determine conflicts between the fundamental law and ordinary statutes, and it is also contrary to the spirit of our Federal democratic Republic with 49 legislative units (one federation and 48 States).

"*Resolved*, That the theory of our Government, State and National, is opposed to the deposit of unlimited power anywhere.

"In the citation of European and other States having a similar system to ours a significant instance is referred to by the committee.

"In Australia, the great labor Commonwealth, it was proposed to amend the constitution by providing that Parliament should have absolute and plenary power to make laws with regard to labor and employment, including the wages and conditions of labor, and employment in any trade, industry, and calling. This was voted down by the people on a referendum April 16, 1911.

"In Ohio none of our constitutions conferred power upon the judiciary to declare laws unconstitutional. The courts have exercised the power since the State was formed. It is an inherent power. Our last constitutional convention provided a limitation upon the number of judges who should join in the opinion, thus recognizing the power as existing.

"It is surprising that any question should ever have been made by lawyers on this point. Of course, we expect nothing from politicians or agitators. As to lawyers, we must, however, remember that we are not all cast in the same mental mold. A small number comparatively of good men and able men have gone wrong upon this proposition as most of us see it; but their mental operations are different from ours, their point of view is different, and their natural sympathies may overbalance their logical gifts.

"What is the power to declare a law unconstitutional? It is not an academic question, which can be decided, unless a case arises between individuals involving rights.

"As an example: A sues B. B answers and puts up his defense. A claims to be acting under a statute. B says that the statute is not good; that he is living under a government with a written Constitution and the statute is contrary to his rights as secured by the Constitution. This right might be to vote, to be a free man, to own his own property, to belong to a religion, to exercise the right of free speech. Let me give you a more striking illustration. The platform denounces the Cummins railroad bill and all similar legislation as 'making slaves of the workers and establishing involuntary servitude.' This is mere bombast. But if true, the workers may need the thirteenth amendment to the Constitution to save them. It prohibits 'involuntary servitude,' and the law could be declared unconstitutional by the Supreme Court, and would be if the claim was anything more than mere rhetoric.

"To return to our case. The judge has the case to decide. The right of A under the statute is clear if the statute is good. But the right of B under the Constitution is equally clear. Must the statute prevail over the Constitution or must the court give effect to the agreement contained in the Constitution? The case must be decided. It must be remembered that no one can attack a law unless it interferes with his rights under the Constitution. Courts interpret wills, contracts, statutes, and all other instruments. Why not the Constitution? If on interpretation of the Constitution its clauses conflict with the statute, why shall the mere act of a legislature, passed probably in haste and frequently in ignorance, overcome the solemn agreement between the people under which they have agreed to be governed?

"To you lawyers and judges this talk may seem prolix and foolish and unnecessary. If only lawyers are to decide the issues, the agreement is silly. This question has been before the people since the birth of the Union. The great law chieftain, John Marshall, started the ball in the early decision in Marbury *v.* Madison, upsetting an unimportant Federal law. The various States having passed laws in derogation of the Federal Constitution on appeal to his court, these laws were set aside. The powers of the Supreme Court became the football of politics for years, judges of the district court were impeached, and the battle between the Federalists and Republicans was on for a long time. At one stage of the campaign John Marshall was burned in effigy in the streets of Baltimore. But when nullification came on in 1830 the people discovered in the discussion that some tribunal was necessary in a government acting under a written constitution, and the people settled down. There has been no important disturbance until now. Those who are endeavoring to revive the questions must remember that the practice and the decision of courts in a country like ours, for the period of over 120 years, can not be denounced or overturned merely for the establishment of class legislation.

"Roosevelt said in 1911 that the right of the court would seem to be self-evident, that Marshall's decision made him a great leader and was necessary to make the Constitution march.

"Notice has been given that every candidate for Congress or other office will be stood up in the corner and quizzed as to his views about the platform. Politics are to be ignored, and only those who fall down before the idol are to be supported. We can imagine the feelings of the unfortunate man. For once the politician will be brought to time. Of course, it follows that if political affiliations are all to be thrown down, we can all vote as we please.

"This address has gone far beyond what I contemplated. But it is my contribution, small as it is, to information upon subjects of vast importance to the public.

"You who wish to inform yourselves more fully should possess yourselves of a book of great value, which has surprised me by the learning and exhaustive research shown by the various authors whose articles or speeches are reported. I refer to a book entitled 'Judicial Settlement of International Disputes,' containing the proceedings of the American Society for their settlement for the year 1916, published by Williams & Wilkins Co., of Baltimore. In the appendix to this volume will be found the voluminous and scholarly reports of the committee of lawyers to the New York State Bar Association, chiefly upon the subjects we have been discussing. It is a most complete compendium of the law and practice of the whole civilized world upon the powers we have been considering. No lawyer should be without it.

"The great tribunal of our country—to my mind the greatest in the history of the world—is threatened by dreamers, agitators, and timid politicians. It is the foundation of our Government. This court has settled by judicial decision disputes among the States of our Union in over 70 cases, many of which would have led to war but for the dignified tribunal established by law to finally decide such questions. Shall it have no power to preserve constitutional rights? Let us preserve the independence, the learning, the integrity, and the impartiality of that court as the corner stone of our Republic. Upon us lawyers rests the great duty. And it should be our great pleasure as well to step into the breach, to inform our fellow citizens, and in the true spirit of the educator to scatter broadcast the knowledge that will enable our people to do what is right, no matter what is his occupation, his interest, or his association.

"A few words more. In a few days I will be 87 years of age—a long life during a most eventful period. I have seen all our railroads built, our telegraphs and telephones, the aeroplane and the submarine invented, and electricity made as obedient as the horse. I have seen the country grow to 110,000,000 of free and prosperous people.

"I have seen the War with Mexico, the Civil War, the War with Spain, and the terrible war just ended in which 2,000,000 American boys convinced Germany that her end had come. I have seen the President of the United States liberate, by the stroke of his pen, 4,000,000 of negro men, real slaves, and the whole race, free and slave, elevated to a political equality with the white. I have seen our President, speaking from the pinnacle of his high office, to the downtrodden people of the world, flooding it with more freedom than it could stand, but seeding all Europe with republics as plentiful as languages. I have seen women enfranchised in most of the civilized countries of the world, and an American-born woman elected and seated in the British House of Commons. And when I look over our country and behold it leading the world in the cultivation of the earth, the output of the factory, the number and value of its inven-

tions, the size and number of its banks, insurance and trust companies, the extraordinary bulk of deposits by the laboring classes, the comfort in their homes, and the improvement in their wages and general prosperity, I wonder if this is the same country that the American Federation of Labor refers to in its platform. And who built or control all these great businesses, railroads, banks, factories, stores, and enterprises that have put America to the front? Are they dukes, princes, earls, counts, or barons, or their sons, or the son of the rich man? By no means!

"Nine out of ten are the boys from the farm, only half educated, or from the factory with hardly a high-school education. They came from the so-called enslaved class.

"America is good enough for me or for anyone else, although she is not perfect. But I take no stock in such Americans as foul their own nest, revile their Government and its officers, especially the honorable judges of our courts, because of temporary evils, the necessary result of a great and wasting war."

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHERMAN:

A bill (S. 3849) to amend an act entitled "An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918; to the Committee on Education and Labor.

A bill (S. 3850) providing for the adoption of a municipal flag and floral emblem for the Government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. JONES of Washington:

A bill (S. 3851) to prohibit the payment of gratuities to the masters of vessels, or other persons, for the purpose of inducing or securing contracts for repairing vessels or furnishing vessels with supplies or other necessaries; to the Committee on Commerce.

By Mr. CURTIS:

A bill (S. 3852) for the relief of the Garden City (Kans.) Water Users' Association, and for other purposes (with accompanying papers); to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. HALE:

A bill (S. 3853) granting a pension to Alphonso Penley (with accompanying papers); to the Committee on Pensions.

By Mr. UNDERWOOD:

A bill (S. 3854) granting a pension to Hallie N. Day; to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 3855) for the relief of Mamie Millender; and

A bill (S. 3856) for the relief of Francis L. Flanders; to the Committee on Claims.

A bill (S. 3857) granting a pension to Oliver H. P. Harvey; and

A bill (S. 3858) granting an increase of pension to William H. Howell; to the Committee on Pensions.

By Mr. ELKINS:

A bill (S. 3859) granting an increase of pension to James T. Piggott; to the Committee on Pensions.

By Mr. CUMMINS:

A bill (S. 3860) for the relief of James Kernan (with accompanying papers); to the Committee on Military Affairs;

A bill (S. 3861) granting a pension to Alois Menzel (with accompanying papers); and

A bill (S. 3862) granting a pension to James McManus (with accompanying papers); to the Committee on Pensions.

By Mr. BECKHAM:

A bill (S. 3863) granting a pension to Martha E. Hawes (with accompanying papers); to the Committee on Pensions.

By Mr. KING:

A bill (S. 3864) to amend the naturalization laws, to provide for the Americanization of aliens, and for other purposes; to the Committee on Immigration.

AMENDMENT TO RIVER AND HARBOR APPROPRIATION BILL.

Mr. BECKHAM submitted an amendment relative to the improvement of the South Fork of the Kentucky River, Ky., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

FOREIGN LOANS.

Mr. SMITH of Georgia. I send to the desk a Senate resolution, which I desire to have read.

The VICE PRESIDENT. It will be read.

The resolution (S. Res. 291) was read, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested to furnish to the Senate the information hereinafter named, concerning cash advances to foreign Governments under the acts of April 24, 1917; September 24, 1917; April 8, 1918, and July 9, 1918.

First. An itemized statement showing the interest paid by each.

Second. An itemized statement showing the interest due by each.

Third. An itemized statement showing the interest which will be due for the fiscal year 1920, by each.

Fourth. The rate of interest agreed to be paid by each.

Fifth. A description of the obligations, and copies of same, given by each for such cash advances.

Mr. SMITH of Georgia. Under the rule the resolution may go over until to-morrow. I see no reason why I should ask for its immediate consideration now, although I think there will be no objection to it.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

PORTRAIT OF ABRAHAM LINCOLN.

Mr. SHERMAN submitted the following resolution (S. Res. 292), which was referred to the Committee on the Library:

Resolved, That the Committee on the Library of the Senate is hereby authorized and directed to engage an artist of reputation and ability to paint an oil portrait of the late Abraham Lincoln, former President of the United States, and to place the same in the Senate wing of the Capitol Building, at a cost not to exceed $2,000, which sum shall be paid out of the contingent fund of the Senate.

RANK OF ARMY OFFICERS.

Mr. HARRISON. I submit a resolution and ask that it lie on the table for the present. I give notice that I shall call it up at a later day for the purpose of submitting a few remarks thereon.

The resolution (S. Res. 294) was ordered to lie on the table and to be printed, as follows:

Resolved, That the Secretary of War be, and he is hereby, directed to furnish to the Senate a statement giving specifically—

1. The policy of the General Staff of the War Department with respect to the demotion of officers of the Regular Army.

2. The date of the adoption of such policy and what steps, if any, are provided hereunder, so that the officers of the Regular Army may be restored to their permanent grade in an orderly and equitable way.

3. The names of all officers of the Regular Army who have been demoted, with a statement of their grade at the time of their demotion, the grade to which they have been demoted, the duties performed by them at the time they held their higher temporary grade, and the duties they are now performing.

4. The names of all officers of the Regular Army still holding advanced rank, the duties now being performed by them, and the reasons why the advanced rank is necessary or appropriate to such duty.

5. The policy of the War Department in regard to section 8 of the selective-draft act, approved May 18, 1917.

6. If any specific ruling as to the effect of section 8 of the selective-draft act has been made to the War Department by the Judge Advocate General, whether said section was intended to preserve a lineal or relative standing of officers of the Regular Army, and if any such opinion has been given to the Secretary of War by the Judge Advocate General to furnish it to the Senate.

INTERNATIONAL MONETARY EXCHANGE COMMISSION.

Mr. THOMAS. Mr. President, on the 23d of last May I introduced Senate joint resolution 19, for the appointment of a commission consisting of seven members, to be known as the International Monetary Exchange Commission. That resolution is a reproduction of what was known in 1897 as the Wolcott resolution, which was then adopted, and under the terms of which an international monetary conference was appointed for the purpose of establishing an international parity between the two metals, gold and silver. That commission failed because of the objection of the Government of India to the proposition at the time.

The question of exchange has become the acute financial question of the hour, and the present conditions of exchange the world over are so extremely sinister as to threaten the supremacy or possibly the existence of our present export trade. I therefore give notice that on next Tuesday, at the close of the regular routine business of the Senate, I shall address myself to the resolution to which I have referred.

AMENDMENT OF FEDERAL FARM LOAN ACT.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9065) to amend sections 3, 8, 10, 12, 20, and 21 of the act approved July 17, 1916, known as the Federal farm loan act, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McLEAN. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. McLEAN, Mr. GRONNA, and Mr. OWEN conferees on the part of the Senate.

FORT DOUGLAS MILITARY RESERVATION.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3327) granting certain rights of way and exchanges of the same across the Fort Douglas Military Reservation, in the State of Utah, which was, on page 2, line 13, after "condition," to insert:

Provided, That in the discretion of the Secretary of War the privilege herein conferred may be revoked at his instance if and when the regulations as may be prescribed by him to carry into force and effect this act shall be violated upon the part of the said city of Salt Lake City, Utah.

Mr. SMOOT. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts:

On January 21, 1920:

S. 2999. An act to amend section 97 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

On January 29, 1920:

S. 2476. An act to amend the act establishing the eastern district of Kentucky.

On January 30, 1920:

S. 3427. An act to establish a commission on the practicability, feasibility, and place, to devise plans for the construction of a public bridge over the Niagara River from some point in the city of Buffalo, N. Y., to some point in the Dominion of Canada, and for other purposes.

On February 3, 1920:

S. 3331. An act authorizing the Interstate Construction Corporation to construct a bridge across the Columbia River between the States of Oregon and Washington at or within 2 miles westerly from Cascade Locks, in the State of Oregon, and granting a license to construct and maintain the approach to said bridge over property belonging to the Government of the United States.

CLAIMS OF COAST AND GEODETIC SURVEY.

Mr. JONES of Washington. When Senate bill 3270 was reached the other day on the calendar I was necessarily absent. It is a bill reported from the Committee on Commerce providing that the Coast and Geodetic Survey may adjust claims not exceeding $500 and submit reports to Congress. It is similar legislation to what we have for the Lighthouse Board, and it has resulted very satisfactorily.

I will state that when the bill was presented once before the Senator from Utah [Mr. KING] asked about a matter, but I have conferred with the solicitor of the department and he states that in adjusting these claims they follow the regular general rules and principles of liability. I ask for the immediate consideration of the bill. It consists of only five or six lines.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3270) authorizing the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, to consider, ascertain, adjust, and determine claims for damages occasioned by acts for which said survey is responsible in certain cases, and it was read as follows:

Be it enacted, etc., That the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, is hereby authorized to consider, ascertain, adjust, and determine all claims for damages, where the amount of the claim does not exceed $500, hereafter occasioned by acts for which the Coast and Geodetic Survey shall be found to be responsible, and report the amounts so ascertained and determined to be due the claimants to Congress at each session thereof through the Treasury Department for payment as legal claims out of appropriations that may be made by Congress therefor.

Mr. KING. May I ask the Senator from Washington a question? The language of the bill seems to me to be a little uncertain, and I ask the Senator for information. Does the finding which is made by this commission and which is to be reported to the Treasury Department constitute a legal and valid claim against the Government, so that Congress has no discretion whatever and must appropriate to meet it, or is it merely a recommendation which Congress may follow or not, according as it interprets the facts of each particular case?

Mr. JONES of Washington. I rather think that the language makes it a legal obligation after they have adjusted it. I know that in the Committee on Appropriations, when such claims come in under similar legislation, they are passed as a matter of course. I know that the committee does not look into the facts and circumstances, but it accepts the decision as it comes in. So I think this would make a legal claim upon the Government.

Mr. KING. The other day when this measure was called up for consideration I interposed an objection. Since then I have talked with the Senator from Washington and stated to him that I would not object to its being considered. I want to say, though, with the explanation that he has just made, that I regard such legislation as unwise, if not dangerous, and if there were not precedents for the legislation I should oppose it.

It seems to me, Mr. President, to create all these various boards and agencies to pass upon their own defaults and delinquencies and to empower them to enter judgments which are binding upon the Nation and create liabilities against the Government from which it can not in honor escape, is unwise and does not fully protect the United States. It seems to me that we ought to be satisfied with going this far, that the boards and agencies, such as the Coast and Geodetic Survey and the Lighthouse Board and the War Board, and so on, shall have authority to make full and complete investigation and shall make their findings and recommendations to Congress, and it is for Congress, through the appropriate committees, to determine whether those findings are supported by the evidence and whether there is a legal and valid obligation against the Government or not.

Under the system adopted we have thrown open the Treasury of the United States to every demand which may be made and which has been passed upon favorably by a multitude of boards and instrumentalities not judicial in their character and not constituted for the purpose of examining and adjudicating claims against the Government. This bill is in line with past legislation, and is supported by numerous precedents. However, I am afraid that this course will in the end prove harmful and subject the Government to the payment of immense sums in the aggregate, some of which are of doubtful validity. It has always proven a dangerous course to allow changing boards, organized for administrative or executive work, to pass upon judicial questions or to adjudicate claims, particularly if such claims arise out of the defaults of such boards.

I wish we could have some tribunal corresponding to the Court of Claims, if it is so occupied that it can not act in these matters, to which could be referred these various claims against the Government. These demands should be the subject of judicial investigation and not left to various boards, whose functions are of an entirely different character. Of course, the Government ought to pay, and pay promptly, all legitimate and honest claims against it. To refuse to provide a forum in which such claims may be presented is a denial of justice, and we ought to provide a forum that will in a judicial way determine the validity of claims against the United States. But I do feel that legislation of this character, and it is in line with much that is upon the statute books, is unsafe and that it does not sufficiently protect the Government of the United States.

Here is this organization set up to pass upon claims which result from its own defaults, its own torts, its own breaches of contract. I think it would be in consonance with human nature for it to act upon these claims sympathetically where its personnel occasioned them, and where its decisions were not subject to scrutiny or review. There might be a feeling that by payment of claims criticism would be silenced; and where there was no personal liability, there might be a disposition to compensate claimants, the legal if not the moral factors being submerged by other considerations. The disposition might be, and I think would be, to look with more or less favor upon the claims which would be presented. The tribunal which this bill sets up is not an impartial one. If its attitude were not such as suggested, it might be claimed that it would act unfairly in passing upon some demands. It can easily be seen that there might be a controversy between some claimant and some official of the Government. The dispute might relate to the question of negligence, and each would blame the other. Such a situation might result in an injustice being done the claimant. I believe that the best plan is to create a judicial tribunal, wholly impartial, to consider claims against the Government. In any event the board under the present bill should have power only to investigate and make findings and recommendations to Congress. However, because of the statements which have been heretofore made and because of the numerous precedents which the Senator has to fortify his position, I shall not object.

Mr. JONES of Washington. Mr. President, just a word. I think the suggested objection of the Senator from Utah, with reference to the handling of these claims, will have just the opposite effect from that he has stated. I think these officials will not convict themselves of dereliction any more frequently than they feel they are compelled to do so. So if anyone would

suffer by placing this authority in the Coast and Geodetic Survey it would be rather the party who is injured than the Government, for this board will not confess any more frequently than it has to that it has been derelict in these matters.

Furthermore, this proposed legislation only applies to claims under $500 in amount. It is really in the interest of the man who suffers a slight damage and yet who can not afford to go into court and hire attorneys to get his claim adjusted. We all know how difficult and expensive it is to prosecute a case against the Government. The fact is that there are now pending 12 claims in which the aggregate does not exceed $400. A man with such a claim can not afford to hire an attorney to come down to Washington before the Court of Claims to prosecute it. This proposed legislation is to meet situations like that. It is really in the interest of the citizen who has been injured; and I think the experience of the Government has been that, instead of subjecting the Government to unnecessary and large expense, it has really had the contrary effect. In a practical way I really do not think it has worked out any different from the plan suggested by the Senator from Utah, because if a report were sent down to Congress recommending the payment of a certain claim, after it had been investigated, the committees of Congress being too busy to go into such matters and to pass upon the justice or the injustice of the claims, we would accept their report, I think, very largely as a matter of course.

So, Mr. President, I think this proposed legislation will be in the interest of the Government as well as to take care of the poor claimants who are not really able to go into the Court of Claims and incur the attendant expense.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADMINISTRATION OF INVENTIONS AND PATENTS.

The VICE PRESIDENT. Morning business is closed.

Mr. NORRIS. I ask unanimous consent for the present consideration of Senate bill 3223, being Order of Business 359 on the calendar.

The VICE PRESIDENT. The Senator from Nebraska asks unanimous consent for the present consideration of the bill named by him, the title of which will be stated.

The ASSISTANT SECRETARY. A bill (S. 3223) authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SMOOT. Reserving the right to object, I ask that the bill be read.

The VICE PRESIDENT. The bill will be read.

The Assistant Secretary read the bill.

Mr. SMOOT. Mr. President, I desire to say to the Senator from Nebraska that I have not had time to make an examination of the bill nor from my file has there been a digest made of it by the legislative reference service of the Library of Congress.

Mr. NORRIS. Mr. President, before the Senator goes far enough to object to the consideration of the bill, let me explain it, and then I do not believe there will be any Senator who under any conditions will think of objecting. It is true the Library of Congress has not been asked to express an opinion on the bill; it never occurred to me until the Senator just made the suggestion that that would be proper; but this bill is approved, first, by the President of the United States; second, by the Commissioner of Patents, by the Secretary of the Interior, by the Bureau of Mines, and by all the other scientific bureaus and departments of the Government. They have been working for several years to get something of this kind to protect the hundreds, yes, thousands, of inventions that are made by employees of the Government. Often such inventions become public, but are not developed for the reason that development would require the expenditure of money, and no private individual or corporation will undertake such development, knowing that thereafter they would have no protection and that some one else taking advantage of the expense which they had undergone would be on an equal basis. It is clearly an experiment. It has long been felt that there ought to be somebody somewhere to whom Government employees could assign the rights to inventions perfected by them. The employees who would be affected for the most part are employees engaged in chemical work, employees in the Bureau of Standards and in the Bureau of Mines doing work of a scientific nature. They probably could resign from the Government service and secure patents on devices perfected by them but they do not want to do that; they have a patriotic pride in their work and a desire to remain but they wish their patents developed.

The proposition is—and it is purely voluntary; no one can be compelled to take such action—to designate some bureau or some governmental agency to which employees making inventions can assign them and permit such agency of the Government then to license private individuals or private corporations to manufacture them, giving them rights which will protect them against infringement by other parties.

Mr. SMOOT. Mr. President, I recognize the fact that employees of the Government, particularly in the military branch of the service, in the past have perfected many inventions which the Government has used without conpensation, because, as I remember, the law now specifically provides that employees of the Government shall not receive patents from the Government for inventions made by them while connected with the Government service.

If we are going to have legislation of this kind we ought to provide that the head of some department shall receive the assignment of such patents, and not some bureau within a department.

Mr. NORRIS. Mr. President, let me say to the Senator on that point that at the hearings I went into that particularly with the representatives who appeared asking for this legislation. They said the Federal Trade Commission was selected in this bill for the reason that during the war the President had selected that commission to act along similar lines, and they had become somewhat familiar with the business. It is not, properly speaking, of course, one of the functions of the Federal Trade Commission, but they have been doing it during the war under the instructions of the President, especially in the case of patents, under the trading-with-the-enemy act.

Mr. SMOOT. The Patent Office is under the Secretary of the Interior, and it seems to me that if we are going to enact this character of legislation the Secretary of the Interior ought to be the one to receive assignments of patents.

Mr. NORRIS. The Secretary of the Interior does not think so.

Mr. SMOOT. I can not help what the Secretary of the Interior thinks; it seems to me that questions relating to patents ought to be under the head of one department. I think also that if inventions described in the bill are to be transferred to the Government they ought to be transferred into a department of the Government and not to a bureau.

Mr. President, I wish to discuss the matter further with the Senator, and I shall object to the consideration of the bill this morning. I will take it up with the Senator later.

Mr. NORRIS. I will be glad to take it up now, if the Senator is ready.

Mr. SMOOT. I do not desire to have the bill considered now.

Mr. NORRIS. Of course, the Senator has a right to object.

The VICE PRESIDENT. Objection is made to the consideration of the bill.

LANDS AT MILITARY POSTS.

Mr. SPENCER. Mr. President, there is on the calendar House bill 8819, Order of Business 336. The main purpose of the bill is to remove a certain restriction contained in the bill we passed last July in regard to the purchase of real estate in certain Army fields. The Military Affairs Committee examined into the bill, with hearings under a subcommittee, and then took it up afterwards in the full committee, and have in substance agreed to the House bill. It will authorize the expenditure of money that is now tied up of approximately, I should say, $6,000,000. It has to do with the purchase of real estate which has already been contracted for in connection with Army camps, and is the bill which the War Department sent down as an emergency bill to take care of some of the real estate purchases for which the Government was liable, and upon which there had been millions of dollars expended in improvements, and, may I say to the Senator from Utah, which we are in danger of losing if these emergency measures are not provided.

Mr. SMOOT. Mr. President, how does the Senator claim that they are emergency matters? As I remember, the bill making appropriations for the fiscal year ending June 30, 1920, approved July 11, 1919, provided that no further purchases of real estate around these camps should be made. The Senator knows very well that the abuses that took place there were scandalous, and that the amendment to the appropriation bill preventing any other purchase of real estate was deliberately put into the bill and for the very purpose of stopping those purchases which had come to the notice of Congress the department intended to make. On July 11, 1919, that act was approved, and I have heard that there were three or four of the camps where it was thought desirable on the part of the War Department to purchase real estate. Under the law they can not do that, and I understand that this bill is to repeal that provision as far as these three or four camps are concerned.

Mr. SPENCER. Mr. President, the Senator is quite right in regard to that; and may I say to the Senator that perhaps he would be glad to know that the House in taking up the first item with regard to the Infantry camp at Camp Benning took the appropriation of $2,300,000, which our committee was considering favorably, and cut it to $765,000, with this remark, and it applies to the other camps—I am reading from the report of the committee of the House:

> While strongly condemning the manner in which the expenditures for these camps have already been made, mostly since the armistice and out of money appropriated for the conduct of the war, yet the committee believes it the part of wisdom to permit the partial completion of the plans because of the large expenditures of public moneys already made, and which will result in a great loss unless practical utilization is made of the moneys expended and the work already done.

And may I say to the Senator that in many of these cases the whole project, with the millions that have been expended upon it, will be virtually lost to the Government if the negligible, insignificant parts of real estate, which in some cases are in the very center of the tracts, are not acquired by the Government; and it is largely for the purpose of completing those few necessary purchases that this bill is being presented.

Mr. SMOOT. Mr. President, I do not know the details of the situation, but I know that at some of these camps the first loss will be the very best loss for the Government of the United States to take. Rather than put another dollar into certain camps we ought to allow everything at those camps to be scrapped, because if that is not done they will lose it all in the end, and not only that but in the meantime we will have to make appropriations of hundreds of thousand of dollars in order to take care of the property.

Mr. SMITH of Georgia. Mr. President, I have here a list of those that have already been abandoned, and nearly all of them, a great number of them, have been dismantled and sold. I was surprised to find how many had been disposed of. There are about 18 of them.

Mr. SMOOT. I was well aware of that, and I did not know but that it would be a good thing to scrap all the balance of them. If we are asked to put in millions of dollars now, we ought to know something about whether it is the best policy to do it, or whether it is best to spend no more money on the project and either let whatever remains there be scrapped or have the best use made of it that is possible under the circumstances. I will ask the Senator, however, if this is a unanimous report from the committee?

Mr. SPENCER. It is the unanimous report of the Military Affairs Committee. On the subcommittee there were five members, and one member—the Senator from Wisconsin [Mr. LENROOT]—was unable to attend some of the meetings. He can speak for himself, but my understanding is that the bill as it is now drawn is substantially in accordance with his own judgment.

Mr. SMOOT. Mr. President, I will say to the Senator that after looking over the bill I think I was mistaken in saying that there are only about three or four camps involved. I think there are more than that number. I will ask the Senator just how many camps are involved?

Mr. SPENCER. I should say that there are at least 30 or 40 fields affected by the bill, but in the case of many of them the amounts are perfectly insignificant. Some of them provide, for example, for putting a roof over a building that is roofless, and that will be lost without the roof. At Camp Normoyle we have provided for the erection of some steel hangars to take care of 1,500 motor cars that are now in the open air, and on which the Government is losing every year in depreciation more than the entire cost of the building. There is no new project in this bill.

Mr. SMOOT. Mr. President, if acres of automobiles—because we are counting them now by acres instead of by numbers—have been lying out from under shelter for a year or more, I do not think they are worth very much.

Mr. SPENCER. They have not been out that long in bad weather. They are on the Mexican border. The department feels that every one of them is necessary. Such care is being taken of them as may be taken. The department let the contract for these hangars—this is only an illustration—and then our bill prevented it; and those motor cars, as I said to the Senator, will deteriorate at a cost every year of more than the cost of the steel buildings which it is contemplated to put up.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. SPENCER. I yield to the Senator from Wisconsin.

Mr. LENROOT. Of course, in that connection it should be said that even though this is provided, it will only be a drop in the bucket compared with the automobiles which will still be left out in the air—I mean, of the total number we have.

Mr. SMOOT. Mr. President, if the Military Affairs Committee really are a unit in reporting this bill and think it ought to be passed, well and good; but I am fearful that we will advance a million or so dollars more, and not only lose that but we will lose the appropriations that will be required to have men guard the buildings on all these fields, and before we are through with it we will find out that it would have been cheaper in the end to scrap the whole of the buildings, and all that the Government has in those fields now, and take whatever loss is involved now rather than have that loss increased by making further appropriations of this kind.

Mr. LENROOT obtained the floor.

Mr. SPENCER. Mr. President, may I make a parliamentary inquiry? Is the bill before the Senate? I asked unanimous consent for the consideration of the bill.

The VICE PRESIDENT. Is there any objection?

Mr. KING. Mr. President, if this bill is taken up I shall ask the Senator to make an explanation of these various items.

Mr. SPENCER. May I say to the Senator that I shall be glad to make an explanation of any item that the Senator desires information upon, if I am able to do it.

The VICE PRESIDENT. Is the bill going to be taken up, or is it not? Is there objection to the present consideration of the bill? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8819) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, which had been reported from the Committee on Military Affairs with amendments.

Mr. KING. Mr. President, if the Senator will pardon me——

The VICE PRESIDENT. The Senator from Wisconsin has the floor.

Mr. LENROOT. Mr. President, I just desire to make a statement. I am not objecting to the passage of this bill, neither am I wholly satisfied that it should pass. I was a member of the subcommittee to which this subject was referred, and during the first portion of the hearings I attended them and became familiar with them, but subsequently I was unable to participate further. I do think, however, that the Senate ought to have some information concerning the different projects in this bill as a whole.

The Senators will remember the situation and the almost scandal that arose with reference to Camp Benning; but I wish to say to the Senate that nearly every item in this bill is exactly similar to the Camp Benning situation. Nearly every purchase of real estate that is contained in this bill was negotiated and authorized by the War Department after the signing of the armistice. Nearly every dollar that is carried in this bill is to pay obligations incurred by the War Department out of funds that Congress had appropriated to carry on the war. The War Department undertook for itself the determination of the military policy of the United States and determined for itself where these aviation fields were desirable and necessary, and what plants should be preserved and what plants should be abandoned, and then obligated the United States Government to the extent of millions of dollars for the purchase of this real estate to make these camps and fields permanent.

For instance, in most of these cases the Government had options for the purchase of this very real estate running up to July 1, 1920, 1921, and in one case I remember I think up to 1923; and in some cases where the Government was holding leases under these options running up to 1921, where the Government was only called upon to pay $1 a year rent, nevertheless after the signing of the armistice they exercised the option to purchase the property and obligated the Government.

Now, we are in this situation: Although, in my judgment, it was a gross abuse of authority, nevertheless the War Department technically did have the authority, and it was exercised, and in most of these cases the Government is obligated to pay this money, and I do not know of any way in which the Government can eventually escape the payment.

Mr. NORRIS. Mr. President, the Senator says that technically the War Department had this authority. Does that come about from the fact that technically we are still at war?

Mr. LENROOT. No.

Mr. NORRIS. What is the technicality?

Mr. LENROOT. The technicality is that this authority was given and the appropriations were made for the purpose of carrying on the war; but the Congress, never dreaming that these appropriations would be utilized after the war was over for the purpose of a peace-time proposition without subsequent authority from Congress, put no limitation in the legislation. So the War Department having authority to acquire real estate and to construct plants of various kinds, although the war, except in a technical way, was entirely over, did have unquestionably the technical authority to go on and use every dollar

of this money that we had appropriated for the carrying on of the war; and unless there had been a prohibition put in the Army bill that became effective in July, I have no doubt that hundreds of millions of dollars would have been expended by the War Department of the money that had been appropriated for the purpose of carrying on the war. That is what I mean.

Mr. KING. Mr. President, will the Senator yield?

Mr. LENROOT. I yield.

Mr. KING. Did not the legislation under which they proceeded clearly indicate, though, on its face, that the appropriations were to be used because we were at war and to aid in the prosecution of the war; and would not the spirit of the act, if not the letter, lead to the conclusion that when the armistice was declared the appropriations for that purpose ceased to be available?

Mr. LENROOT. I will say, in reply to the Senator from Utah, that that was a very acute question before the subcommittee, and one about which I, as a member of the subcommittee, asked a great many questions. We were informed that a legal opinion had been received from the Judge Advocate General's department as to the authority of the War Department to go ahead and utilize these moneys, although the armistice had been signed, and that the Judge Advocate General had held that the War Department did have full authority.

Mr. KING. If the Senator will pardon me, I think that an officer who, when an armistice came, which he knew would terminate the war, would go ahead and utilize, or advocate using, the appropriations made when we were at war, because we were at war and because the war necessities seemed to demand them, ought to be court-martialed.

Mr. LENROOT. I quite agree with the Senator from Utah; but apparently Congress is helpless. I do not see that we can remedy the situation in any way by refusing to make appropriations that are provided for in this bill, where the claimants can go into the Court of Claims and secure judgments.

Because I have to leave the Chamber, I will refer to an item concerning the Watervliet Arsenal, in New York, where the purchase was inaugurated, as I recollect it, about March of last year, months after the armistice had been signed. We had gone through the entire war without any purchase of additional real estate for that arsenal for the purpose of carrying on the war; but I think there is an appropriation of some $350,000 in this bill—although I may be mistaken as to the exact amount—for the purchase of additional real estate at that arsenal, and it may be desirable, and probably is. But before the Senate passes this bill I would like to have some explanation in that amount of one item of some $140,000—I speak of it now because I have not had an opportunity to investigate it—which we propose to pay to the city for its so-called sewer and water rights in the real estate that is proposed to be purchased. As I understand the situation, this real estate was some two or three blocks, perhaps, of city property, and the city had expended $140,000 in the building of sewers and water mains and utilities of that kind, and it is proposed to reimburse the city for the money that it expended for that purpose.

I confess, Mr. President, knowing as I do the desire of that city to have the arsenal increased, I do not see how the city is damaged any by the acquiring of this property. I do not see that the city has any legal or moral right to make a claim for the reimbursement of the money that it expended for water and sewers upon this property. Perhaps the Senator from New York [Mr. WADSWORTH] and the Senator from Missouri [Mr. SPENCER] can fully explain it.

Mr. CURTIS. Mr. President, is it not likely that the money has already been refunded to the city in the way of taxes?

Mr. LENROOT. Very likely. There are items in the bill that I felt required very close scrutiny; but I have such confidence in the chairman of the subcommittee, the Senator from Missouri [Mr. SPENCER], who has spent a great deal of time upon it, that so far as I am concerned, while I am not wholly satisfied with the bill, I do not feel sufficiently familiar with it to interpose any objection.

Mr. SMITH of Georgia. Mr. President, I doubt the necessity of my making any reference to Camp Benning, and yet I wish to say just a few words about it. I do not agree with the view of those who think any mistake was made about that camp, except the mistake of not starting it sooner and sticking to it from the time it was started without backing an inch.

When this subject was before the Senate once before the impression existed that the condemnation proceedings for the land at Camp Benning were begun after the armistice. That was a mistake.

In 1917 Gen. Pershing began cabling the War Department urging that less attention be given to preparation for trench warfare and more to preparation for fighting in the open. He urged that ample facilities be given for the thorough preparation of our Infantry for open warfare. I believe that vision of Gen. Pershing's and his insistence that the opportunity be given brought the war to a close 12 months sooner than it would have closed and was one of the policies which stamped him as the military genius of the war, without regard to nationality.

In pursuance of his urgent advice, finally the War Department undertook to concentrate at some point its Infantry schools. This place at Columbus was selected by three or four different boards solely for military reasons.

The War Department hesitated to go on with the work after the armistice. I do not think I knew the Infantry camp had been located until some time after the field at Columbus was selected, and in the summer of 1918 the Infantry school from Fort Sill and one or two other Infantry schools were moved to Columbus and the work was begun.

The parties whose land the Government wanted did not wish to sell it. It was no land scheme. A military board selected something over 100,000 acres of land for a great Infantry school, the purpose being to give the officers of the Infantry, commissioned and noncommissioned, practical experience to fit them for the battle field, something that had never really been done before in the United States and something that was insisted upon by Gen. Pershing as essential to the successful conduct of the war.

The condemnation proceeding was begun; the occupants and owners were notified to leave, because the Government desired immediate possession of their land; and the Government took possession with a claim of permanent ownership. The act under which the procedure was had authorized the War Department to take immediate possession, without agreeing as to price. It was a war measure. These farmers were scattered away from their homes, and 75 per cent of them left their homes and went off hunting for other farms shortly after the proceeding began.

I maintained, Mr. President, and I still maintain, that, as a matter of law, the Government was compelled to pay for those lands; that the condemnation proceedings under the act, with its peculiar language, bound the Government to buy the lands; and war or no war, thereafter the obligation was upon the Government to pay for the lands. The obligation, in my judgment, was a legal obligation—a moral obligation to pay for them, all will concede.

That was the situation which confronted the War Department in the early part of 1919, when I took an active interest in it, and insisted that the Government ought to pay the men who had left their lands, and many of whom had gone off and bought other farms, supposing, of course, that they would get their money from the Government, and with that money pay for their new purchases. Finally the department went forward and paid for most of the land, agreeing, after the condemnation proceeding had been started, upon the price.

The committee of the House took up the investigation of this question thoroughly prejudiced against Benning, prejudiced due to the fact that it was felt by some that the War Department should not have gone on with the project after the armistice. I believe the Government was legally liable for every foot of that land before the armistice. The committee of the House took the testimony of Gen. Bullard, it took the testimony of Gen. Malone, it took the testimony of our great soldiers who were in France, and their testimony convinced the subcommittee of the House that Camp Benning was the ideal selection, in terrain and other respects, for an Infantry training school.

The War Department considered abandoning Camp Benning and locating the training school at Fayetteville, N. C., on land already purchased. A board of officers was sent to Fayetteville, and they came back and reported that the terrain was unsuitable. Let me state what I mean by that. The officers declare they must have for an Infantry training camp a locality with every variety of terrain, some level, some hilly, some rivers, so that the Infantry officers can on this field for training for battle see every kind of terrain and perform every maneuver that they may probably be called upon to perform in actual battle. The report was that the land at Fayetteville was too level, that it lacked the variety; and Gen. Bullard, one of our three greatest generals developed by the war, reported that he had been all over the terrain at Columbus, that he had been at every camp the Government had, and that the terrain that the Army officers selected at Columbus was the most ideal and the most perfectly suited for the purpose intended of any that he had ever seen.

Gen. Liggett declared that an Infantry training school of approximately 100,000 acres of land was absolutely essential, no matter how small the Army, and that the terrain must furnish not simply what was found at Fort Sill but every variety of hills, of woods, of rivers that could be put into a hundred thousand acres of land. He added that it must be a locality where all the year round the training could be given.

All the reports in the hearings from the officers who had fought abroad sustained the action of the officers who selected this place at Columbus, and so convincing was the testimony of our great soldiers, found in this record—I will not take the time to read it—that the committee of the House of Representatives, which admittedly was prejudiced against Benning, reported unanimously in favor of it. I do not intend to read the evidence; I do not intend to discuss it further. I only wish to bring to the attention of the Senate the fact that the condemnation procedure started before the armistice and that a legal liability attached then to the Government to pay for the land.

Mr. KING. Mr. President, before the Senator from Georgia takes his seat, I should like to call his attention to a passage which I have just found in the report submitted by the Senator from Missouri [Mr. SPENCER] and which includes a copy of the report made by Representative ANTHONY, from the Committee on Military Affairs of the House. I invite attention to this paragraph, referring now to some of these expenditures. I have just seen the report, and so I can not tell just what expenditures are embraced within the paragraph.

That there were some official misgivings in regard to these expenditures—

That is, made by the War Department after the armistice was declared—

was evidenced by the fact that the Secretary of War and the Assistant Secretary of War appeared before the Committee on Military Affairs in January last and asked for informal permission to go ahead with the expenditures of these moneys appropriated for the conduct of the war in the further acquisition of the land and in the construction of buildings thereon.

Let me pause to say that this would appear to have been in January, 1919——

Mr. SMITH of Georgia. That is correct.

Mr. KING. I read further:

The Secretary of War at that time stated he believed he had the legal right, but not the moral right, to spend such moneys.

I do not think he had the legal right, let me say.

Mr. SMITH of Georgia. I think it was his legal obligation to pay for that land and the highest kind of moral obligation.

Mr. KING. Let me continue:

The Committee on Military Affairs refused to give its sanction as requested, but instead approved a resolution which had been introduced into the House expressly prohibiting such expenditures. The records show that the officials of the War Department then appeared before the Senate Committee on Military Affairs and asked for such approval of the expenditure of such moneys for such a purpose, and it is said that this permission was refused by the Senate committee by a tie vote, and it is further reported that the War Department claims it was authorized to proceed with such expenditures by a Senator—

Mr. SMITH of Georgia. I am the Senator.

Mr. KING (reading):

from one of the States wherein these large land purchases were being made and who had subsequently advised the Secretary of War that if all the membership of the Senate committee had been present the expenditure would have been approved.

What I was going to inquire of the Senator was whether the Benning item was one of the items for which the Secretary of War and the Assistant Secretary of War sought permission to make further appropriations, and whether at that date any money had been expended for the buildings and the railroad which seem to have been embraced in the Benning item?

Mr. SMITH of Georgia. The railroad was largely constructed at that time, and something like $2,000,000, I think, had been spent. A small amount had been paid for land—not a large amount—but the Government was legally liable for every foot of it where they had instituted the condemnation procedure, and they had instituted it for all the land.

Mr. KING. Do I understand the Senator to take the position that if the Government institutes condemnation proceedings for land, either for railroad purposes or for any other purposes, it is compelled in law to complete the proceedings and to make payment?

Mr. SMITH of Georgia. No; not ordinarily; but this peculiar act authorized the Government to take possession at once with the title it claimed, without the payment of a dollar, and the Government instituted the proceedings and turned the owners off the land and took possession, with notice to the owners that the Government was taking the property, not for a term of years, as on a lease, but was taking the property as owner.

Mr. KING. Does not the Senator think, if he will pardon me, that notwithstanding that rather high-handed proceeding——

Mr. SMITH of Georgia. That was our act. We authorized it. It was not high-handed. Congress authorized just such a procedure as a war necessity.

Mr. KING. It would be high-handed even though Congress authorized it.

Mr. SMITH of Georgia. Except as a war measure. It was utterly indefensible upon any other theory.

Mr. KING. Does not the Senator think that, notwithstanding the fact Congress authorized the condemnation of the land, it might, at any time before title was obtained and payment made, restore the land to the persons who had been dispossessed and, of course, pay such damages as had resulted from the dispossession and whatever damages had resulted to the property?

Mr. SMITH of Georgia. I do not. After a most careful study and reflection and consulting such authorities as I could find, it was my conclusion that under the peculiar language of the act, where the Government took possession with claim of title in fee, and it had the right to take it as a lease or to take it in fee under the act, as the procedure in pursuance of that act compelled the owners to leave at once and to give the Government the fee, the only question remaining was a decision in the court as to what compensation the Government should pay for the fee.

Mr. KING. Will the Senator permit me to inquire whether the deeds had been executed transferring the fee to the Government, or had a decree of court been entered transferring by judicial process the title?

Mr. SMITH of Georgia. No.

Mr. KING. Then I differ with the Senator, if I may be pardoned for doing so.

Mr. SMITH of Georgia. The Senator may differ with me, but still that is my conviction. Undoubtedly it was a moral obligation. Seventy-five per cent of those people at once left, taking their flocks and their herds, taking their labor and going off to other lands. Many of them bought other lands at once on the faith of the obligation of the Government to pay them for what had been taken away from them. The adjudication of damages would have been practically impossible. It would have been ruinous for those people to go through an effort at adjudication, and, to say the least, morally it was the duty of the Government, after scattering them into other States and other counties and on other farms, to give them what it said, when it turned them out, it intended to do, the value of their land.

Mr. KING. I should like to ask the Senator whether the value has been adjudicated; and if so, by whom?

Mr. SMITH of Georgia. It has been agreed upon largely. Nearly all of it has been paid for now. I do not think there are more than 10,000 acres that have not been paid for, and that is in process of trial—small pieces scattered through the center of the land; but the bulk of it has been paid for.

Mr. KING. Then, payments were agreed upon without resort to jury trial?

Mr. SMITH of Georgia. Yes; in most instances. I am not sure whether there were any jury trials, but I think agreements were finally reached. The Government representatives assessed the value and in most instances the former owner took the money.

Mr. KING. I agree with the Senator that if the Government dispossessed individuals and went into possession and claimed title and the individuals secured property elsewhere upon the strength of the supposed purchase by the Government, there would be a strong moral obligation upon the Government either to make compensation for the land which had been taken from them or to restore the land to the people who had been dispossessed and pay them such fair damages as would make them whole. That, I think, ought to have been done when the armistice was declared, and the Government ought to have ceased making further appropriations upon projects which were authorized for war purposes.

Mr. SMITH of Georgia. I have passed beyond that stage in the matter, and I only wanted to give the opinion I entertain as to the legal liability of the Government for the purchases. I entertained that opinion and I still entertain it. I concede that it is a close question and that there is room for a difference of opinion. I do not criticize those who differ with me in the view, but that is my view. I think that equitably undoubtedly there was a liability and morally there was a liability.

The adjustment of damages was practically impossible. I furthermore think that the Senator from Utah is wrong about the duty to have stopped as soon as the armistice was signed. That did not end the war. We did not know whether it would. It was weeks and months even before we were sure that it would end the war.

But I do not wish to go into that. That has all been passed upon, and as an economic proposition the House committee determined, though prejudiced against the camp, after they had examined it, under the testimony, that they ought to

take it. All I really wanted to do was not to inject myself into the conduct of this matter by the Senator from Missouri [Mr. SPENCER], except to meet a part of the criticism on a point with which I was especially familiar.

As to what took place between the Secretary of War and myself, it is all in writing, every word of it. I wrote a letter to him, giving my view of the situation, and I read that letter to him and did not make any argument or make any statement that was not in the letter. That letter is in the record, and about the facts contained in the letter there can be no dispute. On it I stand. The necessity for this Infantry training camp has been splendidly sustained by our best officers, and the House committee yielded against their wishes because the officers convinced them that it was a military project of great value and essential, no matter what might be the size of the Army.

Mr. OVERMAN. Mr. President, I should like to say a word with reference to the matter.

As to Camp Bragg, in my State, it was established by the War Department without any political influence. It was established prior to the armistice. The Government has spent some $10,000,000 there. The conditions at Camp Bragg are like those at Camp Benning, which we have been discussing. Some of the people did not want the camp established there. Some wrote to me protesting. The splendid Scotch people there, loving their homes and their old colonial and Scotch type of houses, with the environment, did not want to have the camp established, but the camp was established there, and they were made to leave their homes. Their churches and their schoolhouses were torn down.

The Government found that that was necessary in order to have an Artillery camp, and this camp is the best in the United States. You could not turn the lands back to those people, because many of them are right in the center of the camp and the troops could not fire the long-range guns, and the money already expended, amounting to some $10,000,000, would be absolutely wasted unless the Government completes the purchase. Some have not agreed upon the prices, some have; but the Government compelled the people to leave, and they have gone away and purchased their homes at other places and established themselves in other communities; and now the Government, it seems to me, is bound to pay them. It is a moral and a legal obligation. It is a highly moral obligation to the people who were made to leave their homes and their communities, and they ought to be paid for the lands the Government has taken from them. That is about the situation.

I desire to add that the Military Affairs Committee of the House of Representatives, through its subcommittee, went down to Camp Bragg to look into the situation, prejudiced against the purchase, prejudiced against the camp, but after seeing the conditions there and looking into the matter thoroughly, they have unanimously recommended this appropriation for Camp Bragg. Having spent $10,000,000 there, it is highly necessary and important that we should expend the million dollars necessary in order to secure this property and to pay what the Government has obligated itself to pay.

Mr. SPENCER. Mr. President, there are some amendments which the committee has reported to the bill.

The VICE PRESIDENT. The amendments reported by the Committee on Military Affairs will be stated.

The first amendment of the Committee on Military Affairs was, in section 2, page 3, line 10, before the word "buildings," to strike out "to complete" and to insert "completion of"; in the same line, after the word "buildings," to insert "and the 60-centimeter engineer railroad"; in line 12, after the word "construction," to strike out "$250,000" and to insert "$300,000"; in the same line, after the word "school," to strike out "$765,252" and to insert "$835,250"; and in line 17, before the word "camp," to strike out "such" and to insert "said," so as to read:

To complete the Infantry school at Camp Benning, Ga.: For the purchase of real estate, $515,252; for the construction and completion of buildings and the 60-centimeter engineer railroad, now in process of construction, $320,000; total for Infantry school, $835,250: *Provided*, That no part of the unexpended balances of appropriations heretofore made for the support of the Army shall be expended for construction at Camp Gordon, Ga., and the Secretary of War is hereby directed to sell the real estate and buildings of said camp to the best advantage of the Government, the proceeds of such sale to be covered into the Treasury to the credit of miscellaneous receipts.

The amendment was agreed to.

The next amendment was, on page 3, line 20, after the word "receipts," to insert:

Provided further, That said sale shall not be made prior to June 30, 1921.

Mr. KING. Mr. President, I should like to ask the Senator from Missouri [Mr. SPENCER], in view of the explanation which has been made by the Senator from Georgia [Mr. SMITH], why the committee ratified the action of the War Department in continuing expenditures for buildings and railroads upon the ground in question? Under the explanation made by the Senator from Georgia, I can see that the committee would be justified in authorizing payment for the land of which the owners had been dispossessed; I think that it was a duty resting upon Congress, after the unauthorized acts of the War Department, either to pay the owners in full for the land and to retain it or sell it, or to restore the land to the owners and to pay them whatever damages may have resulted by reason of their dispossession and the temporary occupancy by the Government; but the committee have gone further than authorizing payment for the land. They legalize the act of the War Department in projecting a great school and in constructing buildings and in erecting railroads. Was it the purpose of the committee, and is it the committee's purpose now, to make a great camp and school at Benning, to continue huge appropriations for such purposes?

Mr. SPENCER. Mr. President, I am very glad the Senator from Utah has asked me that question, for I personally have a great deal of sympathy with the position which the Senator from Utah has so clearly taken in regard to the foundation of this matter. I think the whole subcommittee approached this question with a real feeling of criticism and condemnation of the manner in which the land had been acquired; I know very well that the House committee were even more bitter against it than was the Senate committee; and the House committee sent down their own representatives to examine into the matter.

Here, I desire to say to the Senator from Utah, is where the case now stands. Nine-tenths and more of the tract of land at Camp Benning, comprising 100,000 acres, has been acquired by the Government at a cost of more than $2,000,000. Whether right or wrong, it has been bought and we own it. We have put on that camp site buildings costing more than $4,000,000. Whether right or wrong, those buildings are there.

This bill has to do with less than 10 per cent of the land that is in the center of the tract and for which the Government is liable. If we do not acquire this less than 10 per cent of the entire tract, in view of its situation, practically the Government's expenditure has gone. Without lessening at all my feelings or my condemnation of the history to which the Senator from Utah has referred, the fact of the case is that as a business proposition it would be suicidal for the Government not to acquire this land now.

Mr. KING. Will the Senator from Missouri yield to me?

Mr. SPENCER. May I say one word more? What the future of the camp will be, how much farther it will be extended, is not taken up in this bill.

Mr. KING. I was about to call the Senator's attention to the fact that in the paragraph devoted to Camp Benning $515,252 are appropriated for the purchase of real estate; for the construction and completion of buildings and the 60-centimeter engineer railroad now in process of construction $320,000 are appropriated. The point I sought to make a moment ago was that the committee not only authorized the payment for the land but they legalize the project of constructing buildings and authorize further appropriations for such purpose. Did the committee conclude that we ought to go on and complete these buildings and complete this railroad? In other words, was the committee satisfied that this project is one which ought to be permanent, and were they willing to make further appropriations for buildings and railroads and for such structures as might be incident to a large school and camp?

Mr. SPENCER. Mr. President, I may say to the Senator that I think the committee is satisfied that this camp, as a matter of fact, is an absolute necessity. The War Department asked for $1,700,000 for construction work, but the Senator will notice that the committee gave them only such amount as might be called a preservative fund for the completion of roofing on buildings, the putting in of windows, and the completion of construction which was already nearly completed and which would deteriorate in value far more than the amount of the appropriation if it were not made. They did not, however, act upon the larger construction amount which the War Department wanted.

It is fair also to say to the Senator from Utah that our committee added the provision in regard to the 60-centimeter railroad, involving an expenditure, I think, of $70,000. That was done upon this theory: After the hearing we found that the 60-centimeter railroad is one foot and a half wide, and very similar to the railroads which were used so extensively upon the front in France to bring up men and material from the base to the line. We found that the cost of moving men and material from one place to another in this great camp, embracing 100,000 acres, could be reduced more than a thousand per cent by using this little foot-and-a-half railroad rather than by using either motor or animal transportation, which is now being used. The

committee therefore were unanimous, in the interest of economy, in adding that item. That is the only railroad provided for.

Mr. KING. I should like to ask the Senator whether or not there was any appropriation in the last general Army bill covering these items; and if not, why not?

Mr. SPENCER. Does the Senator mean in the bill of July, 1918?

Mr. KING. In the general Army appropriation bill which provided for the expenditures of the War Department for the fiscal year ending June 30, 1920.

Mr. SPENCER. The Senator refers, then, to the last Army appropriation bill?

Mr. KING. Yes.

Mr. SPENCER. I think there were such appropriations in that bill—I am speaking only from recollection—but they were made unavailable by the provision of the bill, which this measure is largely intended to correct, prohibiting the use of the moneys appropriated therein for the further purchase of real estate or for construction. That is merely my recollection, and I can not vouch for its accuracy.

Mr. WADSWORTH. Mr. President, there were no appropriations for Camp Benning carried in that act.

Mr. KING. Or for any of the items mentioned in this bill? My recollection is that there were appropriations for many of the camps referred to in this bill and for which appropriations are now sought.

Mr. WADSWORTH. There was no reference to these camps in that bill. That was the annual Army appropriation bill and did not provide for new construction or for the purchase of real estate, with one exception, namely, the authorization of the purchase of real estate in connection with Walter Reed Hospital. There was a proviso in the bill that none of the funds appropriated by the bill and none of the funds theretofore appropriated should be used for the further purchase of real estate or for construction, except at National Army and National Guard cantonments. This was not a National Guard or a National Army cantonment; in fact, none of the places mentioned in the bill are.

Mr. CURTIS. Mr. President, I should like to ask the Senator from Missouri having charge of the bill if he has answered the question asked by the Senator from Wisconsin [Mr. LENROOT] with reference to acquiring water rights at Watervliet Arsenal?

Mr. SPENCER. I have not, and I shall be very glad to do so now, in a word, if the Senator desires. Here is the situation in regard to the Watervliet Arsenal: A company of 100 business men agreed with the Government that they would secure the 84 lots which were necessary for this arsenal, and would turn them over to the Government at precisely the cost to them, without any profit. They secured options upon those lots at a cost of $125,000. Being in a subdivision, the lots did not include the streets, which were owned by the city and under which streets were water mains, sewer mains, and other facilities which the city had put in with particular reference to that subdivision.

Mr. CURTIS. Well, Mr. President——

Mr. SPENCER. If the Senator will pardon me until I finish the sentence—they had to agree with the city, for the purchase of the streets and the rights, to pay $140,000. The aggregate of the two amounts which the committee of citizens have obligated themselves for is the amount which the Government contracted to pay to that committee, and it is that contract which his provision seeks to carry out.

Mr. CURTIS. Had not the adjoining property been taxed for the purpose of putting in the water?

Mr. SPENCER. My information is not. My information is that this was a new subdivision which did not even have the title to the streets, and the Government came along and wanted it perhaps before the subdivision had been entirely completed, though many houses had been built on it.

Mr. CURTIS. Then, if the subdivision had not been accepted by the city, the streets would go with the purchase of the land. They could not become the property of the city until they were dedicated to the public and accepted by a city ordinance.

Mr. SPENCER. Evidently I did not make myself clear. The subdivision owned the land of the lots. The city owned the land of the streets.

Mr. CURTIS. How could they own the land of the streets until the subdivision had been accepted by the city council, and the subdivision became a part of the city?

Mr. SPENCER. All of that may have been done. Whether it was or not, I do not know.

Mr. CURTIS. Then, if it had been done, is it not likely that they would proceed as they do in other cities, and levy a tax before they put in the improvement?

Mr. SPENCER. That may have been done. Whether it was done or not, I do not know.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. SPENCER. Certainly.

Mr. LENROOT. I should like to ask the Senator whether any investigation whatever was made by the committee of that section?

Mr. SPENCER. We had a hearing upon it with the representative of the War Department. The Senator will find it in the printed report of the hearings.

Mr. LENROOT. There is nothing upon that subject, I think—the Senator will correct me if I am wrong—except a flat statement that $140,000 was for the payment of the city's rights.

Mr. SPENCER. I think the Senator from Wisconsin is substantially correct. The questions and answers on that subject were very much like this:

The CHAIRMAN. The total amount that is required is 34 acres, consisting of 369 city lots?
Col. JENKS. Yes, sir.
The CHAIRMAN. And of these 369 lots, 52 have buildings upon them?
Col. JENKS. Yes, sir.
The CHAIRMAN. And for those 52 lots, together with the buildings, $125,000 is needed?
Col. JENKS. Yes, sir.
The CHAIRMAN. And the balance of the $300,000 is for the other 317 lots which have no buildings?
Col. JENKS. And city improvements.
The CHAIRMAN. The city improvements, water, gas, and street, go with all the lots?
Col. JENKS. No, sir; they are in addition to the lots. Those are owned by the city of Watervliet. We have to settle with the city of Watervliet for those street and other rights.
The CHAIRMAN. And how much is needed for the street and water rights?
Col. JENKS. Approximately $140,000 for the street and water rights, sewers, etc., and for some necessary work in connection with the purchase of land, and on the land.

The statement of the Senator from Wisconsin is substantially correct.

Mr. KING. Mr. President, may I ask the Senator a question?

Mr. SPENCER. Certainly.

Mr. KING. Ordinarily in the United States the fee of the streets is in the abutting owners, and the public have a right over the streets; and in some cases where the fee is in the city, as soon as the abutting property ceases to be used for such purposes as require streets and highways and the property merges into one tract, the city loses its interest in the streets.

Mr. SPENCER. I think the Senator is quite right. Such is my understanding of the law. The main fact in this case was that a committee of citizens had agreed to acquire these lots which the evidence seemed to show were necessary for the arsenal, and they acquired them, and this was the amount of money which they obligated themselves to pay, and this was the amount of money which the Government contracted to reimburse them for, and this is the amount of money covered by the bill.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. SPENCER. Certainly.

Mr. LENROOT. I think it might be important to state in that connection that this was not until last April, and it would appear that that committee of citizens should have been put upon some notice, at least, concerning the utilization for any such purpose as this of money appropriated to carry on the war.

Mr. KING. Mr. President, may I ask the Senator if the item which is now under discussion is found on lines 3 and 4, page 6, reading:

For Watervliet Arsenal extension, New York, $300,000.

Mr. SPENCER. The Senator has it exactly right.

Mr. KING. How much of that is for the sewer?

Mr. SPENCER. Approximately $140,000 is for the streets and the sewer.

Mr. KING. Is it understood that the sewer is to be destroyed and the city will be compelled to construct a sewer in some other part of the city to serve the purpose for which this sewer was built, or does the sewer still remain and serve the purpose for which it was designed and which it was serving when this alleged contract was entered into?

Mr. SPENCER. My understanding is that that sewer loses its function when the Government uses this property for the purpose it has in mind. If the Senator from Wisconsin has better information on the subject, I shall be glad to have him state it.

Mr. KING. Will it function only for the purpose of caring for the lands and the lots which have been acquired?

Mr. SPENCER. Yes; but the sewer is put there for the use of those lots as residence lots. The moment the land is used for

warehouse purposes or for arsenal purposes the necessity from a residence standpoint ceases.

Mr. KING. But still the sewer might be maintained.

Mr. SPENCER. It might.

Mr. KING. And, of course, the duty would rest upon the city to maintain the sewer.

Mr. SPENCER. It might.

Mr. KING. And it could exercise the taxing power—perhaps not against the property of the Government, but it could require the Government, I am inclined to think, to pay its fair share of maintaining a sewer which served the needs of the Government, or it might simply say, "We will abandon it and let the Government itself maintain it, if it cares to, in order to take care of the property which the Government acquires."

Mr. SPENCER. So far as this item is concerned, which of course is a purely negligible item in the entire bill, if the Senator feels that it ought to go out, I suggest that it be left out; or if the Senator will change the amount so that it will go to conference, I can assure the Senator that there will be careful investigation made in regard to those water rights before the amount is agreed upon, and either course will be entirely satisfactory to me. I have no interest in the bill except the emergency which seems to be present.

Mr. KING. I think the whole item ought to go out, but I will not insist upon that. I will offer an amendment to strike out the amount which the Senator says is provided to be paid for this sewer, and then let it go to conference.

Mr. SPENCER. Very well. Deduct $140,000 from this $300,000, leaving $160,000; that will send it to conference, and the Senator may be sure that his position will be carefully guarded.

Mr. KING. I move to amend, if I may return to the item—if it has been passed, I move to reconsider it for the purpose of offering the amendment——

Mr. SPENCER. It has not been reached yet.

Mr. KING. Then I will wait until it is reached, and then I will offer that amendment.

Mr. SPENCER. There is no amendment to that item. The committee amendments are now before the Senate. We took it as the House sent it, so that I presume the amendment of the Senator from Utah could be offered now, if he desires.

Mr. KING. I will wait until that item is reached. As I understand, it is on page 5.

The VICE PRESIDENT. The question is on the amendment of the committee.

The amendment was agreed to.

Mr. KING. Mr. President, I should like to ask the Senator from Missouri in respect to the item dealing with North Carolina. Did the committee make an investigation so as to determine whether it was necessary to continue Camp Bragg, to maintain that as a field for the use of the Government?

Let me say, before the Senator replies, that the Government of the United States acquired not dozens, but I was about to say hundreds, of fields during the war for all conceivable naval and military purposes. It would seem that out of this great list there should be a sufficient number, so that there would be no necessity for spending millions of dollars now to acquire additional fields. I should like to know whether the committee investigated to determine whether or not the acquisition of this field was necessary, and whether it is necessary to continue the maintenance of a field at Camp Bragg?

Mr. SPENCER. The committee did investigate that matter with some care. Fifty thousand acres have actually been bought and paid for at that field, and over $10,000,000 has already been expended; and the amount of land involved in this bill that is necessary to complete that as a field, even if it was not to be used, if it was to be disposed of, is such that it would seem to me, as a business proposition, a wise one. It is a great artillery camp. It is one of the very few places where they have a range long enough and big enough over which they can actually practice with their guns. You can not practice with an artillery gun upon a small camp. You can have every camp facility there, but the minute you shoot over on to the adjoining farms or towns you are in danger. This place has a field that is, so far as I know, practicaly the only one that has that artillery feature; and of course that is, in any view of the reorganization of the Army, an essential place to have.

Mr. OVERMAN. This camp was also established long before the armistice.

Mr. SPENCER. Yes; that is very true.

Mr. KING. But after the war.

Mr. OVERMAN. No; not after the war.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

Mr. CURTIS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Harding	New	Spencer
Beckham	Harris	Norris	Sterling
Borah	Harrison	Nugent	Sutherland
Brandegee	Johnson, S. Dak.	Overman	Thomas
Capper	Jones, Wash.	Page	Townsend
Chamberlain	King	Pomerene	Trammell
Cummins	Lenroot	Ransdell	Underwood
Curtis	McKellar	Sheppard	Wadsworth
Elkins	McNary	Smith, Ga.	Warren
Glass	Moses	Smith, Md.	Watson
Gronna	Nelson	Smoot	

Mr. MOSES. I announce the absence of my colleague [Mr. KEYES] on account of illness in his family. This announcement may stand for the day.

Mr. GRONNA. I have been requested to announce the absence of the senior Senator from Wisconsin [Mr. LA FOLLETTE] on accout of illness. I ask that this announcement may stand for the day.

Mr. CURTIS. I have been requested to announce that the Senator from Maryland [Mr. FRANCE] is absent on account of illness, and that the Senator from Iowa [Mr. KENYON], the Senator from New Jersey [Mr. EDGE], and the Senator from Louisiana [Mr. GAY] are absent on business of the Senate.

Mr. MCKELLAR. The Senator from Florida [Mr. FLETCHER], the senior Senator from South Carolina [Mr. SMITH], and the junior Senator from South Carolina [Mr. DIAL] are detained from the Senate by illness.

The Senator from Delaware [Mr. WOLCOTT] and the Senator from Massachusetts [Mr. WALSH] are absent on public business.

Mr. HARRISON. The Senator from California [Mr. PHELAN], the Senator from Oklahoma [Mr. GORE], the Senator from Rhode Island [Mr. GERRY], and the Senator from Alabama [Mr. BANKHEAD] are absent on official business.

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. CALDER, Mr. HALE, Mr. KELLOGG, Mr. LODGE, Mr. MCCORMICK, Mr. PHIPPS, Mr. POINDEXTER, and Mr. STANLEY answered to their names when called.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present. The Secretary will proceed with the reading of the bill for action on the amendments of the committee.

The next amendment was, on page 4, line 1, before the word "construction," to insert the word "the"; in line 2, before the word "completion," to strike out "for the" and insert "and"; in line 3, after "$2,500," to insert "for the construction and erection of steel storage buildings, $161,000; in all, $193,500," so as to make the clause read:

At Camp Normoyle, Tex.: For the construction and completion of main shops, $30,000; for the purchase of real estate, $2,500; for the construction and erection of steel storage buildings, $161,000; in all, $193,500.

The amendment was agreed to.

The next amendment was, under the subhead "Coast Artillery," on page 4, line 7, before the word "purchase," to insert "the," so as to make the clause read:

For the purchase of real estate at Camp Eustis, Va., $42,198.23.

The amendment was agreed to.

The next amendment was, under the subhead "Field Artillery," on page 4, line 12, before the word "land," to strike out "No" and insert "That no"; in line 13, before the word "Illinois," to insert "the"; in the same line, after the word "tracks," to strike out "for construction as follows: For" and insert "and north of the Tip Top-Grayhampton Road; for"; in line 16, after the word "completion," to insert "of the" in line 17, before the word "for," to strike out "total" and insert "in all"; in line 22, before the word "camp," to strike out "such" and insert "said"; in line 23, after the word "Government," to strike out "when" and insert "whenever conditions are such that"; and in line 25, after the word "conducted," to strike out "there" and insert "at Camp Taylor, Ky.," so as to make the clause read:

To complete Field Artillery training centers:
At Camp Knox, Ky.: For the purchase of real estate, $811,338: *Provided*, That no land shall be purchased west of the Illinois Central Railroad tracks and north of the Tip Top-Grayhampton Road; for general construction work, $50,000; for completion of the Dixie Highway, $100,000; for plumbing, heating, and refrigeration, $25,000; in all for Camp Knox, $986,338: *Provided*, That no part of the unexpended balances of appropriations heretofore made for the support of the Army shall be expended for construction at Camp Taylor, Ky.; and the Secretary of War is hereby directed to sell the real estate and buildings of said camp to the best advantage of the Government

whenever conditions are such that Camp Knox is prepared to take over the Field Artillery School now being conducted at Camp Taylor, Ky., the proceeds of such sale to be covered into the Treasury to the credit of miscellaneous receipts.

The amendment was agreed to.

The next amendment was, on page 5, line 3, after the words "North Carolina," to strike out the comma and the word "for" and insert a colon and the word "For"; on line 9, after the numerals "$2,500" and the semicolon, to strike out the word "total" and insert the words "in all"; on line 14, after the words "buildings of," to strike out the word "such" and insert the word "said"; and, on line 17, after the word "receipts," to insert a colon and the following proviso:

Provided further, That said sale shall not be made prior to June 30, 1921.

So as to make the paragraph read:

At Camp Bragg, N. C.: For the purchase of real estate, $1,128,000; for construction as follows: For hospital, painting, and carpentry, $5,000; for glazing one hangar, $1,000; for siding on the administration building, $1,500; for gravel roads in reservation, $10,000; for gravel road to Fayetteville, N. C., $25,000; for incidental work and miscellaneous, $2,500; in all for Camp Bragg, $1,173,000: *Provided,* That no part of the unexpended balances of appropriations heretofore made for the support of the Army shall be expended for construction at Camp Eustis, Va.; and the Secretary of War is hereby directed to sell the real estate and buildings of said camp to the best advantage of the Government, the proceeds of such sale to be covered into the Treasury to the credit of miscellaneous receipts: *Provided further,* That said sale shall not be made prior to June 30, 1921.

Mr. CURTIS. I would like to have the chairman of the subcommittee explain why it is necessary to buy at Camp Bragg. I understand that the parties who own the property do not want to sell it. Can the chairman tell the Senate why it is necessary to buy the camp there when the Government has all these other camps?

Mr. SPENCER. Doubtless the Senator was not in the Chamber when I explained that a few moments ago.

In connection with the purchase of Camp Bragg we have authorized the discontinuance of Camp Gordon. The disposition of that camp is provided for in the bill. The situation in regard to Camp Bragg is that 50,000 acres and more have already been acquired by the Government.

Mr. CURTIS. By purchase?

Mr. SPENCER. By absolute purchase, bought and paid for; and we own it, and we have actually put on that land more than $10,000,000 worth of property. This amount, which is to complete that purchase, seemed to the committee not only essential from a business standpoint to complete the purchase but it does complete that artillery field, which is the only place where long-range guns can be experimented with and shot.

Mr. CURTIS. Will the Senator from Missouri explain how many additional acres are to be bought under the bill?

Mr. SPENCER. Nine thousand one hundred and seventy-seven and twelve one-hundredths acres, at $12, are now under contract, and some 60,000 are now in process of condemnation. For those that are under contract the Government is liable, and as to those that are in process of condemnation the Government will be liable for whatever judgment is rendered against it.

Mr. CURTIS. How much per acre will the land at Camp Bragg cost?

Mr. OVERMAN. The testimony shows that it will average about $12.

Mr. SPENCER. The Senator from North Carolina knows. I was looking up the information.

Mr. OVERMAN. The testimony shows that it will cost $12 and some cents per acre.

Mr. CURTIS. If they are taking it by condemnation, I do not see how they are going to get it for $10 or $12 an acre. If the Government is taking it by condemnation, it would be a question as to what the board finds the property to be worth.

Mr. OVERMAN. That is the contract price.

Mr. SPENCER. The situation in which the Government finds itself in regard to this camp is this: The land which is now sought to be purchased is actually surrounded by the land which the Government has already acquired, and if it is not completed the whole project is more or less valueless. From every standpoint of economy, without any reference to whether they were right or wrong in what they did, this is the economical thing to do. So far as this camp is concerned, it was one of the first camps; it has been there for a long while. There is not the same criticism in regard to this camp, I think, that there was in regard to purchasing the land at Camp Benning.

Mr. OVERMAN. I have the testimony here, and the price was $12.09 an acre. That was the option price. The Senator from Kansas [Mr. CURTIS] asked what it would cost, and this is the exact amount.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 5, line 20, before the word "engineer," to insert "the," so as to read:

ENGINEER CORPS.

To complete the engineer training camp at Camp A. A. Humphreys, Va.: For the purchase of real estate, $20,455.

Mr. KING. Mr. President, I want to direct the attention of the Senator from Missouri in a general way to these numerous items. For instance, we find items for Camp Humphreys, Va.; to complete the Signal Corps camp at Camp Alfred Vail, N. J.; an item for the purchase of real estate for Fort Revere, Mass.; to complete the purchase of real estate at Salt Well site, Midland, Mich.; for Edgewood Arsenal, Md.; and to complete air service fields. In addition to the numerous other air fields which the Government had during the war I find here estimates for a general depot at Fairfield, Ohio; an aviation general supply depot at San Antonio, Tex.; for the completion of barracks and quarters in Hawaii; for the construction of a sewer system at Arcadia Balloon School, Los Angeles; for general construction at Selfridge Field, Mount Clemens, Mich. My information, derived from the discussions during the consideration of various Army bills, was that Mount Clemens was not suitable for an aviation field; that five or six months of the year it was absolutely impossible to do anything because of the intense cold and inclement weather, yet there seems to be a disposition to perpetuate that field.

I find an item for the purchase of additional real estate for further aviation fields at Richmond, Va.; Ellington Field, Houston, Tex.; Chanute Field, Rantoul, Ill.; Park Field, Memphis, Tenn.; Mather Field, Sacramento; Chapman Field, Miami; March Field, Riverside, Calif.; Brooks Field, San Antonio, Tex.; Kelly Field, San Antonio, Tex.; Scott Field, Belleville, Ill.; for an aviation general supply depot, Middletown, Pa.; for an aviation general supply depot at Little Rock, Ark.; for Arcadia Balloon School again, Los Angeles, Calif.

Then we come to nitrate plants. But I will not refer to these items now. Does the Senator think the testimony warrants the continuation of aviation schools and supply depots at the large number of places mentioned in this bill? I understand there are also additional aviation fields and camps in some of these States as well as in other States. Let me add in passing that a strong argument in favor of the bill of the Senator from Indiana [Mr. NEW], reported some days ago, for the creation of a department of aeronautics and the bringing together of all activities having to do with aviation is presented in this bill, as well as in other measures which call for millions for aircraft and the training of officers and men for flying duties. It seems to me the way we are appropriating money for fields scattered all over the United States call for some coordination of Government agencies and departments. We are asked for millions for airplanes for the Army, and millions are demanded by the Navy for seaplanes. The Post Office and other executive agencies are asking for millions for aviation work. We have a duplication in these departments, and millions are wasted in unnecessary overhead and in constant overlapping.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Utah yield to the Senator from New York?

Mr KING. I yield.

Mr. WADSWORTH. Did not the Senator oppose the bill introduced by the Senator from Indiana?

Mr. KING. No; the Senator is in error.

Mr. WADSWORTH. Then I am very deeply in error, because I acquired the impression that not only the Senator from Utah but also other Senators who are complaining of the extravagance in the maintenance of the fields for aviation opposed the bill, which would have consolidated all the fields under one head and stopped this very extravagance.

Mr. KING. This is what I said, if the Senator will pardon me: I said that the admirable speech made by the Senator in support of the bill was a powerful argument in favor of the bill submitted by the Senator from Indiana, and unless some other way was devised by the War and the Navy Departments of dealing with the subject of aeronautics I was inclined to support the bill.

I further stated that I was uncertain as to what course to take in regard to the measure. This uncertainty was occasioned by my lack of familiarity with the testimony taken by the Military Affairs Committee and all the reasons which prompted the committee to report favorably the bill.

It is quite likely my remarks made during the discussion led the Senator to the belief that I was opposed to the bill. I did not conclude my remarks on the measure, yielding for the presentation of some other matter. If I had discussed the

measure further I should have stated that I would support it with some modifications.

I will say to the Senator that I began the study of the bill with some prejudice against it. I read some of the testimony which was scattered through two large volumes, and the more I investigated the subject the more I was convinced of the merits of the bill.

Mr. WADSWORTH. I am glad to hear that.

Mr. KING. I agree with the Senator that sooner or later, if we have an economical administration in the aeronautic divisions of the War and Navy Departments, we will be compelled to put them under one management or one control. The manner in which the War and Navy Departments have handled the subject of aviation warrants criticism, because the dual administration has caused waste and duplication to the extent of millions of dollars. I think it is improper to make appropriations for so large a number of fields, many unnecessary, but the War Department seems determined to maintain them, regardless of the heavy burdens which will be thereby imposed upon the people.

Mr. SPENCER. The two items to which the Senator particularly referred, the one at Camp Humphreys and the one at Camp Selfridge, are fair illustrations of every one of the items. I will assure the Senator that the committee did with some care take up every one of the items.

Here are the facts with regard to Camp Humphreys: At Camp Humphreys the Government owns 6,000 acres of land. It is already a camp upon which they have expended a large amount of money. The bill provides for the acquisition of approximately 125 acres of land, which is comprised of parcels that are in the center and surrounded by the rest of the land, and those parcels are absolutely necessary to the integrity of the whole, and not to make the appropriation would be practically to make unavailable and substantially invaluable the entire amount that has been expended on Camp Humphreys.

Mr. KING. What I want to ask the Senator is whether the committee determined that the maintenance of Camp Humphreys is necessary? I think nobody could resist the argument which the Senator is now making, but scores of camps were acquired by the War and Navy Departments during the war. Millions of dollars were expended in their purchase and equipment; and the demand is now made that further appropriations should be made, because hundreds of millions were spent in acquiring property no longer needed. It seems to me we ought to dispose of many of these camps and fields and scrap if we can not sell the millions of dollars worth of buildings that have been erected thereon. It will be economy to do so. We have appropriated millions of dollars to pay for guarding supplies and property held by the War Department at the signing of the armistice. Instead of speedily disposing of such supplies we stored and guarded at great expense hundreds of millions of dollars worth.

Mr. SPENCER. I realize the force of what the Senator so strongly states, but I may say that if you were going to sell Camp Humphreys to-morrow, as a business man you would acquire all the land, and not own 6,000 acres without acquiring little fragments aggregating 120 acres here and there, which are keys to the whole situation. The Government now has the contract to get the land, and if they do not get it their 6,000 acres are jeopardized. Then, where is there any business acumen or economy or anything of the kind, whether you keep the camp or lose it?

These are fair illustrations of the provisions in the bill. This is not seeking to establish any camp nor to develop any camp. It is an emergency bill to take care of certain features which are in the interest of economy and seem to be necessary.

The Senator referred to Camp Selfridge. Selfridge wants $190,000 for the purchase of real estate. There is not a dollar of that in the bill because the emergency of that purchase, it being now in litigation, did not seem to the committee sufficient to justify incorporating it in the bill. Selfridge wants some $30,000. We have expended there now more than $2,500,000, and it is a reserve aviation camp in actual operation. The men are there. What is the money wanted for? It is wanted for the purpose of drainage and sanitary necessities, to make the camp a place in which human life which is now there can be safe. You could not conduct that camp without the provisions for which this amount of money is necessary any more than the Senator could conduct his house without sewerage or drainage or plumbing. It does not take up the question as to whether Selfridge is to be continued or increased or not. It is a mere emergency measure to take care of what the condition now is at Selfridge, and without it we jeopardize the life of every one of the men, whom we are sending there by the hundreds, and who are there now in the service of the country.

These two illustrations which the Senator has brought up are fair illustrations of every one of the provisions in the bill. This is not a general bill. This is an emergency bill that has been culled from an emergency bill and has been cut to the bone by the House. So far as I know it does not contain a single thing that the Senator and I, if we could sit down at the table and discuss it with all the facts before us, would not agree in saying that business economy would require that it should be expended.

Mr. KING. The Senator did not answer my question, namely, whether or not the committee has made an examination of the various sites, and the evidence in support of the contention that they were needed, and whether the conclusion was reached that they were needed and that the Government ought to continue them.

Mr. SPENCER. No; we did not consider the question of their permanent use by the Government. In the list which the Senator read here is Scott Field, $100. We found that a right of way into Scott Field near Belleville, Ill., could be acquired for $100, and whether we continue Scott Field or sell Scott Field that right of way is necessary.

We found that for the general supply depot at Richmond, Va., $5,100 was an emergency for the moment, and the question of the continued use of the camp was not before us. That is true of all the items in the bill.

Mr. KING. I think the action of the committee in dealing with this bill is somewhat of a rebuke to the War Department, as the Senator says that they have cut to the bone in respect of many of the appropriations asked by the department; but I do think that the Committee on Military Affairs should investigate further and determine upon a policy with regard to the military camps and fields to be retained by the United States.

I regret to say that I have not confidence enough in the War Department to believe that it will abolish the multitudinous camps that it should. It seems to be seeking to maintain and preserve them as if we were going to have a standing Army of a million men in the country instead of a standing Army of 250,000 to 300,000, and possibly less.

I feel that the Committee on Military Affairs in considering the bill which they report should examine very carefully these various fields and determine a policy that will be consistent with the size of the Army and with the purse of the United States. It is time that we get rid of the hundreds of useless fields now owned by the United States.

Mr. SPENCER. May I say to the Senator from Utah that precisely what he has in mind is in the bill? Camp Taylor is absolutely eliminated by the provisions of the bill, and two other great camps—Camp Gordon and Camp Eustis—are put upon proof before a certain time to establish the necessity for their existence, or they go. Personally I think Camp Eustis is necessary, but the bill does provide along the very line which the Senator has outlined. One camp has been discontinued.

Mr. LENROOT. Mr. President——

Mr. SPENCER. I yield to the Senator from Wisconsin.

Mr. LENROOT. In reply to the Senator from Utah [Mr. KING] I think it is fair to say that the necessity for the appropriation contained in the bill is because of the War Department attempting to determine the military policy for the country and committing the Government to the expenditure of this money. The trouble comes with the War Department attempting to usurp the functions of the Congress.

Mr. BORAH. But the Congress declines to have it usurp this power.

Mr. LENROOT. No; it will not be stopped, because, as stated earlier in the debate, the Secretary of War unquestionably has the technical authority to do these very things, to incur these very obligations, although it was as clear a violation of the spirit of the law as possibly could be imagined. He went on and attempted to determine the military policy for the country, and, having done it, went and purchased this real estate right and left for these various camps. But they can go into the Court of Claims. The contracts were no doubt legal and the Government owes the money.

Mr. BORAH. I do not agree with the Senator that there is no doubt as to the legality. Does the Senator entertain no doubt about it? It has been stated upon the floor of the Senate that the Secretary of War did not have the power to make these purchases. The late Senator Martin, in response to questions addressed to him by myself, stated that he did not think the Secretary of War had the power to make the purchases.

Mr. LENROOT. I will say to the Senator that that was a question to which the committee gave a great deal of consideration. The War Department informed us, and I think we had the

opinion of the Judge Advocate General, as to the power of the War Department to make the contracts. I confess that I came to the same conclusion, there being no limitation in the appropriation of the authority with which he had been vested, although no one dreamed that the Secretary of War, after the war had ended for all practical purposes, would undertake to use for any such purpose as this the money appropriated for carrying on the war.

Mr. KING. May I invite the attention of the Senator from Idaho to a statement of the Secretary of War, when he appeared before the House committee and later before the Senate committee, asking for authority to make these expenditures after the armistice. He appeared in January of 1919, and the armistice, as the Senator will remember, was signed in November, 1918.

The Secretary at that time stated that he believed he had the legal right but not the moral right to spend such moneys. The Committee on Military Affairs refused to give its sanction as requested, but instead approved the resolution which had been introduced in the House expressly prohibiting such expenditures. Then the Secretary of War and the Assistant Secretary of War sought some grace before the Military Affairs Committee of the Senate, and they did not fare much better.

Mr. BORAH. He had a technical legal right, but no moral right.

Mr. KING. I do not think he had the technical legal right. When during the progress of the Great War an appropriation was made for the purpose of preparing for the war and the war ceased by an armistice and it was apparent, as from the situation which confronted us when the armistice with Germany was signed, that there would be no necessity for the expenditure of millions and hundreds of millions which the United States had theretofore been appropriating, I submit that it was the legal duty of the War Department to cease making these expenditures, and that it had no legal right, let alone any moral right, to continue making the expenditures.

Mr. OVERMAN. Mr. President, many of these contracts were made during the war; the lands were taken and the camp was established during the war.

Mr. LENROOT. In reply to that statement I desire to say that in nearly every case there was no contract of purchase prior to the armistice, but the Government held under lease in nearly every case, running up to 1921, 1922, and even as long as 1923, with options to purchase; and the options, in the vast majority of cases found in the pending bill, were exercised by the Government after the signing of the armistice.

Mr. OVERMAN. That is not true as to all of them.

Mr. LENROOT. It is not true as to all of them.

Mr. OVERMAN. That is what I understand. I said "some." I did not speak generally of the whole bill. I think the Senator is right as to some of them.

Mr. LENROOT. If it were not for the fact that I believe there is a legal liability against the Government for the purchase of this real estate I would not favor this bill at all; I would most strenuously object to it. If there was any way to rebuke the War Department for the action that it has taken in attempting to determine the policy and to usurp the functions of Congress, I should like to find some way by which Congress could take appropriate action with respect to that; but it would not punish the War Department by refusing to carry out these contracts; it would only be punishing the innocent owners of the real estate.

Mr. BORAH. Mr. President, I desire to inquire is it necessary, in the opinion of the Senator having the bill in charge, that it be passed to-day?

Mr. SPENCER. I think it should be passed to-day. We have made great progress with the bill, and I should dislike to lose the advantage of the progress which has been made.

Mr. BORAH. It is very hard to keep up with the appropriation bills, Mr. President. There seems to be a question in this case as to the legal liability of the Government concerning which, naturally, I should like to inform myself before I vote. I should be inclined to take the view of the Senator from Wisconsin [Mr. LENROOT]; if there is an actual legal liability, I suppose this is the better way to deal with the situation; but if we vote to-day, I shall resolve the doubt the other way and vote against it.

The PRESIDING OFFICER. The amendment of the committee which has been stated will be agreed to without objection.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 5, line 24, before the words "Signal Corps," to insert the article "the," so as to make the clause read:

To complete the Signal Corps camp at Camp Alfred Vail, N. J.: For the purchase of real estate, $110,000.

The amendment was agreed to.

The reading of the bill was continued to the end of line 4, on page 6, the last clause read being as follows:

To complete the purchase of real estate:
For Watervliet Arsenal extension, New York, $300,000.

Mr. SPENCER. I desire to call the attention of the Senator from Utah to the fact that we have now reached the point in the bill in reference to the Watervliet Arsenal, to which the Senator from Utah desires to offer an amendment.

Mr. KING. In the clause just read I move to strike out "$300,000" and to insert "160,000."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Utah.

Mr. SPENCER. There is no objection to that amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The next amendment of the Committee on Military Affairs was, on page 6, line 19, before the word "completion," to insert the article "the," so as to make the clause read:

For the completion of barracks and quarters at Fords Island, Hawaii, $35,000.

The amendment was agreed to.

The next amendment was, on the same page, in line 21, before the word "construction," to insert the article "the"; and in the same line, after the word "of," to insert the article "a," so as to make the clause read:

For the construction of a sewer system at Arcadia Balloon School, Los Angeles, Calif., $1,500.

The amendment was agreed to.

The next amendment was, on page 7, after line 11, to strike out the following clause:

For purchase of real estate and acquisition of oyster rights at Langley Field, Va., $12,000.

The amendment was agreed to.

The next amendment was, on the same page, after line 21, to strike out:

For purchase of Curtiss-Elmwood plant at Buffalo, N. Y., $1,804,300.49: *Provided*, That such payment shall be in full for all claims and accounts against the Government of the United States.

And in lieu thereof to insert:

Curtiss-Elmwood plant at Buffalo, N. Y.: The Secretary of War be, and he is hereby, authorized to pay to the Curtiss Aeroplane & Motor Corporation of New York a sum not to exceed $1,804,300.49, in full and complete settlement and satisfaction of all charges and claims for depreciation, wear and tear, obsolescence and amortization, provided for, growing out of, or in any manner arising from, or by virtue of Bureau of Aircraft Production contracts Nos. 2673, 2673–1, 2673–A, 2673–1–A, and 2814–A; and for the purchase and acquisition by the United States, free and clear of all incumbrance, of the plant of the Curtiss Aeroplane & Motor Corporation, known as the Curtiss-Elmwood plant, situated on North Elmwood Avenue, Buffalo, N. Y.; said plant consisting of 79.1 acres of land, more or less, together with all structures, buildings, factories, warehouses, machinery, tools, equipment, and all improvements, facilities, and appurtenances belonging thereto, and which make up, constitute, and form the said Curtiss-Elmwood plant.

Mr. KING. Mr. President, there may be sufficient justification for this appropriation; if so, I am not advised. I understood that during the investigation which was made by the Military Affairs Committee of the Senate of the maladministration of the War Department in regard to the appropriations for aircraft, and during the time that the investigation was being made by Judge Hughes the organization known as the Curtiss-Elmwood plant came under observation. My recollection is—and I do not have a very distinct recollection—that in that plant there was evidence of gross mismanagement and of a scandalous waste of the public money. My recollection is that after the war was over there were some dealings with this plant or some organizations with which it was connected looking to a settlement and an adjustment of all the controversies between that plant and the Government.

Mr. BORAH. Mr. President——

Mr. KING. I yield.

Mr. BORAH. In whose State is that plant located?

Mr. WADSWORTH. It is located in my State.

Mr. BORAH. Does the Senator think the item properly in the bill?

Mr. WADSWORTH. Absolutely so, or I would never stand for it. The Senate has already passed this very item once after extended debate, the whole transaction having been fully explained.

Mr. BORAH. The fact that the Senate passed it once would not be very much of a precedent.

Mr. WADSWORTH. I merely made that observation to show that there is nothing new about this item; it is not being sprung upon the Senate by the Senator from New York or by the Committee on Military Affairs. There was extended debate upon this very matter and there was entire agreement of opinion upon the part of everybody who has ever studied it at all that this is the only decent business arrangement the Government can make in connection with this plant. By the expendi-

ture of this amount of money the Government will save something like $4,000,000.

Mr. SPENCER. Mr. President, will the Senator from Utah yield for a moment?

Mr. KING. I yield.

Mr. SPENCER. I should like to say, in a sentence, in regard to this plant that the simple facts are as follows: The Government has now $55,000,000 of property stored at this place; they are occupying 1,300,000 cubic feet of space. To build the storage which the testimony shows will be required for at least four years more would cost three times the amount contemplated by this bill. We are now paying for that storage $300,000 a year; but, because of a contract which we already have with the Curtiss organization, we have the chance of taking that whole plant, with all the buildings, for the sum of money of which the House has approved. I may say to the Senator from Idaho that if we were to look at it as a mere business proposition in connection with a corporation in which he and I had the pleasure of being associated, we would find that, as a business proposition, it would be the thing to do and that it should be done at once. I do not think those who own the property are keen for the disposition proposed of it by this bill. If we do not avail ourselves of our contract and take it, it reverts back to them, together with the millions that we have put into it. We are the beneficiaries, and not those to whom the money goes.

Mr. WADSWORTH. There is another fact to which I should like to call attention, namely, that we get this bargain because we were fortunate enough to make the contract.

Mr. SPENCER. That is perfectly true.

Mr. WADSWORTH. If Senators would merely look into the facts and ascertain what has actually occurred before making bitter attacks on these items, it would not only save the time of the Senate but, I believe, would expedite a proper consideration of the bill.

Mr. BORAH. Mr. President——

Mr. WADSWORTH. Just a moment. The Senator from Utah had something to say about the investigation of aviation production during the war in connection with this plant——

Mr. KING. I yield to the Senator.

Mr. WADSWORTH. I venture to say that he can not find in all of that testimony any charges that anything occurred at that plant involving the waste of the Government money as the result of the inefficiency of the plant itself. He is reflecting upon this item by insinuating that that company should have a black name. The truth is that the money which was wasted at the Curtiss plant at Buffalo was wasted because the Government ordered that company to do the impossible, and kept on ordering it to do the impossible over and over again, against the protest of the officials of the company.

It is only fair to state what the facts are. Even though I do happen, in part, to represent the State of New York in the Senate, I have no more interest in this item than in any other, and it was not inserted in this bill at my request or the request of my colleague [Mr. CALDER]; it was inserted in this bill on the unanimous vote of the subcommittee, of which I was not a member. It was done on a former occasion by unanimous vote of the whole Military Affairs Committee, and passed the Senate on a former occasion after an extended debate, in which it was absolutely proved beyond all peradventure of doubt that this item would save the Government of the United State at least three times its face value. That is the only reason it is here, and not because the plant happens to be in the State of New York.

Mr. BORAH. Well, no one has said that. Nobody has insinuated that that was the fact. I asked in whose State it was located so that I might get the facts, and I am glad to have them.

Mr. President, I must say that the opportunity for Senators to investigate these matters is very slight. Very few of us are on the committee, and when it is suggested that we have an opportunity even to look into the details of the question, it is thought not necessary to do so.

I should be glad myself to have a little more time that I might look into some of these things. I know that since the war closed, according to press reports, the War Department and the Congress combined have gone ahead and are going ahead as though the war were in full progress. They are expending money in a way that would be expected if we were anticipating a war to begin next week. If the facts with reference to any particular item are such as the Senator from New York states—and I have no doubt that the Senator from New York states them just as he understands them to be, and not otherwise, as to the particular item—of course, it would be proper to take care of it; but here are a number of contracts which have been made by the War Department at a time when confessedly they did not have the moral right to do it, and there is a grave doubt as to whether they had the legal right to do it. Now Congress is following its usual tactics in backing up what was improperly done by the department, and the combined action of the department and the Congress results in taking millions of dollars from the Treasury at a time when we ought not to be spending money in this reckless way.

Mr. KING. Mr. President, notwithstanding the strong, vigorous language of the Senator from New York [Mr. WADSWORTH] and the apparent heat which actuated his last observations, I shall still have the temerity to challenge some of these items and to criticize them, and I shall not be deterred from offering criticisms, because my strictures may not suit the Senator from New York or any other Senator upon the floor. I am not bound by the investigation which the Senator from New York makes or which anybody else makes. I want to be satisfied, in part at least, when I vote for appropriations, that they are justified. This is particularly so when I believe that millions of dollars are improvidently spent by the Government, and when we are appropriating in peace times billions of dollars. We are compelled, because of the great number of measures passed upon, to be guided in many matters by the reports of committees. It is humanly impossible to consider all the bills reported to this body. But it is our duty to obtain the fullest possible information upon the measures calling for action upon our part. We are not all members of the Military Affairs Committee or the various appropriation committees of the Senate, and we can only get at the facts by making inquiry, by reading thousands of pages of printed testimony, by discussion, and by availing ourselves of the best opportunities presented.

Speaking for myself, I have attempted to familiarize myself with the appropriation bills. Though I am not a member of the Military Affairs Committee, I have read hundreds of pages of testimony taken before that committee, as I have read thousands of pages of testimony submitted before the various appropriation committees of the Senate. I am not satisfied with appropriation bills that are reported because some committee may be satisfied with them. If I feel that they need further investigation and criticism upon the floor of the Senate, I propose to make such criticism.

The demands for appropriations are so enormous, and the organized propaganda upon the part of executive officials, as well as by certain elements and classes of the public, to obtain stupendous sums from the Treasury is so extensive and powerful that I feel that every Senator should seek to protect the interests of the Government and the taxpayers. The organized raids upon the Public Treasury constitute a scandal and a menace.

It is a remarkable thing to me that we are paying $300,000 a year rental for this property, which, as I understand, we can acquire for approximately $2,000,000. If there is a contract to pay $300,000 a year rental, it would seem that it was an improvident one.

The Senator from Missouri [Mr. SPENCER] says there is $55,000,000 worth of property in this plant. I do not know the character of the property. It may be military stores. A year ago the War Department represented that it had not only hundreds of millions but, as I recall, several billion dollars' worth of property here and in France. The Senator from New York earnestly and properly urged that we permit the War Department to have in the neighborhood of 12,000 or 18,000 additional officers for one year—if I am wrong I shall be glad to be corrected——

Mr. WADSWORTH. An aggregate of 18,000 officers; not 18,000 additional officers.

Mr. KING. I was in error—an aggregate of 18,000 officers, in order that the War Department might make disposition of the property which it had on hand. The Senator knows, and other Senators know, that there has been severe criticism of the War Department for the manner in which it has attempted to dispose of the war supplies which it had on hand when the war ended. Senators know how hard it was to get any action upon the part of the War Department and to induce the officials to dispose of the hundreds of millions of dollars' worth of property which was on hand.

Why has not the Government disposed of this $55,000,000 worth of property? It may be that it is property which ought to be preserved; but, if it is property which ought to have been disposed of, more than a year has gone by since the armistice, and the longer the property is held the less value it will possess.

Why does not the Government dispose of these stores? Why has it not done so before? What is the necessity of purchasing this plant? Is it the plan of the Government to engage in the manufacture of airplanes? Are we purchasing this plant be-

cause it is cheaper to buy than to rent, or are we purchasing it because the Government intends to engage in the manufacture of airplanes? I should like some information in regard to that proposition, if the Senator from Missouri or other Senators upon this committee care to give it; but, with the limited information which I have respecting this item, I shall feel constrained to vote against it.

Mr. SPENCER. Mr. President, in response to the Senator's inquiry, I will state that the only amendment was this: If the Senator has the bill in his hand——

Mr. KING. I have it.

Mr. SPENCER. The Senator will notice that the language of the House, which provides for precisely the same amount, provided that the payment shall be in full of all claims and accounts against the Government of the United States. Inadvertently, that language would include, as the Senator will notice, outstanding claims not at all in connection with this plant. This company does have existing contracts with the Government which are not at all involved in this plant, and therefore the provision inadvertently included much more than it was intended to include. So the Government and the company itself agreed upon an amendment which should in every particular take care of the plant and all its appurtenances and everything connected with it, but, of course, should have no connection with any outside contracts that had no relation to the plant itself; and that is the reason of the change in the wording.

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. SPENCER. Certainly.

Mr. KING. Is it the purpose of the Government to operate this plant?

Mr. SPENCER. I do not know. I know that they have got to use this plant for the next four years for storage, and I know that if they did not use it another day beyond those four years for storage this provision would be most economical.

Mr. KING. Will the Senator explain what the stores are?

Mr. SPENCER. Largely, airplane stores that have accumulated, and parts of machines, and material. There are $55,000,000 worth of them there, or were a month ago.

Mr. KING. Does not the Senator realize that the machines which we have are practically valueless, and that they have become obsolete; that the machines of last year will be practically worthless next year?

Mr. SPENCER. I think there is a great deal in what the Senator says, but I do not understand that the completed machines are stored. I understand that the storage is of material and of parts of machines which are available in any remodeling or in the construction of future machines.

Mr. WADSWORTH. Mr. President, it may interest the Senator from Utah to know that a very large number of motor trucks are stored there. In fact, they are packed in, standing up on end, thousands of them.

Mr. KING. Why has not the War Department disposed of those motor trucks?

Mr. WADSWORTH. They are the ones that are being reserved for the use of the Army. They are not declared surplus. Something like 18,000 trucks were declared surplus, as the Senator knows. These are the brand-new ones that never have been used, and are regarded as necessary for the Army itself.

I may say to the Senator that this building covers 25 acres. It is probably the largest single factory building in the world. I never heard of a larger one. It is built of concrete, steel, and glass. I have never heard that the War Department had any idea of operating it as a factory, but the Government has put something like four or five million dollars into it by way of a loan to the company, as I recollect—I forget the details—and had a contract by which it can buy it back after an appraisement; and it is now found, as the result of the most exhaustive investigation, that the company's equity in the building is about $1,800,000. The building cost something like $6,000,000. We get the building back by paying the company its equity of $1,800,000, and we can do anything we like with it. We can sell it afterwards to any manufacturing concern or we can lease it as a whole or we can lease it in sections. The building is so built that several manufacturing processes can be carried on in it at the same time. It is an enormous place. Otherwise there is no other solution for the Government except to go on paying this rental. It may be said that the rental of $300,000 per year is for the use of a building which cost nearly $6,000,000, not $1,800,000.

I will say to the Senator from Utah that I did not mean to show undue heat a moment ago in my reply. We have spent a great deal of time on these things. This particular item has been under investigation since May, 1919. It was reported to the Senate in the annual appropriation bill, and I think the Senate spent the greater part of one day in debating this very item. All the facts were brought out in the greatest detail, and the Senate, I think with no opposing votes, or at any rate but few—perhaps the Senator from Tennessee [Mr. McKELLAR] opposed it—by an overwhelming vote adopted it. Now, the House has adopted it also, although the language of the House, as the Senator from Missouri has explained, is a little different from the language which the Senate subcommittee has recommended.

Perhaps the reason for my heat a moment ago was the fact that the Senator from Utah, in order to criticize this particular item, referred to the investigation made of aircraft production during the war, and inferentially, at least, put a charge against people who were quite innocent. Investigation shows that the mismanagement centered here in Washington, and that the Government was guilty and not the manufacturers. That is shown clear through, and that was all I had in mind when I said that I did not like to see innocent people given a black eye through the criticism of this particular item on the ground that the Curtiss Co. had been grossly extravagant and wasteful of the Government's money.

Mr. KING. Mr. President, I believe neither the public nor perhaps Senators have always differentiated between the War Department and its officials and some private companies with which the War Department had contracts. If I did the officials of that company an injustice, of course I should be very sorry, for I do not desire to say anything that would unjustly reflect upon anyone, but my recollection of the investigation was that there was strong and convincing proof of great waste and extravagance at this plant.

Mr. WADSWORTH. That is perfectly true.

Mr. KING. Judge Hughes so found, as I recall, and all who have made investigations have so found. Indeed, a number of friends of mine, and one or two Army officers, reported to me that the waste and extravagance at this plant was something unparalleled; that they would receive orders to manufacture a certain type to-day, and a large number of men would be put at work to manufacture along those lines, and in a few weeks their output would be scrapped and some other design or some other plan would be decided upon.

Mr. WADSWORTH. All on orders from Washington.

Mr. KING. I think that is true on orders from Washington.

Mr. WADSWORTH. As a matter of fact, that was the most unfortunate experience of its kind, I suppose, this country or any group of its citizens ever experienced in our history in war or peace. This enormous plant, Mr. President, if I recollect correctly, the largest aircraft manufactory in the world, so far as size and number of men employed was concerned, did not turn out one fighting machine during the war, for the simple reason that everything it was given to do by the Government was impossible to do.

Mr. KING. Mr. President, I express the hope that the Military Affairs Committee will make an investigation so complete that we will know where the blame lies for the shameful waste of money in the aircraft production during the war. The public believes that this organization of which the Senator speaks was guilty of some delinquency. Under the Senator's statement, and I have no doubt but what it is true, that organization rose to the emergency, and, if it had been permitted, would have produced airplanes in large numbers to aid in winning the war; but from the information conveyed it would seem that the red tape, the officialdom, the bureaucracy, the incompetence in the War Department all conspired to frustrate the efforts of the aircraft company and to prevent the production of planes so greatly needed upon the battle fields of Europe. Somebody ought to be haled before the bar of public opinion and made to suffer for the delinquencies of which we have heard so much, and punished for the waste of hundreds of millions of dollars appropriated for the construction of aircraft for service with our troops beyond the seas.

I wish some committee would find out who was to blame, and I wish that swift punishment might come to those upon whom the responsibility rests.

The amendment was agreed to.

The next amendment was, on page 8, line 21, after the word "complete," to insert "the"; after the words "purchase of," in the same line, to insert the words "or to settle the obligation of the Government for"; and on line 23, after the word "with," to insert "the"; and before the words "nitrate plant" to insert "the," so as to make the paragraph read:

To complete the purchase of or to settle the obligation of the Government for real estate contracted for in connection with the erection of the nitrate plant at Ancor, Hamilton County, Ohio, $180,000.

The amendment was agreed to.

The next amendment was, on page 9, line 1, to strike out the word "*Provided*" and insert "Sec. 3"; on the same line, before

the word "construction," to insert the article "the"; on line 2, after the word "or," to insert the words "any of"; on line 9, after the word "system," to insert the words "or form of contract and now," so as to read:

SEC. 3. That no contract for the construction covered by the appropriations contained in this act, or any of the unexpended balances of appropriations heretofore made for the support of the Military Establishment, except repair work the cost of which can not be clearly estimated, shall be let to any contractor under what is known as the "cost-plus," "cost-plus perceniage," or "cost-plus a fixed fee for compensation" system or form of contract: *Provided, however,* That work or construction let under such system or form of contract and now under process of completion may be concluded.

The amendment was agreed to.

The next amendment was, on page 9, after line 11, to insert the following as an additional section:

RARITAN ARSENAL.

SEC. 4. That the Secretary of War be, and he is hereby, authorized to expend such portion of the unexpended balances of the appropriations made by the second urgent deficiency act, approved October 6, 1917, for terminal storage and shipping buildings as may be necessary for the payment of awards to cover the acquisition of the following-described real estate which has been requisitioned under the provisions of section 10 of the act approved August 10, 1917 (40th Stat. L., p. 276), to wit: Two thousand and eighty-nine acres of land, more or less, and appurtenances thereto belonging, situated near Metuchen, in townships of Woodbridge and Raritan, county of Middlesex, State of New Jersey, and now occupied as an ordnance depot and known as Raritan Arsenal: *Provided,* That where the title to the above-described real estate sought to be acquired by such requisitions, already served, proves to be defective by reason of the fact that all necessary parties in interest were not served with requisitions, or for any other reason, the Secretary of War be, and he is hereby, authorized to purchase or to acquire by condemnation or otherwise such outstanding titles as are necessary to completely vest the fee-simple title to such real estate in the United States of America.

Mr. KING. Mr. President, will the Senator from Missouri briefly explain what this tract of land will cost, when it was requisitioned, and whether there is any necessity for its retention by the Government?

Mr. SPENCER. I think it is free from any of the objections that have been made to the purchase of other tracts. It was added on by the committee after consultation with the House committee. I will state the situation:

In October, 1917, the Government determined to erect an arsenal for storage and for other purposes upon the Raritan River. The arsenal was erected, and it comprises 500 buildings. In December there was stored in that arsenal $335,000,000 worth of material. The land on which those buildings were erected was requisitioned by the Government more than two years ago, and the people who owned those lands were dispossessed. In a majority of the cases—almost all of them—the awards of the money actually due to the people who were dispossessed have been made, and yet they have not received a dollar. Many of them are poor farmers in New Jersey.

Mr. WADSWORTH. They are poorer now than they were before.

Mr. SPENCER. Yes; and this is to provide for the payment of the money, for which the Government is legally liable, and which in any transaction in private business would have been paid from a year and a half to two years and a quarter ago.

The amendment was agreed to.

Mr. SPENCER. I offer one amendment which I hope may be adopted. Senators will remember that the other day we adopted in the Senate a provision to correct the ruling of the auditor with regard to the purchase of lands for Walter Reed Hospital. The provision we adopted ought to be added on this bill as an amendment to facilitate the matter. I hope there will be no objection to it. It is precisely the same amendment that we adopted in the Senate, I think, day before yesterday.

Mr. SMOOT. It was in a bill that we passed?

Mr. SPENCER. A Senate joint resolution that we passed. It is the precise language in which it was when we adopted it. It is only for its strategic position that it ought to be on this bill.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). The Secretary will report the amendment.

The ASSISTANT SECRETARY. It is proposed to add to the bill:

That no provision contained in the Army appropriation act approved July 11, 1919 (Public, No. 7, 66th Cong.), shall be deemed or construed to prohibit the expenditure of the appropriation of $350,000 made therein for the purchase of land contiguous to the Walter Reed General Hospital, 26⅞ acres more or less, and the acquisition of so much of said acreage for the amount appropriated as the Secretary of War, in his discretion, may deem to be in the public interest.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "A bill to amend the Army appropriation act for 1920, and for the purchase of land and to provide for construction work at certain military posts, and for other purposes."

CIVIL-SERVICE RETIREMENT.

Mr. STERLING rose.

Mr. KING. Mr. President, I suggest the absence of a quorum.

Mr. STERLING. Will not the Senator withhold the call for a quorum?

The PRESIDING OFFICER. The Chair will hold that under the rule whenever the absence of a quorum is suggested the roll must be called.

Mr. STERLING. I thought it was the rule that after the roll call had begun then nothing could intervene, but that a Senator might withdraw the call for a quorum before it had begun.

The PRESIDING OFFICER. By unanimous consent the Senator from Utah can withdraw his request.

Mr. STERLING. Will not the Senator withhold it?

Mr. KING. I will withhold for a moment.

Mr. STERLING. I desire to bring before the Senate the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. KING. Mr. President, I do not withdraw my demand for a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ball	Hale	McNary	Smoot
Beckham	Harris	Moses	Spencer
Brandegee	Harrison	Nelson	Sterling
Calder	Henderson	New	Sutherland
Capper	Johnson, S. Dak.	Norris	Thomas
Chamberlain	Jones, Wash.	Nugent	Townsend
Curtis	King	Overman	Underwood
Dillingham	Kirby	Page	Wadsworth
Elkins	McCormick	Phipps	Warren
Fernald	McCumber	Ransdell	Watson
Glass	McKellar	Sheppard	
Gronna	McLean	Smith, Md.	

The PRESIDING OFFICER (Mr. OVERMAN). My colleague [Mr. SIMMONS] is unavoidably detained from the Senate. I will let this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the Senator from Florida [Mr. TRAMMELL] is absent on account of illness.

The PRESIDING OFFICER. Forty-six Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The names of the absent Senators were called, and Mr. JONES of New Mexico, Mr. LODGE, Mr. POINDEXTER, Mr. POMERENE, Mr. ROBINSON, and Mr. SHERMAN answered to their names when called.

Mr. CUMMINS, Mr. HARDING, Mr. GORE, Mr. KELLOGG, and Mr. CULBERSON entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-seven Senators having answered to their names, a quorum is present.

Mr. STERLING. Mr. President, I move that the Senate proceed to the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. POMERENE. Mr. President, I hope that the motion will not prevail. I have been very much in favor of a retirement plan——

Mr. STERLING. Will the Senator permit an interruption?

Mr. POMERENE. Certainly.

Mr. STERLING. I appreciate the Senator's position and the importance of the work in which he is engaged. If the Senator will allow the motion to prevail, or will not object to the motion, I will, after the reading of the bill, consent that it may be temporarily laid aside and not proceed with the discussion of the bill to-day.

Mr. POMERENE. I am not sure that that is going to be of very much assistance to me. The Senator is aware that the conferees on the railway legislation have been in daily session six days in the week for some time. Possibly there were one or two adjournments of one day for some special reason. It is more than important that the proposed railway legislation should be disposed of. Notice has been given by the President that the railroads will be turned back March 1. I am sorry that they were not turned back March 1, 1919. The conferees of the Senate and House are doing everything they can to adjust the differences between the two Houses, and I would feel that I was negligent in my duty if I did not give practically my entire time to that railroad legislation until we get it in the form of a report to be presented to the Senate.

I know that the Senator from Iowa [Mr. CUMMINS], the distinguished chairman of the Committee on Interstate Commerce,

is also very much interested in retirement legislation. Years ago he was the chairman of the Committee on Civil Service and Retrenchment and prepared and presented to the Senate a bill on the subject. Later I succeeded him as chairman of that committee, and, after a good deal of thought, another retirement measure was prepared and presented. I think I am within the bounds of truth when I say that the Senator from Iowa also is very anxious to be on the floor, so that he may take a part in the discussion of the bill.

I am not opposed to a retirement plan. I am just as much in favor of a retirement plan as is the present distinguished chairman of the committee, but I am opposed to his plan, and I think the majority of the Senate will be opposed to that plan when they realize how tremendous the cost is going to be.

I am not questioning the diligence or the good faith of the committee, but I am satisfied they have been grossly deceived by some of the testimony which was presented to the committee touching the question of the cost of the bill. I expect when we get to the discussion of the bill to demonstrate, I think, conclusively, what it is going to cost the Government. Beginning with about six or seven million dollars a year, it will reach the peak within about 30 years, when it will cost $35,500,000, or thereabouts, a year, and then it will gradually decline until it reaches a level of $28,500,000 a year; but the high cost of the bill has been kept in the background by the experts who have come before the committee.

I want to be on the floor of the Senate when the bill is being discussed, but I can not be here if I am to do my duty as a member of the conference committee having under consideration the railroad legislation. If the retirement bill can go over until next week or until such time as we shall have completed our work as members of the conference committee, I shall join with the Senator from South Dakota in helping to bring up the bill, for it is a question that ought to be settled. However, because of these conflicting engagements, I hope the Senate will not order the taking up of the bill now. Whatever view we may take of this subject, Senators ought to be informed upon it; and I am satisfied, knowing as I do the many engagements that Senators have, they are compelled to depend to a certain degree upon the diligence, the work, and the conclusions of the committee that has special charge of the bill.

Of course, in what I am saying, I do not mean in the slightest degree to cast any reflection upon any member of the Committee on Civil Service and Retrenchment; all of the members of that committee are my personal friends, for whom I have the highest regard personally and officially; but I hope the Senator from South Dakota will not insist on having the bill taken up at this time.

Mr. STERLING. Mr. President, this bill has been on the calendar a long time. It is No. 89 on the calendar. It was believed that it should have been considered by the Senate long before this, but the steering committee arranged to take up bills following this bill on the calendar, and, in their judgment, it was deemed proper that those bills should be first considered. I yielded to that decision without any complaint or objection.

Mr. President, this is an important bill. There is urgent need for civil-service retirement legislation, and there has been for a long time. Our own great Government is the only civilized government in all the world, I think, that has not some civil-service retirement system, and it is to the reproach of the United States that it has not before this time adopted some just, equitable, and fair system; one that would be just to the employees; one that would be just to the Government itself; and one that would be just to the public, which, after all, is the party that is most interested. In view of the importance of this legislation, and in view of the fact that it has been delayed and put aside for other legislation, I feel that the bill should be now considered.

Mr. President, always, in the proceedings of the Senate, Senators will be on important committees considering important bills; Senators will be on important conferences considering bills that have passed the House. Must important legislation halt and wait for the release of Members who serve on committees until their work is done, the time when that work will be completed being altogether indefinite and uncertain? I can not quite agree with that proposition, much as I should like to accommodate my friend the Senator from Ohio [Mr. POMERENE] or the Senator from Utah [Mr. SMOOT] or the Senator from Iowa [Mr. CUMMINS], all of whom have manifested an interest in civil-service retirement legislation.

Further, Mr. President, the Senator from Ohio, in his opposition to the motion to take up the bill, anticipates some of the very issues of the bill and discusses them here on the floor at this time. I desire to say that I think the Senator from Ohio has been wrongly advised in regard to the cost of this legislation to the Government of the United States, as I think we shall be able to show.

Mr. POMERENE. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Ohio?

Mr. STERLING. I yield.

Mr. POMERENE. If the distinguished chairman of the committee or any other member of the committee can show that I have been wrongly advised, I shall be only too glad to change front. I want to be right about this matter, as I am satisfied the Senator does.

Mr. STERLING. Certainly.

Mr. POMERENE. I hope when we come to a discussion of the matter I may have the privilege of being in the Senate Chamber when the chairman of the committee presents his views. I shall want to ask him some questions, and, no doubt, he will want to ask me some questions when the matter comes up for discussion.

Mr. STERLING. I shall hope to have the Senator from Ohio here when I discuss the bill.

I desire to say, as I said a while ago to the Senator, that I do not propose to go into the discussion of the bill to-day, but if the Senator will permit the bill to become the unfinished business and to be read, I shall then ask that it be temporarily laid aside.

Mr. POMERENE. The only difficulty is that I anticipate I shall be in the same embarrassing situation to-morrow that I am in to-day. I have only referred, in a way, to the merits of the respective bills for the purpose of showing the importance of the bill for which the Senator from South Dakota now asks consideration and the necessity for its full discussion.

Mr. SMOOT. Mr. President, may I interrupt the Senator?

Mr. STERLING. I yield.

Mr. SMOOT. So far as I am personally concerned, I have no objection to taking up the bill at any time. I am in favor of retirement legislation. As to whether this bill is the proper one or some other bill be substituted will be brought out in the discussion.

Mr. STERLING. Certainly.

Mr. SMOOT. But the Senator knows that the Senator from Iowa [Mr. CUMMINS], who was chairman of the Committee on Civil Service and Retrenchment for a number of years, and myself spent days and weeks in the consideration of a retirement bill which we reported to the Senate, but to which the Senate failed to give consideration. I was also a member of that committee at the time the Senator from Ohio was its chairman, and I think the Senator from Ohio will bear me out in saying that we gave days and weeks to the consideration of the same subject matter. Then, as time proceeded, other bills have been considered by the same committee. I know that the Senator from Iowa is deeply interested in this proposed legislation; I know that he desires to be present when it is considered. Of course, if the bill before the conference committee were merely an ordinary measure no member of that committee could come before the Senate and ask that the proceedings of the Senate upon any such measure should be postponed or deferred to suit his convenience, but the railroad bill has got to become a law if the railroads are to be turned back to their owners by March 1. It is very doubtful whether, even if the committee should agree on a conference report by the middle of next week, we should be able to get the report through the House, through the Senate, and signed by the President in time to have the railroads turned over by the 1st of March.

Mr. STERLING. Mr. President, if the Senator will permit me, he now discloses the true situation; first, that it is indefinite as to when the work of the conferees on the railroad bill will be concluded; and, secondly, that there will be indefinite discussion after the report of the conference committee is submitted.

Mr. SMOOT. The Senator knows that when the conference report goes to the House it will lie over for a day, and no doubt will be discussed in the House for some time. I do not expect that there will be very much discussion of the conference report in the Senate, and, so far as I am concerned, I will say to the Senator that during that time I shall assist him in getting the retirement bill before the Senate for consideration; but I really think that the bill ought to go over at least until next week, so that the members of the conference committee on the railroad bill can be present when the bill is taken up and discussed.

Mr. McCORMICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Illinois?

Mr. STERLING. I yield to the Senator from Illinois.

Mr. McCORMICK. Mr. President, as a Senator who has no such immediate interest in this bill as any of those who have taken part in the discussion, I submit that, at a time like this,

unless a measure of this kind may be made the unfinished business upon the motion of the Senator who is responsible for it, it may very well be put over again and again. The Senate will never dispatch any business at that rate. There are conferences continuing now or pending which will occupy the time of other Senators even three weeks from now when the Senator from Ohio has concluded his labors upon the great railroad bill.

Mr. POMERENE. Mr. President, in a general way that is true, but I think that the distinguished Senator from Illinois will agree with me that it is especially important that the railroad legislation be gotten behind us.

Mr. McCORMICK. Mr. President, I agree with the Senator, but let me say that the Senator from South Dakota has offered, if the Senator from Ohio will permit him to get this bill before the Senate, to ask unanimous consent that it be temporarily laid aside. There are two or three other Senators on the floor now who have other measures which they wish to bring before the Senate.

Mr. POMERENE. As I understand the suggestion of the Senator from South Dakota, it is to lay the bill over until to-morrow, so that there will be no discussion to-day. My own belief is that we will have proceeded far enough along with the conference on the railroad bill so that by the first of the week, or shortly thereafter, we can take up the retirement bill.

Mr. McCORMICK. "Hope deferred maketh the heart sick."

Mr. SMOOT. Mr. President, of course the Senator can not bind the Senate nor can he bind what action may be taken hereafter; but tentatively will the Senator agree, if the retirement bill is now made the unfinished business, that he will not ask for its consideration, so far as debate is concerned, until the first of next week? After that we will have to rely upon the good judgment of the Senator if the conference report on the railroad bill is not presented.

Mr. McCORMICK. Mr. President, I venture to say that, beginning on Monday, considerable debate upon another topic is likely to occupy the time of the Senate.

Mr. SMOOT. If this is the unfinished business, any one Senator can prevent it at 2 o'clock any day.

Mr. McCORMICK. The Senator from Massachusetts [Mr. LODGE], on the one hand, and the Senator from Nebraska [Mr. HITCHCOCK], on the other, purpose to precipitate what I think is likely to prove a considerable discussion.

Mr. SMOOT. I call the Senator's attention to the fact that the only way in which the unfinished business can be laid aside is by unanimous consent——

Mr. McCORMICK. Precisely.

Mr. KING. Oh, no.

Mr. SMOOT. If unanimous consent is not given, then a motion can be made to take it up, and that will displace the unfinished business, and that can be done with the peace treaty at any time. I have no doubt about that.

Mr. McCORMICK. And with what resultant discussion?

Mr. POMERENE. I am sure the Senator from Illinois will be here, and he can pour oil on the troubled waters.

Mr. McCORMICK. If the Senator would suggest "oil on the fire," I might agree with him. [Laughter.]

Mr. STERLING. Mr. President, I have in mind the notices already given by the Senator from Nebraska [Mr. HITCHCOCK] and the Senator from Massachusetts [Mr. LODGE] in regard to taking up the question of the League of Nations and the peace treaty for discussion the first of the week. If I could have the assurance that beginning on Monday we might proceed with this bill as the unfinished business, I would agree to the suggestion made by the Senator from Utah now; but we can not have that assurance, in the very nature of things, when we consider what notices have already been given.

Mr. SMOOT. It is entirely in the hands of the Senate. At 2 o'clock on Monday the Senator can object to laying aside the unfinished business, and then the only way in which it can be displaced is by a motion. I will say to the Senator that no matter whether this bill is the unfinished business or not, I think when Monday comes if the Senate wants to take up the peace treaty it will be taken up by unanimous consent, and if unanimous consent is not granted it will be taken up by a motion, and I think the Senator believes so.

Mr. STERLING. Yes; and most probably it will be taken up by a motion, and certainly will displace everything else.

Mr. SMOOT. Then it would displace the unfinished business; so there is nothing gained by refusing to adopt the course I have just suggested.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. STERLING. I yield to the Senator from Tennessee.

Mr. McKELLAR. I just want to make this suggestion to the Senator from South Dakota: I happened to be chairman of this committee last year, and I know something about the difficulties both of getting it up and of keeping it before the Senate after you get it up. If the Senator will look back about a year or a little more in the CONGRESSIONAL RECORD, he will find almost this exact controversy arising, the only difference being that then I was trying to get up the bill, and to-day the Senator from South Dakota is trying to get up the bill. I want to say to him that in my judgment, unless he gets this bill up to-day or this week, it will stand no chance of passing, because the treaty will be taken up, the appropriation bills will come along later, and he will not have a chance to have the Senate vote on the bill. The Senator from Ohio has consistently opposed every effort to get up this legislation from the beginning.

Mr. POMERENE. Mr. President——

Mr. McKELLAR. I mean, as far back as I recall, as far as I know. I know that the Senator takes the view that he is in favor of some sort of civil-service retirement law, but he certainly is not in favor of the bill that is now before the Senate. He has been one of the most active of all its opponents. I recall many times while I was attempting to get it up having yielded to his blandishments, which are always very persuasive with me, as I am very fond of him; but we did not get anywhere, and we are not going to get anywhere now unless we have a vote. I just want to suggest to the Senator from South Dakota that if we are going to get anywhere on this retirement legislation we had better have a vote on it to-day, for I doubt if we will have any other chance.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Ohio?

Mr. STERLING. I yield to the Senator from Ohio.

Mr. POMERENE. My distinguished friend from Tennessee [Mr. McKELLAR] ordinarily is accurate in his statements, but he is far afield this afternoon. This measure did come up. It is true that there were certain days on which I objected to its coming up. It is also true that I helped to get it up. It is also true that after a full discussion of it the Senate adopted my substitute for it, and then the Senator from Tennessee did not want to proceed any further. It is also true that on one or two afternoons, when there was a very small attendance here, and when the Senator thought he had the whip hand of the situation, he wanted to bring it up.

I shall be content with any action that the Senate takes after it has had an opportunity to inform itself as to the merits of the situation. I understand a lot of the distorted statements of fact on this subject that have been spread broadcast over this country by a lobby in the last few years—representations, for instance, to the effect that we were going to take 8 per cent of every man's salary, and a lot of things of that kind. I understand that perfectly, and later on I may have some observations to make upon this subject. I am quite content to have anybody advance his cause and say anything that can be said truthfully in advancement of that cause; but I want to take issue with some of these lobbyists that have been hanging around here, who are responsible for the fact that there is no retirement bill on the statute books now. I only hope that the civil-service employees of the Government will be made to understand that some of these days. They will if I have the ability to make them understand it.

Mr. STERLING. Mr. President, I should like to say to the Senator from Ohio that the civil-service employees are quite united now and know just where they stand in regard to civil-service retirement.

Mr. McKELLAR. Mr. President, will the Senator yield to enable me to say just a word?

Mr. STERLING. Certainly.

Mr. McKELLAR. Of course I am not going to argue the matter with the Senator from Ohio further than to say that in the fight last year, when we had this bill up as the unfinished business for nearly two months, if he was the friend of the civil-service employee, then I say God help the civil-service employee, because to my notion no man ever fought a measure with more vigor and with more success than the Senator from Ohio fought the civil-service retirement measure that was then before the Senate, which is substantially the same as the present measure.

I hope the Senate will vote this afternoon to make it the unfinished business. I do not think we ought to delay. I think we ought to proceed with the work. Of course we all have committee work which we are obliged to attend to, and it is important, as Senators may look at it. Each one, perhaps, thinks that his own business is the most important; but there is time to argue the case here, and the Senator from Ohio will have the time, and if the Senate takes it up and makes it the unfinished business and proceeds to the consideration of it we will find the Senator from Ohio on the floor arguing against it.

Mr. STERLING. Mr. President, I hope the motion will prevail for taking up this bill as the unfinished business.

Mr. HARRISON. I suggest the absence of a quorum.

THE COMMITTEE ON INTERSTATE COMMERCE.

Mr. TOWNSEND. Will the Senator withhold that suggestion for just a moment?

Mr. HARRISON. I withhold it.

Mr. TOWNSEND. I should like to ask unanimous consent to have amended a resolution that was passed some time ago authorizing the Interstate Commerce Committee to investigate the Federal Trade Commission. I have been told by the financial officer of the Senate that under the present resolution the committee are not authorized to take testimony outside of the city of Washington. I offer a resolution for the purpose of granting that authority, and I ask unanimous consent for its consideration at this time.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 295) was read, as follows:

Resolved, That Senate resolution No. 217, agreed to December 3, 1919, be, and the same is hereby, amended to authorize the Committee on Interstate Commerce, or any subcommittee thereof, to sit and act at such times and places as it may deem necessary, the expenses of travel incident to such sessions to be paid out of the contingent fund of the Senate.

The VICE PRESIDENT. Will not the resolution have to be referred to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. TOWNSEND. I did not suppose that would be necessary. I was told that it would not. The authorization was made heretofore, and the only question was whether we could pay for testimony taken outside of the city of Washington.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

CIVIL-SERVICE RETIREMENT.

Mr. FERNALD. Mr. President, in this little lull of important action I ask unanimous consent to take from the calendar Order of Business 358, Senate bill 3738, to abolish the United States Housing Corporation. I believe it will take but a very little time.

The VICE PRESIDENT. There is a pending motion.

Mr. STERLING. Mr. President, I think in the present condition, if the Senator will pardon me, this motion should be disposed of before taking up the other matter.

The VICE PRESIDENT. The question is on the motion of the Senator from South Dakota that the Senate proceed to the consideration of Senate bill 1699.

Mr. POMERENE. I call for the yeas and nays.

Mr. SMOOT. I suggest the absence of a quorum.

The VICE PRESIDENT. The roll will be called.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ball	Glass	McKellar	Robinson
Beckham	Gore	McNary	Sheppard
Borah	Harris	Moses	Smith, Md.
Calder	Harrison	Nelson	Smoot
Capper	Henderson	Norris	Spencer
Chamberlain	Johnson, S. Dak.	Nugent	Sterling
Culberson	Jones, N. Mex.	Overman	Sutherland
Curtis	Jones, Wash.	Page	Townsend
Dillingham	King	Phipps	Underwood
Elkins	Lodge	Pomerene	Watson
Fernald	McCormick	Ransdell	

Mr. ROBINSON. I was requested to announce that the Senator from Iowa [Mr. CUMMINS], the Senator from Washington [Mr. POINDEXTER], and the Senator from Minnesota [Mr. KELLOGG] are detained from the Chamber by a meeting of the conference committee on the railroad bill.

Mr. SHEPPARD. The Senator from Florida [Mr. TRAMMELL] is absent on account of illness. I ask that this announcement stand for the day.

The VICE PRESIDENT. Forty-three Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent senators.

The Reading Clerk called the names of the absent Senators, and Mr. WADSWORTH answered to his name when called.

Mr. GRONNA entered the Chamber and answered to his name.

The VICE PRESIDENT. Forty-five Senators have answered to the roll call. There is not a quorum present.

Mr. STERLING. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. HALE, Mr. SHERMAN, Mr. WARREN, and Mr. SMITH of Georgia entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present. The pending question is the motion of the Senator from South Dakota [Mr. STERLING] to proceed to the consideration of Senate bill 1699.

Mr. POMERENE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MOSES (when his name was called). I have a general pair with the Senator from Louisiana [Mr. GAY], and in his absence I withhold my vote.

Mr. PHIPPS (when his name was called). I have a pair with the junior Senator from South Carolina [Mr. DIAL]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. RANSDELL (when his name was called). I have a pair with the Senator from New Hampshire [Mr. KEYES]. I transfer that pair to the Senator from Massachusetts [Mr. WALSH] and vote "yea."

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from California [Mr. JOHNSON] and vote "yea."

Mr. UNDERWOOD (when his name was called). I transfer my general pair with the junior Senator from Ohio [Mr. HARDING] to the Senator from Arizona [Mr. ASHURST] and vote "yea."

Mr. WATSON (when his name was called). I transfer my pair with the Senator from Delaware [Mr. WOLCOTT] to my colleague [Mr. NEW] and vote "yea."

Mr. WILLIAMS (when his name was called). I transfer my general pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Arizona [Mr. SMITH] and vote. I vote "nay."

The roll call was concluded.

Mr. JONES of Washington. The senior Senator from Virginia [Mr. SWANSON] is necessarily absent on account of the illness of his wife. I have a pair with that Senator during his absence, but on this motion I can transfer that pair to the senior Senator from Iowa [Mr. KENYON], and I make that transfer and vote "yea."

Mr. SHEPPARD. I wish to announce that the senior Senator from South Carolina [Mr. SMITH], the junior Senator from South Carolina [Mr. DIAL], the Senator from Colorado [Mr. THOMAS], and the Senator from Florida [Mr. FLETCHER] are detained from the Senate by illness.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Florida [Mr. TRAMMELL];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS]; and

The Senator from Michigan [Mr. NEWBERRY] with the Senator from Missouri [Mr. REED].

Mr. BALL. I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. I transfer that pair to the senior Senator from Connecticut [Mr. BRANDEGEE] and vote "yea."

Mr. CHAMBERLAIN (after having voted in the affirmative). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], which I transfer to the Senator from Tennessee [Mr. SHIELDS], and let my vote stand.

Mr. CURTIS. I am requested to announce that the Senator from Minnesota [Mr. KELLOGG] is paired with the Senator from North Carolina [Mr. SIMMONS]. I ask that this announcement may stand for the day.

The result was announced—yeas 32, nays 13, as follows:

YEAS—32.

Ball	Glass	McCormick	Sheppard
Beckham	Gronna	McKellar	Spencer
Calder	Hale	McNary	Sterling
Capper	Harris	Nelson	Sutherland
Chamberlain	Harrison	Page	Townsend
Curtis	Jones, Wash.	Phipps	Underwood
Elkins	Kirby	Poindexter	Wadsworth
Fernald	Lodge	Ransdell	Watson

NAYS—13.

Cummins	King	Robinson	Williams
Dillingham	Norris	Sherman	
Gore	Overman	Smoot	
Johnson, S. Dak.	Pomerene	Warren	

NOT VOTING—51.

Ashurst	Culberson	France	Henderson
Bankhead	Dial	Frelinghuysen	Hitchcock
Borah	Edge	Gay	Johnson, Calif.
Brandegee	Fall	Gerry	Jones, N. Mex.
Colt	Fletcher	Harding	Kellogg

Kendrick	Moses	Pittman	Stanley
Kenyon	Myers	Reed	Swanson
Keyes	New	Shields	Thomas
Knox	Newberry	Simmons	Trammell
La Follette	Nugent	Smith, Ariz.	Walsh, Mass.
Lenroot	Owen	Smith, Ga.	Walsh, Mont.
McCumber	Penrose	Smith, Md.	Wolcott
McLean	Phelan	Smith, S. C.	

The VICE PRESIDENT. There is not a quorum voting.

Mr. KING. I move that the Senate adjourn.

On a division, the Senate refused to adjourn.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Harris	Moses	Sheppard
Beckham	Harrison	Nelson	Smoot
Capper	Henderson	Norris	Spencer
Chamberlain	Johnson, S. Dak.	Overman	Sterling
Curtis	Jones, N. Mex.	Page	Sutherland
Dillingham	Jones, Wash.	Phipps	Townsend
Fernald	King	Poindexter	Underwood
Glass	Lodge	Pomerene	Warren
Gronna	McKellar	Ransdell	Watson
Hale	McNary	Robinson	

The VICE PRESIDENT. Thirty-nine Senators have answered to the roll call. There is not a quorum present.

Mr. KING. Mr. President, I move that the Senate adjourn.

The Senate refused to adjourn.

The VICE PRESIDENT. The Secretary will call the roll of the absentees.

The names of the absent Senators were called, and Mr. McCORMICK and Mr. WILLIAMS answered to their names when called.

Mr. NUGENT, Mr SHERMAN, Mr. CALDER, and Mr. KELLOGG entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-five Senators have answered to the roll call. There is not a quorum present.

Mr. LODGE. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. ELKINS, Mr. CUMMINS, and Mr. WADSWORTH entered the Chamber and answered to their names.

Mr. HARRISON. Mr. President, we have been here for some time trying to get a quorum and evidently can not get one. I move that the Senate adjourn.

The Senate refused to adjourn.

Mr. NEW entered the Chamber and answered to his name.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

Mr. CURTIS. Mr. President, I ask the Senator if he will yield to me that I may request the consideration of a conference report? I think it will take only a short while to dispose of the report.

Mr. LODGE. I yield to the Senator from Kansas.

The VICE PRESIDENT. We are in the midst of a roll call on the motion of the Senator from South Dakota [Mr. STERLING], and no motion, the Chair understands, is in order except to adjourn, to take a recess, or to go into executive session.

Mr. CURTIS. Very well; I withdraw my request.

Mr. STERLING. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT The Senator from South Dakota will state it.

Mr. STERLING. The pending motion is the motion to take up Senate bill 1699, and does a motion to go into executive session supplant that motion?

The VICE PRESIDENT. Motions to adjourn, to take a recess, or to go into executive session are always in order. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 5, 1920, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 4, 1920.

AUDITOR FOR INTERIOR DEPARTMENT.

John E. R. Ray, of Memphis, Tenn., to be Auditor for the Interior Department, in place of David C. Reay, resigned.

SECRETARY OF EMBASSY OR LEGATION.

CLASS 4.

George A. Gordon, of New York City, to be secretary of embassy or legation of class 4 of the United States of America.

REGISTERS OF LAND OFFICE.

William B. Dickson, of North Dakota, to be register of the land office at Dickinson, N. Dak., his term having expired. Reappointment.

James Y. Callahan, of Oklahoma, to be register of the land office at Guthrie, Okla, his term of office having expired. Reappointment.

Charles E. Marshall, of Phoenix, Ariz., to be register of the land office at Phoenix, Ariz., vice John L. Irvin, resigned.

PROMOTIONS IN REGULAR ARMY.

FIELD ARTILLERY ARM.

To be majors.

Capt. Thomas D. Osborne, Field Artillery, with rank from January 20, 1920.

Capt. William H. Dodds, jr., Field Artillery, with rank from January 20, 1920.

Capt. Walter E. Prosser, Field Artillery, with rank from January 24, 1920.

NOTE.—The foregoing nominations are made in the regular order of seniority.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

To be brigadier generals.

Maj. Gen. André W. Brewster, United States Army (emergency), from January 8, 1920.

Maj. Gen. Edward M. Lewis, United States Army (emergency), from January 9, 1920.

Maj. Gen. Edward F. McGlachlin, jr., United States Army (emergency), from January 13, 1920.

Brig. Gen. Douglas MacArthur, United States Army (emergency), from January 20, 1920.

UNITED STATES COAST GUARD.

First Lieut. of Engineers William Ellicott Maccoun to be captain of engineers in the Coast Guard of the United States, to rank as such from January 11, 1920, in place of Denis F. X. Bowen, retired.

POSTMASTERS.

MINNESOTA.

Thomas Considine to be postmaster at Duluth, Minn., in place of William E. McEwen, removed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 4, 1920.

UNITED STATES SHIPPING BOARD.

Thomas A. Scott to be a member of the United States Shipping Board.

COLLECTOR OF INTERNAL REVENUE.

Harry W. Mager to be collector of internal revenue for the first district of Illinois.

UNITED STATES ATTORNEYS.

Melvin A. Hildreth to be United States attorney, district of of North Dakota.

Miles M. Martin to be United States attorney, district of Porto Rico.

Thomas J. Flynn to be United States marshal, district of Nebraska.

COAST GUARD.

Quincy B. Newman to have temporary rank of captain in the Navy and colonel in the Army.

Frederick J. Birkett to be second lieutenant.

George R. Crosby to be second lieutenant.

APPOINTMENT IN THE REGULAR ARMY.

CORPS OF ENGINEERS.

Col. Lansing H. Beach to be Chief of Engineers with the rank of major general.

POSTMASTERS.

ALABAMA.

Rufus R. Smyer, Birmingham.

ARKANSAS.

Thomas A. Binford, Earl.

CONNECTICUT.

James Bride, jr., East Haddam.
William W. Fagan, Kensington.
Patrick Riley, Killingly.
Michael J. Stanton, Lakeville.
William F. Delaney, New Britain.
Henry Kelley, New Canaan.
Bryan F. Mahan, New London.

Katie M. Spencer, New Milford.
Clifford E. Chapman, Niantic.
Frederick A. Reiner, Sandy Hook.
Edward M. O'Brien, Waterbury.
William J. Wood, Westport.
John O'Rourke, Willimantic.

DELAWARE.

William C. Day, Edgemoor.
Harry V. Tubbs, Selbyville.

GEORGIA.

George E. Youmans, Adrian.
Mazie Brett, Alamo.
Wesley S. Kickliter, Alma.
Frances E. Chapman, Buena Vista.
John W. Moore, Crawford.
Walter B. Cheatham, Dawson.
Louis S. Marlin, Doerun.
William A. Adams, Fitzgerald.
John W. Lane, Franklin.
Aaron C. Aldridge, Glennville.
Augusta Glover, Monticello.
Robert L. Callan, Norman Park.
John T. Bird, Oxford.
Thomas E. Dixon, Pavo.
Henry W. McWhorter, Summerville.
Marijo McMillan, Sycamore.
Alexander S. Boone, Toomsboro.
Maude D. Thompson, Ty Ty.

IDAHO.

Clarence P. Smith, Eden.
William P. Shinn, Filer.
Herbert D. Cheney, Gooding.
Hannah H. Bills, Kimberly.
John C. De La Mare, Oakley.
Amanda O. Holmes, Plummer.
Homer W. Woodall, Soda Springs.
Michael A. Stronk, Twin Falls.
Charlie A. Miller, Wendell.

KENTUCKY.

William F. Amis, Barbourville.
Henry Whelan, Beardstown.
Iva K. Dowd, Berry.
Charles W. Alexander, jr., Burkesville.
Robert E. Wallace, Greenville.
Jesse Olive, Marion.
Marie C. Hagan, New Haven.
William A. Ward, Paintsville.
Louis T. Cain, Taylorsville.
Nehemiah M. Webb, Whitesburg.

MASSACHUSETTS.

Fred C. Small, Buzzards Bay.
Isbelle Crocker, Cotuit.
Harold F. Hanigan, Duxbury.
Chestina B. Robbins, East Templeton.
Frank W. Philbrick, Lancaster.
Carroll L. Bessom, Mansfield.
Walter L. Hickey, Randolph.

MISSISSIPPI.

William L. Atkins, Mathiston.
Thomas W. Cooper, Purvis.

MISSOURI.

Henry F. Kratzer, Festus.

NEW MEXICO.

Clara J. Larsen, Capitan.
John W. Wells, Carlsbad.
Annie P. Davis, Melrose.
William G. Johnson, Roy.

NEW YORK.

Alfred H. Ford, Berkshire.
Fred G. Griffin, Candor.
Rudolph F. Chappuis, Dryden.
James A. Moore, Hammondsport.
Arthur C. Moyer, Phoenix.
John Cronin, Portville.
Asa C. Rowland, Salamanca.
A. Raymond Cornwall, Watertown.

PENNSYLVANIA.

Joseph R. Brown, Avella.
William H. Harper, Avondale.
Emilie D. Stoneback, Black Lick.
George N. Burckhalter, Butler.
William A. Leroy, Canonsburg.
William E. Tobias, Clearfield.
Peter Z. Kramer, Coplay.
Clarence L. Sadler, Elizabeth.
Marion C. Hemmig, Elverson.
Charles Brian, Falls Creek.
Charles H. Lapsley, Glassport.
John T. Painter, Greensburg.
Elwood M. Ludwick, Honey Brook.
John J. Gorman, Houtzdale.
George J. Tharp, Liverpool.
Casper C. Nickel, Loysville.
John S. Sheirich, Millersville.
Fairlie M. De Lancey, Newport.
William J. Muir, Shamokin.
Horace L. Cobb, Ulysses.
Jacob T. Born, Wilmerding.
William D. Werkheiser, Windgap.
Christian Henderson, Woodlawn.
Harvey F. Sowers, Yatesboro.
Jacob L. Hershey, Youngwood.

PORTO RICO.

Eugenio C. Manautou, Caguas.
Juan Padovani, Guayama.
Arturo G. Molina, Juncos.
Roque Rodriguez, Ponce.
Ramon Alfonzo Rivera, San Juan.
Juan Vissepo Hernandez, San Sebastian.
Jose M. Alcover, Utuado.

REJECTION.

Executive nomination rejected by the Senate February 4, 1920.

POSTMASTER.

KENTUCKY.

James M. Williams, Frankfort.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 4, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, come very close to us as we thus seek Thy presence. By Thy wisdom guide us, by Thy power uphold us, by Thy love purify us, that with brave and manly hearts we may meet the issues of life as they unfold themselves.

The weight of a great Nation is resting upon the shoulders of these Thy servants. More than a hundred millions of people are hanging breathless upon its fate. May the acts of the Members of this House follow the lead of the great statesmen of the past and inspire to happiness and prosperity for our Republic and for all the world. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On January 17, 1920:

H. R. 484. An act to provide for the erection of a Federal office building on the site acquired for the Subtreasury in St. Louis, Mo.;

H. R. 3175. An act authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation;

H. R. 7752. An act relating to detached service of officers of the Regular Army; and

H. R. 8084. An act granting to certain claimants the preferred right to purchase certain alleged public lands in the State of Arkansas, and for other purposes.

On January 23, 1920:

H. R. 9089. An act releasing the claim of the United States Government to the block or square of land in the city of Fort Smith, in the State of Arkansas, upon which is situated the old Federal jail, to the city of Fort Smith for a site for a convention hall, community building, or other public purposes; and

H. R. 9183. An act authorizing the Secretary of the Treasury to adjust the terms of the contract for the sale of the old postoffice property in New Haven, Conn.

On January 24, 1920:

H. R. 2980. An act to increase the efficiency of the Military Establishment of the United States;

H. R. 10137. An act to amend an act entitled "An act to classify the officers and members of the fire department of the District of Columbia, and for other purposes," approved June 20, 1906, and for other purposes; and

H. R. 10331. An act to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919," approved July 9, 1918.

On January 27, 1920:

H. R. 1216. An act to amend an act entitled "An act to provide aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States," approved August 27, 1888, as amended March 2, 1889.

On February 3, 1920:

H. R. 11606. An act to authorize the county of Fountain, in the State of Indiana, to construct a bridge across the Wabash River at the city of Attica, Fountain County, Ind.

QUESTION OF PERSONAL PRIVILEGE.

The SPEAKER. The Chair will now recognize the gentleman from Texas.

Mr. BLANTON. Mr. Speaker, I submitted the matter to the Speaker which shows a question of privilege, and I understand the Speaker holds it is a question of privilege.

The SPEAKER. The gentleman did submit it to the Speaker, but the Chair thinks the gentleman had better submit it to the House, so that it can be done with the knowledge of the House.

Mr. BLANTON. Mr. Speaker, on January 29, 1920, I made certain charges concerning the war record of Mr. Samuel Gompers, president of the American Federation of Labor, most of which I had previously made on January 24, 1920, before the Committee on Rules. Concerning those charges in the daily Washington Herald of February 2 appears this heading:

Texas Member flayed by Gompers—Says Blanton "Knows not truth and would not tell it if he did."

The SPEAKER. The Chair thinks that that constitutes a question of privilege.

Mr. BLANTON. Mr. Speaker, "Whom the gods would destroy they first make mad." When I confronted Mr. Samuel Gompers with his unenviable war record and his present alliance with and defense of radical anarchists now striving to overthrow this Government by force and violence, he is unable to answer such indictments with evidence or argument, but resorts to personal abuse, villification, and a futile attempt to "muddy the waters." West Texas rules of fair play prevent striking a woman, an old man, or a cripple. Did I care to belittle myself, nothing prohibits me from using Mr. Gompers's weapons, but I will not call him a dirty, cowardly liar, because he is an old man 80 years of age.

Mr. Speaker, my charges against Mr. Samuel Gompers and his associated labor leaders were published in the CONGRESSIONAL RECORD of last Thursday, January 29, 1920, on pages 2203 to 2211, which came to the immediate attention of Mr. Gompers and the American Federation of Labor. I had previously made these same charges in the hearings before the Rules Committee on January 24, 1920, Mr. Gompers's attorney, Ralston, sitting within 5 feet of me at the time.

But not until day before yesterday, February 2, 1920, through the daily press, did Samuel Gompers give the public the benefit of any denial, and then, except as to two specific points, he merely entered a general denial, as we call it in court, by arrogantly asserting that my whole charges were false. The two particulars which he specifically denied were (1) that he and organized labor did not oppose the "work-or-fight" slogan, and (2) that no member of the unions in Washington was threatened with being fined if he did not march in the "beer and wine" parade staged by Samuel Gompers and the American Federation of Labor in marching against the Capitol on Flag Day in protest against national prohibition and the Constitution.

Now, let us take the shorter one first. The issue is clear and clean cut. Only one of us has told the truth. Which one, Mr. Gompers or myself? I said that members of unions were threatened with being fined if they did not attend the Gompers liquor parade on Flag Day. Mr. Gompers says that I lied. Now for the proof.

Flag Day was on Saturday, June 14, 1919. The liquor parade occurred that afternoon at 2 o'clock. In the Washington Star for Friday, June 13, 1919, column 1 of page 3, under head of "Special Notices," appears the following union notice:

All members of Bricklayers' Union No. 1, District of Columbia, are ordered to meet at Union Station, June 14, 1919, at 1.30 o'clock sharp. Failing to appear, they shall be fined according to article 24, section 10.
M. A. WOLFE, *Recording Secretary.*

Now, Mr. Speaker, notice that these American citizens belonging to this Bricklayers' Union No. 1, of Washington, D. C., were not requested to voluntarily come but were ordered to be there at the Union Station at 1.30 o'clock sharp, to do what? To march in a "beer and wine" parade, protesting against national prohibition, in connection with the public threat made by Mr. Gompers that the members of organized labor would not stand for their beer and wine to be taken from them, when many of the members of this union are likely sober prohibitionists who sincerely believe in and approve the constitutional amendment providing for national prohibition. And what was the penalty? If any good prohibitionist member of this union refused to leave his work and be at the Union Station promptly at 1.30, to march in this "beer and wine" parade staged by Mr. Gompers against the Constitution of his country, he was notified that he would be fined according to article 24, section 10, of said union. Now, which of us told the truth, Mr. Gompers or myself? I said they either had to march or be fined. Mr. Gompers says I lied. I have produced the proof.

In the same issue of said Washington Star, under said head, appears the following:

Plasterers and cement finishers, members of Local 96, will assemble at Fifth and F Streets NW., at 1.45, to participate in the Flag Day demonstration of labor against prohibition.
J. H. ELLIOTT, *President.*
E. P. FINN, *Secretary.*

And, Mr. Speaker, such union-labor notices of like tenor appeared in other Washington newspapers; for instance, in the Washington Times (final) issue of June 13, 1919, column 5, page 25, under special notices. As president of the American Federation of Labor, Mr. Gompers is thoroughly familiar with the provision of said article 24, section 10, cited by said Bricklayers' Union, and knows that under same, when such union orders its members to act, for any failure to respond they can be fined from $5 up. I do not blame him for wanting to keep knowledge of such matters from the general public.

It is just such autocratic domineering of union members, attempting to force sober prohibitionists to march in a "beer and wine" parade against national prohibition and the Constitution, that has caused many loyal, patriotic union members to desert Mr. Gompers. This radical wolf has been too long posing in sheep's clothing as a conservative. Mr. Gompers will not claim that there is any radicalism in Cigar Makers' Union No. 144, of which he has been a member for more than an ordinary lifetime, and from which union, as one of its officers, he became the president of the American Federation of Labor. Yet in the recent election in this union to select a delegate the loyal, patriotic American citizens in such union unhesitatingly turned Mr. Gompers down and selected Morris Brown to represent them, Mr. Gompers being fourth in the race. Read the following from one of the New York newspapers:

Among the Central Federated Union delegates to appear before Samuel Gompers to-day and receive their spanking is Morris Brown, who recently defeated Mr. Gompers in the election by Local 144 of the Cigar Makers' Union, of which Mr. Gompers is a member. Mr. Gompers believes that by spanking Brown sufficiently in the proper place, Brown will be unable to take his seat at the convention.

Do you suppose that if Mr. Gompers stood for true Americanism and was not such an autocratic despot his own lifetime union would have turned him down, telling him to "Begone; we are done with you"?

Mr. MAHER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from New York?

Mr. BLANTON. No; I want to get through.

Mr. MAHER. Just for a question.

Mr. BLANTON. I regret I can not. I must get through and answer these matters which I said I would speak of.

The SPEAKER. The gentleman declines to yield.

Mr. BLANTON. Let me read you a letter just received from the New York Printing Pressmen's Union, No. 51:

OFFICE NEW YORK PRINTING PRESSMEN'S UNION, No. 51,
New York, February 2, 1920.

Hon. THOMAS L. BLANTON,
Washington, D. C.

MY DEAR SIR: Samuel Gompers is not the true representative of labor or the true ideals of labor. He is now in New York City playing the cheapest kind of peanut politics.

We can not get rid of him, as our method of elections is such that the rank and file of true Americans can not get a crack at him. His old cigar makers' union defeated him, and he was fourth in the race.

If the rank and file of labor could get a referendum vote, he would be removed. I want you to send me a copy of your last speech showing his want of Americanism. If you want some real data to "skin a skunk," I will send you same.

I have no personal grievance against him, but he disgraces honest labor, and with him and his type in the lead labor can never progress properly until it has a house cleaning. We who have a pride in our true Americanism look forward to a proper clean-up of our unions. I hope that I may hear from you soon.

Truly, yours,
BERNARD NOLAN,
President Union No. 51.

The SPEAKER. The Chair would admonish the gentleman that under the question of personal privilege he must confine himself, of course, strictly to the question of personal privilege. The gentleman must not include correspondence of that kind.

Mr. BLANTON. I made certain charges that Mr. Gompers was not representing true labor ideals, and I made those charges specifically in the RECORD. Mr. Gompers comes back and says that I "lied in every particular, singly and collectively." I am offering proof; I am offering the statement of his own affiliated membership, the president of one of his affiliated unions, showing that I stated the truth. I am confining myself to the specific charges.

The SPEAKER. The gentleman should confine himself to the specific charges.

Mr. BLANTON. Samuel Gompers has threatened the United States with so many labor revolutions that it is hard to count them all. They have been coming thick and fast ever since Congress was thereby forced to pass the Adamson law.

Mr. CARSS. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Minnesota?

Mr. BLANTON. No. I regret that I have not the time.

Does any sane man believe that the Adamson law would have been passed if organized labor had not threatened to tie up every railroad in the United States, destroying the industrial life of this Nation, starving every large city in the United States, and bringing with it untold misery, suffering, and death upon millions of helpless women and innocent little children? It is to prevent him from denying his unenviable war record that I am taking this time of the House to keep such record straight.

Did Samuel Gompers and the American Federation of Labor oppose and defeat through threats the "work or fight" law and the Thomas amendment that would have prevented labor unions from holding up their Government in war time and thereby force the drafting of 670,000 eighteen-year-old boys into service? I say, "Yes"; and Mr. Gompers says that I lie. Which one is telling the truth? Let us see.

On June 13, 1918, the War Department gave out the following statement:

WASHINGTON, *June 13.*

In view of many reports that the War Department was to ask modification of the draft law and extend the present age limit, Secretary of War Baker to-day authorized the statement that no such plan was under consideration.

The present provision for drafting men between the ages of 21 and 31 satisfies military requirements and there is no need whatever, it is explained, to look beyond those age limits now or in the near future. Mr. Baker would be opposed to any proposition to extend the age limit at present for the reason that he regards this as entirely unnecessary.

In the hearings held by the Senate Military Affairs Committee between the 10th and 18th of June, 1918, on page 20 thereof, the above statement authorized by Secretary Baker was repeated by Gen. Crowder, assuring the public and Congress that it would not be necessary to draft boys under 21 years of age, and especially would it not be necessary to draft 18-year-old boys, of which there were only 670,000.

But in connection with the above determination Gen. Crowder had decided upon putting into effect what was known as the "work-or-fight" order, which would take the exemption away from a laborer who refused to work and put him in the trenches to fight. At this juncture Mr. Gompers and the American Federation of Labor stepped in and said that our Government should not apply the "work-or-fight" order to organized labor, as it would not stand for it. So shortly after Congress got back into harness again, in August, after the July primaries in 1918, the War Department was forced to change its plans and request Congress to draft 18, 19, and 20 year old boys. But Senator THOMAS offered an amendment to the proposed law preventing laborers who had been exempted on industrial grounds from striking during the war without losing their exemption, which in effect carried out the "work-or-fight" idea.

The Washington Star for Wednesday, August 14, 1918, on page 10, column 3, in large headlines says:

LABOR OPPOSES "WORK-OR-FIGHT" PLAN.

Organized labor's emphatic opposition to any work-or-fight provision in the new man-power bill extending the draft ages is expressed in a letter from Samuel Gompers, president of the American Federation of Labor, received to-day by members of the Senate Military Committee.

In this letter sent to Senators Mr. Gompers threatened that if it were attempted to force service out of labor by law it would cause a "reaction." And he took his stand against the Thomas amendment and against any "work-or-fight" order.

The Washington Times (final) for August 20, 1918, on page 1, column 5, said:

The Thomas "work-or-fight" amendment to the man-power bill is an insult to labor, Frank Morrison, secretary of the American Federation of Labor, charged before the House Military Affairs Committee.

The Washington Star for Tuesday, August 20, 1918, page 1, column 3, said:

"WORK OR FIGHT" DECEPTIVE PLAN, SAYS LABOR CHIEF—SECRETARY MORRISON OPPOSES SENATOR THOMAS'S AMENDMENT TO MAN-POWER BILL.

Organized labor's emphatic opposition to the "work-or-fight" amendment to the new man-power bill extending the draft ages was presented to the House Military Affairs Committee to-day by Frank Morrison, secretary of the American Federation of Labor.

Supporting the recent protest of Samuel Gompers, Mr. Morrison declared that the provision inserted by the Senate committee authorizing withdrawal of deferred classification from men absent from work without cause was an attack upon workmen and would be resented in every corner of the country. * * * Declaring that the "work-or-fight" amendment was "a deceptive method" of labor conscription, Mr. Morrison said: "Its author, Senator THOMAS, admits it is aimed at strikes. Conscription of labor in this covert way will be resented in every corner of the country." * * * Representative HARRISON declared that workmen are given the "privilege" of working instead of being sent to the firing line, but Secretary Morrison denied that it was a privilege.

The Washington Post for Thursday, August 22, 1918, on page 2, column 3, says:

OPPOSITION TO "WORK OR FIGHT."

The only serious controversies expected are over the "work-or-fight" amendment and the amendment postponing service for boys 18 and 19. * * *

For the work-or-fight legislation, opposed by organized labor, Chairman CHAMBERLAIN and Senator THOMAS are prepared to make a vigorous fight, with its disposition in doubt.

The Washington Post for Friday, August 23, 1918, on page 2, column 2, concerning the "work-or-fight" provision, said:

TELLS OF LABOR PROTESTS.

Senator CHAMBERLAIN said he had received telegrams of protest from 109 labor leaders.

The Washington Post for Saturday, August 31, 1918, page 3, column 1, said:

THOMAS WORK-OR-FIGHT CLAUSE STRICKEN OUT AFTER DEBATE—"WORK-OR-FIGHT" DEBATE.

Senate debate yesterday centered on the elimination of the "work-or-fight" amendment by the conferees. Senator THOMAS, of Colorado, author of the amendment, and MCCUMBER, of North Dakota, vehemently protested against the striking out of the provision, which has been fought by organized labor. * * * Senator THOMAS said that workmen who are exempted to work, and fail to do their duty, "are traitors, stabbing our soldiers in the back."

And notwithstanding the fact that the War Department had 21,000,000 available grown men in military age from which to select only 2,300,000 needed soldiers, and by putting into effect the "work-or-fight" order it could have gotten twice the number needed, without taking any of the 18 and 19 year old boys, Mr. Gompers and his American Federation of Labor killed the work-or-fight plan, would not let it apply to the exempted laborers, and thus forced 670,000 18-year-old boys to be drafted into the service. And his men continued to strike. And posted men know how many times the President had to order them to go back to work in order to meet our military requirements. The President had to pet, cajole, praise, applaud, and eulogize Samuel Gompers periodically in order to get any kind of performance out of him.

Now, in this connection it may be of interest to observe the sentiments expressed by some Representatives during this debate. Let me read a few excerpts of speeches from the RECORD. From my own speech on August 23, 1918:

Mr. BLANTON. Mr. Chairman, it is undisputed in the record that there are within the United States 23,000,000 men within the ages of 18 and 45 years, of which number we have called already 2,000,000 men, leaving 21,000,000 subject to call, and out of which number we must get the required number under this draft provision now before the House. The question has been asked here repeatedly, and still remains unanswered, Why is it necessary to resort to boys 18 years of age when we have 21,000,000 men from which to select only 2,300,000 new soldiers, and the record further shows that there are only 670,000 of these boys? * * * It is a question of labor organizations that have had so many men exempted of these 21,000,000 available men that it is claimed to be necessary to take 670,000 18-year-old boys from their homes. [Applause.]

I have lately come from my district, where, with an election staring me in the face, I looked into the eyes of my constituents and told them without a tremor that I was going to vote to give the President of the United States every dollar and every soldier he demanded, no matter how far down the line it cut; that if it took their 14-year-old boys I was going to vote to put them in; and they applauded me for it, and I stand ready to make that good.

It is simply a question as to when it becomes necessary; but when we can draft into the service of the United States the railroad corporations of the country, when we can draft into the service of the United States the telegraph and telephone lines, when we can take the money from the big corporations of the United States, when we can take everything, shall it be said that when we get to organized labor we have got to keep our hands off? On June 13, two months ago, the Secretary of War said that we would not have to take the boys, that we would not need any new draft legislation, but at the same time, in almost that same breath, he said that there would be another order immediately promulgated and put into effect by the War Department. That order was that the men of this country must work or they must fight. Ah! Has this work-or-fight order made it necessary to use 18-year-old boys in the trenches? When he said that, we found Mr. Gompers coming in and saying, "You can not apply that 'work-or-fight

order" to the labor organizations of this country." I told my people that when I came to Congress I was as good a friend as labor organizations ever had, but that since I had been in Congress a few months I had come to the conclusion that henceforth labor organizations must show me in future that they are right before I am going to vote for a single one of their demands.

As long as this war lasts I am going to vote to give the President, as Commander in Chief of the Army and Navy, every dollar and every soldier and everything else he deems necessary and asks for to win this war quickly and successfully; but the President has not asked Congress to draft 18-year-old boys into the trenches.

I told my people that when Mr. Gompers stepped in and told me that we could take everything in the world so long as we did not interfere with organized labor, but we could not withdraw an exemption whenever an exempted laborer refused to do some necessary work needed to win the war, that we could not do this and could not do that, I would tell Mr. Gompers to go to hell. [Laughter and applause.]

Under the Constitution of the United States we can not draft labor. I realize that. I will tell you something that we can do: When the laboring man, a member of organized labor, comes in and gets exemption by reason of an industrial enterprise in which he is engaged, if he refuses to work in that or some other essential enterprise, we can take that exemption away from him under the Constitution of the United States and make him fight when he refuses to work. That is exactly what I hope this Congress will do.

I am going to offer an amendment such as the Senate amendment, to this bill, if it is not offered by older Members. I hope when the time comes that the manhood of Congress will stand up and tell organized labor that they are going to be just with them, but they are going to make organized labor stand up and justly take its medicine with every other citizen of the United States and either work or fight to win this war. [Applause.]

[From speech of Congressman POU, Aug. 23, 1918.]

This proposition comes with great suddenness. A few weeks ago, less than six weeks ago, the statement was published that any new draft would probably not go below 21; probably, indeed, not below 20; certainly there was not even a suggestion that boys of 18 would be asked for. Now suddenly we are confronted with the proposal to take the 18-year-old boys and send them across the water after a brief training, possibly after a few months, to take their places with older men on the firing line. Since this proposition was submitted I have made it a point to investigate for myself the military fitness of the 18-year-old boy, and, while it does not concern me personally, for my home already is empty and silent, I can not bring myself to the conclusion that it is right at this time to make this sacrifice.

The question is, Shall we send minors to the front while thousands of mature men who could go are exempted and allowed to remain at home?

We in framing the new draft law must choose between the minor, the 18-year-old boy, and the shirker and slacker. To me my duty is plain. Until the President, the Commander in Chief of the Army and Navy, shall proclaim that the hour has come for the 18-year-old boys to go, for my part I can not by my vote make those boys go. [Applause.]

France, glorious France, invaded and drenched in blood, has not yet ordered her 18-year-old boys to the firing line. Here in America in every community there are grown men who ought to go before the boys are sent.

[From speech of Congressman HARRISON, Aug. 22, 1918.]

There is no place in this country for the loafer and the nonproducer, and I do not care if such a one belongs to the idle rich or to the hobo class. He should not be a tax on the productive energy of the worker. "Work or fight" is the slogan. A slacker who reverses the scriptural rule by working on Sunday for double pay and who rests the greater part of the week is better fitted for the Army discipline than for a place in industrial life. I think this rule of work or fight should apply to everybody—rich or poor—labor, industrial or agricultural. There should be no exception.

[From speech of Congressman MONDELL, Aug. 22, 1918.]

Mr. Chairman, I shall vote for the McKenzie amendment placing the men of the ages of 18 and 19, which it is proposed to draft under the bill, in separate classes to be called later than the men above 20; but I shall also offer, if I have the opportunity, or vote for if offered by some one else, an amendment eliminating from the draft men of 18 and 19 years of age.

Within 30 days the President has more than once expressed himself in a way to make it clearly evident that he doubted the wisdom, the advisability, or the necessity of reducing the draft age as it is now proposed to reduce it. Within a like period the Secretary of War has expressed himself in like manner, and his evidence before the Military Committees of the House and Senate within the past few days clearly evidences a doubt on his part even now of the necessity or of the wisdom of the reduction to the age of 18.

Before the Senate committee the Secretary stated that it was with the greatest reluctance that he had agreed to the proposal to reduce the draft age to 18. He called attention in his testimony before the House committee, as did the President, in a recent letter to Secretary Lane, to the harm that would come to the country should the education of the youth of the land be interfered with and interrupted as would occur if all able-bodied boys above 18 were inducted into the service.

[From Congressman Gordon's speech, Aug. 22, 1918.]

I shall support the McKenzie amendment. If I could have my way I would strike out the ages of 18 and 19 and make 20 the minimum age, on the ground of efficiency. When men stand here and tell me that with 20,000,000 men in this country we are reduced to the absolute necessity of drafting boys, they simply speak against common sense. No man on this floor believes any such thing as that.

We have heard the Secretary of War quoted here as to the military necessity of drafting these boys. I want to read you what the Secretary of War said in an authorized statement on June 13 last. That statement was repeated by Gen. Crowder in the Senate Committee on Military Affairs, and you will find it on page 20 of the hearings dated June 10–18.

Now, what has happened since the 13th of June to change that situation? If we admit that he has changed his mind, what reasons have been given for it? Is it possible that this House is going to vote to give notice to the wide world, including the public enemy, that we are reduced to the extremity in the second year of the war of drafting boys?

[From speech of Congressman GRIFFIN, Aug. 23, 1918.]

I have been trying to fathom the animus of the advocates of this McKenzie amendment, and at last it was disclosed in the remarks of the gentleman from Texas [Mr. BLANTON], who threatened to send Mr. Gompers to hell.

There is the animus—opposition to the labor unions. Now, gentlemen, do you not know that the majority of the men who have been put into the deferred classification are engaged in industries which are essential to the war, and would it surprise you, or need it surprise you, to learn that the majority of those men engaged in riveting the steel structures of our ships and in the other industries essential to this war are members of labor unions?

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. BLANTON. I stated that when Mr. Gompers asked us to do with organized labor something that was not right, then so and so should happen, and I would like to ask the gentleman what he would say to Mr. Gompers if Mr. Gompers told him that the proposition of work or fight should not apply to the laboring class of people of America?

Mr. GRIFFIN. I do not want to go into that now.

Mr. BLANTON. I did not think the gentleman would.

[From speech of Congressman WILLIAMS, Aug. 23, 1918.]

I have listened carefully to the debates and have failed to hear a single argument advanced convincing to me of the necessity of lowering the draft age to 18 to secure the additional men required. There is no argument against raising the age limit to 45. The whole country approves of that proposition. It is estimated there are 21,000,000 men in the country between the ages of 21 and 45. Three million are already in the Army, leaving 18,000,000 to draw from to get the required extra 2,000,000. Does anyone undertake to say these 2,000,000 men can not be obtained out of this great reservoir of man power, and obtained quickly and easily?

We should not take a single boy under age by the draft until every available man physically fit and liable for military service under the rules and regulations of the draft has been taken between the ages of 21 and 45 years.

And so, Mr. Speaker, I could encumber the RECORD with numerous other unanswerable arguments that were made against drafting the 670,000 18-year-old boys. But Mr. Samuel Gompers and his American Federation of Labor won their fight against the "work-or-fight" proposition, and Congress bowed to such autocratic will and eliminated the Thomas "work-or-fight" amendment and drafted the 18-year-old boys.

Now, Mr. Gompers asserts that my charges, singly and collectively, are malicious lies. One of my charges was:

(4) That during war time, from April 6, 1917, until November 11, 1918, Mr. Gompers permitted 6,000 strikes in the United States, of an average duration of 18 days each, and in many instances the President had to command the men to return to work by threats.

Is there a man in this House who will question that? They were exempted from the draft. Was this charge false? Is there a posted man who does not know that the President had to command strikers to return to work? And did he not permit 6,000 strikes? Here is the proof:

NUMBER OF WAR STRIKES CERTIFIED TO BY DEPARTMENT OF LABOR.

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, February 6, 1919.

Hon. THOMAS L. BLANTON,
House of Representatives, Washington, D. C.

DEAR SIR: Your letter of January 23, 1919, addressed to Hon. W. B. Wilson, Secretary of Labor, is received. In reply thereto I will say that the Bureau of Labor Statistics of this department compiles, from various newspapers and other sources, as complete a list as possible of all strikes that occur. This list is not complete, and it may also contain some duplications, because it is not always possible to tell from newspaper reports whether the report is concerning a new strike or whether it refers to a strike previously reported. Therefore the figures given can not be more than an approximation. After eliminating duplicates as far as possible this list shows that there were approximately 6,000 strikes between April 6, 1917, and November, 1918, the average duration of which was approximately 17 or 18 days.

Regretting that I am unable to furnish you more accurate information, and trusting that this approximate figure may be of some value to you, I am,

Very truly, yours,

H. L. KERWIN,
Assistant to the Secretary.

Now, what were the other charges I made against him, published in the CONGRESSIONAL RECORD January 29, 1920? Let me quote them:

Mr. Gompers got members of union labor exempted from the draft.

He helped to put the cost plus 10 per cent profit provision in war contracts, by which the Government was swindled out of hundreds of millions of dollars, and saw-and-hammer men with union cards were paid as high as $15 per day for doing little or nothing.

I have men in my district who never did any carpenter work in their lives who were paid as high as $15 a day for carpenter work on these cantonments, and they were told day after day not to work too fast, because if they did they would be fired; to make the work last out as long as possible. These men will make affidavits to that effect.

Another one:

When it was proposed in giving the 240,000 Government employees drawing salaries up to $2,500 per annum a bonus of $120, that they should work eight instead of only seven hours per day, Mr. Gompers said that to make them work eight hours "was damnable," and by threats of marching on the Capitol and of having the employees walk out and leave the Government helpless in war time, he forced the President to veto the law, and the clerks continued to work only seven hours, although drawing the $120 bonus, and later the $240 bonus, which Mr.

Gompers forced from Congress. These employees get 30 days' vacation each year on full pay, 30 days' additional on doctor's certificate on full pay, all 52 Sundays, all holidays, half of each Saturday during the three summer months, and all special occasions, so numerous in Washington, besides working in comfortable buildings, under pleasant surroundings, getting their pay in cash twice a month, enjoying all the free pleasures provided for them here, the parks, the swimming pools, the tennis, polo, and cricket grounds, the horseback-riding paths, the many public buildings of interest, the Zoological Gardens, the museums, the lovely Congressional Library, the fine churches, the splendid theaters, and the miles and miles of paved streets which have been half built with the people's money of the United States. And all the while we had 2,000,000 soldiers in foreign lands, working sometimes 24 hours out of 24 for $33 per month, when a falter meant court-martial and dishonorable death by shooting against a brick wall, facing death in trenches knee-deep with mud, cootie infested, and who on return to their native land, victorious, received only a paltry $60 bonus, and not one word has Samuel Gompers ever said to a Republican Congress to do one single thing for them, a returned victorious army.

Another charge:

Mr. Gompers permitted the four railroad brotherhoods during war, through death threats of murdering the industrial life of this Nation by tying up every railroad so tight it could not run, which meant defeat of the war to the United States and our allies, to force Director McAdoo to hand over to them $754,000,000 in cold cash, and then later permitted them through such threats to force Director Hines to hand over to them $67,000,000 more in cold cash, and has lately permitted them to force Director Hines to hand over more millions in cold cash, with promise of still more, and has forced a law that makes all these raises permanent to be passed by the House and now held up in the Senate, and has threatened a revolution if Congress protects the people by passing an antistrike provision in the railroad bill.

Another one:

Notwithstanding that in his book W. Z. Foster preached the overthrow of this Government by force and violence and advised the anarchists of this country that the way to do it was to "bore from within" and to accomplish it through the labor unions of this country by first getting under control the constabulary, having all peace officers, policemen, and firemen join unions, and in this way get the Government under control, by taking charge of it through force and violence, Mr. Samuel Gompers selected this anarchist, W. Z. Foster, to conduct the steel strike and put him in charge of it—a steel strike, when some of the steel workers were getting as high as $40 a day. And then he helped with the coal strike, whereby every man, woman, and child was discomforted and caused to suffer. And Mr. Gompers criticized the court for granting an injunction, denounced our courts, and denounced the President, claiming that he was promised that the Lever law would not apply to his unions, but that unions should be exempt, but every other of the 110,000,000 people should be affected by it. And he again threatened revolution and a disregard for and disobedience to the law of the land.

Another one:

And when the anarchist, W. Z. Foster, did carry out his program by "boring from within" and having the policemen join and strike, when the Boston police turned Boston over to thugs, and in one night $300,000 worth of property was destroyed and women were attacked and many crimes committed, it was Mr. Gompers who defended the police and tried to defeat Gov. Coolidge, who stood for law and order. And it was Mr. Gompers who threatened Congress time and again when we passed the two measures preventing policemen and firemen in the District of Columbia from joining the American Federation of Labor or any other strike organization.

It was Mr. Gompers who sat on the platform with Mrs. Rene Mooney, wife of the convicted bomb-throwing anarchist of California, at the Atlantic City convention of the American Federation of Labor and helped to applaud Secretary of Labor W. B. Wilson when he said that he and the Government was doing much to free Mooney and was not done yet, but still trying to free him. And after the President removed Frederick C. Howe from Secretary Wilson's employ because Howe had helped thousands of anarchists to escape, it was Mr. Gompers who helped to put said Howe in charge of the Plumb Plan League, which is now robbing the union laborers of the country out of at least $10,000,000.

It was Samuel Gompers who helped the McNamaras in California and again helped the anarchist Mooney.

It was Samuel Gompers who led the parade of the American Federation of Labor from Atlantic City in its historic march on the Capitol, on last Flag Day, protesting against the Constitution and threatening that unless the union laborers got their beer and wine there would be a revolution.

Mr. Speaker, the files of any reputable daily newspaper during the past few years and the general knowledge of the intelligent, posted readers of this Nation confirm each and every one of the foregoing charges, and Mr. Gompers can not escape his unenviable war record by the general assertion that same are lies. The overwhelming proof is against him. Like Banquo's ghost, it will not down. He can not escape. He can not warp or change it. It is a matter of history.

Now, let me call the attention of this House to another thing, and then I am done. I asserted that it was Mr. Gompers who had killed the antisedition bill before the Rules Committee. Is there a man in this House who denies that? If there is, I yield to you. I want to see who you are. He did kill it, and you know it and I know it. When we have spent millions, through both the Department of Labor and the Department of Justice, to apprehend anarchists—and we have apprehended 60,000 of them—and the Attorney General tells us and has told the chairman of the Committee on Rules that he must have additional law with which to wipe out anarchy in this country, we are denied the privilege—Congress is denied the privilege—of giving the people proper legislation asked for by the Attorney General.

I appeared before the Rules Committee on the 24th of January, 1920, in behalf of that bill and made most of these statements concerning the attitude of Mr. Gompers with respect to anarchy. Right after I appeared before that committee, immediately following me that morning, my colleague from Ohio [Mr. DAVEY] appeared and was heard. He immediately followed me in that hearing. That was on the 24th day of January, mind you. Others followed on that day, and the hearings closed before the 27th day of January. When—before the hearings were held, on January 17, 1920—I asserted that Mr. Gompers was dictating to the chairman of the Rules Committee, our good friend from Kansas [Mr. CAMPBELL], got up here and said Mr. Gompers had not done it. That was in reply to the reference I made to the New York papers of Saturday, the 17th of January. I want to show you that this great president of the American Federation of Labor does have a wonderful influence over this chairman. After I appeared before the committee on January 24, 1920, and Representative DAVEY followed me, and others followed us on that day, then, on the 27th day of January, 1920, when those hearings had been virtually closed, Mr. Gompers sat down in his office down here in the American Federation of Labor Temple and wrote all these vicious, vituperative charges against me. Did he appear before the committee and stand up like a man and put those things in the record in a public way? No; he sent that document to our distinguished chairman of the Rules Committee, and said, "Phil., I want you to put this in, and I want you to put it in right after BLANTON'S statement." It called a Congressman a liar, without any proof. It said, "BLANTON is this and that." It called me every name you can think of, and Mr. Gompers said, "Phil., I know that you will be willing to put that in without telling Blanton anything about it. I know that although the hearing is closed you will stick that into the record as a part of the hearings, and although it is dated January 27, 1920, and BLANTON and DAVEY made their statements on January 24, 1920, you will stick my letter of January 27, 1920, in between the statements of BLANTON and DAVEY made on January 24, 1920." This all appears in the printed hearing. And, without notice to me, Chairman CAMPBELL did stick it in as a part of the hearings. I was given no notice of it. It was not a part of the hearings. The numerous pages of that vituperation and personal abuse were not a part of the hearings. I gave Mr. Gompers a chance to confront me when I made my statement. His attorney, Ralston, was sitting within 5 feet of me and heard every word I uttered. Why, gentlemen, my friend from Kansas [Mr. CAMPBELL], the Republican chairman of the Rules Committee, ought to have done me the justice to let me know something about it instead of publishing all this mass of vituperation and personal abuse in this document and giving me no chance to answer it when the hearings were closed and it did not form any part of the hearings.

Gompers said, "Phil, put it in"; and my friend Phil, who employs three or four tonsorial artists to keep busy all day trying to train his hair to hang down and make him look like Bobby Burns [laughter]—he put it in, and then ran off; and I have not seen him since. He would not say a word. He would not give the newspapers anything about it until after it had been officially printed on the 1st day of February, and then all this mass came out in the newspapers on the 2d of February. Is that the way you Republicans conduct a fight against the Democrats? I do not believe it. You are fairer men. I meet you on the square. You men know that I never say anything about anybody behind their backs that I will not say to their faces. Why did not PHILIP CAMPBELL, in all fairness, tell me about these things that he was requested by Samuel Gompers to put into the hearings as a part of the record and which did not constitute any part of the hearings? And why did he not give me a chance to answer them before he wronged me and wronged the record of the hearings by putting same in it? But I am not mad at him. He is a fine fellow, after all. I like him. Phil does the best he knows how under the circumstances. [Laughter.] He thought that was all right. He did not think there was any impropriety in sticking that great, big mess into the hearings. Samuel Gompers asked it! I know what it means to Phil, and I know what it means to my colleagues.

Mr. SNELL. Mr. Speaker, will the gentleman yield for a question?

Mr. BLANTON. Oh, I am going to get to the gentleman from New York in just a minute.

Mr. SNELL. I think if the gentleman has any controversy with Mr. CAMPBELL, he ought to wait until the gentleman is present.

Mr. BLANTON. I am now done with the gentleman from Kansas [Mr. CAMPBELL]. I am now going to take up the gentle-

man from New York [Mr. SNELL]. Now, every time anything comes up against the American Federation of Labor and Samuel Gompers, the great dictator, I will tell you why the gentleman from New York [Mr. SNELL] arises. He knows——

The SPEAKER. The gentleman from Texas rose to a question of personal privilege. He ought to confine himself to that.

Mr. BLANTON. Oh, yes; but when a Member interrupts me I think I have the right to answer him.

The SPEAKER. The gentleman will confine himself to his question of privilege.

Mr. BLANTON. I will not embarrass the gentleman from New York; but whenever anyone attacks union labor as I have done, I will tell you why there is always some fellow ready to jump up here in the House, and I will tell you why there are always some fellows ready to applaud him. It is because they know that as soon as they get outside, Mr. Gompers pats them on the back and says, "I will bring you back one more term. I will not promise to bring you back more than one more term, because I have got all of you on probation." It is just like the powers in the great State of Pennsylvania are now saying to all their would-be officers, "Now, organized labor is going to send you a questionnaire—every candidate—inquiring whether if elected you will do our bidding whenever organized labor calls on you, and whether you will repeal the Volstead Prohibition Act, and whether you will agree to repeal the constitutional amendment; and if you answer that you are going to vote against prohibition, and that you are going to vote to repeal the Volstead law, and that you are going to vote to resubmit the prohibition amendment to the people in the way of a convention, and that you will always stand by organized labor—if you answer these questions all right we do not give a continental whether you are a Democrat or a Republican or a mugwump, union labor is behind you and will elect you." That is the way it is in Pennsylvania just now. If you oppose prohibition and stand by union labor, they promise to bring you back the next time.

Mr. RANDALL of California. Was that a union-labor organization or a booze organization?

Mr. BLANTON. Oh, they always go together. I refer to their leaders. You can not separate them. Not the great, splendid, loyal, patriotic men who belong to these unions and never have a vote, like this president of the union from New York, who writes me that they do not get a vote in the referendum; not this great, fine body of men; but I am talking about the leaders like Mr. Gompers, who on Flag Day marches on the Capitol, and whose unions, in the newspapers of Washington, put notices, "If you do not appear, prohibitionists or otherwise, and march in protest against prohibition and the Constitution we are going to fine you."

My friend from California ought to be well versed in that. But I am done. I will submit the charges I have made against Mr. Gompers and his associated labor leaders to the fair-minded, intelligent, well-posted, reading public of America. They know that these charges have plenty of foundation, and my colleagues know it. And my colleagues are, deep down in their hearts, except a few who have labor cards in their pockets—most of my colleagues—think like I do on this subject, but they can say nothing. I sympathize with you. [Laughter.]

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent that the Committee on Public Buildings and Grounds may sit during the session of the House to-morrow in order to complete a hearing on the soldiers' hospital bill.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the Committee on Public Buildings and Grounds may sit during the session to-morrow. Is there objection?

There was no objection.

CONFERENCE REPORT ON INDIAN APPROPRIATION BILL.

Mr. SNYDER. Mr. Speaker, I call up the conference report on the bill H. R. 11368, an act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921.

I ask unanimous consent that the statement be read in lieu of the report.

Mr. MANN of Illinois. I think we had better have the report read.

The Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11368) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 24, 32, 35, 47, 73, 74, 90, 121, 125.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 33, 37, 38, 39, 41, 42, 43, 44, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 69, 70, 71, 72, 75, 76, 77, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 91, 93, 95, 96, 97, 98, 99, 101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 122, 123, 124, 126, 127, 128, 129, 130, 131, 132, and 133, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$350,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert "forty-five"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert "eighty"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to expend not less than $15,000 out of applicable funds in the work of determining the competency of Indians by competency commissions on Indian reservations outside of the Five Civilized Tribes in Oklahoma."

And the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"For the construction of a bridge across Salt River, on the Salt River Indian Reservation, near Lehi, Ariz., $15,000, to be expended under the direction of the Secretary of the Interior, said sum to be reimbursable from any funds now or hereafter placed in the Treasury to the credit of the Indians on the Salt River Reservation, to remain a charge and lien upon the funds of said tribe of Indians until paid: *Provided*, That the Secretary of the Interior may cooperate with the State of Arizona in the construction of said bridge: *Provided further*, That no part of the money herein appropriated shall be expended until the Secretary of the Interior shall have obtained from the proper authorities of the State of Arizona, or the County of Maricopa, satisfactory guaranties of the payment by the said State or county of at least three-fourths of the cost of the construction of said bridge: *Provided further*, That the said State or county shall agree to defray all expense of the maintenance and repair of said bridge and its approaches and to keep the same in good condition at all times."

And the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"FLORIDA.

"SEC. 4. For relief of distress among the Seminole Indians in Florida, and for purposes of their civilization and education, $5,000, including the construction and equipment of necessary buildings."

And the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"*Provided*, That the Secretary of the Interior shall submit to Congress on the first Monday in December, 1920, a report relating to the construction, enlargement, and improvement of said Fort Hall irrigation project, including the irrigation of such additional lands as may appear to be feasible and practicable, together with the estimated cost of such irrigation."

And the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"*Provided*, That no part of the sum hereby appropriated shall be used except for school or schools of the Mississippi Chippewas now in the State of Minnesota."

And the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, the sum of $60,000, or so much thereof as may be necessary of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section 7 of the act of January 14, 1889, entitled 'An act for the relief and civilization of the Chippewa Indians in the State of Minnesota,' and to use the same for the purpose of promoting civilization and self-support among the said Indians in manner and for purposes provided for in said act: *Provided*, That not to exceed $5,000 of the above amount shall be used to aid the public schools in the Chippewa country: *Provided further*, That Indian children shall at all times be admitted to said schools on the same terms and conditions as white children."

And the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"For the construction of a bridge across Two Medicine Creek, on the Blackfeet Indian Reservation, in Montana, being a link in the highway connecting Yellowstone National Park with Glacier National Park, to be paid out of funds now in the Treasury of the United States to the credit of said Blackfeet Indians, $10,000."

And the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"To reimburse the Indians of the Fort Berthold Reservation, N. Dak., for 253.04 acres of land embraced within the boundaries of the Verendrye National Monument, established by presidenital proclamation of June 29, 1917, the sum of $1,265.20, representing the appraised value of said land at $5 per acre: *Provided*, That the sum appropriated shall be subject to expenditure upon the order of the Secretary of the Interior for the benefit of the Indians of the Fort Berthold Reservation."

And the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$195,000"; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate amendment insert:

"*Provided further*, That until further provided by Congress, the Secretary of the Interior, under rules and regulations to be prescribed by him, is authorized to make per capita payments of not to exceed $200 annually hereafter to the enrolled members of the Choctaw and Chickasaw Tribes of Indians of Oklahoma, entitled under existing law to share in the funds of said tribes, or to their lawful heirs, of all the available money held by the Government of the United States for the benefit of said tribes in excess of that required for expenditures authorized by annual appropriations made therefrom or by existing law."

And the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert:

"The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of $25,000, or so much thereof as may be necessary, of any of the funds to the credit of the Indians on the Cheyenne River Indian Reservation, and to apply the same to the construction of a bridge and abutments and approaches thereto across the Cheyenne River in the State of South Dakota. This appropriation shall be available only on the condition that the interested counties or the South Dakota Highway Commission contribute to the cost of said bridge in the ratio of $2 for every dollar of Indian funds so expended."

And the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "Of the principal funds to the credit of the Confederated Bands of Ute Indians"; also, on page 57, line 17, of the engrossed bill, after the word "children," insert the following: "the tuition of such Indian children to be paid out of tribal funds to be covered into the Treasury"; and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment, as follows: In lieu of the sum proposed by the Senate amendment insert "$5"; and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert "$15,000"; and the Senate agree to the same.

HOMER P. SNYDER,
J. A. ELSTON,
C. D. CARTER,
Managers on the part of the House.

CHARLES CURTIS,
A. J. GRONNA,
HENRY F. ASHURST,
Managers on the part of the Senate.

STATEMENT.

In handing to the House our statement covering the report of your conferees, we desire to say that as this bill passed the House it carried a total appropriation of $12,868,748.19. As it passed the Senate it carried $12,788,397.39. As reported back to the House by your conferees it carries $12,847,997.39, or $20,750.80 less than when the bill originally left the House.

Your committee presents a compilation of the figures showing under which headings the various amounts were reduced or increased:

	House bill.	Senate bill.	Conference.
Gratuities	$7,290,070.00	$7,296,485.20	$7,286,485.20
Treaty	834,860.00	819,520.00	826,620.00
Reimbursable	1,853,049.07	1,899,550.07	1,939,550.07
Tribal funds	2,881,769.12	2,772,842.12	2,795,342.12
	12,868,748.19	12,788,397.39	12,847,997.39

House bill	$12,868,748.19
Conference	12,847,997.39
	20,750.80
Conference	12,847,997.39
Senate bill	12,788,397.39
	59,600.00

	Increase.	Decrease.
Gratuities		$10,000
Treaty	$7,100	
Reimbursable	40,000	
Tribal funds	22,500	
	69,600	10,000
	10,000	
Increase Senate to conference	59,600	

On amendment No. 1: The appropriation of $6,000 for irrigation on the Klamath Reservation is stricken out.

On amendment No. 2: The appropriation of $6,000 on the Colville Reservation is stricken out.

On amendment No. 3: The appropriation of $8,000 on the Southern Ute Reservation, Pine River project, is stricken out.

On amendment No. 4: Is simply a change of total.

On amendment No. 5: Reduces the amount for stream gauging by the Geological Survey from $4,000 to $2,000.

On amendment No. 6: For reservation purposes on the Klamath and other reservations are receded from by your committee.

On amendment No. 7: Simply corrects the totals of the various irrigation projects mentioned.

On amendment No. 8: Provides $65,000 for suppressing liquor traffic in lieu of the $75,000 granted in the House.

On amendment No. 9: Increases the amount of the Senate appropriation of $330,000, for relieving distress, to $350,000.

On amendment No. 10: Reduces the appropriation of the Choctaw and Chickasaw Hospital by $5,000.

On amendment No. 11: Decreases the appropriation for the Crow-Creek Hospital, South Dakota, from $10,000 to $8,000.

On amendment No. 12: The House recedes, with an amendment fixing the requisite number of pupils for the continuation of reservation schools at 45, and amendment No. 13, of nonreservation schools at 80.

From amendment No. 14 your conferees recede. This amendment fixes the basic number of pupils for the continuation of day schools at eight.

On amendment No. 15: Appropriates $68,000 for the transportation of pupils from and to Indian schools, reducing the amount granted by the House by $2,000, to which your conferees agree.

On amendment No. 16: Provides $460,000 for farming and stock raising, etc., a reduction of $5,000.

On amendment No. 17: Reduces the amount of House bill by $500 for telegraphing and telephoning.

On amendment No. 18: Reduces the House appropriation of $1,000 to $800 for the payment of court costs.

On amendment No. 19: Reduces by $1,000 the appropriation for judges of Indian courts.

On amendment No. 20: Providing for competency commission, was stricken out by the Senate, but your conferees receded, with an amendment reducing the amount from $25,000 to $15,000, and restoring the item in the bill.

From amendment No. 21 the House recedes.

On amendment No. 22: Was reduced by the Senate from $50,000 to $40,000, in which your conferees agree.

On amendment No. 23: The House recedes from the amendment authorizing the use of clerks as disbursing agents in the Indian Service to act in their places during any time an agent may be incapacitated.

On amendment No. 24: Was receded from by the Senate, leaving it as it passed the House. This amendment authorizes certain charges for work incident to the sale and leasing of timber.

On amendment No. 25: Reduces the appropriation for general repairs at the Phoenix School by $2,500, and amendment No. 26 corrects the total.

On amendment No. 27: Reduces the appropriation for canals on the Colorado River Reservation by $3,400.

On amendment No. 28: Makes the necessary correction in the total.

On amendment No. 29: Reduces the development of water supply for the Navajo and Hopi Indians by $5,000, to which your conferees agreed.

On amendment No. 30: Included the terms "to be immediately available," to which your conferees agreed.

On amendment No. 31: Is the same as amendment No. 30.

On amendment No. 32: From which the Senate receded, strikes out some unintelligible language, which evidently crept into the bill through error.

On amendment No. 33: For bridges over the Little Colorado and Canon Diablo Rivers is agreed to by your conferees.

On amendment No. 34: To assist in the erection of a steel bridge on the Salt River Reservation, was agreed to by your conferees with an amendment.

On amendment No. 35: The Senate receded from the words "to be immediately available."

On amendment No. 36: For the relief of distress among the Seminole Indians, was accepted by the House with an amendment reducing the amount by $5,000.

On amendment No. 38: Reduces the pay of employees of the Fort Hall Reservation by $1,000, from which your conferees receded.

On amendment No. 39: For the operation of the Fort Hall irrigation system, was reduced to $50,000, to which the House conferees agreed with an amendment.

On amendment No. 41: Was receded from by your conferees, as it reduced treaty stipulations with the Bannocks of Idaho $500.

On amendment No. 45: From this amendment your conferees receded with an amendment which provides for the expenditure of treaty funds for the establishment and maintenance of certain schools.

On amendment No. 46: Your committee receded with an amendment decreasing the amount appropriated from $85,000 to $60,000 of certain Chippewa funds.

On amendment No. 47: The Senate receded. This amendment directed the Secretary of the Treasury to pay an attorney of the Chippewa Indians the sum of $12,500.

On amendment No. 48: The House receded. This amendment is for the relief of distress of Choctaw Indians of Mississippi.

On amendments Nos. 51 and 51: Relate to the pay of employees under a treaty on the Crow Reservation.

On amendment No. 52: Corrects the total.

On amendment No. 53: From which the House receded, reduces the amount paid to the Northern Cheyenne and Arapahoes for certain employees by $5,000.

On amendment No. 54: From which the House receded, reduces the amount for the support and civilization of the Rocky Boy Band $1,000.

On amendment No. 55: Increases the amount for the construction and maintenance and operation of irrigation systems on the Flathead Reservation $100,000, to which your conferees agreed.

On amendment No. 56: Reduces by $50,000 the amount which may be withdrawn from moneys of the Crow Indians to expend for improvement and operation of irrigation systems.

On amendment No. 57: Provides for the construction of a bridge across Two Medicine Creek, on the Blackfeet Indian Reservation, connecting Yellowstone Park with Glacier Park, and was receded from by your committee with an amendment making the funds payable out of the Treasury from the funds of the tribe.

On amendment No. 60: This amendment reduces by $5,000 the reimbursable funds which may be used on the Pyramid Lake Reservation for irrigation.

On amendment No. 62: Cuts from $25,000 to $15,000 the amount to be expended from Indian funds for roads and bridges on the Mescalero Reservation.

On amendment No. 63: Provides the expenditure of $100,000 by the Navajo tribes to purchase from their funds certain lands for their benefit.

On amendment No. 67: Decreases the amount paid at Fort Berthold Agency $500.

On amendment No. 68: Was receded from, with an amendment, by your committee. This item reimburses the Fort Berthold Indians for 253 acres taken from them by the Government for the Verendrye National Monument.

On amendment No. 70: Reduces by $200 the amount allowed for the support of the Wichitas of Oklahoma.

From amendment No. 71, for the civilization of Cheyenne and Arapahoes, the House recedes.

From amendment No. 72, reducing the amount by $200 for the support and civilization of the Kickapoo Indians, your committee receded.

The Senate receded from amendments Nos. 73 and 74, reducing the amount for employees under treaties with the Pawnees.

The House receded from amendment No. 75, authorizing certain Osage funds to be appropriated for the construction of a fireproof building.

On amendment No. 76, from which your conferees receded, provided for the sum of $10,000 to pay the expenses of the Osage tribal council for visits to Washington, D. C.

On amendment No. 77: The House receded with an amendment, which increases the Senate's appropriation $10,000, for the compensation of employees among the Five Civilized Tribes.

On amendment No. 79: The House receded with an amendment providing that the Secretary of the Interior may make per capita payments not exceeding $200 annually to the enrolled members of the Choctaw and Chickasaw Tribes of Indians.

On amendment No. 80: Corrects the title of a publication.

On amendment No. 82: Was receded from by your committee, as it simply reduces the pay to employees at the Klamath Agency by $250.

On amendment No. 83: Reducing from $3,000 to $2,500 the expenditures for support and civilization of the Grande Ronde and Siletz Agencies, was receded from by your committee.

On amendment No. 84: Reduces the maintenance and operation of the Modoc irrigation system $1,000 and this action was accepted by your conferees.

On amendment No. 86: Strikes out $7,000 from the $200,000 appropriated by the House for the support of different Sioux Tribes. Your committee receded from the amendment.

Your committee also receded from amendment No. 87, which the Senate reduced by $7,000 for the transportation of supplies.

On amendment No. 88: For the maintenance of the Canton Insane Asylum, reduced the amount for maintenance by $5,000. To this your committee agreed.

On amendment No. 89: Authorizing the Treasurer of the United States to withdraw $175,000, which was $10,000 less than the House appropriation, was agreed to.

On amendment No. 90: From which the Senate receded, appropriates $25,000 for construction of roads and bridges on the Pine Ridge Reservation.

On amendment No. 91: From which the House receded, allows $10,000 of the Cheyenne Indians to be withdrawn for the construction of roads and bridges.

On amendment No. 92: From which the House receded with an amendment decreasing by $15,000 the amount which may be expended for Indians on the Cheyenne Indian Reservation in the construction of bridges and dams, etc.

From amendment No. 94, appropriating $26,200 for employees at the Ute Agencies, the House receded. Amendment No. 95 simply corrects the total.

On amendment No. 96: From which the House receded, reduces by $2,000 the amount for the support and civilization of the Utah Indians.

On amendment No. 97: Receded from by the House, reduces by $50,000 the withdrawal of the Ute Indian funds. Amendments Nos. 98 and 99 provide for the distribution of this sum.

On amendment No. 100: Was receded from by the House committee with an amendment to read, after the words "white children," in line 21, page 66, as follows: "the tuition of such Indian children to be paid out of tribal funds to be covered into the Treasury."

On amendment No. 102: Reduces expense on the D'Wamish Reservations, in Washington, by $500.

On amendment No. 103: Provides for the sale of the Cushman School lands at Tacoma. Committee receded.

On amendment No. 104: Reduces by $50,000 the House appropriation of $300,000 for the cost of Wapato irrigation and drainage systems.

On amendments Nos. 105, 106, and 107: Were receded from by the House with an amendment which provides that white landowners under the Wapato irrigation system shall pay $5 per acre for each acre of land on which water can be delivered to them.

On amendment No. 108: Reduces the House appropriation of $125,000 to $75,000 for the completion of dams and canal systems on the Yakima Indian Reservation.

On amendment No. 109: Continues in the bill the reference to the unexpended balance for the construction of a road on the Quiniault Reservation the terms "to be immediately available."

On amendment No. 110: Your committee receded from this amendment, which seeks to investigate the payment of taxes on the allotted Indian lands in Washington under existing law.

On amendment No. 112: Reducing the appropriation for the Pottawatomie Indians in the State of Wisconsin from $7,000 to $6,000, was receded from by your conferees.

On amendment No. 113: Was receded from by your conferees, which provided for the support and civilization of the Pottawatomie Indians in Wisconsin, the payment to them of an unexpended balance of appropriation and the manner in which the payment shall be made.

On amendment No. 117: Provides $10,000 in part settlement of the amount due the Saint Croix Chippewa Indians of Wisconsin, to be expended in the purchase of land for the benefit of said Indians.

On amendment No. 119: Reduces the pay of certain employees on the Shoshone Reservation in Wyoming.

From amendment No. 121 the Senate recedes. This amendment provides $50,000 for the so-called Riverton project in Wyoming.

On amendment No. 123: Reduces the amount authorized to be expended from funds of the various tribes for support and civilization.

On amendment No. 124: Reduces the amount appropriated for the Red Lake Indians by $12,500.

From amendment No. 125 the Senate recedes. This amendment provides for the payment of the unexpended balance on the Jicarilla Reservation.

On amendment No. 126: Reduces about $10,000 an appropriation of the Eastern Cherokees for support and civilization.

On amendment No. 127: Reduces the appropriation to $5,000 for the support and civilization of the Cheyennes and Arapahoes.

On amendment No. 128: Reduces by $3,000 an appropriation for the civilization and support of the Sac and Fox Indians.

On amendment No. 129: Reduces the appropriation for the support and civilization of the Lower Brule Indians $5,824.

On amendment No. 130: Reduces the appropriation for the support and civilization of the Rosebud Indians $1,950.

On amendment No. 131: Reduces the appropriation for the civilization and support of the Sisseton Indians $5,000.

On amendment No. 132: Reduces the amount for the civilization and support of the Colville Indians $21,000.

On amendment No. 133: Reduces the item for civilization and support of the Tulalip Indians $3,000.

Your committee receded with an amendment from amendment No. 134, reducing the appropriation for the civilization and support of the Lac du Flambeau Indians $5,000, and excluding the words "to be immediately available."

HOMER P. SNYDER,
J. A. ELSTON,
C. D. CARTER,
Managers on the part of the House.

Mr. CARTER. Mr. Speaker, I reserve all points of order.

Mr. SNYDER. Mr. Chairman, I have nothing further to offer than what has been disclosed by the reading of the report, except to say that this report has been made and the result has been brought about by the continued hard work on the part of this committee since the beginning of last July. While there may be some errors or omissions, and while there may be some language in the report, a word here and there, which is not, perhaps, what some one better versed in parliamentary government than I might have put in, it is the best result that we could bring here with the efforts the committee have put into the bill.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SNYDER. Yes.

Mr. LONGWORTH. Will the gentleman state how the total amount appropriated compares with the bill as it passed the House?

Mr. SNYDER. The bill left the House appropriating $12,868,748.19. As it passed the Senate it carried $12,788,397.39, a reduction from the amount of the House bill, which in my five years' experience is something unheard of in appropriation measures. As reported back to the House by the conferees the bill carries $12,847,997.39, or $20,750.80 less than when it left the House.

Mr. LONGWORTH. I think the gentleman has done a very good job.

Mr. SNYDER. The original estimate as presented to the committee carried $17,400,000.

Mr. CARTER. If the gentleman will yield, that included, of course, the appropriations from the tribal funds, which are not a tax on the Federal Treasury.

Mr. SNYDER. That, of course, the chairman of the committee agrees to, but he has always believed that it was just as important to point out the amount of money which was being used from the tribal funds, so far as the Indians are concerned, as to point out the amount taken from the Federal Treasury. Therefore, in all the statements he has made he has included in the total all the money appropriated from all sources and from whatever account.

Mr. CARTER. I agree with the gentleman fully that the United States handles these funds in a fiduciary capacity, and that in handling the trust funds we should handle them with just as much accountability as we would our own funds. The only point I make is this: That when we come to consider the cost to the Treasury of the United States, the tribal funds do not figure, because they are held in the Treasury of the United States as trust funds and for draft only on account of the Indians.

Mr. GARD. Will the gentleman yield?

Mr. SNYDER. Yes.

Mr. GARD. Reading the conference report—and I have not had the opportunity to read it carefully—I note two amendments which were added by the Senate and which the conferees agreed to. I ask the chairman of the committee to explain amendment 117, on page 73. The reason I desire an explanation is this: It seems to me that while there is an appropriation for $10,000 there is a very dangerous practice of obligating the Congress to carry out an appropriation of $141,000, which it recognizes as a settlement and which, while the conferees only agree to the appropriation of $10,000, it actually appropriates and makes positive recognition of a liability of $141,000. Therefore, instead of an appropriation of $10,000, it means an appropriation of $141,000 in fact.

Mr. SNYDER. I will say in reply to the gentleman that this item is covered by a bill which has passed the Senate and has been reported to this House by the unanimous report of the Committee on Indian Affairs. It is a treaty item and must be paid by this Government. It was thought in the consideration of the matter it would be better to do it in this way and give these Indians $10,000 or $20,000 a year rather than appropriate the whole sum and pay it at once. This same item, the gentleman will recall, defeated this bill in the last Congress, the session which closed on March 4. Since then a careful investigation has been made and a report has been agreed to upon this item by the Committee on Indian Affairs, and this will supersede that legislation.

Mr. GARD. It seems to me that it is a very dangerous practice to appropriate $10,000 under the guise of saying $10,000 is

appropriated, whereas in fact it means a recognition of an obligation of $141,000, which must be continually appropriated for until the whole amount is paid.

Mr. SNYDER. Of course, the gentleman understands and has seen the reports which make this item necessary. Back in 1914 and 1915 reports of investigations were made by the bureau, and it was found that up in Wisconsin there were about 100 Indians who had refused some 60 or 80 years ago to take up the land which was allotted to other members of the tribe. There was at that time a sufficient amount so that each allotment would mean in money value about $1,500 due to each of these Indians. They have established their claim to the amount, and while it has been put off from year to year, there is no question in the mind of the committee that it is a justified item, and the money will have to be paid some time. We felt, however, on account of the condition of the Treasury of the United States, since we have recognized the justice of the claim and have reported a bill to the House to that effect, that it is better to pay it in installments than to put the whole amount in at this time.

Mr. GARD. As I understand, there has been no recognition by any act of Congress of this claim, and this appropriation of $10,000 is the first recognition of a liability of $141,000. That is the true statement of fact, is it not?

Mr. SNYDER. Except that the Senate has passed the bill.

Mr. GARD. But the Congress as a whole has not passed it?

Mr. SNYDER. It has not.

Mr. GARD. And what this means is that under the guise of an appropriation the committee is recognizing, and the House is recognizing, a liability of $141,000.

Mr. SNYDER. I do not agree with the gentleman there, because, while that may have been in the mind of the men who insisted upon this going into the bill, it did not enter my mind. My notion is that if this House decides to refuse to appropriate on that item next year there is no obligation created here that it shall be done.

Mr. GARD. I understand what the gentleman says, but the practical meaning of it is that once having recognized by act of Congress the validity of this claim, if it can be called a claim, and paying $10,000 upon it, then the committee and the House is practically pledged to the appropriation of the remaining $131,000. It does not make any difference what the gentleman says was in his mind. That to me seems to be the practical side of it. We are pledged to appropriate $135,000 more, and under the guise of a small appropriation of $10,000 we recognize the validity of the appropriation of $141,000.

Mr. SNYDER. I have already stated to the gentleman that there is a bill in the House now, reported unanimously by the committee, recognizing this claim in full. Of course, the House has not yet passed that measure.

Mr. GARD. I understand that.

Mr. SNYDER. I can not give the gentleman any fuller explanation with regard to it than I have. My understanding is that we shall have to appropriate if we desire to cover this same claim, but I do not understand that we have agreed to the $141,000 item any more than we would if we put in a bridge item, when we knew that $50,000 was going to be required and we appropriated only $25,000 for it at the particular time.

Mr. GARD. I think we may as well understand that the committee has decided to recognize and the House has decided to recognize the appropriation of $141,000, and that is what it amounts to. I desire to call the attention of the chairman of the committee to another item on page 47, which is likewise a Senate amendment.

Mr. SNYDER. What is the number of the amendment?

Mr. GARD. Amendment No. 63, the purchase of land for Navajo tribes, $100,000. Is this intended to cover the same situation that we had some years ago when it was purposed to allot to the Navajoes certain lands?

Mr. SNYDER. I would state to the gentleman that this land is where between six and seven thousand Navajo Indians live to-day who have never lived on the Navajo Reservation. This information I am now giving to the gentleman has come to me within a very few days from the Franciscan Fathers out there. I did not have the information when the bill was before the House. These Indians have lived off the reservation and can not be put back upon it, according to the testimony before us, due to the fact that allotments have been made to such an extent that there is no more grazing land than is absolutely required for the Navajoes now on the reservation.

Mr. CARTER. Mr. Speaker, will the gentleman yield to me?

Mr. SNYDER. Yes.

Mr. CARTER. The Navajo Indians, I will say to the gentleman from Ohio [Mr. GARD], as I recollect, number something like 31,000 people. They compose a great, large tribe of Indians living about at different points over the desert. They are not, strictly speaking, an agricultural people, but are more in the line of herdsmen, raising sheep. I think I know what the gentleman has in mind. Several years ago in the Indian appropriation bill there was an item permitting the Indians in the United States to make allotments on the public domain. The intention was that these allotments should be made in Arizona and New Mexico. The provision went into the bill in the House, but when it got to the Senate it was practically nullified by having placed on the end of it a proviso excluding the States of New Mexico and Arizona from the provisions of the item.

When we went into conference, the whole purpose of the amendment having been aborted, and it being impossible to get the Senate conferees to agree to the House provisions, the entire amendment was stricken out, as I now recall. I violate no confidence when I say it was admitted during the conference that these are the same Indians, the Navajo Indians, for whom we attempted at that time to provide allotments on the public domain in Arizona and New Mexico. Some of the lands may be the same, but as a rule these are lands which have been taken up by railroad companies, in some kind of railroad grant. Now, the railroads, already having preempted or foreclosed whatever rights they have and taken over the water holes, springs, and so forth, the lands left are of no value as allotments for the Indians, and so the necessity for purchasing lands which have some character of stock water to supply these Navajo herds.

Mr. GARD. Mr. Chairman, will the gentleman yield for a question?

Mr. SNYDER. Yes.

Mr. GARD. Under existing law, and especially with reference to what the gentleman has so well said about prior legislation, is it not possible to still secure the provision of allotted lands to the Navajoes?

Mr. CARTER. On the public domain?

Mr. GARD. Yes.

Mr. CARTER. Oh, no. I had just referred to that. All of the lands that have water holes or springs have been taken up since this other legislation was proposed, and the land that the Indian might now get by allotment on the reservation would not be of any value because there is no water.

The principal reason that this money is desired to purchase land for Indians is in order that water holes and springs might be purchased, and so far as I am advised there is little desire by anyone to take up any of the balance of this dry land.

Mr. SNYDER. The gentleman should know that this is a self-supporting band of Indians. There will be no future appropriations and they have plenty, not funds, but they own plenty of timber and other valuable materials, so the Government will eventually get its money back from this appropriation.

Mr. GARD. What I desired to understand was whether this is for the benefit of the same Indians who have not yet proceeded to get allotted lands that we are now buying lands for $100,000 to give to them?

Mr. SNYDER. Yes; these are the same Indians, but the situation is that they hold land on alternate sections. The railroad owns one section, and then the land in between is public land. Now they have an opportunity to secure from the railroads a sufficient amount of these lands, so that they will have title to them forever, and while I did not understand this situation when the bill was before the House, we have since secured information which led us to agree to this report. The probabilities are, unless this is done now, they will lose the opportunity to get these lands.

Mr. GARD. The information that the gentleman has is that these are railroad lands, and I assume by that the gentleman means the land belongs to the railroads?

Mr. SNYDER. Every alternate section belongs to the railroad and the balance is public land. That can be purchased at this time, and thus give them a continued holding of land, including water rights, and so forth.

Mr. CARTER. If the gentleman will permit, there is plenty of land. It is not so much of a question of land as of water. All the water holes have been taken up either by the settlers or by the railroad grants, and the land is valueless for herding or grazing purposes without water. As I understand the matter, this $100,000 is to be used to purchase land with water on it, so that the Indians will have stock water, while their stock will graze perhaps partly on the public domain.

Mr. GARD. It nowhere appears that this land is to be purchased for water holes, and I am very glad to be advised of its purpose.

Mr. CARTER. That was stated in conference.

Mr. SNYDER. I will say to the gentleman this item did not come before the Committee on Indian Affairs in its investigation

of the Indian Bureau; neither did it come before the committee when it was investigating the appropriation estimates. It came in afterwards, and the only discussion we have had on it has been either in conference or since the bill passed the House, except a statement made to us when the item was brought up after our investigation of the bill, and I did not take any stock in it and was against it and was glad to see it go out of the bill. But I did not understand the situation, and since then I have become advised with respect to it. I will also say to the gentleman that we did not concede this amount without taking something else out of the bill to compensate for it.

Mr. CARTER. If the gentleman will permit me further, I will say that a mistake was made when we did not pass this provision to allot these Indians this land, because the water holes would have been held if that had been done.

Mr. GARD. How long ago was that?

Mr. CARTER. That was probably four or five years ago.

Mr. CLARK of Missouri. Will the gentleman yield? I desire to ask him a question or two. How does the total appropriation of this bill compare with the totals in the last few years?

Mr. SNYDER. The total of this bill is two and a half million dollars less than the current act.

Mr. CLARK of Missouri. The current act was how much more than the one before?

Mr. SNYDER. They were practically the same. There was only a few thousand dollars difference.

Mr. CLARK of Missouri. Now, in the last few years thousands and thousands of Indians have been made citizens, and so forth, and so on. Are the expenses of this Indian Bureau diminishing or not?

Mr. SNYDER. In reply to the gentleman, I will say that in opening my remarks in presenting the appropriation bill to the House I compiled a statement showing that the number of Indians had decreased some 71,000 in the last 7, 8, or 10 years, and the cost of operating the bureau has increased from $9,400,000 to $15,300,000.

Mr. CLARK of Missouri. What I am trying to get at is to find out if there is any prospect on earth of this Indian Bureau ever petering out?

Mr. SNYDER. There is absolutely none on the face of the earth.

Mr. CLARK of Missouri. How can they keep it up with the Indians being made citizens and getting their allotment and being taken from under the tutelage of the Government; with that constantly going on how can they keep as many clerks as they do, and what are they doing?

Mr. SNYDER. Well, if the gentleman will permit me, it will take a minute or two to answer that intelligently perhaps; it seems that the Indian Bureau down here is assuming to look after not only the tribal affairs of every Indian but the individual affairs of every Indian.

Mr. CLARK of Missouri. How is it their business, after an Indian is made a citizen, to be pestering themselves and asking money to take care of him?

Mr. SNYDER. For the simple reason they never discharge an Indian completely. There is always some way they hold onto his property or something which keep that Indian in individual touch with the bureau; and so, where the bureau has been operating for a tribe which has 20,000 Indians in it, it carries on all the correspondence covering the tribe. If they discharge 10,000 of them, they add 10,000 accounts to the work of the bureau, which they think they must do in their behalf after they have become competent.

Mr. CARTER. I would like to suggest that the Cherokee Tribe of Indians in Oklahoma have had their tribal affairs wound up and all the Indians who have not restricted lands are now completely out from under the tutelage of the Indian Bureau and supervision of the Government. Perhaps there are 30,000 or more Cherokees who are now full-fledged citizens and with whom the Government has nothing to do whatever.

Mr. SNYDER. I would like to say to the gentleman from Missouri further that I started out on this investigation with the same idea in mind that he evidently has, judging from the questions he is asking me, and wondering why it was with the diminishing number of Indians to care for the expenses of the bureau were continually appreciating. And I think we have found the reason. We have brought in this bill and put in it some new and perhaps novel legislation, so that from those Indians who are discharged, who are able to pay for service in the future—while the Indian Bureau may have to take care of them—we will collect a sufficient amount from them to pay for that service.

As you can see, we have reduced the amount from the estimates some $4,500,000. We are trying to force the Indian Bureau to relinquish some of its duties over the Indian and thereby reduce the amount of expense.

Mr. CLARK of Missouri. Now, if the expense and labor down in the bureau increases as the number of Indians under tutelage diminishes, when they get down to one Indian they will have a bigger bureau than they have now.

Mr. SNYDER. That is a fact. And under the system which is in operation down there, the bureau here will have more work when one-half of the Indians who are now under restriction are released than there now is.

Mr. CLARK of Missouri. Is there not a way to frame up a bill that will put an end to that idiocy?

Mr. SNYDER. I can not see that where an Indian is declared competent he can not be declared the same as dead. The bureau holds that would require an amortization of accounts, which would be impossible. I am not a technician in those matters, but I believe it could be done, and I am trying to get some idea into their minds which will bring it about.

Mr. CARTER. Will the gentleman yield a moment?

Mr. SNYDER. Yes.

Mr. CARTER. I would like to say to the gentleman from Missouri that there are two things the Indian Bureau has supervision of with reference to the Indian: First, they have supervision over his tribal affairs. That began when the Indian was first put on the reservation and brought under the bureau. At that stage of the proceedings the Indian had no individual estate to supervise, because all his lands, funds, and so forth, if he had any, were owned in common by the tribe. But in process of civilization it becomes necessary to parcel out an allotment of land to each member of the tribe, and when the Indian is allotted, then the individual Indian problem arises, and the problems multiply by the number of Indians in the tribe. Say, for instance, one tribe contains 10,000 people. So long as no allotments or divisions are made we have only one problem, that of the tribal or community ownership to protect and supervise, but when allotments are made then we have the share of each Indian to supervise, so that instead of having one problem we have ten thousand and one, because in making allotments to individuals we invariably have some remnant or tribal estate remaining, and that must be cared for also until some final disposition can be made.

After the Indian has been brought upon the reservation, the Government has also undertaken the duty of caring for his health, teaching him civilized habits, educating his children, instructing him in farming, agriculture, or other arts, and so long as their lands are restricted money must be appropriated for all these purposes.

Now, the next move in this process of civilization is the removal of restrictions and granting to the Indian of a certificate of competency so that he may be absolved from further tutelage, relieved of all restrictions and supervision, and placed upon his own resources. In the shop parlance of dealing with Indian affairs we have come to refer to this procedure as "removal of restrictions."

Now, my friend from New York said that when an Indian receives his removal of restrictions he is not turned loose from the bureau. In some instances that is true and in others it is not. For this reason. If he has removal of restrictions before final settlement of his tribal estate is made, then certainly the Government still holds a string on that tribal estate, and it can not be said that he has been turned completely loose from Government supervision. In order to turn an Indian loose completely from all governmental supervision and to make him in fact a full-fledged United States citizen, it is necessary not only to remove his restrictions but it is necessary to divide up his tribal estate and give him all that is coming to him from the Government. Then he is cast loose from the Government into this great struggle of the "survival of the fittest." While not a very large percentage of Indians in the United States have been turned completely loose from the Government, which embraces not only a complete removal of restrictions but full and final division of tribal property, still this has been done in several notable instances. Take the Cherokees in Oklahoma, the largest population of any in the United States to-day, embracing more than 41,000 people. The tribal estate of the Cherokees has been completely distributed and finally settled. They have not a dollar in the Federal Treasury, and the Government is fully relieved from any expense on account of supervising their tribal affairs. Moreover, more than one-half the population of the entire tribe have had complete removal of restrictions on the property allotted to them, and are now under no supervision of the Federal Government and no expense whatever to Uncle Sam.

The process of graduating the individual Indian into citizenship, that is, removing restrictions on his individual property, has

progressed much faster than settlement of tribal estates for the reason that it is necessary to dispose of unallotted tribal estate usually by sale and on deferred payments. This, of course, entails delays which can not be avoided, but I know of no reason why our Indian Bureau should not be able to wind up the tribal affairs of the Creek Indians within the next fiscal year; and with proper and expeditious management the tribal affairs of the Choctaws, Chickasaws, and Seminoles should be completely settled within the next five or six years, which winds up the tribal affairs of the Five Civilized Tribes, consisting of about 101,000 persons, nearly one-third of all the Indians in the United States.

Now, do not forget the distinction that must be made between tribal affairs and individual affairs. While tribal affairs may be settled as soon as the residue of the tribal estate is sold, collections made, and moneys divided, it should be understood here and now that the problem of supervising the individual Indian property will abide with us as long as one Indian remains with restrictions on the sale or lease of his property, and so long as that condition exists it will be necessary to appropriate money from the Treasury for the service.

Mr. SNYDER. There is one thought I want to give to the gentleman from Missouri: The bureau in Washington, while we may increase the number of employees to-day, now has about 250 or 260, but the number of employees in the field is something over 6,000. Now, we do not propose to reduce the number of employees in the bureau here in Washington, but we do hope by this process of elimination to reduce the number of activities in the field. We have found that we had a surplus of school capacity of nearly 15,000—little schools which dotted the whole Indian country and some of them had but two or three pupils and were being kept up at an expense of, say, $2,000 a year. We found that they had eighty and odd hospitals, 23 nonreservation boarding schools, and 80 reservation boarding schools, some of them only partially occupied. We found a splendid school, with the capacity of 250 or 260 pupils, with only 16 pupils in it. We propose to eliminate this and coordinate the scheme.

Mr. CLARK of Missouri. When are you going to do it?

Mr. SNYDER. We have in this bill the legislation that will bring it about, we hope.

Mr. CLARK of Missouri. I will ask the gentleman from Oklahome [Mr. CARTER] if these Indians in the Five Civilized Tribes are not just as capable of attending to their own business as we are?

Mr. CARTER. I will say to the gentleman that 80 or 90 per cent of them are as capable of attending to their own affairs as the white man in Oklahoma.

Mr. CLARK of Missouri. Why does the bureau want to interfere with their business, then?

Mr. CARTER. The gentleman from Missouri talks very much like an Oklahoma citizen. In fact, if he were a stranger, I might be persuaded to believe that one of my own people had made that remark. The difficulty with the Indian Bureau is just this. They have not in the past addressed themselves sufficiently to the subject of separating the competent from the incompetent Indian. That procedure is the solving of the Indian problem per se. Of what is the Indian problem composed? Nothing more nor less than so-called incompetent Indians. Therefore the more incompetent Indians we have the larger and more comprehensive grows the Indian problem. When all the Indians are graduated into self-sustaining citizenship and get certificates of competency, then, and not until then, will the Indian question be solved, and I repeat, just as long as there is one incompetent Indian for the Government to supervise, just that long will we have the Indian question to haggle over and make appropriations for.

What has been our procedure with reference to this in the past? In the past Congress has set back on its oars and expected the Indian Bureau to separate the sheep from the goats, and let us not forget that that is nothing more nor less than calling on a man to eliminate himself, which is not in the cards of human nature. It is calling upon the Indian Bureau official to eliminate himself, because when all Indians are given certificates of competency and all tribal estates finally settled there will be no further use for the Indian Bureau. It will cease to function; its jurisdiction will be gone; it will go out of business and lose its prestige.

I do not intend by this to speak in a disparaging manner of any of the present Indian Bureau officials. There is that in the nature of the genus homo which causes him to resist surrender of authority. Even judges hesitate to surrender jurisdiction. It is but the law of human nature. In fact, the very first law of human nature—self-preservation—and is no more perhaps than many others of us would do if we were placed in the same position of these officials. This being the situation, Mr. Chairman, there is but one way to solve the question. There is but one body that must do it, or that will do it, and that is Congress. Why? Because Congress has jurisdiction over more things now than it can properly attend to and is not directly interested in continuing this supervision. Their prestige does not depend upon it. Their jobs do not depend upon it. Their salaries and positions, either in this body or in the country, will not be lessened by final settlement of Indian Affairs.

We have passed through this House a bill known as the citizenship bill, which proposes to make citizens of all Indians in the United States, and to eliminate from the control of the Government all Indians of less than one-half Indian blood. It further provides for competency commissions to remove restrictions from other Indians who are one-half or more than one-half Indian blood. The members of these commissfons will be appointed by the President, who, I presume, will seek the advice of the Secretary of the Interior in making such appointments. After they are appointed, under provisions of the bill, they are no longer responsible to the Secretary, but responsible to Congress, and must make their reports to Congress. This bill, in my opinion, is one of the greatest steps that can be taken toward a real solving of the Indian problem. The House has passed the measure. If the Senate will pass it, I think we will begin to see through the openings of the forest the light of the prairie beyond.

Mr. McCLINTIC. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. McCLINTIC. The chairman of the committee has made the statement that it was the object to eliminate as many of these schools as possible. I want to call attention to this condition: Down in Oklahoma there is an Indian school that has an average attendance of over 150. All of those children are full bloods. Many of them have what is called trachoma. Is it the idea of the gentleman's committee to eliminate this school or to let the Indian Bureau eliminate it?

Mr. SNYDER. The gentleman did not mean by any means to state we would eliminate all the schools. The theory is that we have too much capacity for all the children who are in the schools. If we can not fill them up by putting a limitation upon the number that they must have in each school, certain schools will be eliminated. But we have left that wholly in the purview of the bureau—to select such schools as they may see fit, such schools as can best be eliminated or closed down until such time as they can bring them up to the numbers we say must be in the schools in order to be appropriated for.

Mr. CARTER. Let me say to my colleague that there is nothing in this bill, or in any bill that has been adopted by the Indian Committee, that bears on his school at all, because we do not propose to cut down the schools except where the attendance in boarding schools is less than 80, I believe. Is not that what we agreed to in conference?

Mr. SNYDER. Eighty-five.

Mr. McCLINTIC. The point I make is this: The chairman of the committee has called attention to the fact that some of these schools had an attendance that was very, very low, and in his opinion should be abolished. But in my section of Oklahoma they have only one Indian school, and that has a large attendance.

Mr. SNYDER. There is no restriction on them. They can build another school if necessary to make capacity for those who ought to be cared for.

Mr. McCLINTIC. These children that I refer to are all full bloods. There is no white school to which they can be sent. Many of these Indians are diseased with trachoma. The question to my mind is whether the white schools will take these children and let them attend until this disease has been eradicated.

Mr. SNYDER. If the gentleman will look at this section of the bill, he will see that that matter is wholly covered, and there is nothing for him to worry about in the proposition.

Mr. KELLY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. KELLY of Pennsylvania. The gentleman from Oklahoma [Mr. CARTER] said the policy was to prepare these Indians to be competent if they can properly be so declared. I understood there was a proposition to have $25,000 applied to the competency commissions. I notice an amendment was made by the Senate that puts the amount at $15,000. Would that be sufficient?

Mr. SNYDER. The Senate cut it out entirely, and we succeeded in getting that much of it back.

Mr. KELLY of Pennsylvania. Will that cover the entire case?

Mr. SNYDER. I doubt if it will cover the entire case and have all the work done that should be done, but it was the best we could get.

Mr. GANDY. Mr. Speaker, will the gentleman yield to me?

Mr. SNYDER. Yes.

Mr. GANDY. I want to ask as to amendment 92. The Senate cut down a House item. I want to ask as to the reason for the reduction of the amount?

Mr. SNYDER. I will say to the gentleman that the information given to the conferees by the members of the conference has turned out to be erroneous, but on the strength of that statement, which was that there was only $70,000 of tribal funds in the Treasury of the United States, we decided to reduce the amount from $40,000 to $25,000. The gentleman from South Dakota has pointed out to me that these Indians have $1,500,000 on deposit. Had I known that at the time, I would have insisted further on putting in his amount. But we also considered the fact that in all these bridge items of which I have known there must be subsequent appropriation, and we thought $25,000 would be sufficient to make the agreement with, and that he can come in next year, and if his Indians still have money, he will not have any difficulty, I think, in getting the amount he desires.

Mr. GANDY. I hope the chairman will bear with me until I say for the RECORD that the Cheyenne River Tribe of Indians, according to the report of the Secretary of the Interior to the Secretary of the Treasury, which is House Document 349, second session, Sixty-sixth Congress, will on July 1, 1920, have in the Treasury of the United States $1,419,800; and, further, that of what is known as the proceeds of labor, or, in other words, the lease of tribal lands, these Indians will receive $93,000 during the coming year for the lease of the lands that we seek to improve by the building of this bridge, and, of course, it is understood from the report of both the Indian Office and the governor of the State, as chairman of the Highway Commission, that $75,000 would not build this bridge. The $25,000 for one-third, as the chairman says, will perhaps be enough to start it, and the balance, I assume, can be taken care of in another bill.

Mr. SNYDER. The gentleman will recall that there were three items which were put in the bill without investigation with regard to the desires of the bureau, and when we did communicate with the bureau they were opposed to all three of them, and we thought we were treating the gentleman pretty well when we put in two of his three items, even though we did reduce the amount a little on one of them.

Mr. GANDY. I rather think the chairman is somewhat in error in that statement, because I was present as a member of the committee which interrogated the Assistant Commissioner of Indian Affairs, who appeared before the House committee, and the assistant commissioner stated that all three items would be desirable from their standpoint.

Mr. SNYDER. The information I am giving the gentleman is information I have received from members of the conference committee.

Mr. ELSTON. I think a further point with regard to these items is that nothing was had from the Indians in regard to their desires or as to how it would affect their welfare. Of course, the statement is made by the gentleman from South Dakota [Mr. GANDY] with regard to the necessity, but no record of tribal resolution or action was put in as evidence. I think that may have affected the committee in their action.

Mr. MANN of Illinois. Mr. Speaker, I notice in several places in the report items like this:

> Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert.

I make the inquiry that I do partly to assist possibly the enrolling clerk. The gentleman understands, of course, that the enrolling clerk of the House, in enrolling the bill, has to follow copy. He takes the engrossed copy of the bill, and then with the conference report has to make up a new bill. Now, in this particular case—and there are several others like it in the report—while it says—

> in lieu of the matter proposed by the Senate amendment insert—

and so forth, there was no matter proposed by the Senate amendment. The Senate amendment proposes to strike out matter which was in the bill as it passed the House. Now, I take it, of course, and possibly the enrolling clerk will take it, that what the conferees intended was that in lieu of the matter stricken out by the Senate the other matter should be inserted.

Mr. SNYDER. That was what was intended, of course.

Mr. MANN of Illinois. I hope the enrolling clerk will be able to get the intention. Of course, after all, we do not give a great deal of authority to the enrolling clerk. He has to act upon the record, and unless he did there would be many changes in enrolled bills which were not designed.

Now, I should like to ask the gentleman one other question. I notice that amendment No. 94 is referred to in the statement, the statement being that the House recede, I suppose, from its disagreement to the Senate amendment. That would mean to agree to the Senate amendment. But in the conference report itself, through inadvertence, I suppose, amendment No. 94 is not mentioned at all. I understand the gentleman has a concurrent resolution to correct that?

Mr. SNYDER. Yes; I have. I want to present it.

Mr. MANN of Illinois. The gentleman will present it after the conference report is agreed to?

Mr. SNYDER. Yes. I move the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. SNYDER. Mr. Speaker, I desire to present a concurrent resolution.

The SPEAKER. The gentleman from New York offers a concurrent resolution, which the Clerk will report.

The Clerk read as follows:

> *Resolved by the House of Representatives (the Senate concurring)*, That in the enrollment of the bill (H. R. 11368) entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes for the fiscal year ending June 30, 1921," the Clerk be, and he is hereby, authorized and directed to enroll the amendment of the Senate No. 94 to said bill in manner and form as if the House had receded from its disagreement thereto and had agreed to the same.

Mr. CARTER. May I ask the gentleman the reason for this resolution?

Mr. SNYDER. It simply corrects an error with reference to the figures in amendment 94.

The resolution was agreed to.

By unanimous consent, Mr. GANDY and Mr. CARTER were given leave to revise and extend remarks on the Indian appropriation bill and the conference report thereon.

SECOND DEFICIENCY APPROPRIATION BILL.

On motion of Mr. GOOD, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the second deficiency appropriation bill (H. R. 12046), with Mr. TILSON in the chair.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

Mr. GOOD. Mr. Chairman, there was one matter that had not been disposed of, lines 4 to 11, on page 18, which was passed over at the request of some gentleman on the other side.

Mr. HUDSPETH. Mr. Chairman, I should like to offer an amendment.

Mr. GOOD. The gentleman from Texas [Mr. HUDSPETH] desires to offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Amendment by Mr. HUDSPETH: Amend the bill, page 18, line 4, by striking out all after the word "of" in line 4 down to the semicolon in said line and inserting in lieu thereof "the Union and Confederate Navy"; also amend the bill, line 8, by striking out after the last "the" in said line the word "Rebellion" and inserting in lieu thereof "between the States."

Mr. GOOD. Mr. Chairman, I make a point of order on that amendment.

Mr. HUDSPETH. Will the gentleman reserve his point of order?

Mr. GOOD. I will reserve the point of order.

Mr. HUDSPETH. Gentlemen of the committee, upon an investigation I find in talking with the chief of the division under which this would come in the Navy Department that the account is carried on the books of the Navy Department under the head of "Union and Confederate Navy." The bill as it is written refers to "the naval records of the Rebellion." It occurs to me, gentlemen of the committee, that this is an indivisible country, and that in view of the fact that it has been over 60 years since the Civil War ended, and in view of the fact that in the Spanish-American War that distinguished Confederate soldier, Gen. Wheeler, marched alongside of that splendid American, Theodore Roosevelt, in the defense of this country; in view of the further fact that in the last World War every part of this great country united in the defense of this Government, that every part of this country sent her sons to the foreign country to defend that flag; in view of the fact that in the State I come from the conservative people deprecate any reference to anything that would continue that feeling of

strife or reflect on the Government; in view of the fact that the courts of that country prosecute vigorously any treasonable utterance against this country; in view of the further fact that this question was fought out in the United States Senate several years ago and has since been referred to in that body as "the War between the States," it seems to me that my amendment should be adopted.

I am not a bloody-shirt man. I deprecate any utterance to that effect. I believe, gentlemen of the committee, that this amendment ought to be adopted and the point of order ought not to be made against it. I want to say that the memory of Theodore Roosevelt, that great American, although of a different political faith from the majority of the people in my State, is held in that State as sacred as in any other part of the Union. [Applause.] I want to say that the memory of the martyred McKinley in the State I have the honor to represent in part is held as sacred as in any other part of this Nation. [Applause.] For these reasons, gentlemen of the committee, I believe this amendment ought to be adopted, and I hope the gentleman will withdraw his point of order. I think a similar amendment to this was adopted to a bill in the special session. I trust without further discussion the point of order will be withdrawn and this amendment will be adopted. [Applause.]

Mr. GOOD. Mr. Chairman, I have not time to discuss the merits of this proposed amendment. If we were creating this department we might choose some appropriate words that might not be as offensive as these used. But in the legislative, executive, and judicial appropriation bill of 1894 we created the office of naval records of the rebellion, and therein carried an appropriation to collect and print those records. Every year or two since that time we have appropriated sums sufficient to publish the record. Now, the gentleman desires to call all the records that have been given a name by statute something else. It is legislation on an appropriation bill and clearly subject to a point of order. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BLANTON. Mr. Chairman, what did the Chair do with the point of order I made against the section when we passed it?

Mr. GOOD. It is not subject to a point of order.

Mr. BLANTON. I made a point of order that it was not a deficiency, and if you refer back to the RECORD at the time we passed it you will see that I made also the point of order that it was new legislation.

Mr. MADDEN. I understood the gentleman to withdraw the point of order.

Mr. BLANTON. No; I did not withdraw it.

Mr. GOOD. It is a deficiency, certified to in the regular way, and under the ruling of the Chair it is in order and it is not new legislation, having been authorized by statute and been on the statute books for 20 years.

Mr. BLANTON. Unless it is shown to be a deficiency it would not be authorized at this time.

The CHAIRMAN. The gentleman from Iowa has cited the law authorizing this work, and an examination of the appropriation bill carries an appropriation for it. It seems to the Chair that it is authorized by law and that it is a deficiency. Therefore the Chair overrules the point of order.

Mr. BLANTON. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I am informed by what seems to me to be good authority that in the Sixty-first Congress a law was passed which prevented the use in the future of this term "rebellion," and provided that in the future where reference was made to the conflict of sixty-one to sixty-five it should be referred to as "the War between the States." I submit that under that law, if it is a law, it is improper for this appropriation committee or this deficiency subcommittee in this bill to use that term which was proscribed by the act of the Sixty-first Congress.

Mr. MANN of Illinois. There is no such law.

The CHAIRMAN. The Chair would be glad to have the gentleman from Texas cite the Chair the statute he refers to.

Mr. BLANTON. I presume that the Chair would take official cognizance of the substance of all laws passed by Congress.

The CHAIRMAN. That is not the duty of the Chair. It is the duty of the gentleman who cites the law to call it to the attention of the Chair.

Mr. BLANTON. The judge on the bench takes official cognizance of the existence of all laws, and the Chairman is in the nature of a judge on the bench.

The CHAIRMAN. That does not apply in this case. The Chair overrules the point of order. The Clerk called the attention of the Chair to the fact that the provision on page 40, line 23, was passed over.

Mr. GOOD. Those matters will be taken up when we have disposed of the naval items.

Mr. SAUNDERS of Virginia. Will not the chairman take up the items on page 40?

Mr. GOOD. I prefer to take them up in the order in which they appear in the bill.

Mr. SAUNDERS of Virginia. There is nothing controversial in that.

Mr. GOOD. I think the orderly procedure is to take up the passed-over items as they occur in the bill. The next items that we passed are the items with regard to the naval appropriation. If I may have the attention of the gentleman from South Carolina [Mr. BYRNES], there is an amendment pending for an appropriation of $2,500,000 for the Bureau of Yards and Docks. I understand it is proposed to offer an amendment for $1,050,000 for the Bureau of Supplies and Accounts, an amendment for $3,250,000 for Construction and Repair, and $2,500,000 for Steam Engineering. I want to see, if that be correct, whether we can not agree on general debate, so that the matter can be presented in a businesslike and logical way all at once, because one amendment involves the whole program in all of the amendments, and, while the others may be subject to a point of order, and I think they are, yet it seems to me they are all linked together in such a way that we should have the discussion at one and the same time.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLANTON. The gentleman speaks of general debate. General debate on this bill has been exhausted, and we have read the bill under the five-minute rule and completed it with the exception of going back to certain items.

Mr. GOOD. If the gentleman had waited a moment until I propounded my inquiry to the gentleman from South Carolina, he would have seen clearly what is intended. I want to see if we can arrange so that this matter can be discussed in a general way under the five-minute rule, so as to give Members an opportunity to discuss the whole problem.

Mr. BYRNES of South Carolina. Undoubtedly the only way we should proceed is to discuss all of the amendments at once, because they are bound to each other, and while I am in favor of the amendments, if offered, I do not intend to offer them. My information is, however, that amendments are going to be offered by the gentleman from Massachusetts [Mr. TINKHAM], and I am perfectly willing to agree to time and that it shall include a discussion as to all of the amendments.

Mr. GOOD. Does the gentleman think it will require more than an hour and a half for discussion?

Mr. BYRNES of South Carolina. The gentleman from Iowa knows that since he suggested that the other day I have told him that in view of the requests to me for time I could not possibly agree to that amount. If the gentleman would give me an hour and 10 minutes, I will not be able to comply with the requests that have been made, but I will be forced to accept the agreement, and I know that we can then get through.

Mr. GOOD. Then I ask unanimous consent that debate upon the pending amendment and the proposed amendments for the Bureau of Supplies and Accounts, for the Bureau of Construction and Repair, and for the Bureau of Steam Engineering be limited to 2 hours and 20 minutes, the time in favor of the amendments to be controlled by the gentleman from South Carolina [Mr. BYRNES] and the time against the amendments to be controlled by myself.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate upon the pending amendment and the three other amendments indicated by him, to be offered hereafter, be limited to 2 hours and 20 minutes, one half of that time to be controlled by the gentleman from South Carolina [Mr. BYRNES] and the other half by himself. Is there objection?

Mr. VARE. Mr. Chairman, reserving the right to object, I want to ask the gentleman from South Carolina whether that provides for me?

Mr. BYRNES of South Carolina. It does.

Mr. GOLDFOGLE. I want to ask the gentleman from Iowa whether that would also include, as I hope it will, all amendments to the amendments that have been offered, so that the debate upon the entire matter will be limited to the time stated.

Mr. MONDELL. That is the idea.

Mr. GOOD. Yes.

Mr. BYRNES of South Carolina. That is the purpose.

Mr. GOLDFOGLE. It takes in all amendments to the amendments.

Mr. BLANTON. Is this going to limit the debate to these amendments, the subject matter of the amendments?

Mr. BYRNES of South Carolina. Yes.

Mr. BLANTON. That is understood, is it not, that debate is to be limited to the subject matter of the amendments?

Mr. GOOD. Oh, certainly.

Mr. BRITTEN. Mr. Chairman, reserving the right to object, will the gentleman from Iowa couple with his request the suggestion that amendments offered to the paragraphs referred to must have debate concluded upon them within the time stated?

Mr. GOOD. Yes.

Mr. GOLDFOGLE. That was understood with the modification that I asked.

The CHAIRMAN. Does the gentleman so modify the request?

Mr. GOOD. Yes.

Mr. WALSH. Mr. Chairman, reserving the right to object, there are two pages of paragraphs relating to the Naval Establishment. I understand that there are some amendments to be offered which might possibly be subject to points of order. These paragraphs have not been read, and it would seem to me that to fix the time for debate on proposed amendments, which the gentleman mentioned, would exclude legitimate debate upon legitimate amendments to some paragraphs that have not yet been read under the Naval Establishment.

Mr. GOOD. That was not my intention.

Mr. WALSH. That is what it will do.

Mr. GOOD. My request was simply in regard to the amendment pending and the three other amendments that will be offered; but whether or not we limit the debate upon those that have not been read and confine ourselves to the one that has been read, which is so linked up with the Bureau of Supplies and Accounts, the Bureau of Steam Engineering, and the Bureau of Construction and Repair that an intelligent consideration of the pending amendment necessarily involves consideration of the other.

Mr. HICKS. Mr. Chairman, will the gentleman permit a question?

Mr. GOOD. Yes.

Mr. HICKS. Of course, I assume from the gentleman's request, and I think it is probable that he intends it to be so considered, that all debate on the points of order on those two other amendments will not be included in the time of this debate.

Mr. GOOD. Oh, certainly not; and my request would not limit debate at all to the paragraphs pending in the bill that have not been read. Those would be open to the decision of the committee with regard to what is desired to do regarding debate on those provisions or amendments to them. It is only this question of the $9,300,000 that has been requested by the Secretary of the Navy for the Naval Establishment.

Mr. WALSH. Mr. Chairman, I think that is what the debate should be limited to—to the amendment that has been offered and to the amendments that will be offered when this paragraph has been read. To open it up to amendments that have not been offered, that may be offered to subsequent paragraphs of the bill, may possibly not be in order, and it seems to me it is rather unwise.

Mr. GOOD. Well, I will say to the gentleman that strictly speaking, if I may have the attention of the gentleman from Massachusetts——

Mr. WALSH. The gentleman has my attention.

Mr. GOOD. I can not have his attention if somebody else is talking to him.

Mr. WALSH. The gentleman can have my attention even if some one is speaking to me.

Mr. GOOD. If the gentleman will stop to consider this just a minute he will see that the minute some one takes the floor and commences speaking about this proposition, if a point of order was made when he is discussing steam engineering, and steam engineering is very closely tied up with the proposition of yards and docks, that you can not separate the two in your discussion, and if some one makes a point of order you will not have any intelligent discussion of the subject at all.

I was simply trying to present the matter so that the discussion could proceed in an orderly and intelligent way, but if we enforce the rules strictly I am sure we will not get very far.

Mr. BYRNES of South Carolina. If the gentleman from Massachusetts will permit, I will suggest to the gentleman that he offer his amendment to the Bureau of Engineering and the other two items, and I would ask the gentleman from Massachusetts if he believes it would be impossible to arrive at an agreement which will allow debate, including all of them?

Mr. WALSH. I do not intend to offer an amendment.

Mr. BYRNES of South Carolina. I was referring to the other gentleman from Massachusetts [Mr. TINKHAM], who has, I understand, some amendments to offer.

Mr. WALSH. The orderly way, I submit, would be to permit the reading of all the paragraphs under the Naval Establishment, and then an amendment might be offered to any of those paragraphs within the 2 hours and 20 minutes and debate had upon them. That would be the orderly way to have it done.

Mr. BANKHEAD. Mr. Chairman, I desire to submit a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. In the event an agreement is reached for 2 hours and 20 minutes of debate and an amendment should be offered and a point of order should be raised upon it and arguments should be had pending the point of order, would that be excluded from the time fixed by unanimous consent?

The CHAIRMAN. The Chair understands that debate should proceed on the amendment that is pending before the committee and it is permitted to take the scope of also discussing amendments to be offered later on, but so far as the parliamentary status is concerned the amendment that is pending before the committee will be the one discussed.

Mr. BANKHEAD. I do not think the Chair understood my inquiry. In the event any proposed amendment is offered and a point of order interposed against it and discussion was desired upon the point of order, would that time in discussing the point of order be taken out of the 2 hours and 20 minutes agreed upon?

The CHAIRMAN. The Chair understands the other amendments will not be in order at all when this amendment is pending, and therefore no point of order could be made against the other amendments, which could be read only for information and could not be pending, because they could not be while another amendment is pending.

Mr. MILLER. Mr. Chairman, why would it not be good policy for the gentleman from Massachusetts [Mr. TINKHAM] to submit all of his amendments and then thrash out the parliamentary situation of the points of order then made?

Mr. BLANTON. Mr. Chairman, I ask for the regular order.

Mr. MILLER. I have the floor, Mr. Chairman.

Mr. GARD. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The gentleman from Iowa has the floor by unanimous consent in an effort to reach an agreement.

Mr. BLANTON. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The regular order is, Is there objection to the request by the gentleman from Iowa?

Mr. MILLER. Mr. Chairman, I object—Mr. Chairman, reserving the right to object——

Mr. BLANTON. Regular order, Mr. Chairman.

The CHAIRMAN. The gentleman can not ask for a reservation of the right to object in the face of the demand for regular order. Does the gentleman from Washington object to the request? [After a pause.] The Chair hears none.

Mr. GOLDFOGLE. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GOLDFOGLE. I desire to have it made clear; I understood the gentleman from Iowa to couple with the request originally made——

Mr. MILLER. Mr. Chairman, I demand the regular order.

Mr. GOLDFOGLE. The suggestion I had made, and I understood the gentleman from Iowa assented to, was that debate will be limited to the time already suggested, taking in not only the amendment now pending but such as may be offered thereto.

Mr. GOOD. The amendments to which I referred and not anything else.

Mr. GOLDFOGLE. I have reference to that.

The CHAIRMAN. The gentleman from Iowa is recognized to control 1 hour and 10 minutes.

Mr. GOOD. The gentleman from Iowa is opposed to the amendment, and he would suggest that the gentleman from South Carolina, who is in charge of the time in favor of the amendment, should proceed.

Mr. BRITTEN. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Illinois rise?

Mr. BRITTEN. I suggest the amendment has not been read; some of us do not know what it is.

The CHAIRMAN. The gentleman asks unanimous consent that the amendment be again reported. Is there objection? [After a pause.] The Chair hears none.

The amendment was again reported, as follows:

Amendment offered by Mr. TINKHAM: Page 18, after line 20, insert the following:

"Maintenance, Bureau Yards and Docks: For general maintenance of yards and docks, including the same objects specified under this head in the naval appropriation act for the fiscal year 1920, $2,500,000."

Mr. BLANTON. Mr. Chairman, I make a further point of order against it——

The CHAIRMAN. The gentleman will state his point of order.

Mr. BLANTON. I make the further point of order that it is a duplication of such item as already appears in this bill. It is

not a deficiency, and is new legislation for that reason. There is already such an item appearing in this bill.

The CHAIRMAN. The amendment was offered several days ago; the point of order was made against it and the point of order was overruled, and it is too late now to make an additional point of order. The gentleman from South Carolina is recognized for 1 hour and 10 minutes in favor of the amendment.

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from South Carolina yield for that purpose?

Mr. BYRNES of South Carolina. If the gentleman has a parliamentary inquiry, I will yield for that purpose.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. BLANTON. Was not this paragraph and this amendment by unanimous consent passed over without prejudice?

The CHAIRMAN. It was not. This amendment was read and a point of order was made against it; it was discussed at length and the point of order was overruled, and the committee rose with the amendment pending.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. TINKHAM].

The CHAIRMAN. The gentleman from Massachusetts is recognized for 10 minutes. [Applause.]

Mr. TINKHAM. Mr. Chairman, as has been stated, this is one of four amendments involving $9,050,000 deficiency appropriation in the Navy Department items now in the deficiency bill before the House. These items were before the Committee on Appropriations and were defeated by 1 vote. The majority of the Committee on Appropriations, in my opinion, was profoundly wrong in excluding them, and as I feel strongly that they were profoundly wrong, I shall speak strongly in relation to their inclusion in this bill.

I believe that the majority of the Committee on Appropriations—and I am a member of that committee, and am extremely sorry that I have to speak as strongly as I shall and dissent from its position—by the exclusion of these items, first, in the name of false economy torpedoed the American Fleet; and, second, it has stultified itself and now desires that this House or this committee of this House shall stultify itself.

What are the facts? They are these: Five months ago recommendations were made by the Secretary of the Navy, and they went to the Committee on Appropriations through the Speaker of the House, advocating that $9,300,000 should be appropriated for essential and necessary repairs to the Navy of the United States—necessary and essential because repairs could not be made during the last three years in which the fleet was engaged in active war service and many ships were in urgent need of repair.

In this communication the Secretary of the Navy said—and this was five months ago—that those repairs must be made and would have to be made at some time, and that the sooner they were done the cheaper they could be done; he also stated that marine repairs were such that if they were not done and done immediately when needed, the costs would mount and increase, so that the exclusion of these items is not in the interest of economy if they are necessary and essential repairs, and they are so certified, and at some time would have to be made.

The Appropriations Committee who considered those arguments reported to the House in the first deficiency bill these very items last September, and the chairman of the Appropriations Committee, in an ardent address to the House, advocated their inclusion in the bill four months ago in the interest of economy. He stated at that time that he had consulted with Mr. BUTLER, of the Naval Affairs Committee; that he had consulted with Mr. PADGETT, of the Naval Affairs Committee, and other members of the Naval Affairs Committee, and that those members said it was a necessity, and that they were glad the Appropriations Committee had included them in their bill. This House passed these items four months ago, on the 18th of September, as necessary and urgent deficiency appropriations, and they were defeated in the Senate. Then what are the following facts? Again, in January, the Secretary of the Navy certified to the Speaker of the House the increased necessity for these deficiency appropriations. The subcommittee on deficiencies of the Appropriations Committee considered them and excluded them from the bill which it reported. The bill was then referred to the whole Committee on Appropriations, and before it could be considered by the full committee an urgent communication was received from the Secretary of the Navy and from the four admirals of the bureaus of the Navy certifying not only were these appropriations essential and necessary as repairs and in the nature of economy to make them now, but that they were absolutely and uncontrovertibly necessary in the interest of and for the national defense. Yet the Committee on Appropriations defeated them by 1 vote.

Now, what did the Secretary of the Navy say in transmitting these reports of the bureau chiefs on the 21st of January?

Mr. BEGG. Will the gentleman yield?

Mr. TINKHAM. I decline to yield.

The serious situation with reference to the military efficiency of the Navy impels me to write earnestly inviting the attention of Congress to the necessity of the deficiency appropriation of $10,314,962.19, requested by me in my letter to you of the 18th day of December, 1919, and which passed the House last summer, but which failed of passage in the Senate. The conditions are much more serious now than they were when presented at that time and are set forth fully in the accompanying letters from the chiefs of the Bureaus of Operations, Construction and Repair, Steam Engineering, and Yards and Docks.

Admiral R. E. Coontz, who has taken the place of Admiral Benson and is now Chief of Operations of the American Fleet, says in his report, transmitted by the Secretary of the Navy:

2. The present unsettled conditions throughout the world demand that the ships of the Navy be kept in efficient condition for action. The number of ships now capable of operating effectively in case of emergency is dangerously small. This condition is a direct result of a lack of funds with which to prosecute vigorously the required repair work on vessels whose material fitness has been lowered through the excessive and continuous demands of war service.

3. Although every effort has been made to reduce maintenance charges by disposing as rapidly as practicable of the vast accumulation of shipping that it was imperative to incorporate into the Navy to meet the needs of a wholly unprecedented war, it has not been possible to adjust to the money available the work necessary on the remaining vessels required for service, as might have been done in a period of peace. The situation, therefore, which now confronts the Navy in case additional funds are not made available by February is a reduction of the number of ships which can be made promptly available for operation to a point which will seriously compromise our national security and also a marked reduction of the force of civilian employees now at work in our navy yards. An estimate of the number of artisans, mechanics, and other yard employees involved in such a reduction has been made, and amounts to 13,900 men.

4. This situation was clearly foreseen, as is indicated by the steps taken last August to secure an extension of the maintenance appropriations. It has now developed to the point where further delay in securing additional funds will affect disastrously both the material efficiency of the fighting forces of the Navy and also, in so doing, the valuable work organizations of thousands of skilled mechanics now employed in our navy yards.

That is not the formal and ordinary request for funds from the head of a department or a bureau. That language is the language of necessity; it is the language of emergency; it is the language which should compel this House and this committee to give now and liberally what is asked by the Chief of Naval Operations.

And then let me read what the chief in charge of the Bureau of Construction and Repair has to say on this matter, Admiral Taylor:

4. In connection with the overhaul of vessels of the fleet, it is noted that there is a large accumulation of work resulting from two causes—first, the necessity for the postponing during the continuance of hostilities of work which was not of immediate urgency, and, second, the necessity for undertaking on the more modern vessels of changes the necessity for which was made evident or emphasized by experience gained during the war. While the deterioration and reduction in military efficiency that results from postponing work of this character can be accepted during hostilities when keeping the vessel in condition for immediate service is of vital importance, the undue postponement of work under peace conditions puts the Navy of the United States at a disadvantage as compared with other navies and should be accepted only when the reasons for postponement are extremely urgent.

5. A general statement of the condition of work on the principal types of vessels of the fleet and the progress possible with and without additional funds is given below:

(a) Dreadnoughts: Of the 15 dreadnoughts actually in service, the overhaul on 2 has been completed, the overhaul on 2 can be completed and 1 about half completed from the funds now available, the overhaul of 4 has been well advanced and could have been completed from the funds available had it not been found necessary to withdraw them from the navy yards before all work had been accomplished, and no work can be done on the remaining 6. With the additional funds work can proceed on all these vessels that can be made available.

(b) Predreadnoughts: Of the 18 predreadnoughts which it is expected to keep in condition for active service, but without undertaking changes necessary to keep them strictly up to date in a military sense, the work on 3 has been partly advanced, but in general the work has not yet been started, due to concentrating on more modern vessels. With the additional funds it will be practicable to proceed with the overhaul of all these vessels, but without the additional funds work will have to stop.

(c) Armored cruisers: Of the eight armored cruisers which it is expected to keep in condition for active service, the work on one has been completed. Practically nothing has been done on the other seven, and little, if any, work can be undertaken unless additional funds are provided.

(d) Destroyers and destroyer tenders: As it is contemplated to keep only about half of the total number of destroyers in active service with the fleet at any one time, it is the bureau's intention to undertake the changes necessary to improve the military efficiency of these vessels on those not with the fleet, replacing the vessels with the fleet in rotation. With the additional funds the work on a certain number of these vessels could be completed, but unless additional funds are provided no work of this nature can be undertaken. The expenditures for the maintenance of these vessels, owing to the large number, 288, involves a considerable sum, although the expenditure per vessel is small. Owing to the limited number of destroyer tenders available, it is very important that they be kept in efficient condition, and practically

no work can be done on these vessels unless additional funds are provided.

(e) Submarines and submarine tenders: The conditions affecting the work on submarines and submarine tenders are in general the same as those affecting the work on destroyers and destroyer tenders.

(f) Fuel and supply ships: Under present conditions and with the number of vessels available, the overhaul of these vessels so as to place them in efficient condition is of great importance. Little work other than routine docking can be undertaken unless additional funds are provided.

(g) Miscellaneous vessels of the train: Two of the hospital ships and 12 of the mine sweepers required for fleet operations should be placed in efficient condition. Rather extensive repairs to mine sweepers are necessitated by the work in connection with the removal of the North Sea barrage. The work on the mine sweepers required for immediate service can be undertaken from the funds now available, but no work can be undertaken on the remaining vessels of this class.

(h) Cruisers, gunboats, and miscellaneous vessels not operating with the fleet: Unless additional funds are provided, no work other than absolutely necessary maintenance work can be undertaken on these vessels.

The Chief of the Bureau of Steam Engineering, Admiral Griffin, states in his report, included in that of the Secretary of the Navy:

The necessity for the additional appropriation arises from the fact that Congress appropriated only $30,000,000 instead of $35,000,000 requested in the estimates of the bureau, which were very carefully made on the basis of the fleet to be maintained and the general condition of the machinery. Subsequent inspection of the ships by the Board of Inspection and Survey has in almost every case shown the necessity for greater repairs than were contemplated when the estimates were prepared.

As a result of the reduced appropriation it has not been possible to proceed with repairs as expeditiously as it was desired, and thus far only five battleships have been overhauled and returned to service, some without the complete accomplishment of some important fire-control work, the necessity for which had been demonstrated from experience gained during the war.

Of the remaining battleships in full commission 14 are now at navy yards, some under repair and others awaiting their turn to be taken up when funds are available.

One armored cruiser has been repaired and returned to service, another is under repair, and six others are at navy yards awaiting their turn, the only work in progress on them being that necessary for care and preservation.

The condition with respect to cruisers and destroyers is similar to that of the armored cruisers, except that in the case of destroyers it is possible to substitute new ones as personnel becomes available and put those in need of repairs in reserve or out of commission, with the repairs held up indefinitely, a condition which is very undesirable and which leads to further deterioration.

Work on destroyer and submarine tenders and on vessels of the train is necessarily subordinated to that on capital ships, but with the large number of destroyers and submarines operating with the fleet it is more than ever necessary that the tenders should be in condition, because their presence assists materially in keeping down the cost of repairs, and estimates for this class of vessels were made with this in view. Unless the tenders are available, the volume of repairs to be done at navy yards is automatically increased.

If these facts as reported by these chiefs of bureaus in the Navy Department are true, it is indefensible in the abused name of economy to exclude from the bill now before us the deficiency items which I am offering—the very items which are recommended by these chiefs of bureaus for the proper maintenance of the American fleet and the saving of a great expense in the future. What member of the Appropriations Committee or of the Naval Affairs Committee dares to say that these men are attempting to commit fraud upon Congress and the people and are not telling the truth? What other reason have they than to tell the truth and nothing but the truth?

In this second deficiency appropriation bill the estimates of the departments have been reduced about 33⅓ per cent, on the average. The estimates of the Navy Department have been reduced by over 93 per cent. This is plain discrimination against the American Navy, and should be resented by every loyal American. Large sums are contained in this bill for the enforcement of prohibition. The philosophy of the majority of the Appropriations Committee seems to be "Millions for the enforcement of prohibition, but not one cent for the American Navy." This is the philosophy of effeminacy and pseudo-Americanism, and some day will receive its rich reward. The American people at least demand the maintenance of its present Navy. In my opinion, America should have a Navy second to none in the world.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TINKHAM. May I have five more minutes?

Mr. BYRNES of South Carolina. I am sorry, but I can not yield additional time.

Mr. TINKHAM. I have two communications from the Secretary of the Navy that I would like to read.

Mr. GOOD. Mr. Chairman, I yield seven minutes to the gentleman from New York [Mr. MAGEE]. [Applause.]

Mr. MAGEE. Mr. Chairman, I am opposed to the amendment. After full consideration I feel that it is my duty to sustain the distinguished chairman of the Committee on Appropriations in his opposition thereto. The chairman has informed the House and the country that, in view of the estimated receipts and expenditures of the Government, there will be a deficit for the fiscal year 1921 of between two and three billions of dollars. Thus it is apparent that we should not appropriate public funds except for necessary governmental needs, and those needs should be determined by those committees of the House having jurisdiction of the subject matter involved. [Applause.]

Mr. VARE. Will the gentleman from New York yield?

Mr. MAGEE. I will have to refuse to yield. I have not the time.

No one can offer any substantial reason why the Committee on Appropriations should presume to pass upon the needs of the Navy. The House has created a committee for that particular purpose, and the assertion of a Member of the House that the Navy needs this or that appropriation has no force in the absence of action by the Committee on Naval Affairs, or recommendation from that committee after reasonable hearings in relation thereto. In this connection it is one thing for an officer of the Navy to send a communication to a Member of the House, or to a committee thereof, demanding an appropriation, but it is quite another thing for such officer to appear in person before the proper committee and be examined in relation to the public necessity therefor. Under the rules of the House the Committee on Naval Affairs has jurisdiction of subjects relating to the Naval Establishment, including the appropriation for its support. [Applause.]

Mr. TINKHAM. Will the gentleman from New York yield?

Mr. MAGEE. I can not yield. I have but a limited time.

The mere fact that the House placed a similar item in a prior bill is immaterial. Such item was struck out by the Senate. And history will probably repeat itself. We can not continue the Army and Navy upon a war footing. We must get back to a peace-time basis. No one contends that a deficiency exists. What is demanded is an increased appropriation to keep busy the existing force in the Navy for the balance of this fiscal year. If such need is imperative, then the Navy Department should present its case to the Committee on Naval Affairs, the guardian in the House of the Navy. [Applause.]

Mr. BUTLER. They have $21,000,000 now for this purpose.

Mr. MAGEE. I do not yield to anyone in my admiration for the American Navy, for its marvelous achievements, and for its glorious traditions; but as a member of the Committee on Appropriations it is not my duty to pass upon the needs of the Navy. How many Members from Pennsylvania, New York, and Massachusetts would vote for this amendment if the Government did not have a navy yard at Philadelphia, at Brooklyn, and at Boston? It is the old game of district grab that has been the curse of congressional legislation from time immemorial. [Applause.]

Mr. VARE. Mr. Chairman, will the gentleman yield?

Mr. MAGEE. I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. MAGEE. Any Member who publicly professes to stand for economy in public expenditures, and at the same time demands the appropriation under consideration upon the ground that it is imperative to maintain the efficiency of the Navy, could very appropriately after retiring to the corridor of the House shed a few crocodile tears. [Applause.]

Mr. TINKHAM. It is demanded by the Navy Department.

Mr. MAGEE. One thing is certain. We can not get economy in the House unless at least the Republican Members will sustain the policy of the House as set forth by the majority leader. [Applause on the Republican side.] In sustaining this policy we can not expect much assistance from our Democratic friends. You can not find the word "economy" in their party lexicon. [Laughter.] Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back one minute of his time remaining.

Mr. GOOD. Mr. Chairman, I yield to the gentleman from Pennsylvania 11 minutes. [Applause.]

Mr. BUTLER. Never mind the applause. I want you to vote against the proposed appropriation. [Applause.]

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 11 minutes.

Mr. BUTLER. Mr. Chairman, at the suggestion of the chairman of the Committee on Appropriations [Mr. GOOD] the Committee on Naval Affairs has spent two days in an effort to learn whether or not in the judgment of that committee the appropriations asked for should be made, and, after listening eight hours and employing all of the ability that we had within us, we reached a conclusion this morning; and upon a motion made by my esteemed colleague from Alabama [Mr. OLIVER], the committee voted 12 to 3 against supporting the proposed appropriations, because they believed them absolutely unnecessary. [Applause.]

Here is the motion that was made and the one that was carried:

Resolved, That it is the sense of this committee that the chairman of the committee inform the House that we think it wise to remove the limitation so as to authorize the appropriation, as recommended, of an additional expenditure of $400,000 for technical help in the Bureau of Yards and Docks, and that it is further the sense of the committee that other appropriations sought by amendments that have been offered are not needed and will not be needed until after July 1, 1920, when they will be cared for in the regular appropriation bill.

Mr. VARE. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. No; I can not. If the gentleman can lengthen my time, I will yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. BUTLER. The Bureau of Steam Engineering and the Bureau of Construction and Repair have $21,000,000 unexpended for use during the next few months—appropriated but unexpended and unobligated in any way—that they can use for these very purposes.

Now, do not think that I am having an issue with the Secretary of the Navy over this. I recognize him as my chief, and whenever I can agree with him, or he with me, upon mutual reasoning, I have not the slightest hesitation in supporting him in the House, although he belongs to the other party. But I can not agree with him that the increases he requests are necessary. I know positively that they are not, because, as has already been stated by some of these bureaus, they can not expend all this money, including the proposed increases, before next July, and therefore we do not think it wise at this time to go back toward a war basis. If the House sees fit to put this in, all right; but it will have to come from some other place if I can make it come. If you are going unnecessarily to expend this $9,000,000 or $10,000,000, I will ask the committee over which I preside to consider it when we write the next annual appropriation bill.

Let me tell you where this comes from, which has not yet been fully developed. A great deal of this, I say to you, Mr. Chairman—between eight and nine hundred thousand dollars for yards and docks—comes about in this way: Some of the yard authorities have overexpended their allotments in violation of the law and in defiance of its mandates. Have you discovered that? We have worked two days to learn the facts. The law provides that money shall be allotted to these naval stations, which have grown now to 92 in number. Some of them must be abolished if we are to come back to peace times. Of these 92 stations, about 25 have violated the law; admittedly they have. They have overexpended their allotments. The law of 1906 absolutely compels these commandants to stay within their allotments. At one point in the United States, in Virginia, the commandant of that navy yard has overobligated his station expenditures for maintenance and repairs $58,000 a month, so stated by the Chief of Yards and Docks. Secretary Daniels, through the Chief of the Bureau of Yards and Docks, allotted him $30,000 a month. He cooly admits that he spent $88,000. We will have to make the expenditure up some way. We can not allow the Government to decline to pay its debts. What I take exception to, and with considerable warmth, is the fact that some of these navy-yard commandants defy the terms of the act of Congress as they see fit, and there seems to be no way to restrain them.

So far as it concerns me and such official action as I may take, I will ask this House to lock these yards up if there is to be a continued violation and a defiance of the wishes of Congress and the laws of the land.

Oh, it is said that I favored this at one time. So I did, until I became informed. My mind was open yesterday morning when men like Mr. KELLEY of Michigan and Mr. OLIVER and Mr. PADGETT, Judge VENABLE, Mr. BRITTEN, Mr. HICKS, and other gentlemen of the committee undertook an examination to see whether or not we should join with you in voting for these proposed appropriations. I am thoroughly convinced that there is no occasion for them, as I have said to you. How much time have I remaining, Mr. Chairman?

The CHAIRMAN. The gentleman has four minutes remaining.

Mr. BUTLER. Gentlemen, listen to a few figures: It is costing this Government to maintain these navy yards and for the repairs that are necessary incident to these ships $84,000,000 a year as against $23,000,000 in peace times. Some of the gentlemen here will go into details and will tell you that this money is not to be spent upon our fighting ships. Money remains in bureau's hands to be expended, if necessary, upon the repairs of our fighting ships. I have a navy yard alongside of me, and I say to you that if I can not remain contentedly in this House and do what I think is right, I had rather remain at home. [Applause.]

Mr. TINKHAM. Will the gentleman yield?

Mr. BUTLER. Oh, I will say to the gentleman from Massachusetts that I can understand the reason for this. My eyes are not closed. The same pressure has been brought upon me that has been brought upon some other gentlemen, and I do not propose to give way to it.

If this were necessary to keep this great fleet in fine fighting trim, then I would vote for it cheerfully, but I will not vote for an appropriation to mend old ships that should be broken up. Before the war we had 240 ships. We have 942 ships now. Three hundred of these old hulks are offered for sale, and nobody to buy them, at from $2,000 to $4,000 apiece, for the whole lot, I am told.

Some of the workmen must go from the navy yards; many will remain. I believe a large portion of those engaged upon repairs will be assigned to construction work which they are capable of performing. I mean of those whose discharge from repair work might occur should these proposed amendments fail. The building program to be continued will furnish much for the workmen to do. Nearly four hundred millions of dollars will be necessary to complete ships which Congress has authorized. Added to this great sum will be the annual appropriations for repairs and preservation of ships—necessary ships—to operate with our mobile fleets.

Mr. TINKHAM. Will the honorable Representative from Pennsylvania yield for a question?

Mr. BUTLER. If it relates to the gentleman's amendment, I will.

Mr. TINKHAM. Does the honorable Representative from Pennsylvania know that the four admirals in charge of the various bureaus certify in their urgency reports that it is for dreadnoughts and ships of the line principally that these repairs are necessary?

Mr. BUTLER. I understand the gentleman's question; and we asked them and went through it and found that they were not. Some of the money would be used for that purpose, but they have $21,000,000 on hand with which they can repair every dreadnought and every predreadnought.

Mr. BROWNING. And the armored cruisers.

Mr. BUTLER. I will ask the gentleman from Massachusetts how many armored cruisers have we? Do not look at your book.

Mr. TINKHAM. I am not a member of the Naval Committee, but of the Appropriations Committee, to which these admirals have certified in writing the facts which I have asserted.

Mr. BUTLER. I pretend to know something about this subject. I have been at it for 24 years. They have 16 dreadnoughts and 14 predreadnoughts, and there is no necessity to mend those old armored cruisers. They are out of date. We will have soon 16 of the finest ships to take their places. Do not mend them. Do not waste your money on that kind of material.

But they say that the Secretary of the Navy recommended this. So he did, and I dislike to be against my chief, but I can not understand his reasoning. There is no party in this. When we voted this morning we were nearly as much on one side as on the other. Consequently it is not in obedience to the Secretary of the Navy that any gentleman on that committee may have voted in favor of this, and I say it is not going to be in obedience to anyone that I will either oppose it or be for it.

Now, gentlemen, to go a step further. The Secretary of the Navy himself for the next year has reduced these items $14,000,000, showing that he does not need the money. He has reduced estimates from $84,000,000 to $70,000,000 for the next year. Do not fail to remember that these admirals of whom my friend from Massachusetts speaks are the bureau chiefs. They are not commanding fleets. They are fine men, absolutely reliable and able, but they are expending this money and asking for this money as bureau chiefs. Congress must say where this money should be spent and the amount to be spent. You should not permit any commandant of a navy yard or his bureau chief to defy you. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BYRNES of South Carolina. I yield five minutes to the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. Mr. Chairman, I am sorry that I can not say in five minutes all that I would like to say about this item and the need of the naval service for money which the Committee on Appropriations has denied it. When the subcommittee on the deficiency appropriation bill, of which I am not a member, reported the bill to the full Committee on Appropriations, of which I am a member, it so happened that I was not present at the meeting, having been called to Boston to deliver an address at the unveiling of a tablet in memory of some brave Boston boys who were killed in the World War. That tablet was unveiled under the auspices of the Michael J. O'Connell Post of the American Legion, at Jamaica Plains, Mass., January 25. Ex-

cepting for this engagement, made some weeks before, I would have been present at the meeting of the Appropriations Committee, and I would have voted to insert this item in the bill, as I would have voted for the other items offered as amendments by my colleague.

It is well for my distinguished friend from Pennsylvania [Mr. BUTLER] to say that he has a navy yard almost at his door and that he realizes that there is always pressure brought to bear upon Members from cities where navy yards are located. That may be true in many instances. The navy yard in my city is not in my district, and may I say to the distinguished chairman of the Naval Committee [Mr. BUTLER] that from what I know of the personnel of the navy yard in Charlestown 60 to 80 per cent of the employees belong to his political party? There has been no pressure brought to bear on me to vote for this appropriation, because it was not necessary to do so. I favored the appropriation from the day that the Secretary of the Navy asked for it. I will say to the gentleman from Pennsylvania that we who come from cities where navy yards are located support measures of this kind because we know more than do the Members here present who live in sections far removed from the coasts of this country, and we know the needs of these yards and the merit of the demands made from time to time upon Congress. My friend was not quite certain that the rear admirals in charge of these departments knew what they were talking about when supporting the requests for these appropriations.

The Committee on Appropriations had these bureau heads before it, and they testified that the work waiting to be done was of the utmost necessity and, to do it properly, required the substantial sum now asked for. When the gentleman says that they have not told the truth, then it is a question of veracity.

Mr. BUTLER. I did not say that.

Mr. GALLIVAN. Then I misunderstood my good friend from Pennsylvania. I notice that some Members of the House applauded certain statements made that these appropriations are for the purpose of keeping slackers on the pay roll. May I remind the Members here present that once more we are face to face with the question as to whether or not this Congress is to keep its promise to the men who went into the World War, whether on land or sea? Among the thousands referred to who now constitute the working forces of the navy yards of the country, there are some thousands who saw service in this war. I recall the promise during the time when the boys were in action that on their return a grateful Nation and an even more grateful Congress would never forget their service and sacrifice, and yet men are rising on this floor to-day and charging that the purpose of this amendment, and the other amendments which are to follow, is solely to keep slackers on the pay roll of the country. I deny the charge.

It has been clearly shown that our Navy, of which we were once so proud to boast, is deteriorating, and that hundreds of ships will rot at their berths in the navy yards on the Atlantic and Pacific coasts unless immediately repaired. It has not been proven by any argument on this floor that these repairs are not necessary. The appeals of the Secretary of the Navy and of the Chief of the Bureau of Yards and Docks for the immediate passage of these necessary funds have been most earnest. Their statements have not been denied that this work must be done and must be done now if we are to have any sort of a Navy.

When our boys were overseas I heard this Chamber resound with voices on both sides of this aisle, Members of Congress pledging everlasting allegiance to and loyalty and support for the boys when they would come back; but now, Mr. Chairman, they are side-stepping the question of bonuses, they are side-stepping and forgetting all the promises they made to the American Expeditionary Force and to the sailor boys in the recent war. They are trying to rally support enough to turn the boys out into the street, thousands of them, who because of skilled workmanship have been placed in navy yards of the country since they were discharged from the service. I deny that these men are slackers. What are you going to do, may I ask the chairman of the Committee on Naval Affairs, with the 100 ships that are in the navy yard at Philadelphia? Are you going to let them rot? I yield to the gentleman.

Mr. BUTLER. We are not going to repair them if I can help it. They are old ships and have been there a long time.

Mr. GALLIVAN. Not according to the leading Republican newspapers of Philadelphia. I read yesterday in the Ledger that there are more than 100 ships at the Philadelphia yard awaiting repairs, and that at no time in the history of the yard have the men been so busy. Three $15,000,000 battleships—the *Kansas*, *New Hampshire*, and the *Connecticut*—are out of commission awaiting repairs, and the newspaper story said that if there is a wholesale discharge of the men at that yard the result would be the tying up of these ships for some time to come.

Mr. VARE. Will the gentleman from Massachusetts yield for a statement?

Mr. GALLIVAN. I will gladly yield to my friend.

Mr. VARE. For the benefit of my colleague I will read the names of these vessels now lying at the Philadelphia Navy Yard. They are the battleships *Alabama*, *Connecticut*, *Illinois*, *Kearsarge*, *Kentucky*, *Louisiana*, *Maine*, *Michigan*, *Minnesota*, *Missouri*, *New Hampshire*, *Ohio*, and *Wisconsin*.

Mr. GALLIVAN. My friend refers only to the battleships, but it is well known that there are scores of other ships awaiting repairs at that important yard. At the Boston Navy Yard there are now awaiting repairs two battleships, one cruiser, one submarine tender, five destroyers, and other small ships badly used up after service in the World War. Do you want these ships to rot? Let it not be forgotten that the work on new ships is not dictated by the Secretary of the Navy but by congressional action. The repair work on ships now in commission is necessarily recommended by the bureau chiefs, who ought to know more than we know about such matters, and who, in my judgment, are to be trusted. The money now asked for will be expended on repair work. I appeal to my colleagues not to be mislead by misinformation at this time, and I earnestly urge the adoption of the amendment now under discussion so that the work can be speedily done and that many faithful employees will not be thrown out into the coldest winter I recall in many years. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GALLIVAN. Mr. Chairman, I ask unanimous consent to revise, extend, and correct my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DARROW having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3383. An act to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, and Public Health Service; and

S. 795. An act to provide for the disposition of public lands withdrawn and improved under the provisions of the reclamation laws, and which are no longer needed in connection with said laws.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 9065) to amend sections 3, 8, 10, 12, 20, and 21 of the act approved July 17, 1916, known as the Federal farm loan act, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. MCLEAN, Mr. GRONNA, and Mr. OWEN as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following concurrent resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 10.

Resolved by the Senate (the House of Representatives concurring), That there be printed 1,500 copies of the national banking act as amended to date for the use of the Senate and to be distributed through the Senate Document Room.

SECOND DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. GOOD. Mr. Chairman, I yield eight minutes to the gentleman from Alabama [Mr. OLIVER].

Mr. OLIVER. Mr. Chairman, I ask unanimous consent to extend and revise my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. OLIVER. Mr. Chairman, the Members of the House desire information that will enable them to vote on the amendment offered by the gentleman from Massachusetts [Mr. TINKHAM], in which he asks for an appropriation of $2,500,000 for the Bureau of Yards and Docks. The House Naval Affairs Committee have for the past two days held hearings, not only on this amendment but on the other amendments which the gentleman from Massachusetts states he will offer, namely, an appropriation of $3,250,000 for the Bureau of Construction and Repair and $2,500,000 for the Bureau of Steam Engineering and $1,050,000 for the Bureau of Supplies and Accounts. The chiefs of these different bureaus of the Navy were called before the committee, and the information which I will endeavor to give as to these several amendments is based on the hearings so had. May I here state that the Navy has no stronger friends

than the members of the House Naval Affairs Committee, and no member of that committee would knowingly fail to give proper support to the Navy. The committee is trying to practice proper economy, without hurt to the efficiency of the Navy, and party lines are forgotten in the consideration of all questions affecting the Navy. If the chairman of the committee should later hold that the appropriations sought in the several amendments for the Bureau of Steam Engineering, Construction and Repair, and Supplies and Accounts are not in order on this deficiency bill, then a large part of the amount asked for in the pending amendments for yards and docks will not be required, since Admiral Griffin, chief of that bureau, informed our committee on yesterday that $1,500,000 of the $2,500,000 asked for in this amendment is solely contingent on the increases being given to Construction and Repair and Steam Engineering. In other words, the Chief of the Bureau of Yards and Docks only asks for $1,000,000 unless increased appropriations are given to the other bureaus. So, if the point of order to the other amendments be later sustained, as the Chair by a previous ruling has clearly indicated will be done, there is confessedly no need for an appropriation of more than $1,000,000 for yards and docks. Now, the House will be interested to know whether the increased amounts asked for the Bureaus of Construction and Repair and Steam Engineering, which amounts aggregate $3,250,000, are urgently needed at this time. Unquestionably, funds are needed for the repair and construction of naval ships, and much more is needed for this work than any amount now called for. This work, however, must be carried on in a proper and business way, and many considerations enter into the question of how much money should at any given time be appropriated for this purpose.

One important problem facing the Navy is the lack of trained personnel for our ships, and if we had every vessel in the Navy now repaired and ready to go to sea, there are but few more vessels, if any, than those now at sea which could be provided with trained personnel. We have at present about 100,000 enlisted men, and of this number, 65,000 have enlisted since the armistice was signed. From ten to fifteen thousand of this number will be discharged before July next because of the termination of their enlistments, and their places must be supplied with new recruits after a term of proper training.

The serious handicap to the Navy at present is the loss of a large number of skilled mechanics and artificers, and who are absolutely essential to the operation of naval ships. The young men who have enlisted within the last 12 months can not be trained in these important ratings for a long time. Realizing this, the Naval Affairs Committee reported last week—and this House passed—a bill increasing the pay of the skilled men now needed in large numbers for the operation of the naval ships. We are encouraged by statements from the Bureau of Navigation to feel that if that bill becomes a law a large number of highly trained men who left during the past year will return to the Navy.

Admiral Griffin called the attention of the Appropriations Committee to the fact that much of the repair work now needed on ships at navy yards could be avoided since the skilled men we are endeavoring to have return are splendidly qualified to make these repairs, and ordinarily make the same. I quote from a letter of Admiral Griffin, dated January 14, 1920, as follows:

> 9. The reduced condition of the enlisted personnel, especially in the artificer branch, has made it necessary to do in navy yards much overhauling and repair work which has heretofore always been done by the ship's mechanics and has served to correspondingly increase the expenditure for repairs.

I will also quote a part of Admiral Griffin's hearing before the Appropriations Committee, which will be found on page 363 of the hearing:

> The condition (referring to the Navy) is getting worse on account of the lack of experienced men in the Navy. Scarcely a week passes that we do not have a big repair bill due to the inexperience of the men. Nearly every week we have a boiler burnt out on a destroyer due to inexperience; that means $20,000.

Now, when you consider these two statements the conclusion follows that with the return of skilled men, which we have reason to believe will follow the passage of the increased pay bill, many of the repairs sought to be made at navy yards can be made by the personnel of the Navy; and, furthermore, even if a large number of the ships were now fully repaired, that it is costly and unwise to send them out with inexperienced crews and few skilled instructors, because they are too often returned in a few days with burnt-out boilers to repair, which costs in each case $20,000.

Admiral Taylor stated to our committee on yesterday that if no increase in the appropriation was made for his bureau he would have sufficient funds out of the amount already appropriated and yet unexpended to care for all urgent repairs on the battleships and the necessary auxiliaries. He further stated that if sufficient trained personnel was now available, seven of the predreadnoughts in the yards awaiting repairs could and doubtless would be sent to sea for service. From this it would appear that a failure to provide the additional funds called for in these several amendments will not result in real hurt to the Navy, and all repairs on the essential ships can be made out of funds now available. The Bureaus of Steam Engineering and Construction and Repair now have an unexpended balance of about $21,000,000.

Mr. TINKHAM. Will the gentleman yield?

Mr. OLIVER. Not unless the gentleman can secure for me more time.

From what has been said, you will understand that the statement of the gentleman from Pennsylvania [Mr. VARE] relative to the number of capital ships and predreadnoughts now at navy yards awaiting repairs will not suffer if an increased appropriation is not carried in the pending deficiency bill. The Atlantic Fleet will have eight capital ships, and all of these are now in commission and at sea. The Pacific Fleet will have eight, four of which are now in commission and at sea, and three of which are in the Puget Sound Navy Yard awaiting repairs, and the funds on hand, as stated by Admiral Taylor, will be sufficient to make these repairs.

One of the ships assigned to the Pacific fleet has not yet been completed, but will be commissioned within the next 60 days. It is even questionable whether we have at this time a sufficient number of trained personnel for the three capital ships now undergoing repair at Puget Sound Navy Yard.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. OLIVER. Not unless further time can be secured.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. OLIVER. Will the gentleman from Iowa grant me two more minutes?

Mr. GOOD. Mr. Chairman, I yield two minutes more to the gentleman.

Mr. OLIVER. Let the House understand that there is an unexpended balance sufficient to make the urgent repairs on the battleships and on the necessary auxiliaries. The committee realize the importance of keeping a proper number of ships in full commission, with trained personnel and every help has and will be extended to the Bureau of Navigation to secure the required personnel for these ships. No fault can attach to the Navy Department because of the present lack of trained personnel. Under the law many thousands have been discharged since the signing of the armistice, and we are now confronted with a condition that can not be overcome at once. Men to man the ships must first be secured, and time is required to properly train this new personnel. Every effort is being made to secure the return of many petty and warrant officers and trained mechanics, and it is confidently expected that when the increased pay bill passes many of these will return to the service. The annual appropriation bill for 1921 will be reported to the House at an early day, and ample funds will be supplied to the different bureaus for the maintenance, upkeep, and operation of the fleet, and we are hopeful that a well-considered policy will have then been determined on as to the number of ships that can be kept in active commission for 1921 with properly trained personnel.

Mr. Chairman, every member of the committee holds in high and affectionate regard the gentleman from Pennsylvania, the chairman of the committee, Mr. BUTLER. He is making every effort to conserve economy and at the same time properly provide for the Navy. You who know him fully recognize that he is deserving of this tribute irrespective of party lines. [Applause.] The chairman of the committee in reporting the action of the committee this morning, relative to the pending amendments, omitted to state that the committee has recommended to the House that an additional sum of $800,000 be carried in this bill for the Bureau of Yards and Docks. I will offer to amend the amendment of the gentleman from Massachusetts [Mr. TINKHAM] by reducing the amount of $2,500,000 to $800,000, in accordance with the recommendation of the House Naval Affairs Committee.

Mr. BUTLER. I want to say I did not make that omission intentionally.

Mr. OLIVER. Of course not. I would not convey that impression. I know it was simply an oversight.

The CHAIRMAN. The time of the gentleman from Alabama has expired. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. DARROW].

Mr. DARROW. Mr. Chairman, it is with extreme reluctance that I find I have to differ with my esteemed friend, the distin-

guished chairman of the Committee on Naval Affairs, as to the advisability of making this deficiency appropriation.

And, as the gentleman from New York [Mr. MAGEE] has stated, we all know that the estimated revenues of the Government for the fiscal year fall far short of meeting the estimated expenditures of the Government. We also know that there is but one practical way of forcing a balance between them, and that is by the practice of the most rigid economy—a cut to the limit wherever a cut can be made without becoming "penny-wise and pound-foolish."

I am satisfied that a careful examination of the facts, uninfluenced by preconceived notions of those who just think they know what is or is not economy, will convince us all that it is a good sound business policy to vigorously prosecute the work now underway on the ships that we want to retain in the Navy. There is no kind of property that deteriorates so rapidly as a ship when in urgent need of repairs; the quicker they are attended to the less it will cost. The whole question is, Do we want to keep our naval vessels in commission and have them ready for emergencies which may arise? If so, then it is economy to appropriate this money now. The longer we wait the greater will be the repairs and the cost will be increased. Many of our battleships have been used as transports to bring the troops back from France, and they require extensive repair.

Mr. Chairman, I want to place in the RECORD a letter from Rear Admiral Hughes, commandant of the League Island Navy Yard, one of the most efficient and economically conducted yards in the country. The admiral has never spent more than his allotment, as some have been accused of doing; in fact, he has kept more than $15,000 a month within his allotment.

COMMANDANT'S OFFICE, NAVY YARD,
Philadelphia, Pa., February 1, 1920.

DEAR MR. DARROW:

* * * * * * *

A good many of the destroyers will be sent to other navy yards to have their repairs made as funds become available, but I estimate that should the $10,000,000 deficiency bill pass and we be allowed the funds for labor as has been allowed for the past six months there is full two years of repair work laid out for us, and at the decrease rate that goes into effect to-day I can not estimate at present how long it would take to repair them all. The ships generally require extensive repairs, for they have to be done as the accumulated work of several years.

Seven of the battleships came here immediately after several months of continuous cruising as transports bringing troops home from Europe, and the same applies to the armored cruisers and cruisers. The destroyers came here after their hard work in the war zone, and they had little or no work done on them while in European waters.

I am trying to inform you that the amount and cost of repairs is large, because we have got to catch up with the heavy wear and tear during the war, during which time there was no opportunity to do work except that absolutely required to keep the ships going.

Last night we discharged, or placed on furlough, 327 men, and more will have to be let go immediately. If the ships are to be repaired, the present organization should be maintained and the work vigorously prosecuted, for the ships are deteriorating rapidly; if the work is not undertaken now, the work will cost considerably more at a future time.

As you know, it is uneconomical to run a big machine like at a navy yard at a low rate of production, because the percentage of unavoidable overhead expenses becomes very large.

The foregoing is entirely an argument from the Government and the Navy side; from the point of view of the employees we can always get more work when the men are assured there is plenty of work to be done, and they are more inclined to hustle to finish one job when they know the next is waiting. The future of the Navy, both as to size and composition, is being determined by Congress, and until that is determined we should keep our best workmen. Good workmen can always get a job, but if the force at the navy yard fluctuates we will only get the "floaters" for employees; in other words, we will get only those no one else cares to employ.

I hope you will get the deficiency, as it will give us a chance to fully consider the future, which I suppose will be determined by the next naval bill. Until that is finally passed we should hold all our skilled employees.

Most sincerely,

C. F. HUGHES.

Hon. GEORGE T. DARROW,
House of Representatives, Washington, D. C.

Mr. TINKHAM. Mr. Chairman, will the gentleman yield two minutes of his time to me?

Mr. DARROW. Yes.

Mr. TINKHAM. Mr. Chairman, I have in my hand here a letter from the Assistant Secretary of the Navy, Franklin D. Roosevelt, dated January 28, which I desire to read:

THE ASSISTANT SECRETARY OF THE NAVY,
Washington, January 28, 1920.

MY DEAR CONGRESSMAN: Confirming what I told you over the telephone in connection with the failure of the Committee on Appropriations to include the $9,000,000 item for the repair of Navy ships, I want to emphasize especially that the request of the Navy Department was at no time based on any desire to keep a needless number of mechanics employed in the navy yards merely for the sake of preventing a lay off.

The sole question is without any "camouflage" a military one. The fleet, i. e., the fighting ships of the Navy, are tied up in large numbers because we have no money to repair them with. That is a definite statement which I have shown several times by detailed figures and names of the ships.

Also, it is not a question of an insufficient number of men to man these ships we want to repair. I can assure you that by the time they are repaired the men will be there to man them.

If you want any proof of the need for this money, I wish you would go to any navy yard in the country. You will find the water front literally packed with regular ships of the Navy—ships which will be kept in the Navy and not the bunch of vessels taken over temporarily before the war—and these ships are waiting their turn for repair and overhaul. The reason they practically all need repair and overhaul is that for three years—in other words, since early in 1917—they were engaged in war duties, and were kept running day and night for war purposes.

Somebody may say that it is not necessary to repair them all immediately. This is perfectly true, and the department has no intention of repairing them all immediately; in fact, it would take two or three years to put them all back in shape under the most favorable circumstances. What we do want is to repair the vitally necessary ships for the fleet; i. e., the dreadnoughts, destroyers, submarines, and fleet train.

Just one word about this navy-yard employment question. On November 11, 1918, the number of mechanics, helpers, laborers, etc., was approximately 100,000; to-day it is approximately 80,000. This 20 per cent cut has weeded out practically all of the deadwood, i. e., the less efficient workers. The yards are much more efficient to-day than they were during the war, and, in the natural course of events, they are becoming increasingly efficient as the normal turnover of labor takes place from day to day. Any idea that by letting ten or fifteen thousand more men go at the present time would make the yards still more efficient is not, in my judgment, warranted.

I believe that the actual efficiency of the navy yards at the present time is about on a par with that of the general run of large manufacturing plants, i. e., not as efficient as under prewar conditions but still returning to a better degree of effectiveness with every day that passes.

All of this, however, is not the main point to be emphasized. The efficiency of the fleet—of the fighting part of the American Navy—is what is at stake. The fleet must be returned to a proper condition as quickly as possible, and that is why, and that is the only reason why, we need these $9,000,000 that has been asked for.

Very sincerely, yours,

FRANKLIN D. ROOSEVELT.

P. S.—Don't forget that the Navy can't go back to prewar size, either in number of ships or in number of men. For instance, we have to-day half a dozen more dreadnoughts and several hundred more destroyers than we had in 1916.

Hon. GEORGE HOLDEN TINKHAM, M. C.,
House of Representatives, Washington, D. C.

Mr. Chairman, I take that statement, coming from the responsible head of the Navy, who is not in any way influenced by a policy which says that he must follow political dictation, but is influenced by a policy which is directed by his understanding of the idea of national defense.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. DUPRÉ].

Mr. DUPRÉ. Mr. Chairman, I read in the press some days ago that Gen. Leonard Wood had characterized the Navy as "a floating death trap." I do not know whether he was quoted correctly, but if he was he certainly did not mean that literally. He was indulging in hyperbole for the purpose of focusing the attention of the country upon the need of helping the Navy at this time and for the purpose of molding public opinion and of trying to convince his side, which is so ardently opposed to this particular appropriation for the Navy, as to its duty in the premises.

Why have gentlemen changed their position on this matter? Last September we remember that this same Appropriations Committee brought in a deficiency bill that carried the exact amounts that we now desire to be inserted in this measure, and that appropriation, championed at the time by the chairman of the committee, failed because the Senate desired to force an appropriation about the air service that was really not in any sense a deficiency. And when I asked the majority leader on Saturday why this change of front he blandly and debonairly replied that the Navy Department had misled the Committee on Appropriations. Oh, is it not sad that Franklin Roosevelt and his bureau chiefs can lead astray legislative lambs like JIM GOOD and Uncle JOE? Why, it is to laugh. Nobody believes such a thing as that. Everybody knows that the omission of this item from the present deficiency bill is to keep step with the program of retrenchment that the majority party has generally announced [applause on the Republican side], a program of economy that incidentally includes a new pension bill for Civil War veterans and their widows that will cost the American people $64,000,000 more annually. [Applause.] What kind of economy is that? Why, fellow members of the committee, it is economy pro bunko publico. That is what it is. It is economy that reminds me of the French saying, "Leursfinesses sont cousues de fils blancs"—their finesses are sewed with white thread. Everybody knows what they are trying to do. They are trying to get votes. They are willing to sacrifice anything in the effort. They sacrificed ruthlessly the other day the waterway interests of the country in their action on the river and harbor bill, and now they do not hesitate to imperil the national defense and to strike the Navy down in its efforts to keep our warships in good condition. Oh, just so they can say through one of the daily bulletins of the gentleman from Wyoming [Mr. MONDELL], "We

are practicing economy." Well, I think they will get what is coming to them, because the American people can see through their hypocrisy and their bunk. [Applause.] Mr. Chairman, I yield back the remainder of my time.

Mr. GOOD. I yield three minutes to the gentleman from Texas [Mr. BLANTON], to answer the gentleman from Louisiana.

Mr. BLANTON. Mr. Chairman, after all a policy of real economy carried out requires action and not mere lip assertions by the House of Representatives and the Senate. In addition to words spoken on the floor it requires a proper vote when the voting time comes to put economy into effect. I take it that we would have economy in this country if my Democratic colleagues on this side and my Republican colleagues on that side of the House would give the chairman of the Committee on Appropriations proper support in his efforts to bring about economy in a true sense. [Applause.] I know that he means economy. I can not say so much for my friend from Wyoming, the leader on this side, because much of what he says here in favor of economy is politics pure and simple; but the position taken by the chairman of this committee is the position of economy. He has passed on this matter, he has given the matter close, careful, and diligent consideration, he and his committee, and he and his committee have held that this proposed expenditure of $9,300,000 is not needed at this time. Are you going to carry out his judgment, or just because our friends from these shipyard places like Philadelphia and Boston—we know that they love pork and like to get their hands into the pork barrel; we know that they like to get money expended in their district; but when this Congress has said that during this session it is not going to provide a public-building bill, when this Congress has said through its majority steering committee that it is going to retrench, when this Congress has said time and again to the people, the unsuspecting tax-paying public, that we are going to economize, do not you think the time has come to help and support the chairman of the Committee on Appropriations? Now, I am going to help him. I am a Democrat, but I am going to help the Republican chairman of ordinarily a very expensive party, a very extravagant party, to bring economy about in the affairs of this Government. [Applause.] Why can not we get enough help on that side? Are you Republicans going to turn him down? I wonder if the party whip is to pop on that side this time. This is one time I want to hear it pop; this is one time I want to see the steering committee pop its whip and sting its colleagues into the line of this economy proposition to help us save $9,300,000 for the tax-burdened people of the United States.

Mr. DARROW. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. EDMONDS].

Mr. EDMONDS. Mr. Chairman, I just wish to call to the attention of the committee that these navy yards have been used by the Shipping Board very extensively to repair the Shipping Board vessels. This has been done successfully and economically. In the case of the *Lake Harris*, it was repaired at the League Island Navy Yard in 10 days quicker time than any repair yard offered and at $20,000 less cost, a saving, counting in demurrage value, of about $50,000 on this one repair job. In repairing the stern of a vessel a short time ago the bid of a private yard was $8,000. It was done at the League Island Navy Yard for $2,000, a saving of $6,000. Last year there were over 140 vessels of the Shipping Board repaired at the League Island Navy Yard, and I estimate that is true of the other navy yards of the country. But if we allow this force to be dispersed, undoubtedly the repairs of the Shipping Board vessels will be very much greater if not more than doubled in the next year. I yield back whatever time may remain.

The CHAIRMAN. The gentleman yields back one minute.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. GOLDFOGLE].

Mr. GOLDFOGLE. Mr. Chairman, there are two kinds of economy, one true and the other false. I take it that the denial of the appropriation asked for by this amendment is false economy. I heard it said on the floor of this House the other day that an attempt to secure the appropriation called for by the amendment was to keep men in work. Well, very true. I understand that if the appropriation now asked for is defeated there will be thrown out of employment 13,600 skilled workmen. Do you want in these times of unrest, in these times when the cost of living is mounting ever higher, such a large force of skilled workmen to be thrown out of employment? Do not you think that when you disorganize so excellent and efficient a force as the mechanics who are now employed in the navy yards you are doing a positive injustice to the Navy service?

It has been asserted by Assistant Secretary Roosevelt, in the hearings before the committee, that a failure to provide the appropriation now asked means the deterioration of vessels that absolutely and essentially need repair. Is it true or false economy to allow these vessels to go to rot, ruin, and destruction for want of sufficient repair or get to work and keep in good condition and repair these vessels, keep them in condition which would render them serviceable and effective in case of emergency, which, in the last analysis of things, means a large saving to the Government? I, too, believe in economy. I favor economy in every department of the Government where it can be made consistently. I think much money has been wasted in the past. The public at the present time insists upon economy, and have a right to demand it. But the retrenchment in expenses must not be of the penny-wise and pound-foolish variety. We should have the right kind of economy. We do not want the kind of economy that would mean ultimate waste and destruction of vessels necessary for the naval service and the throwing out of employment of the large force of men to which I have alluded. For the reason that I believe that the Government will really save money by making the needed repairs, save the ships, keep them in working order, or else they may go to the junk and the scrap heap, and for the reason that I would not have the force of men the Secretary of the Navy says is so much needed disorganized, I support heartily the amendment. [Applause.]

I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back one minute.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. TAGUE].

Mr. TAGUE. Mr. Chairman, there seems to be at least quite a difference of opinion as to the propriety of this amendment and this appropriation between the experts on the Naval Affairs Committee of the House and the experts of the Navy Department. We were told by the Naval Affairs Committee that this appropriation is not required or needed, but the gentlemen who have charge of the Navy to-day, including the Secretary and the Assistant Secretary, have informed us that it is absolutely necessary.

Now, I realize that a Member of this House who comes from a district wherein lies a navy yard of the Government is more or less held up to ridicule because of the fact that certain Members of this House say that they support this for selfish reasons. Not at all, Mr. Chairman. I want to say as a sound business proposition, as one who has had something to do with the handling of first-class machinery—I wish to say, show me the man who would invest millions of dollars in high-class machinery and, for the want of an expenditure of a few dollars, would allow that machinery to stand at the dock and go to ruin, and then a few months later invest millions of money to pay for the loss that has taken place because of that neglect. That, my friends, is false economy. When this Government appropriated these billions of money for this war and these billions of money for the Navy did they intend that one year after they purchased those ships that they would be thrown into the junk heap? Oh, I hear Members from districts who do not come in contact with the Navy say that this is for the benefit of the cities where the navy yards lie. Not at all. The statistics of the Navy will prove that two-thirds of the boys who make up the men that man our Navy come from Kansas, Illinois, Oklahoma, Texas, and other States. What are you going to say to those boys now, when you said to them, "Join the Navy and see the world," and then give them hulks in which to sail that are unfit to sail the seas?

Now, Mr. Chairman, I come from a navy-yard district, and I know as much as some of the experts of the Naval Affairs Committee about the wants of the Navy, so far as repairs are concerned. I have been around the yard and I know the conditions that prevail. There has been no influence brought to bear upon me. I know the conditions, and I say that it is a disgrace to the Government, it is an insult to the intelligence of the American people, to see their money tied up in the form of ships at a dock unfit for service when only a few dollars are required to put them in condition.

The opponents of these amendments tell us we do not need them. We did not need them three years ago, but we were glad to get them, and we paid the top price for them. Are you going to pay the top price for them again?

Then gentlemen say, "Oh, the slackers that work in the navy yards!" Mr. Chairman, that is an insult to the mechanics of this country. There is not a better force of men anywhere to be found than those who work and make up the mechanics in the navy yards of this country, and I defy any man who knows anything about it to contradict it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. Mr. Chairman, the gentleman from Massachusetts [Mr. GALLIVAN] spoke very pathetically in favor of this amendment, because, he said, if it was not adopted we would turn thousands of boys out in the cold and pitiless world who a few months ago were fighting for you and for me. That is a beautiful sentiment, but the conditions do not warrant the assertion. These men now employed in the various navy yards during the time that the boys were fighting for you and for me were in bomb-proof positions, fighting for increases in wages, and succeeding in getting them, until at the time of the signing of the armistice they were receiving more money on the average in two days than the boys who were saving the country and the world were receiving in two months.

Mr. MAHER. Will the gentleman yield?

Mr. WOOD of Indiana. I have no time to yield.

I have heard it asked why it is that they are demanding this additional $9,000,000, if this $21,000,000, which the evidence in the case discloses, is now on hand with which they can make all the repairs for all the vessels they can possibly man? I will tell you why it is. The head of every department connected with the Government and which was made larger during the war, desires it to be maintained at war-time strength, and thinks that to have it reduced in the least is to discredit his department. That is not only true in the Navy but it is true in the various branches of the Army and in the various bureaus created during the war. It may be interesting for the committee to know, and I know it will be interesting for the public, that they have 71,000 men employed in these navy yards to-day. If this amendment is not adopted, it will let out 14,000 men. Take 14,000 away from 71,000 and you will find you have 57,000 men still employed in the navy yards of the United States, three times more than were employed in 1916.

The people of this country are more interested, if you please, in seeing that the Congress of the United States is keeping faith with them in our promise to try to bring back this country to a prewar basis of some character. Now, we are trying to carry out the proposition made by the Assistant Secretary of the Navy, who declared over in New York the other night that we are to build a Navy which will cost a billion dollars a year to maintain. This is one step in that direction.

Then I want to say to you, that if the evidence, not the conclusion, submitted to the committee by those who are in a position to know amounts to anything, they have money now that they can use for the purpose of repairing more ships of the first class than they can man when they have them repaired. So then, why should we be exercising ourselves here in trying to find some way to spend $9,000,000 of the people's money that is needed in so many, many other ways?

They say it will turn some men out of employment. Five months ago, when this matter was up here for consideration, they were urging its adoption for the same reason, alleging that it would not do to turn these men out on the public and insisting that we should take care of them as well as we could by giving them employment in these navy yards. Now, we are confronted with a demand from all over the country for labor and for yet more labor, and still the United States Government, which demoralized labor in the first instance, is keeping these 14,000 men there in the navy yards that are needed around in the different industries throughout the country. Why not let them go where they are needed and not keep them where they are not needed? [Applause.]

Gentlemen, the Committee on Public Buildings and Grounds, without regard to politics, Democrats and Republicans alike, joined in a resolution to the effect that they would not recommend the appropriation of a single dollar for public buildings during this session of Congress. We all know that in many places public buildings are needed far more than these vessels are needed. We all know that public buildings should be repaired and that there is more demand for the repair of them than there is for the repair of these ships, which must lie idle at the docks when repaired. And in keeping with that idea of saving money of the people and lessening the burden of taxation, all of the new projects were taken out of the river and harbor bill, not by Democrats, not by Republicans alone, but by a joining of all Representatives who are trying to afford some relief to a tax-ridden people. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from Washington [Mr. MILLER].

The CHAIRMAN. The gentleman from Washington is recognized for five minutes.

Mr. MILLER. Mr. Chairman and gentlemen of the committee, a short time ago a great and magnificent fleet was sent into the Pacific. Three of those capital ships, including the magnificent *New Mexico*, the flagship, are tied up at my navy yard at Puget Sound without money to repair them. Less than a month ago I visited the Puget Sound Navy Yard, in my district, and $120,000,000 worth of war vessels are tied up in that yard awaiting repair, with no money available.

There is some discrepancy here between the Secretary and the admirals at the head of the various bureaus on the one hand, when they tell us that this money is necessary, and the experts of the Committee on Naval Affairs on the other hand. I fear for the accuracy of some of these "dry land admirals" when they tell us that we have $21,000,000 on hand now. I say if we have $21,000,000 on hand now, why in the name of God are $120,000,000 worth of war vessels tied up in that yard and no money to repair them?

We have at the Puget Sound Navy Yard—which, by the way, is the only yard on the Pacific coast that the capital ships may enter, and there are only two yards in all the Pacific coast—we have there 3,200 men at present. We had 6,500 during the war. Every man that is left at the Puget Sound Navy Yard is a skilled mechanic in the highest sense of the word. Some of these men will be discharged. The great organization that has been built up at the Puget Sound Navy Yard by Admiral Coontz, who is now chief of the Bureau of Operations of the Navy Department, will crumble and fall to pieces unless Congress grants enough money to keep that organization intact. It is folly, gentlemen, to let that organization go to pieces. There is no such sorry spectacle in all the world as a dilapidated Navy. It is folly to allow a $20,000,000 war vessel to lie in the yard and rust out simply for lack of a few hundred thousand dollars to keep that vessel in repair.

Now, without any reference to politics, under this spirit of economy that we all join in, we can not have a new Federal building, and we can not have a river and harbor improvement, and we can not have enough money to transport the "reds" across the country; but, still without reference to politics, we have now before us an appropriation of $50,000,000 to go beyond the sea when we can not get $9,000,000 out of our own countrymen to keep our own Navy afloat. [Applause.]

I have a letter from the Chief of the Bureau of Construction and Repair, under date of January 26, which gives four of the prewar dreadnoughts, three of the four dreadnoughts, and four of the other cruisers at the Puget Sound Navy Yard awaiting repairs there. We have at that navy yard as good an organization, as good a class of mechanics, as there is in this country, and we are going to turn some of these men away. Now, those men can not live. Hundreds of them have their families there. Their homes are there. You can not take a mechanic at a navy yard and transfer him to some other point in the twinkling of an eye. His home is there. He owns his home. He has his family there. He must have constant employment. Tell me that you can take a skilled mechanic who has worked for years in that yard and within 24 hours tell him to go somewhere else to get work! These are the men, gentlemen, who kept the navy yards ablaze 24 hours a day during the war. [Applause.]

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. MILLER. Mr. Chairman, I ask unanimous consent to extend my remarks and include the letter I mentioned.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Following is the letter referred to:

NAVY DEPARTMENT,
BUREAU OF CONSTRUCTION AND REPAIR,
Washington, D. C., January 26, 1920.

Hon. JOHN F. MILLER,
United States House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Referring to your letter of January 23, 1920, requesting information relative to the work in prospect at the Puget Sound Navy Yard, and to the effect on that yard of a failure to provide additional funds under the appropriation "Construction and Repair, 1920," the work actually in sight under this appropriation, considering the Navy as a whole, is, as I explained to the Appropriations Committee, in excess of what could be handled even with the additional funds requested by the Navy Department. This condition is even more marked on the Pacific coast, as the organization of the Pacific Fleet has largely increased the work on vessels in service to be handled on that coast and there are only two navy yards available.

The following are the principal vessels under repair or awaiting repair at the Puget Sound Navy Yard:

Arkansas: Under repair, estimated date of completion April 15.
New York: Under repair, estimated date of completion May 1.
Wyoming: Under repair, estimated date of completion May 20.
Nanshan: Under repair, estimated date of completion March 15.
Charleston, Montana, North Carolina, Seattle: At navy yard, no work started; dreadnoughts have precedence.
Texas, New Mexico, Mississippi, Idaho: With Pacific Fleet, date of overhaul dependent on employment of fleet and conditions at navy yard.

In addition to the above vessels, the navy yard has to care for a number of the smaller vessels of the Pacific Fleet.

From the best information immediately available it is estimated that the total cost of the work remaining to be done on the vessels named will be in the neighborhood of $1,250,000, and will be sufficient to occupy

the yard at the present rate for 12 months or more, after allowing for the current expenditures for other purposes.

The bureau is unable to give exact information of the effect on the allotments to the Puget Sound Navy Yard of a failure to provide additional funds under the appropriation "Construction and Repair, 1920," as the allotment of funds among the several navy yards must be modified to meet the exigencies of the service as they arise. Considering only the allotment to the Puget Sound Navy Yard for labor, which is the one immediately affecting the size of the force, the best information available at present indicates that the reduction in the monthly allotment would be $40,000 or a little more. This would necessitate a reduction of approximately 300 men in the number paid from this appropriation. It is impossible to estimate the number it would be necessary to discharge, as the number who could be transferred to new building work is unknown. To give you a general idea of the conditions, it is noted that in December there were about 3,200 men engaged on work under cognizance of this bureau in the Puget Sound Navy Yard, of whom about 1,400 were paid from the appropriation "Construction and Repair, 1920," and 1,800 from other appropriations.

The following vessels are under construction at the Puget Sound Navy Yard:

One ammunition ship, nearly completed.

One ammunition ship, about three-fourths completed.

One repair ship, preliminary work well along and about to be laid down.

One submarine tender, recently allotted and practically no work started.

Trusting the above will give you the information you desire, I remain,

Very sincerely,

D. W. TAYLOR,
Rear Admiral, Chief Constructor of the Navy, Chief of Bureau.

Mr. JOHN W. RAINEY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield one minute to the gentleman from New York [Mr. MAHER].

The CHAIRMAN. The gentleman from New York is recognized for one minute.

Mr. MAHER. Mr. Chairman, there have been a number of misstatements made on the floor here to-day, and one of the most grievous misstatements that were made was the charge that men holding positions in the navy yards held bomb-proof jobs during the war.

I want to say that orders came from the War Department and the Navy Department to the draft boards not to allow any of the navy yard skilled mechanics to enlist in the service. I have had as many as a hundred navy-yard mechanics come to me individually and say, substantially, "Congressman, we want to enlist in the service, but we have been asked to claim exemption. We do not want to claim exemption; we want to go into the service and go to France." They said, "They showed us a letter from the admiral, the commandant of the yard, to the effect that our services are needed more in the navy yard than in the trenches." These men were compelled to stay in the navy yards against their will, and to-day they are called "slackers," seeking bomb-proof jobs. [Applause.]

To-day we have an illustration of how politicians would run an industrial plant. It is true that the Navy Department must appeal to Congress for the necessary funds for the building of new ships and making the necessary repairs to the other ships, just as the private plants must appeal to the bankers to get the money to carry on their business. But what a situation we would have if the bankers would interfere with those private industries to whom they loan their money. That is the situation here to-day. The supervisory forces of the navy yards, who are the practical men, the very brains of the Government yards, have recommended that this appropriation be made to prevent these ships, valuable Government property, from going to the scrap heap.

When slack times come in the private shipyards the managers hold their skilled forces by putting them to work in positions of minor importance. This is not so with the Government yards, for when slack times arrive they break up their organization and the skilled mechanics are scattered all over the country.

Prior to the late war we had only one set of building ways equipped to build our large dreadnoughts at the New York Navy Yard. To-day we have two sets of ways, and we expect to start building two battleships—*Nos. 49* and *50*—within the next 90 days, so that instead of having a surplus we will have a scarcity of skilled mechanics. Gentlemen, I hope this House will pass this important appropriation.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MAHER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. GOOD. I yield four minutes to the gentleman from West Virginia [Mr. ECHOLS].

Mr. ECHOLS. Mr. Chairman, the observations that were made Saturday on the points of order raised against this amendment were, to me, very interesting, especially the one that it was not a deficiency. It is not at all surprising that there are deficiencies in the Bureau of Yards and Docks. It is more surprising to know just how the Government can expect to raise money to conduct the operations under this department and some others if expenditures are to go on in the future as they have in the past. My understanding is that this amendment, together with two or three others that will be proposed along the same line, will increase the appropriations in this bill by about $9,000,000. I expect to vote against this item and those that follow it along the same line.

Recently the Committee on Expenditures in the Navy Department had before it a witness, Mr. William H. Cutchin, who was in the Federal employ from 1893 until March 15, 1919. The last 10 years of the time he was in the Federal employ he served in the capacity of detective at the Norfolk Navy Yard. There are some 200 pages in his testimony, including certain reports that he made to his superior officers. That testimony and those reports show that the waste of property and money at the Norfolk Navy Yard reached into the hundreds of thousands of dollars. There was theft, idleness, and extravagance on every hand. Mr. Cutchin (p. 69) spoke as follows:

> They had lost and were losing by theft a lot of stuff there, and nearly every day Mr. Farnum, the chief storekeeper, would come to me and tell that it was impracticable for him to keep anything down there, and that thousands of dollars worth of stuff was stolen there every day. * * * We found hundreds of packages broken open. Just opposite that place or the annex some of the foremen or leading men had rented a place and started a saloon and eating house, and we found a great deal of this stuff going out into this eating house. I went to Pay Director Hicks, who has charge of that department, and told him about the condition of affairs, and he said that he knew it, but that he had his own police down there and that he wanted me to stay out of there and to keep my men out of there.

Mr. HOLLAND. Will the gentleman yield?

Mr. ECHOLS. I can not yield. I have not the time.

Another specific example is found on page 71 of the hearings, where Mr. Cutchin states:

> On February 21, 1918, between 2 and 3 p. m., were in southwestern section of yard. One foreman and 29 negroes, employees of Stevedor Campbell, were engaged in moving ties. They were moving the ties approximately 50 feet, and by actual count moved 15 ties in 10 minutes.

On page 74, he states that as he went through a certain building he found between 50 and 100 workmen loafing, and there was no one there to keep them busy.

On page 93 Mr. Cutchin states:

> The chief of police, Cleaves, was seen coming out of annex with two other workmen carrying alcohol. They got drunk. I reported this matter to the head of the supply department, and he told me to stay away from the annex and also to keep my men away and stop making reports, as they might get to the department and cause trouble. Shortly afterwards Cleaves was promoted and given more pay.

Mr. Cutchin further states that the Government was losing at the yards anywhere from 1 to 75 gallons of alcohol a day.

Mr. Cutchin (p. 95) further states:

> In this Pile case, on November 3, Mr. Henry Pile, sanitary inspector, arrived at the yard at 8.40, left at 2.45, arriving at his house at 4.25. The total number of actual hours made was 5 hours and 30 minutes. The pay roll shows that for this date he was paid for 10 hours. The pay roll shows that on November 4 he made 8 hours and 35 minutes, while he was paid for 8 hours straight time and 2 hours and 30 minutes overtime. On November 5, he made 9 hours, while the pay roll shows he was paid for 8 hours straight time and 2 hours and 30 minutes overtime. On November 9 he made 9 hours and 50 minutes, and the pay roll shows that he was paid for 8 hours straight time and 2 hours and 30 minutes overtime.

Mr. Cutchin (p. 108) testifies that timekeepers would come in the yard and check up and the names were put on the roll; then they would leave the yard and go to town.

The testimony (p. 124) shows that men were sold from one labor agency to another. Three hundred men were brought down from New York at the Government's expense to work at Craddock. They were put on the pay roll there and then sold to another labor agent. They were put at naval base, then sent to McNeil Bros., and finally, after passing two or three labor agencies, would land at Craddock. While the witness does not state specifically this to be a fact, it is reasonable to assume that these labor agencies were not performing such services without compensation, and that they received so much per head for each man transferred from one point to another. (Page 125.) Men were checked in by phone. They were checked in by one name, given a certain number, went to another department or another section of the navy yard, obtained another number, were assigned to duty under another name, and actually drew compensation covering the same period of time under two different numbers and two different names. One man was employed as a laborer. He was given his discharge as a laborer to take up certain duties as a checker. He was not dropped in the accounting department as a laborer, but continued to draw pay both as a laborer and as a checker. He was kept on the

two pay rolls for a period of two weeks before there was any detection.

There was so much complaint about the operation of the Norfolk Navy Yard that even the newspapers and the ministers took it up. (Page 132.) One of the ministers, Mr. Abernathy, gave the witness a letter addressed to the Secretary of the Navy, which he took to the Secretary, together with a letter from the editor of the Virginia Pilot; and, using the witness's own language:

I gave them to Mr. Daniels, and he turned the whole matter over to his stenographer, and I have not seen or heard anything of it since. Some time after this I wrote a letter to Mr. Daniels telling him that on the 31st of October the commandant of the yard (Mr. Fechteler) had sent for me and instructed me to investigate the men coming into the yard and leaving at any time of the day that they wanted to and drawing eight hours' pay, and frequently overtime. The commandant had told me to report the true facts to him, as he wanted to know them. He told me to report to Civil Engineer Moore, which I did. I was also instructed that this was to be strictly confidential, and that my business would be with the commandant and with Mr. Moore. Mr. Moore gave me a list of names, and among those names was Mr. Pile, whom we found padding the pay rolls, and who has since been indicted by the grand jury, over the protest of the officers of the yard.

Concerning this matter, the witness, in response to questions, spoke as follows:

Mr. RADCLIFFE. In your statement, did you mention the name of the commandant?

Mr. CUTCHIN. The commandant was Admiral Fechteler.

Mr. BURDICK. You stated that this man Pile was indicted over the protest of whom?

Mr. CUTCHIN. Of certain officers in the yard, and the district attorney.

Mr. BURDICK. Did you give the names of them?

Mr. CUTCHIN. No, sir; I can only say that Mr. Chadwick, the disbursing officer in the yard, was very active in the matter, and Capt. Brumby was also very active in the matter.

I will direct your attention a little later on to the reason that there was a protest by the officers against the indictment of Mr. Pile.

Men would come in and check up. (Page 134.) Their names were put on the muster sheets, and a large number of them would then leave the yard and not come in again until 1 o'clock, and the names were then checked up again and put on the muster sheet. They would then leave again and walk around town.

Memorandum (p. 160) filed by the witness shows:

On October 23, 1917, between 11 and 11.30 a. m., entered toilet building across from machine shop. At this time a big crap game was going on. About 6 enlisted men and about 15 or 20 workmen were around the circle and some dollar bills were on the floor.

An alarm was given and the game broke up.

Beginning with page 151 of the hearings and extending to page 181, there are memoranda and reports filed showing the names and numbers of literally hundreds of employees who were idle engaging in theft and even publicly carrying and hauling away property belonging to the Government. I direct the attention of the committee to the fact that these reports and memoranda were made in 1917 and the early part of 1918, when there was no ill feeling between the witness and those under whom he was employed. It can therefore not be said against the witness that these statements were made on account of hatred or spite to get even with some other employee of the Government.

The statements show that hundreds of laborers on the Federal pay roll loafed around on the job primarily for the purpose of evading the draft law. They were simply using their navy-yard passes for the purpose of evading the law. Hundreds of these laborers on the Federal pay roll from North Carolina and Virginia were brought there through labor agents who received either a specific fee for securing them or, as is shown by the witness (p. 206), that Mr. Campbell, labor agent, guaranteed to the Government that he would furnish laborers at from 40 to 70 cents per hour, and, according to the laborers' understanding, he—Campbell—received 10 per cent of their wages. For example, when he employed a man at $4 per day, he got $4.40 per day.

On page 182 the evidence reads:

Mr. BURDICK. When you reported those things to the captain of the yard, what instructions did he give you?

Mr. CUTCHIN. He would say, "That is all right; let it go." Frequently he would tear up the reports and throw them in the wastebasket.

On page 191 is shown the following testimony:

The CHAIRMAN. In your report of November 23, 1917, to the commandant, subject: Annex, navy yard, Norfolk (Exhibit No. 1), is a statement as follows:

"Since July, 1917, this office has reported on a number of occasions that numerous packages have been allowed to go out through annex gates without any examination whatever being made by watchmen."

Did you personally see any such packages go out?

Mr. CUTCHIN. Yes, sir; hundreds of them.

The CHAIRMAN. What kind of packages were they?

Mr. CUTCHIN. I examined several of them. I found condensed milk; I found coffee; I found butter; I found cheese; I found lots of stuff such as that—small stores.

Page 194:

The CHAIRMAN. Do you know of cases where men using more than one name were employed by contractors working on a cost-plus contract?

Mr. CUTCHIN. I know of a number of cases, but we were only able to get the names and check numbers of people submitted in Mr. Davis's report relative to the large amount of checks that we found. As soon as they found out that I was after getting the names of these people they destroyed all muster sheets, and I was only able to take the duplicate names that they used—if that is a good word—in getting this money.

On pages 197 and 198 of the hearings, Mr. Cutchin gives a rather full statement of his position respecting the matters about which he testifies in which he charges that there were padding of pay rolls, stealing, grafting, and violations of the law, and that he brought these matters to the attention of his superior officers, sometimes making 15 or 20 reports daily; that he came to Washington to explain the matter in person to the Secretary of the Navy; that he was unable to see Mr. Daniels, but was referred to Mr. Curtis, his chief clerk. He says that he was told by Admiral Fechteler that he did not like these reports he was making and he would recommend his discharge; that it was not the intention of either Mr. Fechteler or Mr. Moore to have Mr. Pile investigated, although Mr. Pile had been indicted by the grand jury. He was told to stop making reports and was discharged at the same time. He had been making these reports for many months, but up until October, 1918, Admiral Fechteler, according to the witness' story, was very well pleased with his work and satisfied with his reports as long as they applied to laborers only; but, to use the witness' own language:

When these reports began to apply to negligence on the part of heads of departments, it was at that time he told me he would recommend my discharge unless I resigned.

If this man's statements can be relied upon, there was, during the last few months of his service as detective at Norfolk Navy Yard, property belonging to the Government, about everything from a ship anchor and a hundred cases of hams, at one time down to a pound of coffee, wrongfully taken from the yards right under the noses of those whose duty it was to protect Government property there. If these are the things that make up deficiencies it is no wonder such bills grow into the millions, almost a hundred millions, as this one does. If 10 per cent of this man's statements are true there ought to be a general cleaning up at Norfolk yards and some business methods inaugurated so that the Government can be protected. It is no answer to say the war was on and waste was expected. That answer is growing somewhat stale. Waste was expected but millions of dollars could have been saved and could be saved to-day by the exercise of ordinary intelligence in the conduct of governmental affairs.

There were employed at Norfolk yard 4,000. During the war the number was increased to 11,000. The Bureau of Docks and Yards told me this morning that on July 1, 1919, eight months after the armistice, the number had been increased to 11,220.

The witness having been in the Federal employ for 26 years, employed as a detective 13 years, with 10 years of that time spent at the Norfolk Navy Yard, was considered an excellent employee, received commendations (p. 92, P. F. Harrington, rear admiral, U. S. N., retired) by a retired admiral and others in authority; and as long as his work disturbed no one except the common laborers it was satisfactory. Immediately upon his reports showing that the higher-ups were involved in the waste of public money and property, he was called upon to resign and told if he did not resign he would be discharged; and to put the finishing touches on it, I direct your attention to a letter written by the Secretary of the Navy to the commandant at Norfolk Navy Yard, which letter is found on page 150 of the hearings and reads as follows:

NAVY DEPARTMENT,
Washington, March 1, 1919.

From: SECRETARY OF THE NAVY.
To: Commandant, Navy Yard, Norfolk, Va.
Subject: W. H. Cutchin, yard detective, navy yard, Norfolk, Va., transfer of.

1. The department has decided to drop the position of yard detective and will transfer the present incumbent, if he so desires, to the position of policeman at $4 per diem, or clerk at $4.16 per diem, in the yard under your command, or the naval operating base, Hampton Roads, Norfolk, Va.

2. You will advise the department of Mr. Cutchin's decision in order that the necessary action may be taken.

JOSEPHUS DANIELS.

Under date of March 11, 10 days afterwards, Mr. Franklin D. Roosevelt, Assistant Secretary of the Navy, wrote almost an identical letter to Mr. Cutchin.

I make no charge of any kind whatever against any officer in authority at Norfolk; I submit the facts and suggest that with nearly every kind of petty crime in the calendar being reported to those in authority at that yard by a man who had been in the detective service of the Government for 13 years and when these crimes were at their height, it is difficult to understand how the Secretary of the Navy and others in authority did not discover that his services were no longer needed

until he began to make reports which involved the officers of the navy yard.

I further submit that there was a general denial of the statements made by this witness by Capt. Watt and Capt. Chadwick of the navy yard, but there was little reference by either of these witnesses to the specific cases cited by Mr. Cutchin.

I shall vote against this amendment for the very simple reason that I know from long observation that as long as the officers in charge continue to wink and condone at the waste and extravagance of public money, the waste and extravagance will continue so long as the Congress makes appropriations that are not absolutely necessary.

Mr. BYRNES of South Carolina. I yield three minutes to the gentleman from Massachusetts [Mr. DALLINGER].

Mr. DALLINGER. Mr. Chairman, I was very much surprised to hear my colleague from New York, Mr. MAGEE, make the statement that the Naval Affairs Committee, and the Naval Affairs Committee alone, ought to have brought in this appropriation. I wanted to ask him—but he would not yield—why in the name of common sense this Committee on Appropriations have these headings in this bill relating to naval affairs if they are matters for the Naval Affairs Committee? Why have they a page and a half of this bill under the heading "Naval Establishment"? The amendment offered by my colleague, Mr. TINKHAM, is simply to meet an emergency which actually exists.

Mr. VARE. Will the gentleman yield?

Mr. DALLINGER. I regret that I can not yield. I have not the time. Now, Mr. Chairman, another point I want to bring to the attention of the committee is this: That this same Committee on Appropriations last September unanimously brought in a deficiency appropriation for this same amount and the appropriation was unanimously passed by the House, only to be defeated in the Senate. Since that time nothing has happened to alter the state of affairs except that the need for this emergency appropriation, which was pressing at that time, is now more acute than ever, as evidenced by the letters from the Secretary of the Navy and the Assistant Secretary of the Navy which have been read here to-day.

Now, what are the facts of the case? Anybody would suppose, to hear some of the Members opposed to this amendment talk, that no workmen employed in the navy yards had been discharged since the armistice. That is not so in many of the navy yards. In the Boston Navy Yard between 30 and 40 per cent of the workmen in some of the departments have already been discharged. Skilled mechanics who have been employed in the Boston Navy Yard for years have been discharged, and if this emergency appropriation is not made, so far as many of the navy yards are concerned, the destruction of an efficient organization is seriously threatened. Now, every man in this House knows that there is a point beyond which you can not go in the interest of economy.

If you want to give up the Navy, if you want to scrap all these vessels, be men enough to say so and not only refuse this $9,000,000 for absolutely necessary repairs on naval vessels but save hundreds of millions more, because you can save that amount if you are willing to abandon the idea of this country's having an efficient and up-to-date Navy. [Applause.]

Mr. Chairman, one of the opponents of this amendment made the statement that because of the low wage scale in the Navy a very large number of skilled men of the naval personnel have resigned and that consequently it was impossible to properly man many of the vessels. That the false economy of not paying adequate compensation has seriously crippled the efficiency of the Navy there can not be the slightest doubt. To remedy this situation we have just passed a bill greatly increasing the compensation of the enlisted men and petty officers.

In not heeding the request of the Secretary of the Navy and adopting the amendment now before the House we are about to make another mistake and strike a still more serious blow at the efficiency of the Navy. With scores and hundreds of vessels, representing an expenditure of hundreds of millions of dollars of the taxpayers' money, tied up at the navy yards waiting for necessary repairs, we propose to summarily discharge the skilled mechanics who alone know how to make those repairs. Once you destroy or seriously impair your organization it will take years to build it up again.

Mr. Chairman, as a member of the Republican Party, which has always stood for an efficient Navy, I shall vote for the amendment offered by my colleague [Mr. TINKHAM] and trust that in the interest of true economy it will be adopted. [Applause.]

Mr. BYRNES of South Carolina. Will the gentleman from Iowa use some of his time? I have used more than he has.

Mr. GOOD. I yield four minutes to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Chairman, practically every phase of this question has been pretty completely covered, and I will occupy the time of the committee but a few moments. There is one phase of it that I am going to call attention to, because I think there is some confusion in the minds of many of the Members.

Let me say, however, as a preface, that coming, as I do, from a seacoast district, I feel that the Navy of the United States should be made efficient and kept efficient, but I believe also that the policy which this country should adopt should be made here in Congress and not made in the Navy districts of this country. [Applause.] Now, this confusion arises in this way, I think: Some of the gentlemen who are in favor of these amendments say we must spend this money to keep our ships in repair. I will admit that that is an economical thing to do and should be done, but a large part of the money asked by these amendments is for something besides ordinary housekeeping repairs, if I may use the word "housekeeping" in lieu of a better term.

What do I mean by that? It is this: One great lesson of this war, probably the most important, and one we should interpret in iron and steel at the proper time, is an efficient fire control established on every one of our ships. By fire control, of course, I do not mean the term used by a fire department in a city, but in the naval sense—the control of the gunfire, either by single gun, by turret, or by a salvo of a broadside. The old-fashioned method of firing guns by each gun captain pulling a lanyard at the command of the officer in charge has been displaced by a very complicated and a very delicate electrical device, which operates in conjunction with the gyroscopic compass, the range finder, the distance commutator, and so forth. One man in the fire station has complete command over the discharge of every gun, the guns being kept in constant range of the target by the mechanisms down in the citadel of the ship. These fire-control devices are very expensive but are very essential, and eventually should be placed on every one of our larger vessels.

Another lesson of the war has been the location of the bridge, and this, too, is receiving the attention of the bureaus, and changes are now being made on some of our capital ships. Both these repairs, or reconstruction activities, are important to the efficiency of the Navy. I do not deny that, but I do submit that these so-called repairs are not of that character for which these gentlemen who are behind the amendments are contending. That kind of a repair is not a repair in the true sense of the word. It is a permanent improvement for the better efficiency of the Navy and not for the better upkeep of the ship itself. Therefore I claim that a large part of the amount asked for in the amendment is not for that kind of repair to which the argument could be addressed—that unless we make a repair now we will lose money by delay. Change of fire control, change of bridges on the ships, is a matter that can be deferred six months or a year and with no loss except the loss of time.

Furthermore, in testimony before our Naval Committee it developed that work was now going forward making these improvements and that sufficient funds, outside of the amounts asked for, were in hand to take care of all of our capital ships and many of the smaller vessels.

Some say that we must keep the battleships in a state of 100 per cent efficiency. I grant that that is so whenever the times are such that we feel the danger of war, but now, with the people burdened with unheard-of taxes, with the world war weary, I say, we should adopt a policy here in the American Congress that some of the great dreadnoughts should be placed in reserve, and in reserve they do not need all these permanent improvements.

Further, let me add this, that as a firm believer in an efficient Navy I doubt the wisdom of making many costly improvements on ships 15 or more years old, most of which will soon be crossed off the Navy lists.

All these amendments are so related that one is dependent on the other. Let us see what the balances are to meet these so-called "anticipatory deficits." In Construction and Repair on January 1, 1920, the balance on hand unexpended and unobligated was $10,000,000; in Yards and Docks, on same conditions, $2,929,000; in Steam Engineering, on same conditions, $11,000,000; so that $24,929,000 is yet available for this repair work.

I think it was Admiral Griffin who stated that 85 per cent of the repair work of all descriptions could go on even without these additional appropriations.

That is all I have to say on that subject. I believe there is enough money in the balances of these three bureaus at the present time to take every one of them through until the 1st day of next July if they will confine that money to the ordinary housekeeping repairs on battleships.

I want to put this further fact in the RECORD, that the employees of the navy yards are entitled to their day in court. They are entitled to come to Congress and ask us to keep them

employed; but they are patriotic Americans and, I know, can not expect the navy yards in peace times to operate on the same scale as in war times. I will regret their leaving the service, but good positions are awaiting them if the bureaus decide they must reduce their force.

Construction and Repair reports that the number of civilian employees in the yards in their bureau on January 1, 1920, was 57,007, and that on June 1, 1916, it was 22,842.

We hear much about the opinion of Navy experts. It is their duty to make recommendations and submit estimates that will keep their bureaus at the highest stage of efficiency; but it is our duty to outline a policy, for if every amount asked for was granted, unheard-of sums would be poured into the departments.

Our responsibility is twofold. The welfare of the taxpayers on one side and the proper management of the Government on the other. For the reasons outlined above, I oppose the amendments offered by the gentleman from Massachusetts. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. VARE].

Mr. VARE had leave to revise and extend his remarks in the RECORD.

Mr. VARE. Mr. Chairman and members of the committee, it seems to me that there are three questions involved in this discussion. One is that of real economy, the second is efficiency in the Navy, and the third finding employment for American citizens.

Is it economy to have the ships of the Navy lying in a condition which makes them unfit for service?

Would the practical business man consider it efficient to have his rolling stock in a run-down condition?

Some one has said that there was a propaganda on the part of certain naval employees to find work. I do not know whether there is such propaganda, but I am proud, so far as I am concerned, as a Member of Congress, of the efficiency of the employees of the Philadelphia Navy Yard. I am proud of the part these men took in this great war, and I am especially proud of the part Philadelphia took in supplying this great fleet of ships during the world-wide war.

The recognition given these men and the attitude of persons who believe in the maintenance of the efficiency of the Navy are best illustrated in a telegram I just received from the chairman of the American Legion in Philadelphia, which I will read:

Hon. WILLIAM S. VARE,
Washington, D. C.:

On behalf of the approximately 1,500 former service men in the Philadelphia Navy Yard who will lose their places if the naval item is not restored to the general deficiency bill, I bespeak your earnest support and that of the other Congressmen from Philadelphia of a motion to restore the item. Anything that you may be able to do in that direction will be appreciated by all the former service men in Philadelphia.

GEORGE WENTWORTH CARR,
Philadelphia County Chairman of the American Legion.

The Republican Party has been committed to a policy of preparedness. Why the change in that policy? Only a few months ago this identical item was passed in this Chamber and in the Appropriations Committee without the slightest argument on the part of any person on this side of the aisle. The Republican leadership now stands in this House reversing the policy which it followed so few months ago. The need of appropriations is apparent.

At the Philadelphia Navy Yard alone there are 13 battleships, 12 of which bear the names of great States in this Union. Do you men from the great State of Alabama want the ship bearing the name of your State placed in the discard as unfit for active service. The same could be asked in the case of the gentlemen from Connecticut, Illinois, Kentucky, Louisiana, Maine, Michigan, Minnesota, Missouri, New Hampshire, Ohio, and Wisconsin. The *Kearsarge*, another great battleship, is awaiting repairs at Philadelphia.

Other ships of the larger type awaiting repairs are the armored cruisers *Frederick* and *Pueble;* the cruiser *St. Louis;* the destroyers *Allen, Ammen, Alywyn, Beale, Burrows, Cassin, Colhoun, Craven, Cummins, Davis, Drayton, Ericsson, Fanning, Harding, Hanley, Jarvis, Jenkins, Jouett, Little, McCall, Maury, Maygrant, Monaghan, Nicholson, Patterson, Paulding, Perkins, Porter, Ringgold, Roe, Rowan, Shaw, Sigourney, Sterett, Stevens, Stringham, Terry, Trippe, Tucker, Wadsworth, Wainwright, Walke, Warrington, Wilkes,* and *Winslow;* the submarines *N–7, O–11, O–12, O–13, O–14, O–15, O–16,* and *U–117;* monitors *Cheyenne, Ozark,* and *Tonopah;* the transport *Hancock;* the surveying ship *Hannibal;* and the tender *Isabel.*

When I became a Member of this House in 1912 I found that the then Secretary of the Navy turned a deaf ear to proposed improvements and extension for the Philadelphia Navy Yard. By constant and persistent effort the many advantages of the Philadelphia Navy Yard were impressed upon the Naval Affairs Committee, so that previous to and during the war the yard was recognized as the most up-to-date and efficient naval station in the country.

A weakening of the force of men that did so much to create this record for the Philadelphia yard would be playing into the hands of the shipbuilding combination that tends toward making a monopoly. Surely Republican success does not mean the building up and creating monopolies. If these appropriations are denied it the efficiency of the Philadelphia Navy Yard, which is able to build battleships and build them cheaper than any private yard in the country, whether you intend to do so or not, will be destroyed. So will all the great yards, thereby making it possible for private shipbuilding combines to charge the Government an unreasonable price for construction of our ships.

Japan is spending $230,000,000 to increase the size and efficiency of her navy. This item represents a large part of the Japanese annual budget. Compared with this the United States, by the defeat of this provision, refuses $9,000,000 to put in repair ships that become disabled by reason of two years' active service in the war.

The Republican leadership in the House has done well with its economy program, but does not this false economy weaken the foundation of the general policy? Must we give up our interest in the Navy and preparedness? Must we weaken the efficiency of the Navy, now second among the great navies of the world, while Japan is sparing no expense to establish herself as a major power on the high seas? Gentlemen, actual economy dictates that the efficiency of any large governmental institution be maintained. It is for the maintenance of that vital arm of the Government service, the Navy, the first line of defense, for which we ask favorable action on the pending amendments.

Mr. GOOD. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. BRITTEN].

Mr. BRITTEN. Mr. Chairman, when the gentleman from Massachusetts took the floor in defense of his amendment providing for two and a half million dollars appropriation for the Bureau of Yards and Docks, he is requesting the House to give that bureau $1,600,000 more money than the chief of the bureau himself desires. I can readily understand why there might be confusion between the two gentlemen, because the chief of the bureau himself did not know just where that $2,500,000 was going. When he was questioned by the members of the committee as to how that appropriation would apply directly or indirectly on the repair of ships he could not answer, and neither could anyone else. The amendment that is before the House is for two and a half million dollars for the maintenance of yards and stations. The chief of the bureau says that he will positively require $846,000, and I am in favor of giving him $846,000 for the item of maintenance of yards and stations. The maintenance of yards and stations under this bureau means that the civil engineer in charge will care for the public utilities of the yards, the light, the heat, the fuel, the sewers, the water, and the roadways, and the sidewalks, and items of that character. It is very easy to see that these do not apply directly to the repair of ships. The yards must be maintained, and I am in favor of appropriating at this time $846,000—just exactly what yards and docks need. That amount is positively shown in this way: Four hundred thousand dollars of it goes to the classified employees, who are technical men, engineers, draftsmen, and so forth, who will have to be let out between now and the 1st of March unless this deficiency appropriation goes through. The limitation for these employees is raised in the bill to $400,000, but no appropriation is carried. Three hundred and seventy-five thousand dollars is necessary at the rate of $75,000 a month for five months, as the yards are going in the hole to that extent, and we have to maintain them to this extent. Then there is another $71,000 that the Bureau of Yards and Docks owes to the Bureau of Construction and Repair. It owes that money just as you might owe for a suit of clothes or a hat, or anything that you buy. That was made necessary when the half of the Navy went to the Pacific coast last year.

"Construction and Repair" had to advance money to "Yards and Docks" in order to care for the mooring of ships, and do work that ordinarily comes under "Yards and Docks." That makes a total of $846,000. I maintain that that money should go in this bill, and I hope that we on the Committee on Naval Affairs who are practically unanimously agreed on that amount can convince other Members of the House to see the wisdom of placing in this deficiency bill that amount for "Maintenance," under the Bureau of Yards and Docks. I shall speak directly to the amendment, which I think should be given consideration, for no one has yet spoken about it. We are all driving at the same purpose. Every Member on the floor of the House, I care not what his opinion or politics may be, is driving at the same

purpose as I am, namely, the efficiency of the Navy. We all love the Navy. We are proud of the Navy, and I say to you gentlemen, just as sincerely as it is possible for me to do so, that the Navy will not be hurt one iota if the $9,000,000 is not appropriated at this time. It is almost like giving soothing sirup to a baby. He does not like to take it, but it will do him good. Let us see what will happen if this appropriation does not go through.

Gentlemen who have spoken before me on the floor of the House have said that 13,600 skilled workmen will be discharged from the various yards of the country if this $9,300,000 deficiency appropriation is not made effective at this time, and I can only reply that my judgment and theirs is in complete discord.

The greater portion of these mechanics will probably be transferred from "repair" work to new ship-construction work, and those that are not transferred can probably rightfully be declared to be the least efficient men in the various yards.

I take exception to statements preceding mine, that a great percentage of this $9,300,000 is to be expended on repair work for 15 dreadnoughts, 13 predreadnoughts, a number of cruisers, destroyers, and submarines. On the contrary, a very large portion of this amount is to be expended on new work on the various ships of our Navy. In other words, existing ships will be improved with launching platforms for aeroplanes, and these same ships will also be provided with new fire-control systems, and other expenditures will be made on improvements which should not be classified as "repairs."

It is quite remarkable that a propaganda was started last July, directly after the passage of the annual appropriation bill for the fiscal year of 1920, by which navy-yard employees would reap not only increased salaries but would also be insured permanent employment through a deficiency appropriation by Congress, and that is one of the reasons why I am against favorable action on this item at this time.

The deficiency appropriation is not urgently required by the Navy, nor will the enlisted personnel of the Navy suffer at all if it is not approved by the House at this time.

If the pending amendment of the gentleman from Massachusetts is favorably acted upon it will force upon the Bureau of Yards and Docks more than a million dollars in excess of its desires, and I am sure that the House has no intention of doing this in this day of expenditure curtailment.

I hold in my hand a list showing 90 training stations and yards in various parts of the country, which shows that they are expending $75,000 per month in excess of their respective allotments from the Bureau of Yards and Docks for "maintenance."

If approximately $800,000 is not included in this deficiency bill for maintenance under Yards and Docks many of the yards and stations will suffer very serious losses in efficiency and value to the Navy.

I am pleased to call to the attention of the House the fact that the Great Lakes Training Station, with its capacity for accommodating no less than 50,000 recruits, shows a total expenditure for maintenance under Yards and Docks during the year 1919 of $1,047,000, or a monthly rate of $87,000 for the fiscal year of 1919.

This same station has now had its maintenance allotment under Yards and Docks cut to $17,666.67 and is operating quite successfully within the amount allotted, and will continue to do so to the end of the present fiscal year, if necessary.

If the commandants of all of the other stations and yards could be brought to understand that they must not exceed their allotments and that they were violating the law when creating obligations in excess of allotments it would be a good thing for the Treasury and a good thing for the Navy.

I am glad to compliment Rear Admiral Frederick Bassett and his very capable staff at the Great Lakes Training Station on the fine showing they have made, and I am sure that the House appreciates what they are attempting to do at Great Lakes.

While I am on this subject it is but fair to say that the chief clerk at that station, Hugh Wilson Fisher, might very properly be awarded a Navy cross for the magnificent work he gave to the Navy and to the Nation during the recent war.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield three minutes to the gentleman from Louisiana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, yesterday evening when I offered a letter to be printed in the CONGRESSIONAL RECORD I made the statement that the time that would be allotted to my side in all probability would not permit of my participation in this debate. Simply as a matter of good faith I want to say that the gentleman from South Carolina [Mr. BYRNES] has accorded to me three minutes in which to express my viewpoint of this matter. I hardly believe it is necessary to make this explanation, as I do not think any gentleman on the floor would believe that I am lacking in good faith, but probably out of an abundance of caution it is well to clearly express oneself and to show that there is no intention to do anything other than to live up to the best traditions of the House.

I do not know that I can add anything to what has already been said upon this subject. I know that is the time-honored way of approaching what is in one's mind, and in fact is almost bromidic, but I really know in all probability that anything that might be said from now on will be somewhat like carrying coals to Newcastle or snow to Lapland. It has occurred to me in view of the wide range of discussion and the fact that in all probability truth has been lost sight of in the mass of things that have been said pro and con that it is just as well to get back and find out what is in issue before this committee. The proponents of this amendment claim it is necessary to have approximately $10,000,000 to preserve the efficiency of the Navy. I imagine that if one were in court as a practitioner of law, endeavoring to express his own viewpoint and to carry his case felicitously as well as he could from the evidence that he had amassed, he would like to present it from the standpoint of the witnesses most competent to speak on the subject. Therefore I am going to see whether or not I can appeal to those who are competent to speak on this matter, men that the Committee on Appropriations and the Committee on Naval Affairs have relied upon in the past for information when they desire information. First of all, let us see what the Secretary of the Navy says:

NAVY DEPARTMENT,
Washington, January 21, 1920.

Hon. FREDERICK H. GILLETT,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: The serious situation with reference to the military efficiency of the Navy impels me to write earnestly inviting the attention of Congress to the necessity of the deficiency appropriation of $10,314,962.19, requested by me in my letter to you of the 18th day of December, 1919, and which passed the House last summer, but which failed of passage in the Senate. The conditions are much more serious now than they were when presented at that time and are set forth fully in the accompanying letters from the chiefs of the Bureaus of Operations, Construction and Repair, Steam Engineering, and Yards and Docks. It will be seen from these letters that unless an appropriation is available, there will be a serious loss of the military efficiency of the Navy. These officers whose letters I am inclosing are charged with the responsibility of keeping the fleet in readiness for any emergency that may occur, and their letters show the necessity for this appropriation. I need not say to you that the necessity of discharging 13,900 skilled artisans, whose services to the Navy in the war was one of the important factors of its efficiency, would be a matter of grave concern and that without this appropriation it will be my painful duty to discharge these men because there will be no funds to pay them. I am sure that the Congress when they read these letters from the naval officers who have given this matter great study will agree with me that this is a matter of immediate importance and prompt action will be taken.

Sincerely, yours,

JOSEPHUS DANIELS.

And whom does he call to the witness stand to corroborate his testimony? R. E. Coontz, Chief of Naval Operations; Admirals Taylor and Griffin; and C. W. Parks, Bureau of Yards and Docks.

Against this array of experts and men thoroughly capacitated to testify on this subject we have hearsay testimony that should be deemed to be unreliable and unsafe, if not irrelevant and inadmissible. Of course that is a figure of speech, because I am fictitiously presenting this case as one at law or in equity, and am appraising the witnesses from their competency to testify and the value that should be attached to their testimony.

Gentlemen, you would do well to harken to those that appeal to you to evidence a spirit of liberality, if necessary, in behalf of our Navy. Wars are not over. The entire Christian church in all of its branches and denominations and with its splendidly organized ministry, probably as a whole the most highly educated, efficient, intellectual, and largest body of its kind in the history of the world, ancient or modern, could not prevent the last war among Christians almost exclusively, a war that threatened to engulf the church as well as all other evidences of civilization. Wars are not at an end, gentlemen. Just as long as human nature remains what it is will the sword be the final arbiter of the destinies of nations and races. Homer Lea, in his Valor of Ignorance, says that beginning with a period of 1,500 years before Christ until the present time there were but 227 years of peace, and that these years were evidently spent in preparing for the wars that followed them. He did not go further back than 1,500 years in his researches, for the reason that it is apparent that the centuries that rolled their way into eternity before his starting point must have been but one bloody record of slaughter in which tribe after tribe, nation after nation, sank beneath a sea of blood.

Wars are not over—only a bloody emotion and drama of the past. We are polished, but just as primeval and elemental when the interests of our country are in issue as the cave man was when his cave was attacked or endangered. Beware, my

countrymen! The seeming friend of to-day may be the enemy of to-morrow. If ever our country is invaded, it must be from beyond the Atlantic or Pacific. Our first line of defense is our Navy. Our first engagement or engagements must be fought on sea. There, in a watery grave, will sink the hopes of our enemies or our own. My fellow Members, beware of that false economy which means the most ruinous extravagance. Do not, I appeal to you, imperil the country by impairing the efficiency of the great workshop of the Navy—the yards and docks. Do not let your skilled workman go. The day, the hour, when you may need him no man can tell, but it may be nearer than you dream.

"Semper paratus"—always ready—should be a motto of our Navy and navy yards and docks. Who can tell when the next storm will burst and where? Millions for defense but not a cent for tribute should ever be in the minds of the American people in its fullest and largest sense and meaning. Let the Stars and Stripes float over the decks of the greatest Navy in the world and over the best, the largest, and most efficient navy yards in the world, and then we can answer when fate summons us to justify ourselves on sea, "We are here." "Eternal vigilance is the price of liberty" should not be forgotten. "Preparedness" should be the watchword of America now and forever!

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

By unanimous consent, leave was granted to Mr. O'CONNOR to revise and extend his remarks in the RECORD.

Mr. GOOD. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Chairman, it is the duty of the officers in the Navy Department to make proper recommendations to the Secretary of the Navy for the expenditures of money which they think may profitably be expended. Under our system of government, without a responsible Cabinet, it is the natural course for the Secretary of the Navy to make his recommendation in accordance with the recommendations of the chiefs of the bureaus under him. They are not concerned at all with the balance sheet in the end. They do not have the responsibility of determining how much money shall be raised by the Government or how much money shall be expended by the Government. If they should refuse to make a recommendation for the expenditure of money which afterwards was not expended and damage resulted because of that fact, they would be blamed. Therefore they recommend money wherever they think it is possible to profitably expend it. But we have a different responsibility.

The war is over. Congress poured out its appropriations for and during the war without stint. The people met the expenditures without complaint. But that time has passed. [Applause.] We have got to economize. The only way to economize is to economize. The only way to stop large appropriations is to refuse to make them. The only way to reduce the expenditures of the Government is for Congress, with its plenary power, to refuse to give the money. [Applause.] We have got either to refuse to give the money or we have got to raise more money. Who will favor the additional taxation? Every dollar of additional taxation which we put upon the people will increase the cost of living. Every dollar of bonds, if we should dare to provide for an issuance of bonds to pay the current running expenses of the Government in time of peace, will add to the cost of living. You can not eat your cake and have it, too. We have either got to reduce the appropriations and expenditures of the Government or we have got to raise more money. It is not a partisan matter. I appeal to the Republican side of the House to be economical, and I likewise appeal to the patriotism of the Democratic side of the House. We can not keep up these great appropriations and have the Government succeed. [Applause.] I think that this is a case where we can at least afford to wait. The refusal of this appropriation now is only waiting. Nobody believes that the Navy will be destroyed if we do not make this appropriation, but I warn you that unless we reach a point where we propose to be economical we on both sides of the House will probably not only be destroyed but we will do our share to prevent successful government. [Applause.]

Mr. GOOD. Mr. Chairman, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, the naval appropriation bill for the current year carries for maintenance of yards and docks and for repairs to ships $84,000,000. That is considerably more than half the entire cost of the Navy the year we entered the war. I refuse to believe that the Navy is so inefficient, that it is so badly run, that the men in the yards are so inefficient, that with $84,000,000 for these purposes all needful and necessary repairs are not or will not be made upon the major ships of the Navy. [Applause.] I do not believe it. I will not subscribe to any such indictment either of the Navy Department or of the men who work in the yards. We did not expect when we appropriated $84,000,000 to keep all the men in the yards in war numbers employed for the year. We did not expect, and nobody expects, these men will be permanently employed in the numbers in which they were employed during the war, and if I had a navy yard constituency and I was working in their interests, as I know gentlemen want to do, I would not want to have the force maintained to the maximum until the last repair was made, then necessitating a clearing out of the yards, practically discharging every man in them, or else holding them, unnecessarily spending the public money. It is not in the interest of the employees in the yards that they shall be held there in maximum numbers until operations cease, when practically all of them must be discharged. It is in their interest, as it is to the interest of the people of the country, that the force shall be gradually reduced, keeping only the men who are necessary to keep up repairs that should be made as we move along toward normal conditions. Why, we are retrenching everywhere else. We are retrenching in every other line. But gentlemen who represent these constituencies apparently refuse to join in the practically unanimous determination of the House that we will get back to normal. Everybody who knows anything about the situation knows that no harm will come to the Navy if no additional dollar is appropriated. [Applause.] And we all know that the American people are demanding of us that we shall not spend the public money simply to keep men employed. [Applause.] The country is full of opportunities, and these men as patriotic citizens should seek those opportunities and not insist upon remaining on the public pay roll when elsewhere men are being discharged and we are getting back to normal conditions. Gentlemen, we must cut the estimates of appropriations a billion and a quarter this year, and if we are to do that we certainly can not afford then to go outside and above the estimates and appropriate millions of dollars for purposes that are not absolutely essential. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. PADGETT.] [Applause.]

Mr. PADGETT. Mr. Chairman and gentlemen, if I can, I wish to make a plain and dispassionate statement to the committee. It was stated this morning that the Committee on Naval Affairs, in the consideration of this matter, had passed a resolution opposing these appropriations, and that there was a small minority who voted against that resolution. I was one of the number who voted against the resolution. Later, attention being called to it, it was modified in that the committee should favor $800,000 for Yards and Docks. Now, let us understand the condition. There are four amendments to be considered, but they are so intertwined and interlapped that to vote intelligently they should be considered with each other. The Bureau of Yards and Docks is asking for a deficiency appropriation of $2,500,000, Steam Engineering is asking for $2,500,000, Construction and Repair wants $3,250,000, and Supplies and Accounts $1,050,000, making a total of $9,300,000. If the appropriations for Construction and Repair and Steam Engineering are not made, Supplies and Accounts will not need any, because theirs is based upon the enlarged activities of those two bureaus by virtue of granting the $2,500,000 and the $3,250,000 for those two bureaus. If they are denied, Supplies and Accounts would not have to have the enlarged activities, but if they are granted, the enlarged activities in the purchase, handling, transportation, receiving, and issuing out at the various yards will necessitate this additional expenditure of $1,050,000. With reference to Yards and Docks, there is an estimate of $2,500,000; $1,500,000 of that depends upon these appropriations for Construction and Repair and Steam Engineering. If they are not granted, Yards and Docks will not need that $1,500,000, and it would reduce theirs to $1,000,000.

The committee based its recommendation of $800,000 upon a statement that was made by Admiral Parks that he thought that to his current appropriation certain expenditures had been charged which should be charged to the Bureau of Medicine and Surgery, and that he thought he could recover that, and if he could do so he could get on with $846,000. But there is no assurance that he is correct in his opinion. The expenditures have been made and charged to the other appropriations, and I think that is a contingency that it is not safe for us to figure upon. And therefore he asked for the $1,000,000 independent of whether the appropriations were made to the Bureaus of Construction and Repair and of Steam Engineering.

Mr. BEE. Will the gentleman from Tennessee yield?

Mr. PADGETT. I have not time.

Mr. BEE. I wanted to get some information right there.

Mr. PADGETT. I think perhaps I will be able to give it to you.

Now, with that explanation we can understand how these bureaus interlock and interlap one with the other. What is the general condition? The Navy was used very largely and very actively during the war, and after the signing of the armistice in the transportation of the troops home. They were subjected to very severe ordeals and very severe work, so that the result is that large numbers of our ships, of all the types, beginning with our largest dreadnaughts and coming down through the battleships and the cruisers to the submarines and the destroyers, are in a state of needing repairs.

Now, then, here is the plain proposition: The repairs can be postponed, the ships can be neglected, they can be let run, or, on the other side, they can be taken up promptly for repair. It is the decision between the two propositions.

Every man who was before us showed, and all the facts show, that there is a large number—and nobody will dispute, I dare say, that there is a large number—of the ships of all the types awaiting and needing necessary repairs. And every officer who testified—the Secretary of the Navy in his letter, the Assistant Secretary who appeared before the committee, and the chiefs of the bureaus—stated that these repairs were needed, and that if made now on the policy of keeping up as far as we can with current work and not lapping over into next year the work that should be done this year, it can be done more economically and more satisfactorily, but if it is not done this year it will have to be done next year.

Now, then, the statement has been made before the Members here that we can postpone this and that it can be done next year. Certainly it can. But I do not think that is a good policy. I think that as far as we can we should carry on and keep up the work current with the current demands.

Mr. VARE. Will the gentleman yield?

Mr. PADGETT. I can not, as I have such a little amount of time.

Now, it has been stated here the Bureau of Construction and Repair and the Bureau of Steam Engineering have $21,000,000 unexpended. Yes; that is true. Now, just get back to the facts. In the estimates last year the Chief of the Bureau of Construction and Repair submitted originally an estimate of $37,500,000 as needed for this current year in his bureau to care for the work. Later that was tentatively reduced to $35,000,000. Later on in the hearings Admiral Taylor stated that $33,000,000 would be the irreducible minimum; that he could not under any circumstances get along with less than $33,000,000.

The committee cut it to $31,000,000. Now, then, he is asking for $2,500,000 deficiency. That is a half million only above what he stated, when we were making the bill a year ago, was an irreducible minimum, and less by several millions than he had estimated for the work that it would be necessary for him to do to keep current with repairs.

The same thing occurred with reference to Steam Engineering. They submitted estimates. They stated what they would require. They were reduced to $26,000,000 instead of being given the $31,000,000 or $32,000,000 that they were asking.

At the beginning of the fiscal year apportionments of the several appropriations were made by the Assistant Secretary, as Acting Secretary, for the first six months of the fiscal year—for example, in Yards and Docks 55 per cent was apportioned, leaving 45 per cent for the last half of the year. As the appropriation made was much less than the estimates submitted as needed for the year, the allotments to the several yards and stations had to be greatly reduced. For illustration, at the operating base—Hampton Roads—during the fiscal year 1919 the monthly allotment was $101,000. This was reduced for the current fiscal year to $30,000. As a matter of fact, it has required $88,000 a month to meet the expenses of this great and varied activity of the Navy. Similar conditions existed in the other bureaus. Demobilization was going on. The times were abnormal. We were endeavoring to go from a state of war back to a state of peace, and to do so as rapidly as possible. Demands were being made from all quarters to demobilize and to do so rapidly. This required great activity at the navy yards and stations, and consequently required expenditure of money. The Acting Secretary of the Navy called attention to these conditions and demands at the time and that more money would be needed. Responding to those demands, this House at the last session provided a deficiency of $9,300,000, being the same amount now asked and for the same purposes and uses as now requested. This failed in the Senate.

I may add that the last naval bill contained a new provision under maintenance yards and docks, providing that naval stations might be supplied any deficiencies in their separate appropriations out of this appropriation for maintenance yards and docks.

This placed an added burden on this appropriation.

With reference to the Bureaus of Construction and Repair and of Steam Engineering, it is true they together have on hand $21,000,000 remaining out of a total appropriation of $57,000,000. So it will be seen that for the last half of the year they have remaining 37 per cent of the appropriation for the year, having used 63 per cent. If this deficiency is granted, these two bureaus can enlarge their activities and do the much needed work on the many ships of the Navy. If the deficiency is not granted, the work will be postponed and be done later at a greater cost. It is axiomatic that the more promptly repairs are made the cheaper they can be done, and such a practice is in keeping with sound business principles. It is no saving of money to delay the work. The money will have to be appropriated next year, and in the meantime the damage is increasing. It is said we are short on personnel at the present time and that steps are being taken to restore the personnel. This is true. It seems to me that is an argument to do the work now on the ships, while we are waiting for men, so that later when we get the men we will have the ships ready.

It will require months to do these extensive repairs, and while we are securing the men to restore the personnel the ships can be repaired and be ready for the men when the personnel is restored.

The other argument produces a condition that we will get the men and afterward repair the ships, so that while the ships are awaiting completion of repairs during several months the men will be awaiting the ships. I do not think such procedure is wise or businesslike.

These appropriations should be made now, so that the repair of the ships and the restoration of the personnel should go along together and be ready for each other as nearly the same time as possible. I do not believe in having an idle period for the ships while men are being secured to man them, and after the men are secured have another idle period of both men and ships while the ships are undergoing repairs. That is not my idea of good business or good legislation or good administration.

I am in receipt of a copy of preamble and resolution adopted by the American Legion of Honor at Philadelphia, which I think expresses a sound policy and principle, and I call it to the attention of the House. It is as follows:

FEBRUARY 4, 1920.

The county committee, Philadelphia County, of the American Legion, at a regular meeting held this date, passed the following resolutions:

"Whereas it has been brought to our attention that the items in the general deficiency bill now being considered by Congress covering expenditures necessary for the essential repairs to our battleships, cruisers, torpedo boats, mine sweepers, transports, and other naval vessels is in danger of defeat; and

"Whereas the items for the Navy in the general deficiency bill have the unqualified approval of such naval experts as Admiral Coontz, Chief of Naval Operations; Admiral Taylor, Chief of the Bureau of Construction and Repair; and Admiral Griffin, Chief of the Bureau of Steam Engineering; and Admiral Hughes, commandant of the Philadelphia navy yard, who are unquestionably in a position to judge whether or not these items are necessary to keep the vessels of the Navy in condition for service; and

"Whereas it is vitally necessary for the good of the country in general and the Navy to keep the vessels of the Navy which have been on long and constant service in the war zone ready for action and any emergency; otherwise the millions of dollars spent to build these vessels would have been spent in vain; and

"Whereas it would be false economy to delay these necessary repairs which are now already urgent, and we call upon our Representative in Congress to differentiate between the absolutely necessary and essential expenditures for the maintenance and upkeep of our naval vessels and others that can be eliminated; and

"Whereas we are not unmindful of the necessity for a reduction in the Government expenditures, but remembering the magnificent record made by the Navy in the World War and its efficiency in transporting our troops and bringing them home and the necessity of keeping our battleships ready to meet any unforeseen emergency, we again earnestly request our Representatives in Congress to give their strong support to the items in the deficiency bill and not to vote to cripple our Navy. It is recommended that similar action be taken by all other similar committees of the American Legion throughout the country: It is further

"*Resolved*, That a copy of these resolutions be forwarded to all Representatives in Congress, furnished to the press of the country, and also sent to our representative in Washington in order that the position of the American Legion in reference to the upkeep and maintenance of our Navy may be known."

GEORGE WENTWORTH CARR,
Chairman.

I am also in receipt of a letter from the honorable Secretary of the Navy calling attention to the urgent need for these deficiency appropriations and expressing his strong desire for the early appropriation of these several sums, which letter I call to the attention of the House. It reads as follows:

NAVY DEPARTMENT,
Washington, February 3, 1920.

Hon. L. P. PADGETT, M. C.,
Committee on Naval Affairs, House of Representatives.

MY DEAR MR. PADGETT: Your continuous devotion to the Navy's interests induces me to request that you will give your most earnest attention to the need of an immediate deficiency appropriation as indicated in my recent letter to the Speaker of the House, with the accom-

panying correspondence covering technical facts, which appeared in the issue of the CONGRESSIONAL RECORD of January 31.

There has been no effort to exaggerate the urgency of the present demand for funds, because an analysis of the situation will readily show that there is no reason to do so. The facts at issue speak for themselves. The postwar repairs necessary on 6 of our 15 dreadnoughts can not be completed during the present fiscal year with the money from appropriations now available. Thirteen of our predreadnoughts, the total number we expect to keep in effective condition for action, and seven of our eight armored cruisers are in a similar state of unreadiness. The destroyers and submarines, which are necessary complements of a modern fighting fleet, are also in need of the changes required to keep them to the present-day standard of military efficiency.

It is not considered possible, with safety, to put off the repairs on these vessels until the appropriations for the next fiscal year become available. It would amount, in the present unstable condition of international affairs, to postponing the date of readiness for effective action of our first-line ships to an indefinite time in the future. Another phase, too, is presented by the enforced discharge of about 13,900 skilled workmen from our industrial yards, which is the estimated loss that we shall be compelled to suffer, if no more funds are made available during the current fiscal year. This loss will entail not only the personal suffering of many of the workmen involved, but the difficult rebuilding of our industrial force, which is now performing satisfactorily with ample essential work in sight. May I therefore beg your most earnest cooperation in the procurement of the funds shown necessary in my estimate presented to the Speaker of the House?

I am sending a similar letter to Hon. T. S. BUTLER, the chairman of the committee.

Sincerely, yours, JOSEPHUS DANIELS.

In view of these considerations and conditions I feel constrained to urge upon the House the importance of these several items and the necessity for this legislation.

Mr. GOOD. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. KELLEY].

Mr. KELLEY of Michigan. Mr. Chairman, when the war broke out we had 85,000 men in the Navy and when it ended we had over 500,000 men. Between those two events every branch of the service had to be enormously expanded, including, of course, the navy yards. I presume the navy yards were expanded five or six times what they were before the war. I think we had something like 13,000 or 14,000 men doing a certain grade of work in all the navy yards of the country put together, and while many have been discharged we still have 58,000 men in these yards engaged on the same kind of work. Now, one of the hardest things in the world, of course, is to reduce the size of an establishment of this kind operated by the Government. But we are absolutely face to face with that proposition. It is utterly and totally impossible for this Government to try to keep up these tremendous naval establishments in times of peace. We have no use for them, and to attempt it would swamp the Treasury. Now, I do not think there is a man here who believes that I would vote against an appropriation which was necessary for the successful operation of the essential ships of the fleet. I stood here the other day asking the House for an increase of pay for the men because the ships were tied up in the navy yards for lack of skilled men. The ships, generally speaking, are not in the navy yards to-day because of lack of repairs. They are there because we have not the men to run them. The dreadnoughts, all but three, are in commission and at sea. They can not be run over 10 or 12 miles an hour because of the lack of skilled mechanics on them and not because they are out of repair. Admiral Taylor and Admiral Griffith told us last night that the 13 predreadnoughts would all be in commission to-day and at sea if we had the crews. These predreadnoughts that Brother VARE speaks about up in Philadelphia would be at sea if there were men to man them. Their regular overhaul can be made long before the men are available, out of funds now on hand or available July 1.

Mr. VARE. Will the gentleman yield?

Mr. KELLEY of Michigan. I am sorry that I have not the time.

Mr. BUTLER. That is right, though.

Mr. KELLEY of Michigan. The gentleman must excuse me, for I have not time.

Mr. VARE. They have them in reserve, however.

Mr. KELLEY of Michigan. The ships that the gentleman speaks of are able to go to sea now if we had the men to put on them. They are not tied up for lack of repairs. Of course, there are destroyers there that need repairs, 40 or 50 of them, possibly; but we have built 300 new destroyers since the war began, and some of the old destroyers never should be repaired at all. There is no trouble about having all the destroyers necessary for the fleet ready for sea. The fact is we have so many destroyers we hardly know what to do with all of them. Three or four months ago the Navy Department was asking $18,000,000 for this purpose. They are now asking but $9,000,000. The fact is you could spend almost any sum you might name. You could spend $20,000,000 or even $50,000,000 in putting into perfect condition scores of the old ships of the Navy. We have some that were built as far back as 30 years ago, and if you undertook to equip them with all the modern improvements, modern fire control and all that kind of thing, you could exhaust the Treasury on them and then they would be old, obsolete ships. A thorough survey should be made of all the ships of the Navy with a view to scrapping some of them.

The gentleman from New York [Mr. HICKS] spoke of fire control being put on the ships of the dreadnought class. It was testified that with $21,000,000 now available for repairs of ships all the dreadnoughts, all the predreadnoughts, 208 destroyers, and 70 or 80 submarines can be put in perfect condition, including the installation of the new system of fire control on the dreadnoughts. To do this it may be necessary to discontinue for the present work on some of the minor craft, but this will in no way affect the efficiency of the Navy.

With the money the Navy Department has on hand for this purpose the essential fighting ships will not suffer for repairs between now and July 1, when the next regular appropriation will be available. There is no doubt about it. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired. The gentleman from Iowa [Mr. GOOD] has seven minutes remaining.

Mr. GOOD. We will have only one more speech on this side.

Mr. BYRNES of South Carolina. I think the gentleman who is the proponent of the amendment should have control of the closing.

Mr. MANN of Illinois. The man in charge of the bill has the floor.

The CHAIRMAN. The Chair is informed by more experienced Members than himself that it is the universal rule to allow the gentleman in charge of the bill to close the debate.

Mr. BYRNES of South Carolina. If the gentleman accepts the advice of "a more experienced Member," I will agree that it is the advice of a very able Member.

The CHAIRMAN. The gentleman from South Carolina is recognized for seven minutes.

Mr. BYRNES of South Carolina. Mr. Chairman, as has been stated to the House a number of times, the Committee on Appropriations in September last reported a bill to the House carrying this appropriation. The gentleman from Iowa [Mr. GOOD], the chairman of that committee, then addressed the House. I always have great confidence in his judgment, and therefore I read from the RECORD of September 19, 1919, what he then said:

> The committee did not want to take the responsibility of having a great many battleships tied up because of a lack of funds for repairs. The committee would not act upon this question without going to the committee that is composed of experts on the subject, and so called in the members of the Committee on Naval Affairs. This provision would not have been put in the bill at all if it had not been with the consent and even the advice of that committee, because we recognized what we reported out was in the nature of a supplemental appropriation rather than a deficiency appropriation, but when the members of that committee said they did not want to take the responsibility of denying this fund for fear the Navy might be needed for some reason or other and if needed many of the vessels tied up because we had not appropriated the money, it seemed to us we could not take that responsibility. The gentleman from Pennsylvania [Mr. BUTLER] and other members of the committee—the gentleman from Tennessee—were freely consulted, and I am frank to say we not only followed their advice, but all the information which the committee received will be gladly turned over to the Committee on Naval Affairs.

Now, Mr. Chairman and gentlemen, the chairman of the Committee on Appropriations believed that appropriation to be absolutely essential in order to prevent tying up the Navy to the docks of America, and the chairman of the Committee on Naval Affairs advised the chairman of the Committee on Appropriations that the money should be appropriated. Every member of the Committee on Appropriations voted for it. Every Member of this House voted for it. It passed the House and went to the Senate.

Now, what change has come over us? What testimony has been adduced to change the opinion of the membership of this House? The only testimony offered comes from the experts of the Navy Department, who come before the committees of the House and say, not what has been said here to-day, that they do not need it, but say that they do need it, and that without it the Navy Department will be seriously handicapped. Never have I heard so many different statements made about what has been said by witnesses appearing before committees. I submit that if gentlemen had brought in the hearings it would have been much better. But that was not done, and I wish to turn to the record, to what was said by Admiral Taylor, on page 360. Admiral Taylor has been quoted as saying he did not need this money. I read from the record, on page 360:

> Mr. BYRNES. Suppose it was not granted, what would be the result?
> Admiral TAYLOR. We would simply keep within the limits of the appropriation and largely stop the work.
> [Applause.]

Gentlemen applaud the words "stop the work." What does that mean? They say that stopping the work will do no injury. They can talk about it as they please. To-day I asked Admiral Taylor if he was correctly quoted that his present appropriation

would permit him to repair all necessary ships. He said that of the 13 battleships, constituting what might be called the second line, he might be able to do a little work on 6 of them, but on the rest of them he would be unable to do anything at all.

My friend from Illinois [Mr. BRITTEN] talks about $846,000 as being all the money needed. That statement is absolutely confusing. The Committee on Naval Affairs put into the naval bill a most remarkable provision, reading as follows:

The appropriation for the maintenance of the Bureaus of Yards and Docks and Repairs and Preservation shall be available for the maintenance of naval training stations where the regular appropriation for the maintenance thereof is not found to be sufficient.

That was a blank draft on the funds intended for yards and docks. As long as that is not repealed they can draw on the fund for yards and docks for the maintenance of the training stations. When they draw on it, they so reduce this fund that the work of the Bureau of Yards and Docks is crippled.

Admiral Parks says that if this appropriation is not granted, he does not know how he will run the yards of this country. Now, it is said you can not get men for these ships, even if they are repaired. You passed a bill increasing the pay in order to get men on the ships, and you will get them, but when you get them to the docks of America will you have them there without any ships to go on?

Some gentlemen call attention to the number of men employed in the yards as compared with 1916, but they fail to say the great increase is due not to repair work but to new construction ordered by Congress. We have but three or four thousand more men engaged in repair work and have three times as many ships.

Oh, some gentlemen seem to think we can abolish the Navy; that we will never need it. Well, I pray that war shall never again come to us, but God forbid that it should come and find our ships unable to go to sea. Should war come, you can by wire call in your naval reserve, but you can not by wire put in condition the ships to take these boys to sea. It is too late to repair ships in war time. Your Navy in war is only as good as it is in peace, and in peace it stands with battleships tied to the docks without any appropriation that will enable them to be repaired. I asked Admiral Taylor how he could get along if this was not granted, and the record will show it. He said that as the result of the conditions confronting him, instead of spending $3,000,000 a month on repairs of vessels, as he has been doing, he would reduce to $2,000,000 a month. They say he has got $10,000,000, and he has, but he has been spending every month a little more than $3,000,000.

For the balance of the year, for the five months, he will spend only $2,000,000, $1,000,000 a month less for the maintenance of the ships of the Navy.

Gentlemen talk about economy. I have always aided them to the best of my ability in carrying out a program of economy, but I do not want to economize on the national defense, making the Navy unable to defend this country if the need should arise. When members of the Naval Reserve are summoned to the defense of America I do not want to have to tell them, "You have got to go back home, because we have got no ships to take you to sea, because of the false economy of the American Congress." I am unwilling to take that responsibility. I stand with the gentleman from Pennsylvania [Mr. BUTLER] where he stood last September. I stand with the gentleman from Wyoming [Mr. MONDELL] where he stood last September, and with the gentleman from Iowa [Mr. GOOD] and with all the other Members of this House. I do not know what has come over them. They then convinced me that they were right. The gentleman from Iowa [Mr. GOOD], in that very excellent speech, said that the reason they favored the appropriation was that the subcommittee had carefully investigated it and had decided that there was no justification for the charge that this appropriation was to employ men in the yards. Who were they? The gentleman from Illinois [Mr. CANNON], the gentleman from Virginia [Mr. SLEMP], the gentleman from Tennessee [Mr. BYRNS], the gentleman from Montana [Mr. EVANS]. They investigated and found that this appropriation was necessary for the maintenance of the Navy. It is true to-day, as it was then, that it is necessary, and I favor it because I believe it is necessary for the national security and defense. [Applause.]

Mr. GOOD. Mr. Chairman, I ask that I be not interrupted.

The CHAIRMAN. The gentleman declines to yield.

Mr. GOOD. Mr. Chairman, the situation is considerably different in many respects than when the first deficiency bill was before the House. Everyone who is familiar with the subject knows that the authorized strength of the Navy is 191,000 men and that about 102,000 men have enlisted. It was stated before the Committee on Appropriations that because of the low wages paid to the enlisted personnel they were not getting enlistments, and therefore the men who were ordinarily put to work at the minor repairs on the vessels when at sea were not doing that work because enlistments could not be secured. Then they asked to take from a former appropriation, "Pay of Navy," $18,000,000 and use it for the employment of men on the vessels in the yards. This House has already increased the pay of men in the Navy, and by that increase they propose to get additional men. They have already obligated most of the $18,000,000, all of which it was proposed before to pay for these expenditures, and they are now going to pay it to the enlisted men and to increase the pay of the enlisted man, and those men will make the minor repairs that the committee then had in mind that it was said would be made by them if we gave the authority. [Applause.]

When Admiral Benson was before the Committee on Appropriations he said that the condition of the Navy to-day is in just as good repair as it was when we went to war. Gentlemen, do you get that—that in the opinion of Admiral Benson the condition of the American Navy to-day is in as good repair as when we went to war? Some officers think it is in much better condition, and the gentleman from South Carolina [Mr. BYRNES] recounted the wonderful achievements of the American Navy when we went to war. It must have been in good condition then. Oh, this amendment is not to repair the Navy. This amendment is to give employment to 14,000 men, some of them boys taken out of high schools, boys in knee breeches when they went to work in navy yards, and some of them are now doing work in navy yards, and gentlemen do not want them taken out of the navy yards where they will have to hustle for themselves.

What are the facts? In 1915 there was appropriated $21,499,000 for Yards and Docks, Supplies and Accounts, Construction and Repair, and Steam Engineering.

For this year Secretary Daniels has for the same purpose $84,000,000. You on that side, when this appropriation was pending before the House, tried to cut them down, you tried to minimize them, but now you are in a conspiracy with men on this side that would keep these men employed at the expense of the Treasury of the United States. [Applause.]

Where are they employed? In 1915 there were employed at the Boston Navy Yard 1,504 men. July, 1919, nine months after the signing of the armistice, there were over 9,000 men employed in the navy yard at Boston, 250 more than when we were at war.

Take the Norfolk (Va.) Navy Yard. In 1915 there were 2,697 men employed, and on July 1, 1919, there were 10,094, as compared with 8,029 when the armistice was signed. Oh, gentlemen, this is for men and not for ships; this is for extravagance and not economy; this is for votes and not for protecting the American Navy or the American taxpayers—and do not you forget it. [Applause.]

Gentlemen will recall that in 1912 the Secretary of the Navy brought to the Washington gun factory thirty 6-inch guns to be remodeled. He remodeled those guns at a cost of $1,000 per gun, so that each was modernized to correspond with the 1912 model. In 1913 the Secretary of the Navy sold those guns for $68 apiece—sold them for junk.

We have taken over during the war hundreds of ships, hundreds of yachts, and now the Secretary of the Navy wants this unlimited sum of a hundred million dollars in 1920, as compared with about $15,000,000 in 1914, to repair the vessels. The end will be that they will do what they are doing now—repair the vessels which we propose to sell as junk to some favored junk dealer. The history of the guns will be repeated.

I am opposed to it, and if you gentlemen on that side want to unite with Boston and Philadelphia and other navy yards you can do it, and the end will be that when we go before the Senate the Senate will add to our bill, as they did before, fifteen millions for Air Service, and then try to hold up the committee of conference to agree to that item, which in the end will make an increase of $25,000,000 in the appropriation. I submit that if we are in favor of economy, let us be fair and square, not only to the navy yards but to the taxpayers of the United States, who must pay the bills. [Applause.]

By unanimous consent, Mr. PADGETT, Mr. BUTLER, Mr. O'CONNOR of Louisiana, and Mr. OLIVER were given leave to extend their remarks in the RECORD.

The Clerk read as follows:

BUREAU OF SUPPLIES AND ACCOUNTS.

Pay of the Navy: The appropriation "Pay of the Navy, 1918," is made available to pay claims of officers of the United States Navy accruing prior to July 1, 1918, which have been or may be presented pursuant to the act of April 16, 1918, allowing the payment of commutation for quarters, heat, and light to officers of the Army, Navy, and Marine Corps on duty in the field or without the territorial jurisdiction of the United States, who maintain a place of abode for a wife, child, or dependent parent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TINKHAM].

Mr. MANN of Illinois. May we have the original amendment reported?

The Clerk read as follows:

On page 18, after line 20, insert the following:

"Maintenance, Bureau of Yards and Docks: For general maintenance of yards and docks, including the same objects specified under this head in the naval appropriation act for the fiscal year 1920, $2,500,000."

Mr. OLIVER. Mr. Chairman, I offer the following amendment to the amendment.

The Clerk read as follows:

Strike out the figures "$2,500,000" and insert in lieu thereof "$800,000."

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The question was taken; and on a division (demanded by Mr. TINKHAM) there were 131 ayes and 67 noes.

Mr. TINKHAM. Mr. Chairman, I ask for tellers.

The question of ordering tellers was taken, and 18 Members rising, tellers were refused.

So the amendment to the amendment was adopted.

The CHAIRMAN. The question now recurs on the adoption of the amendment of the gentleman from Massachusetts as amended.

The question was taken, and the amendment was agreed to.

Mr. TINKHAM. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 20, after line 2, insert the following:

"Maintenance, Bureau of Supplies and Accounts: For fuel; the removal and transportation of ashes and garbage from ships of war, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1920, $1,050,000. The limitation on expenditures from the appropriation 'Maintenance, Bureau of Supplies and Accounts, fiscal year 1920,' for pay of classified employees is increased by the sum of $800,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that the amendment is not germane to the bill, it is not germane to the subject immediately preceding; that it is new legislation; that it is not a deficiency, and is not authorized by law.

Mr. TINKHAM. Mr. Chairman, I desire to be heard upon the question of germaneness.

Mr. GOOD. Mr. Chairman, the Chair has heard gentlemen for about three hours on this question, and I submit there ought not to be any further time taken. Members present are desirous of passing this bill to-night, so that we may get rid of this particular part of our work. I hope no time will be taken by argument.

Mr. TINKHAM. Mr. Chairman, I desire to be heard upon the point of order.

The CHAIRMAN. The Chair will hear briefly the gentleman from Massachusetts on the point of order.

Mr. TINKHAM. Mr. Chairman, on page 2313 of the CONGRESSIONAL RECORD, Mr. BANKHEAD offered an amendment to this deficiency appropriation bill, under "War Department," as follows:

Page 15, after line 4, add the following: "For additional clerical assistance in the office of The Adjutant General, $674,000."

In this deficiency bill now before us there are items for the War Department but no items under a subheading for the bureau of The Adjutant General of the Army, nor was any amount recommended by the War Department as a deficiency for that bureau, nor was any such item as Mr. BANKHEAD offered as an amendment considered by the Committee on Appropriations.

On page 2314 the Chairman of the Committee of the Whole House, now presiding, ruled that such an amendment was not germane and quoted the ruling of Mr. Carlisle, found in Fifth Hinds' Precedents, 5825. This opinion of Mr. Carlisle's was rendered in relation to a deficiency bill, where an amendment was offered for the purpose of repealing a law making the Public Printer an officer appointed by the President; making the Public Printer an elective officer of the House of Representatives, and so forth. This amendment was not offered as an amendment in relation to an item of an appropriation for a deficiency but as legislation. Mr. Carlisle, in his opinion, says:

The bill relates to no other subjects than appropriations of money for the purpose stated, "To supply deficiencies in appropriations for the services of the Government." One of the deficiencies which the bill provides for is the Government Printing Office, but the bill carefully enumerates the items for which appropriation is to be made and the salary of the Public Printer is not among them. The proposed amendment has no relation to the appropriation of money for any purpose. It neither increases nor diminishes the amount proposed to be appropriated by the bill, nor does it in any manner affect the expenditure of the money proposed to be appropriated by the bill. The salary of the Public Printer for the current fiscal year has already been provided for in full, and it does not appear that there is any deficiency on that account. The amendment related solely to the method of choosing a Public Printer, to the nature of the duties to be performed by him, and to the amount of his salary. As already stated, the original bill embraces none of these matters, and consequently none of these subjects are now under consideration. It seems quite clear, therefore, that the proposed amendment if admitted would introduce for consideration one or more new subjects and is for that reason prohibited by the express language of the rule.

Now, in the amendment I am proposing no new legislation is sought but an appropriation of money for designated purposes under the head of Navy Department, which title is in the bill, and for which department deficiencies are provided, and there is also the subheading "Bureau of Supplies and Accounts" in the bill, under which subheading I am seeking to amend. The bill before us is a deficiency bill, and my amendment is a deficiency recommended by the Navy Department and considered by the Committee on Appropriations. My amendment does increase the amount proposed to be appropriated by the bill.

Therefore there is a complete distinction in principle as well as in detail between the amendment which I have offered and that ruled upon by Mr. Carlisle and that also ruled upon by the chairman of this committee in relation to the amendment proposed by Mr. BANKHEAD.

In the opinion rendered by the present chairman of the committee, he placed great reliance upon the ruling made by Mr. Fitzgerald, and quotes Mr. Fitzgerald as follows:

The object of the rule requiring amendments to be germane, and such a rule has been adopted in practically every legislative body in the United States, is in the interest of orderly legislation. Its purpose is to prevent hasty and ill-considered legislation, to prevent propositions being presented for the consideration of the body which might not reasonably be anticipated and for which the body might not be properly prepared.

This ruling by Mr. Fitzgerald in no way bears upon the amendment which I have offered, as the amendment is for a deficiency recommended by the Navy Department in a public communication on file in this House made to the Speaker through the Department of the Treasury five months ago and heard by the Subcommittee on Deficiencies of the Appropriations Committee, the hearing being printed and on file as a public document and recommended by the Appropriations Committee and passed by the House of Representatives September 19 last. Upon the failure of the appropriation in the Senate, again the Secretary of the Treasury transmitted from the Navy Department a request for the deficit which is on file as a public document.

It was again discussed by the subcommittee on deficiencies of the Appropriations Committee, and the evidence has been printed and is in a public document, and before the Committee on Appropriations could vote on the recommendations of the Subcommittee on Deficiencies the Secretary of the Navy, through the Secretary of the Treasury, sent to the Speaker of the House an urgent demand for these deficiencies recommended by special reports from admirals in charge of four bureaus in the Navy Department, which communication is printed as a public document, discussed in the Committee on Appropriations, and defeated by only one vote, which record is also a part of the records of the House of Representatives. The item, therefore, can not fall within the reason for any rule which is to prevent hasty and ill-considered legislation or to prevent propositions being presented for consideration which might not reasonably be anticipated and for which the body might not be properly prepared.

In the favorable ruling by the present chairman upon the amendment offered by me on "Maintenance, Bureau of Yards and Docks," on Saturday last and whether said amendment was germane, the Chair said that he could not follow reasoning which "would force consideration of a new subject without its having been referred to a committee, without its having been considered by a committee, and without the House having any notice whatever in advance of the consideration of such item." The amendment which I have offered does not fall within that language of the Chair, as the item has been considered twice by the Committee on Appropriations and is in five public documents before the House.

In that opinion the present Chairman said:

One reason given by the Chair in the ruling which has been referred to several times to-day was that the House should not be taken by surprise, and that in all reasonable ways the House should be put on notice as to what business is to be transacted.

With the facts that I have enumerated in relation to this item there can be no possible surprise on the part of the House.

An adverse decision by the Chairman holding that my amendment is not germane would mean that in any general deficiency bill where deficiencies have been certified as existing by a department in a public document and discussed at length by the subcommittee on deficiencies of the Appropriations Committee, and these discussions printed as a public document and then discussed by the Committee on Appropriations and a vote taken, which is a matter of public record, there could not be added to the bill one of these certified deficiencies even if the department was mentioned in the bill and was allowed its other deficiency items and there were deficiency items allowed under the subtitle to which an amendment might be sought.

No such construction can be drawn from the decision of Mr. Carlisle, nor does the reasoning of Mr. Fitzgerald at all apply, as

there is no interference with the orderly procedure of legislation and due notice, and there is no surprise. Nor can any such construction be inferred from the former ruling of the present Chairman, but quite the contrary. If the Chair holds that the amendment now pending is not germane, he not only creates an utterly new principle of procedure in relation to deficiency bills but subtracts most vitally and materially from the rights of the House and the Committee of the Whole House. Such a decision would give to the Committee on Appropriations arbitrary and exclusive powers which it never has had and never should possess under the present method of appropriations in relation to deficiencies and for which there is no sound reason or legislative policy.

The CHAIRMAN. The Chair is ready to rule. Judging from the last vote taken, it would not be of the slightest consequence, so far as the disposition of this amendment is concerned, how the Chair may rule. Therefore the Chair can not be under any influence of preference for or against the proposed amendment. It may be, however, a matter of some moment to the future procedure of the House. Therefore the Chair will state very briefly the reason for the ruling to be made.

The gentleman from Massachusetts [Mr. TINKHAM] correctly estimates the situation by devoting his time entirely to the consideration of the question of germaneness, because the Chair considers that to be the only question of consequence raised by the multitude of grounds offered by the gentleman from Texas [Mr. BLANTON] as a basis for his point of order.

The naval appropriation bill, under the general heading of Bureau of Supplies and Accounts, carries five distinct groups of subjects, which are appropriated for in that act. The first of these is for "Pay of the Navy." In a section carried in the bill—the section last read and which is now pending—a deficiency appropriation is made for that purpose. The next separate group of subjects for which appropriations are made by the Naval Committee is "Provisions for the Navy." The third is "Maintenance, Bureau of Supplies and Accounts." For the latter two groups there is no appropriation made in this bill.

It seems to the Chair that the action of the Naval Committee in thus grouping these corelated subjects should have a persuasive influence with the Chair. The further fact that upon the face of these appropriations it appears that the Navy Department itself keeps entirely separate accounts under each of these various groups of corelated subjects is also persuasive. This grouping would, of course, not be entirely conclusive, though it should properly have weight.

The language of the amendment of the gentleman from Massachusetts, when placed alongside of the language of the paragraph under consideration, which is "Pay of the Navy," appears to the Chair to be entirely dissimilar. There is surely no such relation between the two as would justify the Chair in holding that they both relate to the same subject.

The Chair believes that the amendment offered by the gentleman from Massachusetts would introduce, under color of an amendment, a subject different from that under consideration, and is therefore in contravention of the rule. Upon this ground the Chair sustains the point of order.

Mr. TINKHAM. Mr. Chairman, I have another amendment to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 20, after line 2, insert the following:

"Bureau of Construction and Repair: For preservation and completion of vessels on stocks and in ordinary, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1920, $3,250,000."

Mr. BLANTON. Mr. Chairman, I make the point of order on the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. TINKHAM. Mr. Chairman, I have a fourth amendment to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 20, after line 2, insert the following:

"BUREAU OF STEAM ENGINEERING.

"Engineering: For repairs, preservation, and renewal of machinery, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1920, $2,500,000."

Mr. BLANTON. Mr. Chairman, I make the point of order, as heretofore indicated.

The CHAIRMAN. The Chair sustains the point of order.

Mr. GOOD. Mr. Chairman, we passed over an item, on page 40, with the agreement to return to the same.

The CHAIRMAN. Lines 23 and 24, on page 40.

Mr. SAUNDERS of Virginia. Mr. Chairman, I wish to offer an amendment in that connection, which I submit to the gentleman from Iowa.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 40, line 24, after the figures "$25,665.15," add the following: "To pay a judgment recovered in the district court of the United States for the western district of Virginia by Thomas Cruise, in the case of Thomas Cruise *v.* Shugard and Wood, internal-revenue officers, the sum of $537.50, with interest at the rate of 6 per cent from September 18, 1918, the date of the rendition of said judgment, and $129.60 costs."

Mr. GOOD. Mr. Chairman, I make the point of order that the claim has not been audited, as required by law, and does not come within the provision; it has not been certified to by the auditor.

Mr. SAUNDERS of Virginia. I would like to be heard on that for a minute.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. SAUNDERS of Virginia. Mr. Chairman, this is the section of the bill which provides for the payment of judgments recovered by plaintiffs against the internal-revenue officers of the United States, as the Chair will note by reference to the section. As a rule the Treasury Department sends to the Committee on Appropriations a document showing the judgments which have been recovered, and approved by the department. I wish to say in this connection that this particular judgment has been filed with the Treasury Department for a long time, and should have been included in its last document. The plaintiff has done everything that it was possible for him to do. I have in my hand letters from the Treasury Department stating in effect that this claim would be included in the next deficiency bill. A paragraph in a letter to me of date December 13, is as follows: "There is no appropriation now available out of which the judgment can be paid. The matter will be presented to the Congress in due course." Naturally I concluded that the item would be reported to the committee and included in this bill, and did not know until this bill was taken up for consideration that such was not the case. Mr. Chairman, this is probably the last amendment that I shall offer to any bill in the House of Representatives, and I am desirous of establishing its merit to the entire satisfaction of every Member present.

This judgment was recovered over 18 months ago in a district court of the United States by the plaintiff Cruise. The Government took an appeal, which was lost, the appellate court confirming the district court. In conformity with law the court certified the judgment as a proper liability against the Government. It has been approved by the Commissioner of Internal Revenue, as will appear from his letter now on the table of the chairman of the Committee on Appropriations. So far as the auditor is concerned, there is nothing for him to do in this connection save to discharge a purely formal function of ratifying the action of the Commissioner of Internal Revenue. The Commissioner of Internal Revenue makes these definite statements in his letter to Mr. GOOD: That this judgment was recovered in the District Court for the Western District of Virginia; that it was for the amount of $537.50; and further that the court awarded the plaintiff his costs in the sum of $129.60, with interest at the rate of 6 per cent from September 18, 1918, that being the date of the rendition of the judgment.

These statements being under the hand of Commissioner Roper what is lacking to establish that this is a just and proper claim? The committee could have allowed this claim without calling upon the department if it had been satisfied that it was a proper judgment for which the United States was liable. But the Commissioner of Internal Revenue emphatically states that this particular claim ought to be paid. He has passed it—O. K'd it, so to say. It is hard lines——

Mr. JUUL. I would like to state to the gentleman from Virginia that if he states it is a valid claim that would be quite enough for me.

Mr. SAUNDERS of Virginia. The gentleman is very kind. I will state personally that it is an absolutely valid claim, but I do not rest its validity upon my personal statement. I ask the committee to listen to the letter which the Commissioner of Internal Revenue sent to the chairman of the Committee on Appropriations.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. MANN of Illinois. The heading on page 40 is, "Audited Claims," and then there is a subhead, "Claims allowed by the Auditor for the Treasury Department." Now, the gentleman offers an amendment to pay a certain judgment which, I judge from his statement, has not been allowed by the Auditor for the Treasury Department.

Mr. SAUNDERS of Virginia. As to that, I can make this statement: I called up the auditor's office yesterday, or the day before, and asked about this judgment. The reply was that it was not there, but had been sent to the Commissioner

of Internal Revenue about January 24, 1920, to be approved. I then called up the office of the Commissioner of Internal Revenue, and later he wrote the letter to the chairman of the Committee on Appropriations, to which I have several times referred.

Mr. MANN of Illinois. So far as I am personally concerned, I have no objection to the payment of the claim inserted as an item in the proper place in the bill. It does not seem to me desirable to insert as an audited claim a claim that has not been audited and allowed. There is a provision in the bill for the judgments of the United States courts. Of course, that provision of the bill relates only to judgments certified by the Attorney General and judgments of the Court of Claims. The gentleman could offer, so far as I am concerned, an amendment to pay a judgment, but not under this head if it has not been audited.

Mr. SAUNDERS of Virginia. As I stated a moment ago, when I called up the department, I was advised that under some new rule, as I understood the situation, the claim had been referred to the Commissioner of Internal Revenue for approval. I did not understand that it would then be necessary for it to be sent back to the auditor's office for further action. I did not understand that anything further was required to establish the validity of the claim. The Commissioner of Internal Revenue has ascertained the claim to be valid, and I will read his letter for the information of the committee:

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, February 4, 1920.

Hon. JAMES W. GOOD,
Chairman Appropriations Committee,
House of Representatives.

MY DEAR MR. GOOD: I find that in the report made to the Appropriations Committee by this department of judgments outstanding against revenue officers, which must be met by special appropriations of Congress, that the judgment in the amount of $537.50 with interest at the rate of 6 per cent from September 18, 1918, and costs totaling $129.60, in favor of Thomas Cruise *v.* H. V. Shugart and J. N. Wood, was not included.

This claim is evidenced by the judgment rendered in the district court of the United States for the western district of Virginia for the above amount, interest, and costs.

This amount should be included in the urgent deficiency bill now pending, in order that prompt satisfaction of the judgment may be rendered.

Very truly, yours,
DANIEL C. ROPER,
Commissioner.

The fact that this claim had not been heretofore sent to the Committee on Appropriations was not the fault of the claimant, and he should not suffer on that account.

Mr. BENSON. Could not the gentleman remedy the matter by asking unanimous consent to put this on page 39, under "Judgments, United States courts"?

Mr. SAUNDERS of Virginia. I am going to do that. I now make that request.

Mr. GOOD. Mr. Chairman, I object.

Mr. SAUNDERS of Virginia. Very well.

Mr. GOOD. I want to say to the gentleman that I would ordinarily be very glad to do it, as the gentleman is going to leave the House, but the gentleman is asking us here to do something that will rise to plague us a great many times, in asking that judgments in this kind of claims, that have not been audited, shall go on a bill so that they shall have a preference. The law provides that the Auditor of the Treasury Department must audit these claims and certify them to Congress. That has not been done, and I can not permit this action proposed now to be taken.

Mr. SAUNDERS of Virginia. If the gentleman will agree to return to the proper heading, and I have asked that that be done, then nothing will ever rise up to plague the gentleman or the committee should this amendment be adopted. This is all red tape. There is no merit in the contention that the action suggested would be a vexatious precedent. The Commissioner of Internal Revenue, who has to pass on the validity of this claim, certifies not only that this is a proper claim but that it should be in this bill. Is any higher or better evidence required that this is a just and proper claim, one that should be provided for in this bill as the commissioner recommends? If the gentleman had indicated to me that he intended to interpose this sort of an objection to the amendment, I would have secured a certificate from the auditor. I did not understand from what passed between the gentleman and me that he would oppose this amendment if the claim was a just and valid one proper to be paid by the Government.

Mr. MANN of Illinois. The paragraph in the bill refers to claims certified in a certain House document. This claim is not in that.

Mr. SAUNDERS of Virginia. I understand that. The department admits that this claim ought to have been included in that document. It is in no wise the fault of the plaintiff that this was not done.

Mr. MANN of Illinois. It is not in the document.

Mr. SAUNDERS of Virginia. It is not in the document. But the commissioner certifies that while this judgment was not included, it should now be included in this bill in order that prompt satisfaction of the debt may be rendered.

Mr. MANN of Illinois. If a claim is not in the document, the chances are, nine times out of ten, that it ought not to be paid.

Mr. SAUNDERS of Virginia. Why?

Mr. MANN of Illinois. Because it is not in the document.

Mr. SAUNDERS of Virginia. It is not included in the document filed with the committee, but in due course it ought to have been included. How can the gentleman claim that there are nine chances to one that this claim ought not to be paid when it was duly recovered in a court of the United States, affirmed on appeal in another court of the United States, duly certified to the Treasury, and duly approved by the Commissioner of Internal Revenue, who certifies that it should be included in the pending bill? I have been chasing this claim down for two days, and when after many phone conversations I obtained a statement from the officer to whom it was referred that it was a valid claim and ought to be included in the present bill, I took it for granted that, fortified by this statement, both the chairman of the committee and the Members of the House would be satisfied that this was a just claim, and should be included in this bill.

Mr. Chairman, I ask unanimous consent to return to the head of "Judgments," on page 39.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to return to what point? Will the gentleman indicate?

Mr. SAUNDERS of Virginia. To return to the head of "Judgments," as suggested by the gentleman from Illinois, on page 39.

The CHAIRMAN. To return to page 39, "Judgments of the United States Courts."

Mr. BLANTON. Reserving the right to object, Mr. Chairman, I just want to say——

Mr. GOOD. Is the Chairman going to put the question for unanimous consent?

The CHAIRMAN. Yes.

Mr. GOOD. I object.

The CHAIRMAN. Objection is made. The point of order of the gentleman from Iowa is sustained.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise and report the bill to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The CHAIRMAN. The gentleman from Iowa moves that the committee do now rise and report the bill to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 12046) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. GOOD. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The SPEAKER. The gentleman from Iowa moves the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. BROOKS of Pennsylvania. I ask for a separate vote, Mr. Speaker, on the appropriation of a million dollars for the guarding of liquor and other purposes.

Mr. GOOD. There is no such amendment. That was in the bill.

The SPEAKER. Will the gentleman point out his amendment?

Mr. BROOKS of Pennsylvania. On page 10, line 12.

Mr. GOOD. It went out on a point of order.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 10, after line 12, insert: Enforcement of the national prohibition act:

"For the necessary expenses in preventing violations of the national prohibition act, $1,000,000."

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put the other amendments in gross. The question is on agreeing to the other amendments.

The other amendments were agreed to.

The SPEAKER. The question is on agreeing to the amendment demanded by the gentleman from Pennsylvania [Mr. BROOKS].

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. WINGO. Mr. Speaker, I demand the engrossed copy of the bill.

The SPEAKER. The gentleman from Arkansas demands the engrossed copy of the bill. The engrossed copy is not present. The gentleman, of course, has the right to make the demand.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. Will the gentleman from Iowa withhold his motion for a moment?

Mr. GOOD. Yes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 795. An act to provide for the disposition of public lands withdrawn and improved under the provisions of the reclamation laws and which are no longer needed in connection with said laws; to the Committee on the Public Lands.

S. 3383. An act to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Geodetic Survey, and Public Health Service; to the Committee on Military Affairs.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 8028. An act to add to the Oregon, Siuslaw, and Crater National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States, and for other purposes;

H. R. 348. An act to add certain lands to the Ochoco National Forest, Oreg.;

H. R. 1812. An act making an appropriation to compensate James M. Moore for damages sustained while in the service of the Government of the United States;

H. R. 1761. An act for the relief of the Farmers' National Bank of Wilkinson, Ind.; and

H. R. 2950. An act to authorize a preference right of entry by certain Carey Act entrymen, and for other purposes.

LEAVE OF ABSENCE.

Mr. DUNBAR, by unanimous consent, was granted leave of absence, for one week, on account of illness.

APPOINTMENT OF A CONFEREE.

The SPEAKER. The gentleman from Massachusetts [Mr. PHELAN] desires to be relieved from acting on the conference on the farm loan bill. Without objection, he is relieved, and the Chair appoints the gentleman from Texas [Mr. EAGLE] in his place.

There was no objection.

THE LATE REPRESENTATIVE ESTOPINAL.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that February 29 be set aside for memorial services on the late Gen. ESTOPINAL, a Representative elect from Louisiana.

The SPEAKER. The gentleman from Louisiana asks unanimous consent that an order be made setting aside February 29 for memorial services on the late Representative ESTOPINAL. The Clerk will report the order.

The Clerk read as follows:

Ordered, That February 29, at 12 o'clock, be set apart for addresses on the life, character, and public services of the Hon. ALBERT ESTOPINAL, late a Representative elect from the State of Louisiana.

The SPEAKER. Is there objection? If not, it is so ordered.

There was no objection.

EXTENSION OF REMARKS.

Mr. RUBEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting some statistics on the Agricultural bill, which will come up to-morrow.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks by inserting statistics on the Agricultural bill. Is there objection?

There was no objection.

Mr. OLNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the deficiency bill.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adourn.

The motion was agreed to; accordingly (at 5 o'clock and 33 minutes p. m.) the House adjourned until to-morrow, Thursday, February 5, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting annual reports of the treasurer of the American National Red Cross, trustee of the endowment fund of the American National Red Cross, and the annual report of the acting chairman of the American National Red Cross, all for the fiscal year ended June 30, 1918, was taken from the Speaker's table and referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. RIDDICK, from the Committee on Agriculture, to which was referred the bill (H. R. 11312) to appropriate $4,000,000 for loans to farmers in drought-stricken sections of the United States for the purchase of seed for 1920 spring planting, reported the same with amendments, accompanied by a report (No. 598), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 11913) granting an increase of pension to Thomas J. Stroup, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 12297) for the relief of retired commissioned and warrant officers of the United States Navy and Marine Corps who were called into active service during the war with Germany and promoted; to the Committee on Naval Affairs.

By Mr. CONNALLY: A bill (H. R. 12298) increasing the fees charged for passports and for the viséing of foreign passports to $5; to the Committee on Foreign Affairs.

By Mr. McPHERSON: A bill (H. R. 12299) to provide for the erection of a public building in the city of Aurora, in the State of Missouri; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12300) to provide for the erection of a public building in the city of Lamar, in the State of Missouri; to the Committee on Public Buildings and Grounds.

By Mr. WELTY: A bill (H. R. 12301) authorizing the appointment of a board to investigate and recommend awards of medals to the enlisted or enrolled persons of the Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 12302) authorizing the appointment of a board to investigate and recommend awards of medals to enlisted soldiers; to the Committee on Military Affairs.

By Mr. BRITTEN: A bill (H. R. 12303) to continue certain appropriations for securing lands for aviation purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 12304) to amend the provisions of the naval appropriations act of August 29, 1916, relating to the lease of naval lands; to the Committee on Naval Affairs.

Also, a bill (H. R. 12305) to acquire site for distant control radio station in Porto Rico; to the Committee on Naval Affairs.

By Mr. HICKS: A bill (H. R. 12306) to continue the availability of the appropriation for aviation in the naval appropriation act of July 1, 1918; to the Committee on Naval Affairs.

Also, a bill (H. R. 12307) to amend the act authorizing the Secretary of the Navy to settle claims for damage to private property arising from collision with naval vessels; to the Committee on Naval Affairs.

By Mr. MUDD: A bill (H. R. 12308) authorizing the purchase of additional land for the Naval Academy, Annapolis, Md.; to the Committee on Naval Affairs.

Also, a bill (H. R. 12309) authorizing the relief of certain disbursing officers; to the Committee on Naval Affairs.

By Mr. McPHERSON: A bill (H. R. 12310) to reimburse Capt. H. E. Lackey, United States Navy, for checkage against personal account; to the Committee on Naval Affairs.

Also, a bill (H. R. 12311) to enable the Navy Department to transfer to any other branch of the Government desirous of same any vessel which has been or hereafter may be stricken from the Navy list under law; to the Committee on Naval Affairs.

By Mr. KELLEY of Michigan: A bill (H. R. 12312) to provide for the relief of members of the United States Naval Reserve Force who were given temporary appointments in the Regular Navy prior to July 1, 1918; to the Committee on Naval Affairs.

Also, a bill (H. R. 12313) relative to promotion by selection in the Navy; to the Committee on Naval Affairs.

By Mr. DARROW: A bill (H. R. 12314) to provide for the disposition of certain lands commandeered for the Navy Department during the war but not now needed for naval purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 12315) to provide for payment of damages by civilian employees of the Naval Establishment to private property; to the Committee on Naval Affairs.

By Mr. BROWNING: A bill (H. R. 12316) to continue publication of the Daily Shipping Bulletin; to the Committee on Naval Affairs.

By Mr. KRAUS: A bill (H. R. 12317) authorizing the relief of certain disbursing officers; to the Committee on Naval Affairs.

By Mr. OLIVER: A bill (H. R. 12318) to credit enrolled members of the United States Naval Reserve Force with service in the Naval Auxiliary Service; to the Committee on Naval Affairs.

By Mr. HERNANDEZ: A bill (H. R. 12319) to authorize the addition of certain lands in the State of New Mexico to a national forest, and for other purposes; to the Committee on the Public Lands.

By Mr. JOHNSON of Washington: A bill (H. R. 12320) to provide for the protection of citizens of the United States by temporary suspension of immigration; for the deportation of additional classes of aliens; for the admission by passport of certain aliens; for the admission of certain aliens on the signing of preliminary statement; for the registration of aliens hereafter admitted; to further regulate the residence of aliens in the United States; and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. CRAMTON: A bill (H. R. 12321) to establish an additional fish-culture station in the State of Michigan; to the Committee on the Merchant Marine and Fisheries.

By Mr. KENNEDY of Rhode Island: Memorial of the Legislature of the State of Rhode Island, recommending to Congress the passage of legislation providing for an immigration station in the port of Providence, R. I.; to the Committee on Immigration and Naturalization.

By Mr. STINESS: Memorial of the Legislature of the State of Rhode Island, recommending to Congress the passage of legislation providing for an immigration station in the port of Providence, R. I.; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 12322) granting an increase of pension to Jacob Moser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12323) granting an increase of pension to De Witt C. Carpenter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12324) granting an increase of pension to Gideon Leiby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12325) granting an increase of pension to Hiram Partridge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12326) granting an increase of pension to Benjamin F. Todd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12327) granting an increase of pension to David Grube; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12328) granting an increase of pension to John Wharton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12329) granting an increase of pension to David B. Rutherford; to the Committee on Invalid Pensions.

By Mr. BENSON: A bill (H. R. 12330) granting a pension to George E. Gardner; to the Committee on Pensions.

By Mr. COLE: A bill (H. R. 12331) granting an increase of pension to Amos J. Moore; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 12332) granting a pension to James McVay; to the Committee on Pensions.

By Mr. HAUGEN: A bill (H. R. 12333) for the relief of Albert T. Huso; to the Committee on Claims.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 12334) granting a pension to Ellen J. Webb; to the Committee on Pensions.

By Mr. McPHERSON: A bill (H. R. 12335) to correct and amend the service and military record of Herbert Langley, United States Marine Corps; to the Committee on Naval Affairs.

By Mr. OLNEY: A bill (H. R. 12336) granting an increase of pension to James E. Jenney; to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 12337) for the relief of Anthony Sulik; to the Committee on Naval Affairs.

By Mr. HENRY T. RAINEY: A bill (H. R. 12338) granting an increase of pension to Carl L. Austin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12339) granting a pension to Minerva A. Ford; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 12340) granting a pension to James H. Hornsby; to the Committee on Pensions.

By Mr. ROGERS: A bill (H. R. 12341) for the relief of Mayhew A. Ross; to the Committee on Claims.

By Mr. ROWAN: A bill (H. R. 12342) granting an increase of pension to Charlotte Velie; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 12343) granting an increase of pension to Frank A. Moses; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12344) granting an increase of pension to Frederick W. Duden; to the Committee on Pensions.

By Mr. SLEMP: A bill (H. R. 12345) granting a pension to Martha C. Correll; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 12346) granting an increase of pension to Thomas F. Moore; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1326. By the SPEAKER: Petition of the Scenic Better Roads Highway District, Benewah County, St. Maries, Idaho, relative to certain legislation; to the Committee on Appropriations.

1327. Also, petition of the Board of Commissioners of Shoshone Highway District No. 2, relative to certain legislation; to the Committee on Appropriations.

1328. Also, petition of the Homedale Highway District, Homedale, Idaho, relative to certain legislation; to the Committee on Appropriations.

1329. Also, petition of citizens of Manlius, N. Y., relative to the Sims bill, House bill 262; to the Committee on Interstate and Foreign Commerce.

1330. By Mr. BRIGGS: Petition of county judge of Chambers County, Tex., opposing Greene bill to tax incomes from municipal bonds; to the Committee on Ways and Means.

1331. Also, petition of certain citizens of Galveston, Tex., advocating passage of Lehlbach retirement bill; to the Committee on Reform in the Civil Service.

1332. Also, petition of J. H. Varnon, opposing Cummins bill and similar legislation; to the Committee on Interstate and Foreign Commerce.

1333. Also, petition of executive heads, International Farm Congress and other farmers' organizations named in the memorial, opposing compulsory military training, Government control of railroads, and expressing attitude upon public questions; to the Committee on Military Affairs.

1334. Also, petition of Flint Board of Commerce, urging legislation to prevent publication or circulation of radical or seditious papers; to the Committee on the Judiciary.

1335. Also, petition of U. S. S. *Tampa* C. G. Post, No. 719, American Legion, advocating increases of pay of Coast Guard and military and naval services; to the Committee on Military Affairs.

1336. Also, petition of Peter Gengler Co., of Galveston, Tex., advocating passage of Mansfield bill, providing for 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

1337. Also, petition of Farmer's Educational Cooperative Union of America, Oklahoma Division, approving compulsory military training; to the Committee on Military Affairs.

1338. Also, petition of Association of State Farmers' Unions presidents, opposing the Plumb plan and Government ownership of railroads, and expressing attitude on other public questions; to the Committee on Interstate and Foreign Commerce.

1339. Also, petition of Galveston Board of School Trustees, opposing Greene bill to tax incomes from municipal bonds; to the Committee on Ways and Means.

1340. By Mr. DARROW: Petition of the Methodist Episcopal Preachers' Meeting of Philadelphia and vicinity, urging enactment of the Sims bill, House bill 262, stopping the interstate transmission of race-gambling information and odds; to the Committee on Interstate and Foreign Commerce.

1341. By Mr. FOCHT: Evidence in support of House bill 6701, granting an increase of pension to Catharine McConaughy; to the Committee on Invalid Pensions.

1342. By Mr. FULLER of Illinois: Petition of the Illinois Agricultural Association, relative to certain legislation; to the Committee on Interstate and Foreign Commerce.

1343. By Mr. GALLIVAN: Petition of the Wholesale Coal Trade Association of New York, relative to certain legislation; to the Committee on Interstate and Foreign Commerce.

1344. By Mr. LEHLBACH: Petition of 4,500 citizens of Massachusetts, urging passage of House bill 3149; to the Committee on Reform in the Civil Service.

1345. By Mr. MAGEE: Petition of the citizens of the town of Manlius, N. Y., in favor of the Sims bill, House bill 262; to the Committee on Interstate and Foreign Commerce.

1346. By Mr. HENRY T. RAINEY: Petition of 160 citizens of Havana, Ill., favoring the removal of the tax on drugs and medicines; to the Committee on Ways and Means.

1347. By Mr. RAKER: Petition of the Moore Shipbuilding Co., of Oakland, Calif., relative to certain railroad legislation now pending; to the Committee on Interstate and Foreign Commerce.

1348. Also, petition of C. H. Edwards, of Weaverville, Calif., protesting against the Federal reserve banks' policy of forcing par exchange; to the Committee on Banking and Currency.

1349. Also, petition of the Santa Rosa Chamber of Commerce, indorsing appropriation of $10,000,000 providing for a naval base on San Francisco Bay, etc.; to the Committee on Appropriations.

1350. Also, petition of the Taxpayers' League of Pasadena, the Wilson & Willard Manufacturing Co., of Los Angeles, and the H. N. Cook Belting Co., of San Francisco, all in the State of California, relating to certain railroad legislation now pending; to the Committee on Interstate and Foreign Commerce.

1351. Also, petition of the Pacific American Steamship Association, of San Francisco, Calif., relative to certain legislation; to the Committee on the Merchant Marine and Fisheries.

1352. By Mr. ROWAN: Petition of the Wholesale Coal Trade Association of New York (Inc.), protesting against the continuance of the permit system governing the shipment of bituminous coal to tidewater ports; to the Committee on Interstate and Foreign Commerce.

1353. Also, petition of Jaburg Bros., of New York, opposing House bill 11876, amending the food and drug act; to the Committee on Interstate and Foreign Commerce.

1354. Also, petition of John F. Davidson, of Kingman, Ariz., regarding plans for financing reclamation, power-development plants, and good roads; to the Committee on Ways and Means.

1355. Also, petition of Hugh Getty, of New York City, favoring the antistrike provision in the railroad bill; to the Committee on Interstate and Foreign Commerce.

1356. Also, petition of J. R. Kennedy, of New York City, opposing any further loans by the United States to the European countries; to the Committee on Foreign Affairs.

1357. By Mr. SCHALL: Petition of the city council of Minneapolis, Minn., relative to certain legislation; to the Committee on Water Power.

SENATE.

THURSDAY, *February 5, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the author of every good and perfect gift, Thou dost send the shadows as well as the sunshine, and in our individual life Thou dost permit us to pass through the struggles and dangers as well as Thou dost inspire within us the joys and hopes of life. We come to Thee, the author of every gift, and ask Thy blessing upon us, that we may be fitted and prepared for the solemn and high responsibilities of this place. For Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

PUBLIC HEALTH SERVICE (S. DOC. NO. 212).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a supplemental estimate of appropriation in the sum of $250,000 required by the Public Health Service for preventing the spread of epidemics, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

BUREAU OF EFFICIENCY (S. DOC. NO. 211).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Chief of the Bureau of Efficiency, submitting a supplemental estimate of appropriations in the sum of $20,000 required by the Bureau of Efficiency in the fiscal year 1920, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 12046) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 3452. An act authorizing the city of Detroit, Mich., a municipal corporation, to construct, maintain, and operate a bridge across the American channel of the Detroit River to Belle Isle;

H. R. 348. An act to add certain lands to the Ochoco National Forest, Oreg.;

H. R. 1761. An act for the relief of the Farmers' National Bank of Wilkinson, Ind.;

H. R. 1812. An act making an appropriation to compensate James M. Moore for damages sustained while in the service of the Government of the United States;

H. R. 2950. An act to authorize a preference right of entry by certain Carey Act entrymen, and for other purposes;

H. R. 8028. An act to add to the Oregon, Siuslaw, and Crater National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States, and for other purposes; and

H. R. 8598. An act restoring to Amy E. Hall her homestead rights and providing that on any homestead entry made by her she shall be given credit for all compliance with the law on her original homestead entry and for all payments made on same.

HOUSE BILL REFERRED.

H. R. 12046. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

INDIAN APPROPRIATIONS—CONFERENCE REPORT.

Mr. CURTIS. I submit the conference report on House bill 11368, the Indian appropriation bill, and move that the Senate proceed to its consideration.

The VICE PRESIDENT. The report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11368) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 24, 32, 35, 47, 73, 74, 90, 121, and 125.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 33, 37, 38, 39, 41, 42, 43, 44, 48, 49, 50, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 69, 70, 71, 72, 75, 76, 77, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 91, 93, 95, 96, 97, 98, 99, 101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 122, 123, 124, 126, 127, 128, 129, 130, 131, 132, and 133, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9 and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$350,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed by

the Senate amendment insert "forty-five"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert "eighty"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to expend not less than $15,000 out of applicable funds in the work of determining the competency of Indians by Competency Commissions on Indian Reservations outside of the Five Civilized Tribes in Oklahoma."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"For the construction of a bridge across Salt River, on the Salt River Indian Reservation, near Lehi, Ariz., $15,000, to be expended under the direction of the Secretary of the Interior, said sum to be reimbursable from any funds now or hereafter placed in the Treasury to the credit of the Indians on the Salt River Reservation, to remain a charge and lien upon the funds of said tribe of Indians until paid: *Provided*, That the Secretary of the Interior may cooperate with the State of Arizona in the construction of said bridge: *Provided further*, That no part of the money herein appropriated shall be expended until the Secretary of the Interior shall have obtained from the proper authorities of the State of Arizona, or the county of Maricopa, satisfactory guaranties of the payment by the said State or county of at least three-fourths of the cost of the construction of said bridge: *Provided further*, That the said State or county shall agree to defray all expenses of the maintenance and repair of said bridge and its approaches and to keep the same in good condition at all times."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"FLORIDA.

"SEC. 4. For relief of distress among the Seminole Indians in Florida, and for purposes of their civilization and education, $5,000, including the construction and equipment of necessary buildings."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert: "*Provided*, That the Secretary of the Interior shall submit to Congress on the first Monday in December, 1920, a report relating to the construction, enlargement, and improvement of said Fort Hall irrigation project, including the irrigation of such additional lands as may appear to be feasible and practicable, together with the estimated cost of such irrigation"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert: "*Provided*, That no part of the sum hereby appropriated shall be used except for school or schools of the Mississippi Chippewas now in the State of Minnesota"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, the sum of $60,000, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section 7 of the act of January 14, 1889, entitled 'An act for the relief and civilization of the Chippewa Indians in the State of Minnesota,' and to use the same for the purpose of promoting civilization and self-support among the said Indians in manner and for purposes provided for in said act: *Provided*, That not to exceed $5,000 of the above amount shall be used to aid the public schools in the Chippewa country: *Provided further*, That Indian children shall at all times be admitted to said schools on the same terms and conditions as white children."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"For the construction of a bridge across Two Medicine Creek, on the Blackfeet Indian Reservation, in Montana, being a link in the highway connecting Yellowstone National Park with Glacier National Park, to be paid out of funds now in the Treasury of the United States to the credit of said Blackfeet Indians, $10,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert:

"To reimburse the Indians of the Fort Berthold Reservation, North Dakota, for 253.04 acres of land embraced within the boundaries of the Verendrye National Monument, established by presidential proclamation of June 29, 1917, the sum of $1,265.20, representing the appraised value of said land at $5 per acre: *Provided*, That the sum appropriated shall be subject to expenditure upon the order of the Secretary of the Interior for the benefit of the Indians of the Fort Berthold Reservation."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$195,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert: "*Provided further*, That until further provided by Congress, the Secretary of the Interior, under rules and regulations to be prescribed by him, is authorized to make per capita payments of not to exceed $200 annually hereafter to the enrolled members of the Choctaw and Chickasaw Tribes of Indians of Oklahoma, entitled under existing law to share in the funds of said tribes, or to their lawful heirs, of all the available money held by the Government of the United States for the benefit of said tribes in excess of that required for expenditures authorized by annual appropriations made therefrom or by existing law"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert:

"The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States the sum of $25,000, or so much thereof as may be necessary, of any of the funds to the credit of the Indians on the Cheyenne River Indian Reservation and to apply the same to the construction of a bridge and abutments and approaches thereto across the Cheyenne River in the State of South Dakota. This appropriation shall be available only on the condition that the interested counties or the South Dakota Highway Commission contribute to the cost of said bridge in the ratio of $2 for every dollar of Indian funds so expended."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert: "of the principal funds to the credit of the Confederated Bands of Ute Indians"; also, on page 57, line 17, of the engrossed bill, after the word "children," insert the following: "the tuition of such Indian children to be paid out of tribal funds to be covered into the Treasury"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate amendment insert "$5"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert "$15,000"; and the Senate agree to the same.

CHARLES CURTIS,
A. J. GRONNA,
HENRY F. ASHURST,
Managers on the part of the Senate.

HOMER P. SNYDER,
J. A. ELSTON,
C. D. CARTER,
Managers on the part of the House.

The VICE PRESIDENT. The Senator from Kansas moves that the Senate proceed to the consideration of the report.

The motion was agreed to.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. JONES of Washington. I wish to ask the Senator from Kansas about one amendment which the Senate put in the bill. The House had a provision that the purchasers of land on the Yakima Indian Reservation should pay $10 an acre for the water rights. The Senate reduced that to $2. The conference report makes it $5. Will the Senator state the reasons for making that large increase?

Mr. CURTIS. I will state that the House conferees advised the Senate conferees that the amount had been fixed at $10 after consultation with the Members of the House delegation from the State of Washington, and they thought the settlers would be able to pay that amount. After advising them as to the attitude of the Senators from Washington and the amendment suggested by the Senator from Washington [Mr. JONES], the House conferees agreed to $5 instead of $2. In view of the showing made, the Senate conferees felt that it was only proper to accept the recession on the part of the House conferees fixing the amount at $5 instead of $2.

Mr. JONES of Washington. I think that payment is a little heavy under the conditions; but, of course, if the House delegation from the State expressed their agreement to $10, I am very well satisfied with the compromise made by the Senate conferees.

Mr. CURTIS. I may state to the Senator that the showing made before the conferees was to the effect that a very large crop had been raised last year by those people and that they are able to pay that amount.

Mr. STERLING. I should like to call the attention of the Senator from Kansas to an appropriation made under the South Dakota item in the bill for the Cheyenne River Indian Reservation. I understand the appropriation was cut from $40,000, as fixed by the House, to $25,000 for the purpose of building a bridge.

Mr. CURTIS. The item was stricken out by the Senate, and the conferees agreed to $25,000 instead of $40,000, for the reason I will state: In looking over the accounts of the Indian tribes a mistake was made and the wrong column was examined. It was supposed that the amount of money they had was only $70,000 and so the conferees agreed on $25,000. Since that time I have reinvestigated the question and I find that the Indians have $1,400,000 to their credit. The mistake was made by the dropping of the first line, which the Senator will see might very easily occur.

Mr. STERLING. I see that the total here is $1,419,800.

Mr. CURTIS. I gave the amount at $1,400,000, in round numbers. I will state to the Senator that this will not complete the bridge, but after I brought the matter to the attention of the House conferees it was thought better to let the conference report go through, and whatever additional sum is needed could be made immediately available in the next appropriation bill, and would therefore become subject to withdrawal early in March or April.

Mr. STERLING. I wish to state to the Senator that this is a project for which the State highway commission agreed to appropriate two-thirds of the cost.

Mr. CURTIS. The conferees realized that, and the amount asked for from the Indians was $20,000. It was reduced, as I stated, but the conferees did not feel that they would be justified in calling another conference over a sum of $15,000, because the chairman of the conferees on the part of the House expected to leave the city to-day and will be gone for a month, and it would have delayed the final disposition of the bill over a month. As I stated, the matter can very easily be taken care of in the next appropriation bill by making the sum immediately available.

Mr. STERLING. I thank the Senator.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 11368) entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921," the Clerk be, and he is hereby, authorized and directed to dispose of the amendment of the Senate No. 94 to said bill in manner and form as if the House had receded from its disagreement thereto and had agreed to the same.

Mr. CURTIS. I ask unanimous consent for the immediate consideration of the resolution. The House conferees did recede, but in making up their report they left out amendment No. 94. I put it in the report in the Senate, but when my attention was called to the fact that they had neglected to put it in their report I took it out of this report. So it is necessary to pass this resolution, which reduces the appropriation from $30,000, I think, to $26,000.

The concurrent resolution was considered by unanimous consent and agreed to.

PETITIONS AND MEMORIALS.

Mr. CURTIS. I submit a resolution of the Kansas State Legislature, which I ask may be referred to the proper committee and printed in the RECORD.

The resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

KANSAS HIGHWAY COMMISSION,
Topeka, January 27, 1920.

A concurrent resolution requesting the Congress of the United States, now in session, to pass the bill, already introduced, appropriating funds to aid the several States in the construction of roads.

Whereas there is now before the Congress of the United States a bill making appropriations for the further cooperation of the Federal Government with the several States in the construction of roads: Be it

Resolved by the House of Representatives of the Legislature of the State of Kansas (the Senate concurring therein), That we most respectfully urge passage of this bill in order that the States may continue their present road-building program and give assistance to many petitions now on file for which there are no Government funds.

H. J. ALLEN, *Governor.*

Mr. PHIPPS. I send to the desk a telegram from the Rotary Club of Greeley, Colo., which I ask to have read.

There being no objection, the telegram was read, as follows:

GREELEY, COLO., *February 4, 1920.*

Senator LAWRENCE PHIPPS,
Washington, D. C.:

Greeley Rotarys, in session to-day, voted unanimously officers wire you asking immediate ratification of peace treaty with League of Nations, with or without reservations.

THE GREELEY ROTARY CLUB,
CHARLES HANSEN, *President.*
M. J. NEILL, *Secretary.*

Mr. CAPPER presented a petition of Fredonia Post, No. 98, Grand Army of the Republic, Department of Kansas, of Fredonia, Kans., and a petition of Morton Post, No. 38, Grand Army of the Republic, Department of Kansas, of Wamego, Kans., praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

Mr. TOWNSEND presented a petition of the Board of Commerce of Bay City, Mich., praying for the enactment of legislation to relieve economic conditions in certain European countries, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Commerce of Bay City, Mich., praying for the ratification of the treaty of peace with Germany, which was ordered to lie on the table.

He also presented a petition of William Sanborn Post, No. 98, Grand Army of the Republic, Department of Michigan, of Port Huron, Mich., and a petition of sundry citizens of Richmond, Mich., praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

PURCHASE AND SALE OF GRAIN.

Mr. GRONNA. From the Committee on Agriculture and Forestry I report back favorably with amendments the bill (S. 3844) to provide for discontinuing the purchase and sale of grain by the Government, and for other purposes, and I submit a report (No. 414) thereon.

I wish to state that I would have asked for the immediate consideration of the bill, but as there are one or two amendments proposed by the committee I ask that it may be printed and go over. I give notice that I shall call it up at a very early date.

The VICE PRESIDENT. The bill will be placed on the calendar.

SOLDIERS' PREFERRED HOMESTEAD RIGHT.

Mr. CHAMBERLAIN. From the Committee on Public Lands I report back favorably without amendment the joint resolution (H. J. Res. 20) giving to discharged soldiers, sailors, and marines a preferred right of homestead entry, and I submit a report (No. 415) thereon. I ask unanimous consent for the immediate consideration of the joint resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read, as follows:

Resolved, etc., That hereafter, for the period of two years following the passage of this act, on the opening of public or Indian lands to entry, or the restoration to entry of public lands theretofore withdrawn from entry, such opening or restoration shall, in the order therefor, provide for a period of not less than 60 days before the

general opening of such lands to disposal in which officers, soldiers, sailors, or marines who have served in the Army or Navy of the United States in the war with Germany and been honorably separated or discharged therefrom or placed in the Regular Army or Naval Reserve shall have a preferred right of entry under the homestead or desert land laws, if qualified thereunder, except as against prior existing valid settlement rights and as against preference rights conferred by existing laws or equitable claims subject to allowance and confirmation: *Provided*, That the rights and benefits conferred by this act shall not extend to any person who, having been drafted for service under the provisions of the selective service act, shall have refused to render such service or to wear the uniform of such service of the United States.

SEC. 2. That the Secretary of the Interior is hereby authorized to make any and all regulations necessary to carry into full force and effect the provisions hereof.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COMMITTEE ON PACIFIC ISLANDS, PORTO RICO, AND THE VIRGIN ISLANDS.

Mr. KNOX. From the Committee on Rules I report back favorably without amendment Senate resolution 273, submitted by the Senator from Texas [Mr. SHEPPARD] on the 9th ultimo, and I ask unanimous consent for its present consideration.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That Rule XXV, Standing Rules of the Senate, be, and the same is hereby, amended by changing the paragraph therein now reading as follows: "A Committee on Pacific Islands and Porto Rico, to consist of 12 Senators," so as hereafter to read: "A Committee on Pacific Islands, Porto Rico, and the Virgin Islands, to consist of 12 Senators."

QUESTIONS OF ORDER.

Mr. HARRISON. I report favorably from the Committee on Rules Senate resolution 104, submitted by me on June 30, 1919, and I ask for its immediate consideration.

The resolution was read, as follows:

Resolved, That Rule XX of the Standing Rules of the Senate be, and is hereby, amended so as to read as follows:

"RULE XX. That all questions of order shall be decided by the presiding officer without debate, subject to an appeal to the Senate, without debate; and no question of order shall be entertained after debate on the merits of the proposition has begun. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the presiding officer, without debate, and every appeal therefrom shall be decided at once and without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the presiding officer.

"The presiding officer may submit any question of order for the decision of the Senate."

Mr. JONES of Washington. I think that is a very important resolution, and it ought to go over.

The VICE PRESIDENT. Objection being made, the resolution goes to the calendar.

OLYMPIC NATIONAL FOREST.

Mr. JONES of Washington. On the legislative day of February 2, the calendar day of February 3, I introduced a bill that is known as Senate bill 3846. It authorizes the adjustment of certain boundaries of the Olympic National Forest, in the State of Washington. I think I myself marked the bill for reference to the Committee on Agriculture and Forestry. I find, however, that bills of a similar character have heretofore been referred to the Committee on Public Lands. In studying the bill more carefully I have concluded that it should go to that committee. I therefore ask that the Committee on Agriculture and Forestry be discharged from the further consideration of the bill and that it be referred to the Committee on Public Lands.

The VICE PRESIDENT. Without objection, that action will be taken.

EMPLOYEES IN EXECUTIVE DEPARTMENTS.

Mr. KING. Mr. President, several days ago I introduced a bill (S. 3612) to authorize the United States Bureau of Efficiency to provide for the promotion, transfer, and discharge of certain employees in the executive departments, bureaus, boards, commissions, and agencies, and for other purposes, and it was referred to the Committee on Civil Service and Retrenchment. The special committee that is now considering the question of the budget is also giving some attention to the matters to which the bill refers. I therefore ask that the Committee on Civil Service and Retrenchment be discharged from the further consideration of the bill and that it be referred to the Special Committee to Devise a Plan for a National Budget System.

The VICE PRESIDENT. Without objection, it is so ordered.

PUBLIC PRINTING.

Mr. SMOOT. Mr. President, in connection with the use of paper I desire to submit some figures this morning, and I hope Senators will give attention.

Day before yesterday we opened the bids for the purpose of furnishing the paper that the Government of the United States will want for the coming year. All the bids that we could receive from all agents or manufacturers amounted to 20. The prices bid are generally out of all reason.

I want the Senate to understand the serious situation the Government finds itself in to-day in relation to print paper and all other classes of paper. In order to impress upon the Senate of the United States the wicked waste that has been going on in the past I have prepared a statement showing the addresses or speeches printed at the Government Printing Office since July 1, 1916, charged by the Public Printer to departmental appropriations or other funds available therefor, not including those ordered by Congress or Members of Congress.

This statement is but an indication of what has been going on. I expect in a couple of weeks to show the full picture to the Senate of the United States. I think the time has arrived when every Member of this body ought to insist upon a halt being called upon the waste of paper by the Government of the United States.

For the executive office during the period from July 1, 1916, to September 15, 1919, there have been copies of speeches printed to the number of 1,163,862. The estimated weight of those speeches is 79,497 pounds.

Mr. THOMAS. The Senator means avoirdupois weight?

Mr. SMOOT. Yes. The total cost of merely printing those speeches was $13,705.72. In the Department of State the total number of copies of speeches printed was 29,100, their estimated weight was 1,513 pounds, and the cost $527.02. In the Treasury Department the total number of speeches printed was 25,066,000.

Mr. NELSON. Of speeches?

Mr. SMOOT. Of speeches.

Mr. OVERMAN. Why is the Treasury Department printing speeches?

Mr. SMOOT. I will call attention to that a little later, I will say to the Senator from North Carolina.

The estimated weight of those speeches was 758,896 pounds, and the total cost of the printing was $86,813.09. Remember, the cost of printing of these speeches comes out of an appropriation made to the department for Government printing. In the War Department there were a total number of 500 speeches printed; in the Post Office Department there were 165,000 printed. The total number printed in the Agricultural Department was 144,000; in the Department of Labor it was 123,000; in the Pan American Union it was 5,000; in the United States Food Administration it was 307,000. In the Railroad Administration the total was 3,055,500——

Mr. POMERENE. The total number of what?

Mr. SMOOT. The total number of speeches that have been printed as public documents for distribution throughout the United States. I have the number of the jacket of each speech and the number of copies of each speech that was printed.

Mr. KING. Mr. President, will my colleague yield?

Mr. SMOOT. Yes.

Mr. KING. Do I understand that the departments, after speeches have been delivered, themselves send out the speeches?

Mr. SMOOT. They send out the speeches through the departments. In the United States Railroad Administration there were 3,055,500 speeches printed. They were copies of speeches delivered at Altoona, Pa., and before different associations throughout the United States. The money which was appropriated for Government printing in the departments was used for the printing and distribution of these speeches throughout the United States.

When I give the summary of the whole number I am going to call attention to the weight of the speeches, and I desire the Senate to know what it costs merely to send them through the mails.

Mr. KING. If my colleague will pardon me, I desire to say that his discussion is very interesting. I should like to know how the departments justify the sending out of speeches at Government expense? Are those speeches delivered by Senators or Representatives or by officials of the departments eulogizing the departments and praising themselves for their wonderful economies and great achievements?

Mr. SMOOT. I will take up the speeches sent out by the Railroad Administration. The address at Altoona, Pa., was delivered by Hon. W. G. McAdoo on September 12, 1918. There were 1,000,000 copies of that address printed by the Railroad Administration and sent through the mails. An address entitled "A Life Sentence" was delivered by Rev. J. F. Weinmann, and there were 2,000,000 of them printed and sent by the Railroad Administration through the mails. There was an address before the Railroad Fire Protective Association by Charles N. Rambo, of which 15,000 copies were printed. There was an address delivered before the New York Railroad Club by Frank McManamy,

of which 15,000 copies were printed. There was an address before the National Safety Council at the Seventh Annual Congress at St. Louis, Mo., by Hiram W. Belnap, but there were only 5,000 printed. These are the character of the speeches.

Mr. SMITH of Georgia. Who paid for the printing of these speeches?

Mr. SMOOT. The Government of the United States paid for them; and the Government not only paid for the printing but paid for all the paper and paid for the carrying of these speeches through the mails.

Mr. SMITH of Georgia. Senators themselves pay for the printing of extra copies of any speeches delivered by them on the floor of the Senate.

Mr. SMOOT. Yes; and I am going to call attention to that fact in my next statement. When I call the attention of the Senate to the fact that in this report alone——

Mr. SMITH of Georgia. I desire this to go into the RECORD, because the public generally is not aware of the fact. When I say that we ourselves pay for the printing of speeches delivered by us, I mean each Senator bears the entire expense of paying for all extra copies of his speeches printed for distribution.

Mr. SMOOT. Yes.

Now, Mr. President, in connection with this subject I desire to ask unanimous consent that the statement from which I have just quoted may go into the RECORD at this point, showing the total of the addresses delivered, by whom delivered, the date when they were delivered, the number of copies printed, the estimated weight of the aggregate number of each address printed, the total cost of their printing, the appropriation or fund to which such expenditure was charged, and to whom they were delivered. If there is no objection, I should like to have that go into the RECORD.

The VICE PRESIDENT. In the absence of objection, the matter referred to will be printed in the RECORD.

The matter referred to is as follows:

Statement showing addresses or speeches printed at the Government Printing Office from July 1, 1916, to September 15, 1919, and charged by the Public Printer to departmental appropriations or funds available therefor (not including those ordered by Congress or Members of Congress).

Jacket.	Title.	By whom delivered.	Date.	Copies printed.	Estimated weight.	Total cost.	Appropriation or fund charged.	To whom delivered.
	EXECUTIVE OFFICE.				*Pounds.*			
51285	Address before Press Club in New York City.	The President	June 30, 1916	2,000	40	$15.60	White House allotment.	White House.
51538	Address to Associated Advertising Clubs, Philadelphia.	do	June 29, 1916	1,000	18	11.91	do	Do.
51539	Address at Detroit, Mich., and Toledo, Ohio.	do	July 10, 1916	1,000	36	29.67	do	Do.
52186	Address to Citizenship Convention, Washington.	do	July 13, 1916	1,000	18	11.58	do	Do.
57972	Address accepting the Lincoln homestead.	do	Sept. 4, 1916	2,500	45	28.71	do	Do.
58892	Address to Congress	do	Aug. 29, 1916	1,850	41	35.02	do	Do.
59060	Address at Lincoln's birthplace	do	Sept. 4, 1916	1,000	18	7.10	do	Do.
59061	Address at Gettysburg (and letter to Representative Underwood).	do	July 4, 1913	500	19	22.18	do	Do.
62016	Address before joint session of Congress.	do	May 27, 1918	1,500	30	28.62	do	Do.
63643	Address at suffrage convention	do	Sept. 8, 1916	1,000	22	11.55	do	Do.
63644	Address before Grain Dealers' Association, Baltimore, Md.	do	Sept. 25, 1916	1,000	44	23.96	do	Do.
69919	Address before joint session of Congress.	do	Dec. 5, 1916	6,000	206	68.00	do	Do.
77388	Address to the Senate	do	Jan. 22, 1917	2,000	42	34.42	do	Do.
79516	Address before joint session of Congress.	do	Feb. 3, 1917	2,000	44	29.20	do	Do.
82788	do	do	Feb. 26, 1917	1,000	18	31.31	do	Do.
83234	do	do	do	1,000	24	5.86	do	Do.
83982	Inaugural address	do	Mar. 4, 1917	1,012	46	28.94	do	Do.
89245	Address before joint session of Congress.	do	Apr. 2, 1917	2,500	97	47.11	do	Do.
92704	do	do	Apr. 8, 1917	1,000	22	9.52	do	Do.
98552	Miscellaneous speeches	do		15,000	4,080	232.66	do	Do.
99550	War addresses (annotated)	do	Apr. 2, 1917	95,000	8,550	1,681.16	Committee on Public Information.	Committee on Public Information.
103778	Flag Day address at Washington, D. C.	do	June 14, 1917	3,100	54	49.11	White House allotment.	White House.
2046	Address at Young Men's Christian Association celebration, Pittsburgh.	do	Oct. 24, 1914	500	14	18.93	do	Do.
3610	Address at Independence Hall, Philadelphia.	do	July 4, 1914	500	15	17.50	do	Do.
3611	Address before Pan American Financial Conference.	do	May 21, 1915	500	5	6.94	do	Do.
3612	Address before American Bar Association.	do	Oct. 20, 1914	500	9	8.73	do	Do.
3613	Address before Southern Commercial Congress, Mobile, Ala.	do	Oct. 27, 1913	500	9	10.21	do	Do.
3644	Address before first annual assemblage of the League to Enforce Peace.	do	May 27, 1916	1,000	16	12.45	do	Do.
9881	Flag Day address, with evidence of Germany's plans.	do	June 14, 1917	940,000	63,933	9,947.10	Committee on Public Information.	Committee on Public Information.
24618	Address before American Federation of Labor Convention, Buffalo, N. Y.	do	Nov. 12, 1917	1,000	18	17.81	White House allotment.	White House.
27801	Address before joint session of Congress.	do	Dec. 4, 1917	2,400	82	64.20	do	Do.
33354	do	do	Jan. 4, 1918	2,250	40	25.42	do	Do.
33988	do	do	Jan. 8, 1918	3,750	67	45.93	do	Do.
41314	do	do	Feb. 11, 1918	2,750	50	42.87	do	Do.
43133	Address at New York, N. Y.	do	May 17, 1915	1,000	18	10.04	do	Do.
46003	Address before the midyear conference of the American Electrical Railway Association.	do	Jan. 29, 1915	1,000	25	22.13	do	Do.
46033	Address before joint session of Congress.	do	Mar. 4, 1913	(1)	72	41.53	do	Do.
[2] 51812	Address at Baltimore, Md.	do		1,750		33.72	do	Do.
61055	Address at opening of Red Cross campaign, New York.	do	May 18, 1918	1,000	17	13.36	do	Do.
69082	Address at Mount Vernon	do	July 4, 1918	1,750	31	29.26	do	Do.
83515	Address at opening of Liberty loan campaign.	do	Sept. 27, 1918	1,500	30	47.60	do	Do.
84279	Address before the Senate of the United States.	do	Sept. 30, 1918	1,500	30	33.05	do	Do.
84453	Address at opening of Liberty loan campaign.	do	Sept. 27, 1918	1,000	20	5.54	do	Do.
90955	Address before joint session of Congress.	do	Nov. 11, 1918	2,500	92	52.84	do	Do.
93872	do	do	Dec. 2, 1918	2,500	85	93.18	do	Do.

[1] 1,000 each of 4.

[2] No copy on file in the Government Printing Office.

Statement showing addresses or speeches printed at the Government Printing Office from July 1, 1916, to September 15, 1919, and charged by the Public Printer to departmental appropriations or funds available therefor (not including those ordered by Congress or Members of Congress)—Continued.

Jacket.	Title.	By whom delivered.	Date.	Copies printed.	Estimated weight.	Total cost.	Appropriation or fund charged.	To whom delivered.
	EXECUTIVE OFFICE—continued.				*Pounds.*			
108507	Addresses at Boston, Mass., and New York, N. Y.	The President	Feb. 24, 1919 Mar. 4, 1919	1,000	47	$40.97	White House allotment.	White House.
125805	Address before the Senate of the United States.	do	July 10, 1919	2,500	90	105.12	do	Do.
108508	Addresses on first trip to Europe	do	Dec. 3, 1918 Feb. 24, 1919	1,000	128	129.88	do	Do.
128518	do	do		1,000	128	32.53	do	Do.
131462	Address before joint session of Congress.	do	Aug. 8, 1919	2,250	72	71.41	do	Do.
				1,123,862	78,657	13,423.44		
7801	Address (Portuguese)	Hon. Robt. Lansing	July 29, 1917	15,000	315	123.54	Committee Public Information.	Committee on Public Information.
7802	Address (Spanish)	do	do	25,000	525	158.74	do	Do.
				40,000	840	282.28		
	Total under executive office			1,163,862	79,497	13,705.72		
	DEPARTMENT OF STATE.							
126985	Address of the Secretary of State	Hon. Robt. Lansing	Sept. 4, 1916	600		20.49	State Department allotment.	State Department.
6434	Address to Reserve Officers' Training Corps.	do	July 29, 1917	1,000	90	41.89	do	Do.
64021	Address at Schenectady, N. Y	do	June 10, 1918	1,000	91	39.95	do	Do.
65247	Address at Columbia University	do	June 5, 1918	1,000	58	19.52	do	Do.
64033	Address at Schenectady, N. Y. (Spanish).	do	June 10, 1918	20,000	1,040	214.17	do	Do.
86837	Address at Auburn, N. Y	do	Oct. 10, 1918	500	38	24.82	do	Do.
130639	Address at Boston, Mass	do	Sept. 5, 1919	1,000		67.50	do	Do.
				25,100	1,317	428.34		
25404	Address before joint session of Congress.	The President	Feb. 3, 1917	200	3	11.83	do	Do.
34426	do	do	Jan. 8, 1918	100	1	2.27	do	Do.
41875	do	do	Feb. 11, 1918	100	2	2.27	do	Do.
70760	do	do	Dec. 5, 1916	500	18	6.73	do	Do.
71478	Address before the Senate of the United States.	do	Jan. 22, 1917	1,100	81	43.01	do	Do.
80078	Address before joint session of Congress.	do	Apr. 2, 1917	500	29	9.77	do	Do.
94804	do	do	do	500	28	8.34	Consular fund	Do.
118746	Address before joint session of Congress (French).	do	do	200	4	.78	State Department allotment.	Do.
106754	Address before joint session of Congress.	do	Dec. 2, 1918	500	19	8.58	do	Do.
126733	Address before the Senate of the United States.	do	July 10, 1919	150	5	1.06	do	Do.
135702	Address before joint session of Congress.	do	Aug. 8, 1919	150	6	4.04	do	Do.
				4,000	196	98.68		
	Total under Department of State.			29,100	1,513	527.02		
	TREASURY DEPARTMENT.							
15072	Liberty loan address at Atlantic City, N. J.	Hon. W. G. McAdoo	Sept. 28, 1917	18,500	1,480	320.72	Treasury Department allotment.	Treasury Department.
17836	do	do	do	3,458,000	138,320	19,864.16	Second Liberty loan	Do.
17246	Liberty loan address at Madison, Wis.	do	Oct. 3, 1917	6,500,000	273,000	10,301.99	do	Do.
17923	Liberty loan address at Sioux City, Iowa.	do	Oct. 4, 1917	2,500,000	95,000	13,847.76	do	Do.
54520	Liberty loan address to Women Loan Workers.	do	Apr. 8, 1918	3,000,000	30,000	3,048.00	Third Liberty loan	Do.
55401	Liberty loan address at Richmond, Va.	do	do	1,016,500	34,561	5,683.34	do	Do.
76543	Liberty loan address to railway employees.	do	Apr. 17, 1918	2,200,000	35,200	7,340.36	do	Do.
76850	Liberty loan address to ship workers at Beaumont, Tex.	do	Apr. 15, 1918	251,000	4,016	761.57	do	Do.
78364	Liberty loan address at San Antonio, Tex.	do	Apr. 16, 1918	1,000	18	10.67	do	Do.
83244	Liberty loan address at Carnegie Hall, New York.	do	Sept. 24, 1918	5,064,000	56,335	12,580.46	Fourth Liberty loan	Do.
104230	Liberty loan address at Des Moines, Iowa.	do	May 21, 1917	50,000	1,700	305.55	First Liberty loan	Do.
				24,058,000	669,630	74,067.58		
106193	Liberty loan address at Pittsburgh, Pa.	Hon. Carter Glass	Feb. 8, 1919	500,000	8,000	2,050.27	Fifth Liberty loan	Do.
112959	Liberty loan address at Chicago, Ill.	Hon. L. B. Franklin	Jan. 29, 1919	5,000	150	58.92	do	Do.
19808	Remarks before War Risk Conference.	Hon. J. W Mack		500,000	81,000	10,594.38	War Risk Insurance	Do.
69545	Speech before American Institute of Banking, New York.	Hon. W. P. G. Harding.	Nov. 1, 1916	2,000	116	41.94	Federal Reserve Board	Do.
	Total under Department of Treasury.			25,066,000	758,836	86,813.09		
	WAR DEPARTMENT.							
72250	Speech on Library in Surgeon General's Office.	Congressman Lloyd	Jan. 22, 1915	500	6	11.30	Medical Department appropriation	Medical Museum.
	Total under War Department			500	6	11.30		

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Statement showing addresses or speeches printed at the Government Printing Office from July 1, 1916, to September 15, 1919, and charged by the Public Printer to departmental appropriations or funds available therefor (not including those ordered by Congress or Members of Congress)—Continued.

Jacket.	Title.	By whom delivered.	Date.	Copies printed.	Estimated weight.	Total cost.	Appropriation or fund charged.	To whom delivered.
	POST OFFICE DEPARTMENT.				*Pounds.*			
112226	Address before Conference of Business Organizations and Postal Service.	Hon. A. S. Burleson..	Apr. 1, 1919	14,000	580	$139.35	Post Office allotment.	Post Office.
114124	....do....	....do....	....do....	100,000	4,000	733.46	....do....	Do.
114736	Remarks to Post Office Inspectors.	....do....	Mar. 27, 1919	1,000	20	16.40	....do....	Do.
117039	Address before Conference of Business Organizations and Postal Service.	....do....	Apr. 1, 1919	50,000	2,000	319.50	....do....	Do.
	Total under Post Office Department.			165,000	6,600	1,208.71		
	AGRICULTURE DEPARTMENT.							
107451	Address before Governors' Conference.	Hon. D. F. Houston..	Dec. 16, 1918	3,000	102	49.11	Agriculture allotment.	Agriculture Department.
108271	Address before Trans-Mississippi Congress.	....do....	Feb. 20, 1919	53,000	2,120	551.60	....do....	Do.
109098	Address before Joint Conference of Agricultural Commission of American Bankers' Association, etc.	....do....	Feb. 26, 1919	18,000	432	150.54	....do....	Do.
				74,000	2,654	751.25		
108109	Address before New England Forestry Conference, Boston, Mass.	Henry S. Graves.....	Feb. 24, 1919	15,000	405	130.23	....do....	Do.
114609	Address before American Lumber Congress, Chicago, Ill.	....do....	Apr. 16, 1919	25,000	875	195.76	....do....	Do.
123114	Address before New England Forestry Conference, Boston, Mass.	....do....	Feb. 24, 1919	5,000	125	34.63	....do....	Do.
				45,000	1,405	360.62		
101364	Address before National Association of Commissioners of Agriculture at Baltimore, Md.	Maj. S. C. Prescott....	Jan. 7, 1919	25,000	650	221.68	....do....	Do.
	Total under Agriculture Department.			144,000	4,709	1,333.55		
	DEPARTMENT OF LABOR.							
40410	Address on Labor's Relation to the World War.	Hon. W. B. Wilson...	.....	500	32	59.93	War labor administrative appropriation.	Labor Department.
75288	Address at Delmonico's, New York	....do....	July 31, 1918	50,000	900	243.82	....do....	Do.
				50,500	932	303.75		
114285	Address before the American Institute of Architects, New York.	T. S. Holden.....	Apr. 9, 1919	25,000	925	220.23	....do....	Do.
110028	....do....	....do....	....do....	15,000	555	107.07	....do....	Do.
				40,000	1,480	327.30		
110807	Address before Forty-first Annual Meeting of American Academy of Medicine, Detroit, Mich.	Helen L. Sumner.....	June 10, 1916	7,500	127	50.51	....do....	Do.
114330	Address before Conference of Governors and Mayors at White House.	Irving Fisher.....	Mar. 3-5, 1919	25,000	475	104.07	....do....	Do.
	Total under Department of Labor.			123,000	3,014	785.63		
	PAN AMERICAN UNION.							
36240	Address before Southern Commercial Congress.	Minister Calderon.....	Oct. 15, 1917	3,000	57	12.35	Pan American Union allotment.	Pan American Union.
55122	Address at Lake Mohonk Conference.	....do....	.....	2,000	24	8.12	....do....	Do.
	Total under Pan American Union.			5,000	81	20.47		
	UNITED STATES FOOD ADMINISTRATION.							
12163	Address to Baptists of the South at Washington.	Hon. Herbert Hoover.	Aug. 9, 1917	15,000	150	35.32	Food Administration..	Food Administration.
58722	Food Control a War Measure.....	....do....	Apr. 18, 1918	40,000	1,440	245.55	....do....	Do.
66314	....do....	....do....	....do....	25,000	900	144.07	....do....	Do.
64259	The Dairy and World Food Problem.	....do....	May 23, 1918	40,000	1,360	270.54	....do....	Do.
72168	....do....	....do....	....do....	40,000	1,480	228.71	....do....	Do.
				160,000	5,330	924.19		
13539	Wheat Needs of the World.....	Dr. Alonzo Taylor....	Aug. 28, 1917	100,000	2,000	356.35	....do....	Do.
18527	....do....	....do....	....do....	5,000	100	19.45	....do....	Do.
58098	Human Factors in Food Supply....	....do....	.....	25,000	250	71.20	....do....	Do.
				130,000	2,350	447.00		
20956	Address before American Bankers' Association.	M. L. Requa.....	Sept. 26, 1917	15,000	510	109.32	....do....	Do.
24803	....do....	....do....	....do....	2,000	64	14.81	....do....	Do.
				17,000	574	124.04		
	Total under United States Food Administration.			307,000	8,254	1,495.22		

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Docket.	Title.	By whom delivered.	Date.	Copies printed.	Estimated weight.	Total cost.	Appropriation or fund charged.	To whom delivered.
	UNITED STATES RAILROAD ADMINISTRATION.							
					Pounds.			
87127	Address at Altoona, Pa.	Hon. W. G. McAdoo	Sept. 12, 1918	1,000,000	12,000	$1,290.40	United States Railroad Administration.	Railroad Administration.
82825	A Life Sentence	Rev. J. F. Weinmann		2,000,000	16,000	805.76	do	Do.
95807	Address before the Railroad Fire Protection Association.	Chas. N. Rambo	Dec. 3, 1918	15,000	420	122.68	do	Do.
94599	Address before New York Railroad Club.	Frank McManamy		15,000	270	71.44	do	Do.
99746	Address before National Safety Council at Seventh Annual Congress, St. Louis, Mo.	Hiram W. Belnap	Sept. 17, 1918	5,000	90	21.32	do	Do.
101347	Address at Willard Hotel, Washington.	Hon. W. D. Hines	Jan. 22, 1919	10,000	100	28.02	do	Do.
105875	do	do	do	10,000	90	19.73	do	Do.
124802	Address before Bankers' Association.	do	June 21, 1919	500	30	59.67	do	Do.
				20,500	220	98.42		
	Total under United States Railroad Administration.			3,055,500	29,000	2,410.02		
	UNITED STATES SHIPPING BOARD.							
	Address before Grain Dealers' Association.	President Wilson	Sept. 25, 1916	6,000	102	23.48	United States Shipping Board.	United States Shipping Board.
	Total under United States Shipping Board			6,000	102	23.48		
	INTERNATIONAL HIGH COMMISSION.							
105143	Address on transfer of chairmanship.	Hon. G. W. McAdoo	Dec. 30, 1918	1,000	54	34.75	International High Commission.	International High Commission.
105142	Address on transfer of chairmanship (Spanish).	do	do	1,000	50	52.65	do	Do.
	Total under International High Commission.			2,000	104	87.40		
	PUBLIC INFORMATION.							
47196	Address at Lexington Avenue Theater, New York City.	Samuel Gompers	Feb. 22, 1918	5,000	170	50.87	Committee on Public Information.	Committee on Public Information.
53009	do	do	do	5,000	180	38.02	do	Do.
	Total under Public Information.			10,000	350	88.89		
	COUNCIL OF NATIONAL DEFENSE.							
98622	Address at conference of regional chairmen of Highways Transport Committee.	Hon. F. K. Lane	Sept. 17, 1918	50,000	950	205.17	Council of National Defense.	National Defense.
	Total under Council of National Defense.			50,000	950	205.17		
	DEPARTMENT OF INTERIOR.							
102138	Address at Hotel Astor, New York.	Hon. Franklin K. Lane.		10,000	680	170.54	Interior Department allotment.	Interior Department.
113854	do	do		2,000	108	22.94	do	Do.
				12,000	788	193.48		
22308	Address at National Parks Conference, Washington, D. C.	J. Horace McFarland	Jan. 3, 1917	200	4	6.42	do	Do.
22309	do	Rev. Chas. W. Gilkey	do	200	6	6.36	do	Do.
22310	do	T. S. Palmer	Jan. 4, 1917	200	8	7.33	do	Do.
22311	do	Hon. Simeon D. Fess	Jan. 6, 1917	200	3	3.93	do	Do.
22312	do	A. B. Casselman	Jan. 5, 1917	200	4	6.52	do	Do.
22313	do	Herbert W. Gleason	Jan. 3, 1917	200	6	5.06	do	Do.
22314	do	E. Lester Jones	Jan. 4, 1917	200	1½	3.90	do	Do.
22315	do	E. W. Nelson	do	200	3	3.93	do	Do.
22316	do	Mrs. J. D. Sherman	Jan. 2, 1917	200	3	3.93	do	Do.
22317	do	William H. Holmes	Jan. 3, 1917	200	3	3.93	do	Do.
22318	do	Hon. J. B. Harker	Jan. 4, 1917	200	4	6.12	do	Do.
22319	do	George D. Pratt	Jan. 3, 1917	200	4	7.67	do	Do.
22320	do	Arthur E. Bestor	Jan. 4, 1917	200	3	3.93	do	Do.
22321	do	Huston Thompson, jr.	Jan. 3, 1917	200	3	3.93	do	Do.
22322	do	Hon. Herbert Quick	do	200	4	6.12	do	Do.
22323	do	Enos Mills	Jan. —, 1917	200	6	7.04	do	Do.
22324	do	Robert S. Yard	Jan. 6, 1917	200	6	5.52	do	Do.
129911	Address before National Education Association, Milwaukee, Wis.	P. P. Claxton	July 2, 1919	2,000	166	65.55	do	Do.
	Total under Department of Interior.			17,400	1,025	350.67		
	Grand total of all departments, etc.			30,144,362	894,101	109,056.35		

Mr. SMOOT. I now wish to present a summary of the cost to the Government of printing and mailing addresses and speeches printed at the Government Printing Office by order of the executive departments and other independent establishments of the Government and charged to Government appropriations from July 1, 1916, to September 15, 1919. These figures are based on statements from the Public Printer, the superintendent of documents, and the report of the commission on second-class mail matter. The total number of speeches printed during the period stated was 30,144,362.

The expense involved in printing and mailing these speeches was as follows: The total cost of printing was $109,066.35; cost of penalty envelopes, $80,052.96; estimated expense of addressing envelopes, $67,824; estimated mailing-room expense, $30,144;

estimated Postal Service expense for handling and transportation of 849,101 pounds of speeches, $93,433.55; estimated Postal Service expense for handling and transportation of 557,683 pounds of envelopes, $58,277.87; or a total of $442,798.73.

Mr. President, it seems to me that the next time we make appropriations for printing for the departments of the Government we ought to know where the money is going and we ought to stop all such expenditures of money as this.

I was going to call attention to a particular matter that was in violation of law, but perhaps that would not be a proper thing to do. I wish to say, however, that I have a copy of a speech, delivered by a certain reverend gentleman and sent broadcast throughout the country, on the face of which there is printed a statement that it was for distribution "among the United States army of railroad men, with the compliments" of a certain official of the Government of the United States. There is no law which allows a thing like that to go through the mail free; but I wish to say to you, Mr. President, that the departments of this Government now do not care very much about what the laws are; they are guided by their wishes and what they desire to do.

Mr. President, how many of these very same speeches to which I have called attention have been printed by order of Senators or Representatives for political purposes or for distribution for any other purpose I am going to find out within the next three weeks, and I am going to put the figures into the RECORD. When this information is placed before Congress, I think that every Senator will agree that the expenditure is not only an abuse of the expenditure of the people's taxes but is, I was going to say, a wicked practice, which ought to cease, not only on the part of Senators and Representatives, but which must cease on the part of the departments.

Mr. STERLING. Mr. President, will the Senator permit a question?

Mr. SMOOT. Certainly.

Mr. STERLING. I did not quite understand to what speeches the Senator referred as having been printed. Does he mean the speeches of Senators and Representatives?

Mr. SMOOT. No; not the speeches of Senators at all. I am referring merely to speeches that have been ordered printed by the departments of our Government for distribution throughout the United States. So far as concerns speeches that have been delivered outside of Congress on the order of Senators and Representatives and printed as public documents for the purpose of distribution throughout the country, I am going to let the Senate know how many such speeches have been printed and distributed.

Mr. STERLING. They are generally paid for, are they not?

Mr. SMOOT. They are paid for, but I am only going to do this in connection with a statement showing the amount of paper that is being used for these purposes.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. SMOOT. Yes.

Mr. NELSON. Are all these speeches sent out by the departments the speeches of Senators and Representatives, or are they speeches of other parties?

Mr. SMOOT. They are speeches of other parties. For instance, take the executive department; I find an address that was delivered before the Press Club of New York by the President on June 30, 1916, an address to the Associated Advertising Clubs, an address at Detroit, Mich. These figures also include addresses to Congress; but I have been stating the number printed for distribution and paid for out of the funds appropriated by Congress.

Mr. OVERMAN. Mr. President, were any of these addresses in connection with the Liberty loans?

Mr. SMOOT. Yes; a great many of them were in connection with the Liberty loans.

Mr. OVERMAN. And the sale of war savings and thrift stamps?

Mr. SMOOT. No.

I will say that the paper used in printing and mailing speeches is as follows:

The total weight of speeches was 894,101 pounds, or 447 tons of white print paper.

The total weight of envelopes was 557,683 pounds, or 278 tons of manila paper.

The total weight of paper and envelopes was 1,451,784 pounds.

That is only a small part of what is going to be shown later in the distribution of many of these speeches that have been made public documents both in the House or in the Senate, and then printed and sent broadcast by those who are interested in them; and it is a practice that I think ought to cease.

Mr. SHEPPARD. Mr. President, let me ask the Senator a question before he takes his seat. What has become of the bill reforming the whole printing situation which the Senator introduced some few years ago and which was pending before Congress?

Mr. SMOOT. The history of the bill amending the printing laws I suppose the Senator well knows up to this session of Congress. The bill has always been held up in the Senate of the United States with the exception of once, when we passed the bill, and it then failed in the House.

Mr. SHEPPARD. Has it been reintroduced in this Congress?

Mr. SMOOT. A bill was introduced in the House at this session of Congress and has passed the House, but it does not go nearly as far as the original bill went, because of the opposition that was manifested to it, and I might just as well be plain and say by the Public Printer and those associated with him in the Government Printing Office. That bill is now before the Printing Committee of the Senate, and I hope that when conditions allow the bill can be reported to the Senate and some favorable action be taken upon it.

Mr. SHEPPARD. I trust that will be done, and that the bill will be so amended that it will reach the abuses presented by the Senator.

Mr. POMERENE. Mr. President, the Senator has been discussing to some extent the question of the supply of newsprint paper—only incidentally, however.

Mr. SMOOT. Yes.

Mr. POMERENE. I may say that in the last two or three weeks I have had a great many communications from the publishers of the smaller papers in Ohio and elsewhere. They complain very bitterly because they are not able to get the necessary print paper to issue their publications. It seems that the supply is being largely absorbed by the metropolitan journals and magazines. I have been seeking a method of getting some relief, if possible. I know that the Senator from Utah has given a great deal of attention to this subject, and I desire to ask him whether he has any suggestions to make as to a method whereby these smaller publications can get their necessary supply of paper?

Mr. SMOOT. I will say to the Senator that to-day many of the small papers in this country are compelled to pay 9 cents a pound for ordinary white print paper—9 cents a pound—and that is not all; they can scarcely get enough of the paper to issue their publications. I have had from different parts of the country letters and complaints just the same as the Senator has. There is no doubt that the situation is universal throughout the country; but the paper situation is such that not enough paper is manufactured to meet the demand. Not a day passes but that I sign two or three orders for purchasing paper in the open market in quantities of a few hundred pounds, or any quantity, just so that we can get it; and if some morning Congress wakes up and finds that there is no CONGRESSIONAL RECORD, it will be because of the fact that it is impossible to find the paper in the United States on which to print it.

Mr. POMERENE. Mr. President, I received the other day a communication indicating that the per capita consumption of paper in the United States had very materially increased. It is now 39 pounds.

Mr. SMOOT. I will say to the Senator that the consumption of all kinds of paper in the United States has increased one-third.

Mr. POMERENE. What suggestion has the Senator to make for relief?

Mr. SMOOT. If we could only make the people of the United States believe that propaganda is not necessary to be carried on on pending legislation that would save thousands of tons of paper. There is not a question now before Congress but that a propaganda upon it is started in some part of the country, and Congress and the country are flooded with literature, and this practice requires hundreds of thousands of tons of paper. I will say to the Senate that there has been a propaganda on the leasing bill. That is a bill that is in conference, and since it has been before Congress I think I have received 946 telegrams in regard to it. Those 946 telegrams are similar and most of them are word for word alike, and therefore it took 946 telegrams to parties sending the telegrams not only containing the words that were in the telegrams sent to me but asking them to send the telegrams. If we could only impress upon the American people that it is perfectly useless, a perfect waste of money, we would do a good service for the people.

Mr. POMERENE. Let me be a little more specific, if I can. I am seeking information. What can we do to relieve these small publishers?

Mr. GRONNA. Mr. President, if the Senator will permit me, I think it is only fair to say that an embargo was placed upon

paper by the Canadian authorities. That matter was taken up with the Department of State, and, as I understand, the department has adjusted the matter so that we are getting our share of the Canadian paper.

Mr. POMERENE. Then is it the Senator's view that the supply will improve from this time on?

Mr. GRONNA. It will.

Mr. POMERENE. And at a better rate?

Mr. GRONNA. I am not advised as to that. I know that the Department of State has taken up the matter and adjusted it.

Mr. SMOOT. I knew that the State Department had taken the question up, but I had not heard whether it had been finally adjusted or not; but I do know that an embargo was placed on the exportation of pulp from Canada, and therefore we were compelled to make paper from whatever pulp we could produce in this country; and, of course, the supply of paper that was on hand was drawn upon every day, and it diminished every day until it got to a very dangerous point.

Mr. OVERMAN. Mr. President, has not Canada prevented the shipment of wood from the Crown lands, where our paper makers have gone and leased the Crown lands for the purpose of getting wood, and has not the shipment of the wood been stopped?

Mr. SMOOT. That was done four or five years ago, and I do not think the restrictions have been removed. If they have, I have not heard of it.

Mr. SHERMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Illinois?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. SHERMAN. Does not the Senator know that there is just as much need of a reform in the Government as there is in these private agencies?

Mr. SMOOT. There is no question about it, and that is what I have said.

Mr. SHERMAN. Is it not also a fact, if the truth were known, that nearly every Government department is engaged in a crusade for the purpose of magnifying its own importance, and demanding additional powers and more appropriations? Some of them are coming to me and denouncing Congress for its parsimony in dealing with the particular department in question.

Mr. SMOOT. We get letters—most of them anonymous, however—from nearly every one of the departments, criticizing bitterly any Senator who dares stand upon the floor of the Senate and question any appropriation that is asked for by the departments of our Government.

Mr. SHERMAN. Connected with this subject of print-paper supply, the best place for the reform to begin is in the deficiency appropriation bills, as well as other appropriation bills, and not furnish to the departments the necessary money or the credit which is always implied in a deficiency bill. These deficiency bills are growing to an alarming extent, and it is time for the Senate to apply the hatchet.

I know that the most unpopular thing in Washington is to curtail appropriations. They call me up at night, out of my slumbers, to tell me the error of my ways in opposing appropriations; and the more I am called up the more I am convinced that there is need for a countercrusade by Congress against these extravagant appropriations.

Mr. KING. Mr. President, will my colleague yield?

Mr. SMOOT. Yes; I yield.

Mr. KING. I think if the Senator is merely called up from his slumbers he escapes very well. Many Senators who have been opposing these appropriations are denounced by propagandists in their own communities and threatened with political annihilation; but I want to state to the Senator that in my opinion a bill ought to be passed creating a censorship over publications by the executive departments. I do not mean by that that they ought to determine just exactly what should be said, but there ought to be some restriction as to the character and quantity of the publications. Nine-tenths of the publications of the departments are not worth the paper they are written upon. They are a disgrace to the departments and a disgrace to the country. Another thing that ought to be done by statute is to impose a penalty upon executive officers who carry on a propaganda. For instance, Mr. Claxton has written letters to educators throughout the United States pleading for a certain Americanization bill and urging that they support the bill to create a department of education. That would magnify Mr. Claxton; that would increase the powers of the bureau with which he is connected and transform it, indeed, into a department; and so Mr. Claxton—and he is merely a type of hundreds of others in the departments—spends hundreds and thousands of dollars of the people's money in carrying on an extensive propaganda throughout the United States in order to secure legislation to build up his department.

Mr. SMOOT. Mr. President, I want to say in conclusion that the Joint Committee on Printing now have power; under the law that was passed in the deficiency bill last year, to regulate the printing of certain publications issued by the departments. When we began to consider what publications should be discontinued, first we collected samples of all that were being issued. We could not show them in one room. Just the sample copies of what was issued we could not show in one room, and we had to get another room to put the samples in; and then we spent weeks and weeks in trying to eliminate what we thought could be eliminated without interfering at all with the departments, and we did eliminate hundreds of them.

I had passed over my desk a morning or two ago, sent out by a department, copies of letters to be sent throughout the country congratulating the present Secretary of the Treasury on his appointment. I do not think that is necessary, Mr. President. The American people know that he has been appointed, and I do not see why any of the departments of the Government ought to reprint a letter of another person extending congratulations to the Secretary upon his appointment. What good does it do?

Mr. KING. It gives money to the printers.

Mr. SHERMAN. Mr. President, will the Senator yield?

Mr. SMOOT. I yield to the Senator from Illinois.

Mr. SHERMAN. To my mind that is not nearly so offensive as the use by the Director of the Railway Administration, before he retired, of railway stationery by the ton, scattered all over the United States and our territorial possessions, promoting his publicity, when it was known at the time, or at least he thought, that he was a candidate for President. Mr. McAdoo used a great many tons promoting that publicity. I never knew of a reputable railroad president who printed his name as president of a railroad on a folder which I would lug around in my pocket when I was paying much lower rates for travel than I pay now under Government ownership.

In addition to that, Mr. NEWBERRY's campaign committee in Michigan has been damned from Dan to Beersheba because he paid his own bills to advertise his campaign, and he is now indicted by the United States Government and is on trial. Though he paid his own bills, he is severely criticized for it. Mr. McAdoo paid his campaign bills at the expense of the Government, and he passes as a great public example of virtue.

I would like to see that carried into the campaign. Mr. President, along with the League of Nations and with a statement of an English writer in a recent book that it was "harder to debamboozle" the old Presbyterian who represented us than it was originally for Lloyd-George "to bamboozle him."

I will read that book for the edification of the Senate some day. I want it in the CONGRESSIONAL RECORD. It sells at $2.50 a volume, which is beyond the reach of the average Senator now after paying his legitimate expenses. I shall put it in the CONGRESSIONAL RECORD, Mr. President—the genesis, the evolution, and the whole Pentateuch of the peace treaty. I would like to know how the Senator from Utah would justify promoting one man and damning another, the latter of whom paid his own bills.

Mr. SMOOT. Of course, I am not justifying it, I will say to the Senator.

Mr. President, just one word more. I do not believe that it would be necessary to take 273,000 pounds of print paper to print any speech ever delivered for distribution. I called attention to the fact that there was one speech that I know of which took 48 tons of paper, and the newspapers throughout the country reported that all the speeches I referred to took 48 tons. There is one speech that will be found in the report submitted by me to-day that took 136½ tons of paper to print 6,500,000 copies for distribution throughout the United States.

Mr. SHERMAN. Will the Senator yield before he closes the subject? I would like to read an extract from this book, if the Senator will yield.

Mr. SMOOT. I am through.

Mr. SHERMAN. I want to read a paragraph from page 54 of The Economic Consequences of the Peace, because it will save print paper. It ought to get to the public. The title page gives the publishers as Harcourt, Brace & Howe, of New York. It says:

"Thus it was that Clemenceau brought to success what had seemed to be, a few months before, the extraordinary and impossible proposal that the Germans should not be heard. If only the President had not been so conscientious, if only he had not concealed from himself what he had been doing, even at the last moment he was in a position to have recovered lost

ground and to have achieved some very considerable successes. But the President was set. His arms and legs had been spliced by the surgeons to a certain posture and they must be broken again before they could be altered. To his horror, Mr. Lloyd-George, desiring at the last moment all the moderation he dared, discovered that he could not in five days persuade the President of error in what it had taken five months to prove to him to be just and right. After all, it was harder to debamboozle this old Presbyterian than it had been to bamboozle him, for the former involved his belief in and respect for himself.

"Thus in the last act the President stood for stubbornness and a refusal of conciliations."

That is written by one of our British cousins living in London.

Mr. JONES of New Mexico. Mr. President, some weeks ago I introduced a bill looking toward the conservation of the print-paper supply. It was referred to a Senate committee, and I have not heard anything from it, nor have I heard any suggestion from anyone as to any measure being offered for that purpose.

We all recognize the importance of conserving the print-paper supply. Some time ago I received a telegram, among many others, which I have not called to the attention of the Senate because I had hoped that the proper committee was considering the measure; but in this connection I think it is desirable to call attention to the telegram. It reads:

CLEVELAND, OHIO, *December 16, 1919.*

Hon. ANDRIEUS A. JONES,
Senate Office Building, Washington, D. C.:

Representing 1,200 home newspapers published in the rural towns and cities of the United States, all of which are now threatened with serious financial loss—even with destruction of their business—by reason of the hoggishness of big city daily newspapers which by reason of their huge demands for print paper, and their great financal resources are enabled and do rob smaller newspapers of their print-paper supplies, I urge the immediate passage of legislation limiting the number of pages newspapers may print to not more than 24 pages. Only by such Federal legislation can the thousands of weekly newspapers be saved from heavy loss and possible extinction, a fate as injurious to the millions of Americans who live in rural towns and on farms as can well happen. We feel that the population affected is the backbone of this Nation, and that the publishers who give them their news and information should be protected to the last ditch.

S. T. HUGHES,
Editor Publishers' Autocaster Service.

Mr. President, that is a serious situation, and I submit that Congress, through some committee, can very well give careful consideration to the situation. It ought to be remedied. It is evident that there is an actual shortage of print paper in the country, yet the big daily newspapers of the country are expanding their advertisements to a degree which to my mind is wholly unjustified. It is brought about through conditions which, I submit, ought not to prevail. The big concerns of the country are using their money now to build up a good will at the expense of the Treasury of the United States. A great many of them, through using corporate funds for the purpose of advertising or other expenses and failing to declare dividends, are depriving the Government of the United States of vast sums of revenue to which it is justly entitled.

It operates in this wise: Take a close corporation where the stockholders have large incomes otherwise. It means that if they do not declare their profits in dividends they will save a surtax equal in many instances to at least 50 per cent, and instead of declaring that in dividends they are now using their surplus earnings in advertising, so as to build up a good will for the future, at the expense at the present time of the Treasury of the United States. It is brought about largely through the defect in the present revenue law which permits these corporations to retain in their treasuries their surplus earnings, paying 2 per cent only beyond the normal tax. I submit that this situation calls for drastic action, and something should be done to conserve the paper for legitimate uses.

Attention has been called here this morning to the fact that many millions of certain speeches have been published. There are over a hundred million people in the United States, and if a speech contains information which ought to be generally disseminated, I have an idea that the number published was not excessive. Take the remarks of Senators made here this morning. They think the remarks are valuable; and if they are the people ought to have them. You can not get them out to over a hundred million people by the publication of just a few copies.

The speeches to which reference has been made, doubtless, in nearly every case, have been printed in the CONGRESSIONAL RECORD and made public documents by the consent of the Senate. They were thus made public documents for the supposed reason, at least, that they contained valuable information, and I submit that a careful examination of what has been done will not prove it to be an unmixed evil. Doubtless these papers have merit, and if they have gone to the country have given information to the people of the country which they at least are supposed to want and which they at least are supposed to need.

But there are many other reasons. Speeches that are made here are prolonged unduly. There is not any question about that. We talk here day after day about things with which we are all familiar largely for the purpose of consuming time, and it takes money to print that in the CONGRESSIONAL RECORD. We ought to use a little judgment ourselves in the speeches which we make here. While the Senator from Utah has undoubtedly called attention to a matter which could be remedied to some extent, yet any just remedy along the lines suggested by him will not reach the condition by any means in a satisfactory way.

This question of print paper ought to be taken up in earnest, and something should be done to conserve the supply and so distribute it that the newspapers of the country which to-day need it can get it.

Mr. KELLOGG. Mr. President——

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Minnesota?

Mr. JONES of New Mexico. I gladly yield.

Mr. KELLOGG. I would like to ask the Senator what specific remedy he recommends? It has been my observation that most of the remedies suggested on the floor begin and end with a speech. What particular remedy does the Senator suggest?

Mr. JONES of New Mexico. I will state to the Senator that a few weeks ago I introduced a bill limiting the size of the large daily newspapers. That would remedy it to some extent.

Mr. KELLOGG. I submitted a resolution to cut short speeches. I think that would remedy it to some extent.

Mr. JONES of New Mexico. I agree with the Senator.

Mr. KELLOGG. The Senator and I may be able to work together.

Mr. KING. Will the Senator permit an inquiry?

Mr. JONES of New Mexico. Certainly.

Mr. KING. Would not a measure withdrawing the second-class privilege from magazines that are devoted largely to advertising and carry only a few pages of reading matter do something toward curing the evil which exists? The Senator knows that some of these magazines now have perhaps 25 pages of reading matter, and there will be 100 or more pages of advertising matter. They get the advantage of reduced rates in the transportation of that advertising matter, and the Government really is paying them a subsidy. It costs the Government, as the Senator knows, millions of dollars a year to carry through the mails the publications of the character referred to.

Then, if I may make another suggestion, does not the Senator think that something ought to be done by the Government dealing with foreign-language newspapers? There are hundreds of them printed in the United States, many of them hostile to our Government, preaching sedition and anarchy, and yet we are subsidizing those newspapers and the Government is paying millions of dollars to transport that class of literature through the mails of the United States.

Mr. JONES of New Mexico. Answering the Senator's last inquiry first, with the idea that ultimately it will not be necessary to have newspapers printed in foreign languages, the Senate passed a bill a few days ago, which, however, was opposed by the Senator from Utah, to educate the people of the United States to read English. I submit that that is one of the best possible ways for conserving the paper that goes into the foreign-language papers.

I wish to say in this connection, that while that bill was pending appeals were made in favor of the bill for the reason that it was impossible for people who could not understand or read the English language to know what is going on in the country. I had appeals from my own State to have some speeches in regard to the League of Nations, which is one of the paramount questions of the day, translated into a foreign tongue. But even that would not meet the situation. You may translate one speech, but you will convey only the one idea. In order to get in touch with the various problems that confront the American people they have got to be able to read the English language, and that is the only way you will ever curtail the expense of publishing newspapers in a foreign tongue. They want information somehow, but if they can not read English I say there should be papers published in a foreign tongue so that they may have at least some information as to what is going on in the country.

Referring to the other question of the Senator from Utah [Mr. KING] there is no doubt that there is a vast waste of paper in the advertisements which appear in the magazines. That has been considered in various ways in connection with the postal rates, but it has not, so far as I have observed, succeeded in reducing the amount of advertising. Something ought to be done to solve the print-paper question, and I am glad the subject

has come up this morning, so that Senators may be impressed by the acuteness of the situation.

Mr. WADSWORTH. Mr. President, is morning business closed?

The VICE PRESIDENT. It is not. The introduction of bills and joint resolutions is in order.

Mr. WADSWORTH. I feel constrained to ask for the regular order.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POINDEXTER:

A bill (S. 3865) providing for the men and officers in the Russian Railway Service Corps the status of enlisted men and officers of the United States Army when discharged; to the Committee on Military Affairs.

By Mr. RANSDELL:

A bill (S. 3866) to provide for the control of the floods of the Atchafalaya, Red, and Black Rivers, La., and to protect their basins from the flood waters of the Mississippi River, and for other purposes; to the Committee on Commerce.

By Mr. JONES of New Mexico:

A bill (S. 3867) authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, Santa Fe County, and the town of Silver City, N. Mex.; to the Committee on Public Lands.

By Mr. GRONNA:

A bill (S. 3868) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate and foreign commerce, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. McKELLAR:

A bill (S. 3869) to incorporate the International Association of Rotary Clubs, and for other purposes; to the Committee on the Judiciary.

A bill (S. 3870) for the relief of the estate of Matthew C. Butler, jr., deceased (with accompanying papers); to the Committee on Claims.

By Mr. McNARY:

A bill (S. 3871) to amend section 4 of an act entitled "An act making appropriation for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes," approved July 2, 1918; to the Committee on Post Offices and Post Roads.

By Mr. NUGENT:

A bill (S. 3872) granting an increase of pension to Alexander Wilson; and

A bill (S. 3873) granting a pension to A. J. Henderson; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 3874) granting an increase of pension to Martha Griggs (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A joint resolution (S. J. Res. 153) authorizing the Secretary of War to cause a preliminary examination and survey to be made of the Tualatin River; to the Committee on Commerce.

REORGANIZATION OF THE ARMY.

Mr. JONES of Washington submitted an amendment intended to be proposed by him to the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes, which was ordered to lie on the table and be printed.

Mr. KIRBY submitted an amendment intended to be proposed by him to the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes, which was ordered to lie on the table and be printed.

REGULATION OF COLD STORAGE.

Mr. McNARY submitted an amendment intended to be proposed by him to the bill (H. R. 9521) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes, which was referred to the Committee on Interstate Commerce and ordered to be printed.

PRESERVATION OF NATIONAL ARCHIVES.

Mr. CURTIS submitted the following resolution (S. Res. 296), which was referred to the Committee on the Library:

Resolved, That, pending action by Congress looking to the erection of a hall of records and the preservation of the national archives, the various departments of the Government be, and they hereby are, instructed to postpone all recommendations for destruction and to make every effort to safeguard against disintegration, deterioration, or destruction of such documents as are now intrusted to their care.

Mr. CURTIS submitted the following resolution (S. Res. 297), which was referred to the Committee on the Library:

Resolved, That, pending action by Congress looking to the preservation of such correspondence, records, papers, and other documents as are valuable for historical, statistical, or other purposes, the various departments of the Government be, and they hereby are, instructed to postpone all recommendations for destruction and to make every effort to safeguard such of the national archives as are now intrusted to their care.

RANK OF ARMY OFFICERS.

Mr. HARRISON. I wish to call up Senate resolution 294, directing the Secretary of War to furnish certain information with respect to the demotion of officers, and so forth. I submitted the resolution yesterday and asked that it might lie over.

The VICE PRESIDENT. The Chair lays the resolution before the Senate.

Mr. SMOOT. Let it be read.

Mr. HARRISON. I think it had better be read.

The Assistant Secretary read the resolution.

Mr. HARRISON. Mr. President, there can be no doubt that in many cases the plan of the War Department providing for the demotion of officers has been illogical and grossly unfair. There are cases where, at the outbreak of the war, an officer was, say, No. 800 on the list of officers, meaning that there were 799 ahead of him as officers. Under the demotion plan he is now, say, No. 1,700 on the list of officers, and that means that there are 1,699 ahead of him. That appears to me to be grossly unfair. It is a plan that has caused demoralization among the officers in the Regular Army, and it seems to me that the department's policy should be given to the Senate by the War Department in order that if the plan is inequitable and unfair, that may be known. If it is backed up by good reason and justice, then the information will clarify the situation.

That is the object of the resolution. I have offered it, not as a critic of the War Department, but as a friend of it. I hope the resolution will be adopted by the Senate.

Mr. KING. May I make an inquiry of the Senator?

Mr. HARRISON. Certainly.

Mr. KING. One of the points he has mentioned calls for a vast amount of information. Does the Senator think that that is really necessary? For instance, as I recall, it requires the names of all officers, and there would be thousands of names, the positions which they had and the duties which they performed before demotion, the positions which they now hold, and the duties which those positions involve.

It would seem to me that that would require so much detailed information that it would require weeks on the part of the War Department to supply the information. I am in sympathy with the purpose of the resolution. I think that something ought to be done to correct what seems to be an evil now existing and an injustice from which Army officers are suffering.

Mr. HARRISON. I will say to the Senator from Utah that if he should modify what is requested in the resolution he would not be able to secure the data that is necessary in order to form a just opinion. I have tried to make it just as simple as possible in order to enable us to form an accurate opinion.

Mr. WADSWORTH. Mr. President, I also am in sympathy with the purpose of the resolution introduced by the Senator from Mississippi, but, referring to the same aspect to which the Senator from Utah referred, which is covered by paragraph 3, let me suggest an amendment, which would reduce somewhat the labor involved and which, I think, would not hurt the resolution. Subdivision 3 reads:

(3) The names of all officers of the Regular Army who have been demoted, with a statement of their grade at the time of their demotion, the grade to which they have been demoted, the duties performed by them at the time they held their higher temporary grade, and the duties they are now performing.

I may suggest to the Senator that it is not particularly important for the purposes of the inquiry to know the duties that demoted officers are now performing. The important thing is to find out what they were doing before they were demoted and also to find out what the officers who have not been demoted are now doing.

Mr. HARRISON. Of course, the only object of that subdivision was to compare the duties in their higher rank with the duties they are now performing. If the Senator from New York, who is well versed in this matter, thinks the necessary data could be procured by modifying the resolution in that respect, I have no objection to it.

Mr. WADSWORTH. I think it would very greatly decrease the burden of preparing the report. The resolution asks for the names and assignments of nearly 9,000 officers, and it seems to me what the Senator really wants to find out most of all,

and what the Senate would like to find out most of all, is what the officers still holding the higher ranks are assigned to as a matter of duty and not what the officers who have been demoted are doing, because, so far, they are not doing anything of any importance.

Mr. HARRISON. What is the amendment which the Senator from New York suggests?

Mr. WADSWORTH. I suggest striking out, in lines 15 and 16 on page 1, the words "and the duties they are now performing," putting a period in place of a comma after the word "grade."

Mr. HARRISON. I will accept the amendment.

Mr. WADSWORTH. It would also require, in the interest of proper construction, the insertion of the word "and" after the word "demoted" in line 14 on the same page.

Mr. HARRISON. I accept the modifications suggested.

The resolution as modified was agreed to, as follows:

Resolved, That the Secretary of War be, and he is hereby, directed to furnish to the Senate a statement giving specifically—

(1) The policy of the General Staff of the War Department with respect to the demotion of officers of the Regular Army.

(2) The date of the adoption of such policy and what steps, if any, are provided thereunder, so that the officers of the Regular Army may be restored to their permanent grade in an orderly and equitable way.

(3) The names of all officers of the Regular Army who have been demoted, with a statement of their grade at the time of their demotion, the grade to which they have been demoted, and the duties performed by them at the time they held their higher temporary grade.

(4) The names of all officers of the Regular Army still holding advanced rank, the duties now being performed by them, and the reasons why the advanced rank is necessary or appropriate to such duty.

(5) The policy of the War Department in regard to section 8 of the selective-draft act approved May 18, 1917.

(6) If any specific ruling as to the effect of section 8 of the selective-draft act has been made to the War Department by the Judge Advocate General whether said section was intended to preserve a lineal or relative standing of officers of the Regular Army and if any such opinion has been given to the Secretary of War by the Judge Advocate General to furnish it to the Senate.

DRILL BOAT NO. 3 AND DREDGE NO. 9.

The VICE PRESIDENT. Morning business is closed.

Mr. CALDER. I move that the Senate proceed to the consideration of the bill (S. 3472) for the relief of the owner of a drill boat known as drill boat *No. 3* and a dredge known as dredge *No. 9*. This bill provides for the payment of a very meritorious claim on account of damage done by a naval vessel to several boats that were engaged in dredging at Hell Gate.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York?

Mr. SMOOT. I should like to have the bill first read, Mr. President.

The VICE PRESIDENT. The Secretary will read the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the New Jersey Shipbuilding & Dredging Co., of Bayonne, N. J., owner of a drill boat known as drill boat *No. 3* and a dredge known as dredge *No. 9*, out of any money in the Treasury not otherwise appropriated, the sum of $118,309.16 to reimburse said owner of drill boat *No. 3* and dredge *No. 9* for loss sustained as a result of damages suffered by said drill boat *No. 3* and said dredge *No. 9* through collision with the United States Navy barge *Nahanta* in tow of the U. S. S. *Woodcock*, off Hallets Point, New York Harbor, on April 19, 1919.

Mr. KING. Mr. President, it seems to me that the claimant in this case ought to be remitted to the Court of Claims, where he may prosecute his claim against the Government. To appropriate the large sum here proposed without having the claim adjudicated seems to me improper.

Mr. CALDER. Mr. President, this claim is strongly recommended by the Navy Department. These boats were engaged in dredging at Hell Gate, and while so engaged a Navy boat came down the river and, without notice, ran into the drill boat and the dredge. I think the whole matter is covered in the last two paragraphs, on page 6, of the report of the committee on the bill, where it is made plain that the Navy is entirely to blame. These two boats, I will say to the Senator from Utah, are at this very hour needed to prosecute the work at Hell Gate. Their owner can not have them repaired, and consequently can not do the work required by the Government.

Mr. KING. Let me make an inquiry of the Senator. There are many claims which have arisen during the war by reason of collisions between ships controlled by the Emergency Fleet Corporation and vessels operated by the Navy. Does not the Senator think that there ought to be some investigation by a court in order to determine the liability of the Government in regard to these matters?

Mr. CALDER. I do, Mr. President; but this is an unusual case. These vessels were engaged in doing Government work under a Government contract, but they have been entirely put out of commission. The man who owns them desires to continue on the Government work, but can not do so because he can not repair the damages caused by the Government.

The claim is not a war claim. It is just as if some one broke up another's business or destroyed his house. In such a case the injured party would sue the one responsible and would get damages or would have his claim taken care of otherwise.

Mr. KING. In the case which has just been instanced by the Senator from New York if, through some fault of the Government, my business were broken up—to use his language—would I not be compelled to go to the Court of Claims or some judicial tribunal for the purpose of establishing the liability of the Government for the damages which I had sustained?

Mr. CALDER. I might say to the Senator——

Mr. SPENCER. Will the Senator from New York yield for a moment?

Mr. CALDER. I yield.

Mr. SPENCER. Perhaps I ought to say in regard to this claim—for it was considered by a committee with which I am connected—that the facts in reference to it are somewhat unusual. The Government admits its liability and admits the amount for which this bill calls. The fact of the matter was that the claimant was engaged in Government work, and while doing that work a Government naval tug, with a barge attached, came down the river and struck these boats without any fault on the part of the claimant. The Navy Department took the matter up, investigated it carefully, and found that the liability was entirely with the Government and that the amount of the damages was the amount provided for by the bill.

This case is differentiated, I may say to the Senator from Utah, from other cases in this respect, to which the Navy Department called the attention of the committee: The owner of the drill boat and dredge is now working for the Government at Hell Gate, removing rock; the Government has a contract with him; it is essential that the work be done; and yet he is on the verge of bankruptcy. The damage that has been done, unless it is paid for, will absolutely prevent him from going on.

Mr. KING. I desire to inquire of the Senator if, under existing law, the claimant who has been injured and damaged, as the Senator contends, would have the right to prosecute his demands before the Court of Claims?

Mr. SPENCER. I am inclined to think he would have that right, as the Senator indicates; but here is the situation: The man who was damaged and the one who damaged him have both agreed upon the liability and upon its amount. If it were in civil life, that would create a case which never would go before a court, for the claim would be paid outside of court.

Mr. KING. Mr. President, if the Senator will permit me, the person who agrees for the Government as to the liability in this case does not have to pay the damage. There is a wide difference between a controversy between two individuals in civil life and a controversy between an individual and the Government. Here some person has agreed that the Government is liable and that it should pay a large sum to the claimant. The person so admitting liability against the Government may have contributed to the damages which are the basis of the claim. Now, he is perfectly willing to fasten the liability upon the Government. He escapes the payment of compensation, so can more readily perceive the propriety of fastening liability upon the United States. It would seem to me that where the Government provides a forum in which all legitimate and honest claims, or, for that matter, illegitimate ones, may be presented and passed upon, the Government has done all it ought to do.

Mr. SPENCER. The only answer that can be made to what the Senator has stated is that in a case where liability is unquestioned and the amount is agreed upon, if the claimant is relegated to a court for adjudication, in a case like this, the very delay is a denial of the whole claim, for before the claim can ever be presented to the court or adjudicated the claimant may die. If that department of the Government which caused the damage agrees that they were at fault, and a board of officers, after examination and investigation, agree upon the amount, it would seem as if there was some reason, in fair dealing, why the claimant should not be sent to some other tribunal to determine what has already been agreed upon.

Mr. NELSON. Mr. President, will the Senator from New York yield?

Mr. CALDER. I yield to the Senator from Minnesota.

Mr. NELSON. I simply wish to say in connection with the discussion that this is a matter sounding in tort, and the parties could not go into the Court of Claims without special authority for that purpose; they can not go into that court under the general law. There is a bill relating to a collision now pending before the Committee on the Judiciary which authorizes the party to go to the Court of Claims. So, if the parties in this case are required to go to the Court of Claims, we will have to pass a special act to give them that authority.

Mr. KING. May I inquire of the Senator, with the permission of the Senator from New York——

Mr. CALDER. Certainly.

Mr. KING. Does existing law deny access to the Court of Claims where the action sounds in tort?

Mr. NELSON. It does in actions growing out of tort. There is a class of cases that can be referred to the Court of Claims without special authority; but this is an action sounding in tort; it is a marine tort.

Mr. KING. Where there is an implied contract, as I understand——

Mr. NELSON. This can hardly be made a case of implied contract.

Mr. KING. The Court of Claims has jurisdiction.

Mr. NELSON. In cases of implied contracts that court may have jurisdiction; but this is an action sounding essentially in tort, and the parties can not go into the Court of Claims without a special act of Congress.

Mr. KING. Mr. President, I shall vote against this measure. I think it establishes a bad precedent; I think that it opens the way for the perpetration of wrongs upon the Government of the United States. We had a similar question under discussion yesterday. We are providing now for payment to be made by the Government upon the recommendation of a board which is constituted for administrative and executive purposes. There are numerous boards in the executive departments, organized for executive and administrative work, and whose labors relate to most of the activities of the Government, and we are conferring upon them judicial powers; we are authorizing them to make investigations and awards against the Government and pronounce judgments that become legal and binding claims which Congress is under obligation to discharge. I think that it is unwise; I think that it is dangerous legislation.

It seems to me where a sovereign State is willing that it shall be sued, and provides a tribunal before which individuals may go to present their claims against it, that is all that should be exacted of it. There ought to be an impartial, dispassionate, judicial investigation of claims made against the Government as there is a judicial investigation of controversies between private individuals; the Government ought to have its day in court, a chance to present before a judicial tribunal evidence in its own defense before liability is laid at its door and a judgment pronounced against it.

Mr. President, the statements upon the floor of the Senate yesterday indicated, as I said a moment ago, that there are numerous boards and tribunals, not only in the War and Navy Departments and the Coast and Geodetic Survey, but in a score or more of the administrative and executive bureaus and departments and instrumentalities of the Government, that are empowered to go out and make investigation of their own derelictions and delinquencies and to pronounce judgments, which the Government will be compelled to pay. If the Court of Claims has not jurisdiction to take care of cases growing out of torts, and if this is a case sounding in tort, a general statute ought to be enacted that will afford full and ample opportunity for claimants against the Government to litigate their claims. It seems to me this is a most dangerous method of dealing with claims against the Government of the United States. I hope the bill will be defeated and that the entire question of providing a proper procedure to determine valid claims against the Government may be fully considered and legislation enacted, if necessary, in order that the rights of citizens and the rights of the United States may be fully protected.

Mr. McKELLAR. Mr. President, I desire to ask the Senator from New York a question. In arriving at the conclusion how did the representatives of the Government and the claimant reach a conclusion on the amount? I was not in the Chamber a little while ago when this matter came up.

Mr. CALDER. The claimant put in a bill to the Government for $122,000. This was referred to a naval board of inquiry, which sat for several days, and finally agreed that the claimant was entitled to the sum mentioned in the bill.

Mr. McKELLAR. They heard the proof?

Mr. CALDER. They heard the proof.

Mr. McKELLAR. And then decided what?

Mr. CALDER. They decided that the claimant was entitled to $118,300, the amount stated in the bill. The conclusion of the recommendation of the Assistant Secretary of the Navy is as follows:

> In view of the fact that the record indicated that the Navy is clearly responsible for the damages suffered by the claimant as a result of the said collision, and further that the claimant is engaged in important Government work in deepening and widening the Hell Gate Channel, I have the honor to recommend that the bill receive favorable consideration by the Committee on Claims.

That is signed by Mr. Roosevelt, Assistant Secretary of the Navy.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the New Jersey Shipbuilding & Dredging Co., of Bayonne, N. J."

GERTRUDE LUSTIG.

Mr. HARRISON. Mr. President, for about 10 days now the Senate has been unable to function because of a lack of attendance. I am wondering if we have the proper attendance now, and I make the point of no quorum.

Mr. WADSWORTH. Mr. President, will the Senator withhold that suggestion for just a moment?

Mr. HARRISON. Yes.

Mr. WADSWORTH. I want to bring a matter before the Senate which I think will not demand the presence of a quorum, and will take but just a moment, as it is a bill but eight lines in length.

Mr. HARRISON. I withhold the suggestion.

Mr. WADSWORTH. I ask unanimous consent that the Senate proceed to the consideration of Senate bill 3381, Order of Business 355, which will be found upon page 11 of the calendar.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3381) for the relief of Gertrude Lustig. It authorizes and directs the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to Gertrude Lustig, the sum of $1,286.53, being the amount she would have received as pay and allowances as chief nurse, Army Nurse Corps, from September 28, 1918, the date of her unjustifiable dismissal from that position, to May 22, 1919, the date of her restoration to the service.

Mr. KING. Mr. President, I should like to ask the Senator from New York whether or not, during the period mentioned in the bill, this nurse had other employment which compensated her for the loss which she sustained by not being in the employ of the Army, and if she did not get employment, the reason therefor?

Mr. WADSWORTH. The unfortunate thing was that the nurse in question was in jail during that entire time. This case constitutes one of the most distressing and horrible things that I have ever encountered in connection with the treatment of a good woman by the Government. It arose from a frame-up, which the Government finally understood was a frame-up, and when they did understand it she was released and restored to service.

Mr. KING. A frame-up by officers?

Mr. WADSWORTH. It is difficult to say just how it commenced. The story is a rather distressing one, and I hesitate very much to tell it.

Mr. KING. I shall not ask the Senator to do that.

Mr. WADSWORTH. The Military Intelligence Department of the War Department realized the error that had been made, and the Department of Justice also realized it; and both departments, together with the Surgeon General, the head of the whole Medical Service, joined in an urgent request that this relief be granted to Miss Lustig. She has been restored to service, and she is now a member of the Army Nurse Corps.

Mr. KING. I want to give notice to the distinguished Senator from New York, in view of his statement, that if the War Department does not make an investigation to determine who was at fault, and compel the individuals, if they are Army officers or if they are in the employ of the Government, to make restitution to the Treasury of this amount, I shall introduce a resolution of investigation to ascertain why such course has not been pursued.

Mr. WADSWORTH. I may say to the Senator from Utah that the Government has done its best to locate the blame for this thing. The persons involved in it have utterly disappeared. I have followed this case for many months, and I must say that the officers, when they discovered their error, have done their very best to remedy it; but the only thing that could be done to give relief in part to the unfortunate person involved was to have Congress pass an act authorizing the payment to this nurse of the money which she would have earned as an Army nurse during the period of her confinement.

Mr. KING. In view of the Senator's statement, I believe the appropriation should be made; but I feel that the War Department, with the vast resources at its command, should determine who committed this crime against the nurse and prosecute

them criminally, and compel them to refund the amount the United States will pay to the injured party. After waiting a reasonable time I shall call the chairman's attention to this matter, and if there is no satisfactory reply from the proper department I shall ask an investigation of the entire matter.

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole and open to amendment. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CALLING OF THE ROLL.

Mr. HARRISON. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Harding	McCormick	Sheppard
Ball	Harris	McKellar	Smith, Ga.
Beckham	Harrison	Moses	Smoot
Brandegee	Henderson	Myers	Spencer
Capper	Hitchcock	Nelson	Stanley
Chamberlain	Johnson, Calif.	New	Sterling
Cummins	Johnson, S.Dak.	Norris	Sutherland
Curtis	Jones, N. Mex.	Nugent	Underwood
Dillingham	Jones, Wash.	Overman	Wadsworth
Fernald	Kellogg	Page	Warren
France	King	Phelan	Watson
Glass	Kirby	Phipps	Williams
Gronna	Knox	Pomerene	
Hale	Lodge	Ransdell	

Mr. MOSES. I desire to announce the absence of my colleague [Mr. KEYES] on account of illness in his family. This announcement may stand for the day.

Mr. GRONNA. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness. I ask that this announcement may stand for the day.

Mr. CURTIS. I have been requested to announce that the Senator from Iowa [Mr. KENYON], the Senator from New Jersey [Mr. EDGE], and the Senator from Louisiana [Mr. GAY] are absent on business of the Senate.

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present.

CIVIL-SERVICE RETIREMENT.

Mr. STERLING. I move that the Senate proceed to the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

The VICE PRESIDENT. The yeas and nays have been ordered on this motion, and the roll will be called.

The Reading Clerk proceeded to call the roll.

Mr. JONES of Washington (when his name was called). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent on account of the illness of his wife. I agreed to pair with him during his absence, and therefore I withhold my vote. If at liberty to vote, I would vote "yea."

Mr. KELLOGG (when his name was called). I have a pair with the Senator from North Carolina [Mr. SIMMONS], and in his absence I withhold my vote.

Mr. MOSES (when his name was called). I have a general pair with the Senator from Louisiana [Mr. GAY] and withhold my vote.

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Iowa [Mr. KENYON] and vote "yea."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Alabama [Mr. BANKHEAD] and vote "yea."

The roll call was concluded.

Mr. DILLINGHAM (after having voted in the affirmative). I have already voted, but having a general pair with the senior Senator from Maryland [Mr. SMITH], who is necessarily detained from the Senate, I am compelled to withdraw my vote.

Mr. PHIPPS. I transfer my pair with the junior Senator from South Carolina [Mr. DIAL] to the Senator from New York [Mr. CALDER] and vote "yea."

Mr. MCKELLAR. I have been requested to announce that the Senator from Massachusetts [Mr. WALSH], the Senator from Delaware [Mr. WOLCOTT], the Senator from Rhode Island [Mr. GERRY], and the Senator from Arkansas [Mr. ROBINSON] are detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Florida [Mr. TRAMMELL];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Arizona [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from New Hampshire [Mr. KEYES] with the Senator from Louisiana [Mr. RANSDELL];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from Michigan [Mr. NEWBERRY] with the Senator from Missouri [Mr. REED].

Mr. BALL (after having voted in the affirmative). I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. I transfer that pair to the senior Senator from Illinois [Mr. SHERMAN] and let my vote stand.

Mr. WATSON (after having voted in the affirmative). I voted, but I afterwards learned that my pair, the senior Senator from Delaware [Mr. WOLCOTT] is not in the Chamber. I transfer my pair with that Senator to the Senator from California [Mr. JOHNSON] and permit my vote to stand.

Mr. MCCORMICK. I have a pair with the junior Senator from Nevada [Mr. HENDERSON]. May I ask if he has voted?

The VICE PRESIDENT. He has not.

Mr. MCCORMICK. I transfer my pair to the junior Senator from Wisconsin [Mr. LENROOT] and vote "yea."

Mr. OVERMAN. May I inquire if the senior Senator from Wyoming [Mr. WARREN] has voted?

The VICE PRESIDENT. He has not.

Mr. OVERMAN. Having a general pair with that Senator, I will withhold my vote.

The result was announced—yeas 33, nays 6, as follows:

YEAS—33.

Ball	Hale	Nelson	Sterling
Beckham	Harding	New	Sutherland
Borah	Harris	Nugent	Townsend
Brandegee	Jones, N. Mex.	Page	Wadsworth
Capper	Knox	Phipps	Watson
Chamberlain	McCormick	Poindexter	Williams
Curtis	McCumber	Sheppard	
Fernald	McKellar	Smoot	
France	McNary	Spencer	

NAYS—6.

Cummins	Johnson, S. Dak.	Pomerene	Thomas
Harrison	Norris		

NOT VOTING—57.

Ashurst	Gore	McLean	Smith, Ariz.
Bankhead	Gronna	Moses	Smith, Ga.
Calder	Henderson	Myers	Smith, Md.
Colt	Hitchcock	Newberry	Smith, S. C.
Culberson	Johnson, Calif.	Overman	Stanley
Dial	Jones, Wash.	Owen	Swanson
Dillingham	Kellogg	Penrose	Trammell
Edge	Kendrick	Phelan	Underwood
Elkins	Kenyon	Pittman	Walsh, Mass.
Fall	Keyes	Ransdell	Walsh, Mont.
Fletcher	King	Reed	Warren
Frelinghuysen	Kirby	Robinson	Wolcott
Gay	La Follette	Sherman	
Gerry	Lenroot	Shields	
Glass	Lodge	Simmons	

The VICE PRESIDENT. There are three Senators present and not voting. A quorum has not voted. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ball	Henderson	Norris	Sterling
Capper	Jones, Wash.	Nugent	Sutherland
Culberson	Kellogg	Overman	Thomas
Curtis	Knox	Page	Townsend
Dillingham	Lodge	Phipps	Wadsworth
Fernald	McCormick	Pomerene	Warren
Glass	McKellar	Sheppard	Williams
Hale	Moses	Smoot	
Harding	Nelson	Spencer	
Harris	New	Stanley	

The VICE PRESIDENT. Thirty-seven Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Reading Clerk called the names of the absentees, and Mr. GRONNA, Mr. MCNARY, Mr. PHELAN, Mr. RANSDELL, Mr. SHERMAN, and Mr. UNDERWOOD answered to their names when called.

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is unavoidably detained at home. He has a general pair with the Senator from Minnesota [Mr. KELLOGG]. I will let this announcement stand for the day.

Mr. CHAMBERLAIN, Mr. BECKHAM, Mr. CUMMINS, Mr. BRANDEGEE, Mr. FRANCE, Mr. GORE, Mr. KING, Mr. HITCHCOCK, and Mr. JOHNSON of South Dakota entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. BALL in the chair). Fifty-two Senators having answered to their names, there is a quorum present. The yeas and nays have been ordered on the motion of the Senator from South Dakota [Mr. STERLING], and the Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. JONES of Washington (when his name was called). Making the same announcement with reference to my pair that I made a moment ago, I withhold my vote. I ask that this announcement may stand for the rest of the day. If at liberty to vote on this question, I would vote "yea."

Mr. KELLOGG (when his name was called). Making the same announcement with reference to my pair as on the previous roll call, I withhold my vote.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY]. He being absent, I withhold my vote.

Mr. PHIPPS (when his name was called). Making the same announcement as before as to my pair and transfer, I vote "yea."

Mr. STERLING (when his name was called). Making the same announcement as before with reference to my pair and transfer, I vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT]. I am unable to obtain a transfer of my pair, and in the absence of the Senator from Delaware I withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Alabama [Mr. BANKHEAD] and vote "yea."

The roll call was concluded.

Mr. DILLINGHAM. I have a general pair with the senior Senator from Maryland [Mr. SMITH]. In his absence I withhold my vote.

Mr. WATSON. Although not voting, I desire to be counted as present for the purpose of making a quorum.

Mr. LODGE (after having voted in the affirmative). I have a general pair with the senior Senator from Georgia [Mr. SMITH]. He has not voted, and I withdraw my vote.

Mr. PHIPPS (after having voted in the affirmative). The Senator from Georgia [Mr. HARRIS] with whom the Senator from New York [Mr. CALDER] is paired having entered the Chamber, I withdraw my vote.

Mr. HARRISON. I desire to announce that the junior Senator from Florida [Mr. TRAMMELL] is absent on account of illness. I ask that the announcement may stand for the day.

Mr. CHAMBERLAIN. I transfer my pair with the junior Senator from Pennsylvania [Mr. KNOX] to the junior Senator from Rhode Island [Mr. GERRY] and vote "yea."

Mr. HARRIS. I have a pair with the Senator from New York [Mr. CALDER]. In his absence I withhold my vote.

Mr. RANSDELL. I have a general pair with the Senator from New Hampshire [Mr. KEYES]. I transfer that pair to the Senator from Massachusetts [Mr. WALSH] and vote "yea."

The PRESIDING OFFICER (Mr. BALL, after having voted in the affirmative). I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. He is not present and has not voted. I therefore withdraw my vote.

Mr. McKELLAR. I have been requested to announce that the Senator from Massachusetts [Mr. WALSH], the Senator from Delaware [Mr. WOLCOTT], the Senator from Rhode Island [Mr. GERRY], and the Senator from Arkansas [Mr. ROBINSON] are detained on official business.

Mr. HARRISON. I have been requested to announce that the Senator from Virginia [Mr. SWANSON] and the Senator from Florida [Mr. TRAMMELL] are detained by illness in their families.

I have also been requested to announce that the senior Senator from Florida [Mr. FLETCHER], the senior Senator from South Carolina [Mr. SMITH], and the junior Senator from South Carolina [Mr. DIAL] are detained on account of illness.

The roll call resulted—yeas 36, nays 6, as follows:

YEAS—36.

Ball	Harding	Nelson	Spencer
Brandegee	Henderson	New	Stanley
Capper	Johnson, Calif.	Nugent	Sterling
Chamberlain	Jones, N. Mex.	Page	Sutherland
Culberson	Knox	Poindexter	Townsend
Curtis	McCormick	Ransdell	Underwood
Fernald	McCumber	Sheppard	Wadsworth
France	McKellar	Sherman	Warren
Hale	McNary	Smoot	Williams

NAYS—6.

Cummins	Johnson, S. Dak.	Norris	Pomerene
Harrison	King		

NOT VOTING—54.

Ashurst	Gerry	Lodge	Simmons
Ball	Glass	McLean	Smith, Ariz.
Bankhead	Gore	Moses	Smith, Ga.
Borah	Gronna	Myers	Smith, Md.
Calder	Harris	Newberry	Smith, S. C.
Colt	Hitchcock	Overman	Swanson
Dial	Jones, Wash.	Owen	Thomas
Dillingham	Kellogg	Penrose	Trammell
Edge	Kendrick	Phelan	Walsh, Mass.
Elkins	Kenyon	Phipps	Walsh, Mont.
Fall	Keyes	Pittman	Watson
Fletcher	Kirby	Reed	Wolcott
Frelinghuysen	La Follette	Robinson	
Gay	Lenroot	Shields	

The PRESIDING OFFICER. On the motion of the Senator from South Dakota the yeas are 36 and the nays are 6. The Senator from Washington [Mr. JONES], the Senator from Minnesota [Mr. KELLOGG], the Senator from New Hampshire [Mr. MOSES], the Senator from Indiana [Mr. WATSON], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Massachusetts [Mr. LODGE], and the Senator from Colorado [Mr. PHIPPS] being present, there is a quorum.

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes, which had been reported from the Committee on Civil Service and Retrenchment with amendments.

Mr. STERLING. I ask that the bill may be read.

The PRESIDING OFFICER (Mr. FERNALD in the chair). The Clerk will read the bill.

The bill was read, as follows:

Be it enacted, etc., That beginning at the expiration of 90 days next following the passage and approval of this act, all employees in the classified civil service of the United States who have on that date, or shall have on any date thereafter, reached the age of 65 years and rendered at least 15 years of service, computed as prescribed in section 3 of this act, shall be eligible for retirement on an annuity as provided in section 2 hereof: *Provided*, That mechanics, city and rural letter carriers, and post-office clerks shall be eligible for retirement at 62 years of age, and railway postal clerks at 60 years of age.

The provisions of this act shall include employees of the Library of Congress and the Botanic Gardens, excepting persons appointed by the President and confirmed by the Senate, and may be extended by Executive order, upon recommendation of the Civil Service Commission, to include any employee or group of employees in the civil service of the United States not classified at the time of the passage of this act. The President shall have power, in his discretion, to exclude from the operation of this act any employee or group of employees in the classified civil service whose tenure of office or employment is intermittent or of uncertain duration.

All regular annual employees of the municipal government of the District of Columbia, appointed directly by the commissioners, including those receiving per diem compensation paid out of general appropriations, but whose services are continuous, and including public-school employees, excepting school officers and teachers, shall be included in the provisions of this act, but members of the police and fire departments shall be excluded therefrom.

Postmasters, and such employees of the Lighthouse Service as come within the provisions of section 6 of the act of June 20, 1918, entitled "An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes," shall not be included in the provisions of this act.

SEC. 2. That for the purpose of determining the amount of annuity which retired employees shall receive, the following classifications and rates shall be established:

Class A shall include all employees to whom this act applies who shall have served the United States for a total period of 30 years or more. The annuity to a retired employee in this class shall equal 60 per cent of such employee's average annual basic salary, pay, or compensation from the United States for the 10 years next preceding the date on which he or she shall retire: *Provided*, That in no case shall an annuity in this class exceed $720 per annum or be less than $360 per annum.

Class B shall include all employees to whom this act applies who shall have served the United States for a total period of 27 years or more, but less than 30 years. The annuity to a retired employee in this class shall equal 54 per cent of such employee's annual basic salary, pay, or compensation from the United States for the 10 years next preceding the date on which he or she shall retire: *Provided*, That in no case shall an annuity in this class exceed $648 per annum, or be less than $324 per annum.

Class C shall include all employees to whom this act applies who shall have served the United States for a total period of 24 years or more, but less than 27 years. The annuity to a retired employee in this class shall equal 48 per cent of such employee's average annual basic salary, pay, or compensation from the United States for the 10 years next preceding the date on which he or she shall retire: *Provided*, That in no case shall an annuity in this class exceed $576 per annum, or be less than $288 per annum.

Class D shall include all employees to whom this act applies who shall have served the United States for a total period of 21 years or more, but less than 24 years. The annuity to a retired employee in this class shall equal 42 per cent of such employee's average annual basic salary, pay, or compensation from the United States for the 10 years next preceding the date on which he or she shall retire: *Provided*, That in no case shall the annuity in this class exceed $504 per annum, or be less than $252 per annum.

Class E shall include all employees to whom this act applies who shall have served the United States for a total of 18 years or more, but less than 21 years. The annuity to a retired employee in this class shall equal 36 per cent of such employee's average annual basic salary, pay, or compensation from the United States for the 10 years next preceding the date on which he or she shall retire: *Provided*, That in no case shall an annuity in this class exceed $432 per annum, or be less than $216 per annum.

Class F shall include all employees to whom this act applies who shall have served the United States for a total period of 15 years or more, but less than 18 years. The annuity to a retired employee in this class shall equal 50 per cent of such employee's average annual basic salary, pay, or compensation from the United States for the 10 years next preceding the date on which he or she shall retire: *Provided*, That in no case shall an annuity in this class exceed $360 per annum, or be less than $180 per annum.

The term "basic salary, pay, or compensation" wherever used in this act shall be so construed as to exclude from the operation of the act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the positions as fixed by law or regulation.

SEC. 3. That for the purposes of this act and subject to the provisions of section 10 hereof, the period of service shall be computed from the date of original employment, whether as a classified or unclassified employee in the civil service of the United States, and shall include periods of service at different times and services in one or more departments, branches, or independent offices of the Government, and shall also include service performed under authority of the United States beyond seas, and honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States: *Provided*, That in the case of an employee who is eligible for and elects to receive a pension under any law, or compensation under the war-risk insurance act, the period of his or her military or naval service shall not be included for the purpose of assignment to classes defined in section 2 hereof, but nothing contained in this act shall be so construed as to affect in any manner his or her right to a pension, or to compensation under the war-risk insurance act, in addition to the annuity herein provided.

It is further provided that in computing length of service for the purposes of this act all periods of separation from the service shall be excluded, and that in the case of substitutes in the Postal Service only periods of active employment shall be included.

SEC. 4. That for the purpose of administration, except as otherwise provided herein, the Commissioner of Pensions, under the direction of the Secretary of the Interior, be, and is hereby, authorized and directed to perform, or cause to be performed, any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect. An appeal to the Secretary of the Interior shall lie from the final action or order of the Commissioner of Pensions affecting the rights or interests of any person or of the United States under this act, the procedure on appeal to be as prescribed by the Commissioner of Pensions, with the approval of the Secretary of the Interior.

SEC. 5. That any employee to whom this act applies who shall have served for a total period of not less than 15 years, and who, before reaching the retirement age as fixed in section 1 hereof, becomes totally disabled for useful and efficient service by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall, upon his or her own application or upon the request or order of the head of the department, branch, or independent office concerned, be retired on an annuity under the provisions of section 2 hereof: *Provided, however*, That no employee shall be retired under the provisions of this section until examined by a medical officer of the United States or a duly qualified physician or surgeon or board of physicians or surgeons designated by the Commissioner of Pensions for that purpose and found to be disabled in the degree and in the manner specified herein.

Every annuitant retired under the provisions of this section, unless the disability for which retired is permanent in character, shall, at the expiration of one year from the date of such retirement and annually thereafter until reaching the retirement age as defined in section 1 hereof, be examined under direction of the Commissioner of Pensions by a medical officer of the United States, or a duly qualified physician or surgeon or board of physicians or surgeons designated by the Commissioner of Pensions for that purpose, in order to ascertain the nature and degree of the annuitant's disability, if any; if the annuitant recovers and is restored to his or her former earning capacity before reaching the retirement age, payment of the annuity shall be discontinued from the date of the medical examination showing such recovery; if the annuitant fails to appear for examination as required under this section, payment of the annuity shall be suspended until continuance of the disability has been satisfactorily established. The Commissioner of Pensions is hereby authorized to order or direct at any time such medical or other examination as he shall deem necessary to determine the facts relative to the nature and degree of disability of any employee retired on an annuity under this section.

Fees for examinations made under the provisions of this section by physicians or surgeons who are not medical officers of the United States shall be fixed by the Commissioner of Pensions, and such fees, together with the employee's reasonable traveling and other expenses incurred in order to submit to such examinations, shall be paid out of the appropriations for the cost of administering this act.

In all cases where the annuity is discontinued under the provisions of this section before the annuitant has received a sum equal to the total amount of his or her contributions with accrued interest, the difference shall be paid to the retired employee, or to his or her estate, upon application therefor in such form and manner as the Commissioner of Pensions may direct.

No person shall be entitled to receive an annuity under the provisions of this act, and compensation under the provisions of the act of September 7, 1916, entitled, "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," covering the same period of time; but this provision shall not be so construed as to bar the right of any claimant to the greater benefit conferred by either act for any part of the same period of time.

SEC. 6. That all employees to whom this act applies shall, upon the expiration of 90 days next succeeding its passage, if of retirement age, or thereafter on arriving at retirement age as defined in section 1 hereof, be automatically separated from the service, and all salary, pay, or compensation shall cease from that date, and it shall be the duty of the head of each department, branch, or independent office of the Government to notify such employees under his direction of the date of such separation from the service at least 60 days in advance thereof: *Provided*, That if within 60 days after the passage of this act or not less than 30 days before the arrival of an employee at the age of retirement, the head of the department, branch, or independent office of the Government in which he or she is employed certifies to the Civil Service Commission that by reason of his or her efficiency and willingness to remain in the civil service of the United States the continuance of such employee therein would be advantageous to the public service, such employee may be retained for a term of not exceeding two years upon certification by the Civil Service Commission, and at the end of the two years he or she may, by similar certification, be continued for an additional term not exceeding two years, and so on: *Provided, however*, That at the end of 10 years after this act becomes effective no employee shall be continued in the civil service of the United States beyond the age of retirement defined in section 1 hereof for more than four years.

SEC. 7. That every employee who is or hereafter becomes eligible for retirement because of age as provided in this act, shall, within 60 days after its passage or 30 days before reaching the retirement age, or at any time thereafter, file with the Commissioner of Pensions, in such form as he may prescribe, an application for an annuity, supported by a certificate from the head of the department, branch, or independent office of the Government in which the applicant has been employed, stating the age and period or periods of service of the applicant and salary, pay, or compensation received during such periods, as shown by the official records: *Provided, however*, That in the case of an employee who is to be continued in the civil service of the United States beyond the retirement age as provided in section 6 hereof, he or she may make application for retirement at any time within such period of continuance in the service; but nothing contained in this act shall be construed to prevent the compulsory retirement of such employee when in the judgment of the head of the department, branch, or independent office in which he or she is employed such retirement would promote the best interests of the service.

Upon receipt of satisfactory evidence the Commissioner of Pensions shall forthwith adjudicate the claim of the applicant, and if title to annuity be established, a proper certificate shall be issued to the annuitant under the seal of the Department of the Interior.

Annuities granted under this act for retirement on account of age shall commence from the date of termination of pay for active service on or after the date this act shall take effect, and shall continue during the life of the annuitant. Annuities granted for disability under the provisions of section 5 hereof shall be subject to the limitations specified in said section.

SEC. 8. That beginning on the first day of the third month next following the passage of this act and monthly thereafter there shall be deducted and withheld from the basic salary, pay, or compensation of each employee to whom this act applies a sum equal to 2½ per cent of such employee's basic salary, pay, or compensation. The Secretary of the Treasury shall cause the said deductions to be withheld from all specific appropriations for the particular salaries or compensation from which the deductions are made and from all allotments out of lump-sum appropriations for payments of such salaries or compensation for each fiscal year, and said sums shall be transferred on the books of the Treasury Department to the credit of a special fund to be known as "the civil-service retirement and disability fund," and said fund is hereby appropriated for the payment of annuities, refunds, and allowances as provided in this act.

The Secretary of the Treasury is hereby directed to invest from time to time, in interest-bearing securities of the United States, such portions of the "civil-service retirement and disability fund" hereby created as in his judgment may not be immediately required for the payment of annuities, refunds, and allowances as herein provided, and the income derived from such investments shall constitute a part of said fund for the purpose of carrying out the provisions of section 11 of this act.

The Secretary of the Treasury is hereby authorized and empowered in carrying out the provisions of this act to supplement the individual contributions of employees with moneys received in the form of donations, gifts, legacies, bequests, or otherwise, and to receive, invest, and disburse for the purposes of this act all moneys which may be contributed by private individuals or corporations or organizations for the benefit of civil-service employees generally or any special class of employees.

SEC. 9. That every employee coming within the provisions of this act shall be deemed to consent and agree to the deductions from salary, pay, or compensation as provided in section 8 hereof, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services rendered by such employee during the period covered by such payment, except the right to the benefits to which he or she shall be entitled under the provisions of this act, notwithstanding the provisions of sections 167, 168, and 169 of the Revised Statutes of the United States, and of any other law, rule, or regulation affecting the salary, pay, or compensation of any person or persons employed in the civil service to whom this act applies.

SEC. 10. That upon the transfer of any employee from an unclassified to a classified status, or upon the reinstatement of a former employee, credit for past service rendered subsequent to the date of this act shall take effect, or for any part thereof, shall be granted only upon deposit with the Treasurer of the United States of the amount of such deductions with interest as provided in this act as would have been made for the periods of actual service, or part thereof, for which credit is to be given, but such interest shall not be computed for periods of separation from the service: *Provided*, That failure to make such deposit shall not deprive the employee of credit for any past service rendered prior to the date this act shall become operative, and to which he or she would otherwise be entitled.

SEC. 11. That in the case of an employee in the classified civil service of the United States who shall be transferred to an unclassified position, and in the case of any employee to whom this act applies who shall become absolutely separated from the service before reaching the retiring age, the total amount of deductions of salary, pay, or compensation with accrued interest computed at the rate of 4 per cent per annum, compounded on June 30 of each fiscal year, shall, upon application, be returned to such employee; and in case an annuitant shall die without having received in annuities an amount equal to the total amount of the deductions from his or her salary, pay, or compensation, together with interest thereon at 4 per cent per annum compounded as herein provided up to the time of his or her death, the excess of the said accumulated deductions over the said annuity payments shall be paid in one sum to his or her legal representatives upon the establishment of a valid claim therefor; and in case an employee shall die without having reached the retirement age, or without having established a valid claim for annuity, the total amount of deductions with accrued interest as herein provided shall be paid to the legal representatives of such employee.

SEC. 12. That annuities granted under the terms of this act shall be due and payable monthly on the first business day of the month following the month or other period for which the annuity shall have accrued, and payment of all annuities, refunds, and allowances granted hereunder shall be made by checks drawn and issued by the disbursing clerk for the payment of pensions in such form and manner and with such safeguards as shall be prescribed by the Secretary of the Interior

in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments.

SEC. 13. That it shall be the duty of the head of each executive department and the head of each independent establishment of the Government not within the jurisdiction of any executive department to report to the Civil Service Commission in such manner as said commission may prescribe the name and grade of each employee to whom this act applies in or under said department or establishment who shall be at any time in a nonpay status, showing the dates such employee was in a nonpay status, and the amount of salary, pay, or compensation lost by the employee by reason of such absence. The Civil Service Commission shall keep a record of appointments, transfers, changes in grade, separations from the service, reinstatements, loss of pay, and such other information concerning individual service as may be deemed essential to a proper determination of rights under this act, and shall furnish the Commissioner of Pensions such reports therefrom as he shall from time to time request as necessary to the proper adjustment of any claim hereunder, and shall prepare and keep all needful tables and records required for carrying out the provisions of this act, including data showing the mortality experience of the employees in the service, and the percentage of withdrawal from such service, and any other information that may serve as a guide for future valuations and adjustments of the plan for the retirement of employees under this act.

The Commissioner of Pensions shall make a detailed comparative report annually showing all receipts and disbursements on account of refunds, allowances, and annuities, together with the total number of persons receiving annuities and the amounts paid them.

SEC. 14. That none of the moneys mentioned in this act shall be assignable, either in law or equity, or be subject to execution, levy or attachment, garnishment, or other legal process.

SEC. 15. That for the fiscal year ending June 30, 1920, there is hereby authorized to be appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $100,000 for salaries and for clerical and other services, the purchase of books, office equipment, stationery, and other supplies, and all other expenses necessary in carrying out the provisions of this act, including traveling expenses and expenses of medical and other examinations as provided in section 5 hereof.

The Secretary of the Interior shall submit annually to the Secretary of the Treasury estimates of the appropriations necessary to continue this act in full force and effect.

SEC. 16. That all laws and parts of laws inconsistent with this act are hereby repealed.

Mr. STERLING. Mr. President, in the consideration of this bill I admit at the beginning a full sense of responsibility. It is an important measure, and if it is passed it means the establishment by our Government for the first time of a civil-service retirement system, under which the employee in the classified civil service, if he has served the requisite time provided by the bill—namely, a minimum of 15 years—and has reached the age of retirement provided for in the bill—namely, in most cases 65 years and in other special cases 62 years and 60 years, respectively—will have upon retirement a maximum annuity, dependent upon length of service and amount of salary, of $720, and a minimum annuity, dependent likewise, of course, upon a smaller salary and a less period of service, of $180.

Mr. President, I think we all have observed the need of a civil-service retirement system. We can not have visited the several great departments of this Government from time to time in the performance of our duties as Senators without seeing here and there in every department at the various desks at which clerks are employed the inefficient who were unable to perform full service, their inefficiency ranging all the way from no efficiency at all to, perhaps, 75 or 80 per cent of efficiency in the service.

The first question, Mr. President, is, Who now are interested in the passage of a civil-service retirement bill and in the establishment of such a system for our Government?

There are three parties who are interested: First, the employees themselves. We may divide those into two classes, first, the aged, who after long years of service on very moderate salaries, on which they have been unable to accumulate anything, feel that they are entitled because of that long service to some recognition from the Government and to have some provision made for their declining years, the few remaining years after they have reached the age of retirement. But the aged are not the only ones who are interested in a provision of this kind. The younger men and women are interested, too. And why? Because the retention in the service of the aged and inefficient denies them their right to advancement and promotion in the service; and so we may say in a broad way that all classes of employees are interested in and, I think, have a right to demand the enactment of an adequate civil-service retirement law.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER (Mr. FERNALD in the chair). Does the Senator from South Dakota yield to the Senator from Mississippi?

Mr. STERLING. I think that I——

Mr. WILLIAMS. I have listened——

Mr. STERLING. Does the Senator from Mississippi desire to ask me a question? I will yield to the Senator for a question.

Mr. WILLIAMS. Oh, is that all?

Mr. STERLING. I think so.

Mr. WILLIAMS. Then, Mr. President, I ask for a quorum.

Mr. STERLING. I hope the Senator will forego that.

The PRESIDING OFFICER. The Senator did not yield for that purpose. He yielded only for a question.

Mr. STERLING. I think, Mr. President, I appreciate the Senator's wish to call for a quorum; but we might have a quorum here——

Mr. WILLIAMS. I intended to be absolutely courteous and nice, and asked the Senator to yield. The Senator declined to yield except for a question.

Mr. STERLING. Yes.

Mr. WILLIAMS. Then I asked for a quorum.

Mr. STERLING. Mr. President, I did not decline to yield for a question. I do not think the Senator can take me off the floor.

Mr. WILLIAMS. Then the Senator will perhaps yield?

Mr. STERLING. Not for the purpose of suggesting the absence of a quorum. I will yield for a question.

Mr. WILLIAMS. Oh, the Senator yielded merely for a question?

Mr. STERLING. I decline to yield, Mr. President, except for a question, and I do that with all deference and respect for the Senator from Mississippi.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. WILLIAMS. I have no question to ask, Mr. President. I wanted to interject an observation that I wanted the Senate to consider. If the Senator will not yield for that purpose, then I ask for a quorum.

The PRESIDING OFFICER. The Senator from South Dakota will proceed.

Mr. STERLING. Mr. President, aside from the employees who are interested, there are the other parties. The first is the Government itself, which is interested in securing efficiency, interested in economy——

Mr. WILLIAMS. Mr. President, I suggested the absence of a quorum.

The PRESIDING OFFICER. The Senator from South Dakota declined to yield.

Mr. WILLIAMS. But the Senator had already yielded; and, having yielded, of course it is always in order to suggest the absence of a quorum.

Mr. STERLING. Mr. President——

Mr. TOWNSEND. The Senator did not yield.

The PRESIDING OFFICER. It is unparliamentary to take a Senator from the floor while he is proceeding with a speech, and the Senator from South Dakota declined to yield.

Mr. WILLIAMS. Mr. President, I have never known a time when the suggestion of the absence of a quorum was not recognized by the Chair.

Mr. STERLING. If the Senator from Mississippi will reflect, I know he will recall to mind many times when Senators have declined to be taken from the floor on the suggestion of the absence of a quorum.

Mr. WILLIAMS. But the Senator did not decline to yield.

Mr. STERLING. I do decline now.

The PRESIDING OFFICER. The Senator declined to yield.

Mr. WILLIAMS. Very well.

Mr. STERLING. So, as I say, Mr. President——

Mr. WILLIAMS. Now, I ask the Senator if he will yield to an interruption for a moment?

Mr. STERLING. No; not for an interruption. I will yield to the Senator for a question.

Mr. WILLIAMS. I will not make the point of no quorum, but I want to make an interruption.

Mr. STERLING. I will not yield, Mr. President, just on the suggestion that the Senator wants to interrupt me.

The PRESIDING OFFICER. The Senator from South Dakota will proceed.

Mr. STERLING. The Government, by reason of a lack of efficiency on the part of aged employees, of course, is expending, I will say now, millions of dollars annually that it should not expend, and would not be required to expend under a proper civil-service retirement system.

Mr. President, there is the great public besides. It all ultimately comes back to the public, and the interest the public has in such a system, of course interested primarily in efficient government, in the doing of the work of the several departments of Government well. It is interested, of course, in the second place, in the doing of the work economically, interested in the saving of the millions that may be saved annually under a retirement system.

So we have those three factors: The employees themselves, by whom I know we wish to do justice and can not without some retirement system; the Government itself, whose business should be efficiently and economically managed; and the public itself, the taxpayers, who are affected, of course, by inefficiency and lack of economy in the dispatch and management of the Government business.

This much, Mr. President, is preliminary.

I shall let authority better than myself speak as to the needs, and I will quote briefly from those who officially come in contact daily with the situation. The Committee on Civil Service and Retrenchment of the Senate had quite extensive hearings on this bill, and I want to quote briefly from some of the statements made in those hearings.

Mr. Galloway, until lately a member of the Civil Service Commission, quoted in the hearing at which he was a witness from the annual report of the commission for 1917, and I read from page 15 of that hearing:

A retirement system would give stability to the service, create an inducement to capable men to continue in it, contribute to improved administrative methods, and make possible a standardization of salaries and other needed reforms. The benefits to the service from an equitable retirement system would justify a direct contribution from the Public Treasury to create an annuity for superannuated employees in the service at the time the system is established.

While reading this excerpt, Mr. President, I am led to think of another thing that has a very close connection with it, and that is the fact that we have now a great reclassification commission at work. I am not sure but what the commission has about completed its work. But note the bearing that a civil-service retirement law will have upon the work of this commission. I say this having in view the idea, namely, that the enactment of a retirement law should antedate the report of that commission, or antedate anyhow any law which we may desire to enact in regard to reclassification in pursuance of the report of such a commission.

Mr. Galloway continued, reading from the report:

A retirement system would give stability to the service, create an inducement to capable men to continue in it, contribute to improved administrative methods, and make possible a standardization of salaries, etc.—

the work in which I understand the Reclassification Commission is particularly interested. This is not Mr. Galloway's language. It is the language of the Civil Service Commission itself which I read:

In the establishment of improved administrative methods serious difficulty has been found in dealing with superannuated employees. The commission does not regard superannuation as an outgrowth of the merit system, but deals with the subject of retirement in its reports because of its relation to improved administrative methods. Superannuation is older than the civil-service act, and any increase is not a result of the merit system. Examinations and efficiency ratings tend to minimize superannuation by exposing incapacity, that otherwise would be hidden. The civil-service rules have never protected incompetents. The improvement of methods and the proper adjustment of pay can not be effectively provided for until a retirement system is established which will make provision for this class of employees—

the class of employees that would come in the superannuated class.

The commission believes that a contributory plan is the only just and practicable one for the retirement of employees, and earnestly recommends its adoption at an early date.

The plan we propose, Mr. President, is a contributory plan.

Mr. Galloway says further, in the course of his testimony, on page 17, being questioned by Senator COLT:

Senator COLT. But as a matter of principle, Mr. Galloway, as affording the best retirement bill, do you think that it would be better for the employee to contribute all? In other words, do you not think possibly some burden ought to be thrown upon the Government?

Mr. GALLOWAY. Yes; I think that the Government should bear part of it.

In the testimony of witnesses some very pathetic cases are given, cases of old people, men and women, who have to be carried or wheeled in chairs to the office in which the work is done, helped to their desks, and who remain doing absolutely nothing during the hours which they are expected to work, having no efficiency whatever. There are all grades in the service, and in every branch of it, where there are people beyond 65, and even over 80 years of age, all grades, from no efficiency, as I said a moment ago, to 75 or 80 per cent of efficiency.

I call attention to a letter from the Secretary of Commerce, Mr. Redfield, which was introduced and put into the RECORD by Mr. E. W. Libby, Chief Clerk of the Department of Commerce. Mr. Redfield, as will be found on page 34, said:

Failure to be as just in these matters as private concerns are injures the Government, either by causing the ambitious to seek better opportunities for service elsewhere or by relaxing the efforts of its employees generally through the unconscious drag that comes from hopeless service.

The result of the present condition is seen in the survival of many old people in the Government work, who struggle on when they should have ceased from their labors, because they needs must. Enactments requiring these aged workers to be discharged are substantially repealed by the higher law of humanity. They are demoted and maintained at reduced pay, thus creating what is in substance a pension without retirement, without the dignity of a recognition by the Government of their worth, and maintaining the inefficiency which everyone seeks to remove.

We ask the question sometimes, why do not heads of departments and bureaus discharge them? They can not discharge them, and we can not help but commend, instead of condemn, the principles of humanity by which the heads of the departments are moved in retaining them in the service.

Secretary Redfield said further:

I am not specially concerned as to the details of any measure, but do earnestly hope it may be possible soon to establish a civil retirement system which will at once justly provide for those who have served many years, open the door to more rapid promotion and to larger opportunities for younger and more active employees, and make the Government work more efficient, not only through the removal of ineffectives but by the unconscious but very real self-discipline that comes in response to wise and far-seeing treatment of the employee.

Mr. Wilson, Secretary of Labor, said, as will be found on page 38:

Entirely apart from the humanities and justice involved in such legislation, it would seem to be high time to recognize the fact that the executive departments have a pension roll whether they like it or not.

I hope Senators will get the full significance of those words. Of course, if a man is wholly inefficient he is getting a pension to the full amount of his salary; if he is 50 per cent inefficient he is getting a pension, as it were, to the extent of 50 per cent of his salary, and so on.

Mr. Wilson proceeds:

and that it is the most expensive, cumbersome, and in many ways inhuman sort of a pension system. What I refer to here is the waterlogged pay roll, which in all essentials produces a pension system without the retirement. In other words, aged and decrepit employees who have been worn out in Government service are retained on the pay roll at a salary which is considerably higher, in most cases, than would provide an adequate pension. These people are not discharged, can not and will not be discharged by the heads of departments for humane reasons which we need not go into here. On the other hand, they must be at their desks each day for seven hours in order to receive the salary at which they are listed. This is not only a physical hardship upon them, it is a useless and inhumane one.

I might quote some other heads of departments or chief clerks, but I shall not take the time of the Senate now to read all these.

I should like, however, to read an extract from the letter of the Secretary of the Treasury, Mr. Glass, now Senator GLASS, on page 65 of the hearings, as follows:

The Treasury Department is constantly engaged in the work of increasing its efficiency and diminishing the relative expense of operation, but any extensive and successful effort to improve the administrative operations of this large department is very heavily handicapped by the absence of a just method of retirement.

The efficiency of the department is retarded for want of a retirement law. I believe that the enactment of legislation providing for superannuated or disabled employees of the civil service in this department would result in economies and increased efficiency in the transaction of public business. It would be a measure of benefit to the Government, and of justice to the employees who faithfully have devoted their talents and the best years of their lives to the interests of the Government.

The last paragraph of Secretary Glass's letter is a quotation from the annual report of his predecessor, Secretary McAdoo, for the fiscal year, 1918, as follows:

In considering this important question the attention of Congress is respectfully invited to the possibilities of an expansion of the principles underlying the Bureau of War Risk Insurance. Humanity demands that something be done for the civil employees of the Government, and suggestions of pension systems, while praiseworthy as an effort to render justice and effective as an expedient, would probably not afford a real solution. It is confidently believed that the solution lies along the lines of insurance with both the Government and the civil employees contributing to a scientific plan that will provide for retirement as well as insurance against death.

In that statement I think Secretary Glass embodies the principles of the bill now before the Senate.

Mr. Paul F. Myers, chief clerk of the Treasury Department, in his testimony at page 69 of the hearings, said:

There are a large number of employees in the Treasury Department—I should say, roughly speaking, about 1,000 employees—who have reached the age where they are no longer rendering first-class service to the Government. Some of them are rendering 90 per cent efficient service, some of them 50 per cent, some of them 25 per cent, and a few practically nothing, and officials of the Government and officials of the Treasury Department, and, I think, that is true of all departments, feel that it is inhumane to drop these people from the rolls for the reason that they would be forced to depend upon public charity for support.

So much for the general needs of a civil-service retirement system.

Can the Government of the United States, with its resources, its population, its wealth, afford to institute a civil-service retirement system? We can afford it better than any other nation in the world. As I said at the outset, there is no great civilized nation in the world but has its civil-service retirement system. I beg the indulgence of the Senate for just a moment while I call attention to some of the systems found in other countries.

Germany, for example—and I hope that Senators will note the cost of the civil-service retirement system to the Government of Germany—has had a civil-service retirement law since 1873. It was amended in 1881, in 1886, and again in 1907. Permanent disability after 10 years of service entitles to a pension for the remainder of life; twenty-sixtieths for retirement for incapacity during the first 10 years of service; that is, twenty-sixtieths of the average annual salary. Let us apply that and see how much Germany pays in comparison with what the

United States Government would have to pay under the pending bill.

Taking the basic salary of $1,200, the pension would be $400 for less than 10 years of service. From the tenth to the thirtieth year, inclusive, however, the pension increases. It is increased each year by one-sixtieth of the annual income. Thus, if the salary were $1,200, one-sixtieth would be $20, and when the employee had served the thirtieth year his pension would be 20 times $20, plus $400, or $800. Germany then pays $800, where we, at most, would pay $720, and the employee under the German system does not contribute one cent. It is a straight pension by the Government.

Again, Mr. President, in addition to that, after the thirtieth year the pension is increased one one-hundred-and-twentieth for each year of service, which on a basis of $1,200 a year would amount to $10 per annum. The maximum amount which a pensioner may draw is limited to forty-five sixtieths of the employee's salary, and thus on a salary of $1,200 the maximum pension would be $900 in Germany as against $720 which the Government of the United States would pay under the system provided under the pending bill. Which the Government of the United States would pay? No; the Government of the United States would not by any means pay all of that. Depending upon the salary of the employee, his years of service, and upon his contribution, the Government would pay so much less than $720.

Great Britain has had a pension system since the beginning of the nineteenth century. She has for a long time had a pension law which made provision for the aged employees of the Government. The pension now is so graded as to encourage retirement at the age of 65 years.

There is this further difference to be noted between the provisions of the pending bill and the provisions of the statutes of most other countries that I have examined. The employee will not be entitled to a pension under the provisions of the pending bill unless he has served a minimum of 15 years. Under the laws of other countries he will be entitled to a pension upon the completion of a service of 10 years or more.

Mr. POMERENE. Mr. President——

Mr. STERLING. I yield to the Senator from Ohio.

Mr. POMERENE. The Senator just stated that in other countries they were entitled to a pension after a service of 10 years. To what countries did the Senator refer?

Mr. STERLING. I will enumerate them as far as I can: Great Britain, Germany, Canada, Italy, and, I think, France, although I will not be sure as to France. I have not the data before me now, but I think France. I think the general rule in all countries where provision is made for retirement allowances or pensions is that a minimum service of 10 years is required, rather than the longer service of 15 years, as provided in the pending bill.

The great consideration is that those countries that can less afford to pay the pensions than can the Government of the United States are paying more and higher maximum pensions than are provided in the pending bill, and that, as a rule, without contribution upon the part of the employees.

Now, a little further as to the system itself. This is sometimes called the partially contributory system. I think that is a misnomer really. It ought to be called the contributory system. That better defines the system whereunder the employee contributes a part and the Government contributes a part. Call it a contributory system. Where the employee contributes all that goes to make up his pension or pays all that goes to make up his pension, it can hardly be called a contributory plan. Contribution would seem on its face to imply different parties who were making contributions to the one fund.

Canada has had quite an involved pension or retirement system. There have been many changes in the laws of Canada within comparatively few years, but recently Canada has had under consideration the matter of a revision of her retirement laws. I am not sure but that the revision has been made by late enactment.

From an article found in the Railway Post Office, under the head "Canadian civil service and retirement," I quote the following:

> There are two methods of creating a pension fund—the contributory and the noncontributory.

Senators will note here in what sense the word "contributory" is used.

> The contributory is that in which the participants contribute a percentage of the salary and the Government guarantees the difference. Then there is the noncontributory, in which the Government provides the entire amount. So far as the expressed feeling of the service in Ottawa is concerned, it is practically unanimous in favor of the contributory system. I may add that the actual experience of the British civil service, where both systems have been in force, has been that those who are under the noncontributory system are also under a lower salary scale, which more than deducted the amount of what would have been their contribution to the superannuation fund. Moreover, contribution to the fund gives the contributors a vested interest and the right to participate in control, removing it from the suggestion of charity. It is now becoming universally recognized that a proper pension or superannuation fund is not a charity, but a straight business proposition, which pays for itself in higher efficiency of service and greater economy of administration.
>
> I shall add that Australia and New Zealand tried both of the systems, and it was found that the contributory system was more satisfactory to the civil servants for the same reason stated by Mr. Foran. Mr. Foran volunteers the news that the civil service of Canada is keenly interested in superannuation, and are planning a progressive policy.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Minnesota?

Mr. KELLOGG. I do not wish to break into the Senator's speech, if he will answer the question which I desire to have answered in some other place; but as I am compelled to attend a meeting at 3.30 o'clock I should like to know whether estimates have been made as to what the establishment of this proposed system of retirement will cost the Government each year. The Senator, however, need not stop now to answer that question if he desires to defer its answer.

Mr. STERLING. I think I might as well answer it now, so far as I am able. In the report made by the Committee on Civil Service and Retrenchment there will be found incorporated——

Mr. KELLOGG. Does the Senator refer to the report on the pending bill?

Mr. STERLING. Yes. There is found incorporated in the report an estimate made by Mr. John S. Beach, of the Pension Bureau. Let me say with reference to Mr. Beach, that he is now and has been for some years the statistical accountant of the Pension Bureau. He was detailed by the Secretary of the Interior recently to aid in the work of the Reclassification Commission. Beginning on page 4, the Senator from Minnesota will find a statement of the cost. Mr. Beach estimates the contribution from 300,000 employees to be $8,535,000. Those will be the contributions, I will say to the Senator, at the rate of 2½ per cent of the annual salary received by each employee. The number of 300,000 employees is a little below the number at present in the civil service. I think the number now in the civil service is perhaps 350,000 or, perhaps, more than that.

Mr. POMERENE. In that number, I take it, the Senator is including what might be regarded as the extra employees due to the war?

Mr. STERLING. Some of them are, if the Senator from Ohio will permit me to explain. The Civil Service Commission's report for 1917 shows, as I remember, the number of employees in the classified service of the civil service as being 326,000; but that, I take it, was more than normal; it was after we had entered the war and a great number of additional employees had entered the service on that account. I think to take 300,000 civil-service employees would be to take the number of employees for normal times, and that is the number——

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Mississippi?

Mr. STERLING. I yield to the Senator.

Mr. HARRISON. I think this is such an interesting matter that we ought to have more than four Republicans and five Democrats in the Chamber, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator from South Dakota yield to the Senator from Mississippi?

Mr. HARRISON. The Senator from South Dakota did yield.

Mr. STERLING. I yielded, and, inadvertently, did not stop to inquire whether or not the Senator from Mississippi wished to ask a question. I will not interpose an objection.

Mr. HARRISON. Mr. President, the Senator from South Dakota yielded, and I suggested the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Calder	Johnson, S. Dak.	Nugent	Spencer
Capper	Jones, N. Mex.	Overman	Sterling
Chamberlain	Jones, Wash.	Page	Sutherland
Curtis	Kellogg	Phelan	Thomas
Dillingham	Kirby	Phipps	Wadsworth
Fernald	Lodge	Pomerene	Warren
Gerry	McKellar	Ransdell	Watson
Glass	McNary	Robinson	
Harrison	Nelson	Sheppard	
Henderson	New	Smoot	

The PRESIDING OFFICER. Thirty-seven Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The names of the absent Senators were called, and Mr. McCUMBER, Mr. REED, and Mr. TOWNSEND answered to their names.

Mr. HARRIS entered the Chamber and answered to his name.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum present.

Mr. STERLING. I move that the Sergeant at Arms be directed to request the presence of the absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. BALL, Mr. SMITH of Georgia, Mr. HALE, Mr. ASHURST, Mr. SHERMAN, Mr. GRONNA, Mr. CUMMINS, Mr. MCCORMICK, and Mr. FRANCE entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty Senators have answered to their names. A quorum is present.

Mr. STERLING. Mr. President, I was proceeding to answer, as best I could, the question of the Senator from Minnesota [Mr. KELLOGG] when the absence of a quorum was suggested. I was calling attention to the statement made by Mr. John S. Beach, and found in the report of the Senate committee on this bill.

This report is based on an average annual salary for employees of $1,138. This was, in 1916, about the average annual salary. I have seen other statements making it about $1,132, but it probably ranged from $1,132 to $1,140 as the average salary of all the 300,000 employees of the Government. The report is based further on the theory that the average annuity will amount to $610, the maximum under the bill being $720 and the minimum, the very lowest, $180.

It is based on the further supposition that there will be retirements in the classified civil service of 6,400 persons. So take the contributions of 300,000 employees getting an average salary of $1,138, and you have as a result of those contributions $8,535,000, and annuities for 6,400 annuitants at $610, which will amount to $3,904,000. Then Mr. Beach takes into consideration another element, namely, that under the provisions of this bill employees will be separated from the service before they reach the retirement age, and that on their retirement there will be refunded to them the amount they had paid up to the date of retirement, together with compound interest at 4 per cent; so he estimates for the first year a refund of $274,500, making all told in annuities paid and in refunds paid $4,178,500, leaving a surplus or balance over and above all that has been expended by the Government of $4,356,500. So, Mr. President, for the first year of the operation of this act, according to the estimate of Mr. Beach, the Government will not be required to expend one cent. No appropriation will be required save the appropriation to put the act into operation and which is asked for in the bill.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Ohio?

Mr. STERLING. I yield.

Mr. POMERENE. I want to ask the Senator several questions bearing upon the proposition that he is now discussing.

This $8,535,000 will be contributions from the employees, and the bill contemplates, of course, that separate accounts shall be kept with each of these employees; so that, as a matter of fact, that is a trust fund which must be refunded to these employees in the event of their death or in the event that they do not receive annuities equal to the amount of their contributions plus the accruals of interest thereon. Am I right about that?

Mr. STERLING. In theory I may say that the Senator is right about it, I think.

Mr. POMERENE. But the Government is liable for this fund?

Mr. STERLING. I understand so.

Mr. POMERENE. Again, according to this statement, there are 6,400 annuitants. The Senator, in the earlier part of his address, made the statement, with which I am in accord, that these superannuates are some of them 25 per cent efficient, some 50 per cent efficient, some 80 per cent efficient, and so forth. Now, I think it is to be assumed that the service which is rendered by the 6,400 annuitants will have to be rendered by other clerks—in other words, new clerks—and they will have to be paid; and, assuming for the sake of the argument that they are 50 per cent efficient, you would perhaps have to have one-half as many clerks as there are superannuates, and they must be paid. So it seems to me that when we are casting up the account as to what this system is going to cost, we must take into consideration that fact as well.

Mr. STERLING. I understand the Senator, and I have that in mind. I do not know that that factor is taken into account in this statement of Mr. Beach's; but, in the first place, Mr. President, I think the Senator from Ohio overestimates the number of replacements that will be required because of the retirement of these aged employees. I will refer a little later, if the Senator will permit me, to a statement, which I think is a moderate statement, which shows that not more than 25 per cent of replacements will be required for those that retire. I think that is demonstrated with reference, anyhow, to the employees in the District of Columbia.

Mr. POMERENE. Mr. President, I realize that neither the Senator from South Dakota nor myself can get any exact figures upon that subject. Assuming that these employees are simply 50 per cent inefficient, then, of course, it would take one-half as many new employees.

Mr. STERLING. Yes.

Mr. POMERENE. If they were only 25 per cent efficient, then it is quite true that the Senator's suggestion would be correct, of course. I think the other fact can be taken into consideration, that it is to be assumed that the retirement of these elderly clerks will to some extent improve the efficiency of the system.

Mr. SMOOT. In some cases.

Mr. POMERENE. In some cases; yes.

Mr. STERLING. But I think I shall be able to show to the Senator that, taking all replacements into consideration, there will yet, because of the retirement of these aged employees upon their annuities, be a big saving to the Government. We might as well discuss that matter a little further right here, since the Senator has called attention to it.

Mr. POMERENE. Will the Senator pardon me if I ask him another question, so that he can have it in mind in making his answer?

The PRESIDING OFFICER. Does the Senator from South Dakota further yield to the Senator from Ohio?

Mr. STERLING. Certainly.

Mr. POMERENE. In any event, whether it takes 25 per cent or 50 per cent or 10 per cent of new clerks to do the work of these other clerks, whatever they are paid must be taken into consideration in determining the cost to the Government.

Mr. STERLING. I agree with the Senator in that regard.

Now, I read from another statement by Mr. John S. Beach, lately furnished to the Commission on Reclassification of the Civil Service in the District of Columbia. I think Mr. Beach is very conservative and careful in these statements. Referring to the number in the Government employ here, he says:

> By July 1, 1916, the number of employees in the permanent establishments in the District of Columbia had increased to 33,511, which number also did not include the employees in the navy yard. A few other employees were likewise excluded from the total number reported. It is safe to assume that the ratio of those 65 years of age and over was maintained up until that time; if so, then the number 65 years of age and over on July 1, 1916, would have been 2,446.
>
> From July 1, 1916, until the signing of the armistice on November 11, 1918, the civil employees increased in numbers by leaps and bounds; since the signing of the armistice there has been a material reduction in force, and it is estimated that when the service becomes reasonably stabilized, in the course of four or five years, the number in the permanent service in the District of Columbia will approximate about 60,000 employees.

It is well to remember, Mr. President, that according to our best estimates that will be perhaps about one-fifth, or a little less than one-fifth, of the total number of employees in the civil service throughout the United States.

He says further:

> It is a well-known fact that the employees who have come into the service during recent years are, for the most part, young persons, and it is reasonable to assume that those who may be retained will likewise be young and consequently will not be eligible for retirement for years to come. Reasoning along this line, we must arrive at the conclusion that the actual number of employees in the service at the present time who are 65 years of age and over does not greatly exceed the number at the outbreak of the war.
>
> For the present let us assume that there are 3,000 employees in the civil service in the District of Columbia who are 65 years of age and over, and who are consequently eligible for retirement under the provisions of the Sterling-Lehlbach bill. The scale of annuities provided in this bill ranges from a maximum of $720 to a minimum of $180 per annum. It has been carefully estimated that the average annuity at first will be about $610 per annum, and that this average will gradually increase until it reaches a maximum of $660.
>
> Taking the lowest average as a basis for calculation, and assuming that all who are eligible will retire at once, we find that the expenditure on account of annuities during the first year would equal $1,830,000 ($610×3,000=$1,830,000).

It is simply $610, the average annuity, multiplied by the number who will retire from the service, 3,000. He continues:

> In 1916 the average salary for all employees in what is called the retirement group was $1,138; it is probable that the average in the District of Columbia was somewhat higher. We will assume that the average now of those eligible for retirement in the District of Columbia is $1,260.

I would like to have the attention of the Senator from Ohio [Mr. POMERENE] to this, because it is pertinent to the inquiry he made. He says:

> We will assume that the average now of those eligible for retirement in the District of Columbia is $1,260.

The average salary now, as salaries go now.

Mr. POMERENE. Mr. President, I do not quite understand what the Senator means when he speaks of those in the District of Columbia. Does he mean all employees, both of the General Government and of the District?

Mr. STERLING. Oh, no; those in the classified civil service in the District of Columbia.

Mr. POMERENE. That is, connected with the General Government?

Mr. STERLING. The General Government. Mr. Beach continues:

On this basis the aggregate salaries of the 3,000 employees 65 years of age and over would amount to $3,780,000 ($1,260×3,000=$3,780,000). Should there be no replacement of the retired employees there would be a clear saving to the Government of $1,950,000 during the first year, which amount represents the difference between the aggregate compensation and the aggregate annuities for 3,000 employees.

I think the Senator from Ohio will see that that is a mere matter of computation. That is on the assumption that there will be no replacements. Continuing reading:

On the question of probable replacement, or filling of vacancies caused by retirement of superannuated employees, there is no reliable data. Any statement on this subject must therefore be purely speculative. The Acting Commissioner of Pensions at a hearing before the House Committee on Reform in the Civil Service, held on June 19, 1919, stated in substance that not more than one-third of the vacancies caused by retirement of superannuates in the Bureau of Pensions need be filled.

His testimony before the Senate committee was substantially to the same effect.

Representative LEHLBACH, chairman of this committee, made the statement in a recent public address that, in his opinion, the replacements would not exceed 20 per cent of the number retired. A conservative estimate indicates that perhaps there would be a 25 per cent replacement, and in this event the number of new entrants would be 750—

Twenty-five per cent of the 3,000 retired.

Allowing that the new entrants will receive the same average salary as that paid the retired employees, then the expenditure on this account will amount to $945,000—

Seven hundred and fifty employees at an average salary of $1,260 will amount to $945,000—

still leaving a net saving to the Government during the first year amounting to $1,462,500—

here in the District of Columbia, Mr. President; and I maintain that throughout the country at large there will be as great, if not a greater, saving proportionately to the Government by reason of this retirement bill if it becomes a law.

So, Mr. President, I think that answers the question suggested by the Senator from Ohio, namely, in regard to the cost of replacements of those who have been retired and are receiving annuities.

Mr. POMERENE. Mr. President, of course, there can be no difference of opinion between the Senator and myself if we assume the different elements in the proposition to be as stated. If we assume that there are a given number of superannuates and if we assume that they are all retired, we can understand what the amount of the saving on their salary is going to be. Again, if we assume that it is not necessary to have anybody to take their places, then, of course, the conclusion of the actuary is correct. But, on the other hand, if it is necessary to replace some of these men, then the calculations are not as reliable as we might hope. I recognize the fact, of course, that in any estimate of this kind we are somewhat at sea because we can not arrive at a mathematical certainty.

Mr. STERLING. Certainly. The Senator realizes, too, that we must assume some things. We have not, and in the nature of things we can not have, reliable and exact data in regard to how many will retire. We can not have reliable and exact data as to how many replacements will be required. Probably in the Pension Bureau, considering that it is peculiarly an old soldiers' bureau, there are a few more than the average number of aged employees who have reached and passed the retiring age as fixed by this bill. That is natural. But I think the estimate made by Mr. Beach as to the number who would retire in the District of Columbia, namely, 3,000 the first year, is a fair and a conservative estimate from the best data obtainable on the question.

We are not assuming, as the last remark of the Senator from Ohio might seem to indicate, that no replacements would be required. We are assuming, for the purposes of this argument, in regard to replacements, that at least 25 per cent of the replacements will be had and that it will vary somewhat in different sections of the country.

Just a word or two further in regard to the statement of Mr. Beach, which is appended to the report of the committee. He follows the contributions and the expenditures of the Government under this system throughout for a period of 10 years, and during the course of the statement we find that he allows for refunds to an increasing number of employees because of their separation from the service. Thus in the fifth year he allows for refunds to 20,000 employees separated from the service, making a total of $1,372,500.

The annuities from 10,400 annuitants, at $610 each, will in the fifth year amount to $6,344,000, a total of $7,716,500.

But, Mr. President, there was paid in in contributions that year $8,535,000, so with the surplus left over from the preceding year, amounting to $12,119,000, we have all told $20,654,000.

Deducting the total expenditures of $7,716,500 from that, we would have a surplus in the fifth year, if this bill should go into effect, of $12,937,500. Without taking up in detail all these years, let me just go to the tenth year, the last year in the statement. In the tenth year the available surplus left over, after paying out annuities and after paying out refunds for 20,000 employees, will be $6,192,500.

Mr. President, it is estimated that the surplus will gradually diminish until the Government itself will be paying something in addition to the contributions of the employees, and that the Government contributions after a period of 8 or 10 years under the operation of the bill will gradually increase until the Government is paying about five-eighths of the amount of the annuity and the employees contributing about three-eighths. It is estimated that after a little further lapse of time and when conditions are stabilized in the service and in the taking into the service of new entrants, and so forth, that it will amount to what is termed a half-and-half proposition, when the Government will be paying 50 per cent and the employees 50 per cent of the amount that goes to make up the annuity.

Mr. POMERENE. I am afraid I did not grasp the first part of the Senator's statement with regard to the 50-50 plan. Do I understand the Senator's position is that ultimately under this scheme the Government will be paying one-half of these annuities and the employees the other half?

Mr. STERLING. That is the statement, I will say to the Senator, or the estimate based on the best information I can get.

Mr. POMERENE. An estimate made by whom?

Mr. STERLING. An estimate made by Mr. Beach, and I will say, I think, according to an estimate made by Mr. McCoy, whom the Senator will remember as an expert and actuary of the Treasury Department, who was present here during the discussions on the revenue bills, affording information to the Committee on Finance, and who was of great aid to the committee and, of course, to the Senate.

Mr. POMERENE. May I ask the Senator further if the actuaries furnished any statement giving the figures so that we can have them examined?

Mr. STERLING. They have not. I have a statement of Mr. McCoy, and I want to examine that a little further myself before taking it up and discussing it; but I think that is the conclusion to be derived from the figures he makes and the estimate he submits. If the Senator will pardon me, it is the estimate of Mr. John S. Beach that after 20 or 25 years it will then be a half-and-half proposition between the Government and the employees.

Mr. POMERENE. May I ask the Senator this further question? In the report which he has filed he gives estimates of the expense of the system and the so-called surplus for a period of 10 years. Was this calculation continued any further than the 10-year period?

Mr. STERLING. I think not by Mr. Beach. I will not be sure as to that, but if the Senator will permit me I think some calculation or estimate was made by Mr. Beach or he would not have made the statement that after that period it would be a 50-50 proposition.

Mr. POMERENE. I shall go into that matter somewhat later.

Mr. STERLING. Now, Mr. President, a few words further as to the cost——

Mr. POMERENE. Would it interrupt the Senator if I asked another question about a matter he spoke of a moment ago?

Mr. STERLING. Not at all.

Mr. POMERENE. The Senator has referred to the various systems of retirement which prevail in several countries, and he made special reference to the Canadian system. My information is that the Canadian Government deducts 5 per cent from the salaries. Am I right about that?

Mr. STERLING. I do not think the Senator is right about that.

Mr. POMERENE. I have been so informed this afternoon by a student of the subject, who is very familiar with it.

Mr. STERLING. However, I will look that matter up a little further.

Mr. POMERENE. If the Senator has that information I shall be glad to get it. Of course, he and I are both interested in being accurate about it.

Mr. STERLING. I think I have it at my office. I am quite satisfied from the statements I have seen as to the Canadian law and its application that it does not apply to all civil-

service employees of the Canadian Government, even if there is any class of employees to which it does apply.

Mr. POMERENE. It is true, is it not, that in France the deduction is 5 per cent?

Mr. STERLING. There is some deduction in France, as I have discovered. I will refer to that a little later.

Mr. POMERENE. I think the statement of one of the witnesses whom the Senator had before his committee was to the effect that it was a deduction of 5 per cent.

Mr. STERLING. Mr. President, we are asked to think of this in relation to the cost to the Government, the immediate outlay to the Government in dollars and cents. We do not think and I might say that the average citizen, perhaps, would not think of the saving to the Government in increased efficiency on the part of the employees and increased economy in the Government service.

I hold in my hand a letter from Mr. McCoy, and I wish to quote just briefly from the letter. He has had under examination the pending bill, and has stated that according to his estimate while the plan will eventually cost the Government some $9,000,000 a year—not now, but eventually—it is very evident that the efficiency of the service will be increased at least 5 per cent, which is equivalent to more than $18,000,000 a year.

It is not difficult to understand why the efficiency should be increased at least 5 per cent. I think Mr. McCoy is altogether too modest in that estimate of 5 per cent increased efficiency. But if you take 300,000 employees, drawing $1,200 a year, and multiply the 300,000 by the $1,200, and then find 5 per cent of the product, you will have the $18,000,000 a year as the saving to the Government on account of the increased efficiency under the operation of the provisions of the pending bill.

Mr. POMERENE. May I ask a further question? If my questions are disturbing the Senator or he cares to go on to something else, I hope he will be kind enough to say so, and I will desist.

Mr. STERLING. Not at all. If I can answer the Senator's questions, I am glad to do so. The Senator may ask questions that I can not answer, but he will not interrupt me at all by asking questions.

Mr. POMERENE. The question I desire to ask is this: The Senator has just stated that Mr. McCoy suggested that the cost to the Government after a while would be $9,000,000 a year. I am simply giving the round numbers, but that is his statement. I find at the conclusion of the report which was filed by the distinguished chairman of the committee that the total disbursements annually will be $22,670,000, and that the Government's proportion is 62.3 per cent and the employees' contribution 37.7 per cent.

Assuming that the figures in the report which the committee have filed through their chairman are correct, then the total disbursements annually or cost, as I understand it, to be paid by the Government would be 62.3 per cent of $22,670,000, or approximately $15,000,000. I have not calculated it in my own head, but those are figures which would seem to indicate a discrepancy between these two experts of probably 50 per cent.

Mr. STERLING. I do not think that Mr. Beach meant by the $22,670,000 the disbursements of the Government at the end of 10 years or during the tenth year. Mr. Beach also figures upon the theory that there are contributions. These are disbursements by the Government, and the disbursements include the contributions that have been made by the employees.

Mr. POMERENE. I so understood. I do not think the Senator has grasped my statement. The report indicates that the total disbursements annually are $22,670,000. The last line gives the Government's contribution as 62.3 per cent. The next to the last line in the report gives the employees' contribution as 37.7 per cent. I take it that those figures refer to the percentage of the total disbursements annually of $22,670,000.

Mr. STERLING. No; I hardly think they bear that construction, or at least were not meant to bear that construction.

I was quoting from Mr. McCoy in regard to the saving to the Government on account of increased efficiency and that if we saved 5 per cent it would amount to $18,000,000 a year, the cost ultimately to the Government being $9,000,000, but the saving being $18,000,000 a year.

I have here another statement from Mr. McCoy. It is a table showing the effect of retirement at 75 years of age as compared with retirement at 65 years of age.

He gives the cost to the Government of retiring at 75 years of age instead of 65 years of age. He takes, for instance, an employee 100 per cent efficient between 65 and 75 years of age and shows that in such a case there will be a saving to the Government, as of course there will be; but in the case of an employee 75 per cent efficient there will be a loss on account of the continued services of such an employee of $330.57; if he is 50 per cent efficient, there will be a loss on account of that one employee in 10 years of $3,932.40; if he is 25 per cent efficient only, there will be a loss to the Government during the 10 years from the services of that one man of $7,534.23; if he is not efficient at all, the loss on account of retaining that man in the service will be $11,136.06. We get here, I think, a reasonably graphic description of the losses to the Government under the present system. These figures are arrived at by taking the pay that he would receive and putting it at compound interest at 4 per cent for the 10 years and by taking also the contributions that he would make during that time, which in 10 years at $30 a year would amount to $300. The sum of the annual contributions at compound interest deducted from the amount paid by the Government in salaries with compound interest leaves a net loss to the Government on account of that one wholly inefficient employee of $11,136.06 for the 10 years; and so on in other cases in proportion to the degree of inefficiency.

Mr. President, in conclusion, I must say that I have full faith and confidence in this bill and in the principles upon which the bill is based. I think it but just and equitable that the Government should contribute a proportion of the sum that goes to make the annuity which the employee shall receive for life after he has retired from the service. Take the salaries as they have been, and even as they are now, and it is a hardship to require the employees to contribute out of their salary all that goes to make up an annuity. The Government will save its millions a year under the plan proposed, and in contributing a part—a little more than half—of that which goes to make up the annuity it is but doing pure and simple justice to the employees and to those who shall have retired from the service.

This bill is the result of years of study and consideration on the part of the civil-service employees. A committee composed of 30 men have been sitting in Washington. They have had this matter under consideration for two and a half years last past; they represent every branch of the civil service, wherever situated in the United States, and they are united to a man in favor of this bill. There were those originally who stood for the straight pension plan and for years objected to any plan wholly or partially contributory; but at last they said: "For the sake of this cause, for the sake of the civil service, for the sake of our fellow employees, we make these concessions and agree that, whatever our salaries may be, we will contribute 2½ per cent annually for the purpose of raising this fund upon which the aged men and women in our service may retire."

As I close I wish to present here these petitions. Here is one with 2,086 signatures. I send it to the desk and ask the Secretary to read the petition itself. Some other petitions I have to which I think some thousands of names have been signed, but the petition itself in each instance is the same.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

To the Hon. THOMAS STERLING,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Legislation to retire the civil-service employees of the United States Government is now pending before Congress. The bill is commonly known as the Lehlbach-Sterling bill. Its official title in the Senate is S. 1699, and in the House H. R. 3149. The United States Government is far behind other countries in caring for its superannuated employees. Private business in many instances has inaugurated retirement measures. Legislation now pending seems to be a wise solution of the problem of superannuation which has become an expensive burden in the Government service. Good business judgment favors the enactment of the Lehlbach-Sterling bill. The employees are showing a willingness to help the Government in this matter by consenting to contribute 2½ per cent of their salaries. The provisions of the bill as to age and years of service are founded upon actuarial conclusions that come from years of experience.

We, the undersigned citizens of ———, hereby urgently request your favorable consideration of this legislation, and respectfully ask that you use your efforts to secure its passage at the earliest possible date.

Mr. STERLING. Mr. President, I ask to have incorporated in the RECORD following my remarks the table, omitting the pencil marks which I myself have made, prepared by Mr. McCoy, showing the effect of retirement at 75 years of age as compared with retirement at 65 years of age, and also for the RECORD the letter from which I quoted a while ago, written by Mr. Beach to Dr. Mosher, of the Reclassification Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, January 30, 1923.

Senator THOMAS STERLING,
United States Capitol, Washington, D. C.

DEAR SENATOR: In compliance with your request of to-day as to the cost to the Government of delaying retirements 10 years, I have worked out the attached table. This shows that in case of 100 per cent efficiency the Government would gain largely by such delay, but when effi-

ciency falls below about 80 per cent, there would be a gain to the Government through early retirement.

I have worked this out on the basis of a single employee with a $1,200 salary. The total gain or loss would be this multiplied by the number the retirement of whom is delayed.

Respectfully,

Jos. S. McCoy,
Government Actuary.

Table showing the effect of retirement at 75 years of age, as compared with retirement at 65 years of age.

	Length of service.			
	30 years.	35 years.	40 years.	44 years.
Value of contribution, salary of $1,200:				
At 65 years	$1,682.55	$2,209.57	$2,850.77	$3,462.38
At 75 years	2,850.77	3,630.89	4,579.99	5,485.35
Present worth of annuity for life of $720:				
At 65 years	5,641.57	5,641.57	5,641.57	5,641.57
At 75 years	3,538.53	3,538.53	3,538.53	3,538.53
Government's share of cost of annuity:				
At 65 years	3,959.02	3,432.00	2,790.80	2,179.19
At 75 years	687.76	[1] −92.36	[1] −1,041.46	[1] −1,946.82
Saving to Government (100 per cent efficiency)	3,271.26	3,432.00	2,790.80	2,179.19
Salary loss to Government due to inefficiency:				
75 per cent efficiency	3,601.83	3,601.83	3,601.83	3,601.83
50 per cent efficiency	7,203.66	7,203.66	7,203.66	7,203.66
25 per cent efficiency	10,805.49	10,805.49	10,805.49	10,805.49
No efficiency	14,407.32	14,407.32	14,407.32	14,407.32
Cost to Government of retiring at 75 instead of 65 years of age:				
100 per cent efficiency	[2] 3,271.26	[2] 3,432.00	[2] 2,790.80	[2] 2,179.19
75 per cent efficiency	330.57	169.83	811.03	1,422.64
50 per cent efficiency	3,932.40	3,771.66	4,412.86	5,024.47
25 per cent efficiency	7,534.23	7,373.49	8,014.69	8,626.30
No efficiency	11,136.06	10,975.32	11,616.52	12,228.13

[1] Amount of contribution greater than value of annuity. [2] Saving.

"JANUARY 20, 1920.

"To: Dr. W. E. Mosher.

"From: John S. Beach.

"Subject: Retirement of superannuated and disabled Government employees in the District of Columbia.

"In response to your request for a statement as to the effect of the passage of the Sterling-Lehlbach bill upon the executive civil service in the District of Columbia, together with an estimate of the savings to the Government immediately following the enactment of such law, I beg leave to submit the following:

"It must be evident that because of the abnormal conditions which have existed in the civil service since the declaration of war with Germany on April 6, 1917, it will be exceedingly difficult to estimate the effect and cost of a retirement system as applied to present conditions. We must therefore take conditions as they existed prior to the war as a basis on which to formulate such estimates.

"Census bulletin 94, published in 1908, shows that there were 25,351 employees in the executive civil service in the District of Columbia on July 1, 1907; this number did not include mechanics and laborers in the navy yard. Of the 25,351 employees in the service at that time 1,852, or 7.3 per cent, were 65 years of age or over.

"By July 1, 1916, the number of employees in the permanent establishments in the District of Columbia had increased to 33,511, which number also did not include the employees in the navy yard. A few other employees were likewise excluded from the total number reported. It is safe to assume that the ratio of those 65 years of age and over was maintained up until that time; if so, then the number 65 years of age and over on July 1, 1916, would have been 2,446.

"From July 1, 1916, until the signing of the armistice on November 11, 1918, the civil employees increased in numbers by leaps and bounds; since the signing of the armistice there has been a material reduction in force, and it is estimated that when the service becomes reasonably stabilized, in the course of four or five years, the number in the permanent service in the District of Columbia will approximate about 60,000 employees.

"It is a well-known fact that the employees who have come into the service during recent years are for the most part young persons, and it is reasonable to assume that those who may be retained will likewise be young and consequently will not be eligible for retirement for years to come. Reasoning along this line, we must arrive at the conclusion that the actual number of employees in the service at the present time who are 65 years of age and over does not greatly exceed the number at the outbreak of the war.

"On this point, however, we will have conclusive data when our punch cards have been tabulated for age distribution; until that time we must deal with estimates only.

"For the present let us assume that there are 3,000 employees in the civil service in the District of Columbia who are 65 years of age and over, and who are consequently eligible for retirement under the provisions of the Sterling-Lehlbach bill. The scale of annuities provided in this bill ranges from a maximum of $720 to a minimum of $180 per annum. It has been carefully estimated that the average annuity at first will be about $610 per annum and that this average will gradually increase until it reaches a maximum of $660.

"Taking the lowest average as a basis for calculation, and assuming that all who are eligible will retire at once, we find that the expenditure on account of annuities during the first year would equal $1,830,000 ($610×3,000=$1,830,000).

"In 1916 the average salary for all employees in what is called the retirement group was $1,138; it is probable that the average in the District of Columbia was somewhat higher. We will assume that the average now of those eligible for retirement in the District of Columbia is $1,260. On this basis the aggregate salaries of the 3,000 employees 65 years of age and over would amount to $3,780,000 ($1,260×3,000=$3,780,000). Should there be no replacement of the retired employees, there would be a clear saving to the Government of $1,950,000 during the first year, which amount represents the difference between the aggregate compensation and the aggregate annuities for 3,000 employees.

"On the question of probable replacement or filling of vacancies caused by retirement of superannuated employees there is no reliable data. Any statement on this subject must therefore be purely speculative. The Acting Commissioner of Pensions, at a hearing before the House Committee on Reform in the Civil Service held on June 19, 1919, stated in substance that not more than one-third of the vacancies caused by retirement of superannuates in the Bureau of Pensions need be filled. Representative LEHLBACH, chairman of this committee, made the statement in a recent public address that in his opinion the replacements would not exceed 20 per cent of the number retired. A conservative estimate indicates that perhaps there would be a 25 per cent replacement, and in this event the number of new entrants would be 750.

"Allowing that the new entrants will receive the same average salary as that paid the retired employees, then the expenditure on this account will amount to $945,000, still leaving a net saving to the Government during the first year amounting to $1,462,500.

"Another factor which must be taken into consideration when estimating the effect upon the service following the enactment of a retirement law is the question as to the number of employees who are eligible for retirement but will remain in the service beyond retirement age. It will be recalled that the Sterling-Lehlbach bill contains a provision for retention in the service of efficient employees for limited periods beyond the retirement age. (See sec. 6, S. 1699 and H. R. 3149, present Congress.) Such provision is generally indorsed by all present-day students of the retirement question.

"On this phase of the question we are confronted not only with absolute lack of data, but also with so many possible contingencies arising out of variable conditions surrounding the service and the individual employee as to render even an approximation almost impossible. Testimony presented before the committees in Congress indicates that there are many employees in the Government service 65 years of age and over who are still efficient and who should be retained in the service; yet few have estimated the percentage of those eligible for retirement who will still be retained beyond the retirement age. The Acting Commissioner of Pensions estimated that between 50 and 60 per cent of those in the Bureau of Pensions eligible for retirement would either elect or be compelled to retire. This is perhaps a fair index as to what would happen in the service as a whole.

"Another unknown quantity is the number of employees who may retire on account of disability before reaching the retirement age. (See section 5 of the Sterling-Lehlbach bill.) It is believed that the number retiring on this account will be negligible and consequently will have but slight effect upon the aggregate cost of the system at the outset. Of course, there will be an increasing cost on this account year by year until a maximum is reached.

"A concrete example of the effect of the enactment of a retirement law is afforded by using certain statistics compiled as of June 1, 1919, concerning employees in the Bureau of Pensions who were 65 years of age and over on that date, as follows:

Number 65 years of age and over	295
Estimated number who would retire	150
Average salary	$1,353.66
Aggregate salaries (150)	$203,049.00
Aggregate annuities (150)	$91,500.00
Amount for new appointees (50)	$63,000.00
Net savings to Government	$48,549.00

"It is generally believed, however, that under present conditions in the Pension Bureau there would be few, if any, replacements. To summarize the foregoing we shall probably arrive at the following conclusions:

"That there are 3,000 employees in the executive civil service in the District of Columbia 65 years of age and over; that of this number about 60 per cent, or 1,800, will elect or will be compelled to retire following the enactment of a retirement law such as contemplated by the Sterling-Lehlbach bill; that there will be a replacement equaling 25 per cent of the number retired, and that the immediate saving to the Government will be about $877,500.

"It is not deemed necessary at this time to estimate the ultimate cost of a retirement system beyond making the general statement that as contemplated by the provisions of the Sterling-Lehlbach bill the contributions by the employees of 2½ per cent of their salaries will provide a fund sufficient to pay all annuities during the first 8 or 10 years. Aside from this question, however, we should take into consideration the actual and immediate saving to the Government as herein outlined. That there will be a real saving both in money value and in an increased efficiency is beyond dispute. This saving will be manifested by replacing old worn-out employees by a lesser number of young, energetic employees, and also by increasing the output of those who remain in the service.

"And, finally, it must be emphasized that until such time as the information on the questionnaire in respect to age periods is tabulated we must accept the conclusions herein reached as estimates only. At the same time it is respectfully submitted that these estimates have been based upon certain reliable data collected some years ago, and upon the testimony and experience of those who have made a more recent study of the retirement question, present conditions in the service, and the effect of the passage of a retirement law upon the service."

Mr. STERLING. I think, Mr. President, that is all I have to say at the present time.

Mr. POMERENE. Mr. President, will the Senator yield to me?

Mr. STERLING. I yield to the Senator.

Mr. POMERENE. I desire to give notice of a substitute which I will present at the proper time. I understand, of course, that the committee will perfect its amendments. The amendment I propose is in the nature of a substitute. I ask that it may be printed and lie on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STERLING. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 6, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 5, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Let Thy spirit, O Lord God, our Heavenly Father, possess our souls, to open our spiritual eyes to the eternal values, our spiritual ears to the insistent calls to duty, that with clear vision and high resolves we may move forward, with firm and steadfast steps, to greater achievements for ourselves as individuals and to the betterment of State and Nation. To the glory and honor of Thy holy name, in Christ Jesus our Lord. Amen.

THE JOURNAL.

The Journal of the proceedings of yesterday was read.

The SPEAKER. The question is on the approval of the Journal.

Mr. MANN of Illinois. Mr. Speaker, I understood the Clerk, in the reading of the Journal, to say that the amendment to the deficiency bill, on which a separate vote was asked, was disagreed to. That is not correct. The amendment was agreed to.

The SPEAKER. The Chair is informed by the Journal Clerk that it was agreed to. Is there objection to the approval of the Journal?

There was no objection.

LEAVE TO EXTEND REMARKS.

Mr. LUFKIN. Mr. Speaker, I ask unanimous consent to extend my remarks on the pending deficiency bill.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks on the deficiency bill. Is there objection?

There was no objection.

SECOND DEFICIENCY APPROPRIATION BILL.

The SPEAKER. When the House adjourned last night the previous question was ordered on the deficiency bill, H. R. 12046. The gentleman from Arkansas [Mr. WINGO] demanded the reading of the engrossed bill. Does the gentleman still desire the reading of the engrossed bill?

Mr. WINGO. I do, with the greatest of insistence.

The SPEAKER. The Clerk will read the engrossed bill.

The engrossed bill was read.

The SPEAKER. The question is on the passage of the bill.

Mr. WINGO. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Arkansas makes the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Ayres	Dunbar	Knutson	Sanford
Bacharach	Echols	Kreider	Saunders, Va.
Bland, Mo.	Ellsworth	Linthicum	Scott
Bland, Va.	Elston	Luhring	Scully
Booher	Ferris	McArthur	Sears
Bowers	Focht	McKinley	Sells
Browne	Ganly	Mann, S. C.	Sims
Burke	Garrett	Moon	Sinclair
Campbell, Kans.	Goldfogle	Moores, Ind.	Sinnott
Campbell, Pa.	Goodall	Morgan	Smith, N. Y.
Caraway	Gould	Nichols, Mich.	Snyder
Carew	Graham, Pa.	Nolan	Steele
Casey	Hamill	Ogden	Stoll
Clark, Fla.	Hamilton	Parker	Sullivan
Cleary	Hastings	Pell	Taylor, Tenn.
Copley	Hawley	Porter	Timberlake
Costello	Hill	Rainey, Ala.	Towner
Cullen	Houghton	Rainey, H. T.	Voigt
Curry, Calif.	Howard	Riordan	Ward
Dempsey	Johnston, N. Y.	Robinson, N. C.	Whaley
Dewalt	Jones, Pa.	Romjue	Yates
Donovan	Kennedy, Iowa	Rowan	
Dooling	Kinkaid	Sanders, La.	

The SPEAKER. On this vote 338 Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Wyoming moves to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The question is on the passage of the bill.

Mr. TINKHAM. Mr. Speaker, I move to recommit the bill with certain instructions, which I ask the Clerk to report, and upon that motion I demand the yeas and nays.

Mr. BLANTON. Mr. Speaker, I ask to be recognized to make a motion to recommit.

The SPEAKER. The gentleman from Massachusetts moves to recommit the bill with instructions. Is the gentleman opposed to the bill?

Mr. TINKHAM. In its present form I am.

Mr. BLANTON. I am unequivocally opposed to it, without any qualifications.

The SPEAKER. The gentleman from Massachusetts says he is opposed to the bill in its present form. The Chair thinks that is unequivocal.

Mr. BLANTON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BLANTON. May I ask whether or not the gentleman from Massachusetts qualifies?

The SPEAKER. He does. For what purpose does the gentleman from Texas rise?

Mr. BLANTON. If he had not qualified, I was going to offer a motion to recommit.

The SPEAKER. The gentleman from Massachusetts, a member of the committee, offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. TINKHAM moves to recommit the bill to the Committee on Appropriations, with instructions to that committee to report the same back to the House forthwith, with the following amendment: "Maintenance, Bureau of Yards and Docks: For general maintenance of yards and docks, including the same objects specified under this head in the naval appropriation act for the fiscal year 1920, $1,000,000."

Mr. TINKHAM. On that motion, Mr. Speaker, I ask for the yeas and nays.

Mr. BLANTON. Mr. Speaker, I make a point of order——

Mr. GOOD. I move the previous question.

Mr. BLANTON. I make the point of order——

The SPEAKER. The gentleman will state his point of order.

Mr. BLANTON. I make the point of order that the amendment offered by the gentleman from Massachusetts is not germane to the purpose of the bill and that it is not a deficiency.

The SPEAKER. The Chair overrules the point of order. The gentleman from Iowa [Mr. GOOD] moves the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. TINKHAM. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. The gentleman from Massachusetts demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Fifty-five Members have risen, not a sufficient number, and the yeas and nays are refused. The question is on the motion to recommit.

The question was taken.

Mr. TINKHAM. I demand tellers on the question of ordering the yeas and nays.

The SPEAKER. It is too late. The gentleman can ask tellers on the vote.

Mr. TINKHAM. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present. The Chair will count. [After counting.] The Chair has counted now 216 Members and there are still many more to be counted. A quorum is present. The noes have it.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. GOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

AGRICULTURAL APPROPRIATION BILL.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921. Pending that I would like to see if we can not agree on the other side in regard to the length of general debate.

Mr. LEE of Georgia. We have requests on this side for about five hours.

Mr. McLAUGHLIN of Michigan. It seems to me that that would require too much time. We would like to get through with the general debate to-day.

Mr. LEE of Georgia. I want to agree on a certain number of hours of debate.

Mr. HAUGEN. Does the gentleman think he needs five hours?

Mr. LEE of Georgia. Yes.

Mr. HAUGEN. I think we ought to conclude the general debate to-day. The sentiment seems to be that debate should close to-day. If it is agreeable, the hours for general debate might be agreed to, and if necessary we can run that much later this evening.

Mr. LEE of Georgia. The gentleman will remember that we discussed this matter yesterday, and we thought then that debate would begin at 12 o'clock. We have now lost over an hour, and I think it should be extended to give us eight hours of debate, in any event.

Mr. HAUGEN. If it is to be consumed to-day, very well. Four hours to a side.

Mr. LEE of Georgia. Four hours to a side would be agreeable, but I hardly think it is fair to limit it to the day, because about 5.30 o'clock we will adjourn.

Mr. HAUGEN. The general sentiment seems to be that we should not go beyond to-day. Eight hours would bring us up to 9 o'clock.

Mr. LEE of Georgia. That was the understanding yesterday, but the gentleman thought that he would begin general debate at 12 o'clock.

Mr. HAUGEN. I suggest, then, that the general debate close at 1 o'clock to-morrow. That will give us the full day.

Mr. RUBEY. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. RUBEY. This is a very important measure and the gentleman knows that we will probably take up the hour to-morrow in calling the roll.

Mr. HAUGEN. It would be agreeable to me to meet at 11 o'clock to-morrow.

Mr. RUBEY. We might just as well give a little time for general debate. Let us have four hours on a side, and we will close the general debate to-morrow afternoon.

Mr. HAUGEN. There is no objection to that.

Mr. RUBEY. I think that is the wise thing to do, in view of the importance of the bill that is before us and the interest that the Members of the House take in this bill.

Mr. HAUGEN. I suggest that we might consume one hour to-morrow in general debate.

Mr. CANDLER. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. CANDLER. I would suggest to the gentleman in this connection that if he will give more time to general debate it would facilitate the consideration of the bill under the five-minute rule. There are gentlemen on our side who desire to discuss certain specific items in the bill in which they are interested, and if they have the opportunity to discuss them under general debate they would have a better chance to express their views and will eliminate further discussion under the five-minute rule. We will get along faster in that way. In view of the importance of the bill and that all of the country from north to south and east to west is interested in the bill more than in any other bill, perhaps, that will come before the House, I think full debate ought to be allowed.

Mr. HAUGEN. As the gentleman knows, general debate is not generally confined to the bill. The debate on the bill will be under the five-minute rule. I want to be as liberal as possible, but the policy seems to be that not more than one day should be devoted to general debate on any one bill.

Mr. LEE of Georgia. I agree with the gentleman on that proposition, but we will have less than a day.

Mr. HAUGEN. I think we will expedite matters by simply agreeing to consume the whole day with general debate and one hour to-morrow, and if we could go to 9 o'clock to-night we will have eight hours to-day and one hour to-morrow; and I believe that Members will be willing to stay this evening, so that all will be accommodated.

Mr. SUMNERS of Texas. Mr. Speaker, I want to suggest to the chairman of the committee that under the peculiar circumstances which obtain in the Nation this bill is of more interest to the average Member of the House than any bill that will come before it for some time. The difficulty is that with the restriction which the gentleman desires general debate will be consumed almost exclusively by the members of the committee on the two sides of the House. Those of us who are not fortunate enough to be members of this great committee feel that time ought to be given to us in order that some suggestions which we think might be made for the benefit of the House and the country could be made in general debate, in a connected sort of way, instead of limiting us to the shot-to-pieces method observed under the five-minute rule.

Mr. HAUGEN. Under the general practice the merits of the bill are not generally discussed in general debate.

Mr. SUMNERS of Texas. There ought to be some agreement, some understanding, that this general debate shall be limited to the bill.

Mr. HAUGEN. Oh, I do not think so, because that would be a departure from the rules of the House. In yielding time I never ask a Member what he is going to discuss. That is the practice generally observed.

Mr. SUMNERS of Texas. Well, I do not insist on it; I offered the suggestion and the gentleman seems not to agree to it.

Mr. HAUGEN. In discussing the merits and demerits of the bill, may we not discuss them under the five-minute rule?

Mr. LEE of Georgia. I shall insist on having four hours for general debate on this side.

Mr. HAUGEN. It is impossible to give it.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Iowa what urgent reason is there that general debate on this bill should be disposed of by 1 o'clock to-morrow as suggested by the gentleman? Is there some prearranged program?

Mr. HAUGEN. I understand the policy is not to grant more than one day's general debate on any appropriation bill. I think as much time should be given to this bill as any other bill, and I believe the Members of the House are as much interested in it as any other bill, if not more so. I agree to a full day and have suggested that limitation of time.

Mr. BANKHEAD. If the gentleman will agree with me, in view of the present situation this is probably the most important bill Congress is going to have to pass.

Mr. HAUGEN. And in view of its importance I am sure Members will stay here this evening and give everybody an opportunity to be heard. I will stay here until 9 or 10 o'clock or whatever hour is suggested.

Mr. BANKHEAD. The ranking member of the committee on this side on this bill has suggested to the chairman that he

will absolutely require four hours on his side to take care of the requests for legitimate debate.

Mr. HAUGEN. Under the plan suggested he may have four hours or more. It is only a question of remaining here this evening.

Mr. BANKHEAD. I merely suggest that we might make more headway if we make that agreement.

Mr. HAUGEN. If the gentleman suggests six hours, if that is more agreeable than as suggested, one hour to-morrow——

Mr. LEE of Georgia. Eight hours, and that was my suggestion to the gentleman heretofore.

Mr. HAUGEN. Six hours?

Mr. LEE of Georgia. And I agreed to it; and I can not get along with less than four hours on this side.

Mr. HAUGEN. And I agreed to give all day to-day and one hour to-morrow.

The SPEAKER. Will the gentleman state his request?

Mr. RUBEY. Make it eight hours and let us go ahead.

Mr. HAUGEN. My suggestion was that we take one day for general debate.

Mr. BLANTON. Mr. Speaker, I ask for the regular order.

Mr. HAUGEN. We can set the time by staying this evening.

Mr. LEE of Georgia. But the committee will not stay, and the gentleman knows it.

The SPEAKER. The gentleman from Texas demands the regular order, which stops further debate. Will the gentleman from Iowa state his unanimous-consent request?

Mr. HAUGEN. I ask unanimous consent that the day be consumed in general debate and one hour to-morrow, to close at 1 o'clock to-morrow.

Mr. RUBEY. I object.

Mr. HAUGEN. I renew my request, and I ask unanimous consent that general debate be—well, put it at six hours.

Mr. RUBEY. If the gentleman will make it seven hours, we might agree.

Mr. HAUGEN. Well, seven hours.

The SPEAKER. The gentleman from Iowa asks unanimous consent that general debate be limited to seven hours——

Mr. MANN of Illinois. How to be controlled?

Mr. HAUGEN. Half the time by the gentleman from Georgia [Mr. LEE] and the other half by myself.

The SPEAKER. The gentleman from Iowa asks unanimous consent that general debate be limited to seven hours, half the time to be controlled by the gentleman from Georgia and half by himself. Is there objection?

Mr. MONDELL. Mr. Speaker, I very much regret to have to suggest an objection——

Mr. BLANTON. Mr. Speaker, I demand the regular order.

Mr. MONDELL. I think general debate ought not to go——

Mr. BLANTON. I demand the regular order.

Mr. MONDELL. I object.

Mr. MANN of Illinois. I ask unanimous consent that the time for general debate be divided equally between the gentleman from Georgia and the gentleman from Iowa.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the general debate be divided, half to be controlled by the gentleman from Iowa and half by the gentleman from Georgia. Is there objection. [After a pause.] The Chair hears none. The question is on the motion of the gentleman from Michigan that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12272, the Agricultural appropriation bill, with Mr. WALSH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12272, which the Clerk will report.

The Clerk read as follows:

The bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

There was no objection.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MCKINLEY].

Mr. MCKINLEY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on this bill.

The CHAIRMAN. Is there objection to the request of the gentleman. [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Nebraska [Mr. MCLAUGHLIN].

The CHAIRMAN. How much time does the gentleman yield?

Mr. HAUGEN. As much time as he may need.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman and gentlemen of the committee, I appreciate the courtesy of the chairman of the Committee on Agriculture in allowing me such time as I may desire, and I wish first of all to assure you that I am not going to abuse that courtesy. It seems to me that it behooves us to expedite business here under all the circumstances in which we find ourselves as rapidly as we can and do so efficiently, so I shall only take a few minutes of your time. I believe we appreciate the imperative importance of economy at this crucial time, and while it will not be possible for this committee to show as large a percentage of reductions as will be shown by committees whose appropriations necessarily were greatly enlarged because of war conditions, yet at the same time I believe our committee has done its work well, and that we have reduced at every point where reductions were possible, with one exception, to which I hope to call your attention a little later. The bill carries $30,340,034, which is $3,359,727 below last year, $7,132,823 below the estimates of the department, and $11,558,204 below the estimates of the bureaus. Personally I had hoped that we might show a greater reduction this year than we have been able to do. Owing to the straitened condition of the Federal Treasury and the overtax-burdened condition of the country, it is certainly necessary that we reduce at every place where reduction is possible. But we should not forget the fact that this is an agricultural Nation and that agriculture is our chief business. The whole prosperity and activity of the Nation rests upon agriculture as a foundation. Agriculture represents the very life and support of this Nation itself. The appropriations that are made for this department are quite permanent in their character and scope, because the great work of production goes on year after year and can not stand retrenchment anywhere along the line. The committees whose appropriations were multiplied manyfold of necessity during the war can, of course, now, as we find ourselves gradually coming back to the normal basis, show a great percentage of reduction in their appropriations, and rightly so. But agriculture can not be reduced in the same proportion. The important bureaus, such as Farm Management, the Bureau of Animal Industry, the Forest Service, the Bureau of Chemistry, the Bureau of Crop Estimates, the Bureau of Entomology, the Biological Survey, the States Relations Service, Public Roads, and Bureau of Markets, are of such a nature that they all encourage production, and some of them assist in marketing. We appreciate the importance and necessity of these bureaus. Just at this time our country is being called upon as never before, except during the prosecution of the war itself, to produce in greater quantities. We must not only produce for ourselves, but we must produce for much of the rest of the world.

There is a scarcity of production which, to a large extent, is accountable for what we call the high cost of living. The only remedy we have for the high cost of living is increased production and the gradual contraction of the volume of currency. The world was engaged for four years in a systematic program of destruction of values. Production was necessarily greatly curtailed while consumption was greatly increased; and now, in order to overcome that condition which was forced upon us because of the war, it is necessary for us to encourage production to a larger degree than ever before. Therefore these important bureaus of the Department of Agriculture which had to do with the encouragement of healthy grain and plant and fruit seeds and production must be encouraged at this time.

There were diseases not before common to the crops of the country that crept in upon us during the war period unawares, and these new menaces must be met and must be driven out of our country and production must be encouraged in every way possible.

There is one place, however, in my judgment, Mr. Chairman and gentlemen of the committee, where we can stand a further cut in this bill. I refer to page 29 and to the heading "Purchase and distribution of valuable seeds," beginning with line 24 on page 20 and extending through line 13 on page 32. I believe at the proper time a motion should be made to strike out this part of the bill, and I believe it should carry by all means.

Mr. BANKHEAD. Will the gentleman yield for a brief question?

Mr. McLAUGHLIN of Nebraska. I can not yield.

Mr. BANKHEAD. I just wanted to get a little information.

Mr. McLAUGHLIN of Nebraska. I am sorry I can not yield, but I have just a few things here I desire to say, and there

will be plenty of opportunity, I am sure, for others to discuss the question in their own time. Therefore the gentleman will please pardon me. I must decline to yield.

It is quite probable that the original purpose of this provision had for its object real good. But whatever good may have been intended and whatever good may have been accomplished in times past by this provision, in my judgment, does not obtain to any great degree at this time. Originally this provision was for the growth and encouragement and distribution of strange and uncommon and valuable seeds, and the impression went out to the country, whether directly or indirectly, to that effect, and for a number of years people had the impression that they were receiving seeds of an uncommon value. It is a fact now, as shown in the provisions of this bill, that these seeds are purchased in the open market and from parties who will give the best price. In other words, bids are submitted, and those who furnish the lowest bids get the business.

And it is a fact that in many portions of the country the seeds that go out to the people are of an inferior quality. They are not as good as those that they may buy of their local dealers. It is also a fact that in our day local seed companies in various portions of the country are operating and are in position to grow in their particular sections and climates better seeds than it is possible for this department to secure in the way that it does and send to these same communities. Many of the seeds that are sent out are not adapted to the climate and conditions in the section to which they go. Many of them do not germinate. And it has come to be a publicly recognized fact that these seeds, the large proportion of them that go out, are inferior, and people talk it publicly, and it is a discredit to the department and a discredit to the Congress which makes provision for carrying on this work.

Now, in my section of the country, at least, this act is regarded as an opportunity created by Congressmen themselves for the purpose of sending out little remembrances to the people for political purposes, and it has come to be looked upon in many sections of the country solely as political graft.

Mr. YOUNG of Texas. Will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. I can not yield.

Mr. YOUNG of Texas. I would like to ask the gentleman if he does not send them out just the same?

Mr. McLAUGHLIN of Nebraska. Even though there are some gentlemen who are opposed to this provision, who do send out seeds because they are allotted to them the same as to others, it is no argument in favor of the provision. I believe that the fact that these seeds are inferior and are generally considered to be so by the public, the fact that it incurs an expense of more than a quarter of a million dollars every year, makes it evident that this large expenditure is unnecessary, and that the same amount of money could be put to much better use along other lines.

In addition to the fact that this has come to be regarded as a sort of political graft, I want to call your attention to this further fact, that this practice encourages the spirit of paternalism on the part of the people of the country. I submit, gentlemen, that we have gone about far enough in encouraging the people in every section of the country to regard the Federal Government as something from which they can extract something. [Applause.] Where is the man in this House now who is not constantly receiving pleas, and inquiries, and petitions from men, and companies of men in every section of the country, asking that the Government do something especially for them? This spirit has been encouraged by just such procedure as the one in this provision.

The war workers who came down here during the war emergency and should now be let out of employment of the Federal Government because they are no longer needed are appealing to Congressmen from their particular districts to create places for them, so that they may still have their hand in the Federal Treasury. And I am sorry to say that a good many Congressmen are bending all the energies they can, in spite of the straitened condition of the Federal Treasury and in spite of the necessity for getting back to prewar condition and prewar economy, to exert what influence they can to hold the constituents of their community here on the public pay roll for work that is not necessary. Such pleas for special favor are the direct result of just such acts as these on the part of the Federal Government, concerning which I am now speaking. It encourages the spirit of paternalism and fosters requests for special favors from every quarter.

I suggest, if we are further to encourage this spirit of paternalism on the part of the people, we should do something worth while for them and accept the suggestion of a recent United States Senator, who advised that we send out upright pianos to the people. I had a letter from a man in my district not long ago who said he did not care for any of these seeds; they would not grow anyhow; but he had noticed in the public press a good many statements about the sheep and goats that were being grazed on the White House lawn, and he suggested that we provide some way to frank out lambs and kids to the people, because they were more valuable. Another man wrote me that he did not care to receive any seeds because they would not grow, but suggesting that if I would frank him a Ford car or a tractor he would be glad to use it.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Nebraska. Yes.

Mr. BLANTON. That request, I am sure, did not come from Texas, because we Texas men are able to raise our own kids down there. [Laughter.]

Mr. McLAUGHLIN of Nebraska. Now, Mr. Chairman, I believe, in view of the fact that these seeds are inferior, in view of the further fact that the practice is regarded on the part of many of our constituents as pure political graft, and in view of the further fact that this practice encourages the spirit of paternalism on the part of the people, this is a needless waste of money and the practice should be stopped.

This Congress should dignify itself by striking out the provision, and I hope at the proper time that an amendment to strike out the provision will be offered, and I sincerely hope that the majority of this body will vote to eliminate this useless, wasteful practice which has brought this body into discredit in the minds of many of our constituents, and that we will save to the Federal Treasury this $239,000 which the committee now by a vote of 8 to 8 has left in the bill. [Applause.]

Mr. LEE of Georgia. Mr. Chairman, I yield one hour to the gentleman from Texas [Mr. YOUNG].

The CHAIRMAN. The gentleman from Texas is recognized for one hour.

Mr. YOUNG of Texas. Mr. Chairman and gentlemen of the committee, I have no intention of using the full hour that has been so kindly yielded to me, but I do want to take advantage of this occasion to make a few general observations in reference to the great subject of agriculture.

In all the history of this Nation, when we have been making our laws under which our Government has been operated, one strange thing has happened. The importance of agriculture to the Nation's welfare has never been recognized as it should have been recognized. There probably was a very good reason for it in the early history of the country, in that our population at that time, the great preponderance of it, lived on the farm and produced practically everything they consumed. But as time came on and conditions changed the population began to gravitate toward the congested cities in the Nation, and at this time, instead of there being the productive capacity on the farm that there was in former years, less than one-third of our people live on the farm and in the small towns and villages of the Nation. More than two-thirds of our people have gone to these congested centers, and they are no longer producers of agricultural products.

During the war the importance of agriculture was accentuated. Before our country was involved in that conflict Germany came well-nigh winning the war by reason of the fact that she had kept food, and was keeping food, from the Allies, and after our country engaged in the war, then for the first time there came before the people of this Nation the important fact that the cities and consuming centers of our Nation were short of rations.

There is some reason for this, gentlemen. Why is it that our population is leaving the farm day after day? Why is it that the farm is no longer attractive to the farmer's son, and why is it that the farmer's daughter is leaving the farm? This is an important query that should address itself to your intelligence and to my intelligence as Members of this great lawmaking body. If Congress has been lax in its duty toward agriculture, we ought to wake up to that fact and we ought to right the wrong. [Applause.]

Strange to say, during all the history of our Nation, while we have prepared a financial system that took care of the commercial industries of the Nation, the manufacturers; while a system of banking has been established that cares for their needs and their credits, the whole Nation has overlooked the fact that for those upon whom others must depend for their food supply there was no financial system by which they could engage in the great business of farming, and only within the past few years did we awake to that condition, and through the Federal-reserve act, gentlemen representing the agricultural districts of the Nation being aroused as to the oversight, we insisted that farming is a great business, that it requires money, that it requires banking facilities, and there must be written into this law some provision that will take care of

agriculture. And in that law we wrote a recognition of the fact that farmers' paper had a right to enter the banking circles, and we provided for the rediscount privilege of prime agricultural paper. [Applause.]

Now, my friends, I am talking in all seriousness, especially to the gentlemen here who represent the agricultural sections of this Nation, from whatever section you may come. Ah, if you will read the CONGRESSIONAL RECORD you will find that surreptitiously the fight is on so to amend the Federal-reserve act as to destroy that feature of it that recognizes agriculture. I sound this note of warning to the American Congress and to the American people. Read, if you please, the speech of the gentleman from Massachusetts [Mr. LUCE] a few days since, and you will not have to go any further to prove the statement that I have made that that fight is with us. And what does it mean if that fight should be won? My friends from the wheat belt, from the cotton belt, from the cattle belt, it means that financial power will again be centered in the East, in Wall Street, if you please. Grow your cattle if you will; grow your wheat if you will; grow your cotton if you will; but if you strike out of the Federal-bank act that provision which enables those products to be financed in the Federal-reserve banks under the rediscount privilege, you will have again the conditions that prevailed before the Federal reserve-bank act was passed, and Wall Street will name the price that you will get for your cattle, for your wheat, for your cotton. Are you willing for them to do it?

I sound that note of alarm. They have done it all these years. I know the conditions in my own country, a great cattle country. The State of Texas is the breeding ground for the feeding pens of the balance of the United States. There are 8,000,000 head of cattle in that State. It is also a great producer of cotton. It grows one-third of the entire cotton crop of the South. I have seen men, women, and children as they toiled from one end of the year to the other, producing this great crop, that went out to bless humanity and clothe the world. I have seen them bring in their cotton in the fall, having made it on a credit. The market had gone to the bad. They were not offered enough to pay the cost of production, to say nothing of the reasonable profit and the living wage to which they were entitled. They would go to their bankers, to whom they owed these obligations for the year's supplies, or to their merchants, and say, "The cotton market is so disastrous that if I sell the crop that my wife and children have helped me to make I can not pay my obligations. Won't you extend my credit? Let me hold it a while longer." That was the universal cry. The banker would say, "I can not do it." The merchant would say, "I can not do it." And why? Not that the banker was not interested in his people, not that the merchant was not interested in his customers, but these bankers and merchants were borrowing institutions, and the banks had rediscounted their paper in New York with their correspondents there at a fixed charge of 6½ per cent rediscount rate, and then 20 per cent kept within the vaults of the correspondent and never reaching the productive territory. New York had said to us, "You must take up this rediscount paper." They said that to the cattlemen, they said it to your wheat men, they said it to the cotton farmer. They held your obligations, and your banker was forced to respond and to drive the farmers' products onto the market—cotton, wheat, cattle, and everything that is produced on the farm. Why did the New Yorkers do this—this Wall Street financial crowd? They stood hand in glove with the great manufacturing interests of the country and forced these raw products out of the hands of the men who made them, at sacrifice prices. These products went through the manufacturing institutions, and the consumer of the manufactured goods did not know that the blood that went into the production of the raw material was not getting fair pay for the service it rendered to humanity. When the bill is offered, are you going to repeal that section of our financial law that does take care of agriculture and enables our farmers to obtain credit and to know that the work they do is recognized by our Government and that they have a financial system that will care for their needs?

Oh, my friends from the congested centers, you may think as I speak thus that I am speaking selfishly, representing a great agricultural district as I do; but I want to say to you that it is a broader question than that which relates to the farmers themselves. Why, you cry out at the high cost of living in the cities. There are gentlemen coming before our committees every day advocating all kinds of legislation that will enable them to buy the farmers' products at a price that will be satisfactory to these consumers in the congested centers.

Mr. CANNON. Will the gentleman yield?

Mr. YOUNG of Texas. I yield to the gentleman from Illinois.

Mr. CANNON. I am very much interested in what the gentleman is saying. He refers to the Federal-reserve act?

Mr. YOUNG of Texas. Yes.

Mr. CANNON. And also to the farm-loan act?

Mr. YOUNG of Texas. Which I will discuss a little later.

Mr. CANNON. I have been busy about other things, and I will be glad if the gentleman during his speech will call attention to what the law is now and to the proposed changes and the effect thereof. I ask this in perfect good faith for information.

Mr. YOUNG of Texas. I am sure of that. The gentleman represents a great producing section, as well as myself. But as I have stated, gentlemen from Chicago, mayors of great cities in New Jersey and other congested centers, have constantly appeared before the Committee on Agriculture and called our attention to the high cost of living in those centers and asked us, among other things, to draft an embargo law prohibiting the shipment of these supplies to any other nation on earth, and all sorts of other wild ideas and fancies that they ask us to write into law so that the people in these large centers may live more cheaply. As far as I am concerned, I will not favor one of them. You are only now seeing in these centers what you will see more emphatically in the near future, when living conditions in the great industrial centers of the Nation and such and when such extravagant wages are paid to those who labor there that they withdraw from the farm and are leaving it by multiplied hundreds of thousands and are becoming consumers in your large centers.

Why is it? Ah, they have worked not 8 hours a day but 12 hours a day. They have produced year in and year out. They are tired of this labor when they can go to a congested center and draw greater compensation, work shorter hours, enjoy the picture shows and the bright lights of the city. Week by week and month by month and year by year you are drawing them from the farm. Yet you come with a remedy proposing an embargo on the farmers' products and price fixing on his products and all kinds of wild schemes, overlooking the fact that the farmer has been the one man who has slaved and worked and has met the obligations that have come to him as a citizen. Now you add to his burden and you are depopulating the farms of the Nation, and after a while—and that time is not so far distant—it will be a question of meat and bread for the people in these consuming centers. Add not to the burdens of the farmer. Detract not from his banking laws giving him a field of credit. If the congested centers are wise, instead of trying to do something to add to the burden of the farmer, they will look deeper and will say, "Let us make life on the farm more attractive, in order that the people may find their way back to the soil." [Applause.]

Another proposition: All through the history of our Government Congress had never seen its duty and never had provided a system of finance by which our people could become farm owners. What is the result? In my State and elsewhere the tenant class is growing so rapidly that it is a great problem with our people who is to till the soil. It remained for us in the same Congress in which we passed the Federal reserve-bank act also to look to agriculture and say to the farmers of this Nation, "We want you to become farm owners. We want to release you from the hands of the usurer. We want to provide a system which will give you time and a reasonable rate of interest, so that the young men of the country may have hope of owning their own roof and of tilling their own soil." With that understanding we passed the Federal farm-loan act. Time after time on this floor that law has been assaulted, especially by the gentleman from Pennsylvania [Mr. MCFADDEN] and the gentleman from Michigan [Mr. FORDNEY]. It has received assaults at the other end of the Capitol. It may be that amendments are necessary, inasmuch as it carries two systems—one the farmers' end, I must call it, and the other a joint-stock end. There seems to be a conflict in the actual operations of these two institutions, and some amendment is necessary probably to keep the joint-stock end of the institution from destroying the farmers' end of the institution.

I want to warn you now, however, that whatever amendment may be drafted, it ought to be drawn by the friends of the law, to see to it that the law is perfected and that credit may be extended, so that our people can own their farms. How was it under the old system? I believe I live in the richest county in the world, not excepting the black land in the district of the gentleman from Illinois [Mr. CANNON]. I moved to that county 27 years ago. The soil there is black and waxy, it is of unlimited depth, and there is no wear out to it. Yet when I cast my lot with the people of that county I found that from year to year as I visited the court-house doors, ad-

ditional bulletin boards had to be erected from year to year on which to post notices of trustees' sales against men who had bought these farm lands to make a home for themselves and their children. Why was it? They were energetic men, they were good farmers, they were industrious, they had good business capacity, but they had gone up against the game that no man could win. The hand of the usurer had them by the throat, and the rate of interest they had to pay ranged from 12 to 15 per cent per annum, and the length of the loan was only about five years. Let a crop failure come, let sickness come, and the farmer failed, and the trustees' notices appeared. They were good men, they went out broken in spirit, they were cast down, they were paying into the hands of the usurer, and that usurious bunch would like to get back in control and destroy the Federal farm-loan act and force us back to the old conditions. Now, what have you? You have a system with a low rate of interest and a reasonable rate. You have a period of years, and if your crop failure comes or sickness comes, then the man who has purchased the land knows that within the period of 30 or 40 years he is going to be able to make good. They are buying homes in my country and they are buying homes in the whole Nation, and let me again sound a note of warning. You ought to encourage men to buy farms and keep them out of the congested centers, but if you cripple this law you are going to drive them away again. This is what I am appealing for, and I am not talking as a Democrat or as a Republican, but I am speaking as a true, loyal citizen who is to retire from Congress at the end of the present session and go back to private life, but I am telling what I know about the facts and history of this great industry. I sound this warning to you who will be here after I am gone.

I get sick and tired of the propaganda that reaches my desk from day to day, and I dare say that other Members of Congress have the same sort of thing to contend with. Already we have some sections of this country where the sentiment would overturn our Government.

They are in the majority. In some communities 80 per cent of the people are foreigners, with a very large percentage of men who can not speak the English language. They did not know what a government was where they came from and they do not know what a government is here. They do not know how to appreciate liberty that comes with our law. I have this conviction, however: This Government is not going to be overturned in my time and generation, but if conditions continue as they have continued for the past few years it may be overturned in the lifetime of my children. My father did his best to hand down to me a good Government, and our ancestors did for all of us. I want to be a good, loyal American citizen and do for those who come after us what our ancestors did for us. I want to leave the best Government on earth for my children and my children's children. [Applause.] Have the people go back to the soil, where in the heyday of the prosperity of our Nation they lived, and let them have a system of finance by which they can become owners of the soil and of their homes. There are not enough devils in hell to cause the people in an agricultural community owning their own farms to turn their backs on the Government that protects their firesides. [Applause.] It is a question for you gentlemen from the congested centers. I am afraid that you have been unwise; you have been too anxious to get rich quickly. This is a great country. It is a great productive country. The earth is filled with coal and oil and iron ore and lime rock and sulphur, and our forests with timber, though that is disappearing very rapidly. Our great resources make us a great country in spite of ourselves, and I believe in the development of such resources wherever they may be. I do not believe in their development, however, sufficiently to be willing to permit the onrushing hordes of anarchists and Bolshevists to come to our shores for the purpose of development so that they will ultimately destroy us. I do not believe in prosperity, if you may call it so, to such an extent that I am willing to throw down the bars at our ports so that that class may multiply here until they overwhelm us and destroy our Government. [Applause.] These are things that we may well think of.

Mr. JACOWAY. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Texas. Yes.

Mr. JACOWAY. I have followed the gentleman's argument and I concur in what he has had to say, but does he not think that the whole proposition will fail unless the Federal Government gives to the producers of the country a comprehensive marketing system?

Mr. YOUNG of Texas. The gentleman has asked a question that I have thought of a great deal and have no doubt that other Members of Congress have thought of a great deal. That is the question of distribution from the farm to the consumer. The farmer is not getting rich, is he?

If he was, the farms would not be depopulated year after year, as the figures show they are. So the farmer is not getting rich, because if he was getting rich he would stay on the farm. A man stays by the thing that is making him rich. The consumers in the congested centers are crying out because they can not live because prices are too high. Are they paying too much for what they eat? The farmer we know is not getting too much. If they are paying too much for what they eat, where does the trouble lie? Take the milk situation. The farmer gets 8 cents a quart and the consumer pays from 24 to 28 cents a quart. Does the farmer get too much? No. If he was getting too much, there would be more people going into the dairy business, would there not?

The farmer in the wheat industry before the war got about 60, 70, or 80 cents, did he not? Was he getting too much? He quit the wheat business and went to something else. He was a sensible man, and when he found he was losing money he went to something else. Of course wheat is higher now, as everything else, but he was not getting too much. The consumer says he is paying too much. Where is your trouble? It is the intervening agencies. How many men handle milk from the producer on the farm to the consumer in the city? How many men handle wheat from the farm to the consumer in the city? How many men handle cotton between the producer on the farm and the consumer in the city?

Mr. MADDEN. Will the gentleman yield for a question?

Mr. YOUNG of Texas. How many men handle cattle from the producer on the farm to the consumer of the city?

Mr. MADDEN. Does the gentleman think the individual producer could place his commodity any more economically in the hands of the ultimate consumer if he undertook to make the distribution than it is done now? That is the question here.

Mr. YOUNG of Texas. I do not think that the individual producer can in the case of these various products. It is a physical impossibility for him to place them in the hands of the ultimate consumer, because we have there the great question of distribution that no man yet has been able to determine how it should be worked out. We all know that there are those who live between the producer and the consumer and profit where they should not profit, and who ought to be driven out of that sphere and put back to something useful that they might do. [Applause.] Now, Congress recognized that problem; it is recognized the world over; and a few years back we gave an appropriation of $50,000, out of which grew the Bureau of Markets. Their appropriation has been multiplied until it is between two and three million dollars, and they have got experts working on this distribution problem. They are suggesting their ideas, they are trying out experiments, and in many cases they have done wonderful work.

In other cases their labors have been thrown away, as I knew they would be thrown away. It is a matter of demonstration, it is a matter of carrying out, it is a matter of seeking to find the relief, and I am willing as a Member of this Congress, and I shall be willing when I retire to private life as a private citizen, to stand my part of the taxation and waste enough money, if necessary, to have our Government work out a system of distribution that will enable the producer to get a fair and just price for his labors and at the same time hand those products down to the consumer at fair and equitable prices. [Applause.]

Mr. JACOWAY. If the gentleman will yield, answering the question of the gentleman from Chicago, I will ask the gentleman who now occupies the floor if he does not recall the testimony before the committee was that by the telegraphic system of tolls to find markets for the producers in this country that the producer of potatoes in Maine got more for his potatoes and if there was not an anomaly within an anomaly shown in that they were laid down on the consumer's table at a less price due solely to the fact that the unnecessary middleman was cut out?

Mr. YOUNG of Texas. That is true in a great many industries. In some things the Bureau of Markets has not succeeded as well as I had hoped. I referred to it in the committee as I do now. I stated in the committee as I state to you that some of the efforts were going to be a failure, that you are not wise enough to work them all out. I am going to be a producer after I leave Congress, and I am willing to waste enough money to help work out this most important problem. The stuff I shall produce will enter interstate commerce; much shall go to the other side of the seas. What this great Nation should do is to spend enough money to get intelligence enough if we can find it, and waste a part of the funds if necessary to help us make these demonstrations to see if we can not work out a system that will take care of the situation that confronts this country. We have got so

much interest here. We have a diversified Nation. It is a great pity we had a Civil War, and it divided our people, and it took 50 years or more to get over the bad feeling that existed between the different sections. But this is the greatest Nation on earth. Take the State of my friend from Kansas [Mr. TINCHER], a great wheat-producing State. He feeds my people, although we are coming right along on his heels and are producing wheat now. When I need an automobile way down in Texas I have to go to the State of my friend from Michigan [Mr. MCLAUGHLIN] to buy my automobile, and when I need on my farm in the springtime to buy new turning plows and new cultivators and new wagons, I have to look to the State of Uncle Joe to furnish the manufactured articles. When my county goes to building bridges and needs the steel and structural iron, we have to go to the great State of Pennsylvania to buy those products, and when we want citrus fruits and dried raisins we have to go and look to California, and when we need woolen clothes we have to go West and look to the sheep producers. On the other hand, you gentlemen in those sections I have mentioned, when your people need the overalls that the working men wear, the cheap clothing for your people, you have got to look to the broad fields of Texas and the South, which produce this cheap clothing material.

It is a great Nation with diversified interests, the greatest Nation on earth, the greatest manufacturing Nation on earth. We are now exporters, and the world looks to us to be fed, to be clothed, and to be financed. What a field is up to you Members of Congress and citizens of a great Nation; what a great opportunity is afforded to work together as one people and one Nation to make the best of the opportunities we now have. [Applause.]

Can you hurt the cotton industry in the South without affecting the iron industry in Pennsylvania? Oh, no. Can the iron industry in Pennsylvania suffer loss without its affecting Texas? Oh, no. Can the citrus-fruit crop fail in California without our being forced to do without it in Texas? Oh, no. Can we wear woolen clothes if a calamity should happen to the sheep growers of the country? Oh, no. We all contribute, and nature has fixed it that we shall contribute, to the sum total of the whole. And I am sick and tired in hearing now and then men on this floor raising criticism of this item or that item of appropriation because it happens to go to that section or this section or to this industry or that industry. We ought to take a broader view, as one great Nation and one great whole, of what is necessary to make it greater, and we, as Congress, are going to do it. If you destroy a cotton producer in the South, you destroy his purchasing power, and he can not buy the things he would like to have. He uses his old plows; he does not buy an automobile; and he quits riding in his buggy. And so it is with any industry. If you destroy an agricultural product, the producers are not purchasers any more from the manufacturing sections of the country. We ought to have a broad vision, to the effect that agriculture shall be prosperous and draw people back to the farm. Let the manufacturing sections of the country be prosperous and reach out after the world's trade. So far as I am concerned, I have never cast a vote in the 10 years I have been in Congress but that is in line with what I am stating now. And whenever in my committee there has been an appropriation to relieve some State of some pest, all I wanted to know was that it was an agricultural problem, a national problem, and I have voted to give every dollar that has been necessary to meet such problems as they arose from day to day. And I hope that that will be the spirit that will dominate our people in this Congress in dealing with this bill and the other bills that may follow. [Applause.]

Now, what do we do? Here is an Agricultural appropriation bill carrying about $30,000,000, and some boast has been made that we have cut it down a million or so. Agriculture? Agriculture? Only yesterday we had a rider to an appropriation bill asking for some $9,000,000 for some wharves and docks or something. While this bill carries about $30,000,000 plus under the title of an Agricultural appropriation bill, there are many things in it that do not relate to agriculture. You have millions of dollars appropriated for the Forest Service. That is not agriculture. It is simply put in by the wisdom of the people who drew that law under the administration of the Secretary of Agriculture. We have other millions of dollars in this bill for meat inspection and for the pure food and drug act. That is not agriculture. That is for the health of the people. And yet those are given in the sum total and are charged up to agriculture. I dare say if you go through these figures and take items appropriated to agriculture you will find less than $20,000,000 going directly to agriculture. Is that a record to be proud of? I am not proud of it, my friends.

I have shown you the defects on the farm, the trouble there, and I have shown you that we need encouragement. I have shown this congested section that it is a great problem for them to get their people back there. And instead of bragging about cutting down appropriations for agriculture, I am willing wherever it can be pointed out to me and wherever I can give a dollar that will aid in bringing agriculture back to its life to do so. Yet I am in favor of cutting down the expenses of this Government. My people are. I want to get on a business basis. I am against the propaganda for military training and universal service that seeks to take multiplied hundreds of millions of dollars out of the pockets of our people in order to create a warlike nation out of us. God knows we do not need it! We fought the greatest warlike nation on earth with boys that we took off the farms and from the blacksmiths' shops and the stores, and they defeated the choice troops of the Kaiser.

I want to spend money to develop the resources of my country, whether in agriculture or in manufacture or in whatever it may be, but I do not want to dissipate it in making trained soldiers out of American boys. I do not want any more war, but when we have a just war the American boys will rise up and win it, as they did this war and as they have every other war in which they ever fought. [Applause.]

Mr. BANKHEAD. I notice here in the recapitulation put in the RECORD yesterday by the gentleman from Missouri [Mr. RUBEY] for this Bureau of Markets the gentleman is discussing on the floor, and which is a very important feature of this bill, that the committee reported a bill which decreased the estimates for this Bureau of Markets in the sum of $544,000. Can the gentleman tell us what argument was made before the committee for that enormous reduction of the estimates for that bureau?

Mr. YOUNG of Texas. If I would try to sum up the argument, I presume it would be the same one that has been made before the committee before, to the effect that we have got to be economical and cut down the expenses of the Government. That is about all there is to it.

Now, gentlemen, as I stated, I do not think you ought to cut out an important item when we see, as I have tried my best to point out, the condition into which agriculture is getting. And I speak it from personal knowledge, and these gentlemen who sit before me know what I am saying is the truth from personal knowledge. I am surprised that these gentlemen from congested centers are so provincial in their thought. They do not know anything about the great subject of agriculture. They do not know anything about their dependence on these people out in the far West, in the Middle West, and in the South. I do not believe we ought to commence knifing here if we can add something to it that will aid agriculture and get people back onto the farms. I want to get these clerks out of these departments down here—these war clerks—just as fast as we can. When they finish up the work they ought to go home. [Applause.] It is best for them and best for this Government. I want to cut down the useless boards that grew up during the war, and some of which are still alive. Just as quick as they can wind up the war business, my people expect them to go home, and, as far as my vote is concerned, if I can find any appropriation to cut out that will send them home, I want to do it. I want to get this Government back on a peace basis just as quick as I can, and I do not want these gentlemen getting up here and suggesting these wild theories about the high cost of living, that some price fixer can come down on the farm and take the cotton and other products of the farm and fix the price on them. I do not want the price fixed on the wheat of my friend from Kansas. It has been a fruitful source of annoyance. Gentlemen who were here when we passed the food-control bill know that for an hour and a quarter I stood on the floor and tried to keep our Nation from embarking on that proposition. It is a false economy. I do not want any legislation that will interfere with the great law of supply and demand, whether it affects agriculture or whatever it affects. If I were a manufacturer, I would do like they do. I would keep my books. I would know my markets. I would buy my raw material. I would map out my program, and I would go and tell the other fellow what he had to pay me for my manufactured products.

That is what they do, do they not? That is business, is it not? They call that a good business system, and it is. But I am a farmer. I bet 12 months' work against the cotton crop or the corn crop or the wheat crop or the oat crop or the barley crop that I produce or the cattle crop or the hog crop. I bet that 12 months' work, working 12 hours or more per day. I am betting against the season. I do not know whether I am going to have a flood or not. I do not know whether I am going to have a drought or not. If God spares me from flood and drought, the devilish boll weevil is right at my heel, and also every oth

insect known to agriculture. I bet on that, but I get by, and I make a good, bad, or indifferent crop.

Now, I live 5 miles in the country, and I drive into town with 5 bales of cotton. Am I like the manufacturer who produces farming utensils or clothing or who manufactures food supplies, and can name the price I am going to demand, being able to control my output or price it, knowing the expense incurred as a bookkeeping proposition? Oh, no.

I am telling you the history of agriculture now. I drive into my little town with these 5 bales of cotton. The local merchant comes out. Does he ask me what I will take for that cotton? No. Does he ask me what I will take for the box of eggs that I have put on top of that load of cotton? Does he ask me what I will take for the few dozens of chickens that I have piled up on top of that load of cotton? No. He does not do that. I can not say to him that I want 20 cents or 30 cents or 40 cents per pound for this cotton; that I want 75 cents a dozen for these eggs; or that I want 75 cents apiece for these chickens. I can not mention any price that I can demand for these things which it has taken me 12 months to produce.

Do you think the farmer has not got a problem? Do you men from the congested centers think so? Could you survive on that kind of a business operation? Then when you get into the market with a great commodity like wheat or cattle or cotton you have the bull and the bear to contend with. The cotton people have all Europe to contend with, combining with the bear element in this country, to fight down and impoverish the men, women, and children who produce that great crop. And so it is with our wheat, and so it is with your cattle.

Mr. YOUNG of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Texas. No; I regret I can not. I want to get through. Take cattle. My friend from Kansas [Mr. WHITE] knows something about that matter. I have seen men spend three years in growing a herd of cattle for market, and I have seen those cattle going out of my town; I have seen them send solid trainloads to Kansas City and St. Louis and Chicago. It is a funny thing that these same packers that operate in Kansas City and Chicago all operate also at Fort Worth. I live 60 miles from Fort Worth, and we are forced to ship our cattle from away down there to St. Louis and Chicago and Kansas City in order to get a fair price, with the same packers established down at Fort Worth.

What do you do? You unload them when you get to St. Louis or Kansas City. You get up on the fence. You sit there. You see a commission merchant come along, and you see prospective buyers come along, just a few of them. Have I, as a cattle shipper, any word to say as to what I shall get for those cattle, after I have spent thousands of dollars in growing and fattening them? Ought I not to have something to say about what they will bring, after having devoted to their production my judgment, my money, and my time, preparing these animals for the consumption of the people of the world? No. I sit there on that fence and see my cattle struck off at any price these packers see fit to give. They have bankrupted thousands of the cattlemen in my country and have driven them into other business. [Applause.]

These are some of the questions confronting agriculture, and I speak as a man who knows the facts and who comes from the section that has been hit by such a marketing system as that.

Oh, you do not get any cheap meat after they get cheap cattle from us, do you? I will tell you another thing about these packers. I did not mean to go into that, but it is a monopoly pure and simple. They have got in their hands every cattleman in this Nation.

Mr. WHITE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Texas. Yes.

Mr. WHITE of Kansas. The gentleman knows that the Swift Packing Co. have published their prices weekly here. The gentleman knows that the prices of dressed beef quoted in the Washington market are about 6 cents per pound lower than they were four months ago, and yet the gentleman has stated that we are not getting any cheap meat and are really not getting any perceptibly cheaper meat. That would seem to reaffirm the statement previously made that it is the distribution that is at fault.

Mr. YOUNG of Texas. That is true. They have driven nearly everybody out of the business and they are trying to drive the grocery men out of business. These jobbers have made a desperately hard fight.

That is marketing. Are you willing as an American citizen, as a Member of this Congress, for the food supply of every character that you must depend on to sustain life and for the life and health of your children and your children's children—are you willing that the whole supply of the Nation, on which you and I must depend in order to exist and in order that our children may exist and be healthy and in order that our children's children may exist—are you willing for our Government to sit idly by and let any combination of five take charge of the whole food and meat supply of the Nation, with a power that can destroy not only individuals but nations?

Now, some years ago down in my part of the country we found a way to make use of cotton seed. Formerly, in my boyhood days, cotton seed was burned in the furnace of the steam engine. We did not know what it was; but later we found that we could take the hulls off of these seeds, and we could get the linters from which they make our smokeless powder, and we could get the kernel out of that seed and grind it and crush it, and it made a splendid food oil that now goes into the commerce of the Nation. Then they take the cottonseed cake and grind it into meal, and it goes back as a feed supply to your stock, and gives you the fat cattle, when combined with the hulls that you have taken from it. That was all waste stuff in my boyhood days. Now it is practically one-fourth of the value of this cotton crop.

These packers are smart. You know they make all kinds of substitutes for butter and lard, and vegetable oil is a good substitute. It is all right. I have no objection to using it. I use it frequently. It is healthful and has good food value. But what did they do? They slipped down the Atlantic coast and began to buy up, one by one, the oil mills in the cotton belt; and the oil mills own the gins, and the gins charge the farmer for ginning his cotton. The packers have extended their power to that industry, primarily to take over the oils that come from our cotton seed, and, secondarily, to force me as a cotton producer who must have my cotton ginned, when they have driven the private ginner out of existence, to pay the price that they demand for the simple ginning of my cotton. Primarily they want the oil out of the seed, because it enters into competition with the animal fat that is produced by their industry.

They have taken over the peanut industry in the same way. Are we going to sit idly by? What are you going to do? Are you going to let them use that power as they do use it, as they have driven other men out of existence, and let them drive the peanut grower from the farm and drive the cotton producer from the farm? They will do it if they can. They are selfish, money-making fellows. That is the power, and that is the way they are going to use it. It is up to this Congress to say, "Thus far shalt thou go and no further," and I am ready to cast a vote to put that limitation on them at this moment.

Ah, they say they can do it so much more efficiently. Of course they can. What are all these people going to do when they are driven out of business? You have got your efficiency, but you have got a great bank account to the credit of that efficiency, too. I should like to see our people encouraged to go back to these farms and produce whatever their section of the country may and will produce; and be assured that this Government as a government will use every power that it has to see to it that no one man or one set of men shall consolidate the market of any product so that there is not open competition for the stuff that is produced. [Applause.]

Mr. COOPER. Will the gentleman yield there?

Mr. YOUNG of Texas. I will.

Mr. COOPER. Some time ago the Committee on Interstate and Foreign Commerce held hearings on the packing-house question, and those hearings were brought about by charges preferred by the Federal Trade Commission. Independent packers appeared before the committee and stated that, as far as they were concerned, the five big packers never closed the market to them, that there was always an open market for them, and that they were in no serious competition with the five big packers.

Mr. YOUNG of Texas. I do not know what their testimony was. I am telling you the experience of a man who lives in the producing section of the country and knows about how these markets are conducted and about how my people as producers were driven out of this productive business and into other enterprises.

Mr. RAYBURN. If the gentleman will yield, I will say in answer to the question of the gentleman from Ohio [Mr. COOPER] that these independent packers, or the majority of them, who appeared before the Committee on Interstate and Foreign Commerce and testified that they were allowed to compete with the big packers had testified in the opposite direction when they appeared before the Federal Trade Commission. I do not know just why they changed their minds.

Mr. YOUNG of Texas. So much for that. My time is about up. Now, my friends, in conclusion let me reiterate let not

this Congress ever cripple the financial system that we have given our farmers through the Federal Reserve Bank act. Let both the productive and the congested sections of our country wake up to the fact that we need more men on the farms to own their own homes; and do not let any selfish set of usurious interest collectors make an inroad on the farm-loan bank act, because when you do it you destroy the farm owner. You take from the farm the bulwark of protection against Bolshevism and anarchism, because the farmer owning the title to his own farm will fight to the death to protect the Government that protects his title. [Applause.] Give to the farmer through the Bureau of Markets or otherwise a better system of distribution, and the farmer will do as he has done. He will feed the world. [Applause.]

Mr. HAUGEN. I yield to the gentleman from Kansas [Mr. TINCHER] 30 minutes.

Mr. TINCHER. Mr. Chairman and gentlemen of the committee, I am sure I voice the sentiments of every member of the Agricultural Committee when I say that it is with profound regret that we hear the gentleman from Texas [Mr. YOUNG], who has just left the floor, announce that he is retiring from Congress. I do not belong to the same political party that he does, but I want to say to you that from my short experience on that committee I believe that when he leaves Congress the men who feed the world will lose from the Halls of Congress one of their stanchest, fairest, ablest friends.

I absolutely agree with the gentleman from Texas [Mr. YOUNG] that there should be no legislation, whether it comes through the "loose" remarks of people from Massachusetts or from any other State or any other man, to hinder the progress of the farmer through amendments of our financial laws that would tend to injure him. I am proud to be a Member of Congress, where it is manifest that the great majority of it considers the producer first and not second, and where there is absolutely no danger of any law passing that will cripple the producers of this great Commonwealth. The producer is safe enough in Congress, but no man can keep some other man from introducing on the floor of the House his private ideas, no man can keep a committee from coming down here from Chicago to appear before the Committee on Agriculture, as one did the other day, asking for an embargo on foodstuffs. No man here is responsible for the fact that they got together up there and appropriated a fund to reduce the high cost of living, and then, without any consideration whatever, concluded that the way to do it was to put an embargo on all farm products. They would starve themselves to death if they were let alone. But there was not any danger. They came before a joint committee of the Senate and the House, and while some of the members did not say anything, did not want to hurt their feelings, they were absolutely unanimous that this Congress would not consider for a moment the crippling of the producer and the absolute destruction of production by passing such fool laws.

I, too, with my friend from Texas lament the fact that the boys and the girls are leaving the farms. I am sorry for the fact that, even with these great laws that we have now protecting the producer, the tendency to leave the farm is still manifest. I wonder how to account for that fact. It is hard for a full-grown man to understand the ambitions of the farm boy who wants to give up his position on the farm to be a clerk in a store, and we as a government ought to set some kind of an example, but do we do it? Congress, I say, is safe. The Nation has nothing to fear from this Congress in the way of legislation that will injure the producer, but how are we as a government treating this great business? I say it is first the most important business of a nation to feed the nation. Every man I have ever talked to in Congress agrees with me, except one Member, and he is from a congested center. He has always told me how few farmers there are as compared with the consumers. He really has not stopped to think much. The fewer the farmers the more decent treatment they are entitled to, because it is absolutely admitted and conceded that they must feed you all. But are we being treated as such by the different branches of the Government? I understand we still have the legislative and executive branches of the Government. The Executive has authority under the law to appoint at the head of the great Department of Agriculture a man who would take pride and pleasure in it and who would promote this great industry. This Congress has said by a vote over the protest of the Executive that farming is not secondary. It has gone on record that farming is first, that the industries which depend on the farm for food are secondary—in response to a direct challenge. My friends who are more intimate with the man than I am, and more intimate with the department than I am, tell me that we have had up to within the last few days the greatest Secretary of Agriculture that the country has ever known. They tell me that the man appointed as a member of the President's official family at the beginning of his administration, Mr. Houston, was the best-posted man and the greatest Secretary of Agriculture we have ever had.

I do not know for sure, but I have my opinion. But some one is treating the business as secondary. Within a year of the time when his term would naturally expire some one looks upon this great business as so unimportant that they give him a job as a clerk in another store—the same practice that we are complaining of in respect to the farm boy and the farm girl leaving the farm. The Secretary of Agriculture has been given what they call a promotion and has been made the Secretary of the Treasury. I hope the time will come when not only the great American Congress may be depended upon to stand by the sentiments expressed by the gentleman from Texas [Mr. YOUNG] and treat agriculture as first in this country, but that the time will come when the Congress will have the backing of the Chief Executive of our Nation, and that he, too, will regard the producer and the farmer as first and not secondary to anyone in this great Nation.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. Yes.

Mr. LAZARO. Mr. Chairman, the gentleman just stated that he was sorry to see the boys and the girls leave the farm.

Mr. TINCHER. Absolutely.

Mr. LAZARO. I fully agree with him. Does not the gentleman think that the best way to keep those boys and girls on the farm is to develop the farm-loan system and build schoolhouses and good roads and a system of marketing, so that the producer can sell to the consumer without being robbed by the middleman?

Mr. TINCHER. Oh, certainly; and I was glad to hear the gentleman from Texas say what he did about the packers; I was glad to see him have the nerve to stand on the floor of Congress and say that he believes in it.

I have been here only a short time, and I am sorry that he is leaving, because I say to him that here is one man who has come to Congress who would help him work out a system of regulating any man or set of men, if it develops that they have a monopoly on the food products of the Nation. Of course, the committee may disagree on details as to what brings about a real market system, and Members of Congress may disagree as to the best way to bring about that system, whether by Federal control or by Government ownership, but I say to you that you are right, that a marketing system is the important thing, and that until the farmer can have a fair deal, until he can have fair treatment, you can not hope to increase production, you can not reduce the high cost of living, and you can not satisfy the farmer without increasing production. The gentleman from Illinois interrupted my friend and asked him about the milk situation. How in the world can a man be happy to live on the farm when the limit of wages that the producer of milk can pay for producing the milk is $60 a month, while the man who is peddling the milk in the city is striking for $300 a month—a man who does not have to have the qualifications, who does not have to know as much, who does not have to have the intelligence, but who, simply because he belongs to some organization and lives in the city and works 8 hours a day, while the fellow on the farm works 12, can earn $300 a month, when the price that the farmer receives for his milk will not justify him in paying more than $60 a month to the man on the farm. Those are things that must be reached in some way. Those are problems that must be solved and the farmer is entitled to have them solved.

And the farmer is entitled to be treated first, because he does feed the world and should not be treated by any department of our Government as secondary in these critical times. [Applause.]

Mr. JOHN W. RAINEY and Mr. SABATH rose.

The CHAIRMAN. To whom does the gentleman yield?

Mr. TINCHER. I yield to the gentleman from Chicago.

Mr. JOHN W. RAINEY. I defer to the gentleman from Chicago [Mr. SABATH].

Mr. SABATH. The gentleman speaks about the price of milk. Is it not a fact that the dairy interests of this country have made an agreement or contract with the milk dealers in the large centers whereby they compel them to charge a certain price for milk, and, unless they comply with the agreement to charge the high price for milk in the cities, that these dairy interests refuse to deliver milk to these dealers who are willing to sell for lower prices than agreed upon on the part of these interests?

Mr. TINCHER. No; I do not believe that. I know what the gentleman is reflecting on. It is the collective bargaining. But the dairymen have by reason of their ability in collective bar-

gaining been able to make an arrangement to sell their milk whereby they could pay their hired men who work 12 hours a day $60 a month, and they have sold milk to the man in the city who sells to the consumer, and he is selling to the consumer on the basis of his paying the organized labor $280 a month for delivering that; and that same labor has nothing like the ability or stability or manhood of the man who produces the milk. I decline to yield further.

Mr. SABATH. So there is such an agreement between the dairy interests and the retail milk interests who sell their milk in the cities?

Mr. HAUGEN. Mr. Chairman, I think it is up to the gentleman from Illinois to explain that. He urges that there is a certain agreement. No one has ever contended, so far as I know, there is any such agreement. The fact is this——

Mr. SABATH. Well, understanding.

Mr. HAUGEN. The fact is this: The farmers took 7 cents for their milk in Ohio, and as a result they took them out of bed at 2 o'clock in the morning and put them in jail and did not give them an opportunity to give bond until 11 o'clock the next morning, when they went into court and they were acquitted of the charge. The gentleman is familiar with what took place in Illinois, and he knows that they had a trial, they had a day in court, and they were acquitted.

Mr. SABATH. I know they were indicted.

Mr. HAUGEN. And all these reports that go about and falsehoods are without foundation.

Mr. SABATH. I am not accusing the dairy interests.

Mr. HAUGEN. The gentleman insinuated there was such an agreement.

Mr. SABATH. I asked whether the dairy interests did not deliberately enter into a contract or agreement with the large milk dealers in the large centers whereby they compelled them to charge a certain price for milk in the cities, and where any of the dealers refused to charge that certain price those certain dairy interests refused to sell milk to any such dealer.

Mr. TINCHER. No.

Mr. HAUGEN. The gentleman asked the question, and in a way insinuated that an agreement had been reached.

Mr. SABATH. I wanted to know whether or not that was true.

Mr. TINCHER. It is not true.

Mr. HAUGEN. It is up to the gentleman to furnish the proof.

Mr. TINCHER. Six weeks of hearings have convinced me that it is absolutely untrue. I now yield to the other gentleman from Illinois.

Mr. JOHN W. RAINEY. I am always interested in the debate of the gentleman from Kansas, enjoying the privilege of being on the same committee with him, and I have directed this query to him heretofore. I am delighted to hear him say he is interested in the farmers of this country, and I know that all of the Committee on Agriculture are interested in the farmers of this country.

I know it is absolutely essential that the farmers of this country be given some attention, and I want the gentleman from Kansas and the other gentlemen from the agricultural interests to know that two years ago when I first came to Congress, and, coming from the great industrial center of Chicago—the great packing industries are in my district—I said on the floor of the House that I wanted the farmer and the packer to get together so that there would be a mutual understanding between them both, and so that both could get along. I said that I was interested not only in the farmer, but I was interested in the millions of people in this country in the great industrial centers who, unlike the farmer, can not lay up a store of provisions for the year. Out in my city, in Chicago, the oppressed poor people do not have enough to feed them two days. What I am interested in is this, that these people be provided for, and also to have the farmers understand that if it were not for the industrial centers they could not live, because these centers furnish them with machinery with which to till the soil, and also purchase what the farmers produce.

Mr. TINCHER. I decline to yield further. I just want to say this in reply to the gentleman, that whenever as a representative of the congested industrial centers he realizes the fact that right now in the United States of America the thing that is good for the producer is good for the consumer we will have made one step forward, and whenever committees from his town come before the Committee on Agriculture in Washington and ask for an embargo on the farmers' food product he is asking for something that in the end will absolutely ruin the consumers of this country and practically make the production of food impossible to feed even this country.

Mr. JOHN W. RAINEY. Will the gentleman yield further?

Mr. TINCHER. I decline to yield further. The gentleman has had five or six minutes of my time already.

Mr. JOHN W. RAINEY. I would like to interrupt you a moment there.

Mr. TINCHER. Go ahead. I am good-natured.

Mr. JOHN W. RAINEY. Thank you, sir. I know that. A committee from my city came here with suggestions, asking relief from Congress, recognizing that a great majority of the people in this Congress, the Members of this House, were interested in the consumer as they are interested in the producer. That committee is not trying to solve the situation, but they are offering suggestions, and they came from a congested district, and they want you and the rest of the Members to help enact legislation that will be beneficial not only to the farmer but to consider legislation that will be beneficial as well to 110,000,000 of Americans in this country. That is what we ask.

Mr. TINCHER. And that is actually what I want to do. I want to fix it so that the packer can not ruin the cattleman or the hog man as he has done this year so the consumer in Chicago will get the benefit of it. I want to show the middleman, that has grown rich and has had a monopoly, that it is time for him to abandon it and let the fair producer and the fair consumer live. [Applause.] I decline to yield further to the gentleman.

Mr. RUBEY. Will the gentleman from Kansas yield to me just a moment, so that I may ask right along this same line a question of the gentleman from Illinois?

Mr. TINCHER. Certainly.

Mr. RUBEY. I want to ask the gentleman from Illinois [Mr. JOHN W. RAINEY] this question:

The other day we had a committee from Chicago before our Committee on Agriculture asking us to put an embargo on agricultural products. On the night before, at one of the big hotels in the city, there was another committee from Chicago, and they had a banquet, and they asked us then and there to open up the ports of the country and to establish foreign trade everywhere and to carry the foreign manufactured products over the country. Now, what I want to ask is, Which committee do you stand for, the one that wants the embargo or the one that wants to open up the ports of the country to the world?

Mr. JOHN W. RAINEY. I will say in answer——

Mr. TINCHER. Let me say to the gentleman that he will have a lot of time, and they can thrash that question out among themselves.

Gentlemen of the committee, I want to discuss the bill with you just for a moment. There was an estimate made by the department for much more money than the committee appropriated. There were several weeks of hearings on this bill—I think about six weeks—and the department did not ask to release a man, and there was not a single branch of the work but that they wanted to put some extra men in. The older members of the committee and the majority of the committee decided that they would not this year indulge in the employment of new men, and in some instances they recommended a decrease in the number.

I find this proposition in the Department of Agriculture, and it is a proposition I do not consider that there should be much mean feeling about. But there is a principle involved. Every man agrees that it is proper for the Department of Agriculture to conduct experiments, for instance, in the live-stock industry, as to the eradication of diseases and the troubles that affect that industry.

Every man agrees that whenever the Department of Agriculture can by experiment produce a cure or a preventive for one of those diseases they have done a great work. But there is the serious question and principle involved as to how far the Government should go in that work. Take, for instance, some of the ailments common to hogs—for instance, hog cholera. Either the State colleges or the Government have developed a serum that will prevent hog cholera—not cure it, but prevent it—with two "shots," as the farmers call it. That is so well established that hundreds of individual concerns are manufacturing that serum. Now, there is not any question but that the Government should do just what it has done, pass a law that that serum should be manufactured under Government supervision, so that every man that buys it would know that it was pure and fit for use. And that kind of a law is a Federal law, and it takes $180,000 a year to inspect those private plants. The privately owned establishments advertise their wares extensively. The department asks for, I think, about $30,000 to conduct further experiments, with the hope of benefiting that treatment, and no man on the committee was opposed to that. No man on the committee was opposed to the appropriation for the supervision. The Government had conducted the experiments, and the serum is now

being manufactured by individuals under the supervision of the Government, and no man objects to going further with the experiment.

Now, the proposition I want to discuss and leave for you to think over, and that newer Members of Congress here know more about than you older Members, is how much money do you want to appropriate for a year to send men out to make speeches and talk about that serum? How much money do you want to appropriate per year to send veterinarians to vaccinate individual droves of hogs?

I contend that after the Government has conducted the experiments, issued its bulletins, caused the manufacture of it, as it has in this instance, and the concerns manufacturing it are advertising it and are pursuing the experiments to find if we can better the condition, it is unfair for us to appropriate money from the Public Treasury to administer that treatment to the hogs of any individual. And I say that for this reason, gentlemen: Instead of it taking a few million dollars of this Government's money to administer that treatment to the farmers' hogs, it would take billions of dollars to do it fairly, because it is unfair to administer it to the hogs of one section of the country and not administer it to the hogs of another section. And that same principle is involved in a great many other items in the Agricultural appropriation bill.

Mr. JACOWAY. Will the gentleman yield?

Mr. TINCHER. In just a moment. I want to say to you that there is this little fight going on. The State agricultural colleges and the farm bureaus do not think we should continue sending experts out from Washington. The department here thinks that we should.

I do not want to be unreasonable about it, but it is a matter worthy of consideration, because more than $2,250,000 of our last year's appropriation was spent on these experts traveling out from Washington, who, as some of us think, we can well get along without. That is a proposition well worthy the consideration of the American Congress. I want to say to you this, that a great many men think that the Department of Agriculture would be much more efficient if it did not send out so many experts, and simply contented itself with the legitimate experiments and propaganda of these matters.

Mr. JACOWAY. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. I yield to my friend from Arkansas.

Mr. JACOWAY. I want to answer the gentleman's question.

Mr. TINCHER. Oh, no; I am not yielding for the gentleman to make a speech.

Mr. JACOWAY. Well, then, I want the gentleman to state what his answer would be to this question: If through the activities of the Department of Agriculture down here in a single year, by speech making and by these other activities that the gentleman has mentioned, the death rate in hogs can be reduced from 137 to 37 per thousand, and if in one calendar year the Department of Agriculture can save $10,000,000 worth of hog flesh, does he not think the propaganda is a good propaganda and ought to be indulged in, and that the Federal Government is justified in carrying on the work further?

Mr. TINCHER. I do not think a speech ever saved a hog. I do believe that this serum has saved the hog. I agree with what the committee is doing now. The committee is trying this year an experiment of cutting off a few hundred of the experts and seeing if we can live without them. I am simply calling the attention of Congress to it at this time for the reason that if we do succeed and get along this year without them, in the course recommended in the committee report, we can get along next year without a lot of others. I do not believe that it is necessary for seven men to look at a wheat field. I think our experts do get in each other's way once in a while, and I think this is a good year to leave off a few of them, as the committee so wisely decided to do. [Applause.]

This bill carries a reduction, in my judgment, of $6,000,000 that is not disclosed in figures upon the face of this bill. This department and this bill appropriates for the national forests. Last year we pastured through the grazing season in the national forests two and a half million cattle and horses. We pastured in the national forests, in round numbers, 8,000,000 head of sheep and goats. We received for the pasturing of the sheep and goats practically nothing, just as nominal a figure as could be made; but for the pasturing of the cattle and horses for the season we received an average of 71 cents per season. Now, mark you, this is not the homesteaders' stock; this is the big herds. When this matter was before the committee, the department's attention was called by our chairman to the fact that the Secretary of Agriculture had said in his address to the stockmen what his policy would be, or words to that effect, that there would be no advances in these charges. Now, as a matter of fact, there has been an advance of, say, more than 300 per cent in privately owned pastures in the last two years, but the Government was using the same old price. This bill compels a remedying of this situation. The department does, I understand, agree that the language in this bill will raise for the Government more than $2,000,000. Stockmen tell me, and I know that it is true, that the proper observance of the new language in this bill by the department will increase the revenues of this country—because we have increased the forests and have increased the fencing year by year—will increase the revenues of this country $6,000,000.

Inasmuch as these hearings have lasted for more than a month—have been almost continual for two months—it would be unfair for any Member to attempt to cover the subject, be unfair to his colleagues, and unfair to the record.

The President said, in vetoing the daylight-saving repeal last summer, that he considered the industrial enterprises of the Nation of supreme importance; practically said that he considered agriculture as secondary. He has borne out this comparison between the relative importance of these departments recently by relieving the Secretary of Agriculture simply to fill a place in another department of our Government. I am not complaining of this, because I have the feeling that the Department of Agriculture is now top-heavy, poorly administered, and that a change can not operate to its disadvantage. However, I submit that the proposition that if a man is the success that they claim he is at the head of the great Department of Agriculture, what a shame it is that this great Nation can not furnish some other man to fill some other position, and let him finish out what our friends would like to term "his successful administration" of this great department.

Personally I am glad that we are through with the consideration of this bill, as I am glad to be free from the confinement its consideration has caused all members of the committee. I am glad to be able to be back on the floor where I can, at least, lend my vote on divisions and tellers if, for instance, the Prussian military bill now reported by the Senate should come up here for consideration; if, for instance, the creating of this new $100,000,000 aeroplane department of our Government should come on the floor of the House for consideration. In short, I am glad to be able to be back on the floor of the House to assist our floor leader [Mr. MONDELL] in his noble fight for Americanism and economy; and if they do pass that Prussian military bill over in the Senate over the protests of the Senators from my State and other real Americans, and if it does see the light of day out of the Military Affairs Committee of the House over the noble fight that my colleague [Mr. ANTHONY] is making against it and for American ideals, then I am glad to be able to be here on the floor to help place the stamp of disapproval upon it that it so richly deserves at the hands of an American Congress; and, in this connection, permit me to say that when the paid propagandists of militarism throw out their slurs, as against Senators CURTIS and CAPPER for their fight on this bill in the Senate, and throw out their slurs against DAN ANTHONY for the day-and-night fight he has made these many months against it in the House committee, they only make me and all the Kansas Members know and love our colleagues the more.

The CHAIRMAN (Mr. MADDEN). The time of the gentleman from Kansas has expired.

Mr. TINCHER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The Clerk will read the bill for amendment.

Mr. LEE of Georgia. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. LAZARO].

The CHAIRMAN. The gentleman from Louisiana is recognized for five minutes.

Mr. LAZARO. Mr. Chairman, every day we read something about enemies of this Government being deported. My friends, while we are enacting laws to deport foreign Bolshevists from our country, let us not forget that we can not deport their ideas. Those ideas must be overcome mainly by education. At this particular time of crisis the wisdom of Jefferson's advice clearly emerges:

> Educate and inform the whole mass of the people, enable them to see that it is to their interest to preserve peace and order, and they will preserve them.

We must depend on the schools to help the homes, churches, and the press of the country to teach our boys and girls that human liberty can only be obtained and enjoyed through the means of established government. An understanding of the fundamental principles of our Government must be inculcated in the heart and mind of every child until it becomes a part of his very soul, so as to make him strong and impervious to the in-

fluences of those Bolshevists who would destroy this great American Government. We must educate the youth to understand that the interests of organized capital and organized labor are bound up with the interests of the community as a whole, and that the interests of all are bound together in the interests of the Nation; that it is impossible to separate the interests of any class or of any association; that mutual consideration is not only a manifestation of a Christian spirit but good business; that we must have capital, labor, and genius in order to develop the resources of our country and make it possible for all the people to find employment and be contented, happy, and prosperous; that those who sow discord between capital and labor are enemies of society and good government; that while our Government is not perfect, because it is human, still it is the best government in the world; that under our Constitution we have the means by which the citizen, rich or poor, high or humble, can improve his Government with his ballot without resorting to bullets.

Teach the young that the men who would destroy the Constitution handed down to us by the fathers of our country as a protecting shield would be the worst victims of their own folly; that for more than a century this Constitution has stood true in every storm and crisis, and has protected us from the despotism of the ambitious autocrat, as well as from the tyranny of the mob. And faded would be the glory of our country and dim the majesty of its laws whenever the humblest citizen of the land will not be able to say, "This is my home, and my family and I are safe. I am an American citizen, and I invoke the protection of the Constitution and its laws."

Important as education is to all people, it is especially important to the citizens of a democracy, where the power of government rests in the hands of the people, and where the excellence of the Government depends upon the intelligence and information of the people. Information as to our past and preparation as to the future are essential if individual and Government success are to be assured and if disastrous mistakes are to be avoided. No wave rises very high above the sea, and no individual rises very far above the established standard of intelligence of his country and his people. When we raise the educational standards of our country and our people, we increase the opportunity for our own sons and daughters, as well as for the sons and daughters of every other citizen.

The agricultural products of a nation form the sum of the products of the cultivated farms of a nation; the untilled territory produces very little. The industrial products of a nation constitute the products of the skilled labor of the trained workmen of the nation. "Training is learning; cultivation is education." Everything is education which teaches us to be better workmen, better men, better citizens, more useful members of society. Just as every farm should be cultivated if we want the fullest crop, so every man should be educated if we want the fullest results in the human equation. These are days of intensive cultivation and they should be days of intensive education.

The CHAIRMAN (Mr. WALSH). The time of the gentleman from Louisiana has expired.

Mr. LAZARO. Can the gentleman from Georgia yield me two minutes?

Mr. LEE of Georgia. I yield to the gentleman two minutes more.

The CHAIRMAN. The gentleman from Louisiana is recognized for two minutes more.

Mr. LAZARO. Now more than ever before in the history of the world should every boy and girl be given the best and broadest opportunity in life through an education that is liberal and practical in every sense of the word. The success of a government like ours, a government of the people, depends on individuals whose minds and hearts have been educated to protect, love, and defend their Constitution.

This, gentlemen of the House, is the time when great and complicated problems are being presented for solution, and we need the very best efforts not only of some of our citizens but of all our citizens to keep America in the front ranks of the mighty march of progress. The educators are the torch bearers of democracy. They hold high the lamp of learning to light the path of progress and to make the advancing steps of democracy safe and sure. Now, gentlemen of the House, if it be true that education is necessary to render our youths immune against the poison of Bolshevism and preserve this great Republic of ours, then the question comes up, are we doing our duty toward the school system of our country? The facts brought out at a recent conference of commissioners of education are deplorable in the extreme. Thousands of our best teachers have already resigned. A large number of farms have been abandoned, because families will not stay in a community where their children can not get schooling. Attendance at State normal schools has decreased because the teaching profession no longer affords the same attraction as other careers.

Mr. Chairman, the object of my address to-day is to appeal to the lawmakers of our country here in Congress and in the States to see this problem as it exists and remedy this situation as soon as possible. And in doing so let us deep in mind the fact that it is good, sound economy always to build good schoolhouses and to employ the most efficient teachers we can find, so that the children, the future citizens of America, will get what they are entitled to—a good, practical education. [Applause.]

Mr. LEE of Georgia. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. HEFLIN].

The CHAIRMAN. The gentleman from Alabama is recognized for five minutes.

Mr. HEFLIN. Mr. Chairman and gentlemen of the House, I have listened with keen interest to the speeches just made in behalf of the great agricultural industry of our country, and I want to discuss a question now the proper and speedy settlement of which will benefit the business of every farmer in America. The failure of the United States Senate to ratify the peace treaty, which provides for a League of Nations to promote peace and prevent war, has contributed to and prolonged the disturbed and distracted conditions that obtain throughout the countries of the Old World. The last Congress provided machinery through the operation of which the banking institutions of the United States could finance foreign countries in the purchase of products of American farms and factories, and these great financial institutions have been ready and anxious for months to assist with their money these foreign countries that desire and need the products of America. But these banking institutions of America have been waiting and waiting for the Senate of the United States to ratify the peace treaty and the League of Nations so that some semblance of peace and order could be established where distracted and chaotic conditions now exist in the Old World.

They will not put their money back of these foreign interests who desire to buy American goods until some international stabilizing power is set up that will undertake at least to establish peace and order and restore conditions to the normal state.

The one thing needed to be done to improve conditions the world over, the thing necessary to be done to give hope and encouragement to the suffering and despairing people of the Old World, torn and cursed by war; the one thing that will do more to restore the whole world to a normal basis is the ratification of the league treaty by the Senate of the United States. [Applause on the Democratic side.] The failure to ratify the League of Nations has injured the agricultural, the commercial, the banking, and the manufacturing interests of the United States. It has seriously handicapped and hurt America's export trade with foreign countries. [Applause on the Democratic side.] These foreign countries want to trade with us. Their people are suffering and starving. They want to buy our products, but they are suffering from the evil effects of a terrible war and they have not got the money with which to pay us for what they wish to buy.

But here are great banking institutions in our country, capable of financing, and expressing their willingness to finance, every purchase by these foreign countries of American goods, provided that the League of Nations were established to insure law and order and prevent the disturbance and destruction of the peace of the world.

Gentlemen, there is no way to escape the conclusion that the long-continued disturbed and distracted conditions in the countries over the sea, the suffering and starvation of people who could have had their purchases of American products financed over here had the League of Nations been ratified, is traceable to the door of the leaders of the Republican Party. [Applause on the Democratic side.]

Gentlemen of the Republican side, if your leaders over yonder had thought as much of the rights and welfare of humanity; if they had thought as much of the peace of America and the peace of the world as they have shown that they were thinking about how to obtain party power in the Nation, the league treaty would have been ratified long ago. [Applause on the Democratic side.]

Why, the Washington Post this morning contains a statement to the effect that Mr. Will Hays, the political boss and campaign-fund captain of the Republican Party [applause on the Republican side], chairman of the Republican national committee [applause on the Republican side], has been out for two months making a political tour of the country. What report does he make? He says that the country wants a change. [Applause on the Republican side.] I think that he is right about it. You

Republicans have been in power in the House and Senate since last March, and I am glad to have you applaud the suggestion that the country is already anxious to have the political complexion of these two bodies changed. [Applause on the Democratic side.]

In the party program announced in the Post he sets out a few things that he thinks the party should stand for and do in order to win in the national election. But not a word does he say about the League of Nations. Think of it! This all-important and stupendous effort on the part of the peace-loving nations of the world, to establish a tribunal to promote peace and prevent cruel and murderous war, finds no place for even passing notice in the political program of the power-seeking leaders of the Republican Party. [Applause on the Democratic side.]

The call from the agricultural and commercial interests of the country to hurry up and ratify the League of Nations treaty falls dead on his ears.

The gun and munition makers of Pennsylvania, New Jersey, Connecticut, and Massachusetts do not want the league treaty ratified, and they, of course, are opposed to having any suggestion of its ratification mentioned in the Republican program, and the Republican national chairman, Mr. Hays, in his program printed in the Post this morning, was as silent as the tomb upon the subject.

Mr. Chairman, while the war was raging in Europe and our boys were fighting and dying in the effort to defeat and destroy a military despotism that threatened free government here and the world over, President Wilson advocated the establishment of a League of Nations. He said that the situation presented by the awful and destructive war then raging had proven the necessity of uniting the forces of civilization to make such a war in the future impossible. The American people applauded his position. No Republican politician lifted up his voice in protest. They all seemed to approve his stand. And the great rank and file of the Democratic and Republican Parties expressed their whole-hearted support of the President's position. But when the war ended Republican leaders and bosses changed their position and commenced to do everything in their power to defeat the League of Nations plan.

Mr. BLANTON. Mr. Chairman, I just want to call my colleague's attention to the fact that Mr. Hays, in the noon edition of the paper, tells the Republicans to keep their hands off of the league.

Mr. HEFLIN. Yes; I should judge from his program published in the Post this morning that he wants the league treaty to remain unratified.

This House and the Senate by practically a unanimous vote placed a provision in the naval bill of 1916 requesting the President of the United States to call a conference of the nations to provide for the establishment of a League of Nations or some other international tribunal for the purpose of settling disputes by mediation or arbitration. The President has done what Congress requested him to do.

On July 4, 1918, standing at Mount Vernon, by the tomb of Washington, where thousands of patriotic Americans had assembled, he announced the 14 principles on which the war was won, principles upon which the peace treaty and League of Nations were to be established. The justice-loving and peace-loving people of America hailed with delight the great and humane principles enunciated by the President at Mount Vernon. The civilized nations of the earth lifted up their voices in praise of the doctrine proclaimed by the President of the United States. It seemed to be universally approved. No Republican in the Senate—the treaty-making body in our Congress—found fault with this position of the President.

Many of them were outspoken in praise of his position and not one of them criticized it. But when the President had obeyed the mandate of Congress and had called a conference of the nations and had gone as a representative of the American people to accomplish what Congress had expressed its desire to have accomplished—the establishment of an international peace tribunal—then it was that the opposition to a League of Nations commenced to assert itself in the United States. Republican leaders in the Senate who had already declared in favor of a League of Nations began very suddenly to oppose such a league even before they knew what the proposed plan would be. They demanded that the provisions for a League of Nations be left out of the peace treaty, and while the President, with the other delegates in the peace conference, was striving to settle the most stupendous problems that ever confronted the human race Republican Senators hampered and embarrassed him by sending him a "round robin" demanding that the League of Nations be not included in the treaty of peace. Yes, they sent that "round robin," and I think to humiliate and embarrass the great President of the United States, the master spirit of our age and the foremost leader that has ever appeared in the world's affairs. [Applause on the Democratic side.]

Gentlemen, I shall never forget the 11th day of November, 1918. Sitting in this House I heard the clang of hammers, the trumpet call of buglers, and the roar of cannon all mingled with the shouts of the people of the Capital City.

What is it?—was the question asked on every hand. And the answer came, "The armistice is signed. Thank God, the war is over." [Applause on the Democratic side.] We went out upon the balcony and looked down the Avenue. Thousands of people were parading the streets, waving their banners and shouting for joy. A great float passed down the Avenue; on one side of it in large letters were written the words "In God we trust," and on the other side appeared the blessed words of the Master, "Peace on earth, good will to men." There was rejoicing on every hand. Mothers who had gold stars in their windows stood, with tears streaming down their faces, thanking God that the war had ended, that other mothers' boys would not have to die in the conflict. [Applause.] There was happiness and there was rejoicing everywhere in the country, except at the gun and ammunition plants in Massachusetts, Pennsylvania, New Jersey, and Connecticut.

What happened there? Trucks were loaded with guns and ammunition. Railroad trains were moving out with guns and ammunition, ships loaded down with war munitions were going over the seas, and all that traffic stopped suddenly. The Secretary of War notified the gun and munition factories to send "No more guns and ammunition," and the Secretary of the Navy requested them to send "No more guns and ammunition." The Allies notified them to send "No more guns and ammunition." And then the spirit of greed and avarice said, "What! Is all this mighty traffic to cease?" And the devil's agent said, "Yes; it is to cease unless you defeat the League of Nations. If you defeat the League of Nations, then the nations of the earth will arm to the teeth and every Government on the globe will become an armed camp, bristling with bayonets and groaning beneath its war equipment, and you will sell them billions of dollars worth of guns and ammunition. That is what will happen." And then the gun and munition makers commenced to plan for the defeat of the League of Nations.

What care they for wars and crimes;
Its dimes and dollars, dollars and dimes.

They sent their hired agents around the country to misrepresent the plans and purposes of the League of Nations. They have purchased newspapers and carried on a campaign of misrepresentation and falsehood against the League of Nations.

They have carried on a propaganda of slander and vilification against the President of the United States, all because the League of Nations proposes to bring about a reduction in the war equipment of the nations and to settle disputes hereafter by arbitration and not by the sword.

The League of Nations will promote peace, save human life, and prevent war, and the prevention of war hurts the gun and munition maker's business, and therefore in order to defeat the League of Nations he is willing to expend millions in campaign funds for Republican leaders in order that he may make billions later on selling guns and ammunition to the nations of the world as they arm and get ready for another war if the league is defeated.

Be not deceived, gentlemen. The American people know what is going on. They know who is back of the wicked purpose to defeat the League of Nations, and unless Republican Senators ratify the league and permit America to join the other civilized nations and use her influence to promote peace and prevent war your party is going to receive the condemnation and scorn of the American people. [Applause on the Democratic side.]

Mr. Chairman, no Republican in this House has manifested enough interest in a plan to prevent war to make a speech in behalf of an international tribunal to protect human life in America from the bloody butchery of brutal war in the future.

The armistice was signed in November, 1918. November, 1919, has come and gone, and here we are in February, 1920, and the League of Nations is not yet ratified by the Senate of the United States. And why? Because Republican Senators opposing it would not let it be ratified. Not one of you Republicans in this House has ever entered your protest against the efforts of your party in the Senate to defeat the League of Nations. Is it possible that this mighty war monster who has murdered 10,000,000 of men and crippled 30,000,000 more is of such little consequence to you in comparison with your desire to obtain complete political power in the Nation that you do not care to give it mention?

What will the fathers and mothers say who were told when they gave their boys to fight to put down this war monster that this Government would immediately use its power and influence to set up a tribunal for the purpose of settling disputes in the

future by arbitration? What will they say when they find that the gun and munition makers are powerful enough with your party to prevent even the mention of our League of Nations pledge made to the boys and fathers and mothers of America when we called for soldiers to put down that cruel and most destructive war of the ages? [Applause on the Democratic side.] Those who expect to profit from a money standpoint and from a political standpoint if the league is defeated have misrepresented and tried to destroy the President of the United States in their efforts to defeat the league. They accused him of being unwilling to cooperate with Republican Senators in making up the provisions for a League of Nations. But what are the facts? When the President returned from the peace conference in February he brought the general outline or tentative plan of the league treaty with him, and he laid it before Senator LODGE, the Republican leader of the Senate, and others for their consideration. He requested them to go over the plan carefully and to make any suggestion that they desired to make regarding changes desired.

They returned the copy to the President with a number of suggested changes.

The President took the league treaty with all the changes that Senator LODGE and others had suggested, and returned with it to the peace conference in Paris. There the President urged the conference to adopt, and it did adopt, all of the changes thus suggested. Then the President felt that he was entitled to and would have the support and cooperation of Senator LODGE and the other Republican Senators. But what happened?

When the President called an extra session of Congress and it was announced that the treaty providing for an international tribunal to prevent the cruel and useless slaughter of human beings would soon be submitted for ratification to the Senate of the United States, this same Republican leader, Senator LODGE, of Massachusetts, sent a telegram to all Republican Senators requesting them not to pledge their support to the league treaty that had been made to conform to the objections that he and they had made.

He requested them to remain silent until a secret Republican caucus could be held to determine the fate of this nonpartisan and great international question that vitally affects the welfare and destiny of the whole human race. [Applause on the Democratic side.]

That was the conduct of Republican Leader LODGE upon that serious occasion. God forgive him and those who have followed him in delaying and playing politics with this all-important world question. The American people will not forgive them. [Applause on the Democratic side.]

The CHAIRMAN. The gentleman will proceed in order and refrain from mentioning Members of the other body by name or from indulging in remarks that can be construed as a criticism upon that branch.

Mr. HEFLIN. Mr. Chairman, the rule is that you can refer to the acts——

The CHAIRMAN. The Chair does not care to hear what the rule is. The Chair is familiar with the rule about the Senate and is cautioning the gentleman, and will ask him to proceed in order.

Mr. HEFLIN. Does the Chair hold that I can not refer to what a Senator does outside of the Senate? If the Chair so holds, I will appeal from the decision of the Chair.

The CHAIRMAN. The Chair rules that the gentleman must desist from making remarks that consist of criticisms of Members of the other body.

Mr. HEFLIN. I hold that I have not transgressed the rule in that regard. So there is a difference of opinion between myself and the Chair, but, of course, I can understand how the Chair, who is a good parliamentarian, will every now and then be a little partisan, and especially so when you go to treading upon the toes of some who hail from the same State. [Applause on the Democratic side.]

The CHAIRMAN. The gentleman will suspend. The gentleman will either proceed in order or will yield the floor.

Mr. WINGO. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. If a Member on the floor uses language that is unparliamentary, the proper procedure is very clearly defined in the rules. I do not know of any remarks that the gentleman from Alabama has made that would provoke the immediate ruling the Chair has just made.

The CHAIRMAN. The Chair would state that if a Member on the floor charges the Chair with improper conduct, it is not necessary for a Member on the floor to ask that those words be taken down.

Mr. WINGO. The gentleman did not. The gentleman made a statement, which I think is perfectly legitimate in debate, and I think, in fact, more stringent remarks have been made by both Democrats and Republicans.

Mr. HEFLIN. The gentleman from Alabama did not, of course, intend to cast any reflection upon the general integrity of the Chair.

Mr. WINGO. To say that a man can not undertake to charge another with political bias without imputing bad faith is stifling freedom of debate in a parliamentary body, and I for one protest against any such arbitrary ruling in the parliament of a free people.

Mr. BLANTON. Mr. Chairman, a further point of order.

The CHAIRMAN. Gentlemen will suspend. The Chair understood the remarks of the gentleman from Alabama to be clearly reflective upon the ruling of the Chair. The Chair has no desire to be partisan, but the rules of the House clearly provide the limit within which Members may go in discussing matters upon the floor of the House. The Chair feels that when it involves the prerogatives of the House, as well as the prerogatives of the coordinate branch of the Congress, it is not necessary for the Chair to have the matter called to his attention by a Member on the floor, but it is the duty of the Chair to direct the gentleman's attention to that matter and to caution him to proceed in order. That the Chair had done, and he was then charged with indulging in a partisan bias, which the Chair thinks is a reflection upon the Chair, and is not a proper remark for a Member to indulge in under the circumstances.

Mr. WINGO. I submit in all seriousness that charging a man, even in plain language, with political crookedness does not involve personal turpitude.

The CHAIRMAN. Oh, it is not necessary that any reflection should involve political turpitude or any kind of turpitude. The Chair felt that the gentleman—and he assumes inadvertently—charged the Chair with political and partisan bias.

Mr. WINGO. In all frankness I submit that the Chair would plead guilty to having a partisan bias in favor of his own party. Is it any reflection, or is it a violation of the rules of the House, to charge a man with loyalty to his own party?

The CHAIRMAN. If the gentleman will permit, the Chair is not the occupant of his position as a partisan. It is the duty of the Chair to enforce the rules of the House free from any partisan or political bias or interpretation. He is here as the presiding officer of this committee, and he feels that it is his duty to interpret those rules fairly and free from political partisan bias. So far as the Chair has ruled, he has shown no such bias.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. The gentleman from Alabama claims his right to refer to acts of Senators not connected with their official duties in the Senate, but on the outside of the Senate Chamber. I submit as a point of order that the gentleman from Alabama was clearly within his right in claiming to have the right to refer to such outside acts. The gentleman from Alabama understood the Chair to limit that particular right.

The CHAIRMAN. The gentleman from Texas, the Chair thinks, may not have closely followed the remarks of the gentleman from Alabama, but in the view of the Chair they clearly did involve the action of the Senate, and whether it referred to the attitude or action taken by Senators outside of the Senate, a Senator was mentioned by name, and the attitude and action of the Senate as such was further referred to by the gentleman from Alabama, and a criticism was involved in the remarks of the gentleman. The Chair would ask the gentleman from Alabama to proceed in order.

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Ohio for the purpose of a parliamentary inquiry?

Mr. HEFLIN. I would gladly yield to my friend from Ohio, but I do not want this time taken out of the time allotted to me.

The CHAIRMAN. If the gentleman yields, it will be taken out of his time. Does he yield?

Mr. HEFLIN. Yes.

Mr. GARD. Does the Chair base his seemingly extraordinary ruling on the fact that the gentleman referred to a Senator sending a telegram?

The CHAIRMAN. No; the Chair does not. The Chair bases his ruling upon those parts of the remarks of the gentleman which clearly were a reflection and a criticism of the United States Senate as such.

Mr. HEFLIN. Now, then, I shall proceed to make my argument to this House and to the country. [Applause on the Democratic side.]

Gentlemen, when this extraordinary performance that I have referred to was indulged in, when the leader of the Republican

Party in the Senate had sent telegrams to Republican Senators before Congress convened urging that no position be taken favorable to the League of Nations, I submit to this House and to the country that that act was not in keeping with the highest and best interests of the people of our country or the best interests of the civilized world. [Applause on the Democratic side.] If there ever was a question of a nonpartisan nature, surely the safeguarding of human life against murder is a nonpartisan question. Democrats and Republicans alike fought in the war together under the leadership of the great Commander in Chief of the United States Army and Navy. [Applause on the Democratic side.] When this great American President had about finished his stupendous task and was making ready to come home certain Senators obtained an incomplete copy of the league treaty, coming through Germany. It was said to have been brought over here by German spies. Then it was brought down to the Capital from New York and turned over to leading Republicans of another body, and there it was seriously announced that they intended to print it in the CONGRESSIONAL RECORD.

The President was appraised of that extraordinary conduct. He cabled to those gentlemen telling them that that copy was incomplete, and that he, the President of the United States, had given his word to the members of the peace conference that no copy of the league treaty would be published in the United States until he himself presented it in due form to the Senate for ratification, and on top of that information he solemnly requested them not to print it. In spite of the President's protest these Republican leaders insisted upon printing it. When the matter came up for consideration a man by the name of MCCUMBER, a Senator from North Dakota, a Republican, arose and said that for 20 years he had made it a rule not to vote to print any treaty in the RECORD until it was duly submitted by the President of the United States, and that he could not change his position now because there is a change in administration. [Applause on the Democratic side.] Here is a strong insinuation and an indirect charge by a Republican that his Republican colleagues were treating the President in this improper fashion because the treaty was being submitted by a Democrat.

The people believe that that is true. Mr. Taft, you remember, has said that if a Republican had negotiated this treaty and had submitted it for ratification that there would have been no opposition to it in the Senate. [Applause on the Democratic side.]

You will recall also that Mr. Taft is quoted as saying that the Republican leaders in the Senate had packed the Foreign Relations Committee with those opposed to the League of Nations. What more proof do we need to show that the gunmakers and ammunition makers of the four States named have had their influence felt? Ah, they tell us that the gun and ammunition makers, who made more than $4,000,000,000 through the sale of guns and ammunition during the war just ended, sitting back and clipping their coupons behind the screen, are telling the Republican leaders of another body, "Defeat the League of Nations and we will give you all the campaign funds that you want."

So, gentlemen of the House, we must decide and the American people must decide whether the welfare, the peace, and happiness of the people of America and the people of the whole world shall have our consideration and support, or whether we shall permit Germany and the gun and munition makers here to barter in the blood of our boys and gamble on the peace of the world. [Applause on the Democratic side.]

Mr. Chairman, a few years ago a yellow-fever epidemic would break out at different periods in New Orleans and the people, panic stricken, would flee from the city. The postal authorities down there fumigated the mail going out from New Orleans to prevent the spread of yellow-fever germs in other sections of the country. What a farcical performance! One day a doctor went down to New Orleans and convinced the people that a mosquito was responsible for the yellow fever. He said: "Come with me to this cesspool, this lagoon, this lake, and clean out these mosquito-breeding holes. They are the hotbed and breeding places of your yellow-fever germ." And they flooded those places with kerosene oil, and now New Orleans is a happy and prosperous city, no longer afflicted with the demoralizing and deadly epidemics caused by the yellow fever.

This happy condition exists. Why? Because the people of New Orleans went to the very root of the evil back of yellow fever and destroyed it. The same thing must be done with regard to war. Wars innumerable have come, and all the methods employed in the past to prevent them have failed.

Under the old plan one nation would have a peace treaty with another nation agreeing not to fight one another, and yet they frequently, through private understanding or secret intrigue, agreed to unite their forces to fight another nation. And the world was living over an underground network of private agreements and understandings between nations. Through this unintelligent and irresponsible system plans and schemes were laid for the preparation and commencement of wars that the world knew nothing about. Because there was nowhere in the world any common understanding among the nations that they would use their combined powers in one mighty, concerted action to prevent any one nation from beginning a war of aggression or conquest, Germany quietly and secretly planned and prepared to conquer the world.

I repeat, the old methods employed to prevent war have failed utterly.

There is only one way to prevent war, and that is to go to the root of the evil, as they did in the case of yellow fever at New Orleans.

There must be established an international tribunal whose duty it shall be to prevent the outlaw nation from arming and equipping itself so that it will become a menace and a danger to the peace of the world. [Applause on the Democratic side.]

Establish such a tribunal and you will bring about a reduction in national armament the world over. The peace-loving nations are praying for such a time. Do that and you have broken up the hotbed and breeding place of war. [Applause on the Democratic side.]

The law-observing and peace-loving people of the world must join forces for the purpose of saying to the outlaw nation, "We will not permit you to disturb and destroy the peace of the world." [Applause on the Democratic side.]

Mr. Chairman, one night many years ago down in the Mississippi Valley, when in the immediate vicinity there was no sign of rain, a flood came down from the streams above and the Father of Waters swept out over the valley beyond. When the people on the hills round about awoke in the morning they saw that the houses of the people in the valley were covered with water, and they knew that the people in those houses were drowned while they slept. When the flood receded they buried the dead, and then some of the people said, "We ought not to permit anybody else to try to live down in the valley." Then an old patriarch said, "God created this rich valley to be used and enjoyed by the people, and there ought to be a way to control the flood," and then a civil engineer came forward and said, "There is a way to control the flood. I can build a levee or sea wall that will hold that river to its course until the flood has spent its force."

He built the walls, and now when the river rises and rages in its fury these walls stand there holding the river to its course, and they protect from danger and death the people in the valley beyond. So, gentlemen of the House, the League of Nations proposes to erect between the lives of human beings and the cruel slaughterhouse of war and the humane walls of peaceful arbitration. And when disputes arise and the angry passions of nations rise and rage these walls of arbitration will hold them to the course of peaceful settlement marked out by the League of Nations. [Applause on the Democratic side.] They will hold these angry passions in check and prevent them from reaching the sward in the valley beyond. And to achieve such an end ought to be the burning desire and ambition of every civilized nation on the globe. [Applause on the Democratic side.]

The President has urged the Senate to hurry up and ratify the league treaty, and he has said time and again that he was willing to accept any reservation that would not make it necessary for the Allies to again submit the treaty to Germany.

What are the essential provisions and powers of the proposed League of Nations?

It is composed of an assembly of 32 members. Each nation has one vote in the assembly, and in all matters of importance where a decision affecting all is concerned the vote must be unanimous, so the United States could by its single vote defeat any measure that was not agreeable to our representative in the assembly. The council is the head and front of the whole league plan. It is composed of nine votes—the United States, Great Britain, France, Italy, Belgium, Brazil, Spain, Greece, and Japan. All were allies in the war with Germany. It requires a unanimous vote in the council to even advise action in any important matter, and the United States by her one vote can defeat any action sought to be taken by the council. There is no power conferred on the League of Nations to order any member to do a given thing. Its power is purely of an advisory nature. The league has no power to commit the United States to a war program under any condition, and it has no power to send a single soldier out of the United States. Congress, and Congress alone, has the power to declare war and raise an army. President Wilson had placed in the League of Nations a provision which allows a nation dissatisfied with the conduct of the league to withdraw from membership in two years' time.

But they tell us that England has 6 votes in the assembly. Well, we have 16 votes in the Pan American Union, and since the vote in the assembly must be unanimous, requiring that all

32 votes shall agree, America's 1 vote will as effectively defeat a given proposition as if she had 6 or 16 votes.

Mr. Chairman, modern war has become so dangerous and deadly that something has got to be done to prevent it. The old system will not, can not, prevent it. It is the mother of all the wars of the past. America must be in position in the future to use her influence to prevent war. She deplored the outbreak of the last war, but she had no way to prevent it. If she must ever fight in another foreign war, it must be after she has had the opportunity to use her influence and power to prevent it. [Applause on the Democratic side.]

In the bloody maelstrom just ended 10,000,000 of men were murdered, thirty-odd millions more maimed and mangled are lame and halt and blind, and more women and children made widows and orphans, more barbarities committed, and more suffering and sorrow produced than were ever produced in any other war in all the history of the world.

And yet we are criticized and condemned for advocating a League of Nations. We are condemned because we want to substitute international arbitration for the arbitrament of the sword.

Mr. Chairman, if we were justified in joining the Allies to put down a war that threatened our liberty and the civilization of the world, would we not be justified now, and is it not our duty now, to join with the Allies in establishing a tribunal for the purpose of preventing another such war.

I regard it as the paramount and supreme duty of this Government to use every power and influence at its command to establish now an international tribunal for the prevention of war. [Applause on the Democratic side.]

This league covenant was planned and framed by the big and brainy representatives of the triumphant armies of civilization. There on the soil of France, drenched with blood and covered with the graves of 4,000,000 of dead, there midst the grief and groans of sorrowing women and children, they dedicated themselves to the cause of justice and the cause of peace.

They proclaimed to the world their intention and determination to substitute for war's bloody butchery the humane processes of international peace. [Applause on the Democratic side.]

The war just ended cost the warring nations more than half of the wealth of the world. It cost us nearly $30,000,000,000. It is responsible for every tax burden borne by our people to-day. When the war ended it was costing this Government $2,000,000 an hour—nearly $50,000,000 a day. It is responsible, through battle casualties, disease, and accident, for the death of nearly 300,000 American boys. The voice of wounded soldiers and the blood of murdered millions are crying out to us to destroy the old system that has produced all the murderous wars of the past. [Applause on the Democratic side.]

The lives of human beings are precious in the sight of God. The failure to establish the League of Nations leaves us in the grasp of the old system, enveloped in the darkness and gloom of hopeless despair. We know that the old system has produced all the wars of the past and that if permitted to remain it will produce more wars in the future.

It seems to me that now while the world is still disturbed and distracted because of the war just ended, now while the horrors and the sorrows of that war are still in the minds and hearts of the people, now while 10,000,000 of new-made graves stand as mute testimonials against the old system, now while the blood of wounded millions cries out from the ground against the possibility of leaving human beings in the future to the mercy of the murderous old system, now while the righteous indignation of the civilized world is aroused against monstrous modern war, now while the graves of our dead and the blood on the sod are sending their protests against war up to God—now, now is the time to establish a League of Nations for the promotion of peace and the prevention of war. [Loud applause on the Democratic side.]

Mr. HAUGEN. I yield 10 minutes to the gentleman from Ohio [Mr. MURPHY].

Mr. MURPHY. Mr. Chairman and gentlemen of the House, after listening to the remarks of the talented and eloquent gentleman from the South [Mr. HEFLIN], there comes to my mind the old saying that—

> God moves in a mysterious way
> His wonders to perform.

Before the President of the United States started out on his memorable trip over this country in his attempt to coerce the United States Senate, in a speech on the floor of this House I asked that the President tell the truth to the people of the United States about the League of Nations, and we see to-day the great Senator and Democratic leader from the home State of the gentleman who has just spoken trying to find some way to agree to reservations, to disconnect from the peace treaty the abominable League of Nations. I am an American, and so are you gentlemen over there, and may I call your attention to the burning words of America's first great President, George Washington, who said:

> Why forget the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice? It is our true policy to steer clear of permanent alliance with any portion of the foreign world.

But you are getting away from the bearings of the fathers. You are forgetting that your great leader tried to give away with the pen what American soldiers have fought five wars to preserve. Well, thank God for the men of American ideas and American blood who are over at the other end of the Capitol to-day. They are thinking for America. Oh, you talk about stopping war. Why, you are as selfish to-day as you were before the war. Human nature has not changed because of the late war, and you are seeking to tie up America with people who deceived America, according to your own great leader's statement, before one of our blessed boys was murdered overseas. The loot of this war was divided, according to a published statement in the public press, before one American soldier crossed the seas, and at the peace table there sat keen-eyed, bright-brained men with a bag gathering in the loot that had been apportioned before America went into the war.

Ah, talk about the League of Nations preventing war! You know better than that. Your intelligence tells you better than that. I do not believe that the gentleman who just left the floor believes that America ought to have just one vote while England and the British Empire has six. I do not want to analyze the treaty, I have not the time, but I want to call your attention to the fact that we are not afraid to go to the country on the League of Nations, gentlemen from the South [applause on the Republican side], because we believe in America, and we do not care to be tied up to all of the quarrels of the world. We have troubles of our own right here.

Talk about owing so much to those over there! We have loaned them $10,000,000,000, and they owe us a million dollars a day in interest that they have not paid. We have given them $100,000,000, and a bill will be in here in a few days to give them $50,000,000 more, while American manhood and womanhood all over this land is groaning with the burden of taxation. Oh, folks, forget party lines and commence to think for your homeland first. We were called upon to go out and fight for the freedom of the world. Our other wars have been for freedom, and we have won them, and we won this time, but we do not want to be tied up so that we will have to conscript, as your Secretary of War asked in a letter to the Military Affairs Committee not long since, 600,000 or more boys 19 years old every year to be trained. And what for? We just licked the German Empire because they believe in that system, and your Secretary of War would have us saddle that system onto this great people, who have been so happy and prosperous until this time, and then your party tried and you have tried to uphold the hands of the leader who has misled the people of America and bulldozed and bamboozled them by his false promises since 1912! And I close with the words of a real American, Abraham Lincoln:

> Again I admonish you not to be turned from your stern purpose of defending our beloved country and its free institutions by any arguments urged by ambitious and designing men, but stand fast to the Union and the Old Flag.

[Applause on the Republican side.]

Mr. HAUGEN. Mr. Chairman, I yield eight minutes to the gentleman from Ohio [Mr. COOPER].

Mr. COOPER. Mr. Chairman and Members of the House, it is very seldom that I take up any time in debate upon this floor, but at this time I am moved to express myself in just a few words. How we rejoiced on that eventful day, November 11, 1918, when the message was flashed across the Atlantic Ocean to the American people that the Great War was at an end. Yes, we rejoiced in our souls that the end had come to the great conflict of arms, and how proud we felt of the part that we had in that great fight for a Christian civilization and for righteousness. It is more than a year now since we won the final victory upon the battle field, but we find that our work is not yet done. It was not to be expected that at the end of four years of awful war and bloodshed, which brought so much sorrow and misery and suffering to the world, that we could immediately adjust ourselves back again to the normal peace-time conditions. A war that has brought about such sweeping revolutions and has overthrown kings and dynasties is not likely to leave society just as it was before. So to-day our work is not done, and we are face to face with the great

problems of reconstruction, and, Mr. Chairman, it seems to me that this is no time in American life for political parties and their followers to make un-American assaults upon those who hold different political beliefs, and I for one am personally sorry that the gentleman from Alabama [Mr. HEFLIN] interjected that question into this discussion here this afternoon. But it seems as though that is going to be a part of the propaganda of the Democratic Party in the coming campaign. In that respect it is much to be regretted that the governor of the great State of Ohio, Hon. James M. Cox, in a partisan tirade, which he delivered at the Jackson Day banquet, held here in Washington on the 8th of January, in referring to the Republican success at the polls in 1918, indulged in just such an un-American attack upon the Republicans of our country as was made here a few moments ago by the gentleman from Alabama. Quoting verbatim from a part of his remarks that he made at that time, in referring to the Republican victory in 1918, he said:

On the other hand, Republican leaders gave seemingly sympathetic ear and word, as a shield for poisonous partisanship, to every momentary complaint born of the stirred emotions of the time. The wounds of a bleeding Nation were seized upon with almost ghoulish enthusiasm and an attempt made to turn heartaches and anxieties into bitterness against governmental authority.

Again, he said:

But this was not the worst feature of the campaign. The Republican leaders were cohabiting notoriously with every disloyal group. The result in 1918 was not a Democratic defeat. No political party which denies intercourse with treason suffers a reverse in so doing.

And that is the man who is talked of as a Democratic candidate for President in the next Democratic convention! At the time that Gov. Cox made this statement the American boys, God bless them, whom the gentleman from Alabama has so eloquently pictured on the western front—at the time that he accuses the Republican party of notorious cohabiting with every disloyal group and accusing them of treason to our country, our soldier boys were in the thickest of the fighting on the western front. There are Members of this House here to-day who had boys on that front; Republican Members of Congress who had boys on that front. There were hundreds of thousands of fathers and mothers in this country who believed in the principles of the Republican Party, as enunciated by Lincoln, Garfield, McKinley, and Roosevelt, who had boys in the thickest of the fight, on the front battle line at that time, and yet this man, who is a talked-of candidate for President on the Democratic ticket, in a statement that he made on the 8th day of last January, at the Jackson Day banquet, said that "at that time the Republicans of this country were cohabiting notoriously with every disloyal group" and accused them of treason. I personally do not believe that the man who would make such a statement as that is a safe person to have for President of the United States.

Shortly after the declaration of war you know what action this House took, and there was only one position that the Republican Party could take, if it was to be true to its traditions, and that was loyalty to our country. That was the position that the Republican Party took as an organization at that time, and that is the unswerving position that it takes to-day. The Republican Party has never limited its devotion to the flag and loyalty to the country to a time when it has been in power. The Republican Party was born in the dark days when our country was fighting for human rights and liberty. This is no time for the gentleman from Alabama [Mr. HEFLIN] or for the governor of the great State of Ohio to make un-American assaults on those who hold different political beliefs from them; this is the time when we all should pull together as Americans, not as followers of any political party. We should pull together as Americans for the reconstruction of this great country of ours. I do not contend that I dare speak for the Republican Party or the Republican leaders, but as a member of the Republican Party from the very beginning I have favored the fundamental principles upon which the League of Nations was supposed to be founded.

I am one who believes that we as a Christian Nation of people have some responsibility resting upon us to help maintain the future peace of the world; yet as an American I am not ready to sacrifice these great fundamental principles which have made us the greatest Nation in the world in order to have the President's idea of a League of Nations adopted.

Why, Mr. Chairman, the President himself did not know what was in the covenant of the League of Nations when he brought it to our country, and yet he demanded that the American people, through their representatives in the United States Senate, accept it without the crossing of a "t" or the dotting of an "i." The American people want to see the peace treaty ratified, but they never will surrender their sovereignty to a foreign power. Let us ratify the peace treaty as soon as possible, but in doing so let us guard well the sacred principles which are near and dear to the hearts of all true Americans, and one of those great principles is the right to govern and manage our own affairs without any interference from a foreign power. [Applause.]

Mr. Chairman, as I listened to the gentleman from Alabama making his partisan attack upon the Republican leaders in the House and Senate, I wondered if he had forgotten that critical time in 1917, when Congress was trying to pass the legislation that was necessary for the prosecution of the war. I ask him if he has forgotten how the President of the United States was compelled to call to his assistance the Republican leaders in Congress and requested them to take charge of this legislation? He was compelled to take this action by reason of the fact that the Democratic leaders in the House had turned a deaf ear to his appeal and refused to assist him in the most critical time of our Nation's history. I want to say to the gentleman from Alabama and Gov. Cox, of Ohio, that the Republicans are just as loyal to our country to-day as they were in 1917, and that the Democratic Party will not get very far with real Americans in charging disloyalty and treason to the Republican Party. [Applause.]

Mr. Chairman, I believe it is highly important that we, as Representatives of the American people in Congress, should consider the welfare of our own American life as well as international questions. It seems to me that the President and his followers have, to a great degree, forgotten our own American life. They have been so busily engrossed in international affairs that they could find but very little time to consider the welfare of our own people. So I would suggest to the gentleman from Alabama and Gov. Cox, of Ohio, who are both representatives of the American people, that they devote a little more of their time and energy to the consideration of questions that will be of benefit and good to our own people instead of making bitter, partisan, un-American charges against those American citizens who believe in the principles of the Republican Party. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MCFADDEN having taken the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 3270. An act authorizing the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, to consider, ascertain, adjust, and determine claims for damages occasioned by acts for which said survey is responsible in certain cases.

The message also announced that the Senate had passed without amendment the following concurrent resolution:

House concurrent resolution 48.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 11368) entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes for the fiscal year ending June 30, 1921," the Clerk be, and he is hereby, authorized and directed to enroll the amendment of the Senate No. 94 to said bill in manner and form as if the House had receded from its disagreement thereto and had agreed to the same.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11368) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes for the fiscal year ending June 30, 1921.

The message also announced that the Senate had passed with amendments the bill (H. R. 8819) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 20. Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the gentleman from Indiana [Mr. FAIRFIELD].

Mr. FAIRFIELD. Mr. Chairman, I ask leave to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none.

Mr. FAIRFIELD. Gentlemen of the committee, I have listened with very much interest to the discussion here this afternoon on the League of Nations. I am reminded that hitherto in this body but one man, so far as I remember, has said anything from the floor of the House about the League of Nations. I confess that I have been somewhat surprised to find that the most of the leaders on the other side of the House had refrained thus far from discussing that matter at all. As I recall, but one gentleman on the other side of the House has made any speech upon the floor of this House in support of that league, and no man on the Republican side, as I remember, has thus far spoken. Perhaps there has been a reason for that. I do not believe that all of the other Members on the other side of the House, save the gentleman from Alabama, are out of harmony with the idea of a League of Nations properly safeguarded. It may be that other gentlemen have spoken in defense of the league, but my attention has not been brought to it, and I should be very glad if some gentleman would rise and name the men on the other side who have undertaken to defend this League of Nations as it has been presented to the Senate.

I think the reason is very apparent. This treaty-making power is a coordinate power. The President of the United States by virtue of the Constitution has upon him the very onerous duty and responsibility of initiating the making of treaties. President Wilson had a perfect right, in my judgment, to take the initiation of that treaty into his own hands, and while many people thought it unwise for him to go to Paris I have found no man yet who has urgently insisted at least that he was not within his constitutional prerogatives when he went in person to the Paris treaty conference. But having gone there and having done the work and brought it back, it became the duty of the Senate of the United States to exercise its best judgment as to the wisdom of the provisions in this treaty. If it is true, as has been asserted, that to-day a majority of the Senators of the United States in a world crisis have so far forgotten their oath of office as to be willing to be influenced primarily by some partisan consideration when a world problem is involved, then God help the Republic. The charge is not true. You must remember that every Senator took an oath as solemnly as did the President and that each individual Senator has as much responsibility for what is in that treaty if he votes for it as has the President himself. The habit on the floor of this House of charging men who are in public life with being moved by ulterior or partisan motives in the most difficult of all problems, the determination of our relations with the future of the world—I say that habit at least is to be deplored. There are some real reasons why a man perhaps should challenge every statement in that treaty to see whether its provisions are wise when we remember that he who primarily negotiated the treaty had not seen what the gentleman from Alabama has just told us was inevitable, that the great current of human events was surely bearing us toward war and that it was inevitable.

When the leadership of this Nation did not see as we stood upon the brink of that mighty crisis, is it strange that men are unwilling to believe that the same leadership sees with wiser vision and clearer perspective than those who gave birth to the Nation and the other patriotic men who have preserved to us the inestimable privileges which we now enjoy? Then, too, the American public is not altogether ignorant now in regard to the provisions of the treaty or of the conditions under which it was made. Even the great leader who negotiated the treaty has said that he was not aware of the secret treaties that had been entered into between the allied powers, and when he got over to Europe he found that Africa had been parceled out to Italy and to England and to France. The whole continent, with 176,000,000 people, had been parceled out over the table by the men who were controlling the inner secret relationship, and that stood. And then, too, he found that a secret treaty had been entered into which disposed of the Shantung Peninsula, and, though reprobating the principle involved, yet that stood. And so there is reason to believe that as much as in the settlement of any other treaty at the close of a great war it was a matter of barter and trade. And so, with England fixed in her control of Egypt, fixed in that she shall receive the German colonies, and with Italy fixed in her possession and France fixed in her possessions, it is not strange that a Senator, after taking an oath to support the Constitution, should be unwilling that this country should obligate itself permanently to hold those possessions in the hands of the people to whom they had been assigned in that treaty? And so, while declamation is sometimes cheap and sometimes easy, there are facts, difficult, stubborn facts, connected with the negotiation of that treaty that it well behooves any Senator to study carefully, and when he thus studies it and has confidence that there is any danger to the future of this country, it is his sworn duty to oppose its ratification without proper reservation. Personally I have hoped that out of this awful war there might come some understanding by which the dangers of war might be less than they have been in the past. I have hoped and I still hope that in some way these proper reservations may be adopted and that the treaty may be ratified.

For I tell you frankly, gentlemen, I do not believe that from the moment it was submitted to the Senate it has ever been a proper thing for partisan discussion. I still believe it is too big; that it ought to be settled, and settled before long, by a wise preservation of American rights. If that may not be, if stubbornly, persistently, the power that alone can act still insists that the judgment and the conscience and the reason of those Members of another body who are opposed to ratification without reservations, if the man who alone can settle it insists, then it is a proper subject for political discussion. It is strange that when Members arise on the floor of this House they question motives if the views expressed do not happen to conform to their individual opinions or their political necessities. There is a better way. Now, I would be very glad, indeed, if gentlemen from the other side would enter into a discussion of the merits of the treaty, and particularly in defense of article 10 and in defense of the fact that the British Government has six votes and that the American Government will have but one.

It will not do, gentlemen, to imagine that oratory and eloquence, that rhetoric and brilliant periods, will in any way settle this proposition. It will be perfectly proper for gentlemen to discuss fearlessly and honestly, as they will, the merits of this proposition, instead of upbraiding others for being hypocritical.

The merits of this proposition involve both the League of Nations and the treaty of peace. The two are so interwoven that the league in its present form would permanently set its seal of approval for all time on every injustice in the treaty itself. This it is too late to avoid, we are told. If that be true, then the league will not only sanction the wrong but bind itself in perpetuity to see that wrong is never righted. It is this binding of the Republic to permanent participation and responsibility for the continuance of any injustice that may have been done in the making of the treaty to which some Senators object. To say the least the question ought to be open to discussion and to the full recognition that there are two sides to that question. There are many other reasons put forth by gentlemen of undoubted loyalty which these gentlemen say make it impossible for them to vote for the treaty in its present form. The whole question involves the history and institutions of the Republic.

The development of this Republic is the most stupendous experience of the human race in the last 400 years. Those who wrought it out are the most striking personalities of modern history. Their safeguarding of the individual right has no parallel in any other country. Their limitations on themselves shows forth an absolute dedication of all that they were and all that they hoped to be to the good of their country. They wanted only that its rights should be respected; that its people might, unmolested, work out their own destinies; that they might keep from all entangling alliances; that they might address themselves to the problem of self-government. Early in our history there were those who would have entangled us with France against England. Happily, as we now see, we escaped that entanglement. But it took the courage of a Washington and the wisdom of his advisers to prevent it. We took the position that we would not fight save in defense of our own rights; at the same time we said to all the world we would scrupulously respect the rights of every other people.

The Republic was born right. There was world unrest then, as now. Right, liberty, freedom were words to conjure with. Self-determination and self-government were in the hearts of the people of Europe, as well as in those of America. The setting of the two peoples was entirely different. It was a difference due not only to physical surroundings but to an inheritance which made the American colonists capable not only of self-determination but of self-government after the determination had been made.

Self-determination and self-government are different. Self-determination may be given to any people. Self-government is born of character and experience. Self-determination may result in any kind of government. Mexico has a self-determined government; Haiti has a self-determined government; Russia has a self-determined government. They lack either character or experience, possibly both. Self-government means intelligence, wisdom, self-restraint, sense of responsibility, as well as sense of privilege.

The only self-government worthy the name is due to the building of an essential structure formed on the eternal principles of the inalienable rights of man, accompanied by duties that are also inalienable. The agitator may mouth of rights. It is as indispensable that he study the question of duty. Sense of duty has its origin in responsibility. Responsibility has its genesis in the recognition of the rights of others. Rights without obligations are will-o'-the-wisps, the fantasy of a distempered mind, the orgy of a disordered intellect, the chaos of irreligious, immoral vaporings.

These truths were perceived clearly by the founders of the Republic. The Huguenots of the Carolinas, the royalists of the established church of Virginia, the Quakers of Pennsylvania, the Catholics of Maryland, and the Puritans of New England were the determining factors in the spiritual setting of the American people. They claimed the right of religious freedom, of intellectual freedom, of self-governing freedom. Never for a moment did they separate from these rights the duties consequent upon them to themselves and to their posterity. Their ancestors linked with the birth of the Christian religion. Theirs was the ancestry that held through the centuries to the convictions of purity and holiness that were given to the world by the Nazarene and His apostles. Of that ancestry they were proud. These fathers of the Republic were forced to brave the dangers of an unknown sea and thread the maizes of an unknown continent.

They brought civilization with them. The Puritan pact was framed on the *Mayflower*. It was a constitution of a people already fitted for self-government. They were educated men. The church, the town, and the school were erected in the wilderness. They were capable not only of self-determination, but of self-government. Back of their ancestry, their religion, their traditions, their convictions was their abiding faith in a just God who overruled the destinies of nations. At heart these progenitors of the American Republic held to every part that has made for liberty in the Republic.

We have not outgrown them nor those who followed after. The same sun still shines, the same physical processes are still at work, the same spiritual laws still hold. All of us are indebted to the past. Its literature, its institutions, its laws, its lessons in government, its sufferings, its achievements, have all come down to us as a rich and noble heritage. The world has grown through the movements of the nineteenth century. The folks of the world live closer together than ever before. This we all recognize, but fail to understand that the storm and the tempest, the lightning's flash and the thunder's roar, the roar of the torrent and the power of the flood are as of old. So, too, a so-called new day has brought the peoples of the world closer together. The printing press has made the literature of the past, the history of the past, the government of the past, as of yesterday. In the thought of to-day the mass of mankind is nearer to all the people of the past than ever before. Their hopes, their ambitions, their failures, what they have wrought, the purpose they had in mind, all these are ours. On this continent under this flag this day we can compare all that has been and all that is and the processes that have determined a history of every country in the world. On the Continent of Europe Spain has run her course, her foreign possessions are lost to her forevermore. Great Britain still holds, but in the recent war her Government was shaken to the foundations. Italy and Germany and Austria were leagued together for mutual protection and advantage. Russia and France and England were likewise leagued to maintain the balance of power. Russia is in utter chaos, Austria is dismembered, Turkey as still the plague spot of the East, is recognized as a European power, Germany has been thwarted in her ambitions.

The whole course of European diplomacy has led only to destruction. Japan, young in the New World's organization, is steadily extending her territory and realizing her ambitions in the same way in which England has become mistress of the seas and caused her flag to float on every continent and in the isles of the sea.

Italy hesitated long and entered on the side of the Allies when promised an extension of her territory. The statesmanship of Europe in its wisdom has failed. The conditions of the middle classes would indicate that up to 1914 Europe had a set of primary interests quite different from our own. But one great people in the world drawn into the war simply and only to protect their own most sacred rights have no unholy ambitions to gratify, no indemnities to collect, no selfish interest to subserve. How does it happen that we find ourselves in this happy position? Is it due to chance or is it due to set principles? Is it due to the wisdom and self-restraint and sense of duty or is it due to circumstances over which we had no control? Things do not happen. Rather is our situation due to the steady, persistent, wise, and beneficent course our people have followed. There are those who say that we must change our course, that we can no longer follow out the course laid down by the fathers of the Republic and followed through a hundred and fifty years of unexampled peace and happiness. It may be that we have come to the dividing of the ways, that henceforth we shall have to abandon this course that has proven so beneficent and launch out into an unknown sea. It would at least be well to take the matter into consideration before we do so. It might be well to wait until the clouds of passion and hate and avarice that hang heavily over Europe shall have been dissipated. It might not be unpatriotic or partisan to ask that, first, this country shall fix its eyes on the pole star of our destiny and determine the precise direction in which we are going. In any event the issues are so tremendous, so freighted with the happiness of our people, that we shall pause long enough to clear the decks, unite the crew, and start the voyage with a clear conviction that we shall reach the port toward which we are aiming. Every humane man desires that war shall cease. He ought to be willing to take some chances that this desired object may be obtained. In the quiet of the home hearthstone he should study to know only his duty. When convinced of that he should not falter. This much we may know.

No harm can come to us or the peoples of the world if the League of Nations shall be so formed that the American people at heart and soul shall be for its perpetuity. Our fathers took time to grow into self-government through 300 years. The union of the Colonies was discussed for 50 years and then came the Revolution. The Articles of Confederation jealously guarded the rights of the States, and powers were not granted until they were seen to be necessary. It took seven years of war in the Revolution and six years of peace after it under the Articles of Confederation to convince the fathers that a closer union was necessary.

The Constitution of the United States was drafted by men who had faith in the common cause. Alike in language, in religion, in political institutions, they had a common ancestry that reached back to the Magna Charta, and yet the Constitution was taken before each State legislature, and not for two years did the last of the thirteen original Colonies ratify the instrument. Thus, fully, freely, critically, its every phrase was subjected to the scrutiny of representatives chosen by the people to challenge the wisdom of the instrument. It was adopted; then began the long critical period, beginning with the decisions of John Marshall, as to what the instrument might mean when practically applied. The interpretation of one of the most vital principles was determined only by the arbitrament of war.

Happily the Government lives, and now, when strong and mighty, a power for good, the greatest moral force in the world to-day, men tell us that a new government with all the nations of the world, in many of whose breasts a vicious fire of malice and hate still burns, that a new government involving surrender of the right to determine our course should be adopted at once by the Senate. Its interpretation is to be left to the council of nine, on which we have but one member. Those who know anything of the powers of the committees can understand that the interests of Europe in this matter are primary, and can easily understand that the interpretation of every article of the treaty may be unconsciously prejudiced. Germany hates us for the course we took during the war. There is no gratitude on the part of England or France or Italy. They assume that the money we loaned, the food we furnished, and the lives we sacrificed, all the efforts we made, were but the fulfilling of our duty to ourselves. They claim that these powers fought our war as well as their own for two years. These are the cold, hard facts that will ever confront that council sitting on the justice of any claim which the United States may present for the repayment of its loan. Does it not behoove us, then, to eliminate from the treaty things that may prove dangerous to the best interests of this country and in turn to the best interests of the world? Would it not be a source of untold misery and woe for the world itself if the course sanctioned by the League of Nations should prove distasteful to our people? Nay, more, would it not be cause for infinite regret if unhappily through haste and overanxiety we should find that a sense of duty to ourselves required that we withdraw? There is an expressed provision that any nation can withdraw when it has fulfilled all of its international obligations. Who is to determine what those international obligations are and when they have been fulfilled?

A group of men sitting at Paris have undertaken to reconstruct the map of Europe. The cause assigned for this action is that a new day has dawned; that old things have passed away. True, this action is taken in the name of the free nations of the world and purports to be a voluntary association of such na-

tions. As a matter of fact, it is forced upon the world by the leading powers that joined in the defeat of Germany. Those powers have undertaken to compose all the difficulties and animosities that have grown up with the centuries. Their wisdom is not to be questioned. The territorial limits which they fix are to be eternal. There are to be no more changes or expansions of territory on the part of any nation which subscribes to the covenant. Austria is to be dismembered, Germany disrupted, Turkey parceled out, the colonies to receive mandatories, and the age of peace and good will toward men is to be ushered in. If this scheme does not work well and any people or group of powers should engage to change the parts settled upon at Paris, then the whole power of the United States is to be used in defense of the league in spite of Congress, in spite of any opposition from the people, in spite of the Executive. An international council shall determine when the people of the United States shall go to war, just how many soldiers from our own homes are to be drafted, just where they shall be sent, and how long they shall remain. This is an abdication of sovereignty on the part of the United States. It may be objected that the judgment of the council of nine must be unanimous before the country would be involved; then one man living in an international atmosphere, thinking of the world and not of his country, out of touch with the people, subject to every ebb and flow of the cross currents of Europe, would be empowered to speak for the Congress, for the Executive, for the judiciary, and for all the people numbering a hundred and ten million. No man can be safely trusted with any such power. Such a man would ultimately have no country. He would be a citizen of the world. Patriotism to him would become provincialism.

Those who advocate the acceptance of the League of Nations as drafted are charging that any man who may hope to amend it, to clarify it, or even to question the possibility of a league seeking the ends proposed, is moved only by partisanship. In other words, the proponents of the league say: "We are good, accept our goodness; we are wise, accept our wisdom; we are statesmen, accept our statesmanship, or be anathema."

The horror of the late war has led us all to wish that reason and conscience might rule the world. We were mistaken in 1914 as to the progress the world had made toward universal peace. We understood but little of the conditions in Europe. We failed entirely to sense either the causes or the magnitude of the struggle. We thanked God we were 3,000 miles away. In 1916 we still "thanked God that He had kept us out of war." We were asked to be neutral even in thought. So late as October, 1916, President Wilson himself, in his Shadow Lawn speech, spoke as follows:

> I am not expecting this country to get into war. I know that the way in which we have preserved peace is objected to, and that certain gentlemen say that they would have taken another way that would inevitably have resulted in war, but I am not expecting this country to get into war partly because I am not expecting those gentlemen to have a chance to make a mess of it.

Scarcely had the echoes of that campaign died away when we were called to Washington in special session to declare war against Germany. War was declared. We justified that declaration of war to our constituents by showing that the rights of this country had been ruthlessly disregarded; that already the submarine, the demon of the sea, in German hands had destroyed our property and sent to an untimely grave at the bottom of the sea men, women, and children of our common country. We justified our action before our constituents on the ground that war with Germany was next to our own self-preservation. Indeed, no man could justify involving this great country in war save for the preservation of its rights on land and sea. A Member of Congress takes a solemn oath to defend the Constitution and the laws made in pursuance of his office. If one should vote to plunge the country into war on any other ground than the preservation of the rights of its citizens under the Constitution and the laws of the country, he would violate the oath of office.

The eastern question is not a new question. For decades Turkey has robbed and murdered Christians in Armenia. Much as we may deplore the situation of those people, yet no statesman has ever dared to suggest that the Congress of the United States or the executive department had any right to chastise the Government of Turkey for so doing. Citizens of the United States have been robbed and murdered in Mexico and trade with that unhappy country has been all but suspended, yet no humanitarian appeal for interference in that unhappy country has emanated from the White House. Is it possible that a group of intellectuals meeting in a palace in Paris for a few months are able to agree upon the world document that shall prevent war? Already the seeds of future wars have been sown in the settlement of the treaty between Germany and the Allies. We heard much of the freedom of the seas. Great Britain wins by being guaranteed undiminished control. We hear much of a league of free nations. Great Britain wins by having six votes to one of the United States or of any other power. Colonies were to be self-determining; Great Britain wins the major part of the former German colonies for trade and exploitation. Egypt is confirmed in her position; Great Britain secures greatly increased influence in the East. She secures reparation for injuries and losses to civilians. The league guarantees to Great Britain the full integrity of her empire on land and domination of the sea. Wherever the British flag floats, from the westernmost coast of Ireland to the farthest regions of the Indies on the east, from the northernmost point of Labrador to Australia and the islands of the Southern Sea, under this League of Nations that flag shall float for evermore.

Some one may object that the league guarantees protection to the interests of the Empire only when assailed from without. This means that no part of the British Empire could hope to receive any assistance from any outside power in case it declared its independence without that power at the same time declaring war against the whole league. No such help as France gave us in 1778 could be expected in the interest of any nations struggling for liberty. Ireland must forever remain an integral part of the British Empire. Her possessions in South Africa, in America, in India, in the Continent of Europe, and in the islands of the sea will constitute Great Britain an Empire whose far-flung flag will float in every land and on every sea. There can be no other like her for all time.

To France has been given Alsace-Lorraine and the Saar Valley and a barrier all along the Rhine against another German attack. Added to this she has secured reparation for injuries and losses to civilians. Belgium wins more territory, renewed independence, and compensation for injuries and losses in the war. Italy wins Italia irrendenta, the Alpine frontier, and control of the Adriatic Sea; in addition to that a huge indemnity for losses in the war. Japan wins the German islands in the Pacific. She is confirmed in her control over China and given a free hand in Asiatic Russia. The United States wins not at all. She loses. The friendship of Italy, Japan, and China has been sacrificed. The power of self-defense has been taken away. This country will not long have the right to determine the size of its Army and Navy nor the right to make treaties at will. Our country is forever prohibited from minding her own business. That is the League of Nations indorsed by Woodrow Wilson and his apostles. And yet they claim that there is no partisanship in this blind indorsement or this fulsome eulogy of the President. How does it happen that some newspapers are for anything that the self-appointed agents at the peace conference may propose? Is there no partisanship in their blind support of whatever terms the treaty may contain? Are they moved by only patriotic impulses when they charge that even a free and full discussion is out of harmony with the best interests of this country. The Senate has been ignored in only that it has been told plainly that it would be put in the same category with Germany so far as the acceptance of the treaty is concerned. The President himself threatened that he would purposely interweave the League of Nations with the treaty of peace with Germany; that no peace with them could be secured unless along with it the league should be ratified. That is a challenge to the self-respect, the judgment, the conscience, the reason of a coordinate body of the Government especially named by the Constitution as part of the treaty-making power. So autocratic, so high-handed, so imperious, so egotistical has been that attitude of the President that the personal element involved in the treaty of peace is in danger of overshadowing the merits of that document. The treaty of peace drawn by Mr. Wilson and his own chosen satellites is ratified in the minds of some even before its provisions are fully known. Is it not partisanship of the blindest sort? Is it not an abdication of judgment and a sycophantic attitude for any man to take in order to uphold the hands of the leader of his party?

The men who laid the foundations of the Republic were jealous of centralized power. Under the administration of Great Britain they had been subjected to a power that could reach immediately and directly from the throne and touch the individual citizen. With this in view, their first draft of the Constitution guarded so well the liberties of the States that it proved to be nothing more than a rope of sand in enforcing national obligations; yet the Revolution was fought out under that instrument. Six more years, from 1783 to 1789, were necessary before the people were willing to sacrifice part of that independence that a more effective Government might be instituted. For a hundred years the Colonies had experience in self-government. The Revolution made clear their interdependence. Their common language, their common religion, their common social institutions, their nearness to each other, their

common dangers, and their common experiences made possible the Union. In the draft of the Constitution of the United States these people, who had already suffered in the common cause, who had already had like experiences in self-government, whose boundaries were contiguous, met at Philadelphia and framed the Constitution of the United States. What wealth of experience those men had had. What necessity was upon them for the immediate solution of the difficulties and dangers that threatened to annul all the suffering and sacrifices the people of the Colonies had endured, and yet so calm, so quiet, so dignified, so wise were they that they spent four months in framing the instrument, having before them the Articles of Confederation under which the Government was then organized. These men not only had in view the amendments which they desired to secure but an instrument that had proven inadequate, but that had been thoroughly discussed at least two years before the Constitutional Convention met, so that their work was not hastily done. This Constitution was ratified by the representatives of each State elected for that express purpose, and only after two years of thorough and exhaustive debate and with the express understanding that the instrument would be amended in at least 10 important particulars. There was no haste; no one man endeavored to impose his own will on these States without ample time for full discussion and the weighing of every important item in the Constitution. Yet we are asked quickly to indorse a League of Nations made up of peoples differing in religion, language, in liberty, in social customs, in governmental ideas, having deep-seated enmity and smarting under real and fancied grievances. We are asked, I say, to indorse such a league without question, without discussion, without judgment of its far-reaching consequences, or be accused of partisanship. This attitude by the blind indorsers of the league is the most contemptible, pharisaical, and egotistical that could be imagined. The Constitution of the United States was a growth in the minds and hearts of a homogeneous people. Mere paper constitutions are the product of intellectuals who sense neither the experience necessary in directing the government of the people nor the dangers incident to the yoking together in one heterogeneous mass of bodies of people ideally different; men who judge every people by the wisdom and self-restraint of the people with whom they live. Mexico has a constitution as free and liberal and wise in its provisions as the Constitution of the United States. That written document does not keep that unhappy people from constant revolution. The black Republics of Haiti and San Domingo have constitutions and laws as ideal as the Constitution and laws of the United States. These constitutions and laws have not saved them from utter failure in government. Every Republic of South America has modeled its constitution after that of the United States, and while they slowly emerge into stable, efficient Governments they are not yet free from frequent and destructive insurrections. Yet it is urged that Austrian republics born yesterday, German republics about to be born, Turkish republics waiting the mandatory of the United States Government, free Governments in the Far East, China, Japan, and India are ready and eager, Afghanistan and Siberia—that all these people, so widely different, so antagonistic, may be compelled to unite under a paper constitution so that their mutual antagonisms, enmities, and grievances shall not lead to war. Rather would it seem that the effort to force the whole world into one huge supergovernment, that the final grant of appeal, the nine nations that dominate the world to-day—rather, I say, would it seem that such a covenant would induce war instead of preventing it. Our fathers studied carefully, moved slowly and cautiously, in creating a Republic; as carefully and cautiously its destinies have been guided by those into whose hands those destinies were committed. Concerned with our own affairs, we are interested to know what is best for our own people and what is right toward other people of other nations. The wisdom of our course thus far has been questioned. By adhering to that course the United States, ever the greatest moral power in home government, has come to be the mightiest power.

Mr. HAUGEN. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. HOCH].

Mr. HOCH. Mr. Chairman, on Monday of this week there was organized and set up in the State of Kansas for the first time in this country a high court for the settlement of industrial disputes. Knowing the general interest among the Members in that great subject which everywhere presses for solution, I am asking to take a few moments of your time to make a brief statement about it. I do not have the time to enter into any detailed discussion of the law, though I am very sure you would all be interested in it. But I am going to ask consent, when I have finished, to insert as a part of my remarks a very brief synopsis which I have made of the Kansas law. For I firmly believe, gentlemen, that within the months that are just ahead of us you are going to hear very much in this country concerning the Kansas "experiment," if you please to call it that, with reference to the settlement of industrial controversies and the direction of industrial life.

May I give you a word or two with reference to the history of this legislation? When the coal strike was at its height, and everywhere the situation was becoming critical, and particularly so in parts of my own State where coal is largely the only fuel available, the State took over the mines, under receivership proceedings, and Gov. Allen called for volunteers to operate them. Thousands of the young men of Kansas responded, and production was just getting well under way when the strike came to a close. That whole situation so focused the attention of the people upon the seriousness of the industrial question and its sinister possibilities that Gov. Allen called a special session of the legislature for the purpose of considering it.

He read a strong message urging the establishment of an industrial court and a bill of the sort was ready for introduction on the opening day. The session was a unique one. Men of National as well as State prominence were invited to address the legislature on the subject, and both sides were heard fully. On final passage the bill received all but four votes in the senate and all but eight in the house. In this connection I think it proper to put into the RECORD the fact that the measure, which is comprehensive and very carefully drawn, is largely the work of W. L. Huggins, member of the State public utilities commission, assisted by Senator Francis C. Price, both able lawyers, well known in the State for many years. Mr. Huggins has been appointed presiding judge of the court.

Now, in brief, the provisions are as follows:

There is set up a court of three members, appointed by the governor, and this court is given large powers of adjustment in matters of wages, hours, and living conditions, in industries having to do with the manufacture of food products, clothing, and the production of fuel, or the transportation of food, clothing, or fuel, and in public utilities generally. The court is to hear complaints, on petition of either party, where disagreement exists threatening the public peace or public health. And upon its own initiative the court has power to intervene where public welfare demands it and in emergency take over and operate temporarily the industries and utilities named. A square deal to both capital and labor is guaranteed and effort made to safeguard the public interest in these essential industries and utilities. Conspiracies of operators or of employees to suspend or limit the operation of these essential industries in a way to jeopardize the public welfare are penalized. Appeal is provided to the supreme court of the State.

It would be foolish, I realize, for anyone to predict that every provision of this Kansas law will be found to be justified by experience, or to say that the law may not have to be changed in very many respects, but I do say that this Kansas court of industrial relations is the first large attempt in this country to deal in a constructive way with those principles and phases of the industrial problem that everywhere seek solution. [Applause.]

It is a fine piece of pioneering in a great field. Out of the great heart of the Middle West, which pulses always with virile, wholesome American life, comes the first clear note in the midst of all this industrial discord. [Applause.] And will you pardon a touch of State pride when I call your attention to the fact that Kansas, pioneer in many a great movement, is still running true to form? [Applause.]

In conclusion may I say just a word or two in general with reference to the labor question? What is in store for the world after the upheaval through which it is still passing no man can tell. But one of the things that is plain is that out of these turbulent times labor is going to come with a larger share in the fruits of production than it has ever had. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. HOCH. May I have two minutes more?

Mr. HAUGEN. I yield to the gentleman two minutes more.

Mr. HOCH. It seems to me that the man who can not see that is blind to what is going on in the world; and, what is more, I say that the man who can not welcome this better day for labor has something wrong in his make-up.

Let no reactionary spirit, aroused by the un-American doctrines and the utterly indefensible methods of some of the false leaders of labor, sweep us away from a deep, true sympathy with the aspirations of labor and a vigilant guarding of every rightful interest of labor. It is not only a time for respect for law and for courage—these we must have—but also a time for clear thinking. It is only natural that labor should

look with great distrust upon any limitation of its use of the old weapons. The old weapons have been necessary in defense against the abuses of capitalistic greed. But surely society, surely civilization, can find something better than the old law of the tooth and the claw, something to supplant the methods of the jungle. It must be so.

I think that somehow clubs must give way to courts in this country. [Applause.] Labor and capital must have a common tribunal, where under orderly process they can get their just deserts without resort to the old methods, with their waste and hardship and their infringement upon the rights of the public. Labor in this country is fundamentally sound and American, and in the long run honest labor, just as honest capital, will best be served under a system of law which offers——

Mr. HULINGS. A square deal.

Mr. HOCH. Yes; a square deal for both and for the public generally. A system, I say, which provides without the loss from strike and lockout the largest possible opportunity for happiness and growth to the laborer and his family, which sets itself like flint against class control, whether of capital or of labor, which holds orderly government inviolate and which is based always on the common welfare. [Applause.]

Gentlemen, watch the Kansas idea grow! [Applause.]

Now, in the synopsis of the Kansas law which I have prepared I omit some provisions, such as that which carries over to this new court the general powers of the State public utilities commission, which it supplants, and give only those provisions having to do with the industrial problem I have been discussing. I ask unanimous consent, Mr. Chairman, to extend my remarks by adding this synopsis of the law.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to extend his remarks as indicated. Is there objection?

There was no objection.

The synopsis of the law is as follows:

SYNOPSIS OF KANSAS NEW INDUSTRIAL COURT LAW.

1. Declares the following to be impressed "with a public interest" and "therefore subject to supervision by the State" for the purpose of "preserving the public peace, protecting the public health, preventing industrial strife, disorder, and waste, and securing regular and orderly conduct of the businesses directly affecting the living conditions of the people of the State, and in the promotion of the public welfare":

(1) The manufacture or preparation of food products.
(2) The manufacture of clothing.
(3) The mining or production of fuel.
(4) The transportation of food, clothing, fuel.
(5) All public utilities.

2. Declares it necessary in public interest that industries and utilities above named "be operated with reasonable continuity and efficiency." Any willful attempt to hinder, delay, limit, or suspend such continuous and efficient operation "for the purpose of evading the purpose and intent" of the act is declared unlawful.

3. Creates court of three members, appointed by the governor. Three-year term; salary $5,000. Court clothed with all incidental powers of high court, and given wide powers of investigation as to industrial conditions and problems generally. Free access to books and papers.

4. Court to hear controversy in industries and utilities named upon complaint of either party, or of any 10 citizen taxpayers of community, or of attorney general, if it appears that parties are unable to agree and such disagreement threatens continuity or efficiency of service in contravention of public welfare.

5. Court given power to intervene upon its own initiative in industrial controversies when it appears that such controversies threaten continuity and efficiency of service to extent of "endangering the public peace or threatening the public health."

6. Declares that public welfare requires that workers in employments named shall "receive fair wage and healthful and moral surroundings," and that capital "shall have fair return." Court may make orders as to wages, hours, etc., under terms that are "fair and reasonable" and are such as to enable industries and utilities to continue operations. Cases may be reopened for modification after 60 days compliance by either party. Any increase of wages to date back to beginning of action. No court costs to either party.

7. Right of appeal from findings or orders within 10 days to Supreme Court. And industrial court may bring action in Supreme Court to compel compliance with orders.

8. Right of collective bargaining recognized. Unions or associations which incorporate considered legal entities and may be represented by those of their own choosing. To bargain collectively, unincorporated associations must appoint representatives in writing. Collective bargains and contracts must be subject to principle set out in No. 6.

9. Declared unlawful for operators in classes named "willfully to limit or cease operations for the purpose of limiting production or transportation or to affect prices for the purpose of avoiding any of the provisions" of the act. Authority to limit or cease operations to be granted upon proper showing.

10. Declared unlawful for any two or more employees in industries named to conspire to quit employment "for the purpose of hindering, delaying, or suspending operation" or to intimidate others with intent to induce them to quit employment or with intent to prevent others from accepting employment.

11. The right of any individual to quit employment at any time is recognized.

12. Unlawful to discriminate against any employee because of testimony given or action taken before court. Unlawful for two or more to conspire to injure by boycott, picketing, advertising, or otherwise because of any action taken before the court or because of any order by the court.

13. Willful violation of provisions of act or of order of court made misdemeanor, punishable by maximum fine of $1,000 or maximum term of one year, or both. In case of officer of corporation or officer of labor organization willful violation made a felony, punishable by maximum fine of $5,000 or maximum term of two years, or both.

14. Emergency power to court to take over and operate industries and utilities named when suspension or limitation of operation endangers public peace or threatens public health. Owners to receive fair return and employees fair wages during such operation.

Mr. COOPER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LEE of Georgia. Mr. Chairman, I yield to the gentleman from Mississippi [Mr. CANDLER].

The CHAIRMAN. The gentleman from Mississippi is recognized.

Mr. CANDLER. Mr. Chairman and gentlemen of the House, I am at some disadvantage in the consideration of the present bill by reason of the serious illness which has existed in my family for several weeks, as well as being seriously sick myself. Therefore I was not able to attend very many of the hearings on this bill. However, I helped all I could in committee in the preparation of the bill, and I have read the exhaustive report thereon made by our distinguished chairman, Mr. HAUGEN, and the very full and illuminating analysis of the appropriations in the bill by the very able gentleman from Missouri [Mr. RUBEY] contained in yesterday's RECORD, and before I was taken sick I read the estimates submitted by the department, and therefore I am reasonably well informed as to all the important provisions of the bill. A friend of mine, a Member of the House, said to me this morning, "Well, CANDLER, I am glad to see you able to be out again; I thought the appearance on the floor of the Agriculture bill would cure you." I said, "Yes; to have an opportunity to aid the farmers by helping to pass the very beneficial legislation contained in the Agricultural bill was a splendid tonic for me, which revived my spirits and renewed my strength and brought me back to the House to engage in that good work." [Laughter and applause.] I am glad to hear several of my friends who have preceded me in the discussion of this bill say that they believed the great agricultural interests of the country should have the very first and primary consideration of the Congress.

I have long, as I know you will bear willing testimony, preached that doctrine upon this floor. In fact, during the long service I have had here, through the kindness and generosity of the noble and patriotic people whom I have the honor to represent, I have from time to time voiced this sentiment and urged it upon the consideration of the representatives of the great American people here assembled, and because I am here recognized by all of you, and the people generally, as the farmers' consistent advocate and true friend, my constituents in great numbers, from every part of my district, and from every county in it, are writing me voluntarily that they want me to continue in their service and that they are going to reelect me for another term in Congress.

Mr. KITCHIN. You deserve to be reelected, and I have no doubt your constituents will reelect you. [Applause.]

Mr. CANDLER. Thank you, sir.

There is no one interest in all the land that approximates the agricultural interest of this Republic, because of the fact that all other interests are necessarily dependent upon it. When it prospers all other business prospers, and when it is depressed everything else is likewise depressed.

I do not agree with the suggestion made by some who have preceded me, that further reductions should be made in agricultural appropriations. At least no reductions should be made that possibly might cripple the activities of the great Agricultural Department, and thereby retard the development of the agricultural interests of the land. I do not favor any reductions of appropriations in this bill, but trust that they will be maintained and receive your approval and votes, unless it can be made very evident that the specific purpose for which the appropriations are proposed are no longer useful, and I do not believe that can be done. I have insisted in days gone by, and I insist now, that the appropriations in each succeeding bill should be enlarged wherever necessary to keep pace with the development and importance of the business of agriculture, in which so many of our splendid citizens are engaged. [Applause.]

When we come to consider the agricultural interests of America, upon investigation it is found to be the greatest business, putting it upon a business basis, of any business in the land. I saw the other day this account of the value of the agricultural productions of the United States:

American farmers have just completed the most prosperous business year in history, the Agricultural Department showed in announcing that the value of 1919 crops, together with animals and animal products, had reached the enormous and almost inconceivable sum of $24,982,000,000, an increase of $2,500,000,000 over 1918.

This farm turnover represents an average income of nearly $4,000 for each of the 6,000,000 farms in the United States. It is approximately five times as great as the sum the Government is preparing to spend in the current fiscal year.

If applied exclusively to our war debt, it would practically pay it with the year's products and relieve us of that burden. Crops produced 64.1 per cent of the total and animals and animal products the remaining 35.9 per cent. Crops alone are valued at $16,025,000,000, while animals and animal products are estimated at $8,957,000,000.

Looking at these enormous figures you can have some faint conception of what the agricultural business of this country amounts to, and therefore the interest which the American people have in it. As I stated awhile ago, there is no other business at all comparable to it, and therefore when we make the appropriations yearly which are made in the Agricultural bill of $25,000,000 or $30,000,000 or more, as the case may be, it is a small expenditure we make for the agricultural development of this great Republic in comparison with the results obtained. I maintain, however, that the appropriations made for agriculture are not in reality an expenditure but, on the contrary, are an investment, because by the use of the money appropriated we stimulate and encourage the production of the results which are shown by the statement which I have just read, showing it to be a good, paying business policy to invest the various sums appropriated to secure the splendid results obtained. It is money well invested and judiciously expended in a continually growing and paying business, to wit, in the business of the Nation's agriculture. [Applause.]

The Agricultural appropriation bill last year carried $33,899,761. The amount carried in the present bill is $30,540,034. The investment of $30,540,034, which is appropriated in this bill for a business which brings to the people of the country the enormous sum of $24,982,000,000 in a single year, is really a small investment for the Government to make to obtain the results produced.

For this reason, as I stated before, I have advocated increases wherever necessary in order that the work of this great department should be carried on without hindrance and keep pace with ever increasing and progressive agriculture. I do not believe any decrease of appropriations for agriculture should be made where any question or reasonable doubt exists as to the necessity for it to carry forward the activities of the department. Where there is a doubt, the doubt ought to be resolved in favor of the department. We ought to know no injury will result before the appropriation is decreased.

All over this country there is a demand for a reduction in the high cost of living, and it is a demand to which we should all listen and bend our every effort to secure every reduction possible in the necessary living expenses of the people. God knows I want to help all the people, and especially those who really need help. [Applause.]

The most effective way to reduce the high cost of living is to increase production in the country, and the object of this bill is to stimulate and increase production. The great trouble now is we have only about a 60 per cent production to supply a 100 per cent demand. The supply of production must be adequate to meet the demand of consumption. So long as the demand for consumption exceeds the available supply, prices will be high, but when the production of the necessaries of life—food, clothing, fuel, and other necessaries—equals or exceeds the demand for consumption the high cost of living can be, and then will be, reduced. Therefore increased production is at least one of the fundamental and most important means by which this high cost of living can be reduced, and it ought to be reduced, and I hope it will be reduced.

During the great World War through which we have just passed the farmers of this land responded patriotically to every call made upon them by the Government of the United States, and they increased production in every nook and corner throughout this great Republic, and fed our own people and the boys in our Army and Navy and those of our Allies. May God ever bless them for the glorious way in which they cheerfully and enthusiastically performed this great national service. [Applause.]

We gave to the Department of Agriculture the additional appropriations necessary to extend the work, in order to help them bring about this increased production, in the bill which I introduced in the House, reported from the Committee on Agriculture, and had the honor to have charge of on the floor of the House, known as the Candler food-production bill. The necessary money was appropriated in that bill to aid in the great and necessary work for production, and the farmers of America furnished the result which we promised you, as members of the Agricultural Committee, would follow the expenditure of the money appropriated by your votes which secured the passage of that measure. The farmers of this country are loyal and true, and they never have in the past, and they never will in the future, fail in their patriotic duty in peace or in war. [Applause.]

Although, as I have already shown, the farmers broke all records during the year 1919 in production, still they are being urged to continue to increase production this year. I have no doubt they will respond to the very utmost of their energies, resources, and ability. They are, however, at this very time confronted with very serious difficulties. Two hundred thousand inquiries were recently sent broadcast to farmers by the Post Office Department, in an effort to ascertain if the department could assist in reducing the high cost of living. Forty thousand replies were received, and they were practically unanimous with respect to three difficulties, to wit: First, scarcity of farm labor, because of the movement from the farm to towns and cities; second, big profits taken by middlemen handling farm products; third, lack of facilities for direct trading between the farmer and the ultimate consumer.

The first difficulty mentioned, that of the scarcity of farm labor, can not be remedied by law. A man has the inherent right to live where he pleases. If he chooses to leave the country and the farm and go to the town or city, no statute can prevent him from doing so. As an American citizen he can live anywhere in America he desires, and follow any trade, vocation, calling, or profession that appeals to him and promises the greatest remuneration for his services. That incentive is really the cause of this trouble. It is general and is due largely to high wages in towns and cities, the widespread demand for labor there, with the improved working conditions and short hours. The Agricultural Department, however, under laws we have passed and appropriations made, does undertake to help in this matter by advising where a scarcity of farm labor exists and where a supply may be obtained, and in aiding those who desire to secure labor and those who desire employment or to change their surroundings to get together for the common good of both parties.

We are attempting through the efforts and activities of the Bureau of Markets in the Department of Agriculture, which I am glad to say I helped to establish and for which there is a large appropriation in this bill, to help to solve and to remedy the other two difficulties mentioned, to wit: Big profits taken by middlemen in handling farm products and lack of adequate facilities for direct trading between the producer and the ultimate consumer. This bureau is trying to find a way to cut down the big profits of the middlemen, and to eliminate the middlemen wherever it can be done, and thus bring the producer and ultimate consumer directly together, so that they may trade with each other face to face when possible to do so. The cost of food distribution in this country is too high, and the margin between the price received by the producer and the price paid by the consumer is exorbitant. God grant that we, the servants and representatives of the people, this great bureau, the Department of Justice, and every other agency of the Government may bend every effort and do everything possible to solve, in the interest of all the people, and especially for the benefit of the poor and needy, this intricate, complex, difficult, yet this practical and very important problem of the high cost of living. [Applause.]

In this connection I commend to your earnest consideration and to the careful attention of the American people the following very strong, clear statement of the new Secretary of Agriculture, the Hon. Edwin T. Meredith, of Iowa, who has just recently been appointed by the President a member of his Cabinet and assumed control of the great Department of Agriculture. Now listen. Here is what he says:

FARMERS MUST HAVE HELP TO CUT LIVING COST, SAYS NEW SECRETARY OF AGRICULTURE.

Answering questions regarding means for reducing the high cost of living, Edwin T. Meredith, the newly installed Secretary of Agriculture, said yesterday that useless employees, no matter in what line they may be engaged, must be released from nonproductive work and given an opportunity to become producers upon the farm or in the factory.

If this is done, and if jobbers and retailers recognize the harm that must ultimately come from profiteering on the farmer and content themselves with a reasonable profit, he said, the question of the high cost of living will largely solve itself to the permanent good of all. But unless the whole country—all business and all labor—does recognize this as a common problem and do the things necessary to solve it, he continued, "less and less will there be of farm produce to divide among the whole people and higher and higher will go the price of that which is produced.

FARMERS WILL PRODUCE.

"The farmers must certainly produce," said Secretary Meredith. "They have produced and will produce—that is their business. They are on a piece-measure basis; so, given satisfactory conditions, they will do their part, as the farmers of America have in every situation or crisis that has faced the country. It is not a satisfactory condition for the farmer to receive reduced prices for his pork, wheat, hides,

while the prices of his machinery, lumber, and shoes are raised. It does not conduce to a pleasant frame of mind on the part of the farmer or spur him to greater production to be obliged to sell his products for half or less than he later sees them sold for at retail.

"The farmers of America," the new Secretary went on, "are willing to assume their part of the responsibilities as American citizens in meeting any problem threatening the welfare and stability of our country, but this high cost of living problem is a mutual one, and they ask that it be approached by all the people as a common problem. They ask that there be an adequate number of producers of wealth, and this includes property and food of all kinds, and only such number of distributors as is necessary to perform the services required.

COUNTRY NEEDS PRODUCERS.

"Let us enjoy in America a highly developed system of distribution, but let us cut out the useless member, the surplus one here and there, and give him an opportunity to become a producer upon the farm or in the factory. Let us have six-tenths of our people in production and four-tenths in distribution, that there may be six-tenths of what a man can produce each day for each of us, rather than have four-tenths in production and six-tenths in distribution, which gives us only four-tenths of what a man can produce each day for each of us. To do this conditions in production must be attractive, farming must be remunerative and offer to a young man who engages in it an opportunity equal to that offered him should he go into a bank, railroad, wholesale, or retail establishment.

"The farmer asks that the laborers in the mines, the factory, and the mills, who are also real producers along with the farmers, make an effort comparable to his to see there is just as little labor expense as possible in each article turned out by their hands, thereby helping the farmers of America, who in turn will help the laborer. This is not inconsistent with the views and desires of the loyal, intelligent laboring men, who recognize the mutual advantage to all in an honest day's work for an honest day's pay. Given this, and the manufacturers, jobbers, and retailers taking a reasonable profit and recognizing the harm that must ultimately come from profiteering upon the farmer, the question of the high cost of living will largely solve itself to the permanent good of all concerned."

That is the first public utterance I have seen from the new Secretary of Agriculture, and it is in reference to a live question and has the right ring to it.

I saw in another statement where he said he would do his best to devise some effective method for the distribution of farm products so as to bring closer together the producer and the consumer for the mutual benefit of each. I am sure we all wish him every success in this effort and in every other effort for the advancement of the agricultural interests and the solution of the problems which will bring to the people comforts, prosperity, and happiness, and in his every effort he will, I am certain, have your help and assistance, and he will surely have mine. [Applause.]

In this connection also I desire to call your attention to the following statements in a memorial issued on January 30, 1920, by the executive heads of six large national farmers' organizations in conference at the headquarters of the National Board of Farm Organizations.

The memorial was drafted by the following executives: W. I. Drummond, of Oklahoma, chairman of board of governors of the International Farm Congress; J. R. Howard, of Iowa, president American Farm Bureau Federation; T. C. Atkeson, Washington representative of the National Grange; R. F. Bower, National Farmers' Union; O. G. Smith, president Farmers' National Congress; and John D. Miller, National Milk Producers' Federation.

Other organizations represented at the conference were the State Farm Bureau Federations of Indiana, Vermont, New Jersey, and West Virginia; the State Granges of Maryland, Massachusetts, Delaware, and New Jersey; the American Cotton Association; the Farmers' Union of Oklahoma, Washington, and Virginia; and the Dairyman's League of New York.

The specific statements to which I call your special attention are these:

Agriculture is the basis of all commerce and industry. The great world need of to-day is production. Production is dependent on labor. The solidarity of labor is such that the wages and hours of labor prevailing in other industries are reflected upon the farm. Prices of food products will be determined accordingly. Under present conditions agricultural production must materially decline, and thus react against the entire industrial system. In view of this recognized economic law, we submit that it will be wise to consider the farm in any industrial plan adopted.

Country and flag first: The first and constant obligation of every citizen, and of every organization of citizens, is undivided loyalty to our country. Its institutions must be protected and its traditions preserved and respected. No conflicting obligations can be tolerated.

Adequate production: The farmers of the United States are continuing their best efforts to produce abundant foodstuffs; and, contending that production in the factories, mines, and mills is second in importance only to that of the farms, they demand of both labor and capital that they, too, shall earnestly and consistently speed up their part of the production so urgently needed.

Profiteering: We condemn in unmeasured terms those who, ignoring the distress their actions cause, and unmindful of the danger signals that are only too apparent, continue to exact excessive profits in dealing in the necessities of life. The sharing of such profits with employees does not correct the evil.

Ownership of railroads: The Government ownership or continued operation of railroads is most emphatically opposed. It is against good public policy and the principles of sound Americanism. We are convinced that any possible emergency calling for such operation has passed; that its continuance is costly, inefficient, and inadvisable. We urge Congress to expedite the enactment of legislation providing for the proper reorganization, recquipment, and control of the railroads under private ownership; that this legislation be as plain as possible and providing as few restrictions and complications as will properly protect the superior interests of the public in the operation of railroads. We are opposed to a Government guaranty of dividends on a Government subsidy.

Governmental economy: Strict economy in public expenditures for all departments of government is essential as is the cutting out of some customs in transaction of public affairs as add expense and delay in rendering efficient service, and the discontinuance of all departments or employees which are not rendering efficient service.

Compulsory military training: We are opposed to compulsory military training and a large standing army in time of peace.

Daylight saving: We commend the act of Congress in repealing the so-called daylight-saving law and oppose any action to revive such legislation by Federal, State, or municipal action.

I voted against the daylight-saving law when it was passed, and of course I voted for its repeal.

I wish I had time to discuss each one of these suggestions in detail, but the time being limited I must not take up too much of it. Therefore, while I urge upon you careful consideration of all these suggestions, because of their importance and the eminent source from which they come to us, suffice it for me at the present time to say that profiteering, wherever it exists, can not be too severely condemned. Whoever takes advantage of conditions to rob his neighbor by profiteering upon him should receive the condemnation of every honest and fair man and deserves and should receive the severe punishment of the law.

Government operation of the railroads has already caused a deficit of over a billion dollars, and there yet remains a deficit of $700,000,000 to be paid. Therefore it has proven to be a very large losing business to date. It was necessary to take them over during the war, but that emergency has now passed, and the President and Congress have determined to return them to their owners, the President by proclamation having fixed March 1, next, as the date upon which to return them.

Compulsory military training, it is variously estimated, would cost from $131,000,000 to $1,000,000,000 a year; besides, it would take the boys between 18 and 21 years old off of the farms and out of the factories and away from home and out of production for four, and possibly six, months in each year, which would cost many millions more in reduced production, when increased production is so much needed. We fought the great World War to destroy militarism, and our forefathers left the Old World to get away from it, and came to this great country, "The land of the free and the home of the brave"; and we do not want to start a policy in times of peace, at such an enormous cost, to encourage and build up militarism and retard the progressive development of real democracy. A reasonably sized Regular Army and the National Guard are sufficient. They met and were victorious in every emergency in the World War, and they can and will measure up to every emergency in the future. No, sirs, no conscription for me in times of peace; no forcible, no compulsory, military service and training now. The fathers and mothers of America—and the boys themselves—have enough of war for the present. Let us avoid war and even the appearance of war ever in the future if possible. [Applause.] So much for those questions for the present. I wish time would permit me to discuss others, but I must not now.

I am anxious for us to get back to normal conditions at the earliest possible moment, and to this end I favor the repeal of the war-time legislation—made necessary by war-time conditions and not necessary in peace times—as rapidly as it can be done with proper consideration and in the exercise of good judgment. Let us get back to peace-time conditions. Would that we could return as soon as possible to the fundamentals as announced by Washington, Jefferson, Madison, Monroe, Jackson, and the founders of this Republic. The war is over and the reconstruction period is at hand. You, our Republican friends, clamored for an extra session to pass reconstruction legislation. The President called the extra session. It met May 19 and adjourned November 19, 1919; but you did not present or pass any reconstruction legislation. We have now been in session since December 1, and none is yet presented or passed. You are in the majority and therefore responsible for legislation to the people. The people are restless. They are tired of so much regulation and the inconveniences and hardships of war-time statutes. They want to be restored to the freedom of peace times in business and otherwise and to be relieved of the restrictions and difficulties of war-time legislation, made necessary by war-time conditions. They were willing to stand them during the war, but they want relief now, and should have it. Bring on real reconstruction legislation and we will help you to pass it. [Applause.]

This indeed is a wonderful country, and as American citizens we are all proud of it. Let me call your attention a moment to our most remarkable balance of trade:

UNITED STATES TRADE BALANCE SHOWS BIG ADVANCE—NEARLY $2,000,000,000 INCREASE OVER GREAT BRITAIN.

WASHINGTON, *February 2.*

America's trade balance against Europe increased by $4,435,410,566 in 1919, figures issued to-day by the Department of Commerce showing exports from the United States were $5,185,980,350, while imports were $750,569,784.

The trade balance in favor of the United States over the United Kingdom piled up during the year was $1,969,988,783, that over France $769,497,587, and that over Italy $383,628,396. A trade balance of $82,137,085 also was registered over Germany.

Exports to the United Kingdom in 1919 were valued at $2,279,178,048, and imports from the United Kingdom were valued at $309,189,265. The figures for France were $893,368,996 in exports and $123,871,409 in imports, while for Italy they were $442,676,842 in exports and $59,048,446 in imports. Exports to Germany were valued at $92,761,314 and imports were valued at $10,624,229.

Our balance of trade for 1919 is $4,435,410,566. Farm products contributed largely in securing this balance in favor of America. The cotton of the South aided it very materially. The farmer in this as well as in everything else is doing his full duty. A few years ago we were in debt to the nations across the seas. Now they are in debt to us many billions of dollars. The center of finance was over there, now it is over here. They were carrying our commerce, now we carry it largely ourselves. Thank God, the Stars and Stripes are triumphant in war and in peace, and prosperity beams forth from every star and gleams from every stripe, and every true and loyal American citizen rejoices to stand beneath its beautiful folds. May it ever wave triumphant and victorious to bless mankind. [Applause.]

The farmers have helped this country and been loyal to that flag, and when they always show that disposition we, as their Representatives on the floor of the House of Representatives, ought to always help them under all circumstances in order that these great results may be continued.

My friends, I would be glad to discuss other matters, but time forbids. I have already spoken longer than I intended and taxed my present condition too much, but I wanted to present these general ideas and views with reference to this bill and the general agricultural situation in the land for your consideration during the further consideration of the bill when it is read by line, paragraph, and section, to appeal to you to stand by the Agricultural Committee, who propose this measure, and see that it is promptly passed through the House of Representatives. While I believe that there ought to be in some instances increased appropriations in this bill for some of the purposes where decreases have been made, still the bill as a whole is a good measure, and I commend it to you and I trust it will receive your favorable support and your votes to insure its passage. [Applause.] Now, let me say, in conclusion, that I am in favor of economy. My whole record in Congress will prove that I am always for economy. I am opposed, in private and public life, to waste and extravagance. I will join you, my fellow Members, in eliminating all unnecessary appropriations wherever they may be found. I believe no more money should be spent than is necessary to secure good and efficient administration of governmental affairs. I can not state my position too strongly on that subject. I do not, however, believe in false or unnecessary economy being practiced on the farmer or the agricultural interests of America. The appropriations are small considering the great business involved. I do not believe any appropriations we make for other purposes bring anything like the beneficial returns as do those made for agriculture. Therefore do not let us be extravagant at any time, but in these agricultural appropriations let us show a liberal spirit in a great cause. [Applause.]

Mr. Chairman, I read in the memorial submitted to Congress by the several farmers' organizations heretofore referred to by me this language:

This is the best country the sun shines on. Its opportunities are boundless. Its Government is the best in the world. There is nothing fundamentally wrong with it. A people who would injure or destroy it are unfit to live under the protection of its flag.

A beautiful and true statement and one in which I fully agree. All honor to that flag which ever floats above our Speaker as he presides over this House during our deliberations. God bless and preserve this wonderful country and our loyal people, and help us as their Representatives to do our full duty in His fear, and for His glory, and for the benefit of mankind. [Loud applause.]

Mr. RUBEY. Mr. Chairman, will the gentleman indicate when we are going to rise?

Mr. HAUGEN. I had an idea that we might get through with the general debate this evening. We will not need much time on this side.

Mr. RUBEY. In the language of my old friend from Illinois, it is 5 o'clock, and I think we had better rise.

Mr. HAUGEN. The gentleman pointed out the importance of this bill and asked for time. The gentleman ought to be willing to stay for another hour.

Mr. RUBEY. There are only a few here. We can not finish it to-night. I make the point of no quorum present.

Mr. HAUGEN. The gentleman has that privilege.

The CHAIRMAN. The gentleman makes the point of no quorum. The Chair will count.

Mr. HAUGEN. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Agricultural appropriation bill, H. R. 12272, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. BLAND of Virginia, indefinitely, on account of illness.

To Mr. MACGREGOR, for five days, on account of sickness.

To Mr. LINTHICUM, indefinitely, on account of sickness.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 3270. An act authorizing the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, to consider, ascertain, adjust, and determine claims for damages occasioned by acts for which said survey is responsible in certain cases; to the Committee on Interstate and Foreign Commerce.

LEAVE TO EXTEND REMARKS.

Mr. FESS. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD an address delivered by myself last week before the Editorial Association of Indianapolis.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD by inserting an address which he delivered before the Editorial Association of Indianapolis last week. Is there objection?

Mr. CONNALLY. Reserving the right to object, on what subject?

Mr. FESS. On the state of the country.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until Friday, February 6, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Bureau of Mines for the fiscal year 1921 (H. Doc. No. 642); to the Committee on Appropriations and ordered to be printed.

2. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of John W. Kerrick against the United States; to the Committee on War Claims.

3. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Charles A. Hunter, son of William A. Hunter, deceased, against the United States; to the Committee on War Claims.

4. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Frank S. Cobb, grandson of Amasa Cobb, deceased, against the United States; to the Committee on War Claims.

5. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Virginia F. Foreman, widow of Thomas Foreman, deceased, against the United States; to the Committee on War Claims.

6. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Josiah N. Coffin against the United States; to the Committee on War Claims.

7. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Jane Polk, widow of John R. Polk, against the United States; to the Committee on War Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GOULD, from the Committee on the Library, to which was referred the joint resolution of the House (H. J. Res. 270) authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco, reported the same without amendment, accompanied by a report (No. 599), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 12234) granting an increase of pension to John F. Scott, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. OSBORNE: A bill (H. R. 12347) to authorize an additional issue of bonds to be known as World War veteran bonds, to meet expenditures for the national security and defense, and to preserve the national honor, such bonds to be issued to soldiers, sailors, and marines, officers and men alike, at the rate of $1 per day for each day served during the war, and for other purposes; to the Committee on Ways and Means.

By Mr. WILSON of Louisiana: A bill (H. R. 12348) to provide for the control of the floods of the Atchafalaya, Red, and Black Rivers, La., and to protect their basins from the flood waters of the Mississippi River, and for other purposes; to the Committee on Flood Control.

By Mr. KING: A bill (H. R. 12349) to provide for the segregation and care of men in the United States Army, Navy, or Marine Corps afflicted with mental and nervous maladies; to the Committee on Military Affairs.

By Mr. VESTAL: A bill (H. R. 12350) to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, to establish a standard box for apples, and for other purposes; to the Committee on Coinage, Weights, and Measures.

By Mr. KITCHIN: A bill (H. R. 12351) to extend the time for the construction of a bridge across the Roanoke River in Halifax County, N. C.; to the Committee on Interstate and Foreign Commerce.

By Mr. TILSON: A bill (H. R. 12352) repealing an act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war; to the Committee on the Judiciary.

By Mr. ANTHONY: Resolution by the House of Representatives of the State of Kansas, memorializing the Congress of the United States and requesting that they take such action in the organization of the military forces of the country which shall give to the National Guard the fullest measure of support, the widest opportunity for development, and which shall at all times reserve to the governors of the States the right of appointment of officers and training of troops, guaranteed to them under the militia clauses of the Federal Constitution; to the Committee on Military Affairs.

Also, resolution by the House of Representatives of the State of Kansas, requesting the Congress of the United States to pass the bill appropriating funds to aid the several States in the construction of roads; to the Committee on Roads.

Also, resolution by the House of Representatives of the State of Kansas, memorializing Congress to revise the immigration and naturalization laws of the United States; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 12353) granting a pension to George Clark; to the Committee on Pensions.

Also, a bill (H. R. 12354) granting a pension to George W. Brown; to the Committee on Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 12355) for the relief of William J. Lucks; to the Committee on Claims.

Also, a bill (H. R. 12356) for the relief of Anson B. Coates; to the Committee on Claims.

By Mr. DRANE: A bill (H. R. 12357) granting a pension to Edward M. Smailes; to the Committee on Pensions.

Also, a bill (H. R. 12358) granting an increase of pension to Eli B. Beard; to the Committee on Pensions.

By Mr. EAGLE: A bill (H. R. 12359) for the relief of Jesse L. Clay; to the Committee on Claims.

By Mr. FOSTER: A bill (H. R. 12360) granting a pension to Bridget Conerton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12361) granting a pension to Ella J. Johnston; to the Committee on Invalid Pensions.

By Mr. HAMILL: A bill (H. R. 12362) granting a pension to Caroline Wright; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 12363) granting a pension to Daniel Guthrie; to the Committee on Pensions.

By Mr. McKINLEY: A bill (H. R. 12364) to amend the military record of Robert Zink; to the Committee on Military Affairs.

By Mr. MANSFIELD: A bill (H. R. 12365) for the relief of certain civilian employees of the Engineer Department at large, United States Army; to the Committee on Claims.

By Mr. MAYS: A bill (H. R. 12366) for the relief of Thomas Smith; to the Committee on Military Affairs.

By Mr. MURPHY: A bill (H. R. 12367) granting an increase of pension to Caroline Strobel; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 12368) for the relief of Philip Osburg; to the Committee on Claims.

By Mr. ROUSE: A bill (H. R. 12369) for the relief of Marion Banta; to the Committee on Claims.

By Mr. THOMPSON: A bill (H. R. 12370) granting a pension to Hilas A. Morgan; to the Committee on Pensions.

Also, a bill (H. R. 12371) granting a pension to Michael Levi; to the Committee on Pensions.

By Mr. WEAVER: A bill (H. R. 12372) granting a pension to Fannie M. Buchanan; to the Committee on Pensions.

By Mr. WELTY: A bill (H. R. 12373) granting an increase of pension to Alfred Kirkpatrick; to the Committee on Pensions.

By Mr. WILSON of Pennsylvania: A bill (H. R. 12374) granting an increase of pension to John S. Dodds; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1358. By Mr. BARBOUR: Petition of residents of Madera, Calif., favoring the passage of the Lehlbach-Sterling bill, H. R. 3149; to the Committee on the Post Office and Post Roads.

1359. By Mr. BURROUGHS: Petition of Benjamin F. Downing, Emerson Hovey Post, No. 168, Veterans of Foreign Wars, Portsmouth, N. H., advocating the early enactment of the Johnson back-pay bill, H. R. 7923; to the Committee on Ways and Means.

1360. Also, petition of Frank M. Wilkins Post, No. 1, the American Legion (Mr. Freeman S. Parker, adjutant), Laconia, N. H., advocating the early enactment of the Johnson back-pay bill, H. R. 7923; to the Committee on Ways and Means.

1361. By Mr. DARROW: Petition of the county committee of Philadelphia County, Pa., of the American Legion, urging adoption of amendments to the general deficiency appropriation bill to provide navy yards sufficient funds for necessary repairs to battleships and other vessels; to the Committee on Appropriations.

1362. By Mr. MURPHY: Memorial of Banfield Clay Co., of Wellsville, Ohio, praying for legislation to compel railroads to furnish cars to manufacturing plants; to the Committee on Interstate and Foreign Commerce.

1363. By Mr. O'CONNELL: Petition of the county committee of Philadelphia County, Pa., of the American Legion, urging Congress to support the items in the deficiency bill regarding the upkeep of the United States Navy; to the Committee on Appropriations.

1364. By Mr. RAKER: Petition of the Commercial Federation of California; the Los Angeles Chamber of Commerce; the Printers' Board of Trade; the Los Angeles Pressed Brick Co.; and S. Hazard Halsted, of the Pasadena Ice Co., relative to certain railroad legislation now pending; to the Committee on Interstate and Foreign Commerce.

1365. Also, petition of county committee of Philadelphia County, Pa., of the American Legion, protesting against any curtailment of the items for expenditures for the upkeep of the Navy contained in the general deficiency bill; to the Committee on Appropriations.

1366. Also, petition of chairman of the patents committee, National Association of Manufacturers of the United States of America, urging the passage of House bill 11984; to the Committee on Patents.

SENATE.

FRIDAY, *February 6, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek Thee because we are seekers after truth, and Thou art the center of truth. We come asking Thy guidance and blessing to-day as we discharge the duties of this day. We would establish our Nation in righteousness, and we pray Thee to reveal to us Thy will, that our Nation's laws may be righteous, that the spirit of our Nation may be after the pattern that Thou hast shown to us in the revelation of Thyself. Guide us in the duties of the day. For Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a statement of useless papers on the files of the Department of Commerce devoid of historic interest and requesting action looking to their disposition. The communication and accompanying papers will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Montana [Mr. WALSH] and the Senator from Maryland [Mr. FRANCE] the committee on the part of the Senate. The Secretary will notify the House of Representatives thereof.

TREATY OF PEACE WITH GERMANY.

Mr. HITCHCOCK. Mr. President, I ask to have printed in the RECORD a letter transmitting a resolution adopted by the first national conference of laymen held under the auspices of the Interchurch World Movement, in Pittsburgh, lately, referring to the League of Nations and other matters.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERCHURCH WORLD MOVEMENT OF NORTH AMERICA,
New York City, February 3, 1920.

Hon. GILBERT H. HITCHCOCK,
United States Senator, Washington, D. C.

MY DEAR MR. HITCHCOCK: I am sending you inclosed, by special delivery, copy of resolutions passed by the first national conference of laymen held under the auspices of the Interchurch World Movement, at the William Penn Hotel, Pittsburgh, Pa., January 31, February 1 and 2.

This body was perhaps the most distinguished group of its kind ever brought together under the auspices of the Protestant Church. Thirty States were represented and 29 denominations. The individual delegates included governors of States, presidents of the largest industrial concerns in the Nation, and outstanding labor leaders.

Respectfully, yours,

DANIEL A. POLING,
Director Laymen's Activities Department.

—

"Overwhelmed by the situation overseas, as revealed in the survey and emphasized by the messages of this national laymen's conference, which has brought together representative men from 30 States and 29 Protestant denominations; convinced of our failure to measure up to our opportunities and to meet the high expectations of the distraught peoples who looked to us for leadership and life, we call upon our representatives in Congress, regardless of party affiliation, to act at once on the treaty of peace and the League of Nations. We believe that in prompt and favorable action lies the succor of millions and the peace of the world.

"We further request that the sum of not less than $125,000,000, as recommended by Mr. Hoover and Secretary Glass, be made immediately available for the starving peoples of Europe and the Near East.

"GEORGE BENSON FEREBEE, *Chairman, Virginia.*
"DANIEL BAKER, *Maryland.*
"HARRY L. BOND, *West Virginia.*
"FLEMING REVELL, *New York.*
"C. M. RODEFER, *Ohio.*"

EMBARGO ON BOX CARS.

Mr. SHERMAN. Mr. President, the United States Railway Administration has ordered an embargo on box cars effective February 8, 1920, forbidding the transportation of building material. In Chicago alone it will cause a suspension of $35,000,000 worth of contracts and put out in idleness 150,000 laborers and tradesmen who are directly connected with this industry.

I have a communication from the Chicago Building Material Exchange, representing the entire industry in Chicago. I present it and ask that it be read by the Secretary, in the hope that the publicity will attract enough attention to modify this order of the Railroad Administration.

There being no objection, the Reading Clerk read as follows:

CHICAGO, ILL., *February 5, 1920.*

Hon. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.

United States Railway Administration embargo on box cars effective February 8, forbidding transportation of building materials, will result in complete suspension of $35,000,000 building construction and idleness of over 150,000 tradesmen and laborers in Chicago. Building cessation during war caused most acute housing conditions, resulting in present dissatisfaction, unrest, high cost of living, renting, and home owning. During October embargo all yards and warehouses were emptied of materials otherwise stored for winter deliveries; now receiving less than 30 per cent of material required for work under construction. Urge movement in seaports and local yards now congested with thousands of empty and unloaded cars unmoved for weeks and months. Urge placing embargo on use of cars for all commodities excepting such as are absolutely essential for food, fuel, clothing, and shelter, and pray for immediate revocation of present embargo as to building materials.

CHICAGO BUILDING MATERIAL EXCHANGE,
Representing all Chicago and Cook County Dealers.
LEMUEL F. OWNE, *Business Manager.*

ADJOURNMENT TO MONDAY.

Mr. LODGE. I move that when the Senate adjourns to-day it be to meet on Monday next at 12 o'clock.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. BECKHAM. I present copies of resolutions adopted by the Senate of the State of Kentucky, which I ask to have printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

IN SENATE,
COMMONWEALTH OF KENTUCKY.

Be it resolved by the Senate of Kentucky, That—

Whereas a discriminatory system of freight rates has been maintained and enforced for many years by the railroads which has hindered and retarded the growth of business and industry in Kentucky, except in the cases where the business or industry appealed exclusively to southern markets; and

Whereas said hindrance is due to the fact that under said system the Ohio River is recognized and treated by the railroad-rate officials, and even by the Interstate Commerce Commission, as an obstacle or barrier to commerce moving north from Kentucky, and a freight rate is added on all such commerce as it crosses the Ohio River, although no added charge is fixed upon any of the commerce originating north of the river and moving into Kentucky or the South; and

Whereas Kentucky having the Ohio River for its northern boundary is, by the above artifice, made a border State in the matter of freight-rate schedules, and is, therefore, the chief sufferer under the above indefensible discrimination, and the effect of which has been to restrict her business and industry to one-half of her natural markets, and at least two-thirds of the people who would otherwise be her customers are deprived of that privilege—

Our Senators and Representatives in the Congress of the United States are therefore requested to use their utmost endeavors to have such laws enacted by the Congress and such rules adopted by the Interstate Commerce Commission as will give to the Ohio River like effect on all commerce crossing same without regard to whether it originated north or south thereof.

Adopted January 21, 1920.
A copy.
Attest:
[SEAL.]

W. B. O'CONNELL,
Chief Clerk of Senate.

—

IN SENATE,
COMMONWEALTH OF KENTUCKY.

Joint resolution requesting the Senators and Representatives from Kentucky to use their influence in relieving car shortage in Kentucky, as it affects the production of the Kentucky coal mines.

Be it resolved by the Senate of Kentucky (the House of Representatives concurring therein), That—

Whereas there is a serious shortage in the supply of coal cars to the coal mines of Kentucky and that by reason of such shortage a great many of the mines are unable to operate as much as two days per week on an average. And this lack of shipping facilities is preventing Kentucky from supplying the market with anything like the amount of coal which her large fields and extensive developments entitle her to, and it is also discouraging further development of the mines so that production may be increased and the urgent need of the public for coal be supplied; and

Whereas the foregoing shortage of coal cars is causing severe hardship upon the operator, the miner, and the public as well: Therefore be it

Resolved, That the Senate of Kentucky (the House of Representatives concurring therein) respectfully request her Senators and Representatives in the Congress of the United States to exert all of their power and influence toward the immediate relief of said shortage of coal cars, and take such action as in their opinion is necessary to secure a prompt and adequate supply of cars to take care of the production of Kentucky mines so that they may supply the very pressing demand of consumers everywhere; and be further

Resolved, That a committee of three be appointed by the President of the Senate to act jointly with a like committee to be appointed by the House to take this car-shortage question up with the railroads, and, if need be, with the Interstate Commerce Commission, and our Senators and Representatives in the United States Congress.

Adopted in senate January 23, 1920.

Concurred in by house of representatives January 28, 1920.

Attest:

[SEAL.] W. B. O'CONNELL,
Chief Clerk of Senate.

Mr. WARREN presented a memorial of sundry citizens of Washakie County, Wyo., remonstrating against compulsory military training, which was ordered to lie on the table.

Mr. CAPPER presented memorials of sundry citizens of Marion County; of Post No. 1, World War Veterans, of Topeka; of Local Lodge No. 118, United High Explosives Workers' Union, of Pittsburg; and of Farmers' Union No. 1688, of Groveland, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. ASHURST. I present a resolution adopted by Ernest A. Love Post, No. 6, Arizona Branch, American Legion, which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas there now exist within the United States organizations which are against our Government and against the forces of law and order, and which seek to overthrow our Government and to destroy the loyal citizens of our land; and

Whereas these organizations and their members carried on their work and propaganda during the time our country was at war, which resulted in the slowing down of the production of munitions and ships and other war materials, and directly resulted in the death of many of our comrades while in the service; and

Whereas on the 11th day of November, 1919, the first anniversary of the signing of the armistice, the I. W. W.'s fired upon and murdered four of our comrades of the American Legion living in Centralia, Wash., while they were peaceably parading in honor of our victorious arms; and

Whereas the I. W. W.'s and all other radical organizations of a similar kind are diametrically opposed to every ideal for which the American Legion stands and for which we fought and for which thousands of our comrades laid down their lives; and

Whereas the I. W. W.'s, in firing upon the American flag and American Legion at Centralia, Wash., November 11, 1919, not only murdered four of our comrades and jeopardized the lives of many others but brought discredit upon the dignity of the United States and challenged the principles of law and order for which the American Legion stands: Therefore be it

Resolved by the Ernest A. Love Post, No. 6, Arizona Branch, American Legion:

1. That the executive committee be authorized, empowered, and directed to take the following steps, as well as any other necessary steps, toward the eradication of the I. W. W.'s, soviets, and all other radical organizations in the State of Arizona as well as in the United States:

2. Communicate with the Attorney General of the United States, the United States district attorney for the district of Arizona, and the governor of the State of Arizona demanding that the full power of the law be exerted to clear out all radical agitators from the State of Arizona either by deportation, execution, or imprisonment, and that the county attorney of Yavapai County be called upon to use every means within his power within this county for the same purposes.

3. Communicate with the President of the United States, Senators MARK SMITH and HENRY F. ASHURST, and Representative CARL HAYDEN, requesting that if the present laws are not adequate or sufficiently stringent to eradicate thoroughly, completely, quickly, and for all time all the radical organizations now seeking to disrupt our Government that laws be passed at once which will be adequate and speedy for that purpose. That this is the gravest issue now facing our people, and the League of Nations and all other matters should be laid aside, if necessary, so that adequate laws may be passed to safeguard our own Government.

4. Communicate with the national headquarters of the American Legion and the Arizona branch thereof, to the end that the whole legion, both National and State, may cooperate with all governmental agencies to enforce the present laws, to secure the passage of more stringent laws, and for the speedy and entire eradication of all organizations, whatever their name, which are against our Government and seek its overthrow.

Mr. JONES of Washington presented a petition of Elmer J. Noble Post, No. 1, American Legion, of the State of Washington, praying for the enactment of legislation granting to each telephone operator who served with the Signal Corps overseas a gratuity equal to that received by any other ex-service man or woman, which was referred to the Committee on Military Affairs.

Mr. SMITH of Maryland presented a memorial of the Baltimore yearly meeting of the Religious Society of Friends of Maryland, remonstrating against compulsory military training, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Laurel, Jessup, Hyattsville, Muirkirk, Baltimore, Berwyn, and Beltsville, all in the State of Maryland, praying for the passage of the so-called Lehlbach-Sterling bill providing for the retirement of superannuated Government employees, which was ordered to lie on the table.

Mr. PHELAN presented a petition of the Chamber of Commerce of Santa Rosa, Calif., praying that an appropriation be made for the defense of the Pacific coast, which was referred to the Committee on Naval Affairs.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. LODGE. I am directed by the Committee on Foreign Relations to report back favorably with amendments the bill (H. R. 11960) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921, and I submit a report (No. 416) thereon. I give notice that I shall call up the bill at the earliest moment possible.

The VICE PRESIDENT. The bill will be placed on the calendar.

LANGLEY FIELD, VA.

Mr. NEW, from the Committee on Military Affairs, to which was referred the bill (S. 3516) to authorize the Secretary of War, in his discretion, to furnish quarters at Langley Field, Va., to the civilian employees of the National Advisory Committee for Aeronautics, and for other purposes, reported it without amendment and submitted a report (No. 417) thereon.

PRINTING OF NATIONAL BANKING ACT.

Mr. MOSES, from the Committee on Printing, reported the following resolution (S. Res. 298), which was considered by unanimous consent and agreed to:

Resolved, That there be printed 1,500 copies of the national banking act as amended to date for the use of the Senate Document Room.

DISTRIBUTION OF DOCUMENTS BY TREASURY DEPARTMENT (S. DOC. 213).

Mr. MOSES, from the Committee on Printing, to which the subject was referred, reported the following resolution (S. Res. 299), which was read, considered by unanimous consent, and agreed to:

Resolved, That the report of the Secretary of the Treasury relative to the number of documents received and distributed by the Treasury Department for the year 1919 be printed as a Senate document.

LAKE CHAMPLAIN BRIDGE.

Mr. CALDER. I am directed by the Committee on Commerce, to which was referred the bill (S. 3813) to authorize the construction of a bridge across Lake Champlain between the towns of Orwell, Vt., and Ticonderoga, N. Y., to report it favorably with amendments, and I submit a report (No. 418) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The amendments were, on line 3, before "Railroad," to strike out "Rutland" and insert "Addison"; in line 7, after the word "thereto," to insert "across Lake Champlain"; and in line 8, after the words "town of," to strike out "Orwell" and insert "Shoreham," so as to make the bill read:

Be it enacted, etc., That the Addison Railroad Co., a corporation organized under the laws of the States of Vermont and New York, its successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto across Lake Champlain at a point suitable to the interests of navigation between the town of Shoreham, in the State of Vermont, and the town of Ticonderoga, in the State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the construction of a bridge across Lake Champlain between the towns of Shoreham, Vt., and Ticonderoga, N. Y."

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 3875) to amend sections 5549 and 5550 of the Revised Statutes of the United States; to the Committee on the Judiciary.

By Mr. JONES of Washington:

A bill (S. 3876) to amend an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915; to the Committee on Commerce.

By Mr. SPENCER:

A bill (S. 3877) to correct and amend the service and military record of Herbert Langley, United States Marine Corps; to the Committee on Military Affairs.

By Mr. CALDER:

A bill (S. 3878) to amend the "Revenue act of 1918" with respect to credits allowed for dependents; to the Committee on Finance;

A bill (S. 3879) to further amend section 10 of the act entitled "An act making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs;

A bill (S. 3880) for the relief of the estate of Mrs. Anne C. Skynner; and

A bill (S. 3881) for the relief of Martha E. Conklin; to the Committee on Claims.

By Mr. JONES of Washington:

A bill (S. 3882) providing for the recording of mortgages on vessels and notation thereof on certificates of registry or enrollment and license creating jurisdiction in the District Courts of the United States for the foreclosure of mortgages so recorded and noted, and providing procedure in connection therewith; also providing for maritime liens upon vessels for necessaries, and so forth, and their enforcement, and subordinating the same to the liens of mortgages; repealing all conflicting acts; and for other such purposes; to the Committee on Commerce.

By Mr. PHELAN:

A bill (S. 3883) for the relief of the King Coal Co., of San Francisco, Calif.; to the Committee on Claims.

INFLUENZA EPIDEMIC IN KANSAS.

Mr. CURTIS. I introduce a joint resolution calling on the Secretary of War to turn over to the State of Kansas emergency hospital equipment to be used temporarily to check the present influenza epidemic in that State, and I ask that it may be read at length.

The joint resolution (S. J. Res. 154) authorizing the Secretary of War, in his discretion, to turn over to the State of Kansas emergency hospital equipment to be used temporarily in emergency hospitals to be established in that State, and for other purposes, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized, in his discretion and under such rules and regulations as he may prescribe, to place at the disposal of the governor of Kansas, for temporary use, such emergency hospital equipment as is not needed by the Government and as may be required to meet the needs of emergency hospitals in the State of Kansas in their efforts to check the present influenza epidemic in that State.

Mr. CURTIS. This is an emergency matter, and I ask unanimous consent for the immediate consideration of the joint resolution.

Mr. SMOOT. I think it ought to go to the committee under the rule, and the committee can then report it right out.

Mr. CURTIS. Very well; let it be referred to the Committee on Military Affairs.

The VICE PRESIDENT. The joint resolution will be so referred.

Mr. WADSWORTH subsequently, from the Committee on Military Affairs, reported the foregoing joint resolution favorably without amendment.

Mr. CURTIS. I ask for the present consideration of the joint resolution.

The VICE PRESIDENT. Is there any objection to the consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE COMMITTEE ON PENSIONS.

Mr. McCUMBER submitted the following resolution (S. Res. 300), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Pensions, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

QUESTIONS OF ORDER.

The VICE PRESIDENT. The morning business is closed.

Mr. HARRISON. I move that the Senate proceed to the consideration of Senate resolution 104.

The VICE PRESIDENT. The question is on the motion of the Senator from Mississippi.

Mr. JONES of Washington. What is it? May we have the resolution read?

The VICE PRESIDENT. The resolution will be read.

The Reading Clerk read Senate resolution 104, submitted yesterday by Mr. HARRISON, as follows:

Resolved, That Rule XX of the Standing Rules of the Senate be, and is hereby, amended so as to read as follows:

"RULE XX. That all questions of order shall be decided by the presiding officer without debate, subject to an appeal to the Senate, without debate; and no question of order shall be entertained after debate on the merits of the proposition has begun. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the presiding officer, without debate, and every appeal therefrom shall be decided at once and without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the presiding officer.

"The presiding officer may submit any question of order for the decision of the Senate."

Mr. SMITH of Georgia. I understand, Mr. President, that the proposition is to take up the resolution?

The VICE PRESIDENT. It is.

Mr. SMITH of Georgia. I object.

The VICE PRESIDENT. But the Senator from Mississippi [Mr. HARRISON] has made a motion to take up the resolution.

Mr. SMITH of Georgia. It is a motion to take up the resolution, is it? I thought it was a request for unanimous consent.

The VICE PRESIDENT. Oh, no.

Mr. HARRISON. Mr. President——

The VICE PRESIDENT. The motion is not debatable before 2 o'clock. The question is on the motion of the Senator from Mississippi.

Mr. HARRISON. I ask for the yeas and nays on the motion.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], which I transfer to the senior Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. JONES of Washington (when his name was called). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent on account of the illness of his wife. I have promised to take care of him during that absence. I will let this announcement with reference to my pair with him stand for the day. I find I can transfer my pair to the Senator from Iowa [Mr. KENYON]. I will therefore make the transfer and vote "nay."

Mr. KELLOGG (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS] and therefore withhold my vote.

Mr. MOSES (when the name of Mr. KEYES was called). I announce the absence of my colleague [Mr. KEYES] on account of a death in his family and ask that this announcement stand for the day.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY]. In his absence I withhold my vote.

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH]. In his absence I withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Alabama [Mr. BANKHEAD] and vote "yea."

The roll call was concluded.

Mr. MYERS. Mr. President, has the Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut, which I transfer to the Senator from California [Mr. PHELAN] and vote "yea."

Mr. OVERMAN. I desire to announce that my colleague, the senior Senator from North Carolina [Mr. SIMMONS], is unavoidably absent. He is paired with the Senator from Minnesota [Mr. KELLOGG]. I will let this announcement stand for the day.

Mr. STERLING. I transfer my pair with the senior Senator from South Carolina [Mr. SMITH] to the junior Senator from Wisconsin [Mr. LENROOT] and vote "nay."

Mr. PHIPPS. I have a pair with the junior Senator from South Carolina [Mr. DIAL], which I transfer to the junior Senator from Washington [Mr. POINDEXTER] and vote. I vote "nay."

Mr. RANSDELL. I have a pair with the Senator from New Hampshire [Mr. KEYES], which I transfer to the Senator from Massachusetts [Mr. WALSH] and vote "yea."

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. NEWBERRY] to the Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. MOSES. I transfer my pair with the junior Senator from Louisiana [Mr. GAY] to the junior Senator from California [Mr. JOHNSON] and vote "nay."

Mr. DILLINGHAM (after having voted in the negative). I inquire if the Senator from Maryland [Mr. SMITH] has voted?

The VICE PRESIDENT. He has not.

Mr. DILLINGHAM. Having a pair with that Senator, I withdraw my vote.

Mr. BALL. I have a general pair with the Senator from Florida [Mr. FLETCHER], which I transfer to the Senator from North Dakota [Mr. GRONNA] and vote. I vote "nay."

Mr. WATSON (after having voted in the negative). I discover that my pair, the senior Senator from Delaware [Mr. WOLCOTT], is absent. I transfer that pair to the senior Senator from Iowa [Mr. CUMMINS] and will let my vote stand.

Mr. McCUMBER (after having voted in the negative). I notice that my pair, the senior Senator from Colorado [Mr. THOMAS], has not voted, and I therefore withdraw my vote.

Mr. TRAMMELL. My colleague, the senior Senator from Florida [Mr. FLETCHER], is detained at home by illness.

Mr. McKELLAR. I wish to announce that the Senator from Virginia [Mr. SWANSON] is detained by illness in his family. The Senator from California [Mr. PHELAN], the Senator from Delaware [Mr. WOLCOTT], the Senator from Arizona [Mr. SMITH], the Senator from Wyoming [Mr. KENDRICK], the Senator from Massachusetts [Mr. WALSH], and the Senator from Virginia [Mr. GLASS] are absent on official business.

The senior Senator from South Carolina [Mr. SMITH], the Senator from Colorado [Mr. THOMAS], the Senator from Alabama [Mr. BANKHEAD], and the junior Senator from South Carolina [Mr. DIAL] are detained by illness.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Arizona [Mr. SMITH];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD]; and

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK].

The result was announced—yeas 21, nays 33, as follows:

YEAS—21.

Ashurst	Henderson	McNary	Sheppard
Beckham	Hitchcock	Myers	Trammell
Chamberlain	Johnson, S. Dak.	Nugent	Williams
Culberson	Jones, N. Mex.	Pomerene	
Harris	Kirby	Ransdell	
Harrison	McKellar	Robinson	

NAYS—33.

Ball	Gore	Norris	Sterling
Borah	Hale	Overman	Sutherland
Brandegee	Jones, Wash.	Page	Townsend
Calder	King	Phipps	Wadsworth
Capper	Lodge	Reed	Warren
Colt	McCormick	Sherman	Watson
Curtis	Moses	Smith, Ga.	
Fernald	Nelson	Smoot	
France	New	Spencer	

NOT VOTING—42.

Bankhead	Glass	McCumber	Smith, Md.
Cummins	Gronna	McLean	Smith, S. C.
Dial	Harding	Newberry	Stanley
Dillingham	Johnson, Calif.	Owen	Swanson
Edge	Kellogg	Penrose	Thomas
Elkins	Kendrick	Phelan	Underwood
Fall	Kenyon	Pittman	Walsh, Mass.
Fletcher	Keyes	Poindexter	Walsh, Mont.
Frelinghuysen	Knox	Shields	Wolcott
Gay	La Follette	Simmons	
Gerry	Lenroot	Smith, Ariz.	

So Mr. HARRISON's motion was rejected.

RURAL HOMES.

Mr. SMOOT. I move that the Senate proceed to the consideration of Senate bill 3477, being Calendar No. 299.

The VICE PRESIDENT. The question is on the motion of the Senator from Utah.

Mr. CHAMBERLAIN. I should like to know what the bill is.

Mr. SMOOT. It is a bill to increase, without expenditure of Federal funds, the opportunities of the people to acquire rural homes, and for other purposes. I am quite sure that the Senate, when it learns of the real purpose of the bill, will be in favor of it.

The VICE PRESIDENT. The question is on the motion of the Senator from Utah.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3477) to increase, without expenditure of Federal funds, the opportunities of the people to acquire rural homes, and for other purposes, which had been reported from the Committee on Public Lands, with amendments.

The VICE PRESIDENT. The bill has heretofore been read.

Mr. KING. Is unanimous consent asked for its present consideration?

The VICE PRESIDENT. The bill has been taken up on motion.

Mr. KING. Mr. President, I regret that this bill has been called up for consideration at this time, as I desired some opportunity to investigate its scope and purposes. In the hasty examination which I have made of its provisions, I am impressed with the thought that the bill possesses dangerous possibilities. I have no doubt that its sponsors have been actuated by the best of motives and regard it as of advantage to our country, but, as I recall its provisions—and I hastily read them a few days ago—it will involve the United States ultimately in expenditures and liabilities, actual and legal, or potential and moral, which will startle the country and bring condemnation upon those who devised this measure and placed it upon the statute books of our country, if the plan so to do succeeds.

Let me call the attention of the Senate to some of the provisions of this measure. The first section provides:

That the Secretary of the Interior, through the Reclamation Service, is authorized to investigate and determine the feasibility of developing tracts of land in private ownership within any State or Territory, by reclamation and otherwise, for the purpose of subdividing the land and disposing of the same in farms and parcels at reasonable prices.

Mr. President, what is the purpose of that? Does it not mean that the employees of the Government are authorized to investigate and determine the feasibility of developing tracts of land in private ownership? The evident plan is to put the Government into the real estate business. The United States is to take private lands and subdivide them and become a sales agent upon terms that the Interior Department may prescribe. It is paternalism run mad. Where is the authority for the Federal Government to contract with owners of real estate to improve it, and then, with the moral backing of the Government and under the direction of the Government, divide it into lots and farms and find purchasers, prescribing the terms of payment and all conditions connected with the development of the lands and the sale of the same? Why should the Government of the United States furnish engineers and surveyors and investigators to aid individuals in developing and selling their lands?

There are hundreds of millions of acres of privately owned land in the various States not now in cultivation. There are hundreds of thousands of acres which have been cultivated, but now lie idle for lack of labor. It is not so much capital that is now required as labor to produce agricultural crops and develop the agricultural lands in the United States. It will doubtless be claimed that individuals will pay for the work performed by the Reclamation Service and by the Government officials under this bill. That unquestionably is the intention of the supporters of this bill, but in the end this plan will break down and the United States will be burdened with immense liabilities. The Reclamation Service was organized to develop the public lands of the United States and construct reclamation projects upon the public domain in order that the arid lands might be redeemed and the Government find purchasers for the same. The officials of the Reclamation Service are needed there to discharge the duties imposed upon them by law. They are not employed by the Government to perform work for private individuals or to promote the private schemes of real estate speculators. They are employed to perform a public trust, to discharge obligations which are called for in the reclamation of the arid lands belonging to the Government of the United States. If they are to be diverted from the work in which they are engaged, and which, under the law, they are charged with performing for the purpose of making investigations for private individuals and in order to reclaim and sell their lands, it necessarily means a demoralization of the Reclamation Service; and it will be the inevitable result that more and more as the services of the Reclamation Department are invoked by private individuals demands will be made for the increase of the personnel of the service. If individuals having tracts of land which they desire to sell can require officials of the Government to examine their lands and report upon the feasibility of their development, the demands made for such aid will be enormous. There are, of course, hundreds and perhaps thousands of tracts of land in the United States which are susceptible of cultivation. If there were demands pressing and imperative for the reclamation of such lands, capital would be forthcoming. Whenever there are persons seeking farms, there will be farms for them. The abandoned farms of New England and the vast tracts of land in many States which have not been cultivated,

but which would yield large agricultural crops at but slight expense, attest the truth of the statement that whenever there are earnest home seekers upon agricultural lands such lands will be developed and capital will be available for their development.

This bill converts the Federal Government into a huge contractor to make surveys of private lands and to divide them and to sell them. It can not hide the danger that it will put the honor and prestige behind private schemes and ventures. It seeks to induce men to invest their money in privately owned lands upon the theory that Government officials have given their stamp of approval to schemes for the development and sale of the same. Under this bill those who loan money to drain swamps and reclaim lands, and those who make contracts with the Government to purchase the same, will regard the enterprises as Government enterprises, and the Government will be held morally liable, if not legally, for all expenditures and all losses and failures. But to return to the demands for the services of reclamation officials, these increasing requests will call for the services of scores if not hundreds of Federal employees for private work. They will go forth clothed with the authority of the United States, and they will transmute a governmental agency into a gigantic machine for the purpose of aiding individuals to find a market for their own properties and for the development of their own enterprises; and the result will be that the Government work will be neglected, or else we will be compelled to make appropriations for additional employees and increase the personnel of the Reclamation Service.

If, under this bill, the Reclamation Service is authorized to furnish employees upon the request of individuals to make surveys of their private lands, then it means that the Reclamation Service will respond to those appeals. It means, of course, that if they respond to such appeals they will have to divert the services of employees of the Government who are engaged in reclamation work to make examinations of private undertakings, and this will compel, as I stated, an increase in the personnel of the Reclamation Service.

I may be wrong, but, as I read this bill, it seems to me that it is merely one of the symptoms and manifestations of the purpose to increase the bureaucratic authority and power of the Federal Government. We built up the Reclamation Service for the purpose of reclaiming the public lands of the United States. Apparently some officials of the Government see an opportunity now to extend the activities of this useful agency of the Government and enter upon a wild and unending plan to develop and sell all unused lands held by private individuals. If the Government of the United States may furnish engineering and other skill to aid individuals in developing their lands, and then take the lands over and sell them and give such guaranties to financial interests that money will be furnished to redeem private lands, why may it not undertake all forms of private enterprise and enter into all sorts of partnerships? Why may it not furnish engineers to develop mines and then secure capital for such purposes and sell the ores and products of the same?

Why should not the Government supply technical skill and aid for all persons in all pursuits? Why not aid those engaged in manufacturing, and give certificates as to the feasibility of all kinds of enterprises, so that capital would be induced to invest because the Government officials were behind the ventures? I repeat, if the Reclamation Service, with its vast personnel which has been built up at the expense of hundreds and thousands if not millions of dollars, may be used for private purposes, why may we not use any organization of the Government and any technical skill of Government employees and Government instrumentalities to aid in any undertaking or enterprise in which private individuals may engage? I can see no reason why we should limit the activity of our departments to this kind of work. I see no reason why we should not give the same technical skill of the Government employees to other private activities.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Nebraska?

Mr. KING. I yield.

Mr. HITCHCOCK. I want to suggest some distinction between this particular case and others to which the Senator refers.

The Reclamation Service was built up for the purpose of irrigating Government lands which are sold to purchasers, and the purchasers pay for the irrigation in course of time. My impression is, also, that the payments which they make cover the cost of maintaining the Reclamation Service. Now, the Nation as a whole, and the Government as its representative, are interested in developing these lands; and if there are contiguous lands in private ownership which might be brought under the same reclamation project, is it not reasonable to have these reclamation experts assist the would-be purchasers and do for them what they can not do for themselves except at very great expense?

Mr. KING. Does the Senaor say that this bill is limited in its scope and in its operation to those tracts which are contiguous to reclamation projects which the Government is developing, where there might be a system of cooperation, and when the aid given to private enterprises is only incidental to the development of the Government project?

Mr. HITCHCOCK. I am not advised as to whether the bill is specifically limited in that respect, but I can easily see that that would be the natural conduct of the matter by the Secretary of the Interior. Irrigation is something which we have found can only be carried on effectively under these conditions by the National Government, and the National Government has an interest in the matter because it enables the Government to sell these Government lands at a great advance. While the Government originally furnishes the money, ultimately the money is paid back to the Government by those who purchase the lands; and I can see a great economy in permitting this body of experts to advise incoming purchasers of the nature of irrigation work which might be carried on, the cost of it, and so forth. It seems to me that it is a matter in which the Government, as well as the purchaser, is interested; and it is not quite like the paternalism of the Government going into private business which has no connection with the public interest.

Mr. SMOOT. Mr. President, will my colleague yield?

Mr. KING. I shall be glad to yield to my colleague, and to have him make an explanation of the full scope and purpose of this bill.

Mr. SMOOT. I shall be delighted to do so.

Mr. KING. I shall suspend now for the purpose of permitting that to be done.

Mr. SMOOT. I do not want to take the Senator off the floor.

Mr. KING. I prefer to follow that course, because the Senator's explanation might abate some of my opposition to this measure. I shall be glad to yield for that purpose.

Mr. SMOOT. If the Senator desires to yield at this time, I should like to have the Senate listen to a statement of the nature and object of this bill. I want to say to the Senator from Nebraska in the beginning that this bill not only affects the arid lands of the West but it affects the swamp lands of the South and the cut-over lands of the Northwest, and I think I shall be able to show that the bill will not cost a single, solitary cent to the Government, but it will allow the private owners of lands of the character named, who in the past have undertaken to reclaim their lands, to do so without the payment of an extortionate price either in securing the money necessary or in the sale of the lands. This is the object of the bill, and if the Senator will yield I shall be glad to explain it.

Mr. KING. I yield at this point, and will conclude my remarks later on.

Mr. SMOOT. Mr. President, this bill has been drawn to conform to the recommendation of the Secretary of the Interior in his annual message, and I may say, Mr. President, that it was drawn by the Interior Department. In order that Senators may know just what Secretary Lane thinks of the measure, I am going to take time to read his letter in answer to a request of the Committee on Public Lands for an opinion upon it. His letter is dated December 10, 1919, is addressed to myself as chairman of the Committee on Public Lands, and reads as follows:

MY DEAR SENATOR: I am in receipt of your letter of December 5, transmitting copy of bill S. 3477 and requesting report thereon.

The bill is entitled "A bill to increase, without expenditure of Federal funds, the opportunities of the people to acquire rural homes, and for other purposes."

The bill authorizes the use of the Reclamation Service, under the direction of the Secretary of the Interior, in the development of reclamation projects to be entirely financed by private capital or by the sale of local district bonds, and is applicable not only to the West but to all parts of the United States.

There can be no doubt that the work of continental conquest, which has very largely made the greatness of America, must go on during the coming year, at least to the extent of increasing the cultivable area in approximately the same ratio to the increase in population.

When the fertile prairies of the West were open to settlement the Nation had no difficulty in keeping its agriculture even in advance of its rapidly growing population. The conditions to-day are such as to require aggressive leadership on the part of the Government, although private initiative and capital are the best dependence for enterprise. The demands upon the National Treasury are now so great that it is not only prudent but essential that private capital should be enlisted so far as possible to meet the needs of the time.

The primary object of the measure is to safeguard and promote the interests of that portion of our people who seek to obtain prosperous homes upon the land and who must often begin with slender resources. A serious factor in the general trend from the farm to the city at the

present time is the high cost of small tracts favorably located with respect to markets and transportation, together with the size of initial investment required.

There are millions of acres of potentially rich lands which may be purchased in large tracts at a very low price in their present condition, but nevertheless small parcels suitable for immediate cultivation can seldom be had excepting at greatly increased figures due to large selling expenses, interest accruing until disposition of subdivided areas, and speculative profits. The short period allowed to complete full payments is an added handicap to the settler.

It is clearly in the interest of the Nation that the people should be assisted and encouraged to own rural homes. This can be done by assuring them of thorough and scientific investigation of lands and their improvement by some process of reclamation, such as irrigation, drainage, clearing, or refertilization, made by trained engineers, economists, and administrators in the service of the Government. The extent of wasted effort and human tragedy resulting from settlers buying poor land, badly located, at unreasonable prices, and upon such terms of payment as seriously to jeopardize their ultimate success, has in recent years been appalling.

Under the operations of this bill it is believed settlers will be able to effect savings equaling as much as one-half and more of the prices they ordinarily pay for small rural holdings. This would be the case, first, because landowners would enter into contracts for the sale of their property on a prereclamation basis; second, because the heavy charges of sale agencies and interest accruing until disposition of subdivided areas could be practically eliminated. Settlers would probably save enough on the first cost of the land to pay for all their improvements and live stock. These savings would aggregate tens and possibly millions of dollars, and further, the terms of payment could be made such as to give purchasers at least a reasonable chance of success.

All that has been said applies with equal force to protection of the investor in securities who has often been the victim of avoidable mistakes.

It will be possible also for the Government, under the terms of this measure, to lend substantial assistance in the organization of communities, and this condition should favorably affect both their commercial and social life.

The bill is intended to be country wide in its application, but as the language provides for administration through the Reclamation Service, there is danger of an interpretation that it would apply only to the arid States of the West. It is therefore suggested that on page 1, line 5, there be inserted after the word "ownership" the words "within any State or Territory."

Senators will notice that that amendment has been agreed to by the committee. The letter proceeds:

In line 20, page 2, the expression "lots and farms" is used, while elsewhere in the bill the expression for describing the land is "farms and parcels." To correct this discrepancy and also to make it entirely clear that the purpose of the last sentence of the bill, lines 19 to 21, page 2, is that the United States shall act only in a representative capacity and not as a principal, and that any contracts for the sale of the improved lands are to be made for the benefit of the owner thereof, who has advanced the price of their reclamation or improvement, I suggest that the said last sentence be amended to read: "All contracts for the purchase of farms and parcels shall be made for, and the moneys due thereunder shall be payable to, the owner or owners of the land or their assigns."

With these slight changes, I recommend the passage of this bill.

Mr. President, the changes suggested by the Secretary of the Interior have been made; I want to say that I desire to guard the Treasury of the United States in every possible way; but there is not a question of doubt that this character of legislation is needed.

In the Southern States there are vast areas of swamp land which are in private ownership, and the experience in the past has been that in cases where projects have been started, after some engineer passing upon the project, the owners have gone to the money marts of the country and secured money for the completion of the project. But it has been found that the charges that have been imposed upon the applicant for the loan have been such that they have in many cases reached as high as 25 per cent. In other words, the money that was expected to be received to do the necessary work is reduced 25 per cent. Then, again, the cost of selling the land in subdivisions has been so great that ultimately the purchaser of the land is charged with a price so exorbitant that he can not afford to go on and cultivate it, for it is impossible to make a decent living out of it. In other words, the credit of the owner of the land is gone; he has nothing left to improve the land; and he finds himself ultimately up against a proposition of utter failure because of the burden of debt that is placed upon him.

Mr. OVERMAN. How will this help him? That is what I want to know.

Mr. SMOOT. I am going to tell the Senate now. Under this bill the Reclamation Service, when an application is made to them by the private owner or the private owners of, say, swamp land, containing 20,000 acres, or whatever acreage it may be—which is for the applicants to decide—make application to the Secretary of the Interior for a skilled engineer in the employ of the Reclamation Service of the Government to be sent down to make a thorough examination of their proposed project.

Mr. WILLIAMS. Is not that just what they are doing now with regard to good roads, sending down men to see about it?

Mr. SMOOT. Not only that, Senator, but the Government is paying over 50 per cent of the cost, and in this proposition there is not a single cent asked for from the Government of the United States.

Mr. WILLIAMS. I was not talking about cases where the Government contributed, but before we went into that, even, the Public Roads Bureau sent men down to make reports and give plans for the building of the roads.

Mr. SMOOT. Yes; and in many cases sample roads were laid for the people of the different States to see.

Mr. WILLIAMS. By the way, I believe we are also sending out skilled people to teach people how to grow Irish potatoes and cotton.

Mr. SMOOT. Mr. President, under this bill the application is made, the applicants deposit with the Government of the United States money sufficient to pay every dollar of expense of the investigation, and if the project is reported feasible by the skilled engineer of the Reclamation Service, then a report is made to the applicant to that effect. The owners then apply to the money marts of the country for money to carry on the project under the direction of the Government.

Some Senators may say that that examination could be made by private engineers. Mr. President, it could be made by private engineers, but the experience is, so I have been told, that in many projects, not only in the South but in the West, the engineer who can talk the most plausible and show the applicants how easily the work can be done, and name a figure that is so low that any competent engineer will know that it is an error, is generally employed, and such reports are the basis of the failures of so many undertakings by individuals in the past.

I am assured by the bankers of this country, and particularly those, Mr. President, who have advanced money in the past for the development of irrigation projects in the arid West, that if the Government of the United States makes a report, after an investigation made of projects, whether it be swamp lands, cut-over lands in the Northwest, or whether it be arid lands in the West, and that report be favorable, there is not a question but that they would advance the money for the reclamation of these lands upon terms that would justify the individuals making the application for the money to undertake the projects.

Mr. President, I am going to offer an amendment or two to the bill to make it beyond a question of doubt that the Government of the United States will never be called upon to assume one dollar of expense, for I say now that the object of the bill is to redeem certain privately owned lands, and that the owners of the lands shall pay every cent of the expense that the Government is put to in assisting in the same.

Mr. SUTHERLAND. May I ask the Senator a question?

Mr. SMOOT. Certainly.

Mr. SUTHERLAND. Will not the effect of the bill be to increase largely the personnel of the Reclamation Service?

Mr. SMOOT. I do not think, as a rule, it will. There may be times of a greater call upon the Reclamation Service than others, but we all know that there are no new reclamation projects under way to-day and——

Mr. SMITH of Georgia. If it is increased, the expense of that increase, according to the terms of the bill, must come from the tenderers for consideration by the department.

Mr. SMOOT. There is no question about that.

Mr. SMITH of Georgia. That is a provision of the bill.

Mr. SMOOT. Every cent of expense will be paid by the applicants who desire the investigation to be made.

Mr. SUTHERLAND. It seems to me there might be great activity at some times and a great increase in the personnel and then afterwards a period of idleness, when those men would be upon the Government pay roll drawing pay and doing very little work.

Mr. SMOOT. If a time of activity ever comes, the Government, at least, can select engineers who are known to be competent, and not only that, but there never will be a report made and adopted by the Reclamation Service until the head engineer of that service finally passes upon the report.

Mr. WILLIAMS. May I ask the Senator a question in order to make clear what I think the bill provides? I should like to ask the Senator if under any possible construction of any provision of the bill the Government could enter upon any private landowner's property and take it without his voluntarily agreeing to enter into the contract?

Mr. SMOOT. It is impossible. Not only that, but the initiative must be taken by the owner.

Mr. WILLIAMS. I wanted to make that clear, because I found there was some misapprehension about it.

Mr. SMOOT. If there is no objection, I should like to offer several amendments to the bill at this time, as I am quite sure the Senate will agree to them.

I move, on page 2, line 10, after the word "advance," to insert the words "by the owner or owners," so that there will be no question as to those who will have to advance the money.

This was suggested to me by the Senator from Mississippi [Mr. WILLIAMS], and I think it is a very wise suggestion.

The amendment was agreed to.

Mr. SMOOT. I move, after the word "the" and before the word "cost," in the same line, to insert the word "estimated."

The amendment was agreed to.

Mr. SMOOT. After the word "cost," in the same line, and before the words "of such investigation or development," I move to insert the words "and thereafter of sufficient moneys to meet the actual cost." Then there can be no question as to the applicant being compelled to pay every cent of expense from the day of the application until the services rendered by the Government are complete. That will make the clause read—

providing for the payment in advance by the owner or owners of sufficient moneys to meet the estimated cost and thereafter of sufficient moneys to meet the actual cost of such investigation or development.

The amendment was agreed to.

Mr. SMITH of Georgia. I should like to suggest to the Senator from Utah that it perhaps would be more clear if after the word "development," in line 11, he should add the words "and no expense shall be incurred by the Government in excess of moneys already advanced."

Mr. SMOOT. I will be glad to accept the suggested amendment of the Senator from Georgia. I think that covers the case pretty thoroughly.

I will say to my colleague [Mr. KING] that I will take time to look up the report from the Secretary of the Interior recommending legislation along this line and present it to the Senate later.

Mr. JONES of New Mexico. Mr. President, I rise simply for the purpose of expressing my hearty approval of the bill. I can state from experience, personal experience as well as the experiences of many others which have come to my knowledge, that something of this kind ought to be done.

Of course, the argument can be used that the Federal Government shall not lend its aid to any private enterprise. Generally speaking, I am in hearty accord with that idea, but this is an exceptional situation. The Federal Government itself has deemed the reclamation of lands of such importance that it has gone into the business of reclaiming those lands, especially the arid lands, and much has been said looking toward the reclamation of swamp lands and other classes of lands through Federal agency.

My experience, of course, is confined to the arid lands and their reclamation by irrigation, but anyone who has come in contact with that problem realizes the many difficulties in the way of financing and putting into actual operation an irrigation project. In the first place, you must determine from an engineering point of view as to the feasibility of the project. Anyone who has had any experience knows that engineers may differ upon a question of that sort. There are many ways in which a project may be constructed. There often arises an important question as to whether to construct a reservoir in a stream or whether it is necessary to find reservoir facilities outside; it becomes important to determine what kind of a dam shall be constructed; it is important to determine the reservoir facilities, the quantity of water which may be impounded, the kind of an engineering plant to put into operation, whether your ditch line shall take in a large quantity of land or whether it shall be confined to a much less quantity at a less expense. There are arising continually all sorts of questions along these lines about which engineers may differ.

When you come to finance the project, it is important, of course, that the person who is going to put up the money must have absolute confidence in the report of the engineer. These financiers are not as a rule in touch with the engineers of the country who are engaged in investigating projects of this kind. They are not in touch with engineers in whom they have confidence. All that they know about a firm of engineers is their mere reputation, and they are not willing to invest their dollars upon the judgment of engineers with whom they have not been brought into close contact. Therefore it is almost impossible at the present time to take to financiers of the country an engineer's report which will be acceptable to those financiers; and, although you may have employed the very highest grade of talent, they have not that confidence, and very naturally so—it is human nature—and they insist that before they put in their money their own engineers shall go over the entire project again. It involves a vast expense to go over the engineering work of a large irrigation project.

I may say, moreover, that there are no engineers in the United States to-day engaged in building irrigation projects except those in the employ of the Reclamation Service. There are some who have had some experience. Of course many of them have the ability to do it, but the engineering work of a reclamation project is sui generis, in a sense. It requires experience along that particular line, and there are few engineers in the country outside of the Reclamation Service who have had that experience. So it is essential that you get this work done by those people who have been doing it right along, because they have had the experience.

The engineers in the Government service not only have had the experience as engineers but they have been brought into direct contact with the construction side of these projects. They have a better knowledge of the cost of the project than any outside engineer can possibly have. So, when they make an estimate it can be depended upon. Men will invest their money upon the judgment of those who have been successfully engaged in enterprises of this sort, where they will not do it upon the judgment of those who are less experienced.

This measure will not cost the Government of the United States anything. It will simply be lending at the expense of the private owners these people whose knowledge has grown up under the United States and in connection with this class of work which the Government itself has spent millions to bring about.

So I submit, Mr. President, that there ought not to be any objection to the passage of the bill.

Mr. WILLIAMS. Mr. President, the objections expressed by the junior Senator from Utah [Mr. KING] appeal very forcibly and very naturally to me, not only individually but in a traditional way, almost by inheritance; but they come rather late now. This country has developed and evolutionized, and has gone from one state of evolution to another, until things that I might as original propositions have viewed with absolute disfavor are accomplished facts.

Mr. President, it is too late to talk about the United States Government not lending expert assistance to private enterprise. We have been doing it everywhere. If there be any constitutional authority for the existence of the Department of Agriculture or the Bureau of Education I do not know what it is. If either had been presented to me as an original proposition I would have said that the Federal Government had nothing to do with them, but both Houses of the National Legislature and the courts have differed from me in that regard. There must be at some time an end of debate, as there is in law an end of litigation. It is too late to take up those propositions now. A Government which sends out expert men to teach farmers on their own land how to plant potatoes, how to cultivate cotton, how to make two ears of corn grow where one grew before, in aid of strictly private enterprise, can not now balk at the idea of sending experts out to reclaim land in order to make homes for the children of the Republic, and, amongst others, especially for returned soldiers. The day for that has now passed.

I think it was all wrong; I think the Government would have done a great deal better if it had stuck to the original moorings, had been lashed to those moorings and had remained there. I believe that the people least governed are, as a rule, the best governed, and I have no sort of sympathy with Federalizing everything; but it must be admitted that when the Government goes to work to do away with peach yellows in order to help the farmers in Delaware and New England, and goes to work to do away with boll weevil in order to help cotton planters in Mississippi and Texas, it is rather late to talk about not extending the expert skill at the service of the Government to the aid of the individual in any great industry. We have not only extended such aid in those cases, but we have done it in connection with coal mining; we have done it in connection with nearly everything that can be mentioned, but especially in connection with farming.

If we have a right, at the behest of the farmers of the country for the benefit of agriculture, to put skilled experts upon farms already in existence, it seems to me that we have the same right to extend the same help for the purpose of creating new farms, which are equally as important and perhaps more important.

The Supreme Court once said—I believe in the Colorado-Kansas case, or some similar case—that it could not find any authority under the Constitution for the Government irrigating anybody's land, and yet the Government has kept on irrigating it, and the courts have not found any way to stop it.

Mr. KING. Will the Senator permit an interruption?

Mr. WILLIAMS. Yes.

Mr. KING. As I recall the case to which the Senator refers, the question was suggested as to the right of the Federal Government to make appropriations for the irrigation of Government land; and the court held, as I remember, that under the clause of the Constitution which permits Congress to make all reasonable rules and regulations with respect to its own terri-

tory, it had the right to provide for the irrigation of Government lands, in order that it might find purchasers for those lands.

Mr. WILLIAMS. But it also held that the Government had no right to irrigate private land. That is my recollection of the decision. But, at any rate, the Government has been doing it, and incidental to the irrigation of public lands it has almost necessarily given opportunities for the irrigation of private lands.

A man comes down every now and then in my neighborhood and proceeds to teach the darkies and the white folks how to raise more onions, how to raise more Irish potatoes, how to raise a longer and better staple of cotton, or how to get rid of the various insects that are preying upon each of those products.

I confess that if it had been an original proposition with me, if I had been the judge of the court to decide upon it, or the Congress, I would never have been able to discover any constitutional raison d'être for either the Agricultural Department or the Bureau of Education; it does not seem to me that any power was ever delegated to the Federal Government in connection with either; but, as I said a moment ago, both Houses of Congress have decided the other way; the courts have taken the other position, or, at any rate, they have not nullified the acts of Congress; and at some time there must be a point where a man's private opinion concerning even constitutionality gives way to the beaten path which the Government itself has struck out and has been pursuing.

I merely wanted to say those few words, because I did not want to be regarded as in sympathy with any new assumption of Federal power; we have had enough of it. But this is not new; it is perfectly in line with what we have been doing and are doing every day. It seems to me that it is striking at a higher and more useful purpose than even teaching a man to grow better corn or better Irish potatoes.

Mr. WADSWORTH. Mr. President, I should like to have some enlightenment in regard to one or two provisions of this measure. I notice that section 2 of the bill reads as follows:

That after the Secretary of the Interior has determined the feasibility of a project, he is authorized, through the Reclamation Service, to develop the land to such extent, and dispose of the same in farms and parcels in such manner and upon such terms as to him shall be deemed most feasible and practicable.

Then, going down to section 4, we find this language:

That every contract for development of a project shall provide, among other things, that the developed farms and parcels shall be sold to persons who desire to occupy the same as homes at the actual cost of the land and the development thereof plus a definite reasonable profit to the owner or owners stated in advance therein.

I was going to inquire of the Senator from Utah if the two clauses in the bill which I have just read do not result in making the Government of the United States the agent of the owner of the land in selling it.

Mr. SMOOT. Mr. President, if we are going to get the results we anticipate from this bill, we have got to have the Government dictate the terms of the contract, and, if we intend to have the land sold at a reasonable price to the purchaser, it is necessary also that the Government of the United States have the power to state at what price the lands shall be sold; otherwise, we might just as well leave the development of the lands under the present unwise system.

I will say to the Senator frankly that the bill gives that power to the Secretary of the Interior, its purpose being to cut out all of the losses and commissions which have been in the past extremely high, frequently providing that 50 per cent of the amount received for the land go as a commission to the seller, in addition to an immense profit to the original owner of the property. It is true that certain power is given to the Secretary of the Interior, but the bill would not be worth anything without it.

Mr. WADSWORTH. Mr. President, that opens up quite a vista. Let me recite again a portion of the language of section 4:

That every contract for development of a project shall provide—

It is mandatory—

among other things, that the developed farms and parcels shall be sold * * * at the actual cost of the land and the development thereof plus a definite reasonable profit.

Supposing they can not be sold at any such price, what is going to happen?

Mr. SMOOT. Then, the private owner, who has advanced the money for all expenses up to that time, will be out the money he has advanced to the Government of the United States.

Mr. WADSWORTH. But in the meantime the Government has entered into a contract with the man to sell his land on the terms specified.

Mr. SMOOT. The bill provides that the land shall be sold to persons who desire to occupy it. Of course, if there is no person who desires to purchase the land for a rural home, it might not be sold at that time.

Mr. WADSWORTH. Then the contract is broken.

Mr. SMOOT. No; the land may be later sold and the contract is not broken, because the contract specifically provides for what the lands shall be sold.

Mr. WADSWORTH. Mr. President, I do not mean to be captious about this matter, but it seems to me the Government, under this bill, is undertaking quite an obligation. Section 3 provides that a contract shall be entered into by the Secretary of the Interior with the owner or owners of the land, providing for the payment in advance of sufficient money to meet the cost of the development.

Then, section 4 provides that every contract for development of a project—that is the same contract—shall provide, among other things, that the developed lands shall be sold at the actual cost of the land and the cost of the development plus a definite reasonable profit. Does not that obligate the Government to sell the land on those terms, and, if the Government does not do so, does it not break its contract?

Mr. SMOOT. I do not think so.

Mr. WADSWORTH. I can not read any other meaning into the language.

Mr. SMOOT. I do not think it could possibly be construed in compelling the Government to sell the lands, because it says that they "shall be sold to persons who desire to occupy the same as homes." If nobody desires to occupy the land as a home, there can be no sale made. The Government does not make an unconditional contract that the lands shall be sold. The Government contracts that they shall be sold at a certain figure, and, if the lands are sold at all, they are sold at the price fixed by the Government. That is one of the great advantages of the bill—that the land shall not be sold at unreasonable profits to the owners of the land.

Mr. WADSWORTH. The Government, under the terms of this bill, enters into a contract with the owner of the land to sell his land for him according to the terms fixed in the contract itself. My question is, Suppose the Government is unable to sell it on those terms after development is finished, what happens?

Mr. LODGE. I should like to know what becomes of the land?

Mr. SMOOT. It is the same as if I make a contract with the Senator from New York to sell his land at $150 an acre and conditions arise which make it impossible for me to sell the land. The contract would not say that I was compelled to sell the land if there was no market for it.

Mr. LODGE. Does the land go back with the improvements to the original owner?

Mr. SMOOT. Certainly. Everything is in the hands of the original owner. He advances every dollar of expense to put the lands in shape for sale.

Mr. LODGE. He simply uses the United States funds to develop it?

Mr. SMOOT. He does not use one cent of United States funds, but makes use of the skill of the United States engineers, in order that the project may be presented to the people of the United States as being a worthy one.

Mr. NORRIS. Mr. President, if the Senator from Utah will pardon me, I think he misunderstood the Senator from Massachusetts when he acquiesced in his statement.

Mr. SMOOT. Perhaps I did.

Mr. NORRIS. The Senator from Massachusetts said that the Government provided the funds. The Government, as I understand, does not provide any funds.

Mr. SMOOT. Not a cent. I did not so understand the Senator.

Mr. LODGE. No; I said that the property then went back to the original owner with the improvements.

Mr. SMOOT. If there are any improvements, the owner will or has paid for them.

Mr. LODGE. He has not paid for the engineers.

Mr. SMOOT. Yes; he has paid for the services of the engineers. Under the terms of the bill he has to make a deposit in advance before an engineer is assigned to the work.

Mr. LODGE. He just employs the Government, then, to develop the lands for him?

Mr. SMOOT. He makes application to the Government of the United States, through the Secretary of the Interior.

Mr. LODGE. Why should people have the right to have the Government develop their property?

Mr. SMOOT. The Government is not developing their property.

Mr. LODGE. It will.

Mr. SMOOT. The owner of the land is developing it.

Mr. LODGE. He is paying the money to have the Government do it.

Mr. SMOOT. He is paying the money to have the Government make the investigation as to whether or not it is a feasible proposition. It is like the Government sending engineers into a State and showing the State how to build roads, with the exception that in the present case the Government is at no expense.

Mr. WADSWORTH. Mr. President, I do not mean to be guilty of reiteration to too great an extent, but just let us picture this process. We will say that John Smith owns 20,000 acres of swamp lands in the State of Mississippi.

He asks the Secretary of the Interior, through the Reclamation Service, to send some Government engineers down there to ascertain whether it is possible to drain that land. The engineers report that it is possible to drain it and improve it. Thereupon the Secretary of the Interior is authorized, under the terms of this bill, to go ahead and develop that land under the terms of the contract which he is to enter into with John Smith, and the bill provides that no such contract shall be made with John Smith except it contains a provision that the land shall be sold at an amount equal to the value of the land, plus the cost of the improvement, plus a reasonable, definite profit, to be fixed in advance, necessarily.

Now, the Government enters into the contract with John Smith to sell his land, after he has paid for the improvements, at a profit to John Smith. That is an obligation to be assumed by the Government under the very terms of this bill, expressed in the clearest English.

Mr. SMOOT. One of the objects of the bill is that the Government of the United States shall see that the land is sold for a reasonable price.

Mr. WADSWORTH. Yes.

Mr. SMOOT. And that is exactly what the bill provides.

Mr. WADSWORTH. Now, suppose the Government can not do it? Suppose, when the time comes to do that, the man has put in his money? The Government has been paid back its money, sure enough, potentially, because the owner's money is in the Treasury as a trust fund. Then suppose, when the Government tries to sell the land according to the terms of the contract into which it has entered with the owner, it can not get that amount of money for it?

Mr. SMOOT. Then the land will not be sold.

Mr. WADSWORTH. Then the Government has broken its contract.

Mr. SMOOT. I do not think so, nor do I think the wording of the bill can be construed in any such way.

Mr. WADSWORTH. Why, it says so.

Mr. SMOOT. The Senator may say it says so, but I can not agree with him.

Mr. WADSWORTH. Read it.

Mr. SMOOT. But if I made a contract with the Senator that I would develop a tract of land owned by him, provided he would advance every cent of the expense, and we had entered into or agreed to enter into a contract beforehand that those lands should not be sold for more than a certain price——

Mr. WADSWORTH. Oh, but that is not what this bill says.

Mr. SMOOT. That is exactly what it provides.

Mr. WADSWORTH. Oh, no, Mr. President; it does not. It says the lands shall be sold——

Mr. SMOOT. Yes; they shall be sold, at what price?

Mr. WADSWORTH. I will tell the Senator—at the actual cost of the land and the development thereof, plus a definite, reasonable profit to the owner.

Mr. SMOOT. And they shall not be sold unless——

Mr. WADSWORTH. It does not put any limitation on the profit. That is not the object of that section. It is to assure the owner a profit, and the Government undertakes to give him a profit.

Mr. SMOOT. It is to assure the owner that he shall not have an undue profit. That is the object of section 3.

Mr. NORRIS. Mr. President, may I interrupt the Senator for the purpose of asking the Senator from New York a question?

The PRESIDING OFFICER (Mr. KING in the chair). The Senator from New York has the floor.

Mr. NORRIS. I want to get as much light as possible on the question. I wish to ask the Senator from New York if his construction of that language is that in case the Government did not sell or this man did not sell, after the improvements are made, at the price fixed in the contract, the Government would be liable to the owner under the language of this act?

Mr. WADSWORTH. Why, I know that an individual would be liable under any such contract. I do not know whether the Government can be sued under the circumstances or not. I am not enough of a lawyer to say.

Mr. NORRIS. Well, I am not technical at all.

Mr. WADSWORTH. An individual certainly would.

Mr. NORRIS. I mean, morally liable.

Mr. WADSWORTH. Morally liable—absolutely.

Mr. NORRIS. Does the Senator believe the language means that?

Mr. WADSWORTH. Absolutely. I can not read any other meaning into it. It says so, in so many words.

Mr. NORRIS. I confess that it does not sound that way to me. Regardless of whether this is a good thing or a bad thing, or whether it is practical or impractical, it seems to me that under the language of this bill the Government, in case a sale can not be made, is in no way liable to the owner of the land, either legally or morally.

Mr. WADSWORTH. Well, then, we had better put a saving clause in the contract——

Mr. NORRIS. I would not have any objection to that.

Mr. WADSWORTH. To the effect that the party of the first part, being the Government of the United States, if it finds out later on that it can not live up to the contract, shall not be held liable.

Mr. NORRIS. That would not be fair, in my judgment.

The PRESIDING OFFICER. Senators will please address the Chair. Otherwise, it is difficult for the reporters to get the colloquy.

Mr. NORRIS. Mr. President, in answer to the suggestion of the Senator from New York that we ought to put a provision in the bill that the Government shall not live up to its contract, I should like to say that I do not believe the language here implies that the Government is violating its contract. I do not see how the Senator can get that out of these words. It says the land shall be sold. Now, if a condition arises where the land can not be sold for that price—and that may happen; there might be just such a case—then the land will not sell itself. The owner of the land is just as much to blame, if there has been a mistake made in the contract, as the Government is. The owner of the land and the Government have made a contract, and by the terms of that contract the owner of the land agrees to give to the Government a certain amount of money for improvements to be made, and they are made. It is agreed between them that when they are made, this land shall be sold at a given price. The reason why the Government gets into it is to prevent the owner from getting an unreasonable price.

Mr. LODGE and Mr. KING rose.

Mr. SMOOT. Mr. President, let me suggest——

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator yield; and if so, to whom?

Mr. WADSWORTH. I think I have the floor, and I merely wanted to continue and say this, in answer to the observation of the Senator from Nebraska:

It is perfectly true that under this bill the owner of the land undertakes to do a certain thing. He undertakes to deposit his money in the Treasury of the United States to cover the cost of the development. The Government also undertakes to do a certain thing, and more than one thing. It undertakes to prosecute the development, and it undertakes to sell on the terms fixed in the contract. Now, that is the obligation of the Government.

Mr. NORRIS. Now, the owner of the land and the Government are parties to that contract.

Mr. WADSWORTH. Yes.

Mr. NORRIS. And it is found afterwards that it is an impossibility to carry out the contract. Now, why should we say that the Government has to bear the burden and not the owner of the land? It can not be done. Neither one can do it. Hence they are left just where they were at the beginning.

Mr. WADSWORTH. The Government undertakes in the contract to bear the burden. The contract says that the Government shall sell the land.

Mr. STERLING. Mr. President, will the Senator yield to me?

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield; and if so, to whom?

Mr. WADSWORTH. I yield to the Senator from South Dakota.

Mr. STERLING. I should like to ask the Senator from New York and the Senator from Nebraska, too, whether the provi-

sions of section 4 must not be construed in connection with the provisions of section 2?

Section 2 provides:

That after the Secretary of the Interior has determined the feasibility of a project he is authorized, through the Reclamation Service, to develop the land to such extent, and dispose of the same in farms and parcels in such manner and upon such terms as to him shall be deemed most feasible and practical.

Does not that carry out the idea emphasized by the Senator from New York, that it is the Government that must sell?

Mr. NORRIS. Yes. Now, if the Senator will permit me, I concede, to begin with, that section 4 must be construed in connection with section 1, section 2, and every other section. We must construe it as a whole, and there will be no dispute about that on my part; but we must bear in mind all the way through that the Government has entered into a contract with the owner of the land, and that contract specifically says:

This land shall be sold at a certain price named in the contract.

The law states the elements that go in to make up that price. Now, if it happens that nobody buys it, it seems to me that the owner of the land and the Government have both been misled. Their judgment was bad when they made the contract. It can not be sold for the reason that nobody will buy it; and it seems to me it would be perfectly foolish to say that because that condition happens the owner of the land is entitled to payment from the Government.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator yield to the Senator from Utah?

Mr. NORRIS. Yes.

Mr. KING. I invite the Senator's attention to this phase of the matter: Of course, I differ from the construction which he places upon it. This bill makes the Government a selling agent for lands. It is an improper attempt to inject the Federal Government into private affairs; but——

Mr. NORRIS. I am not arguing that. That is a different phase of the matter.

Mr. KING. I was going to ask the Senator this question: Suppose the construction of the Senator is right, and you can not sell the land; the project is a failure. What does the Senator think would be the attitude of the men who have invested their money upon the prestige of the Government's reports and recommendations? Does he not think we would have claims here for hundreds and thousands and millions of dollars against the Government of the United States by men who had lost their money?

Mr. NORRIS. I shall be glad to answer that question, if the Senator will permit me.

We might have claims. We have all kinds of claims. Sometimes I think some of them are paid that ought not to be paid. We can not bind the Congress; but as to any moral obligation that the Government would be under to pay those claims, it seems to me there is absolutely nothing to it.

In that connection, while we are construing section 4 in connection with section 2, I want also to construe it in connection with section 3. Section 3 says:

That no moneys of the United States shall be expended for any of the purposes of this act, nor shall either the investigation or development of any project be commenced or any obligation incurred therefor until a contract shall have first been made—

The Government is not, according to that language, going to expend any money. If a man makes a contract to have the Reclamation Service take charge of the development of his land and agrees to put in all the money, then the Government says, "Now, because you have given us charge of it you must agree that the price you shall ask of any man who wants to make a home will be a certain figure that is named in the contract, known in advance."

The owner of the land makes that contract. It is just the same as though he made it with me, if I were an engineer, and if the Senator from Utah had a large tract of land and came to me and said, "Now, I want to make a contract with you. I will furnish the money to develop this land. It is swamp land. We will drain it and divide it up into farms of 40 acres each. You do the work; I will pay the expenses; you get no profit out of it, but I will agree with you, if you will do that, that I shall not charge more than a certain figure that we may agree on and put in the contract when I come to sell it."

That is your judgment. You wanted to sell it. There is a profit in it for you, and I go and survey it and build houses and drain the land, and then something has happened, as has been happening in the last two or three years, or the reverse of what has happened, land has gone down instead of up, and when we get all through we find we can not sell it. Then who holds the sack? The Senator from Utah. All I have done is to do my work for nothing. I was going to do that for nothing anyway.

Mr. SMOOT. No; you are paid, under this bill.

Mr. NORRIS. Yes; all my expenses are paid, but the Government gets no profit.

Mr. SMOOT. No; they will not under any circumstances.

Mr. NORRIS. The Government furnishes the machinery to do it at cost, in order to help the people who are going to buy the land. That is the idea of the Government. The other man has his land, and he wants to sell it. It is worthless now. He put up the money to get it, and uses this machinery to get it on the market. If it does not sell, he has lost his money, just the same as though he went at it without the Government's assistance. He has run the risk; he has put up the money. He does not need to do it if he does not want to. If he does do it, he does it because he thinks he will make something out of it, and we want to invite him to do that, in order to divide it up. It seems to me that under any possible construction you can put upon this language the Government is not liable to that man. It is simply helping him to sell his land; and for giving that help, at cost, it exacts of him an agreement that he shall not charge more than a certain figure. If there is any doubt about it, I would not have any objection to any kind of a provision being put in the bill to specifically provide that the contract shall state on its face that in case it was not sold, the Government of the United States in no sense, at any time, should be liable for any money.

Mr. SMOOT. Mr. President, I want to call the attention of the Senator from New York [Mr. WADSWORTH] to an amendment that perhaps will clear this up; and I want his opinion upon it. On page 2, line 19, after the word "parcels," insert the words "when sold," so that section 4 would read:

That every contract for the development of a project shall provide, among other things, that the developed farms and parcels when sold shall be sold to persons who desire to occupy the same as homes at the actual cost of the land—

And so forth.

I think that will cover the thought that the Senator had in mind. I want to say to the Senator that there is no intention that the Government shall be involved in any obligation whatever, other than to simply furnish skilled employees to see that this land, first, is passed upon as a feasible project; and, second, that the land shall not be sold in the future at a profit that is unreasonable to men who want homes. That is the object of this bill, and it seems to me if there is any question about the Government of the United States having to sell it, as the Senator suggests, why not just add the words "when sold"? Would that meet what the Senator has in mind?

Mr. WADSWORTH. May I ask a question first? That will not change the terms of the bill in so far as the bill now provides that the Government shall do the selling?

Mr. SMOOT. That, Mr. President, can not be changed if the Government is going to control the price of the land. If the land is to be sold at an exorbitant figure and the original owner of the land expects to make 300 or 400 per cent out of his land and have the Government of the United States assist him by furnishing the brains to bring it about and assist in every way, I would oppose any such bill. The land has to be sold at a reasonable profit or else there is no reason in the bill.

Mr. WADSWORTH. I do not think the suggested amendment will quite fit the situation, as I look at it.

Mr. SMOOT. Before the Senator makes any further statement I want to call his attention to amendments that have already been made to section 3. It may be construed, under section 3, that section 3 would not require all the payments of expenses by the owners until the conclusion of the sale of the property. I have offered certain amendments, and I want the Senator to follow them, so I will read the bill as amended. Beginning on page 2, line 9, of section 3, after the word "land," as amended, it reads:

Providing for the payment in advance by the owner or owners of sufficient moneys to meet the estimated cost and thereafter of sufficient moneys to meet the actual cost of such investigation or development.

What words would the Senator suggest to make that stronger than the amendment I have suggested, to insert, after the word "parcels," the words "when sold"?

Mr. JONES of Washington. Mr. President, I rise to a question of order. I make the point that there is no quorum present. I do this in order that we may save time when the bill that is the unfinished business comes up at 2 o'clock.

The PRESIDING OFFICER. The Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. SMOOT. I did not yield to the Senator for that purpose.

Mr. JONES of Washington. I did not ask the Senator to yield.

Mr. SMOOT. The Senator has to ask the Senator who is speaking to yield.

Mr. JONES of Washington. I did not ask for anybody to yield. I rose to a point of order.

Mr. SMOOT. The Senator has no right to suggest the absence of a quorum when a Senator is speaking.

The PRESIDING OFFICER. The Senator from Washington made the point of order.

Mr. SMOOT. It is not a point of order at all.

The PRESIDING OFFICER. The Secretary will proceed with the roll call.

The roll was called, and the following Senators answered to their names:

Ball	Harding	New	Smoot
Borah	Harris	Norris	Spencer
Brandegee	Harrison	Nugent	Sterling
Capper	Johnson, S. Dak.	Overman	Sutherland
Chamberlain	Jones, Wash.	Page	Trammell
Curtis	King	Poindexter	Underwood
Dillingham	McCormick	Pomerene	Wadsworth
Fernald	McCumber	Sheppard	Watson
Gronna	McKellar	Sherman	
Hale	McNary	Smith, Md.	

Mr. GRONNA. I was requested to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness. I ask that this announcement may stand for the day.

Mr. UNDERWOOD. I desire to announce the necessary absence of my colleague, the Senator from Alabama [Mr. BANKHEAD], on account of official business.

Mr. CURTIS. I have been requested to announce the absence of the Senator from New Hampshire [Mr. KEYES] on account of death in his family.

I wish also to announce the absence of the Senator from Iowa [Mr. KENYON], the Senator from New Jersey [Mr. EDGE], and the Senator from Louisiana [Mr. GAY] on business of the Senate.

Mr. McKELLAR. The Senator from Arkansas [Mr. KIRBY], the Senator from Virginia [Mr. GLASS], the Senator from Kentucky [Mr. STANLEY], and the Senator from Rhode Island [Mr. GERRY] are absent on official business.

The PRESIDING OFFICER. Thirty-eight Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. FRANCE, Mr. PHELAN, and Mr. TOWNSEND answered to their names when called.

Mr. COLT, Mr. HENDERSON, Mr. MOSES, Mr. KELLOGG, Mr. LODGE, Mr. PHIPPS, Mr. CUMMINS, Mr. REED, Mr. NELSON, Mr. CULBERSON, Mr. GORE, Mr. BECKHAM, and Mr. SMITH of Georgia entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-four Senators having answered to the roll call, there is a quorum present.

The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 1699.

Mr. PHELAN. Mr. President, will the Senator from South Dakota permit me to make a request for unanimous consent?

Mr. STERLING. I yield for that purpose.

FOREIGN LOANS.

Mr. PHELAN. The Secretary of the Treasury has issued a statement of the policy of the United States with respect to foreign loans. On last Friday a fragmentary report of it, taken from the morning Washington Post, was published in the RECORD. The new Secretary of the Treasury has adopted it also as his policy. I consider it an important public document, and I ask unanimous consent that it may be printed in the RECORD.

Mr. NORRIS. In connection with the request, I wish to ask if the Senate did not yesterday adopt a resolution calling upon the Secretary of the Treasury for a full report upon this particular subject?

Mr. PHELAN. Not this particular subject. This is the declaration of a policy by the Treasury Department which has been confirmed by the new Secretary. The resolution of the Senator from Georgia [Mr. SMITH] was specifically for information upon the volume of loans and the payment of interest to date and the amount of interest which had accumulated. This is a statement of the policy of the United States so far as the Treasury Department can determine it with respect to foreign loans, and it should be printed in the RECORD.

Mr. NORRIS. I have no objection if it is not really covering the same ground, except to state that so far as the policy of the United States is concerned I doubt very much whether the Secretary of the Treasury has any right to state it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

Mr. SMOOT. Mr. President, if this is a document which is being published by the Treasury Department, I object to printing it in the RECORD. I am going to see if we can not possibly stop this practice. If it is any kind of a departmental document, I am going to object to it going in the RECORD.

Mr. PHELAN. For the information of the Senator I will state the heading:

Treasury Department.
Following is a copy of a letter which Secretary GLASS has addresed to Homer L. Ferguson, president of the Chamber of Commerce of the United States of America.

Mr. NORRIS. I thought the Senator said it was from the new Secretary?

Mr. PHELAN. It is a letter to the United States Chamber of Commerce by former Secretary GLASS which was published in the newspapers but not in the RECORD. The same policy has been adopted, I read in the press, by the new Secretary; so that it becomes the policy of the Treasury Department, and I think for the information of the Senate it should be printed in our permanent RECORD. It is not a document; it is a letter.

Mr. SMOOT. I want to know whether the Treasury Department have already published it. If they have, let them, rather than the Senate, pay the expense of the circulation of it.

The PRESIDING OFFICER. Does the Senator from Utah object?

Mr. PHELAN. Does the Senator object to it?

Mr. SMOOT. Yes; I object until I learn more about it.

Mr. PHELAN. I shall endeavor to inform the Senator.

Mr. PHELAN subsequently said: I ask unanimous consent to print in the RECORD a letter from Secretary GLASS to the United States Chamber of Commerce.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Is there objection?

Mr. SMOOT. I merely wish to state that the Senator from California assured me that the Treasury Department has not printed this letter. If it had, I still would object to its going into the RECORD.

Mr. PHELAN. I have assured the Senator, on the authority of the Secretary's office, that only mimeograph copies have been made of the letter, and it has not been printed.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
January 30, 1920.

Following is copy of a letter which Secretary GLASS has addressed to Homer L. Ferguson, President of the Chamber of Commerce of the United States of America:

JANUARY 28, 1920.

SIR: I have the honor to acknowledge receipt of the letter of January 22, 1920, signed by yourself and Messrs. A. C. Bedford, John H. Fahey, and Harry A. Wheeler, to whom, as a committee designated by the Chamber of Commerce of the United States, was referred a communication transmitting a memorandum signed by 44 prominent American citizens addressed to the United States Government, the Reparations Commission, and the Chamber of Commerce of the United States, recommending that the Chamber of Commerce of the United States designate representatives of commerce and finance to meet with those of other countries for the purpose of examining the situation as set out in the communication, and recommending such action as may be advisable.

In compliance with your request for an expression of opinion from the Treasury in respect to the observations and recommendations contained in the memorial, I may first state that the views and policy of the Treasury in respect to the international financial situation are set forth in the inclosed extracts from my annual report (pp. 11 to 14, inclusive).

With much that is contained in the memorial the Treasury is in hearty accord. Concerning the need of increased production and decreased consumption, the need of balancing governmental budgets and taking effective measures to deflate currency and credit, concerning the need of prompt and proper determinations by the Reparations Commission which will make possible the resumption of industrial life in Germany and the restoration of trade with Germany, there can be no doubt.

The people of the United States are being called upon by taxes and otherwise not only to meet the Government's expenditures but to reduce the war debt. So far as the countries of Europe are concerned the adoption of similar policies is a matter for the Governments of those countries and for the Reparations Commission.

In an effort to alleviate the situation the United States Government has done all that was considered advisable and practicable. Since the armistice, we have extended to foreign governments the following financial assistance:

Direct advances	$2,380,891,179.65
Funds made available to those Governments through the purchase of their currencies to cover our expenditures in Europe	736,481,586.76
Army and other governmental supplies sold on credit (approximately)	685,000,000.00
Relief (approximately)	100,000,000.00
Unpaid accrued interest up to Jan. 1, 1920, on allied Government obligations	324,211,922.00
Total	4,226,584,688.41

The Treasury is opposed to further governmental aid beyond that outlined in my annual report and in my recent communication to the Ways and Means Committee of Congress with respect to the extension of interest on the allied Government obligations held by the Government of the United States and to the supplying of relief to certain portions of Europe. The Governments of the world must now get out of banking and trade. Loans from Government to Government not only involve additional taxes or borrowings by the lending Government, with the inflation attendant thereon, but also a continuance by the borrowing Government of control over private activities, which only postpones sound solutions of the problems.

The Treasury is opposed to governmental control over foreign trade and finance, and even more opposed to private control. It is convinced that the credits required for the economic restoration and revival of trade must be supplied through private channels; that as a necessary contribution to that end the Governments of the world must assist in the restoration of confidence, stability, and freedom of commerce by the adoption of sound fiscal policies; and that the Reparations Commission must adopt promptly a just and constructive policy.

The memorial which was simultaneously circulated in Europe differs in its scope and character from the one presented in the United States. The European memorial contains some passages omitted in the American memorial, which apparently advocate further governmental financial assistance, and also requests the respective Governments to designate representatives to attend the proposed conference, which would give it an official character.

The Treasury has not looked with favor upon certain features of the memorial nor upon the proposed conference, being apprehensive lest the memorial and such a conference should serve to cause confusion and revive hopes—which, I am certain, are doomed to disappointment—that the American people through their Government will be called upon to assume the burdens of Europe by United States Government loans. Such matters as the suggestion of further governmental loans by the United States, the cancellation of some or all of the obligations of European Governments held by the United States Government, as contemplated by a passage contained in the European memorial but omitted from the American memorial, and the deferring of obligations of foreign Governments held by the United States to liens created in favor of loans hereafter made for reconstruction purposes, are clearly not appropriate for consideration in such a conference as is contemplated by the memorial.

The existing world-wide inflation of currency, credit, and prices is a consequence of the fact that for a period of four or five years the peoples of this earth have been consuming and destroying more than they have produced and saved, and against the wealth so destroyed the warring nations have been issuing currency and evidence of indebtedness. The consequence of the world's greatest war is profound and inescapable. It has affected all the nations of the civilized world, as well those who participated actively in the war as those who did not. The inflation exists in the neutral countries of Europe and in the Orient. It exists where there was no war debt, where the war debt was badly handled, and to some degree where the war debt was well handled.

The problems to the cure of which the distinguished gentlemen are directing their attention have been the subject in one form or another of daily study of the Treasury Department since the outbreak of the war and especially since the signing of the armistice. These problems have at all times been complex and difficult, and simple solutions have never been possible because they involve some factors which are not susceptible of solution by any comprehensive plan. The process of healing the wounds inflicted by the war must necessarily be slow and painful, involving as it does not only the physical restoration of industry and agriculture, but as well the restoration to habits of industry of masses of men accustomed by the war to unsettlement. We must necessarily and to a great extent depend upon and encourage the independent activity and resourcefulness of each person affected to repair his own fortunes, with the assistance of his business connections in other countries, and also upon each individual to return to a normal life of industry and economy.

From the moment of the cessation of hostilities the Treasury of the United States has pursued a policy of looking toward the restoration as promptly as possible of normal economic conditions, the removal of governmental controls and interferences, and the restoration of individual initiative and free competition in business. It has insisted upon strict economy in governmental expenditure and upon the maintenance of taxes at a level which, with the salvage of war materials and supplies, and so forth, will insure the prompt retirement of the floating debt of the United States and the establishment of a fund adequate for the retirement of the funded debt in the course of a generation. The Treasury long since, with the cooperation of the Federal Reserve Board, removed the embargo on the export of gold, thus enabling American citizens and, indeed, the nations of the world, to the extent that they find credit here, to finance their purchases throughout the world in cash.

Rightly or wrongly, a different policy has been pursued in Europe. European Governments have maintained since the cessation of hostilities embargoes upon the export of gold. The rectification of the exchanges now adverse to Europe lies primarily in the hands of European Governments. The normal method of meeting an adverse international balance is to ship gold. The refusal to ship gold prevents the rectification of an adverse exchange. The need of gold embargoes lies in the expended currency and credit structure of Europe. Relief would be found in disarmament, resumption of industrial life and activity, and the imposition of adequate taxes and the issue of adequate domestic loans.

The American people should not, in my opinion, be called upon to finance, and would not, in my opinion, respond to a demand that they finance, the requirements of Europe in so far as they result from the failure to take these necessary steps for the rehabilitation of credit.

Such things as international bond issues, international guaranties, and international measures for the stabilization of exchange are utterly impracticable so long as there exist inequalities of taxation and domestic financial policies in the various countries involved, and when these inequalities no long exist such devices will be unnecessary.

It is unthinkable that the people of a country which has been called upon to submit to so drastic a program of taxation as that adopted by the United States, which called for financing from current taxes a full one-third of the war expenditures, including loans to the Allies, should undertake to remedy the inequalities of exchange resulting from a less drastic policy of domestic taxation adopted by the other Governments of the world. The remedy for the situation is to be found not in the manufacture of bank credit in the United States for the movement of exports, a process which has already proceeded too far, but in the movement of goods, of investment securities, and, in default of goods or securities, then of gold in this country from Europe; and in order that such securities may be absorbed by investors our people must consume less and save.

The United States could not, if it would, assume the burdens of all the earth. It can not undertake to finance the requirements of Europe, because it can not shape the fiscal policies of the Governments of Europe. The Government of the United States can not tax the American people to meet the deficiencies arising from the failure of the Governments of Europe to balance their budgets, nor can the Government of the United States tax the American people to subsidize the business of our exporters. It can not do so by direct measures of taxation, nor can it look with composure upon the manufacture of bank credit to finance our exports when the requirements of Europe are for working capital rather than for bank credit. Lamentable as would be the effects upon our industrial life and upon Europe itself of the continued maintenance of an exchange barrier against the importation into Europe of commodities from the United States, this country can not continue to extend credits on a sufficient scale to cover our present swollen trade balance against Europe, while paying cash—gold and silver—to the countries of Central and South America and the Far East, with which it has an adverse balance on its own and international account. The consequence of the maintenance by Europe of this barrier will be to force the United States to do business with those countries with which it is able to do business on a cash basis. The only other policy which the United States could adopt would be the policy of reestablishing embargoes on gold and silver and of

inflating its own currency to the same extent that the currencies of Europe are inflated, with a view to lowering its exchange to a parity with theirs. This would involve taxing the whole people for the benefit of our exporters and the benefit of Europe and submitting to have imposed on the United States domestic financial policies adopted by Europe but quite contrary to those heretofore adopted by the United States. It would mean a world-wide inflation, the abandonment of the gold standard, and, ultimately, chaos.

If the peoples and Governments of Europe live within their incomes, increase their production as much as possible, and limit their imports to actual necessities, foreign credits to cover adverse balances would most probably be supplied by private investors and the demand to resort to such impracticable methods as Government loans and bank credits would cease.

There is no more logical or practical step toward solving their own reconstruction problem than for the Allies to give value to their indemnity claims against Germany by reducing those claims to a determinate amount which Germany may be reasonably expected to pay, and then for Germany to issue obligations for such amount and be set free to work it out. This would increase Germany's capacity to pay, restore confidence, and improve the trade and commerce of the world. The maintenance of claims which can not be paid causes apprehension and serves no useful purpose.

Private investors can only make loans to the extent of their savings in excess of domestic capital requirements, and then will only make them to the extent that they have confidence in the securities or obligations offered. The adoption of the measures indicated should add to the confidence of the private investor.

If the Chamber of Commerce of the United States considers it advisable and desirable to designate representatives to attend an unofficial conference, the Treasury does not desire to offer any objection, provided the scope and character and limitations of such a conference, as well as the impossibility of United States Government action, are clearly understood.

Cordially, yours,

CARTER GLASS.

HOMER L. FERGUSON, Esq.,
President Chamber of Commerce of the United States of America, Washington, D. C.

[From the annual report of the Secretary of the Treasury, 1919. The international financial situation.]

The international financial situation is one of great importance and in which we are seriously interested. The present position relative to foreign financing and the general policy of the Treasury concerning this vital problem should be fully stated.

Since the armistice the United States has advanced to the Governments of the Allies, as of the close of business October 31, 1919, the sum of $2,329,257,138.55, and there remained on that date an unexpended balance of $593,628,111.45 from the total loans of $10,000,000,000 authorized under the Liberty loan acts.

The Treasury asked and obtained power for the War Finance Corporation to make advances up to the amount of $1,000,000,000 for nonwar purposes, and the War Finance Corporation is prepared to make such advances.

By the act approved September 17, 1919, the Federal Reserve Board is authorized to permit, until January 1, 1921, national banks to invest to a limited extent in the stock of American corporations principally engaged in such phases of international or foreign financial operations as may be necessary to facilitate exports.

The Secretary of War is authorized to sell surplus Army stores on credit.

The United States Wheat Director is authorized to sell wheat to Europe on credit.

The power which at present exists in the Government or governmental agencies to assist in meeting Europe's financial needs is, therefore, considerable. This power must, of course, be exercised with extreme caution and with the most careful regard for the urgent needs of our own people for an ample supply of foodstuffs and other necessities of life at reasonable prices.

The Treasury is considering with representatives of the Governments of the Allies the funding of the demand obligations which the United States holds into long-time obligations, and at the same time the funding during the reconstruction period, or, say, for a period of two or three years, of the interest on the obligations of foreign Governments acquired by the United States under the Liberty loan acts.

The Treasury believes that the need of Europe for financial assistance, very great and very real though it is, has been much exaggerated, both here and abroad. Our hearts have been so touched by the suffering which the war left in its train, and our experience is so recent of the financial conditions which existed during the war (when men were devoting themselves to the business of destruction) that we are prone to overlook the vast recuperative power inherent in any country which, though devastated, has not been depopulated, and the people of which are not starved afterwards. We must all feel deep sympathy for the suffering in Europe to-day, but we must not allow our sympathy to warp our judgment, and, by exaggerating Europe's financial needs, make it more difficult to fill them.

Men must go back to work in Europe, must contribute to increase production. The industries of Europe, of course, can not be set to work without raw materials, machinery, etc., and, to the extent that these are to be secured from the United States, the problem of financing the restoration of Europe belongs primarily to our exporters. Governmental financial assistance in the past and talk of plans for future Government or banking aid to finance exports have apparently led our industrial concerns to the erroneous expectation that their war profits, based so largely on exports, will continue indefinitely without effort or risk on their part. To them will fall the profits of the exports and upon them will fall the consequences of failure to make the exports. So soon as domestic stocks, which were very low at the time of the armistice, have been replenished, those industries which have been developed to meet a demand for great exports, paid for out of Government war loans, will be forced to close plants and forego dividends unless they maintain and develop an outlet abroad.

The industries of the country must be brought to a realization of the gravity of this problem, must go out and seek markets abroad, must reduce prices at home and abroad to a reasonable level, and create or cooperate in creating the means of financial export business. There is no reason for high commodity prices in the specter of European demand nor for high interest rates in the specter of European credits. Our fear must be that the cessation of war exports will result in closed plants, passed dividends, and general depression. The way to avoid those evils is to stimulate production and encourage industrial and commercial activity and not to burden them with high interest rates, which are a deterrent to these things, but, unfortunately, are not a deterrent, except temporarily, in such times as these, to speculation.

Since armistice day the consistent policy of the Treasury has been, as far as possible, to restore private initiative and remove governmental controls and interferences. It has been the view of the Treasury that only thus can the prompt restoration of healthy economic life be gained. The embargoes on gold and silver and control of foreign exchange have been removed, as well as the voluntary and informal control of call money and the stock-exchange loan account. The control exercised by the capital issues committee over capital issues has been discontinued. Thus the financial markets of the United States have been opened to the whole world and all restrictions removed that might have hindered America's capital and credit resources, as well as its great gold reserve, from being available in aid of the world's commerce and Europe's need.

There are those who believe that the dollar should be kept at par—no more, no less—in the market of foreign exchange. If effective action were taken to carry out such a policy, it could only be done by drawing gold out of the United States when the dollar would otherwise be at a discount and by inflating credit when the dollar would otherwise be at a premium.

The dollar is now at a premium almost everywhere in the world. Its artificial reduction and maintenance at the gold par of exchange in all currencies is quite unthinkable unless we propose to level all differences in the relative credit of nations and for our gold reserve substitute a reserve consisting of the promises to pay of any nation that chooses to become our debtor. Inequalities of exchange reflect not only the trade and financial balance between two countries but, particularly after a great war such as that we have been through, the inequalities of domestic finance. The United States has met a greater proportion of the cost of the war from taxes and bond issues than any other country. Largely as a consequence of this policy, the buying power of the dollar at home has been better sustained than has the buying power at home of the currency of any European belligerent. For the United States

to determine by governmental action to depress the dollar as measured in terms of foreign exchange and to improve the position of other currencies as measured in terms of dollars would be to shift to the American people the tax and loan burdens of foreign countries. This shifted burden would be measured by the taxes to be imposed and the further loans to be absorbed by our people as a consequence, and by increased domestic prices.

United States Government action at this time to prevent, in respect to foreign exchange, the ordinary operation of the law of supply and demand, which automatically sets in action corrective causes and, to prevent the dollar from going to a premium when its natural tendency is to do so, would artificially stimulate our exports, and, through the competition of export demand with domestic demand, maintain or increase domestic prices.

The view of the Governments of the Allies, I take it, is that had they—after the war control of their imports had been relaxed—attempted to continue to "peg" their exchanges here at an artificial level by Government borrowing, the effect would have been to stimulate their imports and discourage their exports, thus aggravating their already unfavorable international balances.

It is not, of course, to be expected that the breach left by the withdrawal of governmental support of exchange can be filled by private initiative until the ratification of the treaty of peace has given reasonable assurance against the political risk which, rather than any commercial or credit risk, now deters private lenders. Some progress has already been made in placing here, through private channels, the loans of allied and neutral European countries and municipalities. The Treasury favors the making, in our markets, of such loans, which contribute to relieve the exchanges. I am sure that when peace is consummated, and the political risk measurably removed, American exporters and European importers will lay the basis of credit in sound business transactions, and I know that American bankers will not fail then to devise means of financing the needs of the situation nor American investors to respond to Europe's demand for capital on a sound investment basis.

Meanwhile it is well to remember the invisible factors, which are always at work toward a solution of the problem. Immigrants' remittances to Europe are and will continue to be a very large item in rectifying the exchanges. As soon as peace is concluded foreign travel will be a further item. Another very important factor is the purchase of European securities and properties and repurchase of foreign-held American securities by American investors. But the principal factor in Europe's favor is the inevitable curtailment of her imports and expansion of her exports. These processes, of course, are stimulated by the very position of the exchanges which they tend to correct.

Sincerely, yours,

CARTER GLASS.

AMENDMENT OF THE RULES.

Mr. PHELAN. Mr. President, I desire to file a notice for an amendment of the rules.

The PRESIDING OFFICER. The notice will be read.

The Assistant Secretary read as follows:

"Mr. PHELAN. I hereby give notice, in accordance with the provisions of Rule XL of the Standing Rules of the Senate, that on Tuesday, February 10, 1920, I will move to amend Rule XXII by striking out the following language now contained in the last paragraph of said rule, viz:

"'Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time.'

"The reason for the change was suggested by the experience of the Senate in the application of Rule XXII, the cloture rule, when unanimous consent was refused to a request for a verbal and necessary change in the interest of good legislation."

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. STERLING. I ask that the committee amendments may now be read.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). The Secretary will read the first committee amendment.

The first amendment was, on page 2, line 1, after the word "include," to insert the words "American employees of the Panama Canal above the grade of laborer, superintendents of United States national cemeteries, and employees under the Superintendent of the United States Capitol Building and Grounds, and," so as to read:

The provisions of this act shall include American employees of the Panama Canal above the grade of laborer, superintendents of United States national cemeteries, and employees under the Superintendent of the United States Capitol Building and Grounds, and employees of the Library of Congress and the Botanic Gardens, excepting persons appointed by the President and confirmed by the Senate, and may be extended by Executive order, upon recommendation of the Civil Service Commission, to include any employee or group of employees in the civil service of the United States not classified at the time of the passage of this act. The President shall have power, in his discretion, to exclude from the operation of this act any employee or group of employees in the classified civil service whose tenure of office or employment is intermittent or of uncertain duration.

Mr. POMERENE. Mr. President, I do not know that what I may say will have any special reference to the pending amendment, but I feel that it will not be inopportune for me to make now whatever observations I may have to make on the merits of the pending legislation.

The distinguished Senator from South Dakota [Mr. STERLING] discussed the bill on yesterday, and in the earlier part of his remarks he pointed out the necessity for some method of retirement. So far as I now recall, I am in entire accord with what he said in that behalf.

It was my privilege to serve on the committee some years ago, and a part of that time as chairman of the committee. The principal question before the committee during the period when I was chairman related to the retirement of the superannuated clerks and employees of the Government. I gave to the matter a great deal of study, as did other members of the committee, notably the senior Senator from Utah [Mr. SMOOT] and the senior Senator from Iowa [Mr. CUMMINS], and whatever differences there may have been among us in the earlier part of the investigation we came practically to the same conclusion, and the result was the bill which I introduced in the Senate and which was later favorably reported to the Senate.

In 1918 the Senator from Tennessee [Mr. MCKELLAR], being then chairman of the committee, presented the so-called McKellar bill, and after a pretty thorough discussion of the subject the Senate substituted the so-called Pomerene bill for the so-called McKellar bill. At that time it was not pressed further, and except for a few sporadic efforts to take up the bill when there was not a fair representation of the Senate present, nothing has been done.

Mr. NORRIS. May I interrupt the Senator?

Mr. POMERENE. I yield.

Mr. NORRIS. I should like to inquire of the Senator if he is able to inform the Senate why it was, after the substitution of the so-called Pomerene bill for the so-called McKellar bill, as he has just stated, that there was no effort made by those in charge of the bill to pass it? I observed that, I remember it very distinctly, and I wondered then why those who were behind the bill seemed immediately to lose interest in it. Is it true that those interested in the McKellar bill and in charge of it at that time would rather have had no legislation whatever than to have the substituted bill?

Mr. POMERENE. Answering the Senator from Nebraska, I may say that at least one of the Senators in charge of the bill, after the Senate had acted favorably upon the substitute, said to me personally that he would rather have no bill than to have that bill.

Mr. President, I approach this subject with some conflicting emotions. I want to say, in the first place, that there is not a Senator in the Chamber who is more thoroughly convinced than I of the necessity of some legislation bearing upon the subject which will result in the retirement of the superannuated employees of the Government.

Approach the subject from a twofold standpoint, first, the humanitarian standpoint, because I firmly believe that the man who has rendered faithful service for a long period of years for the Government ought to receive some support from that Government in his declining years; and in the second place, looking at the subject from a standpoint of efficiency, I have no doubt that it will be for the best interest of the Government to provide for the retirement of these employees when they become superannuated, for two reasons: First, it eliminates those who are rendering only a moderate service when they ought to render a service which is up to the standard average of the service in the department; and, secondly, because when they are eliminated it gives to the younger employee more zest in his service, and I think he will do better work. In other words, the morale of the Government departments requires that something shall be done.

Again permit me to say that though I took up the subject and had the pleasure of hearing from the committee of the

employees who had an interest in the subject an expression of their gratitude for what I had done in their behalf at that time, yet they have not hesitated whenever occasion presented itself to distort and misrepresent the position that I occupy. But that is neither here nor there. I want to say once and for all that so long as I am in the United States Senate I shall render such service as my best judgment suggests and it will make no difference what the consequence may be to me personally. I would rather be out of the service, in private life, with the consciousness that I had done my duty as I saw it than to be in this Chamber truckling to every influence that attempts to exert itself with Senators or Congressmen.

Mr. President, there are three bills to which I wish to advert——

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. POMERENE. For a question; yes.

Mr. McKELLAR. The Senator has spoken several times of influence being exerted on Senators in regard to the bill. The Senator is perfectly aware that there are influences for and influence against. I wish to ask the Senator if it is not true that the Senator himself has been in council with some of the influences that are opposed to the particular bill? I want to be fair and I want the Senator to be fair to his colleagues. The Senator made that statement a number of times at the last session of Congress and he has made it a number of times during this session. I think it is wholly unfair to those who are in favor of the bill, and I beg the Senator to withdraw that statement, because the Senator knows that on his side of the controversy there are those who have been almost in daily conversation with the Senator and who have been furnishing figures for the Senator's use.

Mr. POMERENE. Mr. President, I made the statement I did because it was the truth, and, so far as I am concerned, it will stand. It is true.

Mr. McKELLAR. Will the Senator yield now?

Mr. POMERENE. No; not now.

Mr. McKELLAR. In my own time I will undertake to show that the Senator has been in daily conference with those who are opposed to the bill.

Mr. POMERENE. If the Senator will possess his soul in peace for a moment, I was about to say that I have been in constant conference with anybody and everybody who I thought could give me any information on this subject, and I shall continue to hold conference with anybody and everybody from whom I can get information so long as the bill remains before the Senate.

Mr. President, the principal features of the bill which I shall offer at the proper time as a substitute for the pending measure are, in brief, these: It provides for an assessment to be made upon the salaries of employees, figured to one-tenth of 1 per cent, sufficient to purchase an annuity equal to one-half of the compensation of the employee, but in no event to exceed $360.

Senators will recognize the fact that as the employees advance in years the amount of the assessment required would be excessive if we sought to compel the employee to pay the entire cost of the annuity; so, after taking counsel upon the subject, it was decided to provide that in no event should the assessment exceed 8 per cent of the salary. I may say frankly to Senators that this is only an incident to the bill. Senators may, if they feel that some plan of this kind should be adopted, reduce that amount. I am interested more particularly in the fundamental principle of the bill, which is to the effect that the system shall be ultimately self-supporting.

The proposed substitute provides further that the retirement age shall be 70 years. We felt that many of the employees of the Government were doing genuinely good service at that age. The McKellar-Keating bill, which was presented in 1918, provided for the retirement of mechanics, city and rural letter carriers, and railway mail clerks at 65 years of age, and of all other employees at 68 years. Senators will recognize that a reduction in the age of retirement adds to the expense to the Government. Under the scheme of that bill the employees were divided into several classes. Those in class A would get 50 per cent of their average annual basic salary for the 10 years next preceding the date of retirement, not to exceed $600 for 30 or more years of service; those of class B would receive 40 per cent of their average annual basic salary for the 10 years next preceding the date of retirement, not to exceed $540 for 25 to 30 years' service; class C would receive for 20 to 25 years' service 30 per cent of their average annual basic salary, but not to exceed $480; class D, for 15 to 20 years' service, would receive 25 per cent of their average annual basic salary for the 10 years next preceding retirement.

The bill referred to was the so-called half-and-half plan. It was based upon the thought that it would take 5 per cent of the salaries of all of the employees to provide the annuities to which I have just referred; one-half to be paid by the employees and one-half to be supplied by the Government. If, however, Senators will take the pains to look at the hearings upon that subject they will find that the actuary, Dr. Maddrill, whom they consulted, made the statement that it would cost a few tenths of 1 per cent less than 6 per cent; but that fact was lost sight of in the eagerness to have it appear that it was a half-and-half plan, taking no account of the additional expense which was involved in the difference between 5 per cent and the few tenths of 1 per cent less than 6 per cent.

The pending bill, which was introduced by the distinguished Senator from South Dakota, changes the retirement age very materially. The beneficiaries are divided into three classes so far as retirement is concerned. The first class includes mechanics, city and rural carriers, and post-office clerks, who may be retired at 62 years; second, railway postal clerks, who may be retired at 60 years; and, third, all others, who may be retired at 65 years. Again I say that because of the reduction of the age of retirement the expense to the Government will be, by reason of that fact, much greater than when the retirement age is higher.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. POMERENE. I yield.

Mr. NORRIS. I wish the Senator would tell the Senate, if he can, just what that difference would be. It seems to me that is quite a material matter in passing on the respective plans.

Mr. POMERENE. Does the Senator mean now as to the expense of the several schemes proposed?

Mr. NORRIS. I mean how much additional expense is to be added by changing the retirement age?

Mr. POMERENE. I will have to get that from deductions which I will make a little later on in the presentation of the question of the expense of the bill; and, if the Senator will indulge me a little further, I will take that subject up.

Mr. NORRIS. Very well.

Mr. POMERENE. It makes, I may say, a very material difference, for two reasons—first, the contributions are cut off for the years intervening; and, second, also, as the Senator is quite aware, when it comes to the compound interest which all of these payments bear it increases very much more rapidly in the later years than it does in the earlier years, so that there will be less of an accumulation for the trust fund out of which to pay that portion of the expense which is chargeable to the employee.

Now, I wish the Senate also to bear in mind as I pass along, while the so-called McKellar bill was called a 50-50 plan, this bill, by reason of the reduced ages, even though the assessment against the employees is 2½ per cent, will cost the Government a very much larger percentage of the total cost than will the McKellar bill. I refer to that particularly as a reply to the statement which was made by the distinguished Senator from South Dakota on yesterday when he said that in his belief ultimately the bill would approach a 50-50 basis.

The pending bill also very substantially increases the annuities which are to be paid. The employees are divided into six different classes. Class A embraces those who have been in the service for 30 years or more, who will be entitled to an annuity equal to 60 per cent of the average annual basic salary during the last 10 years of service, or $720, with a minimum of $360, making the annuity $120 more than it was under either the so-called Pomerene bill or the McKellar bill. Class B embraces those who have been in the service from 27 to 29 years. They are to be paid as an annuity 54 per cent of the average annual basic salary for the last 10 years, or a maximum of $648 and a minimum of $324, or $48 more than the maximum provided in either of the other two bills. Class C embraces those who have been in the service from 24 to 26 years, who are to be paid 48 per cent of the average annual basic salary received by them for the last 10 years. Their maximum will be $576 and the minimum $288. Class D provides for an annuity of 42 per cent of the average annual basic salary for those who are in the service from 21 to 23 years, and their maximum annuity will be $504, with a minimum of $252. Class E provides an annuity of 36 per cent of the average annual basic salary for those who are in the service from 18 to 20 years, making the maximum $432 and the minimum $216. Class F provides an annuity of 32 per cent of the average annual basic salary for those who are in the service from 15 to 17 years, and makes

their maximum annuity $360 and their minimum annuity $180 per annum.

I may observe in passing—and I wish to call the chairman's attention especially to this thought—that if the bill which he presents becomes a law, it will be possible for employees to enter the service at 20 years, retire at 35 years, withdraw all of their contributions with the accumulated interest on one day, reenter the service the next day, pay the 2½ per cent from that time on, and still in the computation of length of service they will be entitled to credit for all of their years of service in Government employ before, and at the same time they will have withdrawn their contributions.

Mr. STERLING. No, Mr. President; if the Senator will permit me, I do not think any such thing can happen as a result of this bill.

Mr. POMERENE. Well, Mr. President, I call it to the Senator's attention. I am quite sure that he did not intend that, but I think he will find that will be the effect of the bill.

Mr. STERLING. Oh, no.

Mr. POMERENE. If I am wrong about that I will make a correction later, but that is my present judgment about it.

Mr. President, a good deal of time was expended on yesterday to show the improvement to the service which would arise from the passage of the pending bill. I am quite sure that the distinguished chairman who has charge of the bill will concede that the same benefit will accrue to the service whether one or the other of these bills is adopted. We are all interested in relieving the service of the superannuated and taking care of them in their declining years.

Mr. President, I want to say as I proceed that after I became interested in this subject I had occasion to consult many times with Dr. Herbert D. Brown, the Chief of the Bureau of Efficiency. I also had consulted with others, and others appeared before our committee. I am confident that there is no man, either in or out of the Senate, who has given more study to this subject than Dr. Brown, and I very much regret that the committee, when they were hearing the testimony which was presented to them, did not call before them Dr. Brown and have him examine the testimony which had been given by these other experts. It was due the Government, it was due the civil-service employees, it was due to those who had served on the committee theretofore and had given a vast deal of time and attention to this subject, and I am satisfied that if they had had Dr. Brown before them they would not have made some of the statements which are either in the evidence or in the report which has been submitted to the Senate.

Now, Mr. President, I want to take up this subject briefly in order to point out what is going to be the cost of the several bills.

When the committee had this subject up before, I had secured from Dr. Brown and his assistants a statement of the cost of this bill to the Government. That statement will be found on page 37 of the CONGRESSIONAL RECORD of December 3, 1918. Bear in mind that the plan of that bill was to make it ultimately self-supporting. If Senators are interested in the subject, they will find that the first year it would cost the Government, to retire those who were past the age of 70 years, $2,800,500. Of course each succeeding year there will be added to this list other superannuates, and the cost to the Government will increase until it reaches the peak in the twenty-first year, and it will then cost the Government $6,207,600. From that time, by reason of the fact that there are constantly increasing contributions by the employees and constantly increasing accretions from the compound interest, it gradually declines until the sixtieth year, when the total cost to the Government will be only $100; but the sum total of the cost to the Government for the 60 years in order to make this system self-supporting will be $172,351,800, or slightly below $3,000,000 per year.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. POMERENE. I do.

Mr. NORRIS. The Senator may have stated this, but I was interrupted, and if he did state it I did not hear him. Under what bill would the result which the Senator states be brought about?

Mr. POMERENE. Under the substitute bill which I have offered—the so-called Pomerene bill—which was substituted in 1918 for the so-called McKellar bill.

Mr. NORRIS. Oh, yes.

Mr. POMERENE. Mr. President, I ask that that entire table be reinserted in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table referred to is as follows:

Year.	Cost of pension.	Total.
0	$2,800,500	
1	3,115,200	$6,005,700
2	3,328,800	
3	3,485,900	
4	3,649,200	
5	3,766,000	
6	3,916,000	21,145,600
7	4,073,600	
8	4,279,100	
9	4,444,200	
10	4,710,800	
11	4,946,200	46,599,500
12	5,214,900	
13	5,451,200	
14	5,681,600	
15	5,849,400	
16	5,973,800	74,761,400
17	6,043,900	
18	6,078,600	
19	6,143,100	
20	6,202,300	
21	6,207,600	105,436,400
22	6,197,100	
23	6,127,700	
24	5,990,800	
25	5,735,200	
26	5,471,300	134,958,100
27	5,104,500	
28	4,691,900	
29	4,241,200	
30	3,775,100	
31	3,301,400	156,072,500
32	2,855,400	
33	2,447,300	
34	2,079,300	
35	1,750,200	
36	1,458,700	166,663,100
37	1,202,900	
38	980,900	
39	790,300	
40	628,700	
41	495,200	170,759,000
42	381,400	
43	338,800	
44	255,400	
45	189,200	
46	137,400	172,061,600
47	97,700	
48	67,900	
49	46,100	
50	30,400	
51	19,500	172,323,100
52	12,200	
53	7,300	
54	4,300	
55	2,400	
56	1,300	172,350,700
57	600	
58	300	
59	100	
60	100	172,351,800
61		
62		

Cost of all pensions, $172,351,800.

Mr. POMERENE. On December 5, 1918, in a discussion of the cost of these several bills, I took up the cost of the pending McKellar bill; and, without attempting to go over the subject as fully as I did at that time, I desire to refer to a few facts. As will appear on page 139 of the RECORD of December 5, 1918, I refer to the report which was made, and on page 7 of that report I read as follows:

> For instance, the estimated receipts from employees during the year 1920 will be $9,000,000.

That is said to be only half the cost of the bill. In other words, the total cost would be $18,000,000, and the total cost for 60 years would be $1,080,000,000, one-half of this to be paid by the Government and one-half of it to be paid by the employees; or, in other words, in 60 years that bill would cost the Government $540,000,000, as against $172,351,800 under the substitute which was adopted for the McKellar bill.

Now, Mr. President, after the distinguished chairman had again presented the bill known as the Sterling-Lehlbach bill, I took up the subject with Dr. Brown—and I may say that the senior Senator from Utah [Mr. SMOOT] took up the subject with him at or about the same time, as I am informed—and asked him to determine what the cost of that proposed legislation would be. I have the tables presented; and there is such a tremendous difference in the cost as estimated by these several experts that it seems to me the committee ought to have been interested in having them try to harmonize their differences, if they could be harmonized. I may say also that this estimate is based upon the number of employees under the civil service during the year 1916, and in that respect it is based upon the

same number of employees as are included in the estimate of cost presented by Dr. Brown under the so-called Pomerene bill.

This table shows the cost to the Government——

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. POMERENE. I yield.

Mr. NORRIS. The table from which the Senator is about to read is one that applies to the McKellar bill, is it?

Mr. POMERENE. No. I am not sure I have it with me. I simply presented the totals of the cost as they appear in the table. I will try to get it later on and have it inserted.

Mr. NORRIS. I am not so anxious to get that as to know what particular bill these tables apply to.

Mr. POMERENE. The Senator, perhaps, did not hear my statement. I said I was going to present a table showing the cost under the pending Sterling bill.

Mr. NORRIS. That makes it plain.

Mr. POMERENE. It will be borne in mind that there are in this table three classes of employees, according to the age of retirement—60, 62, and 65.

In one column will appear the cost to the Government of the retirement of railway postal clerks; in the next column the cost of retirement of rural and city letter carriers, post-office clerks, and mechanics; and in the third column the cost of retirement of general employees in the District of Columbia and elsewhere. Then follows the column giving the total cost to the Government for the three classes during each of the years from 1 to 77 years in the future.

The total cost to the Government the first year, immediately upon this bill going into effect, if it does, will be $4,585,000. In 10 years it will mount up to $85,655,000.

Mr. NORRIS. Can the Senator give the expense for the second and third years?

Mr. POMERENE. Yes. At the end of the first year it will be $5,261,000; at the end of the second year it will be $5,548,000; at the end of the third year it will be $6,193,000; at the end of the fourth year it will be $6,843,000; at the end of the fifth year it will be $7,553,000. The total for the 10 years will be $85,655,000. At the end of 20 years it will have cost $261,911,000; at the end of 25 years it will have cost $396,230,000; at the end of 30 years it will have cost $555,028,000; at the end of 35 years it will have cost $725,832,000; at the end of the fortieth year it will have cost $896,183,000. I will not read all of the intervening figures, but at the end of the seventieth year it will have cost the Government $1,782,777,000.

Mr. GORE. How much at the end of the sixtieth year?

Mr. POMERENE. At the end of the sixtieth year, $1,500,160,000.

Mr. GORE. Does the Senator mean that it will have cost the Government that, or that it will have cost both the Government and the employees that?

Mr. POMERENE. That means the total cost to the Government and the employees; and I will point out a little later the percentage of the cost.

Mr. STERLING. Will the Senator give the last figures again, as to the total cost to the Government and the employees together?

Mr. POMERENE. What year?

Mr. STERLING. The one the Senator just gave, and the year also to which it was applied.

Mr. POMERENE. At the end of the sixtieth year, $1,500,160,000.

Mr. STERLING. That it would cost both the Government and the employee?

Mr. POMERENE. Yes.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Utah?

Mr. POMERENE. I yield.

Mr. KING. These figures are very interesting, as the entire subject is, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ball	Hale	McNary	Sheppard
Brandegee	Harding	Moses	Smith, Ga.
Capper	Harris	Myers	Smith, Md.
Chamberlain	Harrison	Nelson	Smoot
Colt	Johnson, S. Dak.	New	Spencer
Dillingham	Jones, N. Mex.	Norris	Sterling
Fernald	Jones, Wash.	Nugent	Sutherland
France	Kellogg	Page	Underwood
Gerry	King	Phelan	Williams
Gore	Lodge	Pomerene	
Gronna	McKellar	Ransdell	

Mr. GERRY. I wish to announce the absence of the senior Senator from Arkansas [Mr. ROBINSON], the Senator from Nevada [Mr. HENDERSON], and the Senator from Arizona [Mr. ASHURST] on official business.

I wish also to announce that the junior Senator from Arkansas [Mr. KIRBY] is absent on official business.

The PRESIDING OFFICER. Forty-two Senators have answered to their names. A quorum is not present. The Secretary will call the roll of absentees.

The Reading Clerk called the names of the absent Senators, and Mr. OVERMAN and Mr. WARREN answered to their names when called.

Mr. MCCUMBER, Mr. CURTIS, Mr. MCCORMICK, Mr. POINDEXTER, Mr. WATSON, Mr. WADSWORTH, and Mr. PHIPPS entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-one Senators have answered to the roll call. A quorum is present. The Senator from Ohio will proceed.

Mr. POMERENE. Mr. President, at the time the question of a quorum was raised I had made the statement that at the end of the sixtieth year the pending bill would have cost for annuities $1,500,160,000. The table that was prepared and presented to me shows the total cost for 77 years would be $1,980,216,000.

Mr. KING. Will the Senator permit an inquiry?

Mr. POMERENE. Certainly.

Mr. KING. Is that based upon the present personnel of the classified service?

Mr. POMERENE. No; it is based on the number of employees in the civil service during the year 1916, and the tables which I present assume that there will be no increase in the number of employees.

Mr. KING. The Senator knows that the number of employees has more than doubled in the departments here in Washington. I do not know whether there is more than double the number of employees of the Government as a whole. The Senator knows that with the increasing activities of the Federal Government, and with the manifest tendency toward all sorts of socialistic schemes, the employees of the Government may be hundreds of thousands or several millions within 25 years.

Mr. POMERENE. Undoubtedly the substance of the Senator's statement is correct, that there not only has been a very substantial increase in the number of employees since 1916, but there will continue to be an increase in the number of employees as the population of the country and the activities of the Government increase. I might say that, in round numbers, this includes something like two hundred and sixty and odd thousand employees. I will a little later on get the exact figures.

I may say that Dr. Brown went into the matter with very great care, and did so under the instructions of the Senate and the suggestion of the committee. He first prepared a card system giving the names, the ages, and the salaries of all the employees in the Government. I want that fact to be borne in mind, because the accuracy of his figures will be questioned and has been questioned.

Then, again, of course, the Senate will remember that it would be next to impossible to determine what would be the increase in the number of employees for each of the succeeding years. I ask that the table to which I have referred may be printed in the RECORD.

The PRESIDING OFFICER (Mr. PHELAN in the chair). Without objection, it is so ordered.

The table referred to is as follows:

Estimate of total cost to the Government of retiring employees in the classified civil service (Sterling-Lehlbach bills).

Year.	Railway postal clerks.	Rural and city letter carriers, post-office clerks, and mechanics.	General employees in District of Columbia and elsewhere.	Total.	Summation.
0	$536,000	$1,657,000	$2,392,000	$4,585,000	$4,585,000
1	579,000	1,970,000	2,477,000	5,026,000	9,611,000
2	636,000	2,328,000	2,584,000	5,548,000	15,159,000
3	702,000	2,784,000	2,707,000	6,193,000	21,352,000
4	773,000	3,246,000	2,824,000	6,843,000	28,195,000
5	844,000	3,734,000	2,975,000	7,553,000	35,748,000
6	915,000	4,257,000	3,143,000	8,315,000	44,063,000
7	983,000	4,785,000	3,359,000	9,127,000	53,190,000
8	1,055,000	5,327,000	3,556,000	9,938,000	63,128,000
9	1,115,000	5,910,000	3,795,000	10,820,000	73,948,000
10	1,202,000	6,476,000	4,029,000	11,707,000	85,655,000
11	1,302,000	7,055,000	4,221,000	12,578,000	.....
12	1,403,000	7,673,000	4,432,000	13,508,000	.....
13	1,498,000	8,400,000	4,674,000	14,572,000	.....
14	1,628,000	9,158,000	4,939,000	15,725,000	.....
15	1,743,000	9,987,000	5,241,000	16,971,000	159,009,000
16	1,860,000	10,802,000	5,481,000	18,143,000	.....

Estimate of total cost to the Government of retiring employees in the classified civil service (Sterling-Lehlbach bills)—Continued.

Year.	Railway postal clerks.	Rural and city letter carriers, post-office clerks, and mechanics.	General employees in District of Columbia and elsewhere.	Total.	Summation.
17	$1,960,000	$11,528,000	$5,762,000	$19,280,000	
18	2,126,000	12,327,000	6,060,000	20,513,000	
19	2,263,000	13,193,000	6,392,000	21,848,000	
20	2,414,000	14,041,000	6,663,000	23,118,000	$261,911,000
21	2,550,000	14,898,000	6,941,000	24,389,000	
22	2,695,000	15,785,000	7,256,000	25,736,000	
23	2,803,000	16,638,000	7,524,000	26,965,000	
24	2,952,000	17,366,000	7,766,000	28,084,000	
25	3,065,000	18,053,000	8,027,000	29,145,000	396,230,000
26	3,167,000	18,739,000	8,292,000	30,198,000	
27	3,265,000	19,293,000	8,486,000	31,044,000	
28	3,368,000	19,773,000	8,672,000	31,813,000	
29	3,436,000	20,256,000	8,857,000	32,549,000	
30	3,498,000	20,717,000	8,979,000	33,194,000	555,028,000
31	3,533,000	21,034,000	9,063,000	33,630,000	
32	3,558,000	21,300,000	9,146,000	34,004,000	
33	3,562,000	21,491,000	9,206,000	34,259,000	
34	3,541,000	21,622,000	9,235,000	34,398,000	
35	3,506,000	21,760,000	9,247,000	34,513,000	725,832,000
36	3,459,000	21,792,000	9,257,000	34,508,000	
37	3,408,000	21,684,000	9,242,000	34,334,000	
38	3,345,000	21,548,000	9,223,000	34,116,000	
39	3,273,000	21,395,000	9,189,000	33,857,000	
40	3,205,000	21,201,000	9,130,000	33,536,000	896,183,000
41	3,147,000	20,948,000	9,066,000	33,161,000	
42	3,096,000	20,658,000	9,001,000	32,755,000	
43	3,049,000	20,364,000	8,931,000	32,344,000	
44	3,003,000	20,091,000	8,850,000	31,944,000	
45	2,959,000	19,834,000	8,771,000	31,564,000	1,057,951,000
46	2,917,000	19,588,000	8,694,000	31,199,000	
47	2,879,000	19,353,000	8,621,000	30,853,000	
48	2,843,000	19,133,000	8,554,000	30,530,000	
49	2,810,000	18,928,000	8,491,000	30,229,000	
50	2,780,000	18,739,000	8,434,000	29,953,000	1,210,715,000
51	2,753,000	18,565,000	8,383,000	29,701,000	
52	2,729,000	18,408,000	8,336,000	29,473,000	
53	2,709,000	18,266,000	8,295,000	29,270,000	
54	2,691,000	18,140,000	8,259,000	29,090,000	
55	2,676,000	18,028,000	8,227,000	28,931,000	1,357,180,000
56	2,664,000	17,932,000	8,199,000	28,795,000	
57	2,654,000	17,848,000	8,176,000	28,678,000	
58	2,647,000	17,777,000	8,156,000	28,580,000	
59	2,641,000	17,717,000	8,139,000	28,497,000	
60	2,637,000	17,668,000	8,125,000	28,430,000	1,500,160,000
61	2,633,000	17,627,000	8,113,000	28,373,000	
62	2,632,000	17,595,000	8,104,000	28,331,000	
63	2,630,000	17,569,000	8,097,000	28,296,000	
64	2,630,000	17,549,000	8,091,000	28,270,000	
65	2,630,000	17,534,000	8,086,000	28,250,000	1,641,680,000
66	2,630,000	17,522,000	8,083,000	28,235,000	
67	2,630,000	17,514,000	8,080,000	28,224,000	
68	2,631,000	17,508,000	8,078,000	28,217,000	
69	2,631,000	17,504,000	8,077,000	28,212,000	
70	2,631,000	17,502,000	8,076,000	28,209,000	1,782,777,000
71	2,632,000	17,500,000	8,076,000	28,208,000	
72	2,632,000	17,499,000	8,075,000	28,206,000	
73	2,632,000	17,498,000	8,075,000	28,205,000	
74	2,632,000	17,498,000	8,075,000	28,205,000	
75	2,633,000	17,498,000	8,074,000	28,205,000	1,923,806,000
76	2,633,000	17,498,000	8,074,000	28,205,000	
77	2,633,000	17,498,000	8,074,000	28,205,000	1,980,216,000
Total	193,775,000	1,218,881,000	567,560,000	1,980,216,000	

Mr. POMERENE. I desire to direct the Senate's attention particularly to certain fundamental facts as shown by the report. The first year the plan will cost $4,585,000. The twenty-fifth year it will cost $29,145,000. The cost of the system continues to increase until it reaches the peak year, the thirty-fifth year, when it will cose $34,513,000.

Mr. STERLING. Will the Senator state what, according to the report from which he reads, will be the cost the fifth year and the tenth year?

Mr. POMERENE. The fifth year it will cost $7,573,000.

Mr. STERLING. Is that the cost to the Government or the cost to the Government and the employees?

Mr. POMERENE. That is the total cost.

Mr. STERLING. May I ask the Senator what number of annuitants are considered in that estimate?

Mr. POMERENE. I can not now give the Senator that number, but I will have some reference to make to the number of annuitants a little later on. The Senator asked, I believe, for the cost at the end of the tenth year?

Mr. GORE. During the tenth year.

Mr. POMERENE. During the tenth year the cost will be $11,707,000.

Mr. STERLING. The Senator has not the number of annuitants to whom payments will be made at that time?

Mr. POMERENE. I have not that number here now. I think I was furnished with that information a little while ago, but I have not been able to examine it yet. However, I will get it and insert it in the RECORD later.

Mr. STERLING. I shall be glad if the Senator will furnish the number of annuitants to whom payments are to be made during the successive years.

Mr. POMERENE. I think I can do that.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. POMERENE. Certainly.

Mr. NORRIS. I desire to ask the Senator whether the figures he is now giving represent the amount of money paid in the one year.

Mr. POMERENE. Yes; that one year.

Mr. NORRIS. Can the Senator tell about what proportion of that amount is paid by the Government and what proportion by the employees?

Mr. POMERENE. I will give that in just a moment.

I think I stated a moment ago that the peak year would be the thirty-fifth year, at a cost of $34,513,000. Then it declines until the sixty-third, when it reaches $28,205,000. Then it continues from that year on to cost that same amount each year, so that the total cost to the Government for the 77 years as shown by the table will be $2,080,216,000, or an average cost to the Government per year of $27,015,792.20.

The Senator from Nebraska [Mr. NORRIS] asked me a question a moment ago as to the percentage of the cost to the Government and to the employees. I think I was a little inaccurate when I said I could give the percentage of cost to all the employees. What I have here is the estimated cost of pensioning the railway postal clerks. I think the percentages perhaps will not be very different between the cost to the Government and to the employees of this class and the cost to the Government and to the employees of the total number. I also have and I ask to have inserted in the RECORD at this point an estimate of the cost of pensioning the railway postal clerks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The estimate of cost referred to is as follows:

Estimate of cost of pensioning railway postal clerks.

Year.	Cost of pensioning employees.			Per cent of total cost each year.		Summations of cost.		
	To the Government.	To the employees.	Total.	To the Government.	To the employees.	To the Government.	To the employees.	Total.
0	$536,324	$0	$536,324	100.00	0.00	$536,324	$0	$536,324
1	579,382	327	579,709	99.94	.06	1,115,706	327	1,116,033
2	635,941	1,138	637,079	99.82	.18	1,751,607	1,465	1,753,112
3	702,163	2,609	704,772	99.63	.37	2,453,810	4,074	2,457,884
4	773,335	4,644	777,979	99.40	.60	3,227,145	8,718	3,235,863
5	843,929	7,268	851,197	99.15	.85	4,071,074	15,986	4,087,060
6	914,499	10,640	925,139	98.85	1.15	4,985,573	26,626	5,012,199
7	983,486	14,610	998,096	98.54	1.46	5,969,059	41,236	6,010,295
8	1,054,920	19,531	1,074,451	98.18	1.82	7,023,979	60,767	7,084,746
9	1,115,456	24,734	1,140,190	97.83	2.17	8,139,435	85,501	8,224,936
10	1,201,548	32,355	1,233,903	97.38	2.62	9,340,983	117,856	9,458,839
11	1,301,982	41,983	1,343,965	96.88	3.12	10,642,965	159,839	10,802,804
12	1,402,871	52,992	1,455,863	96.36	3.64	12,845,836	212,831	12,258,667
13	1,498,444	65,499	1,563,943	95.81	4.19	13,544,280	278,330	13,822,610
14	1,627,716	82,345	1,710,061	95.18	4.82	15,171,996	360,675	15,532,671
15	1,743,401	99,827	1,843,228	94.58	5.42	16,915,397	460,502	17,375,899
16	1,859,562	119,253	1,978,815	93.97	6.03	18,774,959	579,755	19,354,714
17	1,990,061	142,400	2,132,461	93.32	6.68	20,765,020	722,155	21,487,175

Estimate of cost of pensioning railway postal clerks—Continued.

Year.	Cost of pensioning employees.			Per cent of total cost each year.		Summations of cost.		
	To the Government.	To the employees.	Total.	To the Government.	To the employees.	To the Government.	To the employees.	Total.
18	$2,126,047	$168,582	$2,294,629	92.65	7.35	$22,891,067	$890,737	$23,781,804
19	2,263,406	197,427	2,460,833	91.98	8.02	25,154,473	1,068,164	26,242,637
20	2,413,886	231,140	2,645,026	91.26	8.74	27,568,359	1,319,304	28,887,663
21	2,549,639	265,521	2,815,160	90.57	9.43	30,117,998	1,584,825	31,702,823
22	2,694,938	304,817	2,999,755	89.84	10.16	32,812,936	1,889,642	34,702,578
23	2,803,496	340,729	3,144,225	89.16	10.84	35,616,432	2,230,371	37,846,803
24	2,951,607	387,954	3,339,561	88.38	11.62	38,568,039	2,618,325	41,186,364
25	3,065,436	431,184	3,496,620	87.67	12.33	41,633,475	3,049,509	44,682,984
26	3,166,959	475,594	3,642,553	86.94	13.06	44,800,434	3,525,103	48,325,537
27	3,265,181	523,311	3,788,492	86.19	13.81	48,065,615	4,048,414	52,114,029
28	3,367,738	575,719	3,943,457	85.40	14.60	51,433,353	4,624,133	56,057,486
29	3,436,495	623,066	4,059,561	84.65	15.35	54,869,848	5,247,199	60,117,047
30	3,497,815	672,288	4,170,103	83.88	16.12	58,367,663	5,919,487	64,287,150
31	3,532,955	716,430	4,249,385	83.14	16.86	61,900,618	6,635,917	68,536,535
32	3,557,825	760,585	4,318,410	82.39	17.61	65,458,443	7,396,502	72,854,945
33	3,562,049	800,034	4,362,083	81.66	18.34	69,020,492	8,196,536	77,217,028
34	3,541,435	832,053	4,373,488	80.98	19.02	72,561,927	9,028,589	81,590,516
35	3,506,309	859,574	4,365,883	80.31	19.69	76,068,236	9,888,163	85,956,399
36	3,458,546	882,355	4,340,901	79.67	20.33	79,526,782	10,770,518	90,297,300
37	3,407,629	903,813	4,311,442	79.04	20.96	82,934,411	11,674,331	94,608,742
38	3,344,815	922,000	4,266,815	78.39	21.61	86,279,226	12,596,331	98,875,557
39	3,273,431	931,460	4,204,891	77.85	22.15	89,552,657	13,527,791	103,080,448
40	3,204,619	940,271	4,144,890	77.31	22.69	92,757,276	14,468,032	107,225,338
41	3,146,908	952,995	4,099,903	76.76	23.24	95,904,184	15,421,057	111,325,241
42	3,096,089	967,410	4,053,479	76.19	23.81	99,000,253	16,388,467	115,388,720
43	3,048,667	981,375	4,030,042	75.65	24.35	102,048,920	17,369,842	119,418,762
44	3,002,879	993,621	3,996,500	75.14	24.86	105,051,799	18,363,463	123,415,262
45	2,958,924	1,004,468	3,963,392	74.66	25.34	108,010,723	19,367,931	127,378,654
46	2,917,478	1,013,737	3,931,215	74.21	25.79	110,928,201	20,381,668	131,309,869
47	2,878,635	1,021,749	3,900,384	73.80	26.20	113,806,836	21,403,417	135,210,253
48	2,842,629	1,020,610	3,863,239	73.58	26.42	116,649,465	22,424,027	139,073,492
49	2,809,637	1,028,223	3,837,860	73.21	26.79	119,459,102	23,452,250	142,911,352
50	2,779,732	1,034,741	3,814,473	72.87	27.13	122,238,834	24,486,991	146,725,825
51	2,752,995	1,040,267	3,793,262	72.58	27.42	124,991,829	25,527,258	150,519,087
52	2,729,397	1,044,941	3,774,338	72.31	27.69	127,721,226	26,572,199	154,293,425
53	2,708,867	1,048,908	3,757,775	72.09	27.91	130,430,093	27,621,107	158,051,200
54	2,691,283	1,052,283	3,743,566	71.89	28.11	133,121,376	28,673,390	161,794,766
55	2,676,481	1,055,170	3,731,651	71.72	28.28	135,797,857	29,728,560	165,526,417
56	2,664,317	1,057,603	3,721,920	71.58	28.42	138,462,174	30,786,163	169,248,337
57	2,654,498	1,060,033	3,714,531	71.46	28.54	141,116,672	31,846,196	172,962,868
58	2,646,771	1,062,477	3,709,248	71.36	28.64	143,763,443	32,908,673	176,672,116
59	2,640,572	1,064,642	3,705,514	71.27	28.73	146,404,315	33,973,315	180,377,630
60	2,636,529	1,065,572	3,702,101	71.22	28.78	149,040,844	35,038,887	184,079,731
61	2,633,490	1,067,298	3,700,788	71.16	28.84	151,674,334	36,106,185	187,780,519
62	2,631,511	1,068,839	3,700,350	71.12	28.88	154,305,845	37,175,024	191,480,869
63	2,630,347	1,070,197	3,700,544	71.08	28.92	156,936,192	38,245,221	195,181,413
64	2,629,796	1,071,375	3,701,171	71.05	28.95	159,565,988	39,316,596	198,882,584
65	2,629,691	1,072,414	3,702,105	71.03	28.97	162,195,679	40,389,010	202,584,689
66	2,629,870	1,073,297	3,703,167	71.02	28.98	164,825,549	41,462,307	206,287,856
67	2,630,205	1,074,052	3,704,257	71.00	29.00	167,455,754	42,536,359	209,992,113
68	2,630,627	1,074,667	3,705,294	71.00	29.00	170,086,381	43,611,026	213,697,407
69	2,631,058	1,075,174	3,706,232	71.00	29.00	172,717,439	44,686,200	217,403,639
70	2,631,457	1,075,573	3,707,030	70.99	29.01	175,348,896	45,761,773	221,110,669
71	2,631,794	1,075,890	3,707,684	70.98	29.02	177,980,690	46,837,663	224,818,353
72	2,632,074	1,076,113	3,708,187	70.98	29.02	180,612,764	47,913,776	228,526,540
73	2,632,282	1,076,282	3,708,564	70.98	29.02	183,245,046	48,990,058	232,235,104
74	2,632,440	1,076,391	3,708,831	70.98	29.02	185,877,486	50,066,449	235,943,935
75	2,632,555	1,076,478	3,709,033	70.98	29.02	188,510,041	51,142,927	239,652,968
76	2,632,621	1,076,526	3,709,147	70.98	29.02	191,142,662	52,219,453	243,362,115
77	2,632,659	1,076,554	3,709,213	70.98	29.02	193,775,321	53,296,007	247,071,328
Total	193,775,321	53,295,007	247,071,328	78.43	21.57			

Mr. POMERENE. I desire to explain this last table briefly. In the table giving the cost of pensioning the railway postal clerks is given the cost for each year. In the first column appear the years, first, second, third, and so forth. The cost to the Government of pensioning the employees is given in the next column, and to the employees in the third column, and the total cost in the fourth column. Then in the fifth column appears the percentage of the total cost each year to the Government and in the next column the percentage of the cost to the employees. Then follow two columns giving a summation of the cost to the Government and to the employees and the total cost. Without taking the time to read all these figures, because it would be very tedious, I desire to submit to the Senate for its consideration certain facts. The first year this plan would cost, all told, $536,324, and 100 per cent of the cost would be paid by the Government. The second year the total cost would be $579,709, of which 99.94 per cent would be paid by the Government and six-tenths of 1 per cent would be paid by the employees.

Mr. STERLING. Mr. President, may I ask the Senator from Ohio why he assumes that for the first year all of the cost of the bill as affecting the railway postal employees will be paid by the Government?

Mr. POMERENE. Because that is the fact.

Mr. STERLING. But is it a fact?

Mr. POMERENE. Yes.

Mr. STERLING. Will there not be contributions made by all of the employees——

Mr. POMERENE. No.

Mr. STERLING. If the Senator will pardon me, will not there be contributions made by all the employees in that branch of the service, as well as in every other branch of the service?

Mr. POMERENE. Mr. President, of course the Senator from South Dakota has asked the question in good faith, and I shall try to answer it in the same way. Bear in mind that this proposed act is to go into effect, I think, 90 days after its passage. Am I not right in that?

Mr. STERLING. The Senator is correct.

Mr. POMERENE. Ninety days following its passage, therefore, the then superannuated employees will sever their connection with the Government and their annuity must be paid during that year. However, there will be certain contributions made by the employees, and those are taken into account the next year, at the end of which the cost to the Government will be 99.94 per cent and the cost to the employees will be only six-tenths of 1 per cent.

Mr. SMOOT. Mr. President, in further answer to the Senator from South Dakota, I wish to say that the payments that may be made by the employees who are not separated from the service in the meantime under the bill could be all drawn out with interest; so why should those payments be taken into consideration in arriving at the percentage that the Government pays for the first year?

Mr. POMERENE. That is true; the Senator from Utah has called attention to a very important factor in the consideration of this legislation. I am going to refer to it now, but I shall discuss it further a little bit later.

It must be borne in mind that under this plan the funds which are contributed by the employees are trust funds. A separate account is to be kept with each employee, as it should be. Under the plan which is proposed in the substitute bill which I shall present, and which was the result of the study of the committee when I had the honor to be its chairman, all of these trust funds have to be invested in bonds because they are trust funds.

Mr. STERLING. Mr. President——

Mr. POMERENE. Pardon me a moment. The vice of the system contained in the pending bill is that—I do not say that it was purposely done—in order to make it appear that the cost is going to be merely negligible it is sought to pay all of the annuities out of the trust funds, while they should be held as a reserve fund for the several contributors paying it; and I want to say to you, Senators, if you have not had occasion to study this problem, that has been the scheme that has wrecked many of the life insurance institutions of this country. It is wholly vicious, and I say that with all respect. I shall discuss that subject, perhaps, a little later.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. POMERENE. I yield to the Senator.

Mr. NORRIS. While the Senator from Ohio does not have any figures as to any other class except the railway mail employees, I take it that the same rule would apply to the other classes?

Mr. POMERENE. Oh, yes; undoubtedly.

Mr. NORRIS. So that, as a matter of fact, the percentage the Senator has given in regard to the expense for the first year would be the same as to other classes of Government employees?

Mr. POMERENE. Practically the same; yes.

Mr. NORRIS. And if the rule works out the same, it would be all paid by the Government except six-tenths of 1 per cent.

Mr. POMERENE. Oh, yes, for the first year; and, as I go on, I am going to give the exact percentages so far as they apply to this particular class.

Mr. SMOOT. I wish to suggest to the Senator from Ohio that when he reaches that point he call the particular attention of the Senate to the provisions of the pending bill which will allow a citizen 20 years of age who enters the Government service to be retired at 65 years of age, but after having served 15 years, when 35 years of age, he can leave the service and withdraw every cent of the annuity which he has paid, with compound interest; and immediately reenter the service and draw the very highest rate of annuity at the end of 65 years.

Mr. NORRIS. The Senator from Ohio has already called attention to that fact.

Mr. POMERENE. I did so while the Senator from Utah was temporarily out of the Chamber.

Mr. SMOOT. I was not aware that the Senator from Ohio had done so.

Mr. POMERENE. Now, let me go a little further as to the cost of pensioning the railway postal clerks. In the twenty-fifth year the total cost will be $3,496,720; the cost to the Government will be 87.67 per cent of the total, and the cost to the employees will be 12.33 per cent of the total. In the fiftieth year the total cost will be $3,814,473, the percentage of cost to the Government will be 72.87 per cent, and the percentage of cost to the employees will be 27.13 per cent. In the seventy-seventh year the total cost of pensioning the railway postal clerks will be $3,709,213, the percentage of cost to the Government will be 70.98 per cent, and the percentage of cost to the employees will be 29.02 per cent.

The total cost to the Government and to the employees for the 77 years—and these figures relate to the railway postal clerks—will be $247,071,338, the average cost for the 77 years will be $3,208,718.54, and the per cent of cost to the Government during these years will be 78.43, while the percentage of cost to the employees will be 21.57. So there is a very radical difference between the statement made by the distinguished Senator from South Dakota, who has charge of the pending bill, and myself. In his judgment, as he stated yesterday, after a time—and I am not sure that he mentioned the number of years, but after a certain time—the pending bill would be practically a 50-50 plan. As a matter of fact, it is a 78.43 per cent as against a 21.57 per cent plan; in other words, the Government will be paying in round numbers about four-fifths of the total cost.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from South Dakota?

Mr. POMERENE. I do.

Mr. STERLING. Just here and in connection with what the Senator has stated I wish to call attention to the estimates on that very subject made by the Government actuary, Mr. McCoy. He furnishes a table in which he gives the cost to the Government according to the number of years of service of the employee, running from 15 years of service, that being the minimum years of service under which the employee may be able to share in the benefits of this bill, to 44 years. At 44 years the cost to the Government will be 38 per cent; at 40 years, according to Mr. McCoy, it will be 49 per cent; at 35 years it will be 61 per cent; it runs during the years between 44 years of service and 15 years of service from 38 per cent to 79 per cent. So it must follow, I think, from the statements furnished by the Government actuary, that it is about a half-and-half proposition.

Mr. POMERENE. Mr. President, there are actuaries and actuaries. The plan which has been submitted in that statement will never stand the test of cross-examination. More than that, the difference between the estimates made by Mr. McCoy and Dr. Brown is such that if the Congress of the United States wants to be square with the Government and square with the people the different estimates will be investigated, so that the Senate may know the truth before we adopt a plan of this kind and fasten it permanently upon the Government.

Mr. STERLING. Mr. President, I am just as anxious as is the Senator from Ohio that Senators shall know the truth about this matter.

Mr. POMERENE. Yes, sir; I am sure of that.

Mr. STERLING. I assume there will be some honest differences between actuaries in regard to this matter; but, as to the actuary who made the statement to which I have referred, I believe as much confidence can be placed in what he says and in the statements he makes in regard to these matters as in the statements of any other actuary who may be produced. He has been the actuary, it may be said in a sense, for the Senate of the United States in the consideration of financial and revenue bills, the trusted aid of the Committee on Finance at session after session of the Senate.

If the Senator from Ohio will permit a further interruption, the figures I gave a moment ago in regard to the per cent that the Government would have to pay were based on a $1,200 salary. When the salary is larger, because of the larger contribution of the employee under this plan, the percentage paid by the Government is still less. When it comes to the $1,800 salary the Government will be contributing but 8 per cent to the man who has served 44 years, 24 per cent to the man who has served 20 years, 41 per cent to the man who has served 35 years, and so on; and when it comes to the $2,000 salaries the employee's contribution will overpay by one hundred and twenty-six dollars and some cents the amount of his annuity. So, as to other salaries, for instance, the employee who has served 44 years and has drawn a salary of $2,500 would have contributed $1,571.71 more than he receives in annuity.

Mr. POMERENE. May I ask the Senator a question in that connection?

Mr. STERLING. Certainly.

Mr. POMERENE. The Senator is dwelling upon the higher salaries.

Mr. STERLING. Oh, certainly.

Mr. POMERENE. But the vast majority of them are the lower salaries. The Senator has stated that a part of the estimate is based upon a $1,200 salary. The tables which I have presented are based upon an average salary of $1,132. Will the Senator again, because I do not carry the figures in my mind, give me the percentage of cost to the Government and to the employee in the case of a $1,200 salary?

Mr. STERLING. I will do so. The $1,200 salary is what I first called attention to, where the percentage to be paid by the Government ranges all the way from 38 to 79 per cent. Take the $1,800 salary, and the percentage to be paid by the Government for different periods of service, ranging from 15 to 44 years, runs from 8 to 68 per cent. I submit that in all of that, where the salary is $1,800, the percentage paid by the Government is much less than 50 per cent of the annuities. Take the $2,000 salary, and it runs from no per cent, or from $129.60 on the other side of the ledger, to 64 per cent. If the party has served but 15 years, the Government will pay 64 per cent of the annuities. If he has served 18 years, the Government will pay 62 per cent. If he has served 21 years, the Government will pay 59 per cent of the annuity of the man who receives the $2,000 salary, and so on.

I shall in due course ask that this table be printed in the RECORD, but not now.

Mr. POMERENE. Mr. President, one of the mistakes which has been made by the actuary, Mr. Beach, I think, will be of interest to the Senate. I read a statement which has been furnished me by Dr. Brown.

Mr. NORRIS. Mr. President, before the Senator does that, right on the matter that was in dispute between the Senator from Ohio and the Senator from South Dakota, I should like to inquire whether the Senator has anything to show what is the average number of years that the clerks who would be entitled to the benefit of this system serve the Government?

Mr. POMERENE. Do I understand the Senator to ask as to the average number of years they will have served when they arrive at retirement age?

Mr. NORRIS. No. All told, what is the average length of service, if the Senator knows, of all the clerks?

Mr. POMERENE. I can not answer that question. I have no information on that subject.

I want to call attention to another apparent discrepancy here, at least.

On yesterday the Senator from South Dakota stated that Mr. McCoy suggested that the cost to the Government after a while would be $9,000,000 a year. I assume that was the result of his actuarial work. Attached to the report filed in support of this bill is a table in which Mr. Beach gives certain statistical information, and I want to call attention to the latter part of this statement. It indicates that the refunds to 20,000 employees separated from the service annually, assuming that they have contributed on the average for 10 years, would be $5,490,000. This gives the total disbursements annually as $22,650,000. This states that the employees will contribute 37.7 per cent and the Government will contribute 62.3 per cent. The contributions by the employees are given in this same table as follows:

Total contributions from 300,000 employees receiving on an average $1,138 annually, at 2½ per cent, $8,535,000.

So that according to the statements of the actuary, Mr. Beach, the Government would be paying annually $14,115,000; but according to the statement made by Mr. McCoy, as I understand, the amount would be about $9,000,000. I do not know which is correct.

Mr. STERLING. Mr. President, if the Senator will permit me——

Mr. POMERENE. Yes.

Mr. STERLING. A question was asked in regard to that on yesterday. Mr. Beach informs me that the $22,650,000 is meant to be the maximum of the disbursements upon the part of the Government.

Mr. POMERENE. The maximum?

Mr. STERLING. The maximum of the disbursements at any time, and, of course, that will include disbursements for annuities and refunds to those who have separated themselves from the service.

Mr. POMERENE. Then at least one of these actuaries makes the statement in his formal report that the total disbursements annually will be $22,650,000, and now he says it is the maximum.

Mr. STERLING. One is talking, I think, about the cost to the Government at any time, and the other is speaking about the total disbursements, which disbursements include contributions by the employees.

Mr. POMERENE. Oh, I understand that, and I have so said. I deducted the $8,535,000 which the employees contribute, and that would leave the total disbursements annually by the Government and on account of the Government alone as $14,115,000. It will take an actuary to reconcile those statements.

Let me go a little further with this.

Mr. STERLING. Mr. President, if the Senator will let me say a word in that connection——

Mr. POMERENE. Yes.

Mr. STERLING. The $5,490,000 referred to there, which is disbursed, has not cost the Government a cent. Those are the refunds to the employees of the money that they have paid in before they separated themselves from the service.

Mr. POMERENE. Oh, yes; I understand. When it comes to this matter of refunds, let us see how actuarily correct this Mr. Beach is. I am going to read a statement furnished me by Dr. Brown:

UNITED STATES BUREAU OF EFFICIENCY,
Washington, February 6, 1920.

I wish to invite your attention to the estimate of separations from the service shown on page 4 of the committee's report. The probable number of employees that will leave the service each year is shown as 20,000 during the first 10 years of the operation of the plan.

The following tabulation shows the number that will leave the service according to the actual statistics for the five years ending June 30, 1916, the number that will leave the service according to Mr. Beach's estimate, and the difference:

All employees (based on 300,000).	Number of refunds (Mr. Beach's estimate).	Difference k—j.
15,290	20,000	4,710
14,678	20,000	5,322
14,222	20,000	5,778
13,838	20,000	6,162
13,552	20,000	6,448
13,247	20,000	6,753
13,113	20,000	6,887
13,036	20,000	6,964
12,806	20,000	7,194
12,702	20,000	7,298

Mr. Beach's overstatement of separations, ranging from 4,710 the first year up to 7,298 the tenth year, results in a great understatement of the cost of the plan.

Very respectfully,
HERBERT D. BROWN,
Chief, Bureau of Efficiency.

Now, Mr. President, I want to introduce in the RECORD a statement which Mr. Brown submits to me, explaining these statistics I have given as they apply to the Sterling-Lehlbach bill, under date of February 3, 1920:

UNITED STATES BUREAU OF EFFICIENCY,
Washington, February 3, 1920.

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.

DEAR SENATOR POMERENE: I inclose herewith statement showing estimated cost to the Government, by years, of retiring the civil employees under Senate bill 1699, introduced by Senator STERLING on June 16, 1919.

This estimate is based on statistics of employees collected as of July 1, 1916, and includes 263,152 persons.

The Senator from Nebraska asked me a moment ago as to the number of employees being considered at the time these tables were prepared, and that is the number—263,152. The letter proceeds:

The inclosed statement shows that the cost to the Government the first year will be $4,585,000, and that this amount will steadily increase until about the thirty-fifth year, when the cost to the Government will be about $34,500,000. The cost to the Government will then fall gradually to about $28,000,000 a year. These figures make no allowance for any increase in the number of persons in the service over the number employed in 1916. Under this bill the total amount of the retirement allowances the first year will be paid out of the Federal Treasury. With each succeeding year the employees retiring will have provided a larger proportion of their annuities.

I think this letter in part answers the question the Senator from Nebraska asked me a moment ago with regard to the percentage of cost, and if the Senator will do me the kindness to give me his attention, I think I can answer his question now. Mr. Brown continues:

The employees retiring the tenth year will provide about 3 per cent of their annuities, in the twentieth about 9 per cent, and in the thirtieth year about 15 per cent. With each succeeding year the employees' contributions will provide an increasing proportion of the total cost until at the end of about 50 years the employees' contributions will provide about one-fourth of the annual cost. Thereafter the employees will contribute about one-fourth of the annual cost.

The increased cost of this plan over similar plans previously considered is due to the earlier ages of retirement. The earlier ages of retirement reduce the period during which contributions will be made by the employees; they cut off the operation of compound interest at the time the interest accumulations are growing most rapidly, and they increase the number of annuity payments to the employees.

You asked whether the plan provided for by this bill will be self-supporting in the beginning; and if so, for how long.

Note this:

My answer to your question is that it will not require any aid from the Government during the first few years if the Government sees fit to use the contributions of the younger employees to pay the older ones. The contributions are more than sufficient to pay the annuities during the first few years, because the number of eligibles will be few at first; but as the number reaching retirement age will increase at about the same rate that the service has increased during the past 30 or 40 years, it is obvious that in a short time the income will be inadequate to cover the entire cost of the plan. If the contributions of all of the employees are accumulated at interest at 4 per cent compounded annually and are used to pay the annuities of employees retiring during the first few years, the plan will require no aid from the Government during the first 10 years of its operation. Under the terms of the bill, however, money paid in by an employee remains the property of that employee and must ultimately be returned to him with interest at 4 per cent compounded annually in one of the two ways: (a) In one sum in case of his resignation or to his estate in case of his death, or (b) in the form of an annuity upon his retirement. The contributions of the employees therefore clearly constitute a trust fund in the hands of the Government rather than a surplus. It is as inaccurate to designate that fund or any portion of it as surplus, even while it exceeds the amount of the retiring allowances, as it would be for a bank to so designate its deposits. Of course, if the Government wishes to use the contributions of one man to pay another, it can do so, and thus reduce the amount of money to be raised through other sources. Spending the employees' money, however, will simply defer the time when the Government must begin to make appropriations, but it will not reduce the ultimate cost to the Government.

You asked me to state the cost separately of the disability provision contained in section 5 of this bill under which an employee, who has

served for 15 years or more, may be retired for total disability due to disease or injury. It is impossible to make any estimate of what this benefit will cost the Government, because of the unreliability of existing disability statistics and of the fact that this benefit overlaps the employees' compensation law at so many points. Since the table of cost by years is based on the assumption that employees will be retired as soon as they are eligible, the omission of any estimate for the cost of the disability provision may offset any overstatement of cost of annuities which the employee will not receive through remaining in the service for short periods beyond retirement age.

Very respectfully,

HERBERT D. BROWN,
Chief Bureau of Efficiency.

Mr. STERLING. Mr. President, will the Senator put the entire communication from Mr. Brown in the RECORD?

Mr. POMERENE. Yes; I so intended. In fact, I read the whole communication, and I am very glad to have it incorporated in the RECORD.

Mr. NORRIS. Mr. President, I wanted to ask the Senator a question in connection with one statement Mr. Brown made, in its application to this particular bill. He states that it would not cost the Government anything if we used the contributions that were paid in at once. But, as I understand the bill, that could not be done, and probably it would be an unsafe thing even if it were provided that it should be done.

Mr. POMERENE. I am disposed to think that under the bill as it is drawn, legally speaking, it can be done; but it is violative of every legal principle in dealing with trust funds.

Mr. President, there is this difference between the bill which I intend to offer as the substitute and the bill now pending before this Chamber: In the bill which was prepared the Senator from Utah [Mr. SMOOT], the Senator from Iowa [Mr. CUMMINS], and myself, having had, as we thought, good reasons for so doing, expressly provided that those funds should be invested in bonds and held as a trust fund, because we felt that a time might come, if we did not have these funds invested in bonds or other good securities, when the annuitants would simply have a claim against the Government for a given amount of money without any security therefor; and I think I shall at this moment, as bearing upon this very subject, beg the indulgence of the Senate while I call its attention to a letter which was written to me in 1918.

Mr. STERLING. Mr. President, will not the Senator permit me a word before he proceeds with that with reference to the question he was just discussing and in answer to the Senator from Nebraska? The Senator speaks of this as a trust fund.

Mr. POMERENE. Yes.

Mr. STERLING. Is it a trust fund in any other sense than that the Government is responsible to the employee for the amount of the deductions from his salary? Let me read now the provisions of the bill.

Mr. POMERENE. Very well.

Mr. STERLING. The provisions of the bill will show, I think, clearly that there can be no fault found with Mr. Brown's statement to the effect that if annuities are paid out of the funds accumulated it would be perfectly proper. The bill reads:

> The Secretary of the Treasury shall cause the said deductions to be withheld from all specific appropriations for the particular salaries or compensation from which the deductions are made and from all allotments out of lump-sum appropriations for payments of such salaries or compensation for each fiscal year, and said sums shall be transferred on the books of the Treasury Department to the credit of a special fund to be known as "the civil-service retirement and disability fund," and said fund is hereby appropriated for the payment of annuities, refunds, and allowances as provided in this act.

The whole fund is appropriated. As annuities become due they may be paid out of that fund, and that fund has been a fund loaned by the employees to the Government at the rate of 4 per cent interest, under the terms of the bill.

Mr. POMERENE. Mr. President, I am very glad the Senator has made that statement, but I do not think—and I do not want to be misunderstood when I make the statement, because it is made in the utmost kindness—that the Senator has placed quite a fair construction upon that language. I happen to have before me Mr. Beach's statement before the committee. Before reading it I wish to say that the bill provides in one feature that these assessments or contributions shall be kept in separate accounts for each individual contributor, and there is to be added to them the annual accumulation of compound interest, and if at any time he separates himself from the service he has the right to withdraw those funds. That they are regarded as trust funds seems to me is quite evident from the statement made by Mr. Beach, on page 95 of the hearings, in which he says:

> But it is quite certain, I feel confident, that from the figures which I have compiled, in any event, the Government will not be called upon to contribute any amount for the payment of annuities during the first 10 years at least.

Now, note this:

> Of course they are borrowing the amount from the contributions of the employees. We can not disguise that fact. But it is entirely logical that this practice should be done.

I referred a moment ago to a letter which I received and inserted in the RECORD on December 3, 1918, when the subject was up, a letter from Mr. George T. Keyes, secretary of the National Civil Service Reform League of New York, dated November 12, 1918, and addressed to me, reading as follows:

NATIONAL CIVIL SERVICE REFORM LEAGUE,
New York, November 12, 1918.

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.

DEAR SENATOR POMERENE: With regard to the McKellar retirement bill, which, I understand, is unfinished business, will you be good enough to send me a copy of any bill which you may be planning to propose for a substitute measure?

I have just noticed a "joker" in the pending bill (S. 4637) for the retirement of employees in the classified civil service, which raises a new and grave objection to the present form of that bill.

The public and the employees have been led to believe by the debates and the apparent intent of the bill itself that the money withheld from the salaries of employees would be held at interest in each employee's name, in an inviolable retirement fund.

But actually, I have just discovered, the bill only provides for crediting to each employee the amounts of his contributions and the interest thereon. The actual money contributed is to be used by the Secretary of the Treasury to pay for the retirement of those already of retirement age. Only "such portions" of the contributions are held in reserve, in the name of the individual contributors, "as in his judgment may not immediately be required for the payment of annuities, refunds, and allowances." (Sec. 8, p. 8, line 18.)

Instead of accumulating a fund, therefore, the Government is accumulating a debt. For a few years the receipts will outbalance the payments, as the report on the bill (No. 574, p. 7) indicates. But after that, or beginning about 1930, there will no longer be any fund from which to pay the then rapidly mounting costs of retirement. It will be necessary for Congress to make annual appropriations to repay the amounts "borrowed" from the employees then to be retired with compound interest, and the amount of these repayments has not even been computed.

The proposed disbursement of reserves is exactly analagous to the systems of the new bankrupt insurance companies and fraternal organizations that failed to maintain their reserve funds intact. There is no escaping the certain Nemesis that overtakes such schemes.

From the employees' point of view the scheme is perilous. The present Congress can not pledge future Congresses to the repayment of these amounts. Appropriations for that purpose may be delayed or even denied. All that the employee will have, instead of the "fund" he believes he is accumulating, is a "claim" against the Government. Anyone familiar with the endless procedure necessary to collect even the most just claim against the Government will readily agree that the position of the employees depending on a claim instead of a fund will be precarious.

The language of the bill is clear on this point once it is called to one's attention. But I am satisfied that neither the Members of Congress nor the public nor the employees have had their attention directed to it. Nobody who reads section 8 attentively can now doubt that the retirement fund proposed in S. 4637 is doomed to certain collapse within, at most, 15 years, unless Congress makes very large extra appropriations.

I hope you will have an opportunity to make the point clear to the Senate.

Sincerely, yours,

GEORGE T. KEYES,
Secretary.

And now, Senators, I think you will find that the provisions of the pending bill do not very materially differ from the provisions of the McKellar bill to which this criticism was addressed. I am confident that when it comes to a plan of retirement, if there are any contributions to be called for to be paid by the employees, if we are going to adopt the system whereby upon their retirement these funds are to be returned, then we ought to treasure them as trust funds for that specific purpose.

To say that this is not going to cost the Government anything, because it receives trust funds in the form of contributions for each of the separate contributors and then diverts that money from that specific purpose to pay the legal liabilities of the Government to some one else, is a shocking proposition to anyone who has had to deal with trust funds. It is as if I, as an individual, had certain private funds and some Senator would intrust me with funds to be kept sacredly for some cestui que trust. If I would divert those funds from the purpose for which they were intended and use them to pay off some legal liability of my own, lawyers know what would be the consequence to me. Under those circumstances I would go to the penitentiary.

Mr. STERLING. I suppose it is a question, in the last analysis, of the safety of the employee and the safety of the fund that has been deducted from his salary from time to time. Now, let me ask the Senator from Ohio if this does not fix the responsibility of the Government, and that it is a question as to whether or not the employee is safe:

> The Secretary of the Treasury is hereby directed to invest from time to time, in interest-bearing securities of the United States, such portions of the "civil-service retirement and disability fund" hereby created as in his judgment may not be immediately required for the payment of annuities, refunds, and allowances as herein provided, and the income derived from such investments shall constitute a part of said fund for the purpose of carrying out the provisions of section 11 of this act.

Mr. POMERENE. My good friend—and he is a good lawyer, too—can hardly be serious in putting that question to me in that way. There is a provision for the investment of a part of these funds; but let us analyze it, and I refer to his own report.

On page 6, when Mr. Beach gave an estimate as to the account, he said that the first year there will be contributions from 300,000 employees, aggregating $8,535,000; that the annuities to be paid to 6,400 annuitants, at $610 each, would be $3,904,000; refunds to 20,000 employees separated from the service would be $274,500, making a total of $4,178,500. That would leave a balance. It is called here a surplus. It should be stated as the amount of these contributions which the Government does not borrow. That balance of $4,356,500 would be invested in securities under the provisions of the bill to which my friend the Senator from South Dakota has referred, but there is $4,178,500 that belongs to 300,000 employees, that belongs to them in severalty in proportion to the amount they have paid as contributions, which has been absorbed to pay claims owed by the Government to somebody else, and there is no security for it. It is only a claim which each contributor would have against the Government.

Mr. NORRIS. Mr. President——

Mr. POMERENE. I yield to the Senator from Nebraska.

Mr. NORRIS. I have not any doubt about the responsibility of the Government when these persons interested in the funds get the money from the Government, but the question in my mind is if the Government pays these annuities out of the principal of the fund rather than from its income, it seems to me that it would apply to the Government like it would to any business proposition, that they would very soon be in a state of bankruptcy, unless they had, as they would have in this case, the Government from which to get the money, which, of course, would mean that after all the Government would have to pay it all just the same.

But I rose to ask the Senator about this investment. He told about the number of annuitants that would get the money the first year, and he estimated in the illustration that he just gave that the Government could invest all the balance of the money in securities. If they invested in United States bonds, which I presume would be the investment principally, it would be bonds that would not mature for a great many years.

Mr. POMERENE. Not necessarily so. It might or might not be.

Mr. NORRIS. That is true; but it is at least fair to assume that it would be invested in securities that would not mature within a year or so. The next year the list of annuitants would greatly increase, and the next year afterwards still further increase. It would soon reach the point within a very few years where the securities would mature very largely, when the amount paid into the fund would not be enough to pay the annuitants and those that resigned and left the service. So that they would be under the necessity of selling on the market these securities in which funds were invested unless Congress directly appropriated the money. Would not that happen?

Mr. POMERENE. That might be so. I assume that the trustee who would have charge of it would be the Treasury Department.

Mr. NORRIS. They would very likely take that fact into consideration and would not invest, as the Senator has suggested they might, the entire surplus.

Mr. POMERENE. Oh, they might. There is in the substitute bill I have presented a provision which covers the very point the Senator from Nebraska has in mind. I think the Senator will agree with me, if he has read that bill, that it takes care of it in the very best possible form.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. POMERENE. I yield.

Mr. HARRISON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Brandegee	Henderson	Myers	Sheppard
Capper	Johnson, S. Dak.	Nelson	Sherman
Chamberlain	Jones, N. Mex.	New	Smoot
Colt	Jones, Wash.	Norris	Spencer
Curtis	Kellogg	Overman	Sterling
Dillingham	King	Page	Sutherland
Fernald	Lodge	Phelan	Townsend
Glass	McCumber	Poindexter	Wadsworth
Harris	McNary	Pomerene	Watson
Harrison	Moses	Ransdell	

The PRESIDING OFFICER. Thirty-nine Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Assistant Secretary called the names of absent Senators, and Mr. HALE, Mr. NUGENT, Mr. SMITH of Maryland, and Mr. WARREN answered to their names.

Mr. HARDING entered the Chamber and answered to his name.

The PRESIDING OFFICER. Forty-four Senators have answered to their names. There is not a quorum present.

Mr. STERLING. I move that the Sergeant at Arms be directed to request the presence of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. ASHURST, Mr. FRANCE, Mr. FRELINGHUYSEN, Mr. GERRY, Mr. MCCORMICK, Mr. PHIPPS, Mr. SMITH of Georgia, and Mr. WILLIAMS entered the Chamber and answered to their names.

Mr. KING. I understand that a number of Senators are absent on account of illness. It will be quite difficult to secure a quorum this afternoon, and I move that the Senate adjourn.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah. [Putting the question.] The noes appear to have it.

Mr. KING. I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I transfer my general pair with the junior Senator from Pennsylvania [Mr. KNOX] to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. JONES of Washington (when his name was called). As heretofore stated, I have a pair with the senior Senator from Virginia [Mr. SWANSON]. I understand that I can transfer that pair to the Senator from Iowa [Mr. KENYON], which I do, and vote "nay."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY]. In his absence I withhold my vote.

Mr. PHIPPS (when his name was called). I have a pair with the junior Senator from South Carolina [Mr. DIAL]. In his absence I withhold my vote.

Mr. SMITH of Maryland (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. DILLINGHAM]. In his absence I withhold my vote.

Mr. STERLING (when his name was called). Making the same announcement as to my pair and its transfer as on the previous vote, I vote "nay."

The roll call was concluded.

Mr. OVERMAN. I have a general pair with the senior Senator from Wyoming [Mr. WARREN], and therefore withhold my vote.

Mr. MCCORMICK (after having voted in the negative). I do not notice the junior Senator from Nevada [Mr. HENDERSON] among the very few Democrats who have been in the Chamber to-day. I have a pair with that Senator, and therefore withdraw my vote.

Mr. KING. Mr. President, may I congratulate the Republican side upon the presence of the Senator from Illinois?

Mr. LODGE and Mr. TOWNSEND. Regular order!

Mr. MCCUMBER (after having voted in the negative). Noticing the absence of my pair, the senior Senator from Colorado [Mr. THOMAS], I withdraw my vote.

Mr. WATSON. I discover that my pair, the senior Senator from Delaware [Mr. WOLCOTT], is absent. I therefore transfer that pair to the senior Senator from Iowa [Mr. CUMMINS] and vote "nay."

Mr. MOSES. I transfer my pair previously announced to the junior Senator from California [Mr. JOHNSON] and vote "nay."

Mr. FERNALD (after having voted in the negative). I notice the absence of the junior Senator from South Dakota [Mr. JOHNSON], with whom I am paired. I therefore withdraw my vote.

Mr. WILLIAMS. I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Alabama [Mr. BANKHEAD] and vote "yea."

Mr. PHIPPS. I transfer my pair with the junior Senator from South Carolina [Mr. DIAL] to the junior Senator from Washington [Mr. POINDEXTER] and vote "nay."

Mr. KELLOGG. I observe that the senior Senator from South Carolina [Mr. SMITH] is not present. I have a general pair with that Senator and therefore withhold my vote. If permitted to vote, I should vote "nay."

Mr. SUTHERLAND (after having voted in the negative). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. He being absent, I am obliged to withdraw my vote.

Mr. HARRISON. I have been requested to announce that the Senator from Arkansas [Mr. KIRBY] is detained on official business.

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. WALSH]. I notice that he has not voted. Therefore I withhold my vote. I simply make this announcement so that I may be counted for a quorum.

Mr. RANSDELL (after having voted in the affirmative). I have a pair with the Senator from New Hampshire [Mr. KEYES]. I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and allow my vote to stand.

Mr. NUGENT. I desire to announce the unavoidable absence of the Senator from Montana [Mr. WALSH].

The result was announced—yeas 6, nays 30, as follows:

YEAS—6.

Harrison	Phelan	Sheppard	Williams
King	Ransdell		

NAYS—30.

Ashurst	Hale	New	Smoot
Brandegee	Harris	Norris	Spencer
Capper	Jones, Wash.	Nugent	Sterling
Chamberlain	Lodge	Page	Townsend
Curtis	McKellar	Phipps	Wadsworth
Dillingham	McNary	Pomerene	Watson
France	Moses	Sherman	
Glass	Nelson	Smith, Ga.	

NOT VOTING—60.

Ball	Gay	Knox	Shields
Bankhead	Gerry	La Follette	Simmons
Beckham	Gore	Lenroot	Smith, Ariz.
Borah	Gronna	McCormick	Smith, Md.
Calder	Harding	McCumber	Smith, S. C.
Colt	Henderson	McLean	Stanley
Culberson	Hitchcock	Myers	Sutherland
Cummins	Johnson, Calif.	Newberry	Swanson
Dial	Johnson, S. Dak.	Overman	Thomas
Edge	Jones, N. Mex.	Owen	Trammell
Elkins	Kellogg	Penrose	Underwood
Fall	Kendrick	Pittman	Walsh, Mass.
Fernald	Kenyon	Poindexter	Walsh, Mont.
Fletcher	Keyes	Reed	Warren
Frelinghuysen	Kirby	Robinson	Wolcott

So the Senate refused to adjourn.

Mr. HENDERSON and Mr. JONES of New Mexico entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. There is a quorum present.

Mr. LODGE. I move that the motion of the Senator from South Dakota [Mr. STERLING] directing the Sergeant at Arms to request the attendance of absent Senators be rescinded.

The motion was agreed to.

Mr. POMERENE. Mr. President, I desire to call the attention of the Senate to another inequitable provision of this bill.

Mr. McCORMICK. Mr. President, the Senator from Ohio is scarcely audible in this crowded Chamber. The murmur of voices here among all the Senators who throng the floor chokes the sound.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Utah?

Mr. POMERENE. I yield to the Senator.

Mr. KING. The Senator from Illinois is seldom here and reserves his voice, whereas the Senator from Ohio is diligently serving his country, so that his voice is not so loud and potential to-day.

Mr. McCORMICK. Mr. President, I will say that the Senator from Utah, often here, seldom reserves his voice.

Mr. POMERENE. Mr. President, these distinguished Senators are always more amiable than they seem to be just at this moment.

I said a moment ago that there was another inequitable feature about this bill which it seems to me ought to receive attention at the hands of the Senate, and I can state it perhaps in a very few words.

First, the higher paid employees pay more than the lower paid employees for the same protection.

Secondly, the young boy and the young girl, ambitious, eager to succeed and to serve their country, pay more, in the aggregate, than the old employees in the service who have been receiving their monthly stipend for years; and they receive only the same annuity.

During the course of this debate it has been suggested that the employees of the country were all a unit behind this bill. It has been suggested that the higher paid employees are so altruistic that they are anxious to pay for the annuities in part for the lower paid employees; and if there is any evidence about it, save and except the mere naked statement by a few of the men who have been interested in pressing this legislation in season and out of season, I have not come in contact with it. In 1918, when I was discussing this feature of the bill, I challenged the statement that these men had given their consent to pay more than their fellow workers paid. The challenge does not seem to have been accepted.

In my humble judgment we have a right to require the Government to pay for any excess over and above a reasonable amount for the good of the service; but I deny the right of the Government to say to the young boy and the young girl, "You shall pay more than your share."

Let me state this in another way, so as to present the thought to the Senate as clearly as I can: The contributions by the employees and the benefits granted them under the pending bill are entirely unrelated. All employees are required to contribute 2½ per cent of their salaries. This means that an employee receiving $1,200 a year would pay into the fund $30 a year, while an employee receiving $5,000 a year would pay in $125 a year, or over four times as much, if the two employees serve the same length of time, while the benefits in these two cases would be the same.

Under the proposed substitute which I have presented, and the cost of which to the Government I discussed a few minutes ago, I have a memorandum showing what would be the cost to the employees of the system therein devised. I am not clear what the average salary of the employee is, but it is either $1,132 or $1,138 per annum.

Mr. STERLING. Eleven hundred thirty-eight dollars, I will say to the Senator, is given by Mr. Beach. He estimates the average salary in 1916 at that figure.

Mr. POMERENE. I thank the Senator; but, for the purpose I have in mind, it will not make any material difference whether it is $1,132 or $1,138. If a young boy or girl enters the service at 20 years of age, the $600 annuity will cost 2.9 per cent of the average salary. Under that plan the annuitant is to be retired at 70 years of age.

At 25 years of age it will cost 3.7 per cent; at 30 years of age it will cost 4.7; at 35 years of age it will cost 6 per cent; at 40 years of age it will cost 7.9 per cent.

But the limitation under the bill is made 8 per cent of the salary.

Mr. STERLING. Mr. President——

Mr. POMERENE. Will the Senator just pardon me a moment? That is assuming that the salary remains the same. But if the salary is doubled at any time, then the per cent of the salary which is required to pay the annuity will be cut in two; if it is trebled, it will be cut in three; if it is quadrupled, it will be cut in four. Now, I yield to the Senator.

Mr. STERLING. I wanted to call the attention of the Senator to the estimate made by Mr. Brown on the whole contributory plan, as to the per cent paid in contributions according to ages. Of course, at the age of 20 years he has it 3 per cent.

Mr. POMERENE. I gave it as 2.9 per cent.

Mr. STERLING. At 25, 4 per cent; at 30, 5 per cent.

Mr. POMERENE. What was the date of that estimate?

Mr. STERLING. I do not know at what time Mr. Brown made the statement, but I quote from the report, and from the statement of Mr. Beach:

> He then gives the estimate of Mr. Herbert D. Brown, Chief of the Bureau of Efficiency, as to the assessments necessary to purchase annuities under the wholly contributory plan. These would be approximately as follows.

Then, I suppose, of course, that he gives Mr. Brown's figures.

Mr. POMERENE. Mr. President, if the Senator will permit me, although I have not gone over my files fully about it, I think I recall that there was one statement made by Mr. Brown at one time, and later on a revised statement was made. The latter statement varied somewhat in perhaps tenths of a per cent from the first statement which was made to me, and the statement which I have here I think was the last revision, given as of January 15, 1917. I think he had more complete returns at that time than he had when the first estimate was made. I may have those figures reversed in my own mind.

Mr. STERLING. If the Senator will permit, and simply for the sake of the RECORD, I would like to finish out my statement. At 35 years he gives 6½ per cent, and at the age of 40 years the contribution will be 8 per cent.

Mr. POMERENE. There is a slight difference. It is only a matter of a few tenths of a per cent.

Mr. President, I wanted to make a further statement, a very brief statement, as to the plan provided in the substitute bill. As we proposed, for those who would be retired at 70 years of age on the passage of the legislation—and this is based, as I now recall, on the figures furnished in 1916 as to the number of employees—the total salaries paid would be $5,800,000. The pensions, in round numbers, would be $2,750,000. It is somewhat less than the $600 each; that is, it is based on the average salary of somewhat less than $1,200.

Under the plan we have adopted, 10 per cent of the salaries is to be turned back into the Treasury, amounting to $580,000. This sum, together with the sum to be paid out in pensions,

would amount to $3,330,000. Deducting this sum from the total salaries paid to these superannuated employees would leave a balance of $2,470,000 for the appointment of young employees in the lower grades. This sum would amount to sufficient to employ about 2,500 persons at salaries from $900 to $1,000 per annum. That is important for us to consider as bearing upon the cost of the system. It is true that these superannuates do a considerable service. It is varying in amount. I have some figures here bearing upon that subject, which I may give at a later time. But there must be new employees to take their places.

We have estimated that perhaps one-half of the number of superannuates, as new employees—young employees—could do this service, and we must take into consideration the salaries we are going to pay to the new employees if we are going to be at all accurate in our statement as to the cost of the system.

Mr. President, I do not feel that I care to discuss this matter further to-night. There are some other branches of the subject that I shall be glad to discuss if opportunity presents itself later. But I want to make this observation: I know that I am at one with the distinguished chairman of this committee in the belief that there ought to be a system of retirement. His plan and the plan contained in the substitute I propose will have the same effect, so far as the improvement of the service is concerned. There are radical differences between his estimate of the cost of this system and mine. They are so different that it almost staggers the belief of Senators.

I know, at least I believe, that he has had to depend for his judgment upon the expert opinions which have been given to him by actuaries. I likewise have been dependent for my conclusions upon the expert knowledge of an actuary, one whom I believe to be the best in the employ of the Government.

I submit that the Senate should not take final action upon the bill without knowing of a certainty that either he is right or I am right or that the truth lies some place midway between us. It is to my mind almost a shocking proposition for the Congress of the United States to attempt to adopt a plan of retirement here when we do not know whether the total cost to the Government in 60 years is going to be $172,000,000, as I believe, under my plan, or whether it is going to be at the end of 60 years, in round numbers, $1,500,000,000 under the plan embraced in the bill of the Senator from South Dakota.

It does seem to me, as a business proposition, assuming that the actuaries are of equal reliability and equally skilled in their profession, that we ought to determine who is right before we fasten upon the Government of the United States a system so expensive as I believe this is going to be, and particularly at this time, when you and I know that the American people are weighted down with a great Government debt which was contracted during the late war. The name of the committee is Civil Service and Retrenchment. If the adoption of this system, with its extreme cost, is retrenchment, then I have failed to conceive what the word means.

I yield the floor for the day.

Mr. STERLING. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, February 9, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 6, 1920.*

The House met at 12 o'clock noon.

In the absence of the Chaplain, the Clerk of the House, Mr. William Tyler Page, offered the following prayer:

Direct us, O Lord, in all our doings with Thy most gracious favor, and further us with Thy continual help, that in all our works, begun, continued, and ended in Thee, we may glorify Thy holy name and finally, by Thy mercy, obtain everlasting life, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that February 5 they had presented to the President of the United States, for his approval, the following bills:

H. R. 1761. An act for the relief of the Farmers' National Bank of Wilkinson, Ind.;

H. R. 1812. An act making an appropriation to compensate James M. Moore for damages sustained while in the service of the Government of the United States;

H. R. 2950. An act to authorize a preference right of entry by certain Carey Act entrymen, and for other purposes;

H. R. 8028. An act to add to the Oregon, Siuslaw, and Crater National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States, and for other purposes;

H. R. 8598. An act restoring to Amy E. Hall her homestead rights and providing that on any homestead entry made by her she shall be given credit for all compliance with the law on her original homestead entry and for all payments made on same;

H. R. 348. An act to add certain lands to the Ochoco National Forest, Oreg.;

H. R. 9112. An act authorizing the Secretary of War to loan Army rifles to posts of the American Legion; and

H. R. 4382. An act to confer on the Court of Claims jurisdiction to determine the respective rights of and differences between the Fort Berthold Indians and the Government of the United States.

OIL LEASING BILL.

Mr. SINNOTT. Mr. Speaker, I present a conference report upon the bill (S. 2775) to promote the mining of coal, phosphates, oil, gas, and sodium on the public domain, for printing under the rules.

BRIDGE ACROSS THE SAVANNAH RIVER.

Mr. BRAND. Mr. Speaker, I move to take from the Speaker's table the bill (S. 3722) to grant the consent of Congress to the Alfords Bridge Co. to construct a bridge across the Savannah River, a similar House bill having been reported from the committee.

The SPEAKER. The question is on the motion of the gentleman from Georgia, to take from the Speaker's table the bill S. 3722, a similar House bill having been reported by the Committee on Interstate and Foreign Commerce.

The motion was agreed to.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Alfords Bridge Co., a partnership, to be composed of the following members, namely: A. N. Alford, H. I. Alford, and H. B. Alford, of Hart County, Ga., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Savannah River at a point suitable to the interests of navigation, at or near Haileys Ferry, in the county of Hart, State of Georgia, on the west, and the county of Anderson, State of South Carolina, on the east, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the bill.

Mr. GARD. Mr. Speaker, do I understand that this bill has been passed by the Senate?

Mr. BRAND. Yes.

Mr. GARD. It would seem to me that the bill as passed establishes rather a dangerous precedent, since it provides not alone for granting this privilege to the Alfords Bridge Co. of building a bridge across the Savannah River, to which I suspect no one objects—and surely I do not—but, as I understand it, it creates a corporation.

Mr. BRAND. No; it recites that the Alfords Bridge Co. is a copartnership.

Mr. GARD. I understood that it created a corporation.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BRAND, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. BRAND. Mr Speaker, I ask unanimous consent that the bill H. R. 10922, a similar House bill, do lie on the table.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

AGRICULTURAL APPROPRIATION BILL.

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12272, the Agricultural appropriation bill. Pending that motion, if I may have the attention of the gentleman from Georgia [Mr. LEE], I would like to know if we can not agree upon time for closing general debate?

Mr. LEE of Georgia. I think so. Yesterday we used 2 hours and 13 minutes on this side, and I would like to have 1 hour and 20 minutes more.

Mr. HAUGEN. That seems pretty much time to be consumed to-day after having consumed a whole day yesterday.

Mr. LEE of Georgia. Let me correct the gentleman. We did not consume the whole day in debate, because we did not start until nearly 2 o'clock.

Mr. HAUGEN. I suggest that we take one hour on a side. The gentleman had more time than I had yesterday.

Mr. LEE of Georgia. One hour on this side?

Mr. HAUGEN. Yes; and that half the time be controlled by the gentleman from Georgia and the other half by myself.

Mr. LEE of Georgia. That is satisfactory.

Mr. HAUGEN. Then, Mr. Speaker, I ask unanimous consent that general debate be limited to two hours, one half to be consumed by myself and the other half by the gentleman from Georgia.

The SPEAKER. Is there objection?

Mr. CRAGO. Mr. Speaker, reserving the right to object, I wish some one in authority would tell us what has become of the regular order of business for February 6. This is claims day or war-claims day.

The SPEAKER. The chair has recognized the gentleman from Iowa.

Mr. CRAGO. I am reserving the right to object to his request for unanimous consent in order that I might ask this question. Does anyone know when there is any likelihood of the Private Calendar being called up?

Mr. MANN of Illinois. Everyone knows that there is no likelihood of its being called up to-day.

Mr. CRAGO. I am asking to find out.

Mr. MANN of Illinois. Everyone except my friend from Pennsylvania, and he may know now.

Mr. CRAGO. I am very glad to get that information from the gentleman. That was the purpose I had in mind when I reserved the right to object. I had no intention of objecting to the gentleman's request, but I would like to get some definite opinion as to when the Private Calendar is likely to be called.

Mr. MONDELL. Mr. Speaker, the gentleman looks at me as though I knew something about it.

Mr. CRAGO. The gentleman should know.

Mr. MONDELL. I hope we may reach the Private Calendar within a reasonable time, but the gentleman realizes that with these important appropriation bills pending right now it is very difficult to give any definite assurance when we will take up the Private Calendar.

Mr. CRAGO. That is not very definite. However, I have no intention of objecting to the gentleman's request.

Mr. CLARK of Missouri. Mr. Speaker, if the gentleman will yield, I will tell him how to get it up. Let the gentleman ask unanimous consent to set some day or night for the consideration of the Private Calendar. That is the only way he would ever get it considered.

Mr. CRAGO. One unanimous-consent request is already pending.

Mr. CLARK of Missouri. That does not make any difference.

Mr. MANN of Illinois. That would not reach it. The gentleman from Pennsylvania must know that at this stage of the proceedings it has never been the practice to take up the Private Calendar on Friday. The Private Calendar has had more consideration already at this session of Congress than at any other session of Congress for a long time and will later undoubtedly be given due consideration.

Mr. CRAGO. It was passed over on the last day it was in order at the request of the majority leader.

Mr. BLANTON. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Texas demands the regular order. Is there objection to the request of the gentleman from Iowa that general debate be limited to two hours?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Iowa that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill, with Mr. WALSH in the chair.

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. HULINGS].

Mr. HULINGS. Mr. Chairman, I did not expect to make my debut into the aristocratical farmer club as a member of the great Agricultural Committee in this House by making a speech on the League of Nations, but I listened yesterday to the eloquent and ebullient speech of the gentleman from Alabama [Mr. HEFLIN] and was carried away with his imagery and flights of oratory.

I could not, indeed, remember that Washington ever raised his eyes to the "sky spaces and plucked out the stars and set them in the American flag," but I do remember that Washington set the American flag among the stars as the incomparable emblem of free government [applause], where it still floats over men that are free, free with such ability and capacity as God has given them to work out their own fortunes unbuttressed and undeterred by "class," "rank," or privilege. [Applause.] And I remember what the distinguished gentleman from Alabama seems to forget, that Washington repeatedly admonished his countrymen to beware of foreign alliances and entanglements. [Applause.] Washington, Adams, Jefferson, Jackson, Lincoln, McKinley, Roosevelt, all those great Americans, even Woodrow Wilson as late as 1916, warned the country against entanglements in European politics. [Applause.]

But Mr. Wilson saw an iridescent vision. He saw a Moses that would lead the world out of the wilderness. He saw a glorious League of Nations that would abolish war.

Of course, everybody with any sense at all is in favor of such a splendid consummation.

In pitiless secrecy three men sat down behind guarded doors and carved the map of the world up to suit their views. And a score of wars are now going on because the people affected are fighting mad about it.

And the league, when set down in cold type, is found not to be an inspired plan to abolish war, which the people were led to believe it would be, but if ratified as written, will deliver America's destinies into the control of European politicians. [Applause.] And when the President, in all the honesty of his purpose, met the adroit Old World politicians, who were banded together by secret treaties of which the President knew nothing, they put one over on him.

Yet I am heartily in favor of a league to prevent war, and I believe the proposed league should be ratified, but with such reservations as will protect America from involuntary embroilment in European quarrels, and I do not see how anything less than the Lodge reservations will do this. [Applause.]

Mr. Chairman, I sought this opportunity to state my position on certain public questions so that the House, and all persons who care to know where I stand, may know.

I do not favor paternalism in Government, but favor the return of the railroads to their owners under such control as will *preserve private initiative* and *protect the public* from overcapitalization, unjust discriminations, and rascally railroad wrecking and pay wages on the American scale of living. [Applause.]

As I have said heretofore in this House, for many years I have been in favor of the organization of labor and collective bargaining, which I regard as the only defense under the competitive system of wages the workingman has against the tendency of wages to the point of bare subsistence.

But alongside of one man's right to strike is the other man's right to work, if he chooses.

I believe that when employer and employee can not agree, and the paralysis of industry and great loss to the public are threatened, it is the right of the public to interpose, and its duty is to exact a "square deal." [Applause.]

I have an unbounded faith that when the American workingman gets a "square deal," public opinion, that is stronger than courts and sheriffs, will make a strike unnecessary and impossible. [Applause.]

I loath and detest the doctrines that excite and stir up "class hatred."

The foundations of American liberty stand four square to every wind that blows.

Americanism is devotion to great social ideals that are founded upon the brotherhood of man. The people have the right to alter, amend, or abolish their form of government, and our Constitution provides the methods by which desired changes may be lawfully made.

Americanism is a passion for freedom, for justice. Free speech, free press, freedom of opportunity are the sacred muniments of American liberty, but free speech and free press and free assembly give no right to incite to rapine, murder, and destruction of the Government that of all governments is dedicated to freedom.

The American Revolution was a protest against class rule.

The Civil War was fought against an oligarchy that enslaved labor.

The Spanish War freed Cuba from the oppressions of class rule.

The World War destroyed the Hohenzollern and the Hapsburg that claimed the right of their class to rule by divine right.

The genius of American liberty is an eternal protest against class rule, and the men who stir up class against class and encourage class hatred in this land—dedicated to the equality of all men before the law—are traitors to American liberty and public enemies. [Applause.]

I believe in free speech and a free press, and I am opposed to giving the Postmaster General or any other person whatever the right of censorship of the press, and I have grave doubts of the wisdom of the proposed sedition law.

In these days of unrest, when all sorts of foolish and dangerous doctrines are preached, we are apt to become hysterical. But do we need more law? Mr. Debs threw no bombs, but he is retired to the penitentiary, the brainiest and ablest radical of them all. Haywood was in jail until admitted to bail. Goldman and Berkman and a shipload of aliens have been deported. Some 45 I. W. W.'s are roaring their anathemas in the penitentiary. Several thousand alien enemies are rounded up awaiting deportation. These people have run afoul of the laws we already have.

All sorts of half-baked schemes are advocated. Wild-eyed fanatics who have no concept of American liberty are inciting the ignorant and the discontented to destroy the Government.

Other men, far more dangerous, glib-tongued, ambitious, thirsting for prominence, pretending a great love for the workingman, would inspire him with "class hatred." They would pull down the temple of American liberty; they dream bloody dreams and see themselves in the rôles of Lenins and Trotskis; they tell their dupes that the only way to cure the failures in our laws is to abolish all laws, and that no such thing as honor, duty, or religion should stand in any man's way to take what he wants.

But it seems to me that if we could drag these doctrines out of the back rooms, where, behind the passwords and the locked doors, with suspirated breath, these hellish doctrines are preached that are to give every man wealth and make every man's quart hold three pints; rob them of their secrecy and mystery and drag them out of their holes and dens into the light, where they would be free to do their ravings and threatenings in the open and where the public would be bound to take note, the sound common sense and the derision and contempt of the American people would laugh them to scorn. Many a poor fellow who is impressed by the stealthy conclave, with its dim lights and grips and secrecy, would laugh in your face if you told him in the open that he ought help to destroy the Government.

It is not more law that we need but more Americanism. These aliens amongst us, and our people who are nibbling at these radical doctrines, are not fools. Give them to see both sides of the case, teach them what Americanism really is, and they will abandon radicalism and Bolshevism. The people who are impressed by this "red stuff" hear only the one side. We fail in our duty to them and to ourselves that we make no effort to show them the other side and make them to understand what American liberty is.

Mr. Chairman, no party ever was confronted with so difficult a task as that now before the Republican Party.

A great war has laid enormous burdens upon the people, and the country is filled with unrest, disturbance, and search for relief.

New ideas, strange doctrines, and all sorts of theories and experiments find advocates that see in their theories infallible remedies for every ill.

In the excitement and enthusiasms and the determination to put the war through, common prudence, common business sagacity, was lost sight of, and we now see that billions of treasure were needlessly squandered.

A Democratic administration was in control. The Congress clothed it with autocratic power. All parties joined together to vote all the power and all the money that the administration demanded.

Now the bills are coming in, and the Republican Party must provide for the payment of them. The Republican Party has inherited a big job that was not of its contriving.

Every dollar to which the faith of the Government is pledged must be paid, though the mind staggers in contemplation of the billions of dollars that must be paid.

The American people will "stand the gaff" to pay the honest debts, but they will insist that they be honest.

I commend and heartily approve the announced policy that every appropriation of public money will be "pared to the bone."

But besides honest debts that have been incurred and must be paid there are a great number of claims being made that are extravagant and unjust. Some of these claims have already been paid and the claimants should be made to disgorge and then sent to jail.

Shortly after the armistice was signed it was announced by the administration that we should have a standing Army of 596,000 men—six times as many as we ever had in peace—and a Navy incomparably the greatest in the world.

These absurd recommendations have been laughed to scorn by the country and have been greatly reduced. Still the Secretary of War wants a Regular Army at least twice as big as there is any necessity for, and in addition to that proposes "universal military training," that will impose about $700,000,000 more on top of the cost of the Regular Army, and the Secretary of the Navy still insists that "we ought to have the biggest Navy in the world."

No one will more readily than I admit the advantage to the growing youth of discipline and athletic training.

The economic and moral value to the individual and to the Nation can hardly be overstated.

But as to the expediency for the Federal Government in these days of stress I am firmly of the opinion that at no time have we had less need of military training than just now.

There is no probability that for years to come will we need a large Army; and if we should, we have 4,000,000 of the best soldiers in the world trained to war, ready for any call that the public sentiment of the American people will make. Besides, universal military training would be an additional unnecessary tax at this time, but is absurd at any time. Why give the tubercular, flat-footed, and yellow hearted training as soldiers?

Therefore I am opposed to this scheme of compulsory universal military training. The place to give our youth proper training is in the State public schools.

The ancient Greeks had the right idea. Proceeding upon the doctrine that a sound mind could only lodge in a sound body, the Greek youth from 14 to 18 were trained in grammar, music, and gymnasia, with two-thirds of the time devoted to gymnastics; and Greek statuary and Greek literature yet demonstrate the physical beauty and trained intellect of the ancient Greek.

The training of our youth should be the care of the State. It is not the business of the Federal Government. There are too many Federal bureaus now, and they are too far removed from the people to be much good. There are too many soft jobs.

Our high schools during the plastic years can turn out, if they would set about it, far better trained youth, with sounder bodies, more intelligent respect for constituted authority and for Americanism, and the making of better soldiers in the time of need than the Federal Government can do in the three or four months of military training.

I might say also that I am opposed to the Regular Army swallowing up the National Guard. The National Guard was the backbone of the Army in France. It is true that there were 21 divisions of Regulars, but only 7 of them went overseas, and 2 of those did not get to the front; and, in the gallant fighting those 5 divisions did, probably one-half of the enlisted force were men who volunteered or were drafted after the war was declared. There were 11 divisions of National Guardsmen and 17 of selected draft men, but the medals seem to have gone to the Regulars mostly.

The supercilious, arrogant, and contemptuous treatment of the National Guard officers by the Regulars was not justified by the lack of training of the National Guard in modern warfare, for the Regulars knew no more about it and had no more experience than they. The military "junta" that is trying to run this country into a great scheme of militarism and expense ought to be suppressed.

I am in favor of a small Regular Army of highly trained professional soldiers that will set the pattern for the National Guard.

But let the Regulars give over the attempt to swallow the National Guard, and let it be organized in each State, subject to call, to Army regulations, and to Federal inspection.

And we are still spending millions for more camps. There is a place for the knife. During the war we had camps enough, with paved streets, electric lights, hot and cold water, and great hospital facilities, sufficient for the great epidemic of influenza last year, for 2,000,000 men. Yet since the war more land has been bought, millions upon millions have been spent by the Secretary of War for additional camps and hospitals and military expenditures without warrant of law.

The statements made by my colleague [Mr. GARLAND] in the House recently, that he had bought a box of taps and dies from the Government for $23.50, which was marked as the price the Government had paid the manufacturer for them, and then had gone to a retailer in this city and bought a box of precisely the same tools, made by the same manufacturer, for $7.25, if true—and I have no doubt of its truth—ought to put somebody in jail after he has disgorged his "war profits."

The War Department wants another whack at the aeroplane business.

After spending a billion of dollars for aeroplanes and getting nothing worth while—a few that got to France were piled up and burned, presumably because they were worthless—the War Department has the nerve to ask Congress to give it $65,000,000 more. Here is another place for the knife. [Applause.]

The Navy, of which every American is justly proud, unfortunately was managed on this side of the water by a set of longshoremen, and claims are now made for a great lot of naval stations, some of which, according to the public press, have been started since the armistice—one at Coddington Point, one at Great Lakes, another at Hampton Roads, where the land has been bought since the war and without authority of law—and the Government saddled with debts of millions of dollars. These accounts must be closely scrutinized and some of the savings applied to increasing the pay of the junior officers in the Navy, who now find it very difficult or impossible to live on the present pay.

It is a common scandal that thousands of useless clerks and bench warmers are employed by the Government. A well-known Senator has put the number at 40,000, and it is the duty of Congress to weed them out to make room so that the balance can get a chance to do a fair day's work.

Of course, a frightful roar will go up from the departments, but a great roar of approval will come up from the people who "pay the freight."

Strict economy is the only policy that can win through for the simple reason "we are getting to the bottom of the barrel." The people are taxed to the limit. Our revenues are fixed, which absolutely limits our appropriations unless we borrow more money.

But there is another question that involves many others and which more than all others affects the people, and that is the high cost of living.

Of course, this is partly due to the heavy burden of taxes, which are unavoidable, and partly due to the great inflation of the currency and commercial credits, which reduces the purchasing power of the dollar, and largely due to the withdrawal from productive industries of fully one-half of our man power to engage in war and war industries.

Intelligent people understand this, but they do not understand why they have to pay 80 cents to $1 a pound for butter when the farmer who makes it only gets 46 cents unless he sells direct to the consumer.

They do not understand why the farmer, the producer, only gets on the average 40 cents out of every dollar's worth of stuff he produces, the transporter and the middleman taking the balance. They do not understand why coal should sell at $8 per ton within 60 miles of the mines. Shoes at $16 a pair; rents, clothing, everything in the line of necessities, rising higher and higher.

Whatever the cause may be, the people are groaning under the burden.

The Republican Party can not shield itself under the plea that Congress has done all the administration has asked for, and that the administration is responsible, as the executive power.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. I will yield the gentleman five additional minutes.

The CHAIRMAN. The gentleman is recognized for five additional minutes.

Mr. BLANTON. Will the distinguished gentleman yield?

Mr. HULINGS. The distinguished gentleman will. [Laughter.]

Mr. BLANTON. Why, we can not at all say that we have passed all the laws that the administration asked for, because we have never yet begun to do what the President asked us to do here in respect to the high cost of living. He marked out the kind of law he wanted, and we turned him down.

Mr. HULINGS. Let me say one thing the administration did do, and it was the greatest bone-head play I ever heard of. When the refiners of sugar in this country could not under the law charge more than 9 cents per pound for sugar the Department of Justice announced to the Louisiana refiners, "We will not prosecute you if you sell at anything less than 18 cents," and the effect was to double the price of sugar all over the United States and run the price up to 20 and 25 cents per pound. I can not help but think that sugar is on all fours with the canned goods, the automobiles, the aeroplanes, lumber, and other surplus Government supplies that have been held at prices to "stabilize the markets" in the interests of the manufacturers. The sugar refiners got up a big scare about the shortage of sugar. Nobody could get more than 2 pounds at a time, but just as soon as the price went up suddenly to 20 and 25 cents, by reason of the Government's absurd policy, then sugar became plenty. It was a fine deal, truly.

Eight dollars per ton for bituminous coal within 60 miles of the mines; twelve to twenty dollars per pair for shoes; and everything in proportion. Such prices are only to be explained by the spirit of greed that has spread throughout the country. Everybody has been on the "make."

This spirit was encouraged and developed by the Government's heedless imprudence in throwing out to everybody who cared to grab Government contracts on the cost-plus basis, and compelling all business men to enter into competition with the Government in the purchase of labor and materials, and to the unwise policy of the Government in arranging so that industry might make great profit in order that the tax collector could levy heavy taxes on incomes and excess profits.

The only explanation is rank conscienceless profiteering, for which the Government dealt the cards.

The people will not split hairs; they will hold the party in power responsible.

They are saying "We were not satisfied with the Democrats, and we threw them out and put you Republicans in, and now we are looking to you."

They are interested in a way in the League of Nations, if that league does not mean a surrender of American interests to a bunch of European politicians. They are interested in the return of the railroads to the owners. They are interested in what is to be done for our soldier boys. And they are interested not at all in war medals and compulsory military training and big Army and Navy developments and all the tittle-tattle that fills the reports from Washington; but they do want this profiteering stopped.

An embargo on the exports of sugar and sale under Government control will cut the price in two.

A law to license all dealers in the necessaries of life under Government regulations of profits can be framed which, inquisitorial and ugly as it would be, would meet an ugly situation.

A law that would confiscate all profits beyond a reasonable return for labor and capital invested, in the production and sale of the necessaries of life, would remove all inducements to profiteer. Such remedies would be open to great objections, but it would seem that unless Congress should do something of this kind it can do nothing. Probably as far as Congress should go in this direction it has already done, in clothing the President with great authority. At best not Congress but the administration is responsible for the execution of the laws.

I know the extravagance of war has spread extravagance in living in all classes. I know that it is urged that the workingman wants to wear $10 shirts, that the shop girl is only satisfied with silk stockings; but who is better entitled to fine things than the people who do the work?

The point I make is that the $10 shirts and the $5 stockings are 50 per cent profiteering.

The day has gone by in this country when the employer can dole out of the joint product of labor and capital what he thinks the workingman can manage to live on. Every essential human element in production is entitled to an equitable share of the joint product of labor and capital.

I am in favor of legislation which will wisely provide for setting our soldiers boys on their feet. Whilst they were in the trenches at $30 a month the boys at home were getting such wages as were never heard of before. It is said that 2,000 millionaires were made out of war profits while the boys were gone.

I do not know what form this legislation will take, and the cost of it would not deter me one moment. I believe that some such legislation as has been proposed by the gentleman from Oklahoma [Mr. MORGAN], which proposes a Government corporation that shall somewhat, after the fashion of farm-loan legislation, undertake to enable a soldier boy to buy a little farm or a home in the town where he might set himself up in some business, and for which he can repay the Government through a long term of years. Some such proposition that will promote home building and set the boys to work, many of whom are wandering about the country hunting for a job, would be an economic expenditure of money of the greatest value to the country, and the people who remained at home, getting great wages, the people who raked down billions of war profits while these boys were serving their country at $30 a month, could mighty well afford to pay the necessary taxes. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HULINGS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. LEE of Georgia. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. JOHN W. RAINEY].

Mr. JOHN W. RAINEY. Mr. Chairman, I ask unanimous consent to include in the RECORD, with the remarks which I am about to make relative to our hero dead in Europe, some correspondence and articles from magazines.

The CHAIRMAN. Is there objection? The Chair hears none.

Mr. JOHN W. RAINEY. Mr. Chairman, The Chicago Undertakers' Association have directed my attention to statements made in debate on the floor of this House January 14, 1920, at which time Hon. CHARLES POPE CALDWELL, of New York, inserted an article from a magazine devoted to the profession of undertaking, which reads:

[From the Casket, Sept. 1, 1919. (A magazine of expensive make-up, published in New York.)]

BETWEEN YOU AND ME.

(By S. G. Q.)

Suppose, Mr. Funeral Director, that upon one of the few bright, sunshiny mornings we have vouchsafed to us in this year of peace, strikers, and high prices, some one were to come into your office and tell you that he had a scheme for increasing the number of funerals this year by more than 50,000; what would you do about it?

WHAT ARE YOU GOING TO DO ABOUT IT?

Most likely you would rush out wildly into the street and shout that you had a dangerous lunatic in your place and wouldn't somebody please send the police in a hurry before he murdered everyone in sight. Or maybe you would invite your visitor to go to the country asylum, or possibly you would ask him where he got it with prohibition so prominent in our midst and the Anti-Saloon League tracking even poor, inoffensive 2.75 per cent to its lair.

Anyhow, you would think that the plan for creating all this extra business must necessarily be mixed up with plague, pestilence, and famines, battle, murder, and sudden death, and would refuse to have anything to do with it.

But, Mr. Funeral Director, with your neatly appointed office and your not entirely paid for motor equipment, this offer is being made you in all seriousness and without the killing of a single heart. What are you going to do about it?

Between you and me, this is a plain business talk, a matter of dollars and sense, plus sentiment.

In alien soil there lie more than 50,000 American men who died in battle or of disease during their tour of duty abroad.

* * * * * * *

For nearly every American soldier returned some funeral director will be called upon to perform the necessary duties of reception and burial.

Extra business, gentlemen, legitimate, patriotic; kindly sympathetic, remunerative extra business. No increased death rate, no additional number of widows and orphans. Only the final laying away of America's sons in the bosom of their dear motherland.

The Congress pauses in its votes to hear the expression of the public's wishes. What are you going to do about it?

I am also in receipt of a letter from Lee S. Arthur, editor of the Embalmers' Monthly, printed in Chicago and devoted to the profession, which reads:

THE EMBALMERS' MONTHLY,
Chicago, January 27, 1920.

Hon. JOHN W. RAINEY,
House of Representatives, Washington, D. C.

DEAR SIR: By to-day's mail we are sending to you copy of the current (January) number of the Embalmers' Monthly. In so doing we ask your attention to the article appearing on page 10, headed "Paris director in league with Purple Cross?" which will throw light in a measure as to the cause of reputable funeral directors of this country being unjustly subjected to such terms of opprobrium as "ghoul," "disreputable," and "mercenary."

This propaganda is, in our belief, an outgrowth of or inspired by that of an organization which had its birth in Philadelphia, and has been refused indorsement by the National Funeral Directors' Association, the representative body of 30,000 or more men and women engaged in the profession in the United States.

This overindustriousness of the few comprising this Philadelphia organization in meddling with affairs which are those of the Government and of the Government alone has brought odium upon thousands of members of a profession who are entirely innocent of any participation and are not deserving of the uncomplimentary statements which have been made concerning them.

The Embalmers' Monthly stands now and always has stood for decency and dignity in the profession of which it is a representative organ, firmly frowning upon spectacular methods adopted for evident selfish ends and derogatory to good business.

We trust you will accept this missive in the spirit in which it is written, not one of criticism, but a sincere effort to assist in relieving a situation, which is not of their own making, into which funeral directors have been drawn.

Yours, very truly,

THE EMBALMERS' MONTHLY,
LEE S. ARTHUR, *Editor.*

And for the information of those interested the article referred to as being on page 10 reads:

[From the Embalmers' Monthly.]

PARIS DIRECTOR IN LEAGUE WITH PURPLE CROSS (?)—SENDS LETTERS TO PROFESSION IN THE UNITED STATES, BUT THESE LETTERS WERE MAILED IN PHILADELPHIA—SAYS THROUGH HIS CONNECTION WITH OFFICIALS HE CAN SECURE PROMPTLY THE RETURN OF ANY BODY NOT IN THE ARMY ZONE.

Several months ago E. Tesseyre, a Paris funeral director, visited the United States, and incidentally called upon prominent morticians in several of the more important cities.

Mr. Tesseyre is now being heard from in a different way, funeral directors throughout the country having received filled-in form letters from him soliciting business, particularly as to the return of the soldier dead, and intimating connections which apparently give him an advantage. These letters bear this heading:

"E. Tesseyre, undertaker, 59 Rue de Chaillot, Champs-Elysees, Paris."

There is nothing so strange about this, the peculiarity existing in the fact that, while from the pen of a French funeral director, the letters were mailed under 1-cent postage of the United States and the envelopes carry a Philadelphia, Pa., postmark. This, together with the fact that the writer mentions the Purple Cross, an organization which was refused the indorsement of the National Funeral Directors' Association at the convention held in Atlantic City, makes it evident that he has had an understanding with the Purple Cross and is working in conjunction with that organization.

Not many months since much in the way of undesirable criticism was published in newspapers of various cities and editorially commented upon, because of a report that funeral directors of the country wanted the bodies of the American soldier dead returned from France, and explanations were necessary in order to overcome the effects of the story. Now comes along Mr. Tesseyre's letter, commercialized in every syllable, and with reference to the Purple Cross, which would hardly have been made without express permission to do this, the whole looking like a concerted plan to realize what it is possible to do by arranging with bereaved families to have their relatives brought back to the United States.

Mr. Tesseyre's letter, without the name of the funeral director to whom this was addressed, follows:

"Throughout France I have been known for many years as the American undertaker; this is so generally understood that if a cablegram were received in Paris addressed simply 'Undertaker, Paris,' it would be delivered to me. I have been in America on account of my having been commissioned to return to that country the bodies of some of the men who died in France.

"While here, being a member of the American Purple Cross Association, I naturally called on Mr. H. S. Eckels, director general of that organization. He has been good enough to offer to assist me in any way he can in establishing contact with all responsible American undertakers who are likely to be consulted by families who wish to have bodies returned from France.

"Mr. Eckels is inclined to believe that the Government of the United States eventually will return at its own expense the bodies of its soldier dead. Nevertheless there will be cases where the family would wish, at its own expense, to have this done immediately.

"Through my connection with the French officials I can secure promptly the return of any body which is not buried in the relatively small zone of the armies. The average cost for disinterment and transportation to New York will be about $605, made up of the following items:

"Interchangeable zinc lining, with oak shipping case and outside box	$115.00
"(All such caskets in Paris, and to a large degree in other municipalities of France, are furnished by the municipal authorities only, and at above cost. This is the minimum casket which can be used for transportation.)	
"Average cost of labor involved, transportation of employees, payment of legal fees, etc	120.00
"Own transportation and expenses on journey	112.00
"Steamship charges from Le Havre to New York (about)	160.00
"Average transportation of body in France	47.50
"(Paris is 228 kilometers (140 miles) from the port of Le Havre. The average distance of cemeteries from Paris is 300 kilometers (180 miles). Railroad transportation of a corpse costs about 9 cents per kilometer.	
"Personal supervision and services	50.00

"The necessary papers for the family to fill out and further information may be obtained from the office of the Purple Cross, 1922 Arch Street, Philadelphia, Pa.

"I will furnish you freely any information that may be useful to you on any subject concerning France. When you have a body to transport from America to France I beg you to consign same to me and to inform me of said consignment. I will act as your representative to our mutual advantage.

"Yours, very truly, TESSEYRE."

Next I call attention to a letter from the secretary of the Chicago Undertakers' Association, which reads:

CHICAGO UNDERTAKERS' ASSOCIATION,
Chicago, Ill., January 27, 1920.

The Hon. JOHN W. RAINEY, M. C.,
Washington, D. C.

MY DEAR CONGRESSMAN: At a recent get-together meeting of the undertakers of the 16 northern counties of the State of Illinois, held January 13 and 14, 1920, in this city, resolutions were adopted (a copy of which we herewith inclose) requesting that you bring to the attention of the War Department the action of the last convention of the National Funeral Directors' Association, at which time the indorsement of the Purple Cross was almost unanimously defeated. Also the fact that the appointment of Robert D. Dripps, executive secretary of the said Purple Cross, by President John Maas to represent the undertakers of the country in Washington was wholly unauthorized and unwarranted.

Delay in promptly forwarding them to you was caused by the illness of the writer.

We trust that we are not presumptuous in asking this accommodation at your hands. It will be our endeavor to reciprocate the favor at some future time.

Thanking you in advance, we are,

Yours, very truly,

CHICAGO UNDERTAKERS' ASSOCIATION,
J. H. GAVIN, *Secretary.*

In addition I desire to call to your notice the resolutions adopted by the National Funeral Directors' Association, in convention, which read:

Whereas the thirty-eighth annual convention of the National Funeral Directors' Association, held at Atlantic City, N. J., September 10, 11, and 12, 1919, by an almost unanimous vote defeated the indorsement of the Purple Cross, whose object and policy is to force Congress to enact legislation compelling the Government to return the bodies of all of the soldier dead; and

Whereas we believe any such action to be a direct and flagrant violation of the rights and prerogatives of the parents to determine whether or not their boys shall forever rest under the soil of France, made sacred by their blood; and

Whereas the National Funeral Directors' Association by its action manifested in no uncertain terms the opinion that only from the Gold Star Mothers' Association and the relatives of the dead can any appeal be made with good grace bearing upon the disposition of our soldier dead; and

Whereas this action of the convention repudiated the unauthorized and unwarranted action of President John Maas in appointing Robert D. Dripps, of Philadelphia, executive secretary of the Purple Cross, as the official representative in Washington for the National Funeral Directors' Association in all matters affecting the interests of the profession of the country; and

Whereas since the adjournment of the said convention of the National Funeral Directors' Association the officers thereof have failed to advise the War Department of the will of the delegates: Therefore be it

Resolved, That it is the sense of this meeting, comprising the 16 northern counties of the State of Illinois, held in Chicago January 13 and 14, 1920, that the secretary of the Chicago Undertakers' Association be, and is hereby, directed to communicate with the Hon. JOHN W. RAINEY, Representative of the fourth Illinois congressional district, and an honored member of the Chicago Undertakers' Association, informing him of the will of this body and requesting that he bring to the attention of the proper officials in Washington the action of the last national convention rejecting the Purple Cross and repudiating the said Robert D. Dripps as the representative of the profession in Washington; and be it further

Resolved, That these resolutions be spread upon the minutes of this meeting and copies forwarded to the Hon. Newton D. Baker, Secretary of War, and the Hon. JOHN W. RAINEY.

Also, the correspondence between the secretary of the Chicago Undertakers' Association and Congressman CALDWELL, a copy of his letter to the secretary of the association, and Mr. CALDWELL's letter to me:

CHICAGO UNDERTAKERS' ASSOCIATION,
Chicago, Ill., January 27, 1920.

The Hon. CHARLES POPE CALDWELL, M. C.,
Washington, D. C.

DEAR SIR: We note in the press dispatches covering the doings of the congressional committee hearing the petitions of the relatives of the soldier dead for their return to this country that you read into the records of that meeting a certain editorial from the "Casket." You also stated that this publication was the mouthpiece and organ of the undertakers of the country. In this you are wholly mistaken, as it is but one of the seven organs identified with the profession.

We entertain now, and so made manifest our opinion at the last national convention of the funeral directors of the United States, the fact that any agitation on the part of the undertaker influencing legislation for the return of the soldier dead was not only unbecoming to the profession, but would place it in an unenviable light before the public.

We are satisfied that if the national officers had performed their duty by advising the War Department of the action of the last national convention the situation would have been clarified and you would have had no occasion to use the editorial or to comment upon the profession.

We are confident that after you have perused these resolutions and have become acquainted with the real situation you will use your best efforts to place the profession before the public in a proper light.

Thanking you in advance, we beg to remain,

Yours, very sincerely,

CHICAGO UNDERTAKERS' ASSOCIATION,
J. H. GAVIN, *Secretary.*

—

JANUARY 29, 1920.

CHICAGO UNDERTAKERS' ASSOCIATION,
Suite 601-604, 127 North Dearborn Street, Chicago, Ill.

GENTLEMEN: I am glad to know that the Casket, from which I read an article on the floor of the House, is not the official organ of the undertakers, as I believed. I am sending you herewith a copy of my remarks, so that you may see exactly what I said, as the public press has, in many instances, extended my remarks without leave.

A number of my best friends are in your profession, and I would never think of criticizing it as a whole. My remarks, as you will note, were directed only against those who were engaged in a wrongful propaganda. You will note my statement that the good men of the vocation would resent the Casket article. I am glad that you do.

Sincerely, yours,

——— ———, *M. C.*

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HOUSE OF REPRESENTATIVES,
Washington, D. C., January 29, 1920.

Hon. JOHN W. RAINEY,
House Office Building, Washington, D. C.

MY DEAR JOHN: I inclose herewith the letter I mentioned this morning and my reply thereto. I am entirely willing that the matter be inserted in the CONGRESSIONAL RECORD. Certainly there was no intention on my part to reflect upon the good men of the profession, and if my referring to the Casket as an official organ caused any misapprehension, I would be glad to have it corrected.

Sincerely, yours,

CHAS. POPE CALDWELL, *M. C.*

The exhibits which I have just inserted in the RECORD are self-explanatory.

Now, a few words in relation to what would naturally happen in the event that the bodies of the American soldiers now in Europe were brought back to this country for reinterment. In passing, let me say that I speak from practical experience gained as an undertaker, and I might state also that I am a member of the Chicago Undertakers' Association.

Our Government will retain jurisdiction over the bodies of the deceased until they are delivered to the homes of the relatives in this country or to a national cemetery designated by the relatives. By this I mean that this Government will disinter the body from its present resting place in Europe, giving it such professional attention as the individual case requires, place it in a hermetically sealed casket, which in turn is placed in an outside box, and shipped to the place designated by the relatives of the deceased.

The war-risk insurance law provides for an allowance of $100 to defray funeral expenses from the time of the delivery of the body to the home of the relatives until the same is reinterred in the cemetery. This amount is obtained from the Bureau of War Risk Insurance on the presentation of an itemized statement of expenses incurred.

In many instances no doubt relatives will request the remains be sent to their homes, where, as is commonly known amongst the people and the profession, "a wake" is held. Friends and relatives assemble to pay their respect to the dead, and a great number of them will find consolation in feeling they have had for a last time permission to mourn with their dead. Others bringing their dead to their homes are prompted by a desire to hold religious services either at their homes or their respective places of worship. In these cases the remuneration for the undertaker would be negligible.

Where public funerals are held and the bodies brought to the homes and religious services are held either at the home or the church the undertaker could not profit in any way except through a commission of 10 per cent allowed him by the owners of motor vehicles used in funeral work. To illustrate, usually the undertaker does not own the vehicles used by relatives and friends of the deceased, so he hires them from people in that business at an average cost of $15, in Chicago, and the average funeral has five vehicles, costing the family of the deceased $75, on which the undertaker's commission would amount to $7.50. In common with others in the various callings in life, undertakers have their share of bad debts on which they never realize a penny. Often when they allow these debts to be contracted with them they do so with their eyes wide open, for they, too, have hearts, and their sympathy for the afflicted not infrequently impels them to take action that can not be justified on any principle of business, but it is above all rules of trade and is known as the love of one's fellow man—charity in its broadest and best sense. Hence, the undertaker takes his risk, and if eventually he gets something on account, well and good; otherwise he charges it to profit and loss, and I have known undertakers who not only buried the dead when there was no hope or prospect of their receiving any pay, but those same undertakers have gone down in their pockets to give the widow and fatherless children money with which to buy food and clothing and to pay house rent. [Applause.]

I am anxious that Congress and the people of the country know that the undertakers of Chicago—and I enjoy the acquaintance of most of them—are proud of their profession and are doing everything they can to elevate the same, and what I claim for Chicago I believe to be true of the great majority of the profession throughout this great country of ours.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. JOHN W. RAINEY. I will be glad to yield.

Mr. BLAND of Indiana. I think I am as much interested in this matter as any other gentleman in Congress. I have noted the propaganda that has been circulated, and I quite agree with the statement of the gentleman. I have not been spoken to directly or indirectly by any person interested, nor have I found any Member of Congress who has ever been talked to directly or indirectly on the subject. If they have been, I would be glad if they would say so.

Mr. DENISON. Will the gentleman from Illinois yield?

Mr. JOHN W. RAINEY. I yield to the gentleman.

Mr. DENISON. In answer to the statement of the gentleman from Indiana [Mr. BLAND], I wish to say that over a year ago I had as many as 20 or 25 letters from undertakers in different parts of the country appealing to me to help promote this legislation, saying that it was a patriotic duty that we owed to our dead to bring the bodies home.

Mr. BLAND of Indiana. At that time it was a question of policy to determine whether we should bring the bodies home or not. The policy was determined. The War Department has announced it. Since that time there has been some wavering. Since the statement of the Secretary of War and of Gen. Pershing I have never heard, directly or indirectly, any undertaker adding his voice in any way to the question.

Mr. JOHN W. RAINEY. I think the gentleman is correct, and I will say to the gentleman from Illinois [Mr. DENISON] there may be some exceptional and remote instances where members violate the ethics of the profession, but all are not perfect. This is an imperfect world. You may apply this rule to all professions and you must necessarily find some objectionable characters in all of them.

In the recent war thousands of members of the profession served "our country" in the ranks, their organizations contributed large amounts generously and willingly to the various organizations charged with caring for the boys' comfort, and all purchased liberally the bonds offered to assist in successively concluding this hell through which we have just come, and I am before you to say that they most vigorously resent unjust implications and criticism reflecting on their profession.

Let me suggest you will discover in practically all cases when our dead are returned from Europe wherever the services of an undertaker is required a quick response to serve, not for the financial gain but a sincere desire to help assuage the grief of those who will mourn their hero dead. [Applause.]

Mr. ROSE and Mr. KING rose.

Mr. JOHN W. RAINEY. I yield first to the gentleman from Pennsylvania [Mr. ROSE].

Mr. ROSE. While we are on the question of propaganda being spread throughout the country, I wish to say that not long since I had a communication from a very distinguished gentleman in the district that I have the honor to represent, who makes complaint against the undertakers for developing this propaganda throughout the country, and in order to satisfy myself I submitted that letter to the gentleman from Indiana [Mr. BLAND], who is familiar with all the details, and he informed me at that time that he could not lay his fingers upon the people who are interested in charging that a propaganda had been sent all over the country for the return of the soldiers. And I am glad the gentleman from Illinois [Mr. JOHN W. RAINEY] has given us the benefit of his investigations, so that the public may know that the undertakers have been charged with something that is not warranted by the facts and that the Government will redeem all pledges made with regard to the return of the soldier dead.

Mr. JOHN W. RAINEY. I now yield to the gentleman from Illinois [Mr. KING] and wish to thank the gentleman from Pennsylvania [Mr. ROSE].

Mr. KING. I wondered if the gentleman would not state to us who it is in this country really who wants the boys brought back; that is, the parents and relatives and friends. I would like to know if he is familiar with these features of it. I think myself that the bringing in of the undertaking question is propaganda designed to keep the bodies of the boys in France, and is part of a well-defined movement to keep those bodies in France, propagated by the French Government and, I think, at the instance of our officials in charge there, so that the Government of France can build up automobile lines in order that visitors can visit the graves, and thereby turn a lot of money into the pockets of the French people.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. JOHN W. RAINEY. Just in a moment. I want to say to the gentleman from Illinois [Mr. KING] that in part of my remarks I intend to include his suggestion with reference to the desire of the French Government—building motor roads so the American people, those who can afford to visit the graves of their dead, may go to France.

But if you want to know who I think are back of this propaganda, as you call it, I believe it is the relatives of our heroic dead who died abroad who are anxious to bring back the remains of their loved ones, so that they may have them here in the United States, and I join with those who have expressed this desire.

Now, I will yield to the gentleman from Ohio [Mr. COOPER].

Mr. COOPER. If I may be permitted, in answer to the question which the gentleman from Illinois [Mr. DENISON] just propounded to the gentleman who has the floor, this morning I received a letter from a mother in my district who had lost her only son in France, and she pleaded with me to do all in my power to help her bring the remains of that boy back home, so that his remains could be buried in the community in which he was born and reared. It is only the mothers and fathers of a boy lost in France who can appreciate their heartfelt desire to have the boy's remains brought back home. I do not believe it is the propaganda of the undertakers, but that it is the earnest desire of the fathers and mothers and brothers and sisters and other relatives to have the bodies brought back home and buried in the communities in which they lived.

Mr. JOHN W. RAINEY. The Government has arranged and is doing everything in its power and is now working on the problem, and in the very near future the remains will be returned from Europe to the United States.

Mr. DENISON. Mr. Chairman, will the gentleman yield again?

Mr. JOHN W. RAINEY. Yes.

Mr. DENISON. Inasmuch as I made the statement which I did awhile ago, I want to state that I believe the Government itself will bring back the body of every dead soldier whose parents or wife or relatives desire the remains brought home. I made the statement which I did not for the purpose of making any attack on the undertakers or reflecting on them; but the gentleman from Indiana [Mr. BLAND] stated, in substance, that he had not heard of any Member who had received these communications, and I made the statement to show they had been received.

Mr. JOHN W. RAINEY. The question is frequently asked, and was suggested in the debate referred to by the gentleman from Oklahoma [Mr. HASTINGS] when he inquired, "Why is it that France objects to the return of our soldier dead to this country?" Mr. KING, of Illinois, answered as follows:

Mr. KING. The gentleman from Oklahoma has asked a very pertinent question. I think one of the reasons why the French people insist upon holding these bodies over there is one of the most mercenary reasons I ever heard of. I have heard it several times when I happened to be across. They are constructing great automobile tourist routes through that section of the country. I do not know how many American dead there are there, but the French people expect that every American family who can raise the money, who have relatives buried in France, will come over there and visit the graves of their dead. I think it is one of the greatest national outrages that was ever perpetrated against us, and it seems to me that if the State Department would move, and move effectively, the French Government would not insist upon these orders that have been issued.

But I am more inclined to the reasoning of Mr. CALDWELL when he said:

I am in favor of the return of every body where the families want the bodies returned, and I am satisfied, from all I have been able to learn from the Secretary of War, that he and the other people in the War Department are as anxious as we are.

And—

The first reason, and a very proper one, is that in a great many instances American boys were with French boys. Many of them were killed by high-explosive shells, and in making the interment they picked up such of the remains as were left and put them in the ground, marking part of the ground as the grave of the American soldier and part of the ground as the grave of the French soldier, and in many instances the bodies of animals killed at the same time were buried with the bodies of the men, and under such circumstances it is only right and proper that no attempt should be made to disturb the remains.

Mr. CONNALLY. Mr. Chairman, will the gentleman yield?

Mr. JOHN W. RAINEY. With pleasure.

Mr. CONNALLY. I want to say to the gentleman and others in reference to this matter that the War Department and the Department of State have had this matter up with foreign countries for a long while. This morning we were informed in the Committee on Foreign Affairs that this matter had been arranged, that the difficulties would probably be removed right away, and there would be no further objection or hindrance to the Government's bringing back the remains of American soldiers from France.

Mr. JOHN W. RAINEY. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. JOHN W. RAINEY. If the Chairman will bear with me for a moment, I will conclude my remarks.

The gentleman from New York [Mr. CALDWELL] has most courteously done everything in his power to remove any unjust criticism of undertakers in general that he may have unintentionally been responsible for, and I have no doubt but the other Members of Congress and the American people from their personal knowledge of undertakers in their respective communities, reenforced by the resolutions of the Chicago Undertakers' Association and the National Association at its Atlantic City convention, will conclude that the undertakers, in common with the rest of the people of this country, want the bodies returned from Europe in instances only where the relatives so desire, and not otherwise; that where the family wish "to let the tree lie where it fell," their wishes should be respected; that, finally, no set of men or individuals condemn the article that appeared in the Casket on September 1, 1919, or similar propaganda more emphatically than do the undertakers of Chicago and the undertakers of these United States. [Applause.]

The CHAIRMAN. The Clerk will read the bill, if nobody else wants to occupy the floor.

Mr. LEE of Georgia. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. NELSON].

The CHAIRMAN. The gentleman from Missouri is recognized for 10 minutes.

Mr. NELSON of Missouri. Mr. Chairman, I ask unanimous consent to revise and extend my remarks on the bill.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. NELSON of Missouri. Mr. Chairman, no measure to be considered by the present Congress is of greater interest to the

entire country or directly affects a larger number of people than does the bill now pending.

The problem of the farmer is the problem of all the people. To those of you who have a city constituency I would say this is your problem quite as much as it is mine, for if something is not done to turn the tide now flowing from country to city, I warn you that the day will come when want, grim-visaged and fear-impelling, will walk among your workers and hunger will threaten the employees of every factory. The census of 1910 disclosed a startling drift from country to city, revealed the fact that in many of the agricultural communities out in the heart of the corn-belt country there had been an actual falling off in population. I predict that the census figures soon to be reported will show a still further drift to the city.

The recently reported findings of Hon. James I. Blakslee, Fourth Assistant Postmaster General, come as no surprise to farmers or those who have been close students of agricultural conditions. They reveal nothing new; rather do they confirm a fact with which most of us were familiar. However, the people as a whole are deeply indebted to this official who has made possible such publicity. There is need, urgent need, that the city should Christopher Columbus the country. That there has been a lamentable lack of understanding as to country conditions is apparent. This lack of understanding has resulted in a lack of sympathy for those who wrest a living from the soil. I shall not charge that there has been malicious misrepresentation, but that injustice has been done the farmer no one familiar with the facts can doubt. A few mornings ago a Washington paper said editorially:

> There is a rather general impression in the thickly populated districts of the East that the farmers of the agricultural States are reaping rich profits from existing high prices. It is currently reported that they have junked their flivvers and taken to high-powered, six-cylinder touring cars; that a farm mortgage is a curiosity, and that farmers and their families dwell in luxury.

Such statements would be amusing were they not fraught with danger, did they not add to the unrest of the hour. Apparently, though, they are not taken seriously. Certainly not to an extent sufficient to cause any large number of city folk to leave their homes, perhaps provided with steam heat, electric lights and running water, to go to the country and enjoy a seven-hour day—seven hours before dinner and seven hours after—with longer hours for planting and harvest seasons.

The delineator of country life has changed. The farmer is no longer represented as a rube. Just because he now grows his alfalfa in his fields instead of on his chin, he is portrayed as rolling in riches. The old picture was a slander, the new one an exaggeration.

True, there are some rich farmers. Some have modern homes and comfortable cars. If so, they have worked hard and deserved them. Generally, these things have been made possible through good management, strict economy, intelligent farming methods, and the breeding and feeding of good live stock. But the average farmer is not rich. His lot is hard, his hours long, and his profits small. Because he has not been able to modernize his home, to provide the creature comforts for his loved ones, it has sometimes happened that well-meaning but mistaken lecturers, so-called "experts," and a few high-brow periodicals have accused this farmer of thinking more of his hogs than of his children. They forget that in the care of his live stock he hopes to realize returns which will make possible the modern home and the college education.

Would that I had time to picture the average farm home in the corn belt country. Would that I might outline the duties of the farmer as, with lantern in hand, he goes forth in the early morning to feed his stock and to look after a multitude of duties which are attended to before day. Then I would follow him in work, whatever it might be, until darkness came, and again we would see him quitting his tasks only when he could no longer see. The doubter has only to go to the country and put in a few days at actual work to learn that this picture is not overdrawn.

Referring again to the editorial just quoted, the suggestion is made that the public would like to know whether or not they are being exploited by the farmers and whether food should be cheaper. Is the farmer holding up the consumer? Hogs are now six or seven dollars per hundred lower than at the high time. If the farmer has the power to fix prices, and if he voluntarily submitted to this drop in prices, he must be a patriot indeed. According to the Monthly Crop Reporter for January, 1920, the prices of meat animals—hogs, cattle, sheep, and chickens—to producers of the United States decreased 2.9 per cent from November 15 to December 15. On December 15 the index figure of prices for these meat animals was about 13.9 per cent lower than a year ago, 9.4 per cent lower than two years ago.

Those of you who were Members of the last Congress will recall the statement that for the Government to continue the guaranty of $2.26 per bushel, Chicago basic price for wheat, would cost a billion dollars. We now know that it cost the Government nothing, but I am not so sure that the cost to the growers was not very great. The farmer with hogs and cattle in his feed lots sees the prices fluctuate from day to day as the markets are manipulated. Just here I would suggest the need of some system that will stabilize these markets. To-day the advantage is too much with the man who waters stocks and too little with the man who feeds and waters stock. We need more growers and fewer gamblers.

The farmer is the man with a stiff upper lip. Despite failure, despite drouth or deluge, he continues to plant and sow. Day after day, when no clouds appear in the ominous "copper cast" skies, he persists until finally the hot winds take their toll, or it may be that frost cuts down the early planted corn. Does he give up? No. Optimist that he is, he redoubles his energy and tries again. He hopes on, fights on, plows on. Then when his crops are ready to market he—what does he do? Price his output from field and feed lot so as to guarantee a fair profit? Oh, no; he sells at the price the other fellow fixes.

It is quite popular to picture the farmer as a profiteer. The metropolitan press, with its lack of intimate knowledge of rural conditions, and with a large advertising patronage from manufacturers, wholesalers, and retailers, has presented the question from a city viewpoint, and, perhaps, in a manner most palatable to its patrons. Somebody had to be made "the goat," and the farmer, his interests publicly championed only by the country papers—heaven increase their power!—and the agricultural press, has been fixed upon as the guilty party. It is true that a few of the metropolitan dailies with large vision and real insight into country conditions, have quite fairly presented the problem. A perusal of the pages of the country weekly shows that less attention is being given to pink teas and more to red barns; that there are not so many items about Alfonse and William who went to the city to accept so-called "lucrative positions," but more concerning "Al" and "Bill" who stayed on the farm and grew the prize corn or fed the grand champion carload of cattle. It is largely within the power of the press properly to present this great, pressing problem.

I say that it is popular to find fault with the farmer. Women wearing costly fur coats have ridden in luxurious cars to splendidly appointed homes or clubs, and there advocated boycotts against the purchase of butter or eggs. One hears no suggestion as to a boycott on gasoline, on automobiles, or on furs. There is no serious complaint as to the price of wearing apparel. Why, it would almost be in order to award a medal to the young woman who in this day of extravagance is brave enough to wear cotton stockings.

I have referred to expenditures. Do you doubt my statements? Then stand on F Street in the city of Washington almost any Saturday afternoon and you will see in an hour's time $100,000 worth of fur coats worn by women, mostly girls who work. Take your place on Sixteenth Street in this same city on a fair Sunday afternoon and you will see in a single hour a million dollars' worth of autos. There is no let-up on luxury. There is little or no complaint except as to price of what the farmer and his family produces.

One day just before Christmas I saw in Washington City a line, three or four persons wide and extending far into the street, made up of people who were waiting their turn to buy candy at $1 or more per pound. Some of the women in that line wore shoes that cost more than the price of sufficient flour to meet the wants of the average man for an entire year. Oh, consistency, thou art a circus.

There are so many phases of this farm problem that no one suggestion will solve it, if indeed a solution is possible. I would, though, dare to make one or two suggestions.

Whatever will bring about true cooperation in the country—and by this I do not mean the cooperation of the wolf pack, but cooperation that will benefit alike city and country—will be of material assistance. Then there has been in the country a lamentable lack of leadership. The country needs to develop its own leaders.

My own State, Missouri, has been honored by having had the first Secretary of Agriculture of the United States, Hon. Norman J. Colman, as well as Hon. David F. Houston, who until last week filled the same position in the Wilson administration. The present Secretary is my neighbor on the north. So I mean no criticism of incumbents, past or present, when I make a suggestion to the farmers of America. The suggestion is this: That a demand be made upon the platform committees of both parties—or shall I say all parties?—that the Secretary of Agriculture in the Cabinet of the next President be an honest-to-

goodness farmer. Men absorb environment, so I would have as the directing head of the farmers of America one whose life has been spent on a farm and whose living has come from the land.

I would, if I could, have called in each State an agricultural conference to be attended by actual farm men and women. Then I would have delegates chosen by these State conferences meet here in Washington for a national conference. Out of these meetings great good should come. In such a conference I would hope to have men and women large of vision and liberal in views, so that such action as might be taken would redound to the benefit of both country and city.

But I would not have the conference to which I have referred take the place of Congress. The farmers of the country have a right to feel and ought to feel that they can look to Congress for justice. The farmer is not a confidence man, but a man of confidence. He has shown his confidence in Congress by failing to send bodies of paid representatives here to make demands upon Congress. This being true, we are traitors indeed if we are not true to the trust. [Applause.]

There is great need of closer cooperation between city and country. The country needs and must have the city, just as the city must of necessity rely upon the country. So long as there is a fair division of returns the prosperity of the one adds to the well-being of the other. To vitalize the village is to add to the efficiency of the farm.

As revealed by answers to questions sent out by the Fourth Assistant Postmaster General, the biggest problem before the farmer is that of labor. It is not a new problem. It has been with us for years, the only difference being that it is now more pressing than ever before. How the farmer, single handed and alone, is to secure sufficient help in competition with the shorter hours and higher wages in the cities, is beyond me to say. My thought is that it must come largely in decreased cost of marketing, in better market methods, in cooperation on the part of the consumer as well as producer.

There is no disposition on the part of the farmer, as has been intimated, looking to abandonment of effort. He will continue to do his best to feed the world. He has always done so. But without laborers in the fields—and there is also dire need for help in farm homes where the women are overworked—he can not meet the demands of the day.

From my own State—Missouri—comes the statement from the United States Bureau of Crop Estimates and the secretary of the State board of agriculture, that there is "not a single county but has an actual shortage of farm labor." The report says, in part:

> Investigations made in December indicate that pay of farm labor by the month has increased 80 per cent over that of 1914; day harvest wages, 125 per cent; day wages for other farm work, 100 per cent. For instance, the average rate per month, with board, in 1914 was $21, and $37 in 1919; without board in 1914, $29, and $50 in 1919. The average rate per day for harvest labor, with board, in 1914 was $1.55, and $3.45 in 1919; for harvest labor, without board, $1.93 in 1914, and $4.35 in 1919. The average rate per day for other labor, with board, $1.05 in 1914, and $2.15 in 1919; without board, $1.35 in 1914, and $2.75 in 1919. Added to these wages, in many instances, is use of house, garden, cow, place for pigs, chickens, and fuel supplied where the man is married and lives on the farm.

That there has been a decided rise in wages paid for farm labor is also shown by reports of the United States Department of Agriculture. In 1919, taking the United States as a whole, the farm laborer, who also received his board, was paid $39.82 per month, as compared with $19.21 in 1910. Without board the wages were $56.29, as compared with $27.50. In harvest, workers received $3.15 per day and board in 1919, as against $1.45 in 1910. In other harvest work the pay was $2.45 per day and board in 1919, as against $1.06 in 1910. While these wages show an advance of more than 100 per cent, on the face of them they appear much lower than in the cities. Consequently, the worker is attracted to the city. Nor do we blame him. There is no law to prevent workers going from farms to cities. What is more, they are going. What is still more, they are going to keep on going so long as they find it more pleasant and profitable to do so. Willingly would the farmer pay higher wages were the returns from his farm such as to make it possible. The outstanding truth, however, is that, regardless of wages offered, sufficient help can not be secured. If there is an abandonment of effort on the part of the farmer, it will come not through choice but of necessity.

Time does not permit me to dwell at length upon the various items contained in this bill. In the main, I approve the measure. While a stickler for economy, this is one case in which I would support a larger appropriation. I am glad that the committee has seen fit to reduce the number of clerks, many of whom and in various departments could, I believe, be let out. On the other hand, I would favor for those in responsible positions salaries commensurate with the importance of their work. I advocate living salaries and liberal appropriations for large projects with a corresponding saving in minor places.

As an illustration of what I have just said, I believe that we should look with favor upon any reasonable appropriation having for its object the development of better trade relations with the South American countries. Especially have I in mind the great opportunities for the sale of pure-bred live stock to the farmers of Brazil, Uruguay, and other countries. This is a virgin field.

The market demands are sure to be great and the United States, with its hundreds of thousands of pure-bred cattle, hogs, and other animals, is prepared to meet the demand. Some conception of the extent of the pure-bred business in America may be gained when it is known that we have more than 60 pure breeds of live stock, each with one or more record associations, and that last year the estimated sales of pure-bred animals in the United States amounted to more than one-third of a billion dollars. No one can at this time estimate the extent and value of the business such as it is possible for our live-stock breeders to build up in South America. A recent shipment of more than 200 head of breeding cattle to Brazil has paved the way, and even now a larger order is being filled. With personal contact established, and with view herds in Brazil and other countries, our live-stock breeders are sure to enjoy an immense business. I strongly urge a liberal appropriation to develop this southern market. Either America or Great Britain will soon have captured the field.

I also urge liberal appropriations for the Bureau of Crop Estimates. Uncle Sam must have a bookkeeper. The American farmer must not only keep books himself, but there must be one great bookkeeper for all. Speculators and commercial interests have been quick to appreciate the value of having a definite line on agricultural production. Were such information not made available to the farmer, he would fall easy prey to those better informed. Not only are we interested in the output of our own country, but we are directly concerned with agriculture everywhere, with the wool clip of Australia, the beef of the Argentine, and the wheat of Canada. The American farmer must not be handicapped for lack of information dealing with crops and live stock.

We have heard much, and rightly so, of how our boys went "over the top"; but not alone on the battle fields of France did Americans go over the top. I have seen them go over the top here at home. At half a dozen or more places in my district in 1918 I saw the young men—50, 75, or 100 at a time—assemble in answer to the call. With these boys came fathers, mothers, brothers, sisters, and sweethearts. I saw the leave-takings, saw the smiles through the tears, heard the songs and shouts that hid the heartaches. Then, after the train had passed from sight, I saw the ones who had been left behind start back to their homes, some to the southern counties in the Ozark foothills, where dwell as patriotic a people as live under the flag of the free. Others I saw go to the rolling prairies of northern Boone or to the Missouri River border counties, from which had gone splendid, stalwart sons. Then, in the days that followed, days that tried men's souls, I saw fathers, some of them old and bent—yes, and I saw mothers and sisters, too—go into the fields, there to replace as best they could the strong and sturdy sons who had been called into the service. The hours were long and the labor heavy.

Heavy, too, was the harvest. That year Missouri farms, short many thousands of workers, produced crops worth $462,000,000, the result of the harvest from 14,870,000 acres, the State advancing from fourteenth to fourth place in combined farm-crop and live-stock production. What that accomplishment meant only those who made it possible can ever know. And what Missouri did the farmers of every State did in greater or less degree. That same year the farmers of the United States, without thought of self or threat of strike, made available a war crop which included 2,582,000,000 bushels of corn, 917,100,000 bushels of wheat, and 1,538,000,000 bushels of oats.

Who is there that would not now deal liberally with those who unselfishly and untiringly worked to produce the food required to win the war? This was genuine patriotism, a patriotism not confined to the country. Even in hamlets, towns, and cities, where the flag was kept flying in the front yard, the dirt was kept flying in the back yard. But wherever this work was in progress the only flag was the banner of red, white, and blue. No red flag ever floated from a farm.

The farm home, most of all, represents the strength of the Nation. [Applause.]

May I illustrate? One beautiful Sunday morning in the autumn of 1917 I stood with a few others and witnessed the memorable review of that noble aggregation of fighting men,

the Rainbow Division, at Camp Mills, on the historic Hempstead Plains on Long Island. The men were soon to leave for France, and as I watched them pass in review, saw the waving flags, and listened to the martial music, I was moved as never before. Then did it seem to me that America had not only a new mission but a new meaning. In my enthusiasm I said, "This is the strength of the Nation." A few days later I was on the water front near New York City, and I saw our convoyed transports loaded with the flower of our land, saw the mighty floating forts, and again in my enthusiasm I said, "This is the strength of the Nation." But it so happened that a little later I went back to the interior and to a farm home far removed from the busier activities of war. It was an old-fashioned farm home, a big white house with green blinds and a rambler rose winding its way over the front porch. It was a real home, the sort of a house that seems to have a soul. As the day died and as the shadows lengthened, as they were lengthening in the lives of the father and mother in that home, we talked long on commonplace things, of the war, and of the boy "over there" doing his bit in order that civilization and Christianity might not perish from the earth. Bedtime came, and I saw the old father take from a table a well-worn book and read a chapter, after which there was an earnest prayer for the coming of peace, peace born of victory. Shown to my bedroom, my attention was attracted to two pillows, such perhaps as were in your home and mine. On one of these pillows a mother's hands had worked "I slept and dreamed life was beauty," while on the other were the words "I woke and found life was duty." I lay awake a long time, lulled by the gentle tinkle of sheep bells. Then it was that this thought came to me: The abiding strength of the Nation is, after all, not in armies nor in navies, necessary as they may be, but in peaceful, prosperous, Christian homes like this.

Support of this measure, gentlemen of the committee, is to lend strength to these homes and, through them, to the Nation as a whole. [Prolonged applause.]

Mr. HAUGEN. I yield 20 minutes to the gentleman from Ohio [Mr. RICKETTS].

Mr. RICKETTS. Mr. Chairman and gentlemen of the House, we have heard a great deal of discussion during this session of Congress on the subject of economy, and a beautiful sentiment has been expressed in every statement made; but beautiful sentiments, gentlemen of the House, will not reduce appropriations. It is one thing to preach economy and quite another and a different thing to practice it. I had hoped that the heads of the departments had caught the drift of sentiment throughout this country with reference to the appropriations that have been made during the past two and a half years, and especially since the armistice was signed on the 11th of November, 1918.

It is my purpose in addressing you to deal strictly with the facts, and not to indulge in generalities or presumptions.

The Secretary of the Treasury, in his Book of Estimates for the fiscal year 1921, submitted to this House through the Speaker, requests Congress to make the following appropriations for the expenses of the various departments of Government, to wit:

Legislative establishment	$9,025,297.25
Executive establishment	111,583,361.77
Judicial establishment	1,634,190.00
Department of Agriculture	37,528,102.00
Foreign intercourse	11,243,250.91
Military Establishment	989,578,657.20
Naval Establishment	542,031,804.80
Indian Affairs	12,994,494.27
Pensions	215,030,000.00
Panama Canal	18,245,391.00
Public works	265,676,419.17
Postal Service	391,713,673.00
Miscellaneous	833,717,637.96
Permanent annual appropriation	1,425,407,752.29
Total	4,865,410,031.62

Now, remember that these are estimates on a peace-time basis.

In this same Book of Estimates the Secretary of the Treasury urges economy. At page 22 of his report he uses this language:

> Accepting a warning from the innumerable requests that are constantly being pressed upon the Congress for grants from the general fund, it becomes the clear duty of this department to point out that there appears to be grave danger that the extraordinary success of the Treasury in financing the stupendous war expenditures may lead to a riot of public expenditure after the war, the consequences of which could only be disastrous. It can not be too often repeated or too strongly urged that the optimistic outlook of the future of the Government's finances, as presented in the beginning of this report, is based upon the practice of the most rigid economy and the continuance of ample revenues from taxation. Any other policy means a calamitous upsetting of the entire program.

The Secretary of the Treasury in his Book of Estimates for the fiscal year 1916, a normal peace year, submitted to this House through the Speaker, requested Congress to make the following appropriations, to wit:

Legislative	$13,680,562.52
Executive	668,550.00
State Department	5,171,762.66
Treasury	136,833,740.00
Territorial governments	180,600,000.00
Independent offices	3,866,020.00
District of Columbia	13,668,734.23
War Department	186,675,373.81
Panama Canal	18,931,865.58
Navy Department	147,764,086.88
Interior Department	206,282,343.20
Post Office Department	1,820,695.00
Postal Service, payable from postal revenues	297,355,164.00
Department of Agriculture	25,800,413.00
Department of Commerce	16,774,095.00
Department of Labor	4,443,210.00
Department of Justice	10,857,918.50
Total	1,090,175,134.38

The difference between the estimates for appropriations for the fiscal year 1916 and for the fiscal year 1921, both peace-time years, is $3,775,234,897.24.

This difference in the estimates is astounding. It is amazing when we consider its meaning under the financial stress that prevails. Are the taxpayers to be required to carry this additional load in peace time?

Remember, gentlemen, that the loyal and patriotic citizens of this Nation purchased Liberty bonds and Victory notes to the amount of $19,580,010,555 during the World War and since the armistice was signed.

The estimates submitted at this time of crisis will not bear the searchlight of investigation.

There is a widespread and almost universal prevailing sentiment throughout the country on the part of the taxpayers that war-time appropriations should no longer be made but should cease and determine, and, on the contrary, that the appropriations should be reduced in amount to a peace-time basis. There is a prevailing opinion broadcast in the land that the people's money is being wasted and recklessly spent through extravagant appropriations and enormous expenditures, and there is a general demand on the part of the taxpayers that Congress adopt a strict policy of economy and that appropriations be greatly and materially reduced.

The taxpayers of the country are sorely burdened and distressingly oppressed with the enormous burden of taxation. They feel, and rightfully so, that the war is over and that the burden of taxation should be lightened. I regret to say that many of them have lost faith in the business ability of the various departments of Government, in the control, management, and disbursement of the financial affairs of this Nation. They are aware that this Government, through faulty, reckless, and careless business methods upon the part of those who had charge of affairs during the progress of the late war, lost more than $2,000,000,000 of the people's hard-earned money through graft and wanton and reckless extravagance and willful waste.

Not only so, but they are aware that millions of dollars have been and are being wasted in the numerous departments of government on account of inefficiency, lack of faithfulness to duty, and indifference on the part of the great and unnecessary army of employees in these various departments, who are being retained, without performing any apparent service necessary or required by the Government, 15 months after the armistice was signed and after hostilities have ceased.

They know that millions of dollars of property, in the nature of war materials and war equipment and war supplies, is scattered broadcast through this country and is exposed to the influence of the elements, and is actually being allowed to rot.

They know that this property should have been converted into money long since and covered into the Treasury of the United States, so that the same might have been applied to the payment of interest on our $34,000,000,000 war debt, and in this way appropriations might have been curtailed or reduced.

They know that thousands of employees in the various departments of Government and throughout the country have been living off of Uncle Sam since the armistice was signed, with nothing to do but draw their breath and their salary, and that the department heads are aiding them, in the estimates submitted for appropriations and in many other ways, to retain their places at the expense of the taxpayers of the country.

They know that the department heads in submitting their estimates for fiscal appropriations seldom, if ever, recommend a reduction of appropriations on account of a reduction of expenses or a reduction of the number of employees in their respective departments.

On the contrary, they know that the historic policy of department heads is to increase the estimates for appropriations and to increase the personnel of their departments, and to increase the number of bureaus and subordinate organizations under their control.

They know that the heads of departments have no concern as to how the money is to be raised which is expended through these departments or who is required to pay it.

They know that what the departments want is money, and plenty of it, with the right to disburse it in any manner which meets with their approval under the guise of law.

They know that Uncle Sam has been pursuing a weak and destructive business policy, which must eventually, if continued, lead ultimately to ruin and bankruptcy.

The taxpayer is a loyal and patriotic citizen. He does not shirk any duty which may be enjoined upon him, nor does he fail to answer every call his country may make of him. He is always ready, willing, and anxious to uphold, support, and maintain his Government by reason of his means, but he demands now that Uncle Sam conduct his business on a business basis and through strict business methods. Why is he not right in making this demand and requiring that the business of this country be conducted along business lines? [Applause.]

We have heard a great deal of talk about economy during this session. It is one thing to proclaim economy and quite another and different thing to practice it.

Nearly every bill brought into this House carrying appropriations for the fiscal year is less in the aggregate than the estimates. Not infrequently have I heard the chairman, in answer to the question as to why the bill carried such and such appropriations, say that the appropriations carried were very much less than the estimates. Who makes up these estimates? Department heads, of course. With a view to economy? No. With the express view and purpose of obtaining from Congress the highest appropriation possible for their department. By what rule are they governed in making up these estimates? By the independent opinion of the heads of the departments. They want to hold on to their Army and war-time organizations, and the only way to insure economy is to break up these organizations by refusing to make the appropriations to continue them. [Applause.]

I regret, gentlemen of the House, to say that if this Congress should carry the estimates made by the heads of departments into appropriations, bankruptcy would be our fate. We must get down to a system of economy. Congress in the last three years has made such enormous appropriations, under the emergency, that I fear sometimes it has formed the habit of making appropriations without regard to the ultimate result. I do not mean to criticize the membership of this House by that statement. I am simply suggesting to the House and trying my level best to impress upon the mind of each and every Member of this great legislative body the necessity of adopting a policy of strict economy. Economy is the word above all others for Congress to heed just now. The Republican Members of this House are charged with the responsibility of reducing appropriations. We are in the majority. We have that majority because the taxpayers of this country in a day changed the political complexion of Congress as if by magic.

Why? Because the voters of the country were dissatisfied with the management of financial affairs of this Government and decided by their votes to have such changes as they deemed prudent in order to conserve the finances of the country, but the Republicans are not required to bear this responsibility alone. The Members on the Democratic side of this House have some obligations, some responsibilities, as well; and let me predict now that unless the membership of this House, both Republicans and Democrats, carry out a strict policy of economy in curtailing appropriations there will be some strange faces on both sides of this House in the next Congress. I have noticed during the consideration of appropriation bills that Members have offered numerous amendments carrying additional appropriations. We can not reduce the appropriations by cutting down the estimates in committee and then on the floor of the House increase the amount of the bill by adopting amendments to the bill carrying additional appropriations.

The people of this country read for themselves. There never was a time in the history of Congress when the CONGRESSIONAL RECORD was so in demand and so widely read as at the present time. From the 6th day of April, 1917, the date of the declaration of war against Germany by Congress, the American citizens have been reading events closely, both from the CONGRESSIONAL RECORD and from the press of the country. They have kept in touch with the proceedings. They know of the enormity of the appropriations that were made. They know now that the appropriations of the Sixty-sixth Congress must be greatly reduced or this country will face a deficit in the Treasury for the fiscal year ending June 30, 1921, of something like $3,906,000,000.

The people of America are not asleep. They are wide-awake and alert to every action of Congress, and the Republican or Democrat who seeks to increase appropriations on the floor of this House by amendment or in committee where the bills are being considered may depend upon it that he will be held to a strict account to his constituency when he seeks to succeed himself as the Representative of that constituency. There was a time in the history of national affairs when a Member of Congress might deceive his constituency as to his activities and his faithfulness to duty, but that day has passed into oblivion, and I am thankful to the Almighty that that day has gone, for I believe that the constituency of every Member of this House should be fully advised of his attendance, of his application to duty, and of his sincerity in the discharge of the trust which has been reposed in him. [Applause.]

The folks at home have their eyes riveted on Congress; they are watching the proceedings closely, especially the appropriations, and they will not need a copy of our record to advise them as to what we have done here. They will have it, and any man who depends upon party loyalty for reelection will be fooled, unless his record is satisfactory. It used to be that when a voter refused to support the nominee of his party he was called a "bolter," a term synonymous with "deserter," and many times, in order to avoid this imputation and resultant political annihilation, he was whipped into line and supported the ticket. Nowadays, however, when he bolts he is regarded as an independent voter, a sort of political giant, and both the old parties play for his vote. This only goes to illustrate that the voters read and keep in touch with what is being done by all legislative bodies to which is intrusted the transaction of public business. They know who they want to represent them, and vote accordingly. This is the principal reason why there are so many independent voters in this country to-day.

WHAT THE WAR COST.

No loyal and patriotic American citizen objects to a single dollar that was spent legitimately, in order to support and maintain the Army at home and abroad, in winning the great World War. We are proud of our soldiers; proud of their achievements; proud of their bravery and heroism. These red-blooded American soldiers were entitled to every dollar they needed and to our help in every possible way, and we all helped them to the limit of our ability, and are proud of it, but the war is over now and war-time appropriations should cease. We have other obligations to meet. We must pay our war debt. We must arrange for a bonus for the soldier boys who bore the burden in the heat of battle, and in order to do that and carry out our obligations to these boys we must economize where economy can be invoked without impairing the efficiency of any department of government.

What the war actually cost in dollars has been, and still is, a mooted question. A half-dozen approximations have been given as to what the war actually cost, ranging from $20,000,000,000 to $60,000,000,000. I have taken the pains to investigate this matter somewhat.

Secretary of the Treasury Glass, in a letter dated July 9, 1919, to the House Committee on Ways and Means, has discussed the United States war expenditures, and estimates the same by adding total expenditures of the United States for the war period and subtracting therefrom what he estimates the United States would have spent on a normal peace basis. This he places at $1,000,000,000 annually. If, therefore, from the total annual appropriations there be subtracted $1,000,000,000 for each year, the remainder will approximate what, according to the method of the calculations of the Secretary of the Treasury, may be considered as appropriations chargeable to the war.

Total appropriations by Congress for fiscal years 1917–1920.

Year.	Source of information.	Amount.
1917	United States Treasury Department, Digest of Appropriations, 1917, p. 542	$1,628,411,644.81
1918	United States Treasury Department, Digest of Appropriations, 1918, p. 603	18,881,940,243.79
1919	Statement of Mr. WARREN, CONGRESSIONAL RECORD, July 10, 1919, p. 2398	27,092,094,720.75
1920	Statement of Mr. GOOD, chairman Appropriations Committee of House, CONGRESSIONAL RECORD, Sept. 16, 1919, p. 5539	7,345,617,283.58
	Total	54,948,063,892.93

The item of $27,092,094,720.75 includes $3,000,000,000 loaned to the Allies.

In round numbers, the total of the above is $55,000,000,000, to which should be added $3,000,000,000 more for the war expenses of the present fiscal year and from which should be taken $4,000,000,000 for normal expenses for the four fiscal years (1917, 1918, 1919, 1920) and $3,000,000,000 loaned to the Allies. The net total cost of our participation in the war will be seen to be $51,000,000,000, which is $510 for every man, woman, and child in the United States. And if we add to this the amount which we have loaned to the Allies, which is, in round numbers, $10,000,000,000, the net total cost will be $61,000,000,000, which is $610 for every man, woman, and child in the United States.

This, too, represents only the direct cost of the World War in dollars and cents. It does not include the indirect cost caused by the enormous increase in the cost of living since we entered the war 2 years and 10 months ago.

In addition to the above we may add $475,000,000 which is due as interest from the Allies and which the Allies are not able to pay, for that is our money, and we need it now badly. The House Ways and Means Committee agreed that the Treasury should not demand the interest on American loans to the Allies now, but to fund it over a period of years until the European finances are normal again. The question is, When will they be normal? How long will the United States have to wait for this interest, to say nothing of the principal? Congress realizes that the payment of the interest now is impossible.

Our loans to Europe up to December, 1919, aggregated $9,647,419,494, as shown by the following statement:

Great Britain	$4,277,000,000
France	3,047,974,777
Italy	1,620,922,872
Belgium	343,445,000
Russia	187,720,750
Czechoslovakia	55,330,000
Greece	48,236,629
Serbia	26,780,465
Roumania	25,000,000
Cuba	10,000,000
Liberia	5,000,000
Total	9,647,419,494

THE PUBLIC DEBT.

According to the annual report of the Secretary of the Treasury, on the state of the finances, for the fiscal year, the gross public debt, on the basis of the daily Treasury statements, amounted to $26,210,530,000 on October 31, 1919, without any deduction for loans to the Allies, or other investments.

Note, if you please, the phrase "or other investments." What are they? This report does not show. Of course, if you add to this the $10,009,000,000 principal and the $475,000,000 interest that the Allies owe to the United States we will have a total of $36,685,530,000.

The interest charge alone on the public debt for this fiscal year is $1,017,500,000, and is more than the total appropriations for all governmental purposes for the fiscal year 1913, amounting to $1,010,812,449.

The United States Government appropriated and spent more money in the two years covering the war period, by several billions of dollars, than the entire cost of the Government of the United States from George Washington's day as President—1789 to April 6, 1917—and that includes the cost of the Civil War, the War of 1812, the War with Mexico, and the War with Spain. The figures are so staggering that even the experts are confused. From the day that George Washington took his seat as President, in 1789, to April 6, 1917, the total cost of running the Government amounted, in round numbers, to $40,000,000,000. The truth is that no man living within the boundaries of the United States knows the exact cost of the war. Congress has been considering during the past week deficiency appropriations necessary to carry out contracts entered during the war period, and no one knows just when these estimates for deficiencies will end.

GOVERNMENT REVENUE FOR THE FISCAL YEAR ENDED JUNE 30, 1919.

TAXES.

The collections of income and profits taxes for the year ending June 30, 1919, amounted to $2,600,783,902.70.

The inheritance tax collected during the year aggregated $22,029,983.13.

Taxes collected on distilled spirits and alcoholic beverages for the year amounted to $483,050,854.17.

Taxes collected on tobacco and tobacco manufactures, for the year, amounted to $206,003,091.83.

Taxes collected on oleomargarine, adulterated, and process or renovated butter, and mixed flour, for the year was $2,926,414.21.

Taxes collected on bonds, capital-stock issues, conveyances, capital-stock transfers, and sales of produce for future delivery amounted to $33,551,873.53.

Transportation taxes collected during the year amounted to $237,839,572.30.

Taxes collected on insurance during the year aggregated $14,508,881.31.

Excise taxes collected for the year—sales by manufacturers, producers, and importers—including automobiles, motor cycles, and so forth, amounted to $82,424,873.83.

Excise taxes—sales by dealers of certain works of art, carpets, picture frames, and wearing apparel; perfumes and cosmetics; soft drinks, ice cream, and so forth—amounted to $6,147,269.45.

Taxes collected from corporations on capital stock for the year amounted to $28,775,749.66.

Taxes collected from brokers, theaters, museums, bowling alleys, billiard and pool tables, shooting galleries, riding academies, passenger automobiles for hire, and so forth, amounted to $4,721,298.16.

Taxes collected on admissions to places of amusement and entertainment and club dues for the year amounted to $54,992,157.01.

Taxes collected on narcotics from importers, manufacturers, compounders, dealers, and so forth, for the year amounted to $693,686.30.

Sales of condemned Government property, receipts under repealed laws, other miscellaneous collections, and so forth, for the year amounted to $1,501,004.15.

Sales of internal-revenue stamps affixed to parcel-post packages, and so forth, reported by the Postmaster General for the year amounted to $10,199,466.51.

Total receipts of the Internal-Revenue Bureau from all sources during the year amounted to $3,850,150,078.56.

Gentlemen of the House, you will notice from the above figures that property of every kind and description, whether tangible or intangible, or whether real, personal, or mixed, is taxed to the limit. Is it any wonder that there is a universal demand on the part of the taxpayers of the country that appropriations should be reduced? Do you blame them for criticizing Congress for being extravagant in the appropriations made since the armistice was signed, 15 months ago? Certainly not. No sane man will contend for a minute that Congress has any right whatever, in time of peace, to waste the money of the taxpayers of this Nation, or at any other time, so far as that is concerned. [Applause.]

EXAMPLES OF EXTRAVAGANCE AND WASTE.

I deem it important that I should give to the membership of the House a few examples of profligate waste and extravagance since the armistice was signed on November 11, 1918.

1. More than $35,000,000 worth of automobile tires were ruined through exposure to the weather at the Motor Transport Corps Base at Verneuil, France.

2. Three thousand five hundred motor cycles became junk through similar exposure, as well as automobiles and hundreds of trucks.

3. Explosives plant at Nitro, W. Va., sold by the War Department for $8,551,000. It cost the Government $75,000,000.

4. War food supplies and other articles, of the value of nearly $2,000,000,000, owned by this Government and in France, have been sold to the French Government for $400,000,000, or less than 25 per cent of their value.

5. Five million dollars was wasted by the Government on a nitrate plant out of Cincinnati.

The excuse offered for these amazing transactions is the claim that to place these supplies on sale here at home "might disturb the market."

On the other hand, no reason at all is assigned for the wanton destruction of some $700,000,000 worth of automobiles and motor trucks purchased by the Government and now parked in the open and rusting out at various points over the country.

While Americans are being forced to submit to the rationing of sugar, as during the war days, our War Department is busy with the details of forwarding 27,000,000 pounds of sugar, a left-over morsel of war supplies, to France, where it is being sold for less than wholesale rates.

Thirty-nine thousand nine hundred and ninety-three motor vehicles were shipped to France after the signing of the armistice and included in the sale to the French Government.

Included also in the sale to France were 89,199 motor vehicles, costing the United States $310,739,694.

The War Department submitted estimates for $42,841,565 for rivers and harbors improvements to the Committee on Rivers and Harbors. The House passed the bill for $12,000,000, thus saving the taxpayers $30,841,565 that would have been unnecessarily spent.

The present second deficiency bill for this fiscal year carries an appropriation of $88,000,000. The estimates submitted were $108,000,000, a saving of $20,000,000 to the taxpayers.

The total cost of administering internal-revenue laws for the fiscal year ended June 30, 1919, was $20,573,771.52, nearly $8,000,000 more than the expenses for the previous year.

I have indicated just a few items that show clearly the reckless manner in which the taxpayers' money is being squandered.

Gentlemen of the House, it is perfectly plain to me that our Government has resorted to drastic taxation, and yet her income now does not equal her current expenses. We should stop and consider where we are drifting. This is no time for idle thought. We must hesitate. Yes; we must stop. Stop and listen and consider. Consider carefully each and every item that may be contained in the appropriation bills submitted to this House, and see to it that only such appropriations are made as are actually necessary, and let us be sure that these appropriations are necessary. Let us not indulge in conjecture or probabilities or possibilities, but let us sincerely deal with the facts as they are presented to us. Oh, you say we are a rich Nation. Yes; that is true; we are.

Our total wealth is estimated at $250,000,000,000. We are without doubt the richest Nation in the world. We are a credit Nation; the balance of trade is on our side of the ledger. Let us keep it on our side of the ledger, but let us not do so at the expense of the taxpayers of the country.

With only 6 per cent of the world's population and only 7 per cent of the land, the United States produces—

Twenty-five per cent of the world's gold.
Twenty-five per cent of the world's wheat.
Forty per cent of the world's iron and steel.
Forty per cent of the world's lead,
Fifty per cent of the world's silver.
Fifty-two per cent of the world's zinc.
Sixty per cent of the world's aluminum.
Sixty per cent of the world's copper.
Sixty per cent of the world's cotton.
Sixty-six per cent of the world's oil.
Seventy-five per cent of the world's corn.
Eighty-five per cent of the world's automobiles.

We also refine 80 per cent of the copper and operate 40 per cent of the railroads. But why waste our wealth through extravagance? Why impoverish our people? Why not exemplify the lesson of thrift?

No good business man allows his expenditures to exceed in amount his receipts, nor can the Government of the United States, through its agencies, spend money in excess of its revenues. This Government has been doing that very thing, since the armistice was signed, without any reason or justifiable excuse. If we expect the people of this Nation to practice economy and thrift, Congress must set the example. [Applause.]

With business having gathered great forward momentum in 1919, the movement may conceivably carry some distance farther, but its duration will be largely dependent upon conditions which have not, as yet, assumed concrete form, and it is significant that there are signs of increased caution among conservative interests. The problem of high prices, becoming more complex as some markets tend steadily upward, is plainly one which is not devoid of disquieting possibilities, as has been frequently reiterated. And the continued evidences of extravagance in personal and governmental expenditures are the reverse of reassuring. That the inflation of prices and of buying has been carried beyond the limits of prudence and safety is the contention in not a few quarters; and the question as to how soon, and in just what way, the inevitable readjustment will manifest itself is one of no little importance or concern.

Gentlemen of the House, suppose a panic should overtake us within the next year, what would be the result? How would it affect the financial status of this Nation? How would this Government meet its obligations? What effect would it have upon our revenues? And how under heaven could we lessen our necessary and current expenditures?

These are matters to be considered in peace times, when commercial, industrial, and social conditions are abnormal and unsettled. Such a panic is not impossible, but, judging from past history and experience, it is altogether probable in the readjustment of affairs. Why not begin the practice of economy now? Why not commence now to liquidate our funded indebtedness?

THE BUDGET SYSTEM.

A major stroke in the direction of economy was made by this House when it passed the budget bill, regulating the expenditures of the National Government, during the special session of this Congress.

I gladly supported this bill, because after having considered it, I made up my mind that it was very much better to have one committee make the appropriations for governmental expenditures than to have the same made by a number of committees. I think this system, if it becomes a law, will save the taxpayers of the country an enormous sum of money annually. Under the present system of making appropriations many duplications naturally result. Under the budget system this can and will be avoided. Aside from that, it will make the committee on the budget responsible for the appropriations made, and this responsibility should be centered somewhere in one special committee of this House.

A flood of appropriation bills are introduced in each session of Congress, and are considered by many committees, which know but little about the facts relating to the demands therein made, or of the real requirements of the occasion, and have but slight opportunity to ascertain the facts in relation to these matters, even by extensive hearings. The Budget Committee, under the budget system, will have the jurisdiction, authority, and time to scan all these various appropriation bills closely, and to determine the appropriations that are essential, and discard those items in these bills that are nonessential.

THE TAXPAYER.

I have referred repeatedly to the taxpayers, in discussing this matter, and it would be well for us to consider who are the taxpayers of the United States. They are not alone those who are rich and have money, but the tax burden is forced upon the poor as well. Every man, woman, and child in the United States have to bear their proportionate share of the taxes. The poor and laboring class pay it in the purchase of the necessities of life; in rent, in railroad fares, in shoes and clothing, and in everything that they are required to purchase in order to live.

The rich pay it on excess profits, on incomes, in inheritance tax, and in National, State, and local taxes, but, after all, the major portion of the taxes are finally paid by the poor people of this Nation. They are the ones who have suffered, and, as a Member of this great legislative body, I propose to work and vote for a reduction of these taxes, which are forced upon the people by waste, extravagance, and unnecessary appropriations.

Our distinguished floor leader, the gentleman from Wyoming, on the initial day of this session, and on numerous occasions since, has repeatedly insisted and urged, with all his great ability, and his broad conception of public and governmental affairs, that we follow a strict policy of economy in making appropriations, because of the depleted condition of the Treasury. His logic is sound, and his reasoning is amply supported by the facts. Why not heed his advice and counsel? As one Member of this House, I have done so up to this good hour, and I intend to do so during the rest of this session and so long as I may have the honor to occupy a seat in this great legislative chamber, and I earnestly appeal to the Members on both sides of this aisle to do likewise. It will prove profitable in the end, and, besides, we will all be rendering a great service both to our constituency and to the country as well.

Gentlemen of the House, I assure you that the financial affairs of this Government and the depletion of our Treasury have given me no little concern, and in discussing this matter, in my humble way, if I have been able to clarify the situation, or if I have been able to assist you in comprehending more clearly the duty devolving upon us to conserve the finances of this Nation and to adopt a business policy of economy, I will have accomplished that which prompted me to address you on this occasion. [Applause.]

Mr. LEE of Georgia. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Chairman, in general debate on the Agricultural appropriation bill, I think that it is very appropriate to have something to say concerning the attitude of the farmers of the Nation toward some of the important political and economic problems which are now at the forefront in our national discussion. Of course, I am well aware that the farmers are not a unit in their opinions on these questions, because there are differences among them just as there are differences among other classes and groups of our people. But I think it may be fairly stated that on certain important questions there is an existing preponderance of opinion which may well be taken as representative of their attitude.

I think that these views were very ably stated in a joint memorial to Congress of date January 30, 1920, by the executive heads of six national farmers' organizations in conference at the headquarters of the National Board of Farm Organizations here in Washington. These organizations were: International Farm Congress, American Farm Bureau Federation, National Grange, National Farmers' Union, Farmers' National Congress, and National Milk Producers' Federation. I have read that memorial very carefully, and there is so much of wisdom and sound common sense in it that I shall use the time allotted

to me in this debate in discussing briefly some of its observations.

Among the first things stated in this memorial is this:

The great world need of to-day is production. Production is dependent on labor. The solidarity of labor is such that the wages and hours of labor prevailing in other industries are reflected upon the farm. Prices of food products will be determined accordingly. Under present conditions agricultural production must materially decline and thus react against the entire industrial system. In view of this recognized economic law, we submit that it will be wise to consider the farm in any industrial plan adopted.

There is much wisdom in that paragraph. Of course, the truth which it emphasizes is not new, and most well-informed men will admit the truth of it, regardless of the business or occupation in which they may be engaged. But the trouble is, having admitted it, we shrug our shoulders as if we would like to forget the unpleasant truth which it emphasizes and go on encouraging and fostering the conditions which have brought it about.

In 1880, 70.5 per cent of our population lived in the rural districts and 29.5 per cent lived in the cities. In 1890 the percentage was 63.9 in rural districts and 36.1 urban. In 1900 it had changed to 59.5 rural and 40.5 per cent urban, and in 1910 the figures were 53.7 per cent in rural districts and 46.3 in the cities. And the 1920 census will very probably show at least 55 per cent of our population in the cities, as against 45 per cent in the rural districts. I will not comment on the figures. Of course, they are not new, and some will say they are a threadbare tale, and we may indeed continue to refuse to heed their lesson, but we will learn it and pay for it in the long run just the same. We are learning some of it now, though we are very much disposed to attribute most of it to other causes.

The laboring man in the factory and the wage earner in the bank or store and the employee of the railroads and other workers of the towns and cities are wondering why it is that, notwithstanding their earnings are much greater, measured in dollars and cents, than they used to be, they do not find themselves able to purchase what they think they ought to and proceed to jump on the profiteer to relieve their pent-up feelings. Of course, no one will deny that the inflation of the currency and the scarcity of commodities occasioned by large export trade have given unusual opportunities for making profits, and many business concerns have not been slow to seize upon the opportunity; but making all due allowance for this condition of trade and commerce, the one big fact remains that increased production is the only real permanent solution of the problem. Especially must production in Europe start up so that there can be an exchange of commodities to keep down the balance of trade. The abnormal credit balances which have been piling up in our favor for the past five years can not possibly continue indefinitely. Their correction is one of the great world problems which must be solved or grim disaster threatens.

Of course, I am very well aware that we have a very large number of people in this country, and unfortunately their number seems to be on the increase rather than diminishing, who think that all that has to be done to correct these economic conditions is for Congress or some State legislative body to pass a law and then everything will be well and everybody happy. But as a matter of fact, gentlemen can orate until their oratorical powers are exhausted and hang the "profiteer" to a dozen "apple trees," and resurrect him and hang him again, but it takes the great wheels of production to turn out the stuff that feeds folks' stomachs. And I know of no means that will make these great wheels of production go round and round and start the people back from the city to the farm any better than a continuation of high prices for farm products.

Therefore any policy of government which would try to bring about a reduction of the price of farm products, except by lessening, in whatever proper way can be devised, the cost and expense of distribution, would be suicidal in the long run and would weaken the Nation at the very vital spot where it is absolutely necessary that it be strong. And this brings me to a discussion of price fixing by law under ordinary conditions of trade and commerce.

PRICE FIXING BY LAW.

The farmers' memorial to which I have referred says on this subject of price fixing by law:

To attempt to thwart national economic laws by legislation is useless. The law of supply and demand should have full sway. Government price fixing interferes with the operation of the law of supply and demand and disturbs the equilibrium established by such laws.

Now, I do not wish to be understood as opposing Government price fixing on certain essential commodities during the war. The dislocation of industry and the abnormal world conditions made it necessary, perhaps, to the full extent it was exercised, but as soon as the treaty of peace is ratified, if it ever is, and the nations of Europe get back on their feet again, I think the nearer we get back to the old-fashioned doctrine of letting supply and demand regulate prices the quicker the equilibrium of the world's production will be restored. In this connection I would digress long enough to say that of course if any commodity is controlled by a monopoly, then the Government is fully justified in regulating the prices of the articles it sells, for only in that way can the rights of the public be protected; but the Democratic doctrine is that there should be no monopolies, except those of public utilities, and I think the old doctrine is still as sound as when Mr. Jefferson gave it utterance, and that the interests of the people will be best served in having monopolies, except in public utilities, rigidly suppressed.

The railroads, of course, are by their very nature monopolies and public utilities and must be in all of their essential activities under the control and regulation of public regulatory bodies. What I want to emphasize just now is that the difficulties attendant upon Government price fixing are very much greater than are commonly assumed by those who advocate the policy. The purpose generally is to keep prices down, and officials charged with administration are likely to think that is their duty; but it may be unwise to keep prices down. Prices have a direct influence upon the rate of consumption and the volume of production, and unless the Government undertakes to put the entire population on fixed rations and assumes control of production, reliance must be placed upon prices to bring supply and demand into proper relations with each other.

For instance, suppose the Government should decide to embark upon the policy of price fixing of cotton and should fix a price too high. The result would be that every available acre suitable to cotton cultivation would be planted in that crop, and we would soon find ourselves with more on hand than we could profitably consume. On the other hand, suppose the price should be fixed too low; then the farmer would very naturally turn from raising it and plant his acres in some crop which would promise a greater remuneration. I think it would be very difficult to devise any scheme that would fix prices more nearly equitable than the law of supply and demand fixes them when the channels of trade are kept open and free and are not allowed to pass under monopolistic control.

I think the farmer very properly views with alarm present-day price-fixing agitation, especially in view of the fact that the pendulum of population is swinging steadily to the cities, and the consumers are becoming more numerous all the time than the producers. Well, some gentleman will say, you have outlined a condition which we will admit does exist, but how is the city consumer going to get relief from the costly and wasteful system of distribution which now exists, and the cost of which he has to pay? Well, in the first place, I will say that if he gets every measure of relief to which he is entitled he is going to still find himself in an uncomfortable position as long as the drift of population is always to the cities. There has been a great deal of exaggeration about our so-called costly and wasteful system of distribution. I will admit that usually in every town or city there are places of business where the scale of profits is high, but generally they have a special clientele to which they cater and are not a very large factor in the sum and total of business transacted.

On the other hand, there are other shops and stores which generally have a more moderate scale of profits and to which the consumer can resort for his protection. The cooperative stores have been tried out to a large extent in England, I understand, and have produced very good results. I think no doubt in some cases they would be profitable here and would work a considerable economy to consumers. Undoubtedly some method of that kind would be much more constructive and productive of results than would be an effort to fix prices by law. I have no doubt but that these cooperative stores will be tried out here in the United States to a much greater extent in the future than in the past, and, of course, to the extent that they afford the consumer relief it will be very desirable. We might as well awake to the fact that the only practical method of bringing consumer and producer together so as to eliminate the middle man is through cooperative organizations of consumers dealing with cooperative organizations of producers, and even then making a very liberal prediction as to the result of that expedient, we will still find it a very long while before the middle man is eliminated, because in a very real sense he is the product of economic law.

PROTECTION OF PRIVATE PROPERTY.

Another very significant statement in this memorial from the farmers' organizations is this:

It is only in the safeguarding and protection of every right of private property that there can be perpetuated the full measure of individual initiative and emulation upon which a democracy is based and by which its future is assured.

Mr. Chairman, the very essence of our Constitution is found in that provision which guarantees to every citizen the protection of the law in his life, liberty, and property. That is within itself the very end and purpose of government, and any government which does not do it is a tyranny and intolerable to freemen, whether it operates under the dictatorship of the proletariat or of emperors, kings, and potentates. Of course, of these three natural rights the right of private property is the less sacred, and if any of them had to be surrendered it would naturally come first, but the fact should never be lost sight of that if the citizen does not receive the protection of the Government in the accumulation of the fruits of his labor then he will not accumulate and one of the greatest of all civilizing influences would be lost. The right of private property is one of the oldest and most highly prized rights of the Anglo-Saxon race and its observance has been one of the greatest factors in advancing the English-speaking races to the position of leadership in the world's affairs. Capital for the most part is but the accumulation of the wages of yesterday, and the wages of yesterday must be as safe from confiscation and unlawful seizure as the wages of to-day. Poverty can not be abolished by destroying wealth, and any government which bases its economic policy on that fallacious doctrine will presently find itself in the throes of anarchy and chaos, and the greatest sufferers from the catastrophe will be the indigent and poor, whom it pretends it is designed to help.

Therefore, the capitalistic system with all of its imperfections is infinitely better than the communistic system, which would destroy the whole fabric of our modern civilization, which has been built up by the evolution of centuries, and build a new one in its stead on the theory that the citizen should be a mere ward of the State and have his most intimate domestic affairs supervised and directed by political satraps selected under the directorship of the proletariat. When I speak of our modern capitalistic system I do not mean to indorse all of its imperfections. I am quite well aware that under it there has been too large a concentration of wealth in the hands of a comparatively small percentage of our population and that the correction of this condition is one of the real problems of the statesmanship of this age, but it would be very foolish to undertake that constructive achievement by destroying the whole structure of private property. So when I voice my approval of the capitalistic system I mean to say that I am in favor of preserving inviolable the rights of private property and the recognition by the Government of its obligations to protect the citizen in the accumulation of the fruits of his labor.

What we need is more capitalists, not less of them, and by that I mean more of those who by industry and thrift accumulate a part of their earnings and invest them in homes, farms, factories, railroads, and other industrial enterprises. It will never do to discourage thrift and economy and put a premium on the man who spends his substances in "riotous living." The wrecking of our whole industrial fabric could easily be brought about in that way. If you say that capital has received a larger share of the earnings of many industries in the past than that to which it was entitled I will agree with you, and I am one who earnestly believes in working out some constructive profit-sharing plan by which labor will receive a more generous division of the profits of industry, and arrange it in such a manner as to accomplish also the contribution of a fair share of these earnings to capital investment.

Some forward-looking business men have already constructed systems along these lines which I think possess great merit, and I believe the trend will be more and more in that direction until much of labor's grievance on that score will be remedied.

Of course, I am not looking for the millennium in industrial conditions in this generation, nor am I predicting it. I realize that Mr. Jefferson was right when he said in a letter to Mr. C. C. Blatchley in 1822:

> That every man shall be made virtuous by any process whatever is, indeed, no more to be expected than that every tree shall be made to bear fruit and every plant nourishment. The brier and the bramble can never become the vine and the olive, but their asperities may be softened by culture and their properties improved to usefulness in the order and economy of the world.

Let our task, therefore, be to swing open the door of opportunity so that every man may have his chance to enter, and if he will not, then his exclusion may not be justly charged to the wrongs and injustice of society. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, we are about to take up for consideration the Agricultural appropriation bill, and I am very glad, indeed, to be able to say that the careful consideration and practice of intelligent economy which has characterized the preparation of all of the appropriation bills that have been presented to the House up to this time has prevailed in the consideration of this bill. The bill carries a little over $30,000,000, which is approximately 10 per cent below the appropriation for the current fiscal year and 20 per cent below the estimates.

The reduction of upward of a billion below the estimates carried in the Book of Estimates, which we hope to accomplish, necessitates an average reduction of about 28 per cent in all the bills reported. We can not make reductions in the Post Office bill or the pension bill, so that the average must be, in fact, more than 28 per cent to accomplish the object we have in mind. This bill does not provide for the average reduction, but it was scarcely to be expected that it should. A large part of the work carried on under the Department of Agriculture is of a character that is intended, at least, to increase production of foodstuffs in the country and, so far as appropriations accomplish that desirable result, it would be very unwise to reduce them.

The fact is, however, that during the period of war there has been a very great and more or less questionable increase in a wide variety of the appropriations under this bill, on the theory that special stimulation was not only advisable but absolutely essential during the war period, and I am of the opinion that the committee might properly have further reduced a number of the items carried in this bill not only without injury to the agricultural interests, production, and development of the country, but actually to the benefit of agriculture and its relief from certain classes of departmental activity that are of more than doubtful value.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I will.

Mr. SNELL. I am very much interested in the gentleman's statement on economy. I would like the gentleman's idea in regard to the States Relation Service carried in this bill. We have not only all the stimulation we had during the war, but as a matter of fact there is $500,000 more carried in this bill under that item than was carried during the war. What does the gentleman think about reducing that item $500,000?

Mr. MONDELL. I understand the same amount is carried in the bill as in the bill during the current year, but the gross amount available will be increased as the gentleman suggests.

Mr. SNELL. That is my understanding of it.

Mr. MONDELL. I have no sort of doubt that the service would be benefited rather than injured, that agriculture would be benefited, by a reduction of that appropriation by half a million dollars.

I feel it my duty to take advantage of this opportunity to again emphasize not only the virtue but the absolute necessity of a sharp reduction in the estimates and in governmental expenditures. The shadow of the deplorable financial conditions of Europe is thrown across our country with ever-increasing and ominous portent of danger. Ours is the only great commercial Nation that remains on a specie basis, and the constantly decreasing values of European currencies, reflected in the rate of exchange, curtailing exports and rendering daily more doubtful the value of enormous volumes of European securities and credits held by our people, warn us to trim sails—to economize, to save—and it is essential that the Federal Government set a good example in this regard.

Notwithstanding the financial situation at home and abroad, and the fact that the estimates of expenditure already made far outrun the estimated revenues, the pressure on Congress for vast expenditures outside of and beyond the estimates still continues, and bills are introduced with rather alarming regularity proposing large appropriations or vast bond issues. These things make it evident that some folks are either utterly indifferent to the consequences of certain lines of action or they still remain ignorant of the fact that we must not appropriate any considerable sum outside of the estimates already made, and that we must save more than a billion dollars in the estimates, in order to avoid increasing our already enormous floating and unbonded indebtedness.

We have had solemn warning from the highest financial sources that any increase of indebtedness, necessitating the issue of additional certificates, will be attended by the most serious financial consequences; that an attempt to issue bonds to cover increased and additional expenditures would probably necessitate an interest rate of 6 per cent, would greatly reduce the market value of present Federal securities and endanger the specie basis of our currency. The issuance of bonds of small denominations, widely distributed through the country, would not only have the disastrous effect just referred to, but, in addition, through the use of such bonds in the making of purchases, would produce an inflation of the circulating medium,

which would inevitably enhance the cost of commodities and tremendously increase the present high cost of living.

There are certain constructive measures which this Congress should and will pass, but equally important as these is the practice of the most rigid economy. Every proposal of expenditure in increasing amounts or for new purposes must be subjected to the acid test of necessity. The essential character of such expenditure must be proven beyond question, and if any considerable expenditures beyond the estimates or for new purposes shall be deemed essential, there is only one honest and defendable way to meet them, and that is to couple the proposal with a tax adequate to meet the increased drain upon the Treasury. [Applause.]

Mr. LEE of Georgia. Mr. Chairman, I yield eight minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Chairman and gentlemen of the committee, the gentlemen who represent the rural districts bring to this Congress the report that the farmers are not being sufficiently remunerated to enable them to hold on the farms the necessary labor to produce the Nation's foodstuff. They bring to this Congress a correct report. There is to-day in progress the greatest residential and vocational immigration toward the city that has ever been in the history of the ages, and just as certain as the sun shines, behind the problem of the high cost of living is coming the graver and more sinister problem in the footsteps of the high cost of living—widespread hunger.

No man who has any common sense can look the situation in the face without coming to that conclusion. Gentlemen of the city bring to us a report that the people of the cities in many instances are not able to buy the food proper and necessary to nourish their children. I believe the statement. That is our situation. As a horse-sense proposition we know that agriculture must pay to those engaged in its pursuit as much net profit as any other business, or we can not hold in the country enough people to produce our meat and bread and clothing material.

Now, let us see. That leads to this situation: You can not reduce the price to the farmer. He does not have to farm. When any vocation bids for a country boy a greater price than the farm offers, he leaves. It is absurd for town orators and poets to go out singing to the country boy about the superior advantages and privileges of country life. You might as well go down the Potomac River and sing of the beauties of the hills from which its waters came and ask them to turn back. It moves under the operation of the irresistible law of gravitation, and population moves under a law of economics and toward the center of better business opportunities as irresistible as is the law of gravitation.

I have been reading a lot of stuff—I have not read it, but I see where it is being written—by doctors and professors and others who undertake to go into details and accumulate figures to show why it is that people are moving from the country to the city and to show that they are making a mistake. Individuals make mistakes, but mass movements among free people are under the operation of a law, and that is all there is to it. Let us see where we are. If you reduce the cost of the table and if you hold in the country the necessary people to produce your bread and mine and our clothing material, we must somewhere, in some way, reduce the cost and food waste intervening between the farm and the table. If we could get to the tables in the cities the food that rots after production, there would be a very material reduction in the cost of the table. We pay for that food that rots in the price which we give for the things that we eat. There is where a part of the high cost of living in the city comes from. You have got to pay for it when you go to the grocery stores, because farmers have to get the net profit. It is a pity that in a great measure like this we do not have time to show you gentlemen of the cities who represent hungry constituencies the enormous food waste, and to show you the unnecessary freight charges in the long, haphazard movements of these commodities from the farm to the city, and to show you the unnecessary charges and profits. Here is our difficulty: We come in here, as my distinguished colleague from Texas [Mr. YOUNG] says, and ask the Government to do bureaucratic things, dangerous things, price fixing, and so forth. By main strength and awkwardness we propose to regulate profits. I want to tell you that every one of those items of legislation ought to have on it the label which the druggist puts on medicines which are sometimes necessary but which are mighty dangerous to administer.

We must recognize that when the great economic change came with the use of steam and electricity, when the spinning wheel and the family loom and the country mill were done away with, when the great business organizations organized the producing and selling ends of their businesses, that agriculture was not able to adjust itself to the change, was never able to organize the selling end of its business. This department ought to recognize that profit is now the nerve center of agriculture. We do not want all of these fellows chasing around over the country telling farmers how to produce. We need some of them, but we could cut them down a great deal if we would put our finger on the nerve center of agriculture and help the farmer to make more money. He is not producing just to raise quantity, but he is producing to make money. How are we going to stimulate production? I speak with assurance, and I hope I may not be considered egotistical. There is but one way under heaven or among men to do it, and that is this: First, as rapidly and thoroughly as possible we must complete, as far as practicable, the standardization of agricultural products, so that their description may be translated into trade terms that can be universally understood. What would be the result of that? When we do that we give these agricultural products a commercial status at the point of first concentration. Then it would be essential to establish a produce-exchange system, real exchanges where these commodities could be listed for sale by grade. I wish I had the time to discuss the so-called exchanges that we have now.

When you provide under the contract of a cotton exchange, for instance, that this commodity moving in a large area along many avenues must, in order to be delivered on the contract, be diverted from the avenue of natural movement and carried to the place where the exchange is located for delivery, you create an economic differential against the movement through that exchange which makes it impossible for it to function as an exchange. The same thing is true of the basic grade feature; but I can not discuss that further. When we shall have established this exchange system, and thereby made it possible for these commodities, at the point of first concentration, to be listed on these exchanges, we will have put them where they will be in trading relationship with every market in the world and make it possible——

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HUDSPETH. Mr. Chairman, I ask unanimous consent that the time may be extended for 10 minutes, not to be counted in the time fixed.

The CHAIRMAN. The Chair does not think that request could be acted upon in the committee, the time having been fixed in the House.

Mr. SUMNERS of Texas. Mr. Chairman, if I may be permitted, I will say that I hope to continue this discussion under the five-minute rule, and if gentlemen are interested I will ask to have them present at that time. [Applause.]

Mr. KELLY of Pennsylvania. Mr. Chairman and gentlemen of the committee, we have been listening with interest to these various expressions of the attitude of the farmers of this country toward the great problems which confront us. There seem to be conflicting interests between the farmers and the workers in mill and mine and factory. More of these conflicts are imagined than real, in my estimation, and in the last analysis the producers, whether in country or in city, have interests which are identical.

One thing is certain, in any case, and that is that the real farmers and the real city workers agree on fundamental Americanism. Their record in the war just ended, the essential materials they produced, the boys they sent to the front prove their devotion to American institutions.

One great principle on which they agree is the right of the majority to rule through honest and orderly expression of their will on the day of election.

Another common principle upon which they will unite, in my opinion, is the American doctrine that public opinion shall finally determine action and that free speech, free press, and free assembly shall be maintained as sacred rights, in order that public opinion may be enlightened and just.

Mr. Chairman, there are grave problems confronting America and there are forces at work which make for disorder and violence. These problems will not be solved by rash action, based on fearful forebodings. Nor will these sinister forces within be overcome by launching menacing attacks upon the American Constitution and our time-tested system of government.

This is a time for sanity, not hysterics. We have just come through a war, true, but the fathers of the Nation had just come through a war when they wrote into the Bill of Rights the declaration that "Congress shall have no power to abridge freedom of speech and press and the right of the people peaceably to assemble."

Just now this Congress is considering measures which, in my judgment, are dangerous attacks upon the fundamentals of Americanism.

The Committee on the Judiciary has reported favorably and placed upon the calendar the measure known as the Graham sedition bill. Hearings are also being held to-day on the so-called Davey bill, which is said to meet the desires of the Attorney General of the United States.

After reading these bills carefully I am convinced that they are well termed "sedition" bills, for if either was enacted it would occasion more sedition in this country than all the "reds" that have polluted this land since the foundation of the Government.

Let me read a sentence or two from the so-called Davey bill and then pass to the Graham sedition bill, which is on the calendar of the House.

The Davey bill provides that—

Whoever * * * commits or attempts to commit any act of terrorism, hate, revenge, or injury against the person or property of any officer, agent, or employee of the United States shall be deemed guilty of sedition, and upon conviction thereof shall be punished by a fine not exceeding $10,000 or by imprisonment for a period not exceeding 20 years, or by both such fine and imprisonment, in the discretion of the court.

Could anything be more suicidal folly than to include in a statute dealing with the grave crime of sedition such language as that? It would make any kind of criticism in which a feeling of hate could be construed against any one of the several hundred thousand employees and officials of the United States a felony, with possible imprisonment of 20 years.

I can not believe that a single Member of this body would favor such legislation. I am sure that if it were passed it would be calculated to drive a free people to revolution sooner than all the anarchist and bolshevist propaganda that could be circulated.

But, Mr. Chairman, the Davey bill has not been reported, while the Graham sedition bill has a place on the calendar, and it should be given the most earnest attention by every Member of this body. Every good American desires adequate penalties for sedition and insurrection and rebellion against the Government, because these crimes are treason to the people in a government where the majority rules. I believe that every native, naturalized, and alien anarchist, whose argument against the Government is the dagger and dynamite, should be dealt with as traitors.

But, believing that, I also believe that if this so-called Graham sedition bill, as reported from the committee, should be enacted into law, the great war with Prussia, apparently victorious for America, would have had the result of Prussianizing America.

This bill turns its back on Americanism and extends the handclasp of fellowship to kaiserism. It renounces the inspiration and leadership of Washington and Lincoln and accepts instead the ideas and ideals of the house of Hohenzollern and the house of Romanoff.

I would advise all those who are so vigorous and vociferous in urging this transformation to remember what happened to these two despots in the last few years.

There have always been two opposing ideas as to the way in which society can be governed. America said it must be by public opinion. Prussia said it must be by the mailed fist.

In the providence of Almighty God those two ideas came face to face in a trial by combat on bloody battle field. From the testing of Belleau Wood and Chateau-Thierry and the Argonne Prussia came forth beaten and conquered. But if this measure is to be made the new creed of this country, that verdict of battle is reversed and America will be compelled to say, "Oh, Prussia, thou hast conquered!"

During a trip through the battle regions of Europe last year I visited Maragne Chateau, near the Franco-German frontier. This castle was headquarters for the kaiser and the German general staff during the longest battle in the world's history, the attack on Verdun, unconquerable city on the Meuse.

The chateau was held by the Prussians until after the armistice, and when they went back to Germany its contents remained about the same as they had been during the occupation. In that chateau I saw two things whose memory always comes to my mind when I hear the word "Prussianism."

One was a cat-o'-nine-tails, a brutal whip, with heavy stock and long leather lashes, with a sharp piece of steel on the end of each lash. It was used by Prussian officers upon the bare backs of soldiers who had offended them. It was devised to put fear into the hearts of the common soldiers and make them obedient to discipline.

The other object was a kamerad pistol, emblem of treachery. It was so constructed that it could be hidden in the hand and fired through the fingers. The Prussian soldiers were instructed to surrender with the cry of "Kamerad," and then to shoot the unsuspecting doughboy as he came forward to claim his prisoner. It is a fact that many of our American boys were murdered in cold blood by those who used this despicable weapon.

That is Prussianism—built on the twin pillars of brutality and treachery. The cat-o'-nine-tails showed a denial of humanity, putting fear of authority, instead of respect for authority, in the hearts of men. The kamerad pistol showed a denial of the common decency to be expected even in war and made it impossible for credit to be placed in any offer of surrender, lest a show of kindness be met with a murderous attack.

I contend that this Graham sedition bill is a Prussian cat-o'-nine-tails and a kamerad pistol in one.

It is a measure framed for the purpose of making the people fear the Government. It would advance the welfare of America by robbing the people of self-respect and independence. It holds before every man the threat of punishment if he advances radical ideas of betterment of political and social conditions. It would substitute enforced obedience to authority for truthfulness. "To speak the truth and fear not" are corelated sentiments. One can not exist without the other. Truthfulness comes from self-respect, and self-respect can only arise from the maintenance of personal rights. With the fundamental rights of free speech, free press, and free assembly destroyed, with the cat-o'-nine-tails upraised over every American, you are seeking to produce the same servility and slavery here in America which marked the realm of Prussia under the Kaiser.

To maintain their system it was necessary to perpetually threaten every German soldier, just as this bill threatens every American citizen. Its provisions are so vague and general that its enactment will mean that many innocent persons will be brought to the bar and condemned. If you are to rule through fear, you must use the cat-o'-nine-tails lavishly, even though innocent men are lashed, so that the guilty minded may not be emboldened to resist authority.

Section 4 of the Graham sedition bill makes a felony of any printing or circulating of a publication in which the use of force or violence is "suggested."

Could anything be more far-reaching than the use of such a word as "suggest" in a criminal law? Could any self-respecting American, interested in his country's welfare and progress, ever hope to accomplish anything without using expressions which some reactionary official could construe to "suggest" the use of force? It would be interesting to have Patrick Henry's views on that provision of the measure.

However innocent a man might be, however patriotic his motives, he could not escape such a sweeping provision as that without supinely submitting to have his lips padlocked and his pen put away.

In listening to arguments of those who favor this measure and declare we must beat down expression of honest opinions lest they incite the people to rebellion, I can almost hear that grim old Prussian, Bismarck, repeating his famous slogan:

Not by speeches and resolutions of majorities are the great questions of the time decided, but by blood and iron.

Here on this floor of the great American Congress men are saying exactly the same thing when they urge the passage of this measure. "Not by speeches and writings and resolutions of assemblies and enlightened public opinion are the great questions of social unrest and industrial injustice to be decided, but by the iron hand of government threatening fine and prison and scaffold to the discontented."

Yes; this measure is the cat-o'-nine-tails. It would hold the whip over every American citizen, so that those who are ruled may fear the punishing power of the rulers.

But it is more than that. It is a kamerad pistol of treachery, far worse than that of Prussian fashion, for it was only turned against foes. This bill levels its muzzle against friend and foe alike.

It takes all Americans off their guard. It has been America's proudest boast that this was a land of free speech, free press, and free assembly. The fathers wrote it into the Constitution as the very first provision of the Bill of Rights. They expressly prohibited Congress from passing laws suppressing those rights.

That assurance has been wrought into the very bone and sinew of our Americanism. Never in time of peace since 1798 has there been any attempt to touch these fundamental rights, and the way in which the people dealt with those who attempted it in 1798 seemed to give good grounds for safety in the future. That they should be taken away has been an incredible thought to American citizens.

And now comes this measure, with the unsuspecting people resting in the belief that their rights are secure. Could anything be more treacherous than such an ambush laid for a free people?

Then, too, it is a measure calculated to sow the seeds of treachery in all the land and to put a kamerad pistol in the hands of thousands. Secret agents, under its authority, will open letters—to find what? Opinions which may be twisted into a threat

against the Government. They will stop travelers and search their baggage to find what? Opinions in books or papers which might perhaps be distorted into a dangerous expression. They will stand guard on printing houses—to find what? Opinions that some judge on a bench may feel will imperil the Republic. They will infest every meeting place where Americans meet—to find what? Opinions expressed which might "suggest" force and violence or a "change" in a law.

This measure would let loose countless informers to secretly carry tales of their neighbor's alleged seditious utterances. No man would be safe, for he would be at the mercy of any person who would seek his injury and who would rush to some petty Federal official with accounts of private conversations.

Does anyone say there is no chance of persecution to a good American citizen with the best interests of his country at heart? Read section 5 of this bill as reported from the committee. It provides that—

no person shall display or exhibit at any meeting, gathering, or parade, or in any public place, any flag, banner, emblem, picture, motto, or device which tends to incite or indicates a purpose to overthrow by violence or physical injury to person or property the Government of the United States or all government * * *.

That is sweeping enough in all conscience, but you will note that the word "overthrow" is qualified by "force and violence" in this sentence. Then the section continues with a new provision, not qualified by those words at all:

or to overthrow, change, or defeat the Constitution of the United States and the laws and authority thereof.

Under the strict construction of that provision, the man who wears a button on his coat lapel, as an emblem of an organization seeking to secure a change in some law or the adoption of some constitutional amendment, would be guilty of violation of this section and be subject to a prison term of 20 years and a fine of $20,000.

Mr. Chairman, however much I may admire and esteem the collective wisdom of Congress, I am not yet willing to say that every one of its multitudinous acts is so infallibly wise that any suggestion of a change should be made a felony. I will not go so far as to say that every item in a tariff law, for instance, is divinely inspired, and that the man who would add or subtract 5 per cent on the rates on agates or zinc is guilty of sedition and should be put behind prison bars.

Section 5 is simply an illustration of the perils in such legislation as this. No one intends that any legislation should mean that the advocacy of a change in the laws or Constitution shall be a felony, but that is exactly what this provision means in the Graham bill. Take this provision out and there still remain weapons for the unscrupulous to use against the innocent. Even aside from any convictions under it, it creates a net to entangle every citizen. It can be used to suppress strikes, no matter what their justification; it can and will be used to destroy agitation and protest against unjust conditions.

It is Prussian, not American. The first amendment to the Constitution, written by the fathers, is American, and it expressly forbids the passage of such a law as this. It was a Prussian, Emperor William Frederick IV, who, in a speech from the throne, April 11, 1847, said:

All written constitutions are only scraps of paper.

Can there be any doubt as to whose leadership will be followed in the passage of this bill? It is not Washington, with his abiding faith in the protecting power of the Constitution, as a compact of the people. It is the Prussian Emperor, with his contempt for democracy and his scorn of that sacred agreement which begins, "We, the people * * * do ordain and establish this Constitution."

Its un-American character can be best understood if one can bring himself to imagine what the history of the Republic would have been had this measure been in force from the beginning. We may pass by what Patrick Henry, Samuel Adams, John Hancock, and all the rest of the patriots of seventy-six, who risked the penalty of treason for their defiance of George III, would say, and how they would have fared under such a law.

But what of the history of the United States since the adoption of the Constitution?

Washington, the Father of his Country, President for eight years, said:

Government through force and fear is like fire, a dangerous servant and a fearful master. Never for a moment should it be left in irresponsible hands.

In view of his love of liberty and independence, is it conceivable that he would have remained silent under such use of force and fear by government.

Thomas Jefferson, author of that Declaration of Independence which has become so seditious lately, served as President for eight years and changed all the currents of our history by his Louisiana Purchase. Before he was elected President he said:

The spirit of resistance to government is so valuable on certain occasions that I want it always to be kept alive. It will often be exercised when wrong, but better so than not exercised at all.

That statement of his opinion is so seditious, weighed in the balance of this sedition bill, that Thomas Jefferson must certainly have received the full sentence of 20 years in the penitentiary and $20,000 fine. Any person who printed it or sent it through the mails or quoted it with approval would have followed the Sage of Monticello to his prison, where in such forced retirement they might have watched the history of America unfold without their participation.

Andrew Jackson, in his Old Hickory style, advocated a change in the Constitution and Government by changing the method of election of President and Vice President. With this legislation in force he would have served a term in a Federal penitentiary instead of in the White House.

John Quincy Adams, doughty old champion of the right of petition in this House of Representatives and President of the United States, violated many sections of this bill, countless times. He acted on his own belief as follows:

Freedom of speech is the only safety valve which, under high pressure, can preserve your political boiler from a fearful and fatal explosion.

Under this bill he would have been indicted on a hundred counts and would have suffered the full penalty for his "sedition."

Daniel Webster, formerly regarded as an exponent of Americanism, would have been branded a felon under this measure. He said:

Given a free press, we may defy open or insidious enemies of liberty. It instructs the public mind and animates the spirit of patriotism. Its loud voice suppresses everything which would raise itself against the public liberty, and its blasting rebuke causes incipient despotism to perish in the bud. The contest of the ages has been to rescue liberty from the grasp of executive power. On the long list of champions of human freedom there is not one name dimmed by the reproach of advocating the extension of executive authority.

What would have happened to Webster, with his vigorous protests against slight extensions of executive authority, under a measure which puts arbitrary control of opinions in the hands of executive agents?

Under this measure, how would have fared the Liberator, that little abolitionist sheet, which William Lloyd Garrison issued from a garret in Boston? He declared in his first editorial that the paper would advocate the immediate emancipation of the slaves.

Of course, that declaration "suggested" violence, and it was so construed by many well-meaning conservatives in the North. But Garrison gave his answer to them in one of the bravest messages ever penned:

I will be harsh as truth and as uncompromising as justice. On this subject I do not wish to think or speak or write with moderation. No! No! Tell a man whose house is on fire to give a moderate alarm; tell him to moderately rescue his wife from the hands of the ravisher; tell the mother to gradually extricate her babe from the fire into which it has fallen, but urge me not to use moderation in a cause like the present. I am in earnest. I will not equivocate; I will not excuse; I will not retreat a single inch—and I will be heard.

When requests came to the mayor of Boston that this incendiary newspaper be extinguished, Garrison answered in words which made a shield of safety against oppression in his dynamic way:

I am an American citizen. I know my rights and dare maintain them.

Pass this bill as it comes here and that shield is gone forever. That proud boast, "I am an American citizen," will be laughed to scorn by petty officials. Despotic power will take the glory from American citizenship and the protection from the Bill of Rights.

Of course, these words of William Lloyd Garrison were inflammatory. Of course, they stirred the emotions and passions of men. But they were demanded by the conditions, and they aroused the conscience of the Nation against human slavery. Under this bill he would have been led to the scaffold instead of being recognized as a benefactor of oppressed humanity.

Then, what should we say of the seditious activities of the American Anti-Slavery Society, which held its convention in Philadelphia December 4, 1833? It issued a declaration of sentiments, declaring that the Nation was guilty of the traffic in human blood and that a campaign should be waged to secure freedom for the slaves.

That instrument closed with a pledge on the part of the signers to do everything possible to overthrow slavery:

Come what may to our persons, our interests, or our reputation—whether we live to witness the triumph of liberty, justice, and humanity or perish untimely in this great, benevolent, and holy cause.

They dared martyrdom indeed in their advocacy of a cause which was practically outlawed. But no one dared suggest that they should be martyred by the Federal Government because they spoke out of honest conviction their honest thoughts.

But if this Graham sedition bill had been the law, the American Anti-Slavery Society would never have formulated its declaration, which, Whittier said, "will live as long as our national history."

No. Immediately upon their coming together, if they had dared to meet in such a cause, agents of the Federal Government would have rounded up these seditious disturbers of the status quo. They would have been sent in a body to the penitentiary, to dream behind prison bars their iridescent dreams of "liberty, justice, and humanity."

Abraham Lincoln, greatest of all Americans, the very personification of Americanism, would, in all human probability, have been in prison from 1861 to 1865 instead of in the White House had this legislation been in force.

Not only did he oppose the Mexican War but raised a powerful voice against the possibilities involved in it. Not only did he declare concerning the slavery, which was protected by government and laws, that if he "ever got a chance to hit it he would hit it hard."

He laid down a doctrine of government which, under the terms of this bill, would be the very acme of treason, the essence of sedition. He said:

> This country and its institutions belong to the people who inhabit it. Whenever they grow weary of existing government they can exercise their constitutional right of amending it or their revolutionary right to dismember or overthrow it.

That declaration of the martyred President is a flagrant violation in this bill. It certainly could be construed to suggest, aid, and encourage the use of force and violence. The man who uttered the words would be guilty. The man who printed them would be guilty. The man who sent it through the mails would be guilty. The member of a society or organization that affirmed its truth would be guilty. The man who gave a dollar to such a society or organization would be guilty.

Is there any need to go further to prove the character of this bill? It is impossible to conceive the passage of this measure in any of the great heroic periods of our history.

Thank God, even in the darkest hours of American history no measure was passed by Congress to prohibit utterance and publication of the truth. Thank God, Americans have always acted on the belief that—

> To sit in silence when we should protest,
> Makes cowards out of men.
> The human race has climbed on protest.
> Had no voice been raised
> Against injustice, ignorance, and lust,
> The inquisition yet would serve the law
> And guillotines decide our least disputes.
> The few who dare must speak and speak again
> To right the wrongs of many.

Mr. Chairman, I contend that the whole purpose of this democracy on which America is founded is that citizens may take counsel with each other to determine the common good. In an autocracy the ruler may act himself, but where the people have the power of the ballot it is necessary to depend not on one understanding but on the common intelligence of all.

You can not have a democracy nor free government without freedom of speech and press and assemblage. It is a contradiction in terms such as free slavery. The true object of the American Government is not to make men into puppets controlled by outside forces and opinions handed down to them, but to encourage them to develop their minds and bodies in security.

There is an absolute assurance in our form of government that the minority shall have the rights of free speech, free press, and free assembly, so that in orderly manner it may, if possible, convert itself into a majority. Deny these rights and you force the minority into secrecy, conspiracy, and the use of force and violence. The one bond of unity in a popular government is the right of a minority of the citizenship to freely express its opinions within the bounds of order and decency, so that it may become the majority whenever it convinces the reason of the majority. Therefore, the attempt to take those rights away is an assault upon the very foundations of American Government.

The fathers were right. The cause of true Americanism can never be hurt by temperate and honest discussion. Any cause that can not bear such discussion must be bad. I will not believe that this Government and its institutions require that honest citizens be silenced and prohibited from meeting together in order that they be preserved. I think that we rather need an army of citizen critics, to show up every wrong, indict every evil, and pillory every injustice.

If such a bill as this is necessary, then God help us, for the Republic is doomed. As old Wendell Phillips said:

> If there is anything in the universe that can not stand discussion, let it crack.

Make no mistake. If our industrial and social and political system, our laws and the acts of public officials, can not stand discussion, then the end is wreck and overthrow.

The fact is that the American system will stand discussion. The mind of man can not conceive a better system of government than one where the majority rules, in orderly method, through the ballot in the box on the day of election. Give the decent, patriotic Americans a chance to meet the speakers of falsehood in a fair field. Give them a fair chance and you will find that there are a hundred patriotic lovers of American institutions to every red advocate of revolution and overthrow.

But the proponents of the Graham bill say they do not desire to interfere with proper discussion, only they must decide what proper discussion is. Well, a reading of the bill will show that they have outlawed about every possible criticism, with their vague and general prohibitions.

They want to be prepared to penalize anything said or written. They are as generous as the Bolshevik peasant in Russia, who refused to allow a crowd to shout down an unpopular speaker. He argued with them: "Comrades, you know that we have free speech. We must listen to this man and let him say anything he pleases. But, comrades, when he has finished we will smash his head in."

Then the advocates of this Graham sedition bill say that no official will use the powers granted in it to persecute the people. That is one of the most dangerous fallacies in the world. Put power in the hands of officials and they will use it. The whole course of history, and our own history in particular, shows that officials constantly aim at extending their power, escaping control, and transforming permission into command.

Here is a great arbitrary power and unrivaled power of intimidation, and it will be used. As surely as the sun rises, the placing of arbitrary power in the hands of any man or group of men will make despots of those who have it.

For my part, I believe that it is time to begin limiting the power of certain officials instead of increasing it. It is time to affirm that the United States can not be made a hunting preserve for autocrats and bureaucrats. I am willing to give the people themselves the sovereign power on every question that affects them, but public officials are only their agents, hired to guard their rights and liberties.

Mr. Chairman, we have just come victoriously through a war which was fought to make democracy safe around the world. That democracy means government by the people, and it was never possible until the people became critics of existing social and political conditions. The people had to believe that governments were human devices subject to change and improvement before there could be democracy.

On that basis America has progressed until she stands preeminent in the world. Americans will not now permit irresponsible officials to put them in strait-jackets, to censor their books and papers and speech and assemblies. They know the danger of anarchy and bolshevism and all the red gospel of overthrow, and they desire to protect American institutions against such attacks, but they will not tolerate the destruction of those institutions on any pretext whatever.

Will this Congress, through the enactment of this Graham sedition bill, undo the work of the men who framed the Declaration of Independence and the Constitution? Will you cast dishonor upon those who have died amid the storms of battle that government of the people, for the people, and by the people should not perish from the earth? Will you attempt to prove now that the Nation dedicated to liberty can not endure and that those who gave the last full measure of devotion to that ideal died in vain?

No; a thousand times no. In the dawning of this new day of triumph over the mightiest autocracy the world has ever seen, when democracy has proved its efficiency on field of battle, it is a time for more faith, not less confidence, in the wisdom and the patriotism of the people. Let us widen the freedom of Americans instead of restricting it. Let us profit from the teaching of history that every nation that had any form of self-government and went down in wreck in all the past came to their destruction through encroachments upon freedom of speech and assembly. Let us meet the problems of our time with faith and hope, assured that the remedy for the evils in democracy is more democracy.

Mr. Chairman, I want the proudest boast of this world to be the simple statement "I am an American citizen."

I want American citizenship to mean prestige and power, not servility and shame.

I want it to mean intelligence and freedom, not weakened wills and spirits dwarfed and deformed.

I want it to mean the development of the intellect and the cultivation of the heart, not a brand upon the forehead of the thinker and a hot iron through the tongue of truth.

I want it to be a treasure better than silver and gold, not a debt of dishonor which can never be finally paid.

I want it to be a priceless privilege, not an enforced partnership with bloodhounds and heresy hunters.

I want it to represent the triumph of sunlight, not of darkness; the victory of frank and honest dealing, not of espionage, spying, and talebearing.

I want it to be symbolized by the eagle soaring in the sunlight, not by the snake crawling through the grass.

I want American citizenship to mean a shield of protection to every possessor, wherever he may be, at home or abroad, not a target for the assault of every enemy of honest speech and action.

I want it to be the safest, strongest, securest possession within the gift of any nation in the world, not a tawdry thing to be scorned by men of freer lands.

I want it to mean equal rights for all, not special privileges for the favorites of an intolerant bureaucracy.

I want it to be worn proudly by the strong and self-reliant, not by servile souls who lick the boots of official tyranny.

I want it to mean that any censorship applied is by the public, not censorship by a few officials filled with the infamous spirit of intolerance and repression.

I want American citizenship to be a heritage from the Continentals and the Federals, who died for liberty, not a burden entailed by the Tories and Copperheads, who fought for slavery.

I want it to be the worthy gift of the fathers, who freed body and brain and made free men of slaves; not the wretched grant of those who would put chains on mind and muscle, and make slaves of free men.

I want it to mean that the man who has it, though he dwells in the rudest hut, has the same rights which are claimed by the dweller in the loftiest mansion; that it means tolerance and cooperation, not tyranny and caste.

I want American citizenship to mean the sovereign right of the ballot in the hands of men who know the truth and act fearlessly on that knowledge, not in the hands of human rubber stamps, who place approval on ideas ready-made by a few officials.

I want it to mean the will of the enlightened majority, expressed on election day; not the will of the encroaching minority, ruling through control of channels of expression.

I want it to mean responsibility; yes; but also liberty; the obligation of duty; yes; but also the ownership of American rights.

I want it to mean the rich reward of self-respect and the path of social peace, not the coffin of honor and the cradle of rebellion.

I want it to mean loyal obedience to just laws, expressing the will of a free people, not enforced acceptance of laws which can only be read with shame and defended with dishonor.

I want it to mean plaudits for fearless patriots, not prisons; a sanctuary for dreamers of betterment, not a scaffold.

I want it to mean free speech, not padlocked lips; free press, not muzzled publications; free assembly, not repressed ideas in guarded meeting places.

I want it to be itself—American citizenship, the right to a free voice and an uncontrolled vote in the Great Republic, where the self-determined steps of the people follow close and sure the onward stride of Almighty God Himself.

I want it to be American citizenship, nothing more and nothing less.

Mr. Chairman, I add a compilation of Federal and State laws dealing with sedition, and so forth, as prepared for me by the legislative reference service of the Library of Congress. They are as follows:

UNITED STATES LAWS RELATING TO TREASON, SEDITION, ETC., IN FORCE APRIL 1, 1917.

(Constitution, Art. III, sec. 3.)

Treason against the United States shall consist only in levying war against them or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act or on confession in open court. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture except during the life of the person attainted.

(Criminal Code; 35 Stat., 1088ff.)

SECTION 1. Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason.

SEC. 2. Whoever is convicted of treason shall suffer death, or, at the discretion of the court, shall be imprisoned not less than five years and fined not less than $10,000, to be levied on and collected out of any or all of his property, real and personal, of which he was the owner at the time of committing such treason, any sale or conveyance to the contrary notwithstanding; and every person so convicted of treason shall, moreover, be incapable of holding any office under the United States.

SEC. 3. Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals, and does not as soon as may be, disclose and make known the same to the President or to some judge of the United States or to the governor or to some judge or justice of a particular State, is guilty of misprison of treason, and shall be imprisoned not more than seven years and fined not more than $1,000.

SEC. 4. Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be imprisoned not more than 10 years or fined not more than $10,000, or both; and shall, moreover, be incapable of holding any office under the United States.

* * * * * * *

SEC. 6. If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined not more than $5,000 or imprisoned not more than six years, or both.

* * * * * * *

SEC. 21. If two or more persons in any State, Territory, or District conspire to prevent by force, intimidation, or threat any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, Territory, District, or place where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties, each of such persons shall be fined not more than $5,000 or imprisoned not more than six years, or both.

* * * * * * *

SEC. 37. If two or more persons conspire either to commit any offense against the United States or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be fined not more than $10,000 or imprisoned not more than two years, or both.

* * * * * * *

SEC. 140. Whoever shall knowingly and willfully obstruct, resist, or oppose any officer of the United States, or other person duly authorized, in serving, or attempting to serve or execute, any mesne process or warrant, or any rule, order, or any other legal or judicial writ or process of any court of the United States or United States commissioner, or shall assault, beat, or wound any officer or other person duly authorized, knowing him to be such officer or other person duly authorized, in serving or executing any such writ, rule, order, process, warrant, or other legal or judicial writ or process, shall be fined not more than $300 and imprisoned not more than one year.

STATE LAWS RELATING TO SEDITION, SYNDICALISM, ETC.

ALASKA.

(Laws, 1917, ch. 60.)

Sedition: Acts, utterances, or publications tending to excite discontent, trouble, ill feeling, or hostility against the United States, the President, or other officers or the flag declared unlawful, under penalty up to $1,000 or one year, or both, prohibition not to extend to fair and honest criticism of the policy, orders, or action of the Government or its officers.

(Laws, 1919, ch. 6.)

Syndicalism: Advocacy of crime, sabotage, violence, or terrorism as means of accomplishing industrial or political change or violent overthrow of the Government punishable by fine of not more than $5,000 or imprisonment for not more than 10 years, or both.

ARIZONA.

(Laws, 1918, ch. 13.)

Sabotage: Teaching or advocacy of propriety of crime, sabotage, violation of constitutional rights, etc., as means of obtaining industrial or political ends declared felony with penalty of fine up to $1,000 or imprisonment up to five years, or both.

(Laws, 1919, ch. 11.)

Red flag: Display of any red, black, or other flag, banner, etc., opposed to organized government punishable by a fine from $100 to $300 or imprisonment not over six months, or both.

CALIFORNIA.

(Laws, 1919, ch. 188.)

Syndicalism: Teaching or gestification of commission of crime, sabotage, which is willful damage to property, violence, terrorism, etc., to obtain political or industrial change or control declared a felony. Penalty, imprisonment from 1 to 14 years.

(Laws, 1919, ch. 101.)

Red flag: Display of flag, emblem, etc., as symbol of anarchy, opposition to organized government, etc., made a felony.

CONNECTICUT.

(Laws, 1919, ch. 35.)

Red flag: Display of flag, emblem, etc., to incite disorder punishable by fine of not more than $200 or six months' imprisonment, or both.

(Laws, 1919, ch. 312.)

Sedition: Teaching, publishing, or distributing matter intended to incite disloyalty, etc., to United States Government or opposition to organized government punishable by fine of not more than $500 or imprisonment for not more than five years, or both.

DELAWARE.

(Laws, 1919, ch. 231.)

Red flag: Display of flag, emblem, etc., denoting opposition to Government, for purpose of inciting subversion or destruction of Government declared a high misdemeanor. Penalty, fine of not over $2,000 or imprisonment for not over 15 years, or both.

HAWAII.

(Laws, 1919, Act 186.)

Syndicalism: Teaching, circulating, or justifying criminal syndicalism, crime, sabotage, violence, terrorism, etc., to accomplish industrial or political ends made a felony.

IDAHO.

(Laws, 1917, ch. 145.)

Syndicalism: Advocating commission of crime, sabotage, violence, terrorism, etc., to accomplish industrial or political change made a felony punishable by not more than 10 years' imprisonment or fine of not more than $5,000, or both.

(Laws, 1919, ch. 96.)

Red flag: Displaying any flag, emblem, etc., indicating disloyalty to the Government of the United States or belief in anarchy made a felony, punishable by fine of not over $1,000 or imprisonment for not over 10 years, or both.

ILLINOIS.

(Laws, 1919, p. 420.)

Syndicalism and red flag: Advocacy of overthrow of Government of the United States by unlawful means punishable by imprisonment for not more than 10 years. Permitting use of property for meetings for such purposes made a felony punishable by fine of not more than $1,000 or imprisonment for not more than 1 year, or both. Display or exhibition of flag, emblem, etc., indicating such purpose also made a felony.

INDIANA.

(Laws, 1919, ch. 125.)

Red flag and syndicalism: Display or exhibition of flag, emblem, etc., symbolizing purpose to overthrow Government of the United States or all government declared unlawful. Advocating such purpose in any way punishable by fine of not over $1,000 or imprisonment for not over 5 years, or both.

IOWA.

(Laws, 1917, ch. 372.)

Sedition: Advocacy of subversion or destruction of Government of the United States a misdemeanor punishable by fine of not over $1,000 or imprisonment for not over 1 year, or both.

(Laws, 1919, ch. 382.)

Syndicalism: No copy of this act available.

(Laws, 1919, ch. 199.)

Red flag: No copy of this act available.

KANSAS.

(Laws, 1919, ch. 184.)

Red flag: Exhibition or display of any flag, standard, etc., symbolizing bolshevism, anarchism, or radical socialism punishable by imprisonment from 18 months to 3 years.

LOUISIANA.

(Laws, 1917, ch. 24.)

Sedition: Advocacy of the subversion and destruction of Government of the United States by force punishable by imprisonment from 6 months to 1 year or fine from $300 to $1,000, or both.

MICHIGAN.

(Laws, 1919, No. 255.)

Syndicalism: No copy of this act available.

(Laws, 1919, No. 104.)

Red flag: No copy of this act available.

MINNESOTA.

(Laws, 1917, sec. 8596.)

Syndicalism: Advocacy of crime, sabotage, violence, or terrorism to accomplish industrial or political ends punishable by imprisonment for not more than 5 years or fine of not more than $1,000, or both.

(Laws, 1919, ch. 46.)

Red flag: Display of any flag, sign, etc., antagonistic to existing Government of the United States declared a felony.

MONTANA.

(Laws, 1918, ch. 7.)

Syndicalism: Advocacy of criminal syndicalism, sabotage, violence, destruction of property, etc., to accomplish industrial or political ends, change, or revolution punished by fine from $200 to $1,000 or imprisonment from 1 to 5 years, or both.

(Laws, 1919, ch. 25.)

Red flag: Carrying or exhibiting flag, emblem, etc., symbolic of opposition to organized government made a misdemeanor.

NEBRASKA.

(Laws, 1919, ch. 261.)

Syndicalism: Advocacy of crime, physical violence, arson, sabotage, etc., to effect industrial or political ends, or for profit, punishable by imprisonment from 1 to 10 years or fine of not more than $1,000, or both.

(Laws, 1919, ch. 208.)

Red flag: Display of red or black flag or any sign, banner, etc., antagonistic to existing Government of the United States punishable by imprisonment for not more than 5 years or fine not more than $1,000, or both.

NEVADA.

(Laws, 1919, ch. 22.)

Syndicalism: Advocacy of crime, violence, sabotage, or terrorism to accomplish industrial or political reform punishable by fine of not more than $5,000 or imprisonment for not more than 10 years, or both.

NEW JERSEY.

(Laws, 1919, ch. 78.)

Red flag: Display of any flag, sign, etc., for purpose of inciting, promoting, or encouraging subversion or destruction of Government, punishable by fine of not more than $2,000, imprisonment for not more than 15 years, or both.

(Laws, 1918, ch. 44.)

Syndicalism: Inciting or advocating destruction or subversion of the Government of the United States by force punishable by imprisonment for not more than 10 years or fine of not more than $2,000, or both.

NEW MEXICO.

(Laws, 1919, ch. 33, sec. 2.)

Red flag: Display of red flag or other flag, banner, etc., symbolizing antagonism or opposition to organized government punishable by fine of from $25 to $100 or imprisonment for not over 6 months, or both.

NEW YORK.

(Laws, 1919, ch. 409.)

Red flag: Display of red flag in furtherance of any political, social, or economic principle declared a misdemeanor.

OKLAHOMA.

(Laws, 1919, ch. 70.)

Syndicalism: Advocacy of crime, physical violence, destruction of property, sabotage, or other unlawful acts to effect industrial or political ends, revolution, or for profit punishable by fine of not more than $5,000 or imprisonment for not more than 10 years, or both.

(Laws, 1919, ch. 83.)

Red flag: Display of red flag or any other emblem, etc., indicating disloyalty to the United States Government, or belief in anarchy or disruption or destruction of Government, punishable by imprisonment for not more than 10 years or fine of not over $1,000, or both.

OREGON.

(Laws, 1919, ch. 12.)

Syndicalism: Advocacy of crime, criminal syndicalism, sabotage, etc., to accomplish industrial or political ends, or revolution, or for profit, punishable by imprisonment from 1 to 10 years or fine of not over $1,000, or both.

(Laws, 1919, ch. 35.)

Red flag: Display of red flag or any other banner, emblem, etc., symbolizing disloyalty to Government of the United States, anarchy, disruption, or destruction of Government punished by imprisonment for not more than 10 years or fine of not over $1,000, or both.

PENNSYLVANIA.

(Laws, 1919, No. 275.)

Sedition: Inciting or advocating crime, violence, or terrorism to accomplish political or governmental change punishable by fine from $100 to $10,000 or imprisonment for not over 20 years, or both.

SOUTH DAKOTA.

(Code, 1919, sec. 3644.)

Syndicalism: Advocacy of crime, sabotage, violence, or terrorism to accomplish social, economic, industrial, or political ends punishable by imprisonment from 1 to 25 years or fine from $1,000 to $10,000, or both.

(Laws, 1919, ch. 191.)

Red flag: Display of any red or black flag or other banner or sign antagonistic to the Government of the United States punishable by imprisonment for not more than 30 days or fine of not over $100, or both.

UTAH.

(Laws, 1919, ch. 127.)

Syndicalism and sabotage: Advocacy of crime, criminal syndicalism, sabotage, or violence to accomplish industrial or political ends, change, or revolution punishable by imprisonment from 1 to 5 years or fine from $200 to $1,000, or both.

(Laws, 1919, ch. 129.)

Red flag: Display of any flag, banner, etc., indicating disloyalty to the Government of the United States, or belief in anarchy, punishable by imprisonment from 1 to 10 years or fine of not more than $1,000, or both.

VERMONT.

(Laws, 1919, No. 195.)

Red flag: Display of any flag, banner, or sign signifying opposition to organized government punishable by imprisonment for not more than 6 months or fine of not over $200, or both.

WASHINGTON.

(Laws, 1919, ch. 174.)

Syndicalism: Advocacy of crime, sedition, violence, intimidation, or injury as means of effecting industrial, economic, social, or political change declared to be a felony.

(Laws, 1919, ch. 181.)

Red flag: Possession or display of any flag, banner, etc., antagonistic to, or for the subversion of, the Government of the United States declared unlawful.

WEST VIRGINIA.

(Laws, 1919, ch. 24.)

Syndicalism and red flag: Advocacy of crime, violence, or terrorism to accomplish economic or political change, or overthrow of organized society, or display of any flag antagonistic to the Government of the United States, punishable by fine from $100 to $500 or imprisonment for not more than 1 year, or both.

WISCONSIN.

(Laws, 1919, ch. 369.)

Red flag: Display of any flag, emblem, etc., symbolizing a purpose to overthrow the Government of the United States by violence punishable by fine from $10 to $100 and imprisonment for not over 30 days.

WYOMING.

(Laws, 1919, ch. 76.)

Syndicalism: Advocacy of crime as a means of accomplishing political or industrial change punishable by fine of not more than $5,000 or imprisonment for not over 5 years, or both.

Mr. DAVEY. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for one minute for the purpose of permitting me to ask him a question.

The CHAIRMAN. That would not be in order. The time has been fixed by the House. The bill will now be read for amendment under the five-minute rule.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE.

OFFICE OF THE SECRETARY.

Salaries, office of the Secretary of Agriculture: Secretary of Agriculture, $12,000; Assistant Secretary of Agriculture, $5,000; solicitor, $5,000; chief clerk, $3,000, and $500 additional as custodian of buildings; private secretary to the Secretary of Agriculture, $2,500; executive clerk, $2,250; executive clerk, $2,100; stenographer and executive clerk to the Secretary of Agriculture, $2,250; private secretary to the Assistant Secretary of Agriculture, $2,250; 1 appointment clerk, $2,000; 1 officer in charge of supplies, $2,000; 1 inspector, $3,000; 1 inspector, $2,250; 1 attorney, $3,500; 2 attorneys, at $3,250 each; 2 law clerks, at $3,000 each; 2 law clerks, at $2,750 each; 4 law clerks, at $2,500 each; 8 law clerks, at $2,250 each; 1 law clerk, $2,200; 5 law clerks, at $2,000 each; 3 law clerks, at $1,800 each; 2 law clerks, at $1,600 each; 1 superintendent of telegraph and telephones, $2,000; 1 telegraph and telephone operator, $1,600; 1 assistant chief clerk and captain of the watch, $1,800; 1 clerk, $2,000; 5 clerks, class 4; 14 clerks, class 3; 17 clerks, class 2; 23 clerks, class 1; 1 accountant and bookkeeper, $2,000; 1 clerk, $1,440; 2 clerks, at $1,100 each; 1 clerk, $1,020; 5 clerks, at $1,000 each; 18 clerks, at $900 each; 2 clerks, at $840 each; 14 messengers or laborers, at $840 each; 12 messengers or laborers, at $720 each; 1 messenger or laborer, $660; 1 mechanical superintendent, $2,500; 1 mechanical assistant, $1,800; 1 mechanical assistant, $1,400; 1 mechanical assistant, $1,380; 1 engineer, $1,400; 1 electrical engineer and draftsman, $1,200; 1 chief engineer, $1,800; 2 assistant engineers, at $1,200 each; 2 assistant engineers, at $1,000 each; 10 firemen, at $1,080 each; 1 fireman, $840; 4 firemen, at $720 each; 1 chief elevator conductor, $840; 16 elevator conductors, at $720 each; 3 elevator conductors, at $600 each; 1 superintendent of shops, $1,400; 1 cabinet-shop foreman, $1,200; 5 cabinetmakers or carpenters, at $1,200 each; 3 cabinetmakers or carpenters, at $1,100 each; 9 cabinetmakers or carpenters, at $1,020 each; 3 cabinetmakers or carpenters, at $900 each; 1 instrument maker, $1,200; 1 electrician, $1,100; 2 electrical wiremen, at $1,100 each; 1 electrician or wireman, $1,000; 1 electrical wireman, $900; 1 electrician's helper, $840; 3 electrician's helpers, at $720 each; 1 painter, $1,020; 1 painter, $1,000; 5 painters, at $900 each; 5 plumbers or steamfitters, at $1,020 each; 2 plumber's helpers, at $840 each; 2 plumber's helpers, at $720 each; 1 blacksmith, $900; 1 elevator machinist, $900; 1 tinner or sheet-metal worker, $1,100; 1 tinner's helper, $720; 1 lieutenant of the watch, $1,000; 2 lieutenants of the watch, at $960 each; 73 watchmen, at $720 each; 4 mechanics, at $1,200 each; 1 mechanic, $1,000; 1 foreman of stable, $1,080; 1 skilled laborer, $1,000; 3 skilled laborers, at $960 each; 2 skilled laborers, at $900 each; 2 skilled laborers, at $840 each; 2 skilled laborers, at $720 each; 1 janitor, $900; 13 messengers or laborers, at $600 each; 7 messenger boys, at $600 each; 22 messenger boys, at $480 each; 1 messenger boy, $360; 1 charwoman, $540; 3 charwomen, at $480 each; 1 charwoman, $360; 16 charwomen, at $240 each; for extra labor and emergency employments, $12,480.

Mr. BLANTON. Mr. Chairman, I make the point of order on the section.

The CHAIRMAN. The gentleman from Texas makes a point of order on the section.

Mr. DAVEY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last word.

Mr. DAVEY. Mr. Chairman and gentlemen of the House, I can not refrain from saying a few words in reply to the gentleman from Pennsylvania [Mr. KELLY]——

Mr. MADDEN. Mr. Chairman, I make the point of order that the gentleman is not talking to the subject matter before the House. Under the five-minute rule we have to confine ourselves to the bill.

Mr. BLANTON. The gentleman does not want to push a man on a point like that?

Mr. MADDEN. Yes; I insist that everybody who speaks shall speak to the measure before the House during the consideration of this bill under the five-minute rule.

Mr. BLANTON. On both sides?

Mr. MADDEN. On both sides.

Mr. BLANTON. Well, that is fair. Mr. Chairman, I ask unanimous consent that, in view of the fact that the gentleman from Ohio [Mr. DAVEY] has introduced a bill at the instance of the Attorney General of the United States, drawn by the Attorney General of the United States, and that bill has been attacked and the proposal——

Mr. KING. Mr. Chairman, I rise to a point of order. How did the gentleman from Texas get the floor?

Mr. BLANTON. I ask unanimous consent, Mr. Chairman, that the gentleman from Ohio [Mr. DAVEY] be permitted to speak out of order for five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the gentleman from Ohio be permitted to speak five minutes out of order. Is there objection?

Mr. KING. I reserve the right to object.

Mr. MANN of Illinois. I am not going to object, but I give notice now that, so far as I am concerned, I shall object to further requests to speak out of order on the Agricultural bill.

Mr. KING. Reserving the right to object, Mr. Chairman, would the gentleman from Ohio permit me to have, in the way of an interrogatory, three-quarters of a minute out of his five minutes?

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Ohio [Mr. DAVEY] is recognized for five minutes to proceed out of order.

Mr. DAVEY. Mr. Chairman and gentlemen, I had not intended to say anything on this subject for a little while yet, but I can hardly allow the remarks of the gentleman from Pennsylvania to go by unchallenged. He paints a picture of rosy Americanism, and waves the flag over all the anarchists in this country, all the enemies of this Government, and seeks to give them the limit of freedom to carry on their dastardly work. [Applause.]

Mr. KELLY of Pennsylvania. Will the gentleman yield?

Mr. DAVEY. I can not yield.

Mr. KELLY of Pennsylvania. I trust the gentleman will be fair enough to allow me to say that I do not seek to do anything of the kind and that nothing I have said bears that construction.

Mr. DAVEY. It is a fine thing to wave the American flag—and I love it as much as any man in this House. I love it too much to have that flag and the Constitution which it represents challenged by any bunch of traitors. [Applause.] It is significant that most of those who oppose antisedition legislation are opposed to every move that will curtail the activities of the enemies of this country. [Applause.] Unfortunately we face a real fact in the existence of a group of men whose sworn objective is the destruction of the American Government, a very obvious fact to those who will open their eyes. [Applause.] I believe in free speech and a free press. I believe in those things which have existed in this country from the foundation of the Government. But there exists in America to-day not the old conditions that we have known from the beginning of the Republic but a new condition growing out of war, a condition which represents an imported theory used largely by imported propagandists who aim a death blow at the very things which you and I love and which we have sworn to protect and defend.

Mr. KING. Will the distinguished gentleman from Ohio yield for a question?

Mr. DAVEY. I regret that I have so little time.

Mr. KING. It will be pertinent to the gentleman's bill, I assure him.

Mr. DAVEY. Very well.

Mr. KING. Suppose a man should make a speech in which he used these words:

That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed; that when any form of government becomes destructive of these things it is the right of the people to alter or to abolish it.

Would a man be punished for using those words in a speech?

Mr. DAVEY. My dear colleague, there exists in America to-day a group of men who would destroy that Declaration of Independence, who would destroy the Constitution that followed it, and I am one who seeks to oppose their damnable doctrines. [Applause.]

Mr. COOPER. Will the gentleman yield?

Mr. DAVEY. Certainly.

Mr. COOPER. There is nothing in the Davey bill to prohibit lawful procedure in the changing of a form of government, is there?

Mr. DAVEY. Certainly not. I am perfectly willing that certain clarifying amendments be inserted to make perfectly clear the purpose of the bill, which is only the prevention of the use or advocacy of force and violence for the overthrow of this Government. [Applause.] That is the only purpose which this bill seeks to accomplish, and any amendment which will limit it to that purpose is in harmony with my own desire.

Oh, this talk about free speech is so nice, so pretty. Some would perhaps allow men to continue their purpose to overthrow this Government, giving them the limit of free speech, and then, in the name of God, where will be your free speech? If in an unhappy day the ideas imported from Russia could gain a foothold in America, if it were possible for them to do in America what they have done in that sorry land of Russia, then where would be your free speech? One of the first acts of the revolutionary government in Russia was to prohibit and destroy all free speech. I seek to preserve and protect that blessed free speech that has made this Nation great. [Applause.] I am against those who would destroy the foundation and the superstructure of liberty and self-government, which is America. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. DOWELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. There is a reservation of a point of order pending. Does the gentleman from Texas [Mr. BLANTON] desire to make the point of order?

Mr. BLANTON. I want to ask the chairman a question or two with regard to the necessity for so many messengers as are provided for in this bill.

Mr. HAUGEN. What page and what line?

Mr. DOWELL. I make the point of order that the gentleman is not raising a question of order.

The CHAIRMAN. Does the gentleman demand the regular order?

Mr. DOWELL. Certainly.

The CHAIRMAN. The regular order is, Does the gentleman from Texas make the point of order?

Mr. BLANTON. Is the gentleman from Iowa opposed to a Member of the House finding out a little information from the chairman of the committee?

The CHAIRMAN. Does the gentleman from Texas insist on his point of order?

Mr. BLANTON. I was going to ask the gentleman if he would not permit me to get some light.

The CHAIRMAN. The Chair will state that the regular order has been demanded, which makes it the duty of the Chair to ascertain from the gentleman from Texas whether he makes the point of order, and if so to make a decision upon the point of order.

Mr. BLANTON. I make the point of order, then, if the gentleman forces me to do it.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BLANTON. That there is no law providing for the number of messengers sought to be put on the pay roll in this section of the bill. And upon that point of order, with the permission of the Chair, I would like to ask the chairman a question or two.

Mr. MANN of Illinois. Let us dispose of the point of order first.

Mr. DOWELL. Mr. Chairman, I insist on the point of order.

Mr. BLANTON. Pending the disposition of the point of order, the decision of which is wholly within the bosom and breast of the Chairman, and that being the case, I ask the Chairman, in his discretion, to permit me to ask a question or two, following which I may withdraw the point of order.

The CHAIRMAN. The Chair would like to have the gentleman state specifically what part of this section is not authorized by law.

Mr. BLANTON. For instance, there are 13 messengers at $600, 7 messenger boys at $600, 22 messenger boys at $180, and 1 messenger boy at $360. My point of order is lodged to the number of those messengers, upon the ground that that number is not authorized by law. I want to ask the chairman of the committee about that.

Mr. MANN of Illinois. Let us dispose of the point of order.

The CHAIRMAN. The Chair is ready to rule on the point of order. The organic act provides authority for the Secretary of Agriculture to appoint certain employees, including chief clerks and such other employees as Congress may from time to time authorize and provide, and to provide the salaries.

Mr. BLANTON. My point of order, Mr. Chairman, is that Congress never authorized that many messengers.

Mr. HAUGEN. Oh, yes; the language of the organic act is very broad.

The CHAIRMAN. The Chair overrules the point of order.

Mr. DOWELL. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee with reference to certain items on page 2. I note that there is a provision here for 3 attorneys and 27 law clerks, 30 in all. May I inquire what is the specific duty of these law clerks with reference to the work in the Agricultural Department?

Mr. HAUGEN. Their services are required in the enforcement of the pure food and drugs act, and a number of other acts, including in part the oleomargarine act.

Mr. DOWELL. Is not the law so well defined that there is but little need of such work?

Mr. HAUGEN. The laws must be enforced.

Mr. DOWELL. Does it require lawyers to enforce the law?

Mr. HAUGEN. Yes; they are required to prepare the cases for trial.

Mr. DOWELL. The cases are tried by the district attorneys, are they not?

Mr. HAUGEN. The department attorneys prepare the cases before they are tried by the district attorneys.

Mr. DOWELL. Does the gentleman mean to say that the lawyers provided in the Agricultural bill try the cases for the enforcement of the food and drugs act?

Mr. HAUGEN. They prepare the cases for trial.

Mr. DOWELL. How many?

Mr. HAUGEN. The number has been increased from time to time. The attorneys referred to were previously carried in the bill as law clerks, but last year we changed the designation to attorneys.

Mr. DOWELL. Is it not the duty of the district attorney where the offense is committed to prosecute the cases?

Mr. HAUGEN. That is true.

Mr. DOWELL. Is not this a duplication of attorneys in the prosecution of cases?

Mr. HAUGEN. It is not a duplication. They prepare the cases, and in that way assist in the trial of the cases. I am sure that every attorney and law clerk employed in this department is well employed.

Mr. DOWELL. I did not understand the necessity for 30 lawyers in the Agricultural Department.

Mr. HAUGEN. It is a large department, and it is charged with the enforcement of many laws.

Mr. DOWELL. Would it not be a better policy to place the lawyers in the Department of Justice and have them prosecute the cases instead of establishing a department of justice within the Agricultural Department?

Mr. MANN of Illinois. Will the gentleman yield for a suggestion?

Mr. DOWELL. Yes.

Mr. MANN of Illinois. I have had a good deal of experience with these special acts, the pure-food act, the oleomargarine act, and others. The Agricultural Department has all the facilities to investigate infractions of the law. These law clerks do a large share of the business after the information comes from the inspection service. If there is to be an actual prosecution, then it is turned over to the Department of Justice, to the district attorneys. But somebody has to examine these matters and determine whether there will be a prosecution or not, and gather together the data on which the prosecution is based.

Mr. DOWELL. And these law clerks are the ones that secure the data.

Mr. MANN of Illinois. The inspectors largely do that, but these men go over it and put the data in proper shape for presentation. Nobody else would enforce the law if it was not for this branch of the Agricultural Department.

Mr. DOWELL. I was merely seeking information, and am glad to have this explanation.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the motion. I want to call attention to page 3, where there are 14 messengers provided in the bill, also 12 messengers, also 1 messenger, aggregating 27 messengers; and then, on page 4, 13 more messengers, 7 more messengers, and 22 more messengers, and 1 more messenger, making a total of 70 messengers for the Secretary's office alone. I want to submit to the chairman that that is entirely too many flunkeys for any one Secretary to have when you take into account the number of porters and other servants in his corridors.

Mr. MANN of Illinois. Let me call the gentleman's attention to the further fact that in the Weather Bureau there are provided 6 messengers, 22 messengers, 11 messengers, and 99 messenger boys.

Mr. BLANTON. I had not gotten down to that yet. I am gradually coming to it.

Mr. MANN of Illinois. The gentleman was speaking of the department.

Mr. BLANTON. I had not gotten down that far in the bill. I want to find out from the chairman whether he is in line with the chairman of the Committee on Appropriations [Mr. GOOD] on the policy of economy; and if he is, if he does not believe that we can dispense with four-fifths of these idle, useless messengers provided for in the various offices under the Secretary of Agriculture?

The new Secretary of Agriculture, who has just assumed his duties, comes from the gentleman's State of Iowa. I presume that the chairman and the new Secretary are in line with each other. The new Secretary publicly in the newspapers says that he is in favor of retrenchment, taking off extra employees and sending them home and cutting them off from the pay roll. Seventy messengers in the Secretary's office, and those that follow on the other pages of the bill, over 600 more, does not look like retrenchment to me.

Mr. HAUGEN. I trust the House will follow the suggestion of the Secretary and the action of this committee.

Mr. BLANTON. I am afraid that the new Secretary of Agriculture, too, has merely a case of this lip economy and that it does not go any further. It is talk economy preceding the approaching elections; but, after all, it depends upon the action of the Committee of the Whole House on the state of the Union with respect to these matters as to whether there is going to be a real, true, genuine, sure-enough economy. Are these messengers necessary?

Mr. HAUGEN. Speaking of economy, the estimates of the bureaus of the department amounted to $41,953,483, the Secretary estimated $37,528,102, and the committee reported this bill carrying $30,540,034.

Mr. BLANTON. Regardless of that, I am trying to get at this particular matter. The point I am raising now is that they are asking for a total of 742 messengers, and if 20 are enough, why on God's earth is it that we do not cut them down and save this enormous waste?

Mr. HAUGEN. This bill carries $30,540,034. This is a decrease of $3,359,727 below the appropriation act for the fiscal year 1920, a decrease of $7,132,823 below the regular and supplemental estimates submitted by the department, and a decrease of $11,558,204 below the estimates of the bureaus.

Mr. BLANTON. Oh, I do not want the chairman to take up my time with these figures. There are figures that may overwhelm anybody. It is the point of the 742 messengers. On whom do they wait; for whom do they carry messages? They have not that many chiefs down there who could write the messages that these messengers would carry—742 of them every day on the pay roll.

Mr. HAUGEN. I am trying to impress the gentleman with the importance of this department and with the necessity for these 30 messengers——

Mr. BLANTON. Not 30 messengers, but a total of 742 in the bill.

Mr. HAUGEN. Very well, there are hundreds of them. The estimates called for many more, but we have reduced the number considerably; in many instances the gentleman will find we have greatly reduced the number, besides a number of the salaried positions can not be filled. We dealt more liberally with the estimates for the office of the Secretary than with any of the bureaus. We thought that we should take his estimate for the number required in his own office at least. If it is necessary to have that number of messengers in the office of the Secretary, he should be provided with the proper number, and his judgment should be relied upon in this small matter.

The CHAIRMAN. The time of the gentleman from Texas has expired. The Clerk will read.

The Clerk read as follows:

Salaries, Office of Farm Management: One chief of office, $5,000; 1 assistant to the chief, $2,520; 1 executive assistant, $2,250; 2 clerks, class 4, 2 clerks, class 3; 3 clerks, class 2; 8 clerks, class 1; 3 clerks, at $1,100 each; 4 clerks, at $1,080 each; 1 clerk or draftsman, $1,020; 10 clerks, at $1,000 each; 9 clerks, at $900 each; 1 clerk or map tracer, $840; 1 messenger or laborer, $720; 1 messenger boy, $660; 3 messenger boys, at $480 each; 1 charwoman, $480; 5 charwomen, at $240 each; 1 library assistant, $1,440; 1 library assistant, $900; 1 photographer, $1,400; 1 cartographer, $1,500; 1 clerk or draftsman, $1,440; 1 draftsman, $1,200; 2 draftsmen, at $900 each; in all, $72,130.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last word. It is rather an awkward thing to do, but I am going to try, with the indulgence of the committee, to continue the discussion interrupted when we were in general debate. I shall speak especially to you gentlemen who are interested in reducing the cost of living. I stated when we were in general debate that in order to reduce the cost of living we must somewhere reduce the expense between the farm and the table, and I undertook to show why that is necessary. I suggested that in order to do that it is necessary to standardize agricultural commodities, so that they may have a commercial status at the point of first concentration. There is nothing more absurd than the custom in this country of sending these commodities, many of them perishable, under the high expense of refrigeration, around the country to find somebody who wants to buy them. You must pay that unnecessary expense, and it is reflected in the cost of the table. When these commodities shall have been standardized, it would be necessary to establish a produce exchange system where these commodities may be listed by their description for sale. Third, it would be necessary to have that intermediary supervision and inspection required to give confidence to entire strangers that they may trade with each other, with reference to a commodity which the purchaser has never seen. That may seem visionary, but there is not one visionary thing about it. The utility of every single one of these suggestions has been demonstrated. I call the attention of the committee to the fact that in the Federal farm-loan act we did exactly these three things. We standardized farm credits, established a farm-credit exchange, and we provide the intermediary supervision and inspection which makes it possible for a man in New England to buy a mortgage on a Texas farm which he had never seen. When we shall have put this marketing machinery in operation, then what will be the effect?

These standardized commodities will move from the point of first concentration to the point of use, and under prior sale will reduce the physical deterioration and prevent the rotting of great quantities of food after production, for which, in a large measure, we now have to pay. When we put that marketing machinery in operation a route around the present instrumentalities of distribution would be opened up. Then it would not be necessary to have this bureaucratic legislation, which is so fashionable these days, for the reason that we should substitute the law that God has made, economic law for the main-strength-and-awkwardness legislative policy by which we are trying without success to deal with these matters. Then the distributors would be compelled to limit the total of their distribution charges to the economic value of the service rendered because we would take from them the toll-levying power by creating an available practical route around them. There is no choice of routes now. Every producing community that can produce a shipping unit would be put in trade relationship with every market in the United States, and it would be possible then for every individual buyer and every group of buyers who want to buy a shipping unit to buy through this instrumentality and be certain of integrity of transaction. The necessity for this legislation has grown out of the fact that when the railroads came and steam and electricity were applied to the activities of mankind, an industrial revolution occurred. The manufacturing industries of the country, formerly scattered broadcast, concentrated in the great cities. These manufacturing organizations, these great distributing organizations, became necessary in order to bridge the distance between production and consumption. There is no bridge to-day over which the little man and the little community can independently operate with regard to the general market. These antitrust laws of ours, these laws that destroy these big organizations, are absurd if we do not put something in their place. It is just as if we were to go down here, supposing there was a private bridge over the Potomac, and we should dynamite the bridge because it is big, without putting anything there over which the people could go. There must be a big bridge, because the river is wide.

If we are to preserve democracy in government, we must preserve democracy in business opportunity, and just as soon as we complete the present evolution in business control and business administration so that the little fellow is entirely shut out of the general market, then the pressure on this Congress will be irresistible for the Government to take control of big business.

The CHAIRMAN. The time of the gentlman from Texas has expired.

Mr. SUMNERS of Texas. Well, I will try to continue under the next paragraph if I can get recognition.

Mr. MANN of Illinois. Oh, well, I will make the point of order the next time. If the gentleman wants an additional five minutes now I shall not object, but I am in favor of proceeding with the bill.

Mr. ROBSION of Kentucky. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for five minutes.

The CHAIRMAN. Is there objection to the request to extend the time of the gentleman from Texas for five minutes? [After a pause.] The Chair hears none.

Mr. SUMNERS of Texas. I thank the gentleman. I would much rather proceed now. Now, this would be the practical operation, gentlemen; this would be the saving. First, you would save in physical waste. Then you would save in the enormous and unnecessary intervening charges. There is in the price you gentlemen who live in the cities pay a toll levied by reason of the fact that these great distributing organizations necessary under modern conditions have the power to levy toll and there is no route around them.

Mr. HERSMAN. Will the gentleman yield?

Mr. SUMNERS of Texas. I will.

Mr. HERSMAN. Does the gentleman know statistics show that of every dollar that the consumer pays for his product that the producer only gets 33½ per cent of that dollar, that two-thirds of that dollar is used in tolls of various kinds or commissions of various kinds before it gets to the consumer?

Mr. SUMNERS of Texas. It is very large. Now then, with this organization in operation, gentlemen, you not only would be able to limit the intervening charges by the operation of economic law, but you would be able to throw back into the channel of production the unnecessary accumulation along the

avenues of distribution. We need distributers but we have too many. We need cities but they are growing too fast. This country is growing top-heavy by reason of the accumulation of the fellows who do not produce, but who draw their living between the man who does produce and the man who eats. We need some of them but not so many. If we keep piling up population at this point, there is going to be a tumble one of these days and everybody is going to get hurt.

Mr. MADDEN. Will the gentleman now yield?

Mr. SUMNERS of Texas. I yield.

Mr. MADDEN. I suppose the gentleman remembers far enough back to remember when at certain seasons of the year it was impossible for the people of the country to get certain food supplies. Now they can get them any season of the year because the facilities have been furnished by men who had the courage and the vision to see the need——

Mr. SUMNERS of Texas. It is absolutely true, and it is in that direction which lies the danger of much of this bureaucratical legislation we have. These men have done a great service and are doing it and are entitled to fair reward therefor.

But I want to bring to the attention of the gentleman this fact: With this system in operation and every producing community in trade relationship with every center of consumption this reserve could be held more largely at the point of first concentration; and the fact that the public and the small operator would have free trading access to each other, the occasion to complain and whatever cause to complain against these people would be largely eliminated. This demand to increase governmental control and for the Government to take over these plants would lose much of its force, while at the same time the removal of the toll-taking power, if it does exist, would remove the suspicion that it is exercised. I believe big distributers make a mistake if they oppose what is now suggested.

Mr. WHITE of Kansas. Will the gentleman yield?

Mr. SUMNERS of Texas. I will.

Mr. WHITE of Kansas. I have been very greatly interested in the gentleman's speech. Would the gentleman in his time tell how his theory or his idea or plan could be applied to the marketing and distribution of live-stock products?

Mr. SUMNERS of Texas. All right, sir. In regard to live stock we have generally had the idea in this country that we could not standardize live stock. The gentleman is a practical cowman.

Mr. WHITE of Kansas. Yes.

Mr. SUMNERS of Texas. I will venture the assertion that the gentleman can go to a herd of a thousand white-faced cattle and cut them into five bunches of greater uniformity than any expert cotton man can grade a thousand bales of cotton to save his life.

Mr. WHITE of Kansas. Will the gentleman just permit a question? Does the gentleman know how many different grades of cattle go into Chicago in a day ordinarily?

Mr. SUMNERS of Texas. Will the gentleman deny my statement that he can go into a herd of a thousand white-faced cows and cut them into small uniform bunches better than any expert cotton man can grade a thousand bales of cotton?

Mr. WHITE of Kansas. I do not claim I can do it.

Mr. SUMNERS of Texas. All right. I have it upon the authority of practical cowmen that it can be done. Now, then, if you can not do it you would have to get somebody else to cut your cows.

Mr. WHITE of Kansas. I do not believe I could.

Mr. SUMNERS of Texas. Then the gentleman is outside, and I can not help him.

Mr. TREADWAY. Let the other fellow in.

Mr. SUMNERS of Texas. When you have done that, and I am supposing you may—why, I was talking with a man in Georgia who buys hogs for a packing house, and he told me that the State of Georgia had grades for the farmers' hogs, and he pays for the graded hogs a half cent a pound more than he pays to the farmer for the same hogs where they had to get them together. I do not know whether that is true or not. If this can be done, then we take away the demand that is being made for the Government to take over your great packing plants. These animals would move from the ranch under prior sale, and every little packer would have a chance to buy on an equal basis of advantage. Nobody ought to object to that.

Mr. MADDEN. Will the gentleman yield?

Mr. SUMNERS of Texas. No; let me make this statement.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MCKENZIE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3472. An act for the relief of the owner of a drill boat known as drill boat *No. 3* and a dredge known as dredge *No. 9*; and

S. 3381. An act for the relief of Gertrude Lustig.

The message also announced that the Vice President had appointed Mr. FRANCE and Mr. WALSH of Montana members of the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Commerce Department.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Salaries, Weather Bureau: One chief of bureau, $5,000; 1 assistant chief of bureau, $3,250; 1 chief clerk, $2,500; 1 chief of division of stations and accounts, $2,750; 1 chief of printing division, $2,500; 3 chiefs of division, at $2,000 each; 8 clerks, class 4; 11 clerks, class 3; 23 clerks, class 2; 33 clerks, class 1; 26 clerks, at $1,000 each; 10 clerks, at $900 each; 1 foreman of printing, $1,600; 1 lithographer, $1,500; 3 lithographers, at $1,200 each; 1 pressman, $1,200; 1 printer or compositor, $1,440; 5 printers or compositors, at $1,350 each; 14 printers or compositors, at $1,300 each; one printer or compositor, $1,200; 6 printers or compositors, at $1,080 each; 5 printers or compositors, at $1,000 each; 4 folders and feeders, at $720 each; 1 supervising instrument maker, $1,620; 1 instrument maker, $1,440; 3 instrument makers, at $1,300 each; one instrument maker, $1,260; 1 skilled mechanic, $1,300; 3 skilled mechanics, at $1,200 each; 5 skilled mechanics, at $1,000 each; 1 skilled mechanic, $840; 6 skilled artisans, at $840 each; 1 engineer, $1,300; 1 fireman and steam fitter, $840; 2 firemen, at $840 each; 1 captain of the watch, $1,000; 1 electrician, $1,200; 1 repairman, $1,200; 1 repairman, $960; 1 gardener, $1,000; 4 repairmen, at $840 each; 6 repairmen, at $720 each; 4 watchmen, at $720 each; 28 messengers or laborers, at $720 each; 6 messengers or laborers, at $660 each; 22 messengers or laborers, at $600 each; 11 messenger boys, at $600 each; 99 messenger boys, at $480 each; 1 charwoman, $360; 3 charwomen, at $240 each; in all, $346,910.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I called the attention of the chairman a while ago to the fact that on page 3 there are 27 messengers provided for the Secretary's office; that on page 4 there are 43 additional messengers provided, making a total of 70 messengers for the Secretary's office alone; and I now call attention to the fact that on page 4 there are 5 additional messengers given another small office, and on page 6 there are 166 more messengers provided for another office; on page 7 there are messengers to an unlimited number provided; and on page 10 there are 42 more messengers provided; on page 11 there are 38 more messengers provided; on page 19 there are 69 more messengers provided; on page 20 there are 98 more messengers provided; on page 34 there are 49 more messengers provided, and so on down through the bill. I have not time to enumerate all of them now, though I will do so a little later; but I want to say if this is economy, and if this one Department of Agriculture is going to hoodwink and mesmerize this Congress into allowing it all of these hundreds of messengers who absolutely clog up every corridor of that department so that it is hardly possible for a Member of Congress to pass, and who are not needed, then, my God Almighty, I do not know what is to become of the people, the heavily tax-burdened people of the country, in regard to the payment of their taxes.

Mr. HAUGEN. The gentleman has reference now to the Weather Bureau?

Mr. BLANTON. Oh, not to the Weather Bureau. Here is one office that has 167, and it is not the Weather Bureau; it is the Bureau of Plant Industry, here in Washington.

Mr. HAUGEN. If the gentleman will discuss one item at a time I will try to explain it to the gentleman.

Mr. BLANTON. I do not want the explanation of the gentleman. It merely gives the demands of this department. What I want is to know the necessity for it all.

Mr. HAUGEN. Very well.

Mr. BLANTON. Because his explanations merely go around in a circle and you can not understand them.

Now, on page 19 and on page 20 there are 69 and 98 messengers, making 167 for the Bureau of Plant Industry alone. That is not the Weather Bureau. It is 167 idle, useless, unnecessary messengers for the Bureau of Plant Industry alone. Are we not going to change this? Is the great Republican Party, that tells the people through lip service as the elections approach that it is for economy, going to sit here and let all this waste stay in the bill? I could offer an amendment to strike some of them

out, but if the chairman is not with me I realize that I could not get them out, because he has got his party whip cracking and all his colleagues are going to follow him and do exactly what he tells them to do. But, after all, is he "toting fair" with the people of this country when he talks economy on one side of his mouth and then twists his chew of tobacco over on the other side, and keeps all these idle, unnecessary salary-drawing messengers in the bill?

I say it is a digrace to the Agricultural Committee to bring in a bill of this kind, with hundreds and hundreds of messengers in it that have no business in this bill, and the chairman knows it. You have not got that many messengers in the State of Iowa and in the five States surrounding Iowa. You can not go home to Iowa and square yourself with your people on this question. You can not do it. You had better get busy and cut some of them out.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HAUGEN. Mr. Chairman, the gentleman has made his speech. He stated that he did not care for any explanation on the subject, but, nevertheless, we are now discussing this item and I desire to offer an explanation of the number of these messengers and thus dispose of all at one time. I will read the statement of Mr. Marvin, Chief of the Weather Bureau.

Mr. BLANTON. I do not care about his statement. It is time for us to sit down on these departments and disregard their statements and teach them that we want economy and are going to have it.

The CHAIRMAN. The gentleman from Iowa declines to yield.

Mr. HAUGEN. If the gentleman wants the facts on the subject, I will give them to him; besides, the House may want to know the reason for the number of messengers reported in this bill.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] must not interrupt the gentleman who has the floor unless the gentleman consents.

Mr. HAUGEN. Under the Weather Bureau we have 200 stations, scattered over the country. The department is asking for 166 messengers for the Weather Bureau. It is necessary to have one or two messengers at most of these stations. For instance, in the city of Pittsburgh and in other large cities more than one messenger is required to assist in the preparation of the forecast cards, distribute the bulletins, and similar work.

I will read from the hearings:

Mr. JONES. There are 166 messengers.

The CHAIRMAN. Yes; but I am referring only to those under item 45, at $720.

Mr. MARVIN. There seems to be a large number of the messengers, but most of them are in the field. We have 200 stations, but not every station has a messenger. Very many of them have one messenger at least, and sometimes we are obliged to put in two messengers under the existing conditions. We have difficulty in securing them at the low salaries allowed.

Mr. TINCHER. What do they do?

Mr. MARVIN. They work in the offices in connection with the preparation of the forecast cards and operate addressographs and distribute maps and bulletins. They also do other work about the station in connection with the maintenance of the instrumental equipment and things of that kind.

The CHAIRMAN. How many are employed at each station in each town?

Mr. MARVIN. We have a small number of stations with only one man on duty.

The CHAIRMAN. About how many?

Mr. MARVIN. I should say there are 15 or 20 that have only one man. The rest of the stations, with a few exceptions, have from 2 to 7 men, and a few of the large ones from 10 to 15.

Do you want to cut out the Weather Service?

Mr. BEGG. I would like seriously to take the chairman's statement absolutely for my guidance. We have some of these stations in my State, and I am very much in sympathy with the gentleman from Texas [Mr. BLANTON]. What do the messengers do?

Mr. HAUGEN. They assist in the preparation of the forecast and distribute the weather bulletins.

Mr. BEGG. To whom?

Mr. HAUGEN. To the telegraph office, to the printing office, and to places where the weather bulletins are displayed. In addition, they do the same work that messengers in any other office are required to perform. If the gentleman believes that we should spend the money to gather information on weather conditions and prepare forecasts, and then not disseminate it through the messengers and other sources, I would suggest that whole service should be discontinued.

Mr. BEGG. I do not believe that these messengers do what you say in all places.

Mr. HAUGEN. The gentleman has asked a question. Here is Mr. Marvin, who says:

They work in the offices in connection with the preparation of the forecast cards and operate addressographs and distribute maps and bulletins. They also do other work about the station in connection with the maintenance of the instrumental equipment and things of that kind.

Now, then, are you going to discontinue that service?

Mr. BEGG. Not if it is necessary.

Mr. HAUGEN. Then why object to these messengers?

Mr. BEGG. I was not questioning the gentleman's statement.

The CHAIRMAN. The gentleman's time has expired. The Clerk will read.

Mr. HAUGEN. There are a number of these positions of clerks and messengers that are not filled.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

For the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications, including the pay of additional employees, when necessary, $12,800: *Provided*, That no printing shall be done by the Weather Bureau that, in the judgment of the Secretary of Agriculture, can be done at the Government Printing Office without impairing the service of said bureau: *And provided further*, That the proviso contained in section 11 of the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, shall not prohibit the printing in the printing office of the Weather Bureau in the city of Washington of the maps, bulletins, circulars, forms, and other publications herein authorized.

Mr. KIESS. Mr. Chairman, I make the point of order against the proviso, beginning on line 2 and ending on line 9. It repeals existing law and is subject to a point of order.

The CHAIRMAN. The gentleman from Pennsylvania makes the point of order on the proviso, beginning on line 2 and ending on line 9, on page 9, on the ground that it changes existing law. Does the gentleman from Iowa [Mr. HAUGEN] desire to be heard on the point of order?

Mr. HAUGEN. It is subject to a point of order, but I desire to say it is quite necessary that this should be done, and it has been carried in the bill heretofore.

Mr. KIESS. Mr. Chairman, I just want to say that the proviso ahead of this gives the department permission to have all the printing that is necessary to be done by the Weather Bureau, and clearly this further proviso is not necessary, because it would be possible for them to get an order from the Joint Committee on Printing if they could show it was necessary.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For the establishment and maintenance of additional aerological stations, for observing, measuring, and investigating atmospheric phenomena, in the aid of aeronautics, including salaries, travel, and other expenses in the city of Washington and elsewhere, $81,020.

Mr. MANN of Illinois. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MANN of Illinois. Mr. Chairman, last year, for the current year, we appropriated $85,040 for the establishment and maintenance of additional weather stations. Is it necessary that we make this appropriation every year? Can they not get along with the stations which they now have for a year? I assume that this is for the purpose of establishing new aerological stations. That is what it says, although that is no guaranty that that is what it is used for.

Mr. HAUGEN. The estimates were additional, but we cut them.

Mr. MANN of Illinois. I do not know how much the estimate was; I do not recall; but we carry for the current year $85,040, and in this bill we carry $81,020. I do not know what that $20 is for.

Mr. HAUGEN. The estimate is $281,020. We allowed $81,020.

Mr. MANN of Illinois. Of course, then, the department will expect to go to the Senate and add the $200,000. What do they want the money for, may I ask?

Mr. HAUGEN. Well, it is for cooperation with the Signal Corps.

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. TINCHER. I understand the Weather Bureau people claim that it is for maintaining stations where they can prognosticate the conditions of weather for the boys who are going up in airships. There is some question with the people I have talked with who have made flights as to whether it would be of any real service.

Mr. MANN of Illinois. We have many aerological stations in the United States and many other stations that are not important, except for weather stations. The main aerological service is either now in the Air Service of the Army or the Post Office Department, and certainly they do not need any additional weather stations in connection with the Postal Service. They

ought not to need any additional stations in connection with aeronautics in Texas in connection with the Army or elsewhere. It may be that the aeronautic experts will have to study the subject of weather service, but my impression is that the weather service has very much deteriorated in the last few years. I got into the habit last summer of invariably going on the theory that the weather predictions made by the department were wrong each day, and I do not think I missed it one day in five. The other day we were notified by the Weather Bureau bulletin that it was going to rain the next night and the next day, and instead of rain we have had the worst sleet storm that we have yet experienced this winter. They hardly ever guess right; they seldom do.

Mr. MADDEN. Perhaps it started to rain and turned into sleet on the way down.

Mr. MANN of Illinois. I do not see why we should establish new stations this year in order to economize.

Mr. TINCHER. Perhaps if they had these new stations up they could have told whether it would rain or snow.

Mr. MANN of Illinois. They do the best they can under the circumstances, I suppose.

Mr. Chairman, I make a point of order against the paragraph.

Mr. BEE. Mr. Chairman, will the gentleman reserve his point of order for a moment?

Mr. MANN of Illinois. I will reserve it for a moment.

Mr. BEE. Mr. Chairman, I did not intend to say anything on this matter, but the statement of the gentleman from Illinois [Mr. MANN] has brought the matter to my attention. I believe in the Weather Bureau. I think they do the best they can. They ordinarily render excellent service. We had a terrific storm at Corpus Christi, Tex., last September, and unfortunately the prognostication in that case was so erroneous that it lulled into security the people of the coast country, and the people believed that the storm had spent its force and would not reach the subsequently devastated area. The result was that when the storm did come, with a tremendous velocity and a power unequaled and unheard of in that section, thousands of human lives were lost and millions of dollars' worth of property was destroyed. I do not say that all of that damage could have been avoided, but somewhere in this bureau, somewhere in one of the agencies, there was a failure to make the proper observations, the result of which was that the service on which the people of this section had learned to lean and depend proved to a great extent the cause of their undoing.

I mention that in furtherance of what has been said here, in the hope that hereafter these scientific investigations that have been pursued by the bureau in the solution of these problems may be so conducted that such a situation may not again cause loss to the people of a part of this country.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. BRIGGS. Speaking of the proposed appropriation, it seems to me that the very fact that has been brought out here by the gentleman from Texas [Mr. BEE] only emphasizes the need of this appropriation. The Weather Bureau of the Department of Agriculture was called upon for an explanation why this condition obtained; why it was that they were not able to give sufficient warning of the approach of this storm and where it was going to strike. They stated that one of the difficulties that they had was in getting enough reports to determine the course of the storm in the Gulf; that many of the ships on which they relied ordinarily to send their warnings, wireless warnings, warnings to their stations, kept out of the track of that storm because the reports of the Weather Bureau in advance had indicated at least a part of the course of that storm, and the vessels kept in harbor and there were no vessels out there, and there was no station sufficiently near to give them essential data in order to advise the people and give them the necessary warning as to where this storm was going to strike.

The appropriation, in my opinion, is one of the most essential in the bill. It is one calculated to do inestimable benefit in enabling the experts of the Weather Bureau in the Department of Agriculture to be more accurate.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. BRIGGS. Yes.

Mr. BEE. Do I understand, then, that if we make the appropriation sufficiently large and give them the power they will not be dependent on the vessels to give them warning of storms, but will have their own instrumentalities with which to report?

Mr. BRIGGS. They will not be dependent to the same extent. They will be very much less dependent, to the best of my information, than they are under the existing conditions. Therefore I hope the point of order will not be pressed.

Mr. MANN of Illinois. Mr. Chairman, I make the point of order. I do not think there is any authority of law to provide for any new stations. I can not recall the rulings at this time on that subject. It certainly would not be in order to make a provision for a special station. It used to be a controverted question. My recollection, although it is not very fresh on the subject, is that this item providing for new stations used to be ruled out of order except where it was specifically authorized.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. MANN of Illinois. Yes.

Mr. DOWELL. Will this dispense with any officials mentioned by the gentleman from Texas?

Mr. MANN of Illinois. I can not say. I should say that nothing would dispense with any officer who holds a position under the Government if there was any appropriation.

Mr. HAUGEN. I agree with the gentleman from Illinois that the department would not have authority to purchase land or to build buildings. But it has authority to establish stations and provide the stations with equipment under this item. It would also have authority to hire buildings and provide equipment to maintain stations; but the purchase of land and erection of buildings requires specific authority. This language has been carried in the bill for a number of years and it is essential that it should remain in the bill.

Mr. MANN of Illinois. It has been carried in the bill, and under it they have purchased land and put up buildings. That is what this would authorize, and that is the reason I make the point of order.

If they are given an appropriation to establish new stations, that carries the authority to build and to buy.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, in my judgment, this language does not authorize the purchase of land nor the construction of buildings. It does authorize the establishment of stations and therefore the right to use buildings necessary in carrying on the work. I know of no case of the purchase of land by the department, in recent years, without express authority of the Congress. Authority to purchase land and erect buildings has often been included in the annual bill, but that was after the committee had considered the advisability of the purchase and approved the request. Some requests have been granted and some refused. I think there is now no intention to use any of this money to buy land, and, as I say, I think this does not give such authority. For that reason I do not think it is out of order.

Mr. TILSON. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. TILSON. Has the Weather Bureau heretofore, without specific legislation, established additional stations under the authority of this provision in the bill?

Mr. McLAUGHLIN of Michigan. It has established additional stations under this authority, but in no case that I know of has real estate been purchased.

Mr. TILSON. Does the gentleman think that the bureau could go out and establish a new station, provided it was not necessary to buy the land or erect the building?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. TILSON. Would the bureau have authority to rent a building?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. TILSON. But not to buy land or to erect a building?

Mr. McLAUGHLIN of Michigan. That is right.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Illinois makes the point of order against the paragraph, beginning on line 18 and ending in line 22, as follows:

For the establishment and maintenance of additional aerological stations, for observing, measuring, and investigating atmospheric phenomena, in the aid of aeronautics, including salaries, travel, and other expenses in the city of Washington and elsewhere, $81,020.

In the view of the Chair the language used is broad enough to permit the acquisition of a site and the construction of a building which would be necessary for an aerological station. Under the precedents upon this bill and upon other appropriation bills the establishment of a new station upon an item in an appropriation bill is held not to be in order. The Chair therefore sustains the point of order.

Mr. HAUGEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 9, after line 17, insert: "For the maintenance of aerological stations, for observing, measuring, and investigating atmospheric phenomena, in the aid of aeronautics, including salaries, travel, and other expenses in the city of Washington and elsewhere, $81,020."

Mr. MANN of Illinois. Mr. Chairman, I make a point of order against the amendment. There is no authority of law under the act creating the Weather Bureau for the maintenance of weather stations in the aid of aeronautics.

Mr. HAUGEN. Very well, I will strike that out.

The CHAIRMAN. The Chair sustains the point of order.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent to pass over this amendment and come back to it later.

The CHAIRMAN. The paragraph is stricken out on a point of order.

Mr. HAUGEN. I ask unanimous consent that we may pass by this and return to this place in the bill later.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to return to page 9, line 17, to offer language in lieu of that stricken out.

Mr. MANN of Illinois. Reserving the right to object, does the gentleman include in his request returning later also to the next two lines, 23 and 24, which carry the totals?

Mr. HAUGEN. Yes; I include that in my request. I ask unanimous consent also that the Clerk may correct the totals throughout the bill.

The CHAIRMAN. The gentleman includes in his request that the Clerk may correct the totals of the bill. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Clerk read as follows:

In all, for general expenses, $1,532,100.
Total for Weather Bureau, $1,879,010.

Mr. MOORE of Virginia. Mr. Chairman, I move to strike out the last word for the purpose of obtaining some information from the chairman of the committee. Will the chairman, in order to show how the bill is made up, indicate definitely, if he can do so, the manner in which the total in this paragraph was arrived at as compared with the estimates of the department?

So far as I am concerned, I desire to see the provision for the maintenance of the Weather Bureau service continued. If the argument we have heard about erroneous weather predictions were carried to its logical conclusion, we would eliminate everything for the support of the Weather Bureau. I do not believe anyone would indorse that proposition. But in order that I may have the information I have requested, I hope the chairman will give us some idea as to why and how the estimates of the department were cut.

Mr. HAUGEN. Has the gentleman reference to the total or to each item?

Mr. MOORE of Virginia. I have reference particularly to the total indicated and am assuming that the reply to my inquiry will make clear what items have been reduced from the estimates.

Mr. HAUGEN. The total appropriation for the current year is $1,888,210. The estimates were $2,228,150. The amount reported by the committee is $1,879,010. The estimates of the department were cut $349,140.

Mr. MOORE of Virginia. I quite understand that those are the final figures; but what items were cut?

Mr. HAUGEN. We give the Weather Bureau practically what was carried for the current year. For the current year the bureau has $1,888,210 and the committee reported for next year $1,879,010.

Mr. MOORE of Virginia. I understand that, but I desired the details. Mr. Chairman, I asked the question for this reason: A few minutes ago I heard the distinguished gentleman from Wyoming [Mr. MONDELL] boast that this bill effects a cut of 10 per cent as compared with the present fiscal year and a cut of something like 30 per cent as compared with the estimates of the department. The committee itself in its report, in a rather restrained way, expresses the hope that if the bill is passed carrying the reductions it will not result in "seriously crippling the work of the department." I do not believe that is the correct basis upon which to legislate for the support of the Agricultural Department. While I am very much in accord with the policy of the House to economize as far as possible, my own view is this, that when we come to provide for the Agricultural Department we should give the benefit to the department of any doubts that may prevail, because to make reductions which might cripple the department would be one of the most undesirable things that could happen, so far as the general interests of the country are concerned.

Mr. ANDERSON. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. ANDERSON. The gentleman's argument suggests the question whether in this bill we are appropriating for the Department of Agriculture or for the promotion of the agriculture of the country?

Mr. MOORE of Virginia. You can not disconnect the two matters. The Agricultural Department is the great governmental agency that looks after our agricultural interests, and we all recognize that the fundamentally important thing at this time is to stimulate and encourage production as far as it is possible to do so by legislation.

We fully realize that agriculture is under a great handicap at this time. All the reports that come from numberless sources indicate that this is the fact. For instance, a questionnaire was recently sent out by the Post Office Department to 40,000 persons with reference to that subject. The replies have been summarized, and they afford indisputable evidence of the disadvantage at which the agriculturists of the country are now placed. If it is possible by legislation now being enacted, or that may be enacted, to lighten the burdens resting on our farmers, we ought not to hesitate to do it, and to take the contrary course would plainly be false economy.

Mr. LONGWORTH. Would not the logic of the gentleman's argument tend to the conclusion that the committee should not have reduced at all the estimates of the department?

Mr. MOORE of Virginia. By no means, and that is the reason why I inquired of the distinguished chairman how the bill was made up and how the reductions were effected.

Mr. MADDEN. Will the gentleman yield?

Mr. MOORE of Virginia. In a minute. Now, we have been declaring that we want increased production, and yet since Congress assembled in extra session there has not been one line put upon the statute books nor one measure adopted by the House in that direction. Any promise to legislate in that direction is a promise that has been kept to the ear but broken to the hope. England, in dealing with the great postwar problems, has acted in a comprehensive way by constituting a ministry of reconstruction——

Mr. MADDEN. I suppose that is the reason that British exchange is falling every day.

Mr. MOORE of Virginia. No; that is not the reason. There are other reasons for it.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MOORE of Virginia. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MADDEN. I would like to ask the gentleman from Virginia this question: He referred in very glittering generalties to the questionnaire that was sent out by the Post Office Department, I assume by Mr. Blakslee. I would like to have the gentleman answer whether if all that Mr. Blakslee claims for the development of agriculture through any effort of his would help to raise an additional pound of potatoes or an additional bushel of wheat or to reduce the cost of food to the consumer?

Mr. MOORE of Virginia. I do not know that the official referred to makes any recommendation. What I have in mind is the summary of the replies to the questionnaire, from which I quote:

The most serious cause for complaint is the shortage of farm labor, it being stated that in view of the great demand for labor in the cities, with shorter hours and higher wages, not only has the hired help been driven from the farms, but also the farmers' sons and daughters, and that as a consequence they will have to curtail production greatly next season, and some will cease farming entirely.

Mr. MADDEN. There is some truth in the statement with respect to the shortage of labor. What remedy does he suggest? He suggests the employment of Government trucks at enormous public expense to move the commodities of the farm to the consumer, and in every case where he has made a pretense of doing that he has never moved a single pound of farm products to the ultimate consumer but has always sent them to the middleman.

Mr. MOORE of Virginia. I think when we had a bill under discussion the other day, as to which the question was raised whether or not the Post Office Department should be allowed to maintain the motor-truck service, it was shown that the products of the farm not only reached the middleman but reached the consumer directly.

Mr. MADDEN. Mr. Chairman, I wish to say, as a member of the Post Office Committee, having made a thorough investigation of the activities conducted under the direction of Mr. Blakslee, the Fourth Assistant Postmaster General, that I can give the gentleman absolute assurance that not one single pound of farm products has ever reached the ultimate consumer directly, except it may be some in the Post Office Service, in the general post office here. They could probably get something direct from the trucks.

Mr. MOORE of Virginia. Whatever may be the truth as to that, and I do not contest the gentleman's statement based upon his personal knowledge, I repeat that during the extra session and this session we have done nothing for the farming interests. We have not handled that subject in a systematic and compre-

hensive way, as they have done in other countries, nor have we taken up in a systematic and comprehensive way any of the great problems created by the war.

Mr. MADDEN. Does the gentleman contend that anything we do here in the matter of legislation will reduce the cost of living and raise an additional pound of farm products?

Mr. MOORE of Virginia. I contend this, that if you had followed the advice of a very distinguished statesman at the other end of the Capitol, and had done something analogous to the creation of the ministry of reconstruction in England, you would have had a full inquiry into the situation that we are talking about now.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MADDEN. Mr. Chairman, I move to strike out the last two words.

Mr. MOORE of Virginia. Mr. Chairman, I will ask the gentleman to yield to me for two minutes more only.

Mr. MADDEN. I am very glad to yield, as the gentleman seldom addresses the committee, and we are always pleased to hear him.

The CHAIRMAN. Is there objection to the gentleman from Virginia proceeding for two minutes?

There was no objection.

Mr. MOORE of Virginia. In mentioning what was done in the Senate I was referring to Senate concurrent resolution No. 3, introduced by Senator CUMMINS on the 29th of June, which contemplated that Congress should take hold of our great problems, not in an incoherent and desultory way but in a full and comprehensive manner, and which provided for the creation of several joint committees on reconstruction. One of the committees was to deal with this very matter of farm labor and to ascertain if possible if there was any method of relieving its shortage; and the matter of distribution, to which my friend from Illinois has alluded, was another matter that was to be dealt with. But no action was taken and the difficulty is that we are now simply marking time. Despite the pressure to which the producers of the country are subjected, we are simply marking time, or, to change the figure, we are in a Micawber-like attitude, waiting for something to turn up. What I am saying is not for the purpose of antagonizing the bill, but rather for the purpose of indicating that when substantial amendments are offered, designed to increase certain appropriations, we ought, in support of the agricultural interests, to vote for those amendments, unless we are clearly of the opinion that they should not be made. [Applause.]

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. The gentleman from Virginia has just called our attention to our failure to comply with the request made by a very distinguished gentleman at the other end of the Avenue, and I assume he means the President of the United States.

Mr. MOORE of Virginia. I said at the other end of the Capitol.

Mr. MADDEN. In any event, the President of the United States came here some time ago, before he was unfortunately taken ill, and made a recommendation which he told the country would reduce the cost of living if it were enacted into law. The Congress promptly enacted his recommendations into law, and what followed?

Mr. BLANTON. Mr. Chairman——

Mr. MADDEN. I decline to yield.

Mr. BLANTON. Mr. Chairman, I rise to a point of order; the gentleman will have to yield to that?

Mr. MADDEN. Yes.

Mr. BLANTON. I understood the distinguished gentleman from Illinois to say that he was going to insist on this argument being confined to the bill.

Mr. MADDEN. That is what we are doing now.

Mr. ROBSION of Kentucky. Mr. Chairman, I demand the regular order.

Mr. BLANTON. I submit, Mr. Chairman, the gentleman's argument is not confined to the bill, at least the political part of it is not. It is not confined, as required by the rules, to the last paragraph which was read, which was about the Weather Bureau. That has nothing to do with the high cost of living; but I love to hear the gentleman from Illinois talk, hence will not stop him with a point of order and withdraw it, though I would like to see some consistency over on that side of the Chamber.

Mr. MADDEN. Mr. Chairman, we have listened with a great deal of interest to the gentleman from Virginia [Mr. MOORE], and we always listen with a great deal of interest to the gentleman from Texas [Mr. BLANTON], who never pretends to pay much attention to the item in the bill under discussion when he rises to address the committee. We did enact the legislation recommended by the President of the United States, and the next thing that happened was a request from the Attorney General for an appropriation of $3,000,000 to enforce the law, which he said was going to reduce the cost of living immediately. I have always maintained that every time you pass legislation to reduce the cost of living and make appropriations to enforce the law you add to the cost of living by the amount of the appropriation. That is the only thing that happens, and that is what happened in this case. Every morning for a long time the Attorney General announced in the public press that the cost of living had been reduced yesterday or would be to-morrow, and he even went so far as to congratulate the country upon the fact that the cost of living was not any higher in December, 1918, than it was in August, 1918!

But he stopped talking about that because the cost of living ever since we enacted the law recommended by the President of the United States has gone higher and higher.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. I ask for two minutes more in order that I may be in harmony with the rest.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to speak for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. I simply want to say, in connection with the attitude of the Fourth Assistant Postmaster General, that no statement ever made by Col. Sellers had anything on him. He is the biggest dreamer who ever walked anywhere on earth. He makes no pretense whatever in stating facts in connection with any of his activities, and as to the truck service which he attempted to inaugurate, it was proved beyond any question whatever that hundreds of thousands of dollars of expense has been incurred in comparison with the revenues received, and if he had been permitted to extend the service as he wanted to extend it it would have cost more money to have run the truck service of the Post Office Department than the cost of running the whole department now. And so I believe that these dreamers who are always pretending to do something for the agriculturist or the farmer or the man who toils anywhere only thunder in the index, never produce any results. They do not get anywhere except in the newspapers and in the magazines, and the man whom they are pretending to relieve from the burden is the man who has to carry the added burden on account of their activities. And so I say that you do not get anywhere by legislating in the matter of raising more crops or better crops or bringing better prices for the crops raised or putting them more directly out of the hands of the producer into the hands of the ultimate consumer. If the farmer had the facilities of distributing his crops to the ultimate consumer, why he would deliver them there; but everyone knows that it is only an irridescent dream; you can not do it. Some facilities must be furnished by somebody somewhere to meet the demands for the distribution of the products of the labor of the land.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MOORE of Virginia. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Virginia rise?

Mr. MOORE of Virginia. I rise to move to strike out the last four words.

Mr. ANDERSON. Mr. Chairman, I make the point of order the gentleman has spoken once on the paragraph and he is not entitled to speak again.

Mr. MOORE of Virginia. I desire to oppose the amendment.

The CHAIRMAN. The gentleman from Virginia has offered one pro forma amendment to the paragraph, and the Chair does not think he can offer another——

Mr. MOORE of Virginia. I wish to oppose the amendment.

Mr. MANN of Illinois. Oh, well, the gentleman would not be entitled to the floor against somebody else, but the fact he has spoken on one amendment to this paragraph does not prevent him offering another amendment to the paragraph if nobody else is seeking recognition.

Mr. ANDERSON. He did not offer another amendment.

The CHAIRMAN. The gentleman moves to strike out the last four words?

Mr. SAUNDERS of Virginia. The gentleman from Virginia rose in opposition to the motion of the gentleman from Illinois, who moved to strike out the last word. Of course, that is a conventional motion, but he made the motion.

The CHAIRMAN. The gentleman from Virginia moves to strike out the last four words?

Mr. MOORE of Virginia. Yes. Mr. Chairman, I have listened with great interest to the gentleman from Illinois [Mr. MADDEN], and he pursues what seems to be the usual course, and that is when it is stated that we are not legislating, or not

legislating adequately, there is immediate reference to some supposed delinquency with which somebody connected with the executive department is chargeable. Now, I submit that will not do, because Congress has its own responsibility. It may be that we will have to confess that we can not do anything, but nevertheless we have a responsibility and must answer as to whether we can or can not function.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. MOORE of Virginia. In one minute. I am free to say that the responsibility is upon the minority as well as upon the majority. The whole duty does not rest with the majority, nor the entire accountability. To reiterate, the only point I desired to make is that in view of the unusual condition that exists, if we can do anything to bring about more production of the necessaries of life, and if we can do anything to facilitate their distribution, we ought to do it.

What I respectfully submit is that we ought to face the situation and determine whether we can or can not find and apply remedies. We have not done that yet because we have not taken up this or any large subject except in a piecemeal way——

Mr. MADDEN. The gentleman will not deny, however, that we did grant the legislation recommended by the President, and it has not resulted in any material advantage—the extension of the food-control law.

Mr. MOORE of Virginia. The recommendation was in part approved and in part rejected.

I do not care to be diverted by some discussion of the President or the Postmaster General or Attorney General Palmer. If Mr. Palmer and those who agree with him are incorrect in thinking you can control the cost of living by pursuing the profiteers, then that merely heightens our duty and our responsibility. [Applause.]

As to increasing production and facilitating distribution, I repeat that not one step have we thus far taken in that direction, and we must not think the country is applauding our course. The country is full of discontent, and the criticism of Congress is universal. The people are not contented with the inaction of Congress. What may be the result of their opinion I have no means of predicting, but I am absolutely sure they do not approve the indifferent and do-nothing policy observed by Congress up to this time. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the paragraph.

Mr. Chairman, I agree with the statement of the gentleman from Virginia [Mr. MOORE], that this Congress faces the responsibility at this session of doing something to take care of the food supply of this Nation. I want to direct the attention of the members of this committee to the fact, which ought to be well known, that profit to the farmer is the nerve center of agriculture. And no man on this earth can stimulate production save as he stimulates profit to the man whom we must depend upon to produce. And I want to call to the attention of some of my friends who live in the great cities, that the difficulty about the situation seems to be that when we see the hungry multitudes appealing to us for relief, and we see some interest taking a toll it is not entitled to, we forget the call of the men and women and children asking us to put cheaper food on their table. We are afraid to do it, because we fear offending somebody who wants to make a few million dollars more out of his business. You can not eat your cake and have it too. If you are not willing to cut these unnecessary profits from the people who are taking the toll, who are taking the bread out of the mouths of the men and women and children of this country, you are going to face before the next harvest time hunger-crazed crowds on the streets of your big cities, and then where will be the people who want to make a few more millions of profit off the business they pursue?

Mr. MADDEN. Will the gentleman yield?

Mr. SUMNERS of Texas. I will.

Mr. MADDEN. I would like to have the gentleman suggest his remedy. I would like to join with him in some practical scheme.

Mr. SUMNERS of Texas. I have told you what the practical scheme is. You want a scheme that will reduce the cost of living without taking the profit from anybody now. It can not be done.

Mr. MADDEN. I want a real scheme. Will the gentleman suggest it?

Mr. SUMNERS of Texas. I suggest the only scheme on earth, and I make the statement without fear of contradiction. The only way you can do it, to save your life, is to cut down the expense between the farm and the table, and the only way you can do that is by the method I suggest—and I do not want to make this statement egotistically—the only way you can do it is to make it possible for these farm commodities to move from the point of first concentration to the point of use, in quantity and quality, in accordance with the demand for use, by the shortest route of freight movement, and through the fewest number of hands and the fewest number of profits, and hold the total of intervening profits to the basis of economic value of service rendered. And you can not do it until you create a route around the distributing agents of this country and force the distributor, if he wants to serve, to base his charges upon services rendered instead of his ability to take toll from the people who are concerned.

Mr. MADDEN. How long would it take to put the plan in operation and how soon, under that plan, would we get a cheaper food supply?

Mr. SUMNERS of Texas. It depends on the disposition of Congress and how few people there are throwing monkey wrenches into the machinery. Of course, gentlemen, if we want to do this, we can do it in a hurry, but, mark my words, just behind this question of the high cost of living widespread hunger is coming to this country and no power on earth can prevent it. I have been so interrupted by attempting to discuss this proposition under the five-minute rule that I will here insert a more connected statement.

Whether we come from the country or come from the city, whether we be Democrats or Republicans, there is a unity of interest among us with regard to the great economic problems of agriculture. It is a fact which all Members ought to recognize that agriculture is compelled to bid for its necessary share of the productive energy of this country against every industry, every profession, and every vocation in this country, and that, therefore, in order to hold in the country the necessary share of our productive energy to provide for us the required food and clothing material, agriculture must pay to those engaged in its pursuit as great a net profit as any other industry offers to them.

Individuals change their vocations and change their residences under all sorts of influences, but the mass vocational and residential movements among every free people in every age has been toward the centers of best financial opportunities. They move under the operation of an economic law that is as irresistable as the law of gravitation. The fact that vocational and residential mass movement in this country is away from agriculture demonstrates that agriculture does not constitute a center of best opportunity. In dealing, therefore, with the problem which is so vital in this country at this time, the high cost of living, it is essential for the safety of our Nation, for the production of its food supply, that not only shall the bid of agriculture not be further reduced but that agriculture shall be enabled to increase its bid for productive energy.

From all over this land there comes to us an appeal from those upon whom the cost of the table rests to-day with mighty weight. There comes to us the appeal from those who, due to the cost of their food, are not able to provide proper nourishment for their bodies and for the bodies of their growing children. It is generally understood in this country that between the producer and the consumer there is enormous food waste and many unnecessary profits and charges, and it ought to be perfectly apparent to us as practical men that the only way the cost of the table can be reduced is by bringing to the table those commodities which rot after production and which must be paid for and the price which we give for that which we eat and by eliminating the unnecessary intervening charges and profits.

I wish I had time, gentlemen, to tell you of the enormous food waste after production. On the farm, in congested markets, in the long, haphazard line of physical movement. We have tried to reach this situation by antiprofiteering legislation, by antihoarding legislation, and by bureaucratic administration by departmental regulations. Many other suggestions are made embodying the same general idea of arbitrary bureaucratic control. Whatever of good there may be in the legislation which we have enacted and in the propositions of this character which have been submitted to us, it must be admitted in view of our own experience and the history of the operation of this character of legislation that it should bear the skull and crossbone label with which the druggists mark medicines which are dangerous in their use, though they may sometimes be necessary. These propositions and this character of legislation at best can never reach the seat of our trouble. It does not rest upon the foundation of economic law.

I submit to the judgment of the House that, whatever else we may do in a legislative and regulatory way, there can never be the economic sale and distribution of farm products; there never can be safe relative reduction in the cost of the table until we bring the activity of our National and State agricultural departments, which have been created for the purpose of aiding

agriculture, to deal with its big problems into a practical recognition of the fact that agriculture is a business compelled to compete with all other business and that it has not been able, up to this time, to do as its competitors have done—organize and systematize the selling end of its business. We must recognize that profit to the farmer is now the nerve center of agriculture. We must recognize that farmers are no longer producing primarily to feed and clothe their families from the products of their respective farms, and as an evidence of this recognition the machinery of the Agricultural Department of the Federal Government and of the several States must be coordinated and must commit themselves to the construction of a marketing machinery through which agricultural products may move from points of first concentration to points of need in quantity and quality in accord with the demand or need. Practically all the necessary parts of this machinery are now in existence. There is needed to be done three things:

First, the completion as thoroughly and as rapidly as possible of the standardization of agricultural products. By this standardization we would translate into concise trade terms a universally understood description of the commodity. This, in turn, would give these commodities a commercial status at the point of first concentration and would make them capable of being traded in without an examination of them by the purchaser prior to the trade.

Second, there must be established a system of produce exchange wherein these commodities by description may be listed for sale.

Third, there must be the necessary intermediary inspection of the commodity and supervision of transaction to inspire the required confidence to make possible transactions between entire strangers in commodities which the purchaser has not seen. And there should be an advisory dispatching service similar to that now in operation in the Bureau of Markets, to aid in the sale of nonstandardized commodities. The standardized commodities would move under prior sale by the shortest route to the points of need.

There is nothing visionary in any of these suggestions, the feasibility of each of them has been demonstrated, but in a disconnected way, by the Agricultural Department of the Nation and of the several States. In the Federal farm loan act we have demonstrated the feasibility of all of them. The Federal farm loan act embodies the identical features of all the suggestions here made. In the Federal farm loan act we standardize farm loans, we establish an exchange for farm loans, and provide the necessary supervision and inspection of transaction to make it practicable for a man in New England to buy a mortgage on a Texas farm which he had never seen and never will see, executed by a man whose name he does not know and never will know. This machinery in operation, it must be apparent to each of you gentlemen, would shorten the line of physical movement, would dispense with the absurd and highly expensive custom incident to the long, haphazard movement of agricultural products to great concentration centers, and their reshipment from them frequently back over the very line of their ingoing movement; the physical deterioration incident to their delayed delivery and the expense incident to their being held under the high expense of refrigeration while a consuming market is being found would be eliminated. The waste now taking place in congested markets would be greatly reduced, and the exorbitant prices charged for food in markets inadequately supplied would be reduced, but the most important saving, in my judgment, would result from the fact that the power of distributors to levy toll would be destroyed and the total of intervening profits under the operation of economic law would be held to the basis of the economic value of the service rendered, for the apparent reason that this machinery would constitute a route around any distributing agency seeking to impose a charge greater than the value of the economic service.

Every producing community in the United States which could get together a shipping unit could, through this agency, put it in trade relationship with every market in the United States and through our consular agents abroad, together with the facilities afforded by the local marketing machinery, every producing community would be put in trading relationship with every market in the world. On the other hand, every purchaser or group of purchasers requiring a quantity composing a shipping unit could get in trade relationship with every producing community in the United States. Merchants and distributors could use this agency to the reduction of the charges which they are now required to impose, but they could not do it to the exclusion of private purchasers, and in order for them to serve private purchasers they would have to perform the service of distribution on the basis of value of service rendered. With such a machinery in operation we could dispense with the pestiferous bureaucratic activities which have come so much in vogue of later years. Not only could we dispense with those activities but we could reduce most materially items of expense connected with the operation of our agricultural departments incident to the maintenance of the large field force now engaged in undertaking to instruct our farmers in the mysteries of production. Not one class of agricultural commodities alone would move over this machinery, but the wheat and the cotton of this country and the live stock of the country could move through that agency as well. I have been told by ranchmen that a good cowman can cut a thousand head of white-faced cattle into five bunches of greater uniformity than any expert cotton man can separate a thousand bales of cotton in two. In Georgia now hogs are being sold upon grade.

In my own mind I am certain that it is possible to standardize to a considerable degree manufactured food products as to quality and hygienic condition of production. If this should be found to be feasible, it would be made possible thereby to preserve real democracy in business opportunity in this country. The small manufacturer, through this instrumentality, could be put in trading relationship with the general market, and there would be still remaining enough business advantage to those producing a superior article to keep alive the necessary incentive to improve the quality of manufactured articles.

I wish I had time to present to you in proper sequence the influence brought by the application of steam and electricity to the activities of men, which has made necessary the construction of a bridge to span the distance which now lies between production and consumption. If we are to prevent the business of this country from being monopolized by great business organizations which have within themselves such strength and power that they can exercise arbitrary toll-making power, I respectfully warn you, gentlemen, that we have but one choice in this country—either we must construct this bridge so as to preserve the opportunity of the little man or we can not preserve a democracy of opportunity. And there can be no governmental democracy among a people where the democracy of business opportunity is lost. If this is lost, the next step, and the one which we have been urged to take, would be to have the Government take them over and operate these great agencies under the exercise of bureaucratic power. With this machinery in operation—I do not want this—it would be possible for a city abattoir or for a little packing house to buy its supply of animals and have them shipped directly from the farm. This, in turn, would give the big packing plants a chance to continue to operate under private control, for the reason that whatever opportunity they now have to monopolize the purchase of live stock now held in the great stockyards and to monopolize in the sale of their output, and the prejudice which results therefrom, would be destroyed.

To-day they have but one choice, in my judgment, and that is to submit to the possibility of competition and to depend upon holding their market through their ability to pay as much for live stock and to sell as cheaply as the small plant could do or to come under that degree of governmental control which will eliminate practically all elements of private ownership. As I believe it ultimately would be applied, every little manufacturer would not only have access to the general market but would have purchasing access to the general supply of raw material. With this machinery in operation, the present tendency to develop an agrarian party in this country would subside, because there would be no need for other than community cooperative organizations affiliated for limited general advantage.

There can not be among a people divided along lines of vocational cleavage that degree of national unity and solidarity required to properly stand the strains which from time to time come to test the strength of every nation. But it is not my purpose, Mr. Chairman, at this time to emphasize these considerations, tremendously important as they are. With regard to their importance gentlemen of the House may differ, but with regard to the importance of dividing between the purchaser and the consumer the savings which every practical man must know can be made there certainly can be no difference of opinion. Through the division of this saving we can help agriculture hold those engaged in its pursuit and for whose retention agriculture is now fighting with its back to the wall, fighting against every industry, every profession, and is losing in the fight that can help reduce the cost of the table of the man who lives in the city, that can help to keep the bodies of our people well nourished, which everybody must appreciate is more important now than ever before while we are trying to pass through this world crisis and reach a state of national sanity.

I have introduced a tentative bill embodying these suggestions. The country has not been ready to receive it nor acknowledged its importance. I make this observation not with

the purpose of criticizing anybody. I understood full well when I introduced the bill that the thought and energy of the country was so absorbed in city building and had come so generally to regard agriculture as an inexhaustible commissary useful only to feed business; that it would take time for the realization of the importance of this proposed legislation to impress itself upon the country with whatever persistency possible and with all the patience upon every practical occasion, I have submitted this provision to the consideration of whoever would give me attention. It is impossible, of course, in a brief length of time to discuss analytically a great economic proposition such as is embodied in the suggestions which I have made, but I now make these suggestions to you, gentlemen, and urge that the time has come when we can not afford much longer to delay their enactment into law. The high prices paid for farm products has made us all think; the common sense of the country I believe recognizes the probable efficacy of the suggestions made. I trust that before long this great Agricultural Committee, of whose membership I have the highest respect, will see fit to propose their enactment by Congress.

Mr. MANN of Illinois. Mr. Chairman, I dislike to do it, but I make the point of order the gentleman is not discussing the bill.

Mr. SUMNERS of Texas. I was not trying to do so.

The CHAIRMAN. The question is on the amendment of the gentleman from Texas [Mr. SUMNERS] to strike out the paragraph.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF ANIMAL INDUSTRY.

Salaries, Bureau of Animal Industry: One chief of bureau, $5,000; 1 chief clerk, $2,500; 1 editor and compiler, $2,250; 1 executive assistant, $2,500; 4 executive clerks, at $2,000 each; 10 clerks, class 4; 1 clerk, $1,680; 15 clerks, class 3; 7 clerks, at $1,500 each; 36 clerks, class 2; 3 clerks, at $1,380 each; 4 clerks, at $1,320 each; 1 clerk, $1,300; 3 clerks, at $1,260 each; 161 clerks, class 1; 15 clerks, at $1,100 each; 10 clerks, at $1,080 each; 12 clerks, at $1,020 each; 72 clerks, at $1,000 each; 14 clerks, at $960 each; 53 clerks, at $900 each; one architect, $2,000; one illustrator, $1,400; one laboratory aid, $1,200; one laboratory helper, $1,200; 2 laboratory helpers, at $1,020 each; 1 laboratory helper, $1,000; 1 laboratory helper, $960; 2 laboratory helpers, at $840 each; 1 laboratory helper, $720; 2 laboratory helpers, at $600 each; 1 laboratory mechanician, $1,440; 1 carpenter, $1,140; 2 carpenters, at $1,000 each; 2 messengers and custodians, at $1,200 each; 1 quarantine assistant, $900; 1 skilled laborer, $1,200; 3 skilled laborers, at $1,000 each; 11 skilled laborers, at $900 each; 1 painter, $900; 2 laborers, at $900 each; 11 messengers or laborers, at $840 each; 3 laborers, at $780 each; 29 messengers or laborers, at $720 each; 4 laborers, at $660 each; 24 laborers, at $600 each; 32 laborers, at $540 each; 30 laborers, at $480 each; 2 messenger boys, at $660 each; 3 messenger boys, at $600 each; 25 messenger boys, at $480 each; 8 messenger boys, at $360 each; 1 charwoman, $600; 2 charwomen, at $540 each; 17 charwomen, at $480 each; 5 charwomen, at $360 each; 2 charwomen, at $300 each; 7 charwomen, at $240 each; in all, $656,390.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. I want to give the chairman of the committee some specific information regarding one subject of appropriations in this bill, concerning which, apparently, he exhibits dense ignorance.

Mr. HAUGEN. What paragraph is that?

Mr. BLANTON. That is concerning the subject of messenger service. The chairman confined his——

Mr. MADDEN. Mr. Chairman, I make the point of order we are not on the messenger-service proposition.

Mr. BLANTON. Yes, we are on the messenger service; because this very section, as the gentleman would know if he had read the bill or had listened to the reading clerk read it, provides for 30 different messengers here, on the top of page 11.

Mr. Chairman, in this bill, besides these 30 messengers, in the Secretary's office there are 70 messengers provided. In the Farm Management Office there are 5——

Mr. MADDEN. Mr. Chairman, I make the point of order the gentleman is not talking to the paragraph.

Mr. BLANTON. I am, because I am going to show that these 30 messengers in this particular paragraph are unwarranted and not needed.

Mr. MADDEN. Mr. Chairman, I make the point of order against the gentleman. The gentleman can talk about the 30 messengers, but not about the others.

The CHAIRMAN. The gentleman makes the point of order the gentleman from Texas is not in order, that the gentleman made a pro forma amendment and is not discussing the pro forma amendment.

Mr. BLANTON. Mr. Chairman, I move to strike out the paragraph. And I do that for the purpose of reaching this messenger service that is not needed. Proceeding, I wish to state that for the Secretary's office alone there are 70 messengers allowed in this bill, in the Farm Management division there are 5 messengers, and in the Weather Bureau there are 166 messengers, and following, on page 7, an unlimited number of messengers are authorized. In the Bureau of Animal Industry there are 80 messengers authorized.

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. No; I regret I can not. I have not the time. In the Bureau of Plant Industry there are 167 messengers. In the Forest Service there are 49 messengers. In the Bureau of Chemistry there are 24 messengers. In the Bureau of Soils there are 4 messengers; in the Bureau of Entomology there are 12 messengers; in the Bureau of Biological Survey there are 3 messengers.

Mr. MADDEN. Mr. Chairman, I make the point of order that the gentleman is not speaking to his motion. I want to call the Chair's attention to the fact that he is dealing with five or six paragraphs in the bill, when he only moved to strike out the pending paragraph.

Mr. BLANTON. I am speaking of the enormous number of useless, idle, messengers allowed in this whole bill.

The CHAIRMAN. The Chair thinks the gentleman can refer to other sections of the bill.

Mr. BLANTON. I hope the Chair will not take this interruption out of my time. This is only attempted facetiousness on the part of the gentleman from Illinois, and it is so seldom that we have any facetiousness from him that I hope the Chair will not take it out of my time. [Laughter.]

In the Division of Accounts and Disbursements there are 2 messengers; in the Division of Publications 41 messengers; in the Bureau of Crop Estimates 8 messengers; in the department library—there is a library provided by generous Uncle Sam and a foolishly generous Congress for every department—5 messengers; in the State Relations Service there are 26 messengers; in the Bureau of Public Roads 21 messengers; in the Bureau of Markets 53 messengers; in the Bureau for Enforcement of the Insecticide Act 3 messengers; and in the Federal Horticultural Board 4 messengers, making, in all, a grand total of 743 messengers drawing salaries from a maximum of $960 down. And, Mr. Chairman and gentlemen, in addition to that salary each one of these 743 idle, useless, salary-drawing messengers is drawing, as the chairman of this committee knows—each one of them draws—a bonus of $240 each year in addition to his salary; each one of them.

Seven hundred and forty-three messengers in the Department of Agriculture alone! And yet the leader of this Congress—of the majority, at least—tells us that they have cut down, they have cut off, all possible extravagance out of this bill; and because the department asks the gentleman from Iowa [Mr. HAUGEN] for all these 743 messengers, and because, I presume, there is such a feeling of courtesy—not senatorial courtesy, but Iowa courtesy—existing between the gentleman from Iowa, the chairman of this committee, and the gentleman from Iowa, the new Secretary of the Department of Agriculture, one Iowa man can not turn another Iowa man down. [Laughter.]

We ought to cut these 743 messengers down to about 43, and thus save the money of the people, and send the other 700 messengers to the farms of Iowa, and then you would have smaller taxes to be imposed upon the people. [Applause.]

Have we not heard complaint being made of farm labor being scarce in Iowa? Do not the farmers of Iowa need laborers? Is it not a fact that maximum food production is highly essential and necessary? Is there not entirely too much congestion of food consumers in the cities, who are producing nothing? Are not these idle, pampered, dandy-dressed messengers in our way every time we try to walk through the halls of the Agricultural Department? Is every chief and subchief, every head and subhead, every clerk and stenographer, and every subclerk and substenographer in the Agricultural Department to be furnished by us with a whole coterie of these highly paid flunkies, drawing Government salaries from $960 down, with an additional bonus of $240 added to it, when we are facing a deficit of over $3,000,000,000, and we have already taxed the people until they can hardly bear it? I say, are we going to do it? It is up to the Republican majority to answer. I am against it. I will vote with you to stop it. I will help you to economize. I will help you to reduce taxes. You will find other Democrats over on this side of the aisle who will help you. Why can you not swing your Republican colleagues into line? Your Iowa voters and constituents will approve of it, even though we do have to turn down the requests of the new Iowa Secretary of Agriculture.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Texas [Mr. BLANTON].

Mr. RUBEY. Mr. Chairman, I rise in opposition to the motion of the gentleman from Texas to strike out the paragraph, and in connection with that I want to say this: An examination of the Department of Agriculture in regard to the messenger work will disclose this fact, that probably nine-tenths of the so-called

messengers in the Department of Agriculture are actually doing clerical work. They are doing a whole lot of other work besides simply running about and carrying messages. The name "messenger" is a misnomer. That is the sum and substance of the situation. They can not get clerks over there for $900 or $1,000 or $1,200. They have to get these low-salaried clerks from the Civil Service Commission under the title of "messengers," and they put them in to do that kind of work. They are doing a class of work that somebody has got to do.

Mr. BEE. Mr. Chairman, will the gentleman yield for a question?

Mr. RUBEY. Yes.

Mr. BEE. I notice that the language is quite often used, "messengers or laborers."

Mr. RUBEY. Yes.

Mr. BEE. Are there laborers who are called "messengers"?

Mr. RUBEY. There are messengers who are doing laborers' work.

Mr. BEE. That is what I wanted to know. What proportion of these messengers that my colleague [Mr. BLANTON] has referred to are laborers in the department?

Mr. RUBEY. I can not say, but a large part of these 743 messengers mentioned by the gentleman are doing clerical work. If they were really messengers there would be too many, but they are, many of them, simply doing clerical work.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. RUBEY. Yes.

Mr. LANHAM. Are these laborers worthy of their hire?

Mr. RUBEY. Oh, sure; no doubt about that.

The CHAIRMAN. The question is on the motion of the gentleman from Texas [Mr. BLANTON] to strike out the paragraph.

The question was taken, and the motion was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For investigating the disease of tuberculosis of animals, for its control and eradication, for the tuberculin testing of animals, and for researches concerning the cause of the disease, its modes of spread, and methods of treatment and prevention, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, State, Territory, or county authorities, $1,300,000, of which $800,000 shall be set aside for administrative and operating expenses, $100,000 of which shall be immediately available, and $500,000 for the payment of indemnities: *Provided, however*, That in carrying out the purpose of this appropriation, if, in the opinion of the Secretary of Agriculture, it shall be necessary to destroy tuberculous animals and to compensate owners for loss thereof, he may, in his discretion and in accordance with such rules and regulations as he may prescribe, expend in the city of Washington or elsewhere out of the moneys of this appropriation such sums as he shall determine to be necessary, within the limitations above provided, for the reimbursement of owners of animals so destroyed, in cooperation with such States, Territories, counties, or municipalities as shall by law or by suitable action in keeping with its authority in the matter, and by rules and regulations adopted and enforced in pursuance thereof, provide inspection of tuberculous animals and for compensation to owners of animals so destroyed, but no part of the money hereby appropriated shall be used in compensating owners of such animals except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of such animals shall take place; nor shall any payment be made hereunder as compensation for or on account of any such animal destroyed if at the time of inspection or test of such animal, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any tuberculous animal destroyed shall exceed one-third of the difference between the appraised value of such animal and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, or municipality where the animal shall be condemned; and that in no case shall any payment hereunder be more than $25 for any grade animal or more than $50 for any pure-bred animal, and no payment shall be made unless the owner has complied with all lawful quarantine regulations: *And provided further*, That the act approved May 29, 1884 (23 Stat. L., p. 31), be, and the same is hereby, amended to permit hereafter cattle which have reacted to the tuberculin test to be shipped, transported, or moved from one State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia for immediate slaughter, in accordance with such rules and regulations as shall be prescribed by the Secretary of Agriculture: *And provided further*, That the Secretary of Agriculture may, in his discretion, and under such rules and regulations as he may prescribe, permit cattle which have been shipped for breeding or feeding purposes from one State, Territory, or the District of Columbia to another State, Territory, or the District of Columbia, and which have reacted to the tuberculin test subsequent to such shipment, to be reshipped in interstate commerce to the original owner.

Mr. RUBEY and Mr. TILSON rose.

The CHAIRMAN. The Chair will recognize the gentleman from Missouri, a member of the committee.

Mr. TILSON. I reserve a point of order against the paragraph.

Mr. RUBEY. I move, Mr. Chairman, to strike out the last word.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. RUBEY. I do so, Mr. Chairman, for the purpose of making just a brief statement. A little while ago, when I was speaking under general debate, one of the members of the committee on the other side seemed to take me to task with a statement that I was hardly fair. Now, I always want to be eminently fair. When I suggested that we might very well appropriate $200,000 or $300,000 additional for this work I did it on my own responsibility.

We began this work three or four years ago. We brought in a small appropriation; I believe it was in 1916 or 1917. The next year we brought in an appropriation for $500,000, and last year we made an appropriation for $1,500,000. Now, when we made the appropriation of a million and a half the committee provided that $500,000 of that should be used for the actual demonstration work, the work of eradication, and that $1,000,000 of it should be used for the purpose of reimbursing owners for cattle slaughtered. Now, when the department put that into operation it was very soon demonstrated that it would not take that proportion of the money to pay for the cattle that were slaughtered, and the committee found out—and we were a unit on it—that we could divide that sum of $1,300,000 and devote a less sum for the payment of slaughtered animals and a larger amount for the actual work of eradication. So by giving them $1,300,000 the department will be able to do as much work in the coming year as it did with the $1,500,000 last year, because they have got their organization formed and they have the benefit of a year's experience, and they can do more work with that sum of money than they could a year ago.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. RUBEY. I will.

Mr. MANN of Illinois. For the current year we appropriated $500,000 for administrative and operating expenses. Why has not the department lived within that appropriation? When a certain sum is appropriated for certain purposes, why does the Agriculture Department, like other departments, immediately proceed to form an organization that will take more money than we have appropriated?

Mr. RUBEY. They have lived within the appropriation, except that, as the gentleman says, they have organized so extensively that they will run out before the year winds up.

Mr. MANN of Illinois. Oh, I understand they have not spent more than the $500,000.

Mr. RUBEY. That is true.

Mr. MANN of Illinois. We have not ended the year yet; but they have an organization that will cost more than $500,000 before the end of the year.

Mr. RUBEY. That is true.

Mr. MANN of Illinois. And they deliberately organized it.

Mr. RUBEY. I would not say deliberately. I can not agree with the gentleman on that.

Mr. MANN of Illinois. Well, perhaps hastily, perhaps temperamentally. I supposed that what they did was done deliberately.

Mr. RUBEY. The proposition, as I understand it, is that they perhaps organized with a force which they thought would practically consume the $500,000 by the end of the year.

Mr. MANN of Illinois. The law requires them to apportion that money, I take it?

Mr. RUBEY. Yes.

Mr. MANN of Illinois. And to expend not more than one-twelfth of the appropriation in any month, or more than one-third of it in any quarter, unless the Secretary certifies otherwise. Why have they not made some pretense of living within the law?

Mr. RUBEY. The probabilities are that when they began their organization it took for the first few months more than would be required afterwards, and that necessarily thereafter they would spend a smaller amount each month.

Mr. MANN of Illinois. Then they ought to have something saved instead of making an organization that in the end would spend a good deal more than the amount appropriated.

Mr. RUBEY. I agree with the gentleman in that regard. We have made available here $100,000 of this money in order to carry out that very organization that the gentleman speaks about. I agree with the gentleman that the department have not properly balanced their working force.

Mr. MANN of Illinois. I was disposed at first to make a point of order on that $100,000. As far as I am concerned I do not intend to do it. But I am utterly tired of seeing every department and branch of the service, when it is given a certain amount of money for a certain purpose, deliberately proceed to expend that money in a portion of the year, so that in order to continue its organization it must have a deficiency appropriation.

Now, there are many deficiencies that arise naturally, but this sort of a deficiency arises from violation of the law. I doubt whether we ought to condone it. It is a good service and we can not afford to stop it. I do not know how much of a rasping the committee gave the department officials, but I hope it went to the raw.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. MANN of Illinois. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Missouri [Mr. RUBEY] may be extended five minutes. Is there objection?

There was no objection.

Mr. RUBEY. I agree in part with what the gentleman from Illinois [Mr. MANN] has said, but I would not say that the department has deliberately organized its forces for the purpose of getting additional money. The department has no doubt allowed its enthusiasm to do its work properly to lead it to create an organization greater than it will have enough money to provide for during the time covered by the original appropriation. I simply wanted to make this statement for the purpose of showing my coworkers on that side on the committee that I did not intend to be unfair. I agree with you thoroughly that with this $1,300,000 they will be able to accomplish as much in the coming year 1921 as they have in 1920, but I do believe that with this splendid work now organized throughout the country we can very well afford to add to it $200,000 more. I am not going to make the motion. I simply am presenting my views on this particular question. I did not agree with you entirely on this question when you first started out. Three years ago I voted in the committee against the increase, because I was not satisfied concerning the character of the work that could be done; but I have studied it, I have obtained all the information I can upon the question, and I believe the work of eradicating tuberculosis in cattle is a great work and that we ought to carry it on as rapidly as we possibly can.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, this is comparatively new work. It was begun about two years ago, as the gentleman from Missouri [Mr. RUBEY] says, over the protest of himself and a number of other members of the Committee on Agriculture. It is good work and ought to be continued, but I have some criticism of the extent to which the bureau is going.

The bill last year provided $500,000 for administration and $1,000,000 to pay indemnities. It is clear that enough money must be made available for indemnities; that there must be no considerable cut in that, because it would be a serious matter if we were to fall short of the amount of money necessary to pay the Government's part of the indemnity. The $1,000,000 provided for indemnities is in all probability a larger amount than will be needed, but it is a sort of insurance fund. This year, up to the time the officials of the bureau appeared before the Committee on Agriculture, only about $200,000 had been used for paying indemnities; but it appeared that by the 1st of February they would have used up the entire $500,000 set aside for administration, so they asked us to provide $100,000 to be available for administration for the rest of the fiscal year, and to make the amount available for administration for next year $1,000,000, or $500,000 more than was available during the current fiscal year. The committee refused to do that, and I was one of those who advised refusing it.

I said I had some criticism to make of the work. The work is good work; the officials of the bureau are capable, earnest, and conscientious, but in my judgment more of the work ought to be done by the Department of Agriculture by way of working out remedies and teaching the people by demonstration how to use remedies than by doing the actual physical work of administering medicine. A proper remedy has been worked out, and the method of applying it is so easy that any veterinarian knows how or should know how to apply it.

In my judgment it is not necessary for the Government to have an immense force all over the country engaged so largely and at such great expense in doing work that almost anyone can do.

The answer to that, as we learn by the testimony of gentlemen appearing before the committee, is that the State employees and veterinarians employed by the State are incompetent and that some of them are dishonest; that they are careless, or worse, in making tests and in the issuing of certificates; that evidently, sometimes, by collusion between a local veterinarian and the owner of cattle the work is improperly done and the certificate is not reliable, with the result that when stock is bought in one State for shipment to another the certificate to the effect that the stock is free from tuberculosis, issued in the State where the animals are bought, is not accepted by the purchaser in the State to which the shipment is made. The upshot of this unfortunate state of affairs is that Federal inspectors and Federal officials are asked to go into the States to do the quite simple and easy work which the State men fail or refuse to do. Purchasers of cattle shipped across State lines demand certificates issued by Federal authority because only such certificates can be safely accepted.

It is insisted by sincere friends of the work the bureau has done that continuation of it by the present plan and on the present scale is neither necessary nor proper. As long as the Federal Government will do the work, that unfortunate condition in the States will continue. It is, in fact, putting a premium on inefficiency in the States. All they have to do is to encourage or permit these veterinaries or others employed with the State's money to do the work to do it carelessly and improperly, and then in steps the Federal Government with the men and money necessary to do the work. Just as long as that situation is permitted to prevail, as long as we listen and answer the call of the States for money to do the work that they ought to do, just so long immense appropriations of this kind will be necessary.

Mr. TILSON. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Certainly.

Mr. TILSON. Does the gentleman believe that it is a wiser division of the funds as proposed in this bill than that in last year's bill—increasing the administration and operating expenses from $500,000 to $800,000 and decreasing the amount available to pay indemnities by one-half?

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN of Michigan. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. In answer to the gentleman from Connecticut I will say that in my judgment more money is asked for than should be appropriated. It is evident that $1,000,000 available for indemnity is much larger than necessary, but only such part as is necessary will be used.

Mr. TILSON. Does the gentleman think that $100,000 should be made immediately available?

Mr. McLAUGHLIN of Michigan. The officials of the department have done the very thing that the gentleman from Illinois [Mr. MANN] spoke of. Five hundred thousand dollars was made available by the last bill for administration. Officials deliberately—and I use that word to the gentleman from Missouri—the officials of the department deliberately laid out a plan involving an expenditure of several hundred thousand dollars more than the amount appropriated. They knew that they had only $500,000, but they laid out a plan that would make necessary an expenditure of $700,000 or $800,000, and then they come to Congress and ask for an increase of that amount so that the men employed in a kind of work that almost anybody can do shall be continued in their places.

Mr. BENSON. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. BENSON. The gentleman knows that those same officials saved the Government in other sections $800,000 on indemnities, does he not?

Mr. McLAUGHLIN of Michigan. They paid indemnities only where it was necessary. They had expended $200,000 up to the time they appeared before the committee. They did not save the States any money, because the States had to contribute in the same proportion as the Federal Government contributed. When the deficiency bill was before the House it was evident that many of the department bureaus were doing just as the Bureau of Animal Industry has done. There was no limit put on the work in accordance with the appropriation; they did not lay out the work in keeping with that amount, but deliberately laid out work on a larger scale, trusting to being able to come to Congress later on and get more money. In my judgment—and as I felt when the bill was before the committee—we ought not to accede to the demands of the bureau and provide them with the full amount they asked for next year. I am, however, in favor of supplying immediate needs. The bureau has men out in the field who must be discharged in a few days unless money is made immediately available. The work going on is good work. My criticism is that the States ought to do more and ask less of the Federal Government, but if Congress determines it shall be done and that we shall go on supplying the deficiency, well and good. Under no other circumstances is so much money necessary.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. GREEN of Iowa. Our Government is spending large sums of money endeavoring to discover serum which will inocu-

late against various diseases. In some cases they are successful. If they could discover a serum to inoculate these officials against this infection which seems to be spreading among them of spending more money than is appropriated, I think it would be more valuable than any so far discovered. [Laughter.]

Mr. BEE. Would the gentleman make it retroactive, so that it would go back to the Republican administration?

Mr. GREEN of Iowa. I would go back as far as necessary.

Mr. YOUNG of Texas. Mr. Chairman, I want to say this about the tuberculosis item in this bill in answer to the criticism of the department made by the gentleman from Michigan [Mr. MCLAUGHLIN]. The department is not justly subject to this criticism. A few years ago when the tubercular item first came before this body Congress itself, as the gentleman from Illinois [Mr. MCKINLEY] knows, made a great appropriation here and said to that department, "You go after tuberculosis among stock." We gave them a sum of money that they did not ask for. Why did you give it to them? We said to them that the herds of cattle throughout the Nation were dying of tuberculosis, that the hogs were dying of tuberculosis, that the disease was going into the families of the country by reason of the tuberculosis in cattle and stock, and we told the department to go ahead and spend this money and stamp out this disease and protect these herds and protect the people. How are you going to do this through this department if the department does not do it through its employees and experts which it has on the pay roll? Congress is responsible for it. We expected them to get the machinery together, and they did get it together. They laid out their program, and they have undertaken to do this work and have made headway in it. I do not think we ought to cripple them, because these herds are at stake and the health of the people is at stake. Of course in attacking so great a problem as this, being human beings, some of the money must of necessity have been wasted, but I undertake to say they have done the best they could with the money that we gave them. Now, since they have set up the machinery we forced them to set up we should not criticize them when they come and say, "Here is the machinery, we are doing this work, and it is going to take such and such a sum of money to do it."

Furthermore, Mr. Chairman, I believe it is the work the Federal Government ought to engage in, in cooperation with the States, the States matching dollar for dollar. We set up all sorts of quarantine regulations as a Federal Government, and say that the people can not ship cattle in interstate commerce under certain circumstances, and we shut out a State or a community by the power of the Federal Government in order that we may stop the disease from going into sections of the country where it does not at present exist. Since we exercise this extraordinary power through the Federal Government, in stopping from commerce cattle and hogs, then, I say, there comes coincident with the exercise of that power by the Federal Government the corresponding duty that as a Federal Government, representing all of the people, we should appropriate from the money of all of the people to relieve against the increase of diseases in stock that threaten the whole live-stock industry.

This department has done great work. It has done great work with respect to hog cholera and tuberculosis in cattle, with respect to the Texas fever from the cattle tick. They have done a wonderful piece of work. This is a great national problem, because unless you stamp out these diseases among our stock, our people can not be fed. I am tired of this eternal criticism of the department, when, as a matter of fact, we asked them to start these enterprises and when we say now we will withdraw these funds. They have expended and have wisely cooperated with the States, because these are great propositions that affect every citizen of the Nation, and my friend Mr. MCKINLEY, who has been so zealous in behalf of this item, will agree with every word that I have said in respect to the tubercular item.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SAUNDERS of Virginia. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is to ascertain whether the gentleman from Connecticut desires to make the point of order.

Mr. TILSON. I reserved the point of order for the purpose of asking some questions not only concerning the item which the gentleman from Illinois has called to the attention of the committee, but also in respect to the item on page 15, where an amendment is proposed to the act approved May 29, 1884, establishing the Bureau of Animal Industry. I do not wish to make any captious points of order, and if the matter is explained to me perhaps I shall not make the point of order at all.

Mr. SAUNDERS of Virginia. If the gentleman withdraws his reservation, he can get all of the information that he desires.

Mr. TILSON. Then it would be too late to make the point of order if I discovered that in my judgment the point of order should be made.

Mr. SAUNDERS of Virginia. We have been drifting along here for quite a while. Has the gentleman gotten that information?

Mr. TILSON. I have not had a chance to get the floor. Members of the committee have claimed the floor and this is my first opportunity.

Mr. SAUNDERS of Virginia. The gentleman has the right to the floor under his reservation of the point of order. I think we better get along. If there is anything in the point of order, let it be ascertained.

Mr. TILSON. It is clearly an amendment to the act mentioned and is not in order.

Mr. HAUGEN. There is no question about the point of order if the gentleman insists upon it.

Mr. SAUNDERS of Virginia. I will wait a while, and perhaps the gentleman will pick up his information, but if he does not get along any faster I shall insist upon the regular order.

Mr. HAUGEN. If the gentleman makes the point of order I wish him to make it only as to the word "hereafter," so that it will not be permanent law.

Mr. TILSON. It may be that it ought to become permanent law, and that is the reason for my inquiry.

Mr. HAUGEN. The language explains itself. It is an item generally agreed to by the department and everybody interested.

Mr. TILSON. Why has it not been done before?

Mr. HAUGEN. We did carry it in the annual appropriation bill, and now desire to make it permanent, so as not to make it necessary to carry it in every bill.

Mr. TILSON. How long has it been carried in the annual appropriation bill?

Mr. HAUGEN. One year.

Mr. TILSON. And the gentleman is convinced that that act ought to be permanently amended?

Mr. HAUGEN. That part should be amended. It simply gives permission to ship cattle back into the State from whence they come for immediate slaughter. It was agreed upon by all the stockmen and by the department and the department and the stockmen agreed upon the language and we put it in exactly as they wanted it. I do not know that there is any objection to it.

Mr. TILSON. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. TINCHER. Mr. Chairman, I move to strike out the last four words. Mr. Chairman, I should not take time at this time to indulge in any remarks were it not for the fact that the gentleman from Missouri [Mr. RUBEY], a member of the committee, stated that his remarks on this subject were prompted by my question to him during general debate. I understood the gentleman in general debate to criticize the committee for reducing the appropriation, and on the face of the bill it does have the appearance of reducing the appropriation, for the appropriation last year carried a million and a half dollars and this year $1,300,000. However we should consider the fact that $1,000,000 of that appropriation last year was confined to the payment for cattle destroyed in the eradication of this disease, and the department said that only $200,000 of that money would be used, and the appropriation this year carries $500,000 for that purpose, and the appropriation of $500,000 last year for administration was increased to $800,000 for this year, $100,000 being made immediately available for this year. So it is hardly fair to say that the appropriation was decreased. However, there is a principle involved in this proposition that the House of Representatives might just as well face now as any other time. It is impossible to eradicate the disease of tuberculosis among cattle, in my judgment. It is as impossible to do that as it would be to eradicate climatic conditions in the United States. However, a test for tuberculosis has been discovered and is practical, and it is possible to eradicate from dairy herds by test tuberculosis, and it will be possible with the meat-inspection laws that we have and with proper laws with respect to milk conditions to have pure milk, but it will never be possible, in my judgment, to eradicate tuberculosis. Now, stop and think for a minute. We have a test. The amount of the appropriation depends upon how many cattle you test. A man who owns a dairy herd can have his cattle tested. The Government will join his State in paying him for eradication of tubercular cattle. He can hire his own veterinary to have them tested or he can wait until the Government-paid veterinary gets there. I say to you gentlemen of the committee that over two-thirds of the men having tests made to-day are paying for it themselves. The other one-third are waiting for the Government veterinary to make the test. We might just

as well figure next year and the year after there will be an application for an increased appropriation for Government veterinarians to do this individual work, and the principle involved is whether the Government is going to do it. It is unfair to do it for one man and not to do it for another, and if we are going to do it for every man, then this bill must call for a billion of dollars instead of a million, and that is something I would suggest, gentlemen, is worthy of the consideration of the Members of this House.

Mr. BENSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on the paragraph and all amendments thereto close in 10 minutes. Is there objection? The Chair hears none.

Mr. BENSON. Mr. Chairman and gentlemen of the committee, in speaking on this section of the Agricultural appropriation bill I speak as one coming from a district that is about half rural and half city. The city people are just as much interested in this particular legislation as those who own cattle, and everyone realizes that although it might be desirable to have the State and local veterinarians do this work, which they now do to a certain extent under local regulations, yet if it is not done there is nothing to prevent the shipping of milk into the cities across the State lines and infecting the people of the communities with tubercular milk.

We also know that it is practicable to test the herds of high-grade cattle, and it is from the herds of high-grade cattle that most of the breeding is done.

I read an editorial in the Baltimore Sun the other day that called attention to the possibility of the farmers striking. This they will never do. But there are many farmers who, as soon as they have the opportunity, are going out of the farming business. There are many of their sons leaving the farm. Up in Harford County, as well as in the other two counties in my district, old experienced farmers are selling their farms, not because they really desire to quit farming but because they are forced to do so. One prominent farmer, who was formerly a canner, and who has made a success of the farming and canning business as well as raising cattle, recently sold his home, consisting of a large farm, for no other reason, in my opinion, except that it was impossible for him to do all the work himself, and he did not have the cooperation of others which would enable him to continue farming.

The condition of the farmer to-day is more uncertain than any gamble that I know of, and if there is anything the Department of Agriculture and Congress can do that is practical to help the farmers it ought to be done and done without question, not only for the benefit of the farmers but for the benefit of this country at large.

Representing, as I do, a constituency half city and half country, I think I am in a position to realize that one is absolutely dependent upon the other, and that the success and prosperity of this country depends upon the reduction in the price of food. The farmer is entirely willing to have it reduced within reasonable bounds if he can produce it at reasonable cost. And what use is it for the farmer on his farm to have his herd tested and part of it destroyed if the farmer on the next farm does not do the same thing, although his herd is tubercular?

And this educational work that these men are doing throughout the country is the best work, in my judgment, not only for the farmers, but the best work for the people throughout the country. I have heard a good deal of discussion to-day that is very foreign to this bill, discussion in way of criticism of Congress and of the President of the United States, because nothing has been done to relieve the present conditions throughout the country. But I do say that we have here in this bill a practical thing that we can do for the benefit of all the people, and that is what we ought to be looking for in every piece of legislation that we produce. If we spend money to get practical results for the farmers and for the people throughout the country generally, you will find no criticism about high taxes because of anything in this provision of the bill. The farmers are for this legislation, because they have been educated up to it by the Department of Agriculture and now appreciate the beneficial results from this work.

There is no more important conservation measure than this section of this bill in its effort to reduce and ultimately eliminate tuberculosis in cattle. This is essential in order that pure milk may be furnished to the people and to keep the price of meat within reasonable bounds. To allow the further spread of tuberculosis in cattle is unthinkable.

Mr. McKINLEY. Mr. Chairman, I move to strike out the last few words. What the gentleman from Texas [Mr. YOUNG] said is very true, indeed, in regard to this matter. The bill three years ago carried, I think, only $170,000 for the prevention of tuberculosis. The Central West, the States that raise the hogs and the cattle, brought great pressure to bear down here to have the amount increased, and it was increased not at the recommendation of the department, but on the recommendation of the cattle and hog raisers. I think that we appropriated $1,500,000 last year; that was divided up and $500,000 used for administration and the balance to pay damages. The department asked $2,000,000, and spent $1,000,000 for administration and $500,000 for reimbursement of damages. Many cattle are found to be affected with tuberculosis, and consequently the amount for administration, which means for inspection, settles the amount that must be paid out for damages. The department came before us about the middle of December. They reported for five months' administration, which had taken about $200,000. They will probably need for the year about $500,000 to repay damages. When we stop to think, we people who eat the meat and we people particularly that eat pork, that in some of the packing houses in some of the cities as many as 25 per cent of the hogs were found to be affected by tuberculosis, and even in the large packing centers like Chicago as many as 10 per cent or more were affected by tuberculosis, it certainly seems right that something should be done to stop that. It is not pleasant to think that we possibly are getting hold of meat of that kind. I would deprecate very much, indeed, to see the amount of money which we have asked for administration, and which means inspection of cattle herds, reduced, and I hope it will not be done.

Mr. TILSON. Will the gentleman yield for a question?

Mr. McKINLEY. I will.

Mr. TILSON. The use of this $800,000 for this purpose would, after all, be only what we might call a "drop in the bucket." They could examine such a small portion of the hogs and cattle of the country that it would nothing like meet the situation. Must not the situation be met by the owners of cattle and hogs themselves, by having the test made by their own veterinarians?

Mr. McKINLEY. Mr. Chairman, 45 out of 48 States are now operating. They are getting thoroughly alive to the matter, and in the last two years, in which this active work has been done, they have reduced the percentage to about 20.

Mr. TILSON. Is it the expectation of the gentleman that the Government shall do all of this inspecting work?

Mr. McKINLEY. Oh, the Government is not doing all.

Mr. TILSON. Would it not cost, as the gentleman from Kansas said a few moments ago, a billion dollars instead of a million if it were required that the Government should test for tuberculosis all the cattle and hogs in the country?

Mr. McKINLEY. It is not doing all. A billion dollars is really too much for me to consider what it is.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BENSON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. RICKETTS. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Ohio makes the same request. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For investigating the disease of hog cholera, and for its control or eradication by such means as may be necessary, including demonstrations, the formation of organizations, and other methods, either independently or in cooperation with farmers, associations, State or county authorities, $510,000: *Provided*, That of said sum $188,280 shall be available for expenditure in carrying out the provisions of the act approved March 4, 1913, regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals: *And provided further*, That of said sum $29,520 shall be available for researches concerning the cause, modes of spread, and methods of treatment and prevention of this disease.

Mr. RUBEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment.

The Clerk read as follows:

Amendment offered by Mr. RUBEY: Page 18, line 1, strike out "$510,000" and insert "$585,000."

Mr. RUBEY. Mr. Chairman, I am not going to detain the committee. I want this question to be voted upon.

We began the hog-cholera work in 1912. In 1913 we appropriated $500,000 for it. We have carried on this work now ever since that time. We have our organization in almost

every State of the Union—in all the hog-raising States. I simply ask this committee to put this item back to $585,000, which is less several thousand than we had last year. Last year we appropriated $641,045. The subcommittee this year reported to the full committee $585,000, and I am going to ask this committee to restore that sum—$585,000.

I want to say, Mr. Chairman, that this is one item where we are doing something that will benefit the farmers of this country. We began away back yonder when hogs were dying at the rate of 137 for every thousand. We have reduced the number until it is now 37 for every thousand. The Government has saved the American farmers hundreds of millions of dollars by its hog-cholera work.

Now, it may be stated on the floor of the House that this work is simply done by sending out men here and there to make speeches, and so forth. The work is not done in that way. Every State has its organization, with three or four Government men there cooperating with the State. My State has built a station. My State is spending thousands of dollars every year in this work. I am not asking this appropriation to help Missouri, because Missouri is the best organized State along this line of any in the Union. I am asking this appropriation to help the farmers in other States, where they have not had the benefit of this work. I want you gentlemen to help out on the hog-cholera proposition. I do not desire to take any further time, Mr. Chairman.

Mr. HAUGEN. Mr. Chairman, it is now nearly 5 o'clock, and I move that the committee rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. LINTHICUM, for three days, on account of illness.

To Mr. MCLAUGHLIN of Nebraska, for one week, on account of important business.

To Mr. STEVENSON (at the request of Mr. DOMINICK), indefinitely, on account of illness.

To Mr. RAINEY of Alabama, indefinitely, on account of sickness in his family.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 3381. An act for the relief of Gertrude Lustig; to the Committee on War Claims.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3327. An act granting certain rights of way and exchanges of the same across the Fort Douglas Military Reservation in the State of Utah.

ADJOURNMENT.

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 59 minutes p. m.) the House adjourned until to-morrow, Saturday, February 7, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting estimates of appropriation to provide for a Federal office building at St. Louis, Mo., and for a customhouse at Sitka, Alaska (H. Doc. No. 643); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Attorney General, transmitting report in response to House resolution 394, in connection with the fixing of prices for sugar (H. Doc. No. 644); to the Committee on the Judiciary and ordered to be printed.

3. A letter from the Secretary of the Navy, transmitting report on necessity for the construction of tenders for destroyers and asking that appropriation be made to utilize certain fabricated ship material now at the Hog Island Navy Yard for that purpose; to the Committee on Naval Affairs.

4. A letter from the chairman of the Public Utilities Commission of the District of Columbia, transmitting reports on the various public utilities under its jurisdiction; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. NOLAN, from the Committee on Patents, to which was referred the bill (H. R. 7157) to amend section 5 of the trademark act of February 20, 1905, reported the same with amendments, accompanied by a report (No. 601), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PARRISH: A bill (H. R. 12375) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; to the Committee on Indian Affairs.

By Mr. ESCH: A bill (H. R. 12376) to control the exportation of helium gas; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: A bill (H. R. 12377) to amend the act approved July 11, 1919, being an act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes; to the Committee on Military Affairs.

By Mr. McKEOWN: A bill (H. R. 12378) requiring the filing of certain information by associations, societies, leagues, gatherings, or individuals who seek to influence legislation or public opinion by means of propaganda or written communication from their officers, members, or friends; to the Committee on the Judiciary.

By Mr. STEAGALL: A bill (H. R. 12379) amending section 13 of the act approved December 23, 1913, known as the Federal reserve act, as amended by the act approved March 3, 1915, act approved September 7, 1916, and act approved June 21, 1917; to the Committee on Banking and Currency.

By Mr. STEENERSON: A bill (H. R. 12380) to authorize the improvement of Red Lake River in the State of Minnesota for navigation, drainage, and for flood-control purposes; to the Committee on Flood Control.

By Mr. BENHAM: Resolution (H. Res. 455) providing for the creation of the office of assistant stationery clerk; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOOHER: A bill (H. R. 12381) granting a pension to Mary L. Sterling; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 12382) granting a pension to James P. Barton; to the Committee on Pensions.

By Mr. DENISON: A bill (H. R. 12383) granting a pension to Mary S. Davis; to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 12384) for the relief of the estate of David B. Landis, deceased, and the estate of Jacob F. Shaeffer, deceased; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 12385) to carry out the findings of the United States Court of Claims in the case of Zachariah Morgan; to the Committee on War Claims.

Also, a bill (H. R. 12386) to carry out the findings of the United States Court of Claims in the case of Isaac R. Sherwood; to the Committee on War Claims.

By Mr. McLANE: A bill (H. R. 12387) granting a pension to Delila Hughes; to the Committee on Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 12388) granting a pension to Joseph Griffin; to the Committee on Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 12389) granting an increase of pension to William B. Benson; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 12390) granting an increase of pension to Ransom Griffin; to the Committee on Invalid Pensions.

By Mr. REBER: A bill (H. R. 12391) for the relief of Christian Reichert; to the Committee on Military Affairs.

By Mr. RICKETTS: A bill (H. R. 12392) granting an increase of pension to Seth Morse; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 12393) granting a pension to Joseph S. Penland; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1367. By the SPEAKER (by request): Petition of employees of the Wright & Ditson-Victor Co., of Springfield, Mass., relative to the daylight-saving bill, etc.; to the Committee on Interstate and Foreign Commerce.

1368. Also, petition of the Coeur d'Alene Chamber of Commerce, relative to certain legislation; to the Committee on Appropriations.

1369. By Mr. BARBOUR: Petition of officers and members of Fowler (Calif.) National Farm Loan Association, protesting against taxation of Federal farm loan bonds; to the Committee on Ways and Means.

1370. By Mr. CAREW: Petition of the Merchants' Association of New York, relative to relief to manufacturers, etc.; to the Committee on Ways and Means.

1371. Also, petition of the Joint Legislative Board of the State of New York, relative to certain railroad legislation; to the Committee on Interstate and Foreign Commerce.

1372. By Mr. CLARK of Florida: Petition of Board of Commissioners of State Institutions of the State of Florida, relating to reorganization of the Army; to the Committee on Military Affairs.

1373. Also, petition of Gainesville (Fla.) Rotary Club, favoring the passage of House bill 10650, to define and punish sedition; to the Committee on the Judiciary.

1374. Also, petition of Rev. H. C. Taylor and sundry other citizens of Lawtey, Fla., favoring the immediate enactment into law of House bill 262, concerning gambling on races; to the Committee on Interstate and Foreign Commerce.

1375. By Mr. CURRIE of Michigan: Petition of the Bay City Board of Commerce of Bay City, Mich., relative to certain legislation; to the Committee on Foreign Affairs.

1376. By Mr. DENISON: Resolutions of the Marion Trades Council, protesting against the Chamberlain-Kahn military bill; to the Committee on Military Affairs.

1377. By Mr. ESCH: Petition of Rotary Club, of Manitowoc, Wis., favoring the Davey sedition bill; to the Committee on the Judiciary.

1378. By Mr. FOSTER: Petition of sundry citizens of Ohio, favoring the pure fabrics law; to the Committee on Ways and Means.

1379. Also, petition of sundry citizens of Bidwell, Ohio, opposing House bill 8068—compulsory military training; to the Committee on Military Affairs.

1380. By Mr. HILL: Petition of protective and defense committee of the Greater New York Taxpayers' Association, for the enactment of House bill 10518, to create a Federal urban mortgage bank; to the Committee on Banking and Currency.

1381. By Mr. LINTHICUM: Petition of Baltimore Yearly Meeting of the Religious Society of Friends, expressing its disapproval of universal military training; to the Committee on Military Affairs.

1382. Also, letters from J. E. Greiner & Co., Baltimore, Md., urging action on peace treaty and railroad legislation; to the Committee on Interstate and Foreign Commerce.

1383. Also, petition of president and secretary of the Frostburg (Md.) Socialist Party, protesting against the Esch-Cummins railroad bill; to the Committee on Interstate and Foreign Commerce.

1384. Also, petition of George M. Brady, urging early disposition of railroad legislation; to the Committee on Interstate and Foreign Commerce.

1385. Also, petition of vice president Federal Land Bank of Baltimore, urging enactment of House bills 9065 and 6961, regarding farm-loan law; to the Committee on Banking and Currency.

1386. By Mr. NEWTON of Minnesota: Petition of City Council, Minneapolis, Minn., for use of water power; to the Committee on Water Power.

1387. Also, petition of City Council of Minneapolis, Minn., against strike prohibition; to the Committee on Interstate and Foreign Commerce.

1388. By Mr. O'CONNELL: Petition of the National Association of Manufacturers of the United States of America, relative to certain legislation; to the Committee on Patents.

1389. Also, petition of national headquarters of Private Soldiers and Sailors' Legion of the United States of America, of Washington, D. C., indorsing House bill 10373; to the Committee on Military Affairs.

1390. By Mr. RAKER: Petition of the Snow Shed Lodge, No. 743, Brotherhood of Railroad Trainmen, indorsing the Oriental Exclusion League, etc.; to the Committee on Immigration and Naturalization.

1391. By Mr. ROWAN: Petition of American Legion county committee of Philadelphia, urging support of appropriations for strengthening Navy; to the Committee on Appropriations.

1392. Also, petition of the Barney-Ahlers Construction Corportation and the Campbell-Metzger and Jacobson Co., of New York, relative to certain railroad legislation now pending; to the Committee on Interstate and Foreign Commerce.

1393. Also, petition of National Association of Manufacturers, urging support for House bill 11984, increasing force and salaries in Patent Office; to the Committee on Patents.

1394. Also, petition of the Armenian National Union of America, urging that American influence be used to obtain independence for Armenia; to the Committee on Foreign Affairs.

1395. By Mr. SINCLAIR: Petition of farmers and other residents of Goldwin, N. Dak., for the continuation of Government control of railroads for a period of two years and favoring the adoption of the Plumb plan; to the Committee on Interstate and Foreign Commerce.

1396. By Mr. VARE: Petition of the Pennsylvania National Guard, relative to Army reorganization; to the Committee on Military Affairs.

1397. Also, petition of the Commercial Exchange of Philadelphia, Pa., relative to the railroad bill; to the Committee on Interstate and Foreign Commerce.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 7, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, Father in heaven, we look up to Thee in faith and confidence, for guidance in this hour of great problems, which confront us as a people. Guide those, we beseech Thee, in authority to a wise solution of all the questions which confront us.

A great epidemic is sweeping the land, bringing death and sorrow to thousands. Comfort those in distress and bring health and happiness to our people. Many of the Congressmen are indisposed and we pray that health may come to them and their families. In the name of Him who said to a suffering world:

"Come unto Me, all ye that labour and are heavy laden, and I will give you rest.

"Take My yoke upon you, and learn of Me; for I am meek and lowly in heart: And ye shall find rest unto your souls.

"For My yoke is easy, and My burden is light."

Amen.

The Journal of the proceedings of yesterday was read and approved.

SPEAKER PRO TEMPORE ON MONDAY.

The SPEAKER. It is possible that I may not be able to be present at the opening of the session on Monday, and in the event of my absence I designate the gentleman from Illinois [Mr. MANN] to act in my place. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Richmond, one of its clerks, announced that the Senate had passed bill and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3813. An act to authorize the construction of a bridge across Lake Champlain between the towns of Shoreham, Vt., and Ticonderoga, N. Y.

S. J. Res. 154. Joint resolution authorizing the Secretary of War, in his discretion, to turn over to the State of Kansas emergency hospital equipment to be used temporarily in emergency hospitals to be established in that State, and for other purposes.

INFLUENZA EPIDEMIC IN KANSAS.

Mr. KAHN. Mr. Speaker, I yield to my colleague from Kansas [Mr. ANTHONY].

Mr. ANTHONY. I ask unanimous consent that Senate joint resolution 154, authorizing the Secretary of War, in his discretion, to turn over to the State of Kansas emergency hospital equipment to be used temporarily in emergency hospitals to be established in that State, and for other purposes, be taken from the Speaker's table and considered by the House at this time.

The SPEAKER. The gentleman from Kansas asks unanimous consent to consider a joint resolution which the Clerk will report.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. GARNER. Reserving the right to object, I want to make some inquiries of the gentleman as to the hospital supplies that are now in the possession of the War Department. I have had some inquiries made by gentlemen in Texas who seem to be under the impression that the supplies that are now held by the War Department in excess of the amount that they will need for the Regular Establishment will be finally donated or given to hospitals that do a public service; that is to say, to charitable hospitals. Is any such proposition in contemplation by the gentleman's committee?

Mr. ANTHONY. The only legislative proposition before the Committee on Military Affairs is one to turn over a certain amount of that surplus material to the American Red Cross.

But let me say to the gentleman that this Senate resolution covers a very serious situation in the State of Kansas, where there are double the number of cases of influenza that there were last year. All the available hospitals are filled, and the State is converting several large school buildings into emergency hospitals, and it asks for such surplus hospital material as there is in the State for temporary use under such rules and regulations as the Secretary of War may prescribe.

Mr. GARNER. I shall not object to the consideration of the resolution, but I wanted to direct the attention of the gentleman from Kansas [Mr. ANTHONY] and of the gentleman from California [Mr. KAHN], as well as the other gentlemen on that committee, to the fact that there may be other situations of a similar nature in the United States.

Mr. ANTHONY. I think we ought to meet them if they arise.

Mr. GARNER. And there ought to be some general policy of the War Department with reference to those supplies. They have sent out a letter in which they price these articles and give the location of each article, enabling those who desire to buy them to purchase them at that price; but if you are going to say that on account of an emergency existing in Kansas, that on account of the "flu" you are going to let them have certain supplies, then the whole policy of the Government with reference to these supplies ought to be considered.

Mr. KAHN. Will the gentleman yield?

Mr. ANTHONY. Certainly.

Mr. KAHN. I will say to the gentleman from Texas that whenever the War Department sends a letter to the committee about these matters, it is the invariable rule to introduce the necessary bill and to take action thereon in the committee. Of course, the committee can have no knowledge of the amount of material that is on hand or whether there is surplus material until the War Department furnishes the information.

Mr. GARNER. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. GARNER. I am sure that the gentleman and his committee probably do not know anything about this, because the War Department wants to sell it.

Mr. KAHN. No.

Mr. GARNER. Well, they wrote me a letter to that effect.

Mr. KAHN. The War Department wants to give some of it to the Red Cross, and that is as far as they have communicated with the committee.

Mr. GARNER. May I ask the gentleman if he will make inquiry as to the supply, its location, and the probable disposition of it?

Mr. KAHN. We will be glad to do it.

Mr. MONDELL. Mr. Speaker, will the gentleman from Kansas yield to me just a moment?

Mr. ANTHONY. I yield to the gentleman.

Mr. MONDELL. In answer to the inquiries that have been made by the gentleman from Texas, I will say that a resolution has been pending for some time authorizing the Secretary of War, in his discretion, to turn over to the American Red Cross such medical and hospital supplies as may have been declared surplus. That resolution is of a character that raises some question as to its wisdom as a matter of policy and with a view of determining the amount, the nature, the location, and general character of the supplies that would be affected by that resolution, I corresponded with, and have had several personal interviews with, a representative of the Red Cross, and have had considerable correspondence with the War Department. So far neither the correspondence nor the interviews have been entirely satisfactory.

The fact is that we had somewhere between $10,000,000 and $15,000,000 in estimated value of supplies undisposed of at the time that resolution was introduced, in addition to about $25,000,000 original cost of supplies returned from France, making $35,000,000, or possibly $40,000,000, of supplies on hand.

Under that resolution that entire volume of supplies would have been levied upon, and it seemed to me that it would have been necessary for the department to hold them indefinitely at the call of the Red Cross. Now, we want to be generous to a fault with the Red Cross, but, in my opinion, in dealing with the Red Cross or any other organization we should not tie up a great amount of surplus material which they may not need. Yesterday, in a final effort to secure something definite on which we could promptly act at the very earliest moment, I again addressed letters to Gen. Burr, of the War Department, and to Mr. Kepple, of the Red Cross, with whom I have had correspondence in regard to this matter, and I hope within a few days more to be able to furnish the House such definite, concrete statements relative to the material on hand, its character, its location, and such a statement as to the needs and desires of the Red Cross, that we may be able to offer the resolution in an amended form and have action taken upon it.

Mr. GARNER. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. GARNER. I am very glad that the gentleman from Wyoming has made the statement he has. It may be taken cognizance of by the Committee on Military Affairs and they may give the matter such consideration as it deserves.

Mr. KAHN. If the gentleman will yield——

Mr. ANTHONY. I yield.

Mr. KAHN. I want to say that I have had some information on the surplus material, but I am in the same condition as the gentleman from Wyoming; I am trying to get a little more data.

Mr. GARNER. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. GARNER. Now, in reference to another matter, there was a resolution introduced and reported from the committee as to other material that is being held by the War Department in which counties and States are interested.

Mr. KAHN. The gentleman means road material.

Mr. GARNER. Yes. I want to ask the gentleman what is the prospect of getting final legislation on that subject?

Mr. KAHN. That bill has been reported from the Military Affairs Committee. In fact, the Senate bill on the subject has been substituted for the House bill and is now on the calendar. We are trying to get a rule to have it considered at an early date.

Mr. GARNER. What seems to be the prospect of getting the rule?

Mr. KAHN. So far as I have been able to learn, the members of the Committee on Rules have promised to take it up for action at an early date.

Mr. GARNER. Perhaps the gentleman from Wyoming can give us some information.

Mr. MONDELL. Mr. Speaker, I will say that I have been endeavoring to get the same sort of information in regard to the road-making material that I have been seeking in regard to the medical supplies and stores. So far I regret to say that I have not made as much progress as I hoped to make. I do not believe it is good business for the Congress to legislate in a blanket way, turn over an indefinite amount of material of undetermined character to people who may or may not need it, but who are quite likely to be perfectly willing to take it if they can get it without any cost.

One of the subcommittees of an investigating committee that went quite early into the matter of automobiles has also been considering this matter with a view to determining how much material we have, where it is, its character, and how quickly it could be made available. I trust the chairman of that subcommittee may very soon be in a position to make a definite recommendation in the matter. As a matter of fact, the chairman of the subcommittee, I understood, was to take the matter up with the gentleman from California, chairman of the Committee on Military Affairs, a day or two ago. Perhaps he has not been able to do it.

Mr. KAHN. He has not.

Mr. MONDELL. I hope to get a recommendation which the House can intelligently act upon as to what is needed, where it is, and how much the States have requested.

Mr. GARNER. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. GARNER. I join with the gentleman in the hope that they will get the information and report from the subcommittee to the full committee at an early date. I am wondering if the procedure in the future is to be like the procedure in the past, and if so, we will never get any action. I am wondering why it is that in the War Department, with their method of keeping

books, it takes five or six weeks to ascertain a single fact as to how many automobiles and the material that the counties and States in this country want to utilize for building roads. Is it the fault of the War Department, or is it the fault of the Committee on Military Affairs, or is it the fault of the gentleman from Wyoming?

Mr. MONDELL. I am willing to take my share of the responsibility. Let me say that in this case we have discovered material that the War Department did not know it possessed. In one case a very considerable number of very fine trucks, in excellent condition, that the War Department did not know were in existence. I am not saying that in criticism of the War Department unless the fact does involve a criticism.

Mr. GARNER. I should think it did.

Mr. GARD. Will the gentleman yield?

Mr. ANTHONY. I will yield to the gentleman.

Mr. GARD. I desire information about the resolution which the gentleman from Kansas has introduced Does it contemplate the use of Government camps as hospitals?

Mr. ANTHONY. No; it contemplates the use of hospital supplies such as cots, blankets, and equipment of that kind. They are using the public-school buildings as hospitals. The resolution provides that they shall be furnished under rules and regulations to be drawn by the Secretary of War. They always prescribe that they shall be furnished without expense to the Government.

Mr. GARD. Furnished from supplies within the State or without?

Mr. ANTHONY. They are to be furnished from the supplies within the State.

Mr. GARD. Is it intended to compensate the Government for these emergency supplies?

Mr. ANTHONY. No; it is presumed that the Government would be glad to aid a stricken population.

Mr. WALSH. Mr. Speaker, I ask that the resolution be reported.

The Clerk read the resolution, as follows:

Senate joint resolution 154, authorizing the Secretary of War, in his discretion, to turn over to the State of Kansas emergency hospital equipment to be used temporarily in emergency hospitals to be established in that State, and for other purposes:

"*Resolved, etc.*, That the Secretary of War be, and he is hereby, authorized, in his discretion and under such rules and regulations as he may prescribe, to place at the disposal of the governor of Kansas, for temporary use, such emergency hospital equipment as is not needed by the Government and as may be required to meet the needs of emergency hospitals in the State of Kansas in their efforts to check the present influenza epidemic in that State."

Mr. BLANTON. I reserve the right to object.

Mr. BEE. With the permission of the gentleman from Kansas, I want to continue the catechism of the chairman of the Military Affairs Committee on another matter. Some time ago we had a promise of cannon that was captured from Germany, and the CONGRESSIONAL RECORD was littered from top to bottom with bills for that purpose. I want to continue the catechism of the gentleman by asking what the prospects are for any community in this country to ever get one of those cannon?

Mr. KAHN. That is another matter in which we have been trying to get information from the War Department, and the effort has been going on for a period of almost six months. We have been asking periodically how many cannons were captured or surrendered to the American forces in the World War. We have been endeavoring to find out how many heavy machine guns were captured by the American Army or surrendered to it, so that we might know approximately how many of each class of ordnance we would have for distribution. I have not had the information as yet.

Mr. BEE. Mr. Speaker, let me ask the gentleman a further question. Are those cannon and machine guns, as far as the gentleman knows, in the United States at this time, or are they still in France, subject to shipment and transportation?

Mr. KAHN. As I understand, relatively few are in this country as yet.

Mr. BEE. The gentleman has no present hope, then, of fulfilling his promise?

Mr. KAHN. Oh, I think that in the course of a few months we may be able to get the information, and it is the intention of the committee to pass general legislation upon the subject so that every Member of the House will have an opportunity to get some of these very desirable trophies for his district.

Mr. BEE. Will there be one cannon for each Member or will they be able to get one for each county in his district?

Mr. KAHN. I do not know whether there will be one cannon for each county in every district, because I am told there are about 4,000 counties in the country in the various States. The latest figures that I get about cannon seems to show that we have about 1,300 captured heavy large-caliber guns. But we have about 4,000 heavy machine guns that can be distributed, so that there is hope of getting something for the Members of the House for their constituencies.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I want to call the attention of the distinguished gentleman from Kansas [Mr. ANTHONY] to the fact that there are influenza epidemics existing in other States than Kansas at this time. For instance, in certain parts of Illinois and Missouri and certain parts of New York and Pennsylvania and other States there are epidemics of influenza. I do not see why 1 State out of the 48, when influenza is epidemic in a great number of them, should be singled out to receive hospital equipment at this time, when other States are not so provided for. Also I would call the attention of the gentleman from Kansas to the fact that we have had several very vicious speeches made on the floor of this House within the last few days asserting to the people of the country that we are without necessary hospital equipment to take care of wounded soldiers and sailors throughout the United States. I can not see why 1 State only of the 48 should be singled out in this way, and I object.

Mr. ANTHONY. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. BLANTON. Yes; I withhold it; but I think the committee ought to look into the question of how many other States are in immediate need of hospital equipment to meet epidemic emergencies.

Mr. ANTHONY. Will the gentleman let me say to him that the Committee on Military Affairs of the House has looked into this question? That committee was assured that the influenza epidemic in Kansas to-day is such that double the number of people are stricken that were stricken last year, and that the situation is very serious indeed. All of the existing hospitals are filled to overflowing. I am sure that the Representatives of Kansas will be very glad to help relieve the State of Texas or any other State similarly afflicted.

Mr. BLANTON. I call the gentleman's attention to the fact that to-day States other than Kansas——

Mr. ANTHONY. None of them has asked for this relief.

Mr. BLANTON. And other States have taken precautions to use their own means to provide equipment for their influenza-stricken citizens.

Mr. ANTHONY. The State of Kansas is doing that.

Mr. BLANTON. Why has not Kansas been as alert as it usually is on every other question in providing proper hospital treatment for its own citizens the same as the other 47 States of the Union have?

Mr. ANTHONY. The State is now providing emergency hospitals in addition to the existing hospitals, and this equipment is needed to do this thing. The State is converting public schools into hospitals.

Mr. BLANTON. Then I understand that the gentleman and the Military Affairs Committee are going to be just as liberal with every other State that may see fit to call on this military committee for aid and assistance?

Mr. ANTHONY. Certainly.

Mr. BLANTON. Then I withdraw the objection, Mr. Speaker.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, this is merely to use the surplus supplies for the emergency?

Mr. ANTHONY. Yes.

Mr. GARD. And the supplies will be returned when they are no longer needed?

The SPEAKER. Is there objection?

Mr. MANN of Illinois. Mr. Speaker, I do not understand that this resolution covers hospital supplies.

Mr. ANTHONY. Equipment.

Mr. MANN of Illinois. And that is to be loaned?

Mr. ANTHONY. Emergency hospital equipment to be loaned under regulations to be provided by the Secretary of War.

Mr. MANN of Illinois. May I ask the gentleman whether he has any theory of why the broad prairie lands of Kansas, with fresh air blowing over them all of the time, should be worse afflicted with influenza, according to the State lines, than Nebraska, Texas, Colorado, and Illinois?

Mr. ANTHONY. No. It is a very mysterious thing; but it is the case. There is probably no more healthful part of the country than Kansas, but it is now stricken with this epidemic.

Mr. LAYTON. Mr. Speaker, if the gentleman will permit, I would say that the topography of a country has very little to do with the spread of any epidemic that I have ever heard tell of.

Mr. MANN of Illinois. They have had a great many epidemics in Kansas.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk again reported the joint resolution.

The SPEAKER. The question is on the third reading of the joint resolution.

The question was taken, and the joint resolution was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

Mr. HULINGS. Mr. Speaker, I want to ask the gentleman from Kansas a question. I am in receipt this morning of a communication from the Red Cross out in our section of the country, where they have an epidemic of influenza. They are asking me to ascertain whether it would be possible to secure from the War Department or some one here one of the surplus hangars which they could establish there as a temporary hospital.

Mr. ANTHONY. No doubt the gentleman's State authorities, if they made the request, could do so if such material is surplus.

The SPEAKER. The question is on the passage of the joint resolution.

The question was taken, and the joint resolution was passed.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution which I send to the desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 11368) entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921," the Clerk be, and he is hereby, authorized and directed to dispose of Senate amendments numbered 114 and 115 in manner and form as if the House had receded from its disagreement to said amendments and had agreed to the same.

Mr. GARD. Mr. Speaker, reserving the right to object, will the gentleman explain what these amendments are?

Mr. ELSTON. Mr. Speaker, in the absence of the chairman of the Committee on Indian Affairs the Clerk of the House drew to my attention the fact that there was a discrepancy in the conference report on the Indian appropriation bill as adopted by the House and as adopted by the Senate. The facts were that two——

Mr. GARD. The Clerk of the House or the enrolling clerk?

Mr. ELSTON. The enrolling clerk of the House—the facts were that two amendments which were receded from by the House were not noted in the agreement to the conference report made by the Senate, although the action taken and the facts are as I have given them. The clerical error was noted in the enrollment of the bill by the clerk, and he prepared the resolution to correct that clerical mistake.

Mr. GARD. This resolution is intended to conform to the actual conditions of the conference report?

Mr. ELSTON. The resolution tends to conform to the actual condition of the conference report and the actual acts of the conferees.

Mr. CARTER. Will the gentleman yield?

Mr. ELSTON. Yes.

Mr. CARTER. What amendments are they?

Mr. ELSTON. They were amendments numbered 114 and 115, and in the report made by the conferees, by a clerical error, those two amendments are left out and no mention is made of them at all.

Mr. MANN of Illinois. They are in the House report as the House receding, and in the Senate report they were accidentally omitted.

Mr. CARTER. The House report was correct in that respect?

Mr. ELSTON. Yes.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

On motion of Mr. ELSTON, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 3813. An act to authorize the construction of a bridge across Lake Champlain between the towns of Shoreham, Vt., and Ticonderoga, N. Y.; to the Committee on Interstate and Foreign Commerce.

AMENDING ARMY APPROPRIATION BILL.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 8819, an act to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," to disagree to the Senate amendments to the same and ask for a conference.

The SPEAKER. The gentleman from California asks unanimous consent to take from the Speaker's table, disagree to the Senate amendments, and asks for a conference on the bill which the Clerk will report by title.

The Clerk read as follows:

H. R. 8819. An act to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919.

Mr. McKENZIE. Mr. Speaker, reserving the right to object to the request of the gentleman from California, I would like to ask him a few questions.

Mr. KAHN. Go ahead.

Mr. McKENZIE. The chairman of the Committee on Military Affairs understands that this House bill was reported after the recommendations of a subcommittee of the Committee on Military Affairs which has visited the various camps in the country. That committee came back and recommended the adoption of the provision as it is in the House bill. That bill passed the House. Among other things that committee recommended adversely to continuing the holding of certain of the camps. I understand, although I have not had an opportunity of seeing the bill, that in the Senate they amended the bill by including among other camps Camp Gordon, Ga., to be held for one year longer before a final determination as to whether we shall continue to hold that camp or not. Now, I want to ask the chairman if any such amendment as that is included in the bill?

Mr. KAHN. I believe it is.

Mr. McKENZIE. Then, I want to ask further, if the chairman of this committee will agree, or at least give us the assurance, that unless he is able to get that amendment excluded from the bill in conference he will bring the bill back to this House, where we may have a chance to express our views upon that proposition?

Mr. KAHN. Mr. Speaker, I am willing to give that assurance; but, if the request is granted, it is the purpose of the gentleman to appoint as conferees upon the part of the House three of the subcommittee that visited these camps, so that they will be able to give the Senate conferees full information regarding the proposed amendments of the Senate.

Mr. GARNER. Will the gentleman yield?

Mr. KAHN. I will.

Mr. GARNER. We want to facilitate business. It is evident that the members of the Committee on Military Affairs themselves do not know what these amendments are. I think it is asking too much of the House, when we know that the committee knows absolutely nothing about the amendments of the Senate, and I will ask the gentleman to allow this to go over until later in the day.

Mr. KAHN. Very well.

The SPEAKER. Objection is made.

Mr. QUIN. Mr. Speaker, I would like to ask the gentleman from California——

The SPEAKER. The gentleman is out of order. Objection was made.

AGRICULTURAL APPROPRIATION BILL.

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, with Mr. WALSH in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Missouri.

Mr. HAUGEN. May we have that amendment read again?

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection.

The amendment was again reported.

Mr. BLANTON. Mr. Chairman, I make the point of order against the amendment, in that it is unauthorized.

The CHAIRMAN. The Chair thinks the point of order comes too late. The gentleman from Missouri began debate on the amendment yesterday.

Mr. HAUGEN. Mr. Chairman, I desire to ask the gentleman from Missouri [Mr. RUBEY] whether he desires to be heard further on the amendment?

Mr. RUBEY. There are one or two gentlemen on this side who would like to be heard.

Mr. HAUGEN. Does the gentleman now care to discuss the amendment further?

Mr. RUBEY. If further amendments are offered I shall be glad to speak in opposition to them, but I do not care to be heard further on this particular one.

Mr. HAUGEN. Mr. Chairman, the item under consideration appropriates $510,000. One hundred and eighty-eight thousand two hundred and eighty dollars will be available for inspecting the various plants that are manufacturing serum, toxin, and virus; $29,520 for research; and $292,000 for demonstration, investigation, and so forth.

This is not a new item. It has been carried in the bill for a number of years and has been discussed in practically every Congress since first inserted. The serum has been manufactured. It is admitted to-day that it is perfect and its potency has not been questioned. The question is, Shall the amount for salaries, traveling expenses, and hotel expenses for the specialists traveling over the country be increased?

Much has been said about the farmer and encouraging production.

The representatives of the farmers came before the committee and offered suggestions. One request was that we would reduce the appropriation for experts or specialists that are traveling over the country. The item is practically for that purpose. The gentleman from Missouri [Mr. RUBEY] believes that this proposition has merit. He is sincere in that belief. But there are differences of opinion as to how the money should be expended. No one has questioned the potency or the value of the serum. After all these years of demonstration and education on the subject it would seem that when we provide for the proper inspection, proper serum, and exhaustive research that that is all that should be necessary.

There are, of course, differences of opinion as to the merits of the proposition and as to the value of the item.

Let me read to you an extract from a letter received from a veterinarian in Iowa. He says:

DEAR SIR: I see the appropriation matter for fighting hog sickness is up for consideration now, so I thought I might be able to cast a little light upon the subject. You will see that I, with a lot of my patrons and friends, are interested. I am interested from a professional standpoint—a breeder myself—and for a lot of my friends and for breeders who have been stung by this serum mistake. It is a failure as a preventative and a cure. Seven years has proved that it neither prevents nor cures the disease, while, on the other hand, it has killed thousands of well hogs and spread disease into thousands of well herds and caused unnecessary expense and loss. It will continue to do so as long as it is used.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. HAUGEN. He states further:

Every dollar that Congress appropriates to further the manufacture and use of serum is only pouring oil upon the burning fire and helping a lot of fellows who are taking advantage of the conditions to graft off the unfortunate hog men.

* * * * * * *

Stop the use of serum and spend $100,000 one year in this way, and make a lot of political soft-job grafters keep their mouths shut for one year and quit sending in false reports of how many thousand hogs serum has saved. Then we will stop the whole trouble. But as long as Congress and the Secretary of Agriculture will be dictated to and listen to these Bureau of Animal Industry serum boosters and agriculture college boosters and veterinary college boosters, who all have an ax to grind, just that long hog sickness will continue to spread and rage and cause loss. I think seven years has been long enough to aid these jobbers and grafters in their fat jobs.

I might continue, but it is a long letter. That is what this veterinarian writes, so you will see that there is a difference of opinion on the subject.

Mr. LAYTON. Mr. Chairman, I would just like to ask the gentleman a question.

Mr. HAUGEN. I will yield to the gentleman for a question.

Mr. LAYTON. The gentleman has read a letter here the purport of which, it seems to me, renders this item of $510,000 absolutely unnecessary, but he as chairman of the committee seems to approve it.

Mr. HAUGEN. I stated at the outset, we provide for $188,000 for the inspection of these plants and to regulate the sale of the serum, which guarantees a potent serum to the user. We appropriate $29,000 for research. Those two items are entirely proper. The department contends the serum is perfect and it would seem that there is no necessity for further investigation.

Mr. LAYTON. If all the research you have had up to date is no good, why not cut it out?

Mr. HAUGEN. The main differences of opinion is as to the necessity for the demonstrations. The gentleman from Missouri [Mr. RUBEY] believes the demonstrations are necessary. Others believe they are not. In view of the great losses of hogs, we should take the necessary precautions, and the committee therefore recommended the $292,000 for demonstrations. In view of the contentions the committee felt warranted in making this much of an appropriation for this phase of the work.

Mr. RUCKER. Does the gentleman himself believe this treatment has merit?

Mr. HAUGEN. I think it has. I think the serum has merit. But I am pointing out that there is a difference of opinion as to the advisability of spending more money for further demonstration, the necessity of which has been questioned.

Mr. LAYTON. I want to ask this question: Have you, after all these years, any clinical record that is established as a fact as to the utility of these manufactured articles that you are talking about here in respect to serum?

Mr. HAUGEN. If the gentleman will refer to the hearings he will see that great claims are made for it by the department. The department claims large decreases in mortality as a result of its work.

Hog cholera comes and goes. It comes to our section about every 7 or 10 years. When it makes its appearance, of course, we have a 100 per cent increase and when it disappears naturally we have a 100 per cent decrease.

In reference to the claims of the department, I refer to a letter received dealing with accuracy of the number reported in Iowa in 1914 when hog cholera was at its height. It reads:

I noticed in the hearings before the Agriculture Committee on hog-cholera work that there was some discrepancy in the figures furnished concerning the losses of hogs in Dallas County, Iowa. I believe the Government people were using figures showing that there was a loss of 9,180 head and that you used figures sent out—the bankers' estimate—showing that there was a loss of 15,967 head.

As you are perhaps aware, every assessor in Iowa this year was asked to gather data in every township concerning the hog-cholera losses. I have just received the figures from Dallas County as compiled by the county auditor, and they show that the farmers in Dallas County during the year 1913 lost 16,124 hogs from cholera.

The department's figures show 9,180, but by an actual count the loss was 16,124.

The contention at first was that it was necessary to supervise the manufacture and sale of serum so that we might have assurance that the serum manufactured and sold was potent. Congress provided for the inspection. The committee is now reporting an appropriation of $188,000 for that purpose and an appropriation of $29,000 for research work. In addition to that the committee reports $292,000 for demonstration work, which is less than the amount of $411,000 estimated for. The committee cut the appropriation, but felt that some appropriation was warranted for the work.

Mr. LAYTON. I do not want to be understood at all as opposing this appropriation. What I was trying to get at was this, that this matter has been a matter of Federal control and aid for many, many years, and I was wondering whether or not there were any statistics in respect to the utility of these hog serums, as there is in my profession, for instance, in respect to the serum that we use for treating diphtheria and other diseases.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HAUGEN. I desire to call attention to an act passed in Canada:

At the Government House at Ottawa, Saturday, January 4, 1913, present: His Royal Highness the Governor General, in council.

Whereas it is deemed advisable and in the public interest that the importation, manufacture, or sale of hog-cholera serum and virus be prohibited in the Dominion of Canada:

Therefore his royal highness the Governor General, in council, in virtue of the provisions of clause 1 of section 28 of chapter 75, Revised Statutes of Canada, 1906, is pleased to order as follows:

The quarantine regulation established by order in council of the 30th of November, 1909, is amended by adding the following section thereto:

"SEC. 88½. The use of hog-cholera serum or virus being considered a source of danger, the importation, manufacture, sale, or use of such serum or virus is prohibited."

F. K. BENNETTE,
Assistant Clerk of the Privy Council.

That is the action taken in Canada. I understand that they now may use the serum and virus. Gentlemen, are we to appropriate more than a quarter of a million dollars here to pay for Ford cars and hotel expenses and railroad fares of the specialists

sent out on the demonstration work? Have we not dealt liberally with them, gentlemen, when we give them $292,000?

Mr. LAYTON. Mr. Chairman, I move to strike out the last word.

Mr. HAUGEN. They employed 139 men in 1919. They propose to employ 173 men this year. Their expenses for 1919 were $232,000. They now ask for $441,000. I believe that the amount reported by the committee is adequate to meet all the legitimate demands.

Mr. YOUNG of Texas. Mr. Chairman, I trust that every member of this committee will give serious attention to the consideration of this item that we now have before us, because in a few minutes we are going to be called upon to vote on it.

Let me say at the beginning, my friends, when an item like this is being assaulted by the gentleman from Iowa [Mr. HAUGEN], the chairman of the committee, he is assaulting an item that he is not a friend to. He does not believe in the hog-cholera campaign that this Government has had on for the past few years. He does not believe in the treatment that it gives. He does not believe in the remedy that is being prescribed. He does not believe in a dollar of the expenditure that is being made.

Now, what are the facts?

Mr. HAUGEN. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Iowa?

Mr. YOUNG of Texas. In a moment.

Mr. HAUGEN. The gentleman is not going to misrepresent me?

Mr. YOUNG of Texas. The gentleman can answer in his own time. I do not yield now.

The CHAIRMAN. The gentleman declines to yield.

Mr. YOUNG of Texas. I do not yield now. We had on the 1st day of January, 1919, in this country 75,587,000 head of hogs. What tremendous value this great industry is to the Nation! And yet there is not a man who comes from any agricultural community who does not know without my having to tell him that there is a constant threat hanging over the hog industry of the country, because every section of it is swept periodically by the hog cholera. We have found a remedy that will finally stamp out this disease. The Federal Government has taken charge of this great campaign by virtue of the funds that you and I have voted to it, and told them to employ these experts and thus aid the farmer in protecting this great industry on which the people of the Nation must depend for their meats. [Applause.]

Now, at the beginning of this campaign the death rate amongst hogs was 137 per thousand. Last year it had been reduced to 37 per thousand. Are you not familiar, my friends, with the campaign that we must make to protect the health of the human family? Where is there a man to-day who would stand up on this floor before any American audience or before any audience in the world and protest against the serums that are being used to prevent smallpox outbreaks, diphtheria outbreaks, and kindred diseases that sweep over the human family?

We have passed the old preliminary stages, and we have now found the remedy for this disease. The question now is, having found a remedy and educated our farmers from one end of the Nation to the other with respect to it, are you going on the false cry of economy to retrench and further add to the burden of the man on whom you and I must depend for our food supply that we need from day to day? You lay out your campaign along any line of business, and when you are winning in that campaign you spend more money if necessary to make that campaign a complete success.

Oh, the gentleman from Iowa [Mr. HAUGEN] talks about the Ford automobiles. He talks about hotel bills. He talks about traveling expenses. Yes; you have it all. How are you to get your experts to the farmers of the country unless you send them? How are you going to send them unless you pay railroad fare and automobile hire? How are you going to get this information to the people who need it unless you spend the money to get the information there? That is what this money is for.

Another thing, $180,000 has been appropriated for the purpose of driving out of existence these frauds which have set up business by holding up the farmers of the country and selling to them spurious preparations. The Government has a Federal inspection system. We are paying for it. We know what the remedy is. We are paying out money to see that that remedy is kept pure and to see that it reaches the farmers' hands in a pure state, so that the herds of hogs may be protected. I am going to sound this warning, that while you cry out "economy," it is not economy.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. YOUNG of Texas. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. YOUNG of Texas. This is not economy. It is not economy to cut down an item like this when you save multiplied millions of dollars to the farmers of the country and add to the meat supply not only of our own Nation but to the meat supply of the world. Ah, you can not be too careful about these inspections. Only recently in my little town one of these serums was sent out by a manufacturing institution in Philadelphia as an alleged preventive of diphtheria. They made a mistake in its preparation, and when they went down there among my physicians in my town and in the city of Dallas and surrounding cities meetings were held and children were called in, and this serum was pumped into their arms, and when the reaction came they died because a poison had been administered.

You need inspection to protect the human family. How much, then, do you need inspection to insure the purity of this product? Our Government does inspect it, and does see to it that a pure product is sent out to our people. Now you want to cut down the expense. Now you want to say that they can not have it.

Now you say you are going to cut the program, and when you say it you are saying to the farmer, "We are withdrawing from you the help that the Government owes you."

Mr. TINCHER. Mr. Chairman, I shall use none of my time in defending the chairman of this committee as to his friendship for the farmer. Every man in the United States who is at all familiar with his record in Congress knows that he needs no such defense.

Let us see what this proposition is. This bill appropriates $510,000 for the department on the hog-cholera proposition. Of this sum $188,280 is for the inspection of the serum manufactured by hundreds of individual concerns, advertised and sold to the farmers. No man can raise a hog to-day without getting advertisements soliciting him to buy that serum. Twenty-nine thousand dollars of it is to continue experiments. What does the rest of it go for? How are you defending the farmer? Let us see. There are 143 veterinarians paid by this Government. You know them. They traveled 2,500,000 miles in this country last year to talk to 300,000 farmers about hog cholera. That is what the balance of this appropriation was spent for last year.

Mr. THOMSON. It is stated in the hearings that they traveled over 2,000,000 miles.

Mr. TINCHER. They traveled 2,500,000 miles last year, these 143 expert veterinarians, to tell the farmers how to use this serum, when every farmer in the United States who is raising hogs receives mail every day that will tell him how to use this serum. I say it is bunk, and that you are trying to prevent us from reducing the number of useless employees in the department, and you are trying to hide under the coat tails of the farmer, and to everyone of us who are trying to reduce the number of useless employees you are saying, "Oh, you must not do that or we will tell the farmer you are against him." That kind of bluff does not work with the chairman of this committee, and it does not work with me.

Mr. LAYTON. Will the gentleman yield for a question?

Mr. TINCHER. I will ask the gentleman to speak in his own time. I have but five minutes. When Dr. Mohler was before our committee on this subject I talked to him about this, and I wish every Member of this House would get part 5 of these hearings and read them. Dr. Mohler admits several things here. Dr. Mohler says that the serum is a success. He says that when you buy a hog in the open market you ought not to take him home for a stock hog without administering the treatment. Here is what he said:

Mr. TINCHER. You spoke there of vaccinating so many hogs at the stockyard markets.

Dr. MOHLER. Yes, sir.

Mr. TINCHER. There is no market in the United States where you can afford to take stock hogs out without that?

Dr. MOHLER. None at all.

Mr. TINCHER. Every man who purchases stock hogs in the open market knows he can not afford to remove them without vaccinating them against cholera?

Dr. MOHLER. That is true.

Mr. TINCHER. The vaccine is manufactured in all those market centers, is it not?

Dr. MOHLER. True.

Mr. TINCHER. By private companies?

Dr. MOHLER. Yes, sir.

Mr. TINCHER. And those companies are under Government supervision by your inspectors?

Dr. MOHLER. All of them are that do an interstate business.

Mr. TINCHER. And if a man goes to the open market and buys stock hogs he wants to get the serum there to vaccinate them before he takes the hogs away from that market, and they do that at their own expense?

Dr. MOHLER. Yes, sir.

Mr. TINCHER. And the function of the Government is to see that the man who manufactures that serum has complied with the regulations and that the man gets a good serum. There is nothing complicated about administering the serum?

Dr. MOHLER. No. They have local men doing that in all these stockyards and our men are present to supervise the work and see that it is done properly. That is all we do. For instance, we do not approve of a man vaccinating a hog which has a temperature above a certain point, 104, because that animal is apt to be coming down with cholera, and if he is vaccinated he will probably die.

Mr. TINCHER. There is no vaccine that is a cure for cholera?

Dr. MOHLER. No, sir.

Mr. TINCHER. It is purely a preventive?

Dr. MOHLER. Purely a preventive; yes, sir.

Dr. Mohler says it does not take an expert to administer the treatment. Then, finally, after a few of my friends over on the other side who know these 143 men who hold these soft berths and are trying to save them had prodded him and begged him to sustain this outrageous waste of money out of the Public Treasury, he tried to make a justification for it. He says that the services of an expert are necessary, because it is not practical to give the serum to a hog with 104 degrees of temperature, because that hog has the cholera, and if that hog is given the serum he will probably die. Of course he will die. He will die anyway if he has got the cholera, and this story about the necessity for these 143 fellows flopping around the stockyards taking the temperature of hogs with fever thermometers does not wash with me any more than the charge that GILBERT N. HAUGEN is an enemy of the farmer will wash with me. [Applause.]

There are $292,000 of this $500,000, that my friend wants to increase to $600,000, that will be spent for these men traveling around the country. Gentlemen, the way of the producer is hard enough without having to guard his barns and fences to keep these Government experts from burning them up with their cigarette stubs. [Laughter.]

I have come from the farm since many of you have. The representatives of several State agricultural societies appeared before us, representing the farmers, and they said they wanted the Government to quit sending these experts around in that way, and they knew what they were talking about, and they were voicing the sentiment of every American farmer who is not a coward and is not afraid to say that he stands for economy.

You can not make me vote for an appropriation bill that is unjust and unfair by simply saying, "Oh, you come from a farming section, and you had better lay off of that or we will say that you are not a friend of the farmer." Why, I have vaccinated more hogs myself than any one of these Government experts ever saw. [Applause.] You fellows can not go out in my district and make the people there think I do not know what I am talking about. Why, let me tell you what these fellows did last year. They ran out of anything else to do, and in direct violation of law they went out last year and quarantined more than 9,000 farms in this country. That is shown in the hearings.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. I ask unanimous consent that the time of the gentleman be extended five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Kansas be extended five minutes. Is there objection?

There was no objection.

Mr. CONNALLY. Will the gentleman yield?

Mr. TINCHER. I decline to yield. They went out last year and quarantined more than 9,000 farms in this country. I said, "Have you any law for that?" "Oh, no; it is against the law." I asked Dr. Mohler, "You know about hog cholera. Was it advisable to quarantine these farms?" He said, "No; it was not the way to treat hog cholera. It was not the remedy. It was not proper." That shows in these hearings. Still, you are going to spend $292,000 to send these men out who, for the want of something else to do, quarantined 9,000 farms. I wish more of you were farmers and could appreciate what it meant to have some city guy that did not know any more about hog cholera than I know about airships come out and quarantine your farm because he thought a hog had the cholera. He knew as much about it as the man knows who wants to keep experts running around in order to prevent the farmer vaccinating any hog that has a temperature of over 104 degrees. I am against any such preposterous thing as that, and when anybody wants to spend the money of the Government for a useless purpose, and I oppose it, then I say they can not scare me by saying, "Oh, you had better spend this money or we will say you are not a friend of the farmer." I want to be classed with the chairman of this committee as the same kind of a friend of the farmer that he is. [Applause.]

And I want to say to you that whenever I vote money out of the farmers' pockets to pay these fellows for traveling around over the country pretending to be a friend of the farmer, I will quit this Congress. [Applause.]

Mr. CANDLER. Will the gentleman yield?

Mr. TINCHER. I will yield to the gentleman.

Mr. CANDLER. The gentleman spoke about quarantine. Is it not a fact that the quarantine was put into force by the States and not by the Government of the United States?

Mr. TINCHER. No; he said that the Government agent got State authority to put them in quarantine.

Mr. CANDLER. Then it was done by State authority and not by Government authority.

Mr. TINCHER. Dr. Mohler admitted that it was a wrong thing to do.

Mr. CANDLER. Is it not a fact that the Government of the United States has no such authority?

Mr. TINCHER. Yes; but we send young men around the country and they order the quarantine that they have no right to do.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. TINCHER. Yes.

Mr. SMITH of Idaho. Is the gentleman speaking for the farmers of his locality or for the farmers of the United States?

Mr. TINCHER. I am speaking for the farmers of New York and every State that sent farmers before us. The National Farm Bureau is an organization in 31 States in this Union, the biggest farm organization in the United States. They came before us and protested against the Government bothering them with these Government agents, and they mentioned this item particularly. Hog cholera is the same in Kansas as anywhere else; serum is administered the same in Kansas as it is anywhere else, and a cigarette stub of a Government expert will burn a barn in Kansas just as quickly as it will burn it anywhere else. [Laughter.]

Mr. RUBEY. Will the gentleman yield?

Mr. TINCHER. Yes.

Mr. RUBEY. The gentleman does not want to be unfair.

Mr. TINCHER. I hope I am not unfair.

Mr. RUBEY. The farm bureau commended the work in hog cholera especially.

Mr. TINCHER. The farm bureau before our committee, every man that talked to us, asked us to keep out unnecessary Government experts, and the only branch they mentioned that they could specify was the hog-cholera department. I heard the farm bureau, and the chairman and every member of the committee that was there will agree that that was what was said.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. MADDEN. I ask unanimous consent that the gentleman may have five minutes more.

Mr. CONNALLY. I object.

Mr. GREEN of Iowa, Mr. LAYTON, and several others rose.

The CHAIRMAN (Mr. MADDEN). The gentleman from Iowa is recognized.

Mr. LAYTON. Mr. Chairman, I would like to say that this makes the twelfth time that I have risen for recognition.

Mr. GREEN of Iowa. And this is the thirteenth time that I have risen.

Mr. CANDLER. Mr. Chairman, the former occupant of the chair agreed to recognize the gentleman from Arkansas [Mr. JACOWAY], a member of the committee.

Mr. GREEN of Iowa. I will be very glad to yield to a member of the committee. I did not know that one rose.

The CHAIRMAN. The Chair is very sorry that he did not know that fact, but he has already recognized the gentleman from Iowa.

Mr. JACOWAY. And the Chair will recognize me next?

The CHAIRMAN. The Chair will be delighted to do so.

Mr. GREEN of Iowa. Mr. Chairman, coming from a State that has nearly 10,000,000 hogs within its boundaries, from a district that probably has more hogs than any other district in the United States, from a county that has more hogs than any other county in this district, and having had years of practical experience in raising hogs, I believe I can speak with some slight degree of authority upon this subject. I agree entirely with the gentleman from Kansas [Mr. TINCHER]. I am opposed to the amendment offered by the gentleman from Missouri [Mr. RUBEY], and believe that this appropriation should stand as the Committee on Agriculture has presented it in this bill. Mr. Chairman, the assault that has been made upon the chairman of the Committee on Agriculture in connection with this item is utterly unjustified. My colleague, Mr. HAUGEN, originated this appropriation; he started the Government in this line; and to accuse him now of being unwilling that it be continued, when we have without the addition proposed by the gentleman from Missouri a great appropriation of over $500,000, is entirely unfair. My colleague, Mr. HAUGEN, favors the appropriation carried by the bill. If he did not, it would not be there, and as

chairman of the great Committee on Agriculture he has worked day and night in the interest of the farmer.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. CARTER. Can the gentleman tell us when this appropriation was originated?

Mr. GREEN of Iowa. No; I can not. It has been in the Agricultural bill for a long time.

For the benefit of my friend from Delaware [Mr. LAYTON], who has been asking some very practical questions with reference to hog-cholera treatment, I would say that this serum treatment has not yet been reduced to an exact science. Hog cholera is one of the most baffling and puzzling diseases that have ever been known. The question has arisen time and again as to whether different types of the disease were not in fact different diseases, though all called by that name. Before any serum was used it came and went by cycles of years, destroying great numbers of hogs, by the hundreds and thousands, in my State.

Then it would pass away with only a little recurrence. Under these circumstances it is impossible to say just exactly what benefit this serum has, but at the same time I would say that the principal hog growers of my district and of the State, men who have had the longest and the widest experience, as a rule seem to think that it is efficient and they make use of it. It is impossible to demonstrate this to an absolute certainty, and hence there has arisen this difference of opinion, shown by the remarks of the chairman of the committee.

I believe this appropriation ought to be continued, but the amount that is already carried in the bill, being over $500,000, is sufficient in my judgment for all practical purposes. I do not know a farmer in the great hog-growing district that I have the honor to represent who is clamoring for more, for the reason, as the gentleman from Kansas stated, that the greater portion of it is being spent now, or a large portion of it at least, upon traveling experts, and the only part that would be cut down is the part that relates to sending out these so-called experts, when, as a matter of fact, as the gentleman from Kansas [Mr. TINCHER] very properly states, no expert is needed to administer this serum. That is settled by the practical experience of the farmers of my State, Kansas, Nebraska, Illinois, and other great hog-growing States. You do not need an expert for this purpose. For that reason I am opposed to any amendment offered increasing this appropriation. It is unnecessary. The serum will still be distributed and will still be used by those who believe in it, and those who do not believe in it will refrain from its use, and that is all there is to it. As a matter of fact, these traveling experts did not vaccinate as many hogs in the whole United States as there are in single townships of my district.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREEN of Iowa. Mr. Chairman, in this connection I want to say just a word with reference to the position of Members who have frequently voted for this appropriation for the eradication of hog diseases and other similar appropriations, as I have myself. Sometimes when we get a bill up before us such as one for the support of the Bureau of Public Health, in which it is sought to make certain appropriations, some one will say, "Oh, you are willing to give half a million dollars for hogs and not willing to give a similar sum for the eradication of diseases among men." Those people who talk in that way view this appropriation from altogether a different angle from that which I take. My object in voting for these appropriations is not through any particular friendship for the hog. I have no personal desire to see him get well, except my interest in the human family, in order that the people may have some good and wholesome food and that they may get it cheap. Nothing is more conducive to the public health than plenty of wholesome food, and I vote for these appropriations in the interest of mankind. I have no particular friendship for the hog and care nothing about him, except as it may be of benefit to the human family. That is the reason why I vote for these appropriations to eradicate hog cholera. There is no appropriation, in my judgment, that can more properly be made, and in that respect I agree with the gentleman from Texas and the gentleman from Missouri.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. TILSON. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 18, line 1, strike out of the Rubey amendment the figures "$585,000" and insert in lieu thereof "$410,000."

Mr. TILSON. Mr. Chairman, no one can truthfully accuse me of entertaining the slightest hostility toward the farmer. There are at least three reasons why I entertain the most kindly feelings toward the farmer. In the first place, I was born on a farm, was brought up on a farm, and there earned my living in the sweat of my face by wringing it from a somewhat grudging soil.

The second reason is that a part of my constituency is rural and engaged in farming, not a large part, to be sure, but a very important part, and I should be most unwilling to misrepresent them in any way whatsoever. The third and most important reason of all is that the greater part of the constituency I represent, in fact the whole of it, and the entire country, for that matter, is vitally interested in the welfare of the farmer. In this vote, as in every vote on this bill, I shall vote for what I believe to be the highest and best interests of the farmer and in the interest of greater production, because, in my judgment, increased production of food is more essential to the city dweller than to anyone else. The appropriation carried in this item divides itself into three distinct parts. The first specific purpose mentioned is for the enforcement of the law in regard to serum. I am for that and for every dollar that is needed for the enforcement of that law. The second is for the continuation of investigation and experimentation.

I am for that also. We should go on with this experimental work. The remainder of this somewhat large appropriation is for what may be called "joy riding," so far as I can gather both from the hearings and from the statements of gentlemen on this floor who know much more about the subject than I do. I am convinced that of this appropriation at least $292,000 is not for the benefit of the farmer at all, or anyone else except the much-traveling Government hog-cholera experts, and is, therefore, practically thrown away.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. TILSON. Very briefly.

Mr. BANKHEAD. Does not the gentleman think the statement made here that these experts traveled as much as 2,000,000 miles last year for the performance of their duty indicates that they were seeking to put into effect the purposes of the appropriation?

Mr. TILSON. Not at all. It may indicate the contrary. In fact, it appears from the hearings that, although they traveled considerably over 2,000,000 miles, they examined something like 200,000 hogs, which is probably about the average number of hogs in a single small county in the hog-raising States.

Mr. LAZARO. Will the gentleman yield?

Mr. TILSON. I must decline to yield at present. I have something further I wish to say.

So I do not consider the number of miles these men traveled to be an index at all to the degree of their usefulness.

I know the difficulty of shaking people loose from the pay rolls of the executive departments when they once become attached, and this is a case which is quite similar to many others we have here in Congress. I am convinced in this case that these are practically useless employees, so far as being a benefit to the farmer is concerned or helping to increase the production of hogs. My conviction comes not only from the hearings but from the testimony of farmers themselves, who pray to be delivered from the annoyance of having these men come around periodically to bother them.

I believe in the efficacy of the serum for hog cholera. I believe that the use of it ought to be encouraged; but to my mind it has passed to that stage where every enterprising farmer can get it without any difficulty whatever. He does not have to wait for one of these Government experts to come around and tell him. He knows where to go and what to do. It is brought to his attention from time to time by advertisements in the papers, by circular letters, and otherwise. There is therefore no necessity for sending these men around to selected localities simply to preach the virtues of the serum. As a matter of fact, as was brought out here by the gentleman from Kansas [Mr. TINCHER], the farmers do not want these men. Therefore I am not in favor of retaining them on the pay roll.

Mr. RUBEY. Will the gentleman yield?

Mr. TILSON. For a question.

Mr. RUBEY. Does the gentleman know how many hogs are raised in the State of Connecticut, or where it stands in that respect in proportion to other States?

Mr. TILSON. I do not, and it is not a matter of any importance in this connection.

Mr. RUBEY. There are just three other States in the Union that raise less hogs than the State of Connecticut, and that State lost, in 1919, 1,419 hogs by cholera.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TILSON. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. TILSON. If Connecticut did not raise a single hog, the people of the State are tremendously interested in having hogs raised somewhere in great numbers. Anything that will help give us more hogs and better hogs is of great interest to the State of Connecticut, and I am for it.

I am not opposing the amendment of the gentleman because Connecticut raises few hogs. I am opposing it, and am supporting my own amendment, which cuts down the appropriation carried in the bill by $100,000, because I believe that in spending the money of the taxpayers for salaries and traveling expenses of these agents of the Government we are wasting the money. In voting to strike out $100,000, which would otherwise be wasted in this way, I believe that I am voting in favor of the farmer and in no wise against the greater production of hogs.

Mr. BLANTON. Will the gentleman yield?

Mr. TILSON. I will.

Mr. BLANTON. I am with the gentleman on his economy program, but I want to ask the gentleman from Connecticut if the people there eat all these hogs from the West? Have they not plenty of hogs there after all?

Mr. TILSON. They eat their share of them, and I hope they may continue to do so.

As I said before, it is important that hogs be produced—the more the better for everybody. If the gentlemen who are in favor of increasing the appropriation could convince me that such increase would in any degree whatsoever increase the production of hogs, I should be for it. I have been convinced to the contrary, however, by the real friends of the farmer. Therefore I am not only opposed to the proposed increase in the appropriation but think we should cut it below the amount carried in the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McKINLEY. Mr. Chairman——

The CHAIRMAN. The gentleman from Illinois [Mr. McKINLEY], a member of the committee, is recognized.

Mr. McKINLEY. Mr. Chairman, I hope the gentleman's amendment will not prevail. Bacon now is 75 cents a pound. The testimony that came before the committee was that there were four-fifths as many hogs this year as there were the year before. The testimony before the committee also shows that in six years the work of the bureau in connection with hog cholera has reduced the deaths two-thirds. The appropriations by Congress this year will run over $5,000,000,000, and there is a outcry $30,000,000 in this Agricultural bill which these gentlemen from the shipbuilding and munition manufacturing States are attacking. I believe down in Paraguay and over in China they do not appropriate a single cent for agriculture. I doubt very much whether we want to get into that condition. [Applause.]

Mr. CANDLER. Mr. Chairman——

The CHAIRMAN. The gentleman from Mississippi, a member of the committee, is recognized.

Mr. CANDLER. Mr. Chairman, certainly the amendment offered by the gentleman from Connecticut [Mr. TILSON] to reduce the appropriation recommended by the committee should not prevail. The amount proposed to be appropriated in the bill is $510,000. The amendment offered by the gentleman from Connecticut proposes to reduce that $100,000 and appropriate $410,000. The amendment of the gentleman from Missouri proposes to increase the appropriation, as reported in the bill, of $510,000 by $75,000, and make it $585,000. Now, that is the situation as it exists at this time. The department last year had $641,045 for this work. They recommended $658,945 for this year, an increase of $17,900. The committee reported $510,000, which reduced the estimate. The amendment as offered by the gentleman from Missouri [Mr. RUBEY] does not propose to increase it up to the amount recommended by the Department of Agriculture.

Now, then, you criticize the department oftentimes upon this floor because of its want of activity, and gentlemen to-day have criticized the department because of the department's activity. You appropriate money for the department to enable them to do certain work, and they get busy doing that work, and because they spend the money doing the work which Congress authorizes them to spend in order to accomplish the results that are intended to be brought about by the work that is being done, some Members on the floor of the House continually criticize the department, as was done by some gentlemen who preceded me here to-day.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. CANDLER. In a moment. This is an important work, as everybody agrees who has discussed the proposition here to-day. The gentleman from Connecticut [Mr. TILSON], who offers to reduce this amount, say he does it because he believes it is in the interest of the farmer. We had a representative from Connecticut before our committee at the hearing, and he stated that this was splendid work and ought to be continued. He came from absolute observation, whereas the gentleman from Connecticut [Mr. TILSON] says only he was reared on a farm, and that was a long time ago when the gentleman was on that farm. But the representative from his State who appeared before our committee knew the situation, and he urged that the appropriation be maintained and that the work be continued.

The question is whether or not you will continue the work that was given to the department to do. The department originally did not ask for this work. It was put upon an appropriation bill, as was stated by the gentleman from Texas yesterday, by Congress itself. Congress appropriated so much money for this purpose. The department organized its forces. They are doing their work energetically, going from one end of the country to the other. You propose to reduce the sum given them last year, when the work to be done now is just as extensive and just as important as it was last year. Even if the amount is reduced now you will come in here next year and criticize the department officials because they have more employees than they ought to have.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CANDLER. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

Mr. LAYTON. Mr. Chairman, I think the other Members of this House ought to have a little chance to have something to say.

The CHAIRMAN. The gentleman can object. Is there objection?

There was no objection.

The CHAIRMAN. Under the rules the committee members always have the prior right to recognition. The gentleman from Delaware [Mr. LAYTON], I hope, will not feel that the Chair is attempting to discriminate against any Member of the House.

Mr. LAYTON. Mr. Chairman, I apologize to the Chair and to every member of the committee.

Mr. CANDLER. I want to say to the gentleman from Delaware that I have no disposition to prevent any other Member from talking.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. CANDLER. Yes.

Mr. LAZARO. The gentleman from Connecticut [Mr. TILSON] said he was willing to appropriate money to discover the proper serum, and then he said he was willing to appropriate money to make this serum a cure, but that he was opposed to the other part of the appropriation for these fellows who travel all over the country to show the farmers how to vaccinate hogs. Does not the gentleman think that that part of it is just as important as the other part, that these farmers ought to be shown how to use this remedy properly, otherwise a good remedy might fall into disrepute?

Mr. CANDLER. Of course. There is no use in having a remedy unless you apply it, and there is no way to apply it unless you send men who have expert knowledge and information about it among the farmers to explain it to them and give them the benefit of it.

The gentleman from Kansas [Mr. TINCHER] said that there were 143 veterinarians employed, whom he said we know. I do not know any of them any more than the gentleman from Kansas knows them. There are 143 veterinarians, it is true, as is shown by the appropriation, and if we had a better acquaintance with them, and if the gentleman from Kansas had a better acquaintance with them, I doubt very much if he would express the views that he has expressed here to-day. He has criticized these 143 veterinarians because they have been industrious and have been hard at work, because they have traveled over 2,000,000 miles and gone to the farms and met the farmers face to face and explained to them the remedies that had been provided through the money appropriated by the Congress of the United States for that purpose.

Mr. JACOWAY. Mr. Chairman, will the gentleman yield?

Mr. CANDLER. Yes.

Mr. JACOWAY. As the gentleman will recall, Dr. Mohler said this work must commence on the farm.

Mr. CANDLER. Of course it must commence on the farm, because the hogs are on the farm, and you have to go to the farm for the subjects upon which to operate.

The work that has been done has been frequently called to the attention of the House, and its effect has been called to the attention of the House. The number of hogs on farms on January 1, 1918, was 71,374,000. The number of hogs on

farms on January 1, 1919, was 75,587,000, or an increase in production during the past year of 4,213,000. All over the country there is a demand for an increase of food products, and if ever there was a time when every stimulation ought to be given to the production of the necessary food products for this country as well as other countries it is now, and instead of decreasing appropriations, which is liable to decrease the food products of the country, it is time to increase the appropriations for that purpose in order to increase the supply of food products of the country.

Now, the amendment of the gentleman from Missouri [Mr. RUBEY] is not an extravagant amendment to this appropriation bill. It is a very reasonable proposition which he offers. As I stated at the outset, it comes within the estimate and is below the estimate made by the department itself. The department is thoroughly conversant with conditions throughout the country and knows the necessity for the continuation of this work and the necessity for the money asked for. From the time the first appropriation was made in 1912 for this purpose up to the present time, the amount being $75,000 in that first appropriation of 1912, there has been a marvelous amount of saving in the hog products, amounting, it is estimated, to many millions of dollars each year. The amendment of the gentleman from Missouri [Mr. RUBEY] should prevail. [Applause.]

Mr. HAUGEN. Mr. Chairman, I desire to arrange for closing debate on this paragraph. I ask unanimous consent that the debate on this paragraph and all amendments thereto close in one hour. That will take care of all the requests which have been made for time.

Mr. RUBEY. Will the gentleman agree to have the time divided?

Mr. MANN of Illinois. You had better divide the time.

Mr. RUBEY. Thirty minutes to the gentleman from Iowa and 30 minutes to myself.

Mr. HAUGEN. That is perfectly agreeable to me. Let the time be equally divided between the gentleman from Missouri and myself.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the debate on this paragraph and all amendments thereto be closed in one hour, the time to be equally divided between himself and the gentleman from Missouri [Mr. RUBEY]. Is there objection?

There was no objection.

Mr. HAUGEN. I yield five minutes to the gentleman from Delaware [Mr. LAYTON]. [Applause.]

Mr. LAYTON. Mr. Chairman, I have made a long and arduous attempt to get the floor, not to make an extended speech, but because I want to say something that I think is pertinent to this section.

First I want to say that I think that on legislation that can not possibly involve partisanship, legislation in which this side of the House is just as much interested, by reason of the magnitude of agriculture, as that side can possibly be, any attempt by implication or insinuation to inject partisanship is in my judgment wholly and entirely out of order. [Applause.]

My only purpose in rising is to ascertain some facts. As I understand it, this provision has been in the Agricultural bill for several years. The Government has spent a large amount of money upon biological and pathological research.

I wish to find out from the members of the committee what have been the results. What have you got in the shape of clinical facts? Have you discovered indubitably and beyond question that the serum manufactured in the various laboratories all over the country is a success? I am very familiar with one of these laboratories, located between Wilmington and Philadelphia—the Mulford factory. Has it been ascertained with reference to this serum that it will do what the medical profession has ascertained that other serums will do in the way of the prevention of other diseases?

Mr. RUBEY. Yes. There is no doubt in the world that a serum has been discovered that is an absolute preventive of hog cholera.

Mr. LAYTON. If this serum has been proven by clinical experiency to be an absolute preventive, either altogether or in a large fractional degree, then what in the name of common sense is the use of sending a horde of travelers around this country to teach people how to inject it, when as a matter of fact every county in the United States has its own veterinary surgeon, sometimes more than one?

Mr. RUBEY. Will the gentleman yield?

Mr. LAYTON. No; I will not. I have not the time. I wish to say another thing. I am in favor of the use of this hog-cholera serum and expect to vote for this appropriation, but why should there be so much solicitude on the subject of hog cholera and the sending of traveling veterinarians through the country when 110,000,000 people have never had a single traveling physician to teach them how to use antitoxin in diphtheria? The physicians of the country have been entirely sufficient to apply that antitoxin in diphtheria cases. The point I want to make is this, that if the clinical records do not show that the hog-cholera antitoxin is a good thing, then let us shift some of this money, let us stop this peripatetic body of experts from traveling over the country, and let us put more money behind real experts in Washington for purposes of experimentation, and let them work in their clinical laboratories and find an antitoxin that will be effective. But if you have an antitoxin that does the work, that is effective, let us cut out these traveling experts, because I will say frankly that they are no longer needed. You have veterinary surgeons already who can inject this serum if it is a good serum. [Applause.]

I believe in the farmer himself receiving the direct benefit of the appropriations carried in this section. I do not believe in appropriating over $30,000,000, which this bill carries, and have a large portion of it spent on salaries alone. If it has been clearly, scientifically, and clinically determined that an effective antitoxin for hog cholera has been found, I believe in saving the money which these traveling experts will receive, both in salaries and expenses, and take the money and buy the antitoxin and distribute it free of charge to every section of the country engaged in hog raising, so that the price of inoculation might be directly reduced for the benefit of the farmer. It is very plain that immense sums of money are appropriated for multitudinous purposes which are largely consumed by the pay roll, and those for whom it is intended receive the smaller part of the appropriation. No sensible man would vote against a measure necessary to the public welfare; but in view of the fearful financial burdens imposed upon the whole people by the wasteful and indefensible measures pursued by the administration in the conduct of a war lasting less than two years, during which not a foot of our soil was invaded, not a city or hamlet destroyed, it becomes imperative—absolutely and unequivocally imperative—in order to relieve the burden of taxation imposed upon the people, to cut every appropriation to the bone. The Republican Party has been invested with the responsibility of legislation. It is exceedingly foolish for the various appropriation committees, composed of a majority of Republicans, to permit the heads of the departments and of bureaus under a Democratic administration to dictate the amount of appropriations needed. If they exercise their judgment to cut down at all the estimates furnished by the heads of the departments, they are justified in using that same judgment to the fullest degree of their responsibility.

The CHAIRMAN. The gentleman from Mississippi [Mr. QUIN] is recognized for five minutes.

Mr. QUIN. Mr. Chairman, I can not agree with what the gentleman from Delaware [Mr. LAYTON] says, and I certainly oppose the amendment offered by my colleague on the Military Committee [Mr. TILSON]. I approve of the amendment offered by the gentleman from Missouri [Mr. RUBEY] to increase the amount instead of decreasing it. The gentleman from Connecticut [Mr. TILSON] says they do not need it and that it is against the interests of the farmer. How on earth does he figure it would hurt the farmer to have the Government prevent cholera among his hogs? Then the gentleman from Delaware [Mr. LAYTON] says that if they have this serum, which is largely a preventive of hog cholera, we do not need veterinarians for the purpose of having the hogs treated by the injection of the serum.

Mr. LAYTON. Will the gentleman allow me to make an observation to make it clear?

Mr. QUIN. Yes.

Mr. LAYTON. The Mulford factory and the other antitoxin factories established in this country advertise their products. They go into every drug store——

Mr. QUIN. Yes. I understand the gentleman's proposition. I will ask him not to take my time. When a man has a disease in his family he knows the drug stores have medicines, but he wants a physician to show him how to use the medicine. He wants an expert to do it. So the farmer wants an expert to teach him how to inject cholera serum into his hogs.

The farmers of this country are not trained veterinarians and do not understand the injection of the serum. What is proposed here is to have the hog farmer taught how to inject the serum in order to prevent the hog cholera from spreading and perhaps destroying his herd. After he has been shown how, the farmer can always take care of the situation himself. Who objects to this being done free of cost to the farmer? Certainly every man on this floor must appreciate the fact that it is necessary to increase hog production, both for the benefit of the public and

the increasing of the profits of the farmer. The raising of hogs is of paramount importance to the people, and it is in their interest that all the hogs possible be raised in this country.

The gentleman from Mississippi, my colleague [Mr. CANDLER], states that there were produced last year 4,000,000 more hogs than the year before. Still there seems to be a scarcity of hog meat in this country. You can not get the best grade of bacon under 57 cents a pound to-day. The man who works for a small salary can not afford to pay 57 cents for hog meat to eat. Yet if we carry out the doctrine advocated by the gentleman from Connecticut [Mr. TILSON] and the gentleman from Delaware [Mr. LAYTON] we will be paying $1.50 for bacon, and still the people will not have sufficient bacon even if they had the money to buy it at that high price. Certainly we all agree to the doctrine of economy, but what is the use of advocating false economy. A schoolboy would know that you can not raise hogs and cattle without putting up money to have the best experts in the United States in order that the farm demonstrators can carry the doctrine to every farmer, and every farmer, whether he has 3 hogs or 3,000 hogs, should have the serum, and the demonstrator should go over every county and direct and instruct the farmer how to put it into the hogs to protect them against the deadly and destructive disease of cholera.

The same thing applies to cattle. No man can overestimate what has been done in the way of curing the blackleg and tuberculosis in our cattle and tuberculosis and cholera in hogs, and, while we are talking about the high price of meat, Congress would, if the gentleman from Connecticut had his way, raise the price. Here is the Agricultural Department asking for this amount of money, and I am willing to take the judgment of the gentleman from Missouri and the gentleman from Mississippi and grant the $75,000 more. What is a mere $75,000 if you can send out more surgeons and more serum and increase the hog production to give more profit to the farmers and cheaper meat to the consumers?

Mr. WHITE of Kansas. Will the gentleman yield?

Mr. QUIN. Yes.

Mr. WHITE of Kansas. I would like to ask the gentleman if he has noticed any decrease in the price of bacon within the last five months?

Mr. QUIN. Yes; I had to pay 78 cents a pound and now I only pay 57. The decrease is all over the country. Give the farmer all he needs to raise more hog meat and you will do him and the whole people a great service. We must help the farmer in every possible way. [Applause.]

Mr. HAUGEN. I yield five minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman and gentlemen, the gentleman from Connecticut called attention to a pertinent fact. He says it is very difficult to jar a fellow loose from his job. A few months ago the Military Committee came in here and asked us to add 6,000 spur jinglers and bench warmers to the Army of the United States in time of peace, without adding a soldier or intending that one of the 6,000 ever go into any fighting contingent. I opposed it. I wish the gentleman from Connecticut had ascertained then how hard it was to jar a spur jingler and bench warmer loose from his job.

It is always interesting to hear the views of gentlemen from Connecticut as to farms and farmers. My grandfather was born on a farm in Connecticut 123 years ago. I went back there a summer ago to look at it. They went 10 miles from a railway and established the Agricultural College of Connecticut, adjoining my mother's grandfather's farm. For over 150 years the Taylors made a living up in that country. They went from there to Bunker Hill and the siege of Louisburg, where Duval volunteered for the forlorn hope against the island battery. I have great respect for the Connecticut farmer. It takes a smart man to make a living on a Connecticut farm. They could well qualify as experts in farming, and I am glad to have their opinions. [Laughter.]

A few months ago we voted in this House for an appropriation of $876,000,000 for an Army in time of peace. Now, when the farmers come in here and want $30,000,000 to invest in the biggest business of the country, men come around with amendments to pare down, pare down, pare down. The committee probably struck a happy medium—they are intelligent men and have been at it a long time—but the idea of cutting it down does not appeal to me and it has no economical reason. There is no industry which is more entitled to protection from this Government than the hog industry. It is subject to attacks under the laws of nature which makes it a difficult problem to handle. If there is a good deal of money spent in taking care of hog cholera, there is not a dollar of it wasted if they keep at it until it is solved.

The serums of the country are valuable, deserve great consideration, and they do a wealth of good in the product of this country from farm and for table. In proportion to the capital invested the serum business does as much for the consumer and for the farmer as any business. It saves enough hogs so that the meat supply is much larger and more sure, and so that families have meat on the table that never would otherwise. You can safely pause on nonproducing investments. You must expend where there comes a return. No reasonable-minded man should ask to cut down the appropriation for a great industry like this in a time like this, when we are spending hundreds of millions for the Army and the Navy in time of peace and with 4,000,000 soldiers ready. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUBEY. Mr. Chairman, I yield five minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Chairman, the report of a committee in this House is usually entitled prima facie to acceptance, and anyone who challenges a report of a committee ought to be provided with reasons to support his contention. I believe the majority of the committee made a mistake in reducing the appropriation for the suppression and control of hog cholera. The appropriation for this fiscal year was $641,000. Six hundred and fifty-eight thousand was the recommendation for the next fiscal year. The committee have only reported $510,000. Now, no one questions the economic importance of the hog industry or of the desirability of increasing hog production. I do not understand that anyone has seriously questioned the value of the methods pursued by the Department of Agriculture in its control and suppression of hog cholera. I know something of the work of the department from observation in my own section and in other sections of the country. That observation, coupled with the testimony of the Chief of the Bureau of Animal Industry, as disclosed in the hearings, should make it apparent to any unbiased mind that not only is the work important but that the amount recommended for the work ought to have been granted by the committee.

I rose especially to combat what I think is a dangerous tendency disclosed by the opponents of this appropriation. The gentleman from Kansas [Mr. TINCHER] is opposed to all extension work among the farmers of the country, apparently.

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

Mr. SMALL. Not just now, for I first want to quote what the gentleman says. I quote this language from the gentleman from Kansas, as disclosed in the hearings:

> I do not think there is any occasion on earth for the Government to spend a dime now to persuade people to use the hog-cholera treatment. You have the treatment, you have the vaccine that will prevent it, and anyone who is interested to the extent of owning hogs ought to have enough thrift without the parental guidance of the Government how to use it.

So that if the gentleman had had his way, he would have cut out everything in this appropriation except sufficient funds necessary to manufacture the vaccine or the serum. The gentleman from Connecticut [Mr. TILSON] talks about the useless work of the agents of the department. The most valuable piece of legislation which we have enacted here in years is the legislation providing for the extension work in the Department of Agriculture. The farmers cooperative demonstration agents, the home agents, these agents of the Bureau of Animal Industry, all proceed upon the theory of carrying knowledge to the man upon the farm. We have always had expert knowledge about agriculture. My learned friend from Virginia [Mr. MOORE] just told me of a recipe from Cato for curing hams, which he says very nearly, if not quite, approaches the method now used in producing the famous Smithfield ham in Virginia. The difficulty has always been in getting information to the farmer.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. HAUGEN. Mr. Chairman, I yield three minutes to the gentleman from Kansas [Mr. STRONG].

Mr. STRONG of Kansas. Mr. Chairman, I have been very highly amused at the comparison of the gentleman from Missouri [Mr. RUCKER] of hogs raised in Kansas with the hogs raised in Missouri. Whenever a farmer in Kansas has a hog that is a little off color, a hog of the long-nose variety, all that is necessary to bring about the death of that hog is to have some one come along and say to the farmer, "Where did you get that Missouri hog?" The hog is immediately knocked in the head. Everyone knows where the razorback hog comes from, and everyone knows where the hog comes from that drinks out of a jug, and they do not exist in Kansas.

It seems to me the time has come in this House to take the advice of the farmers. I come from an agricultural and a stock-raising district, and the only ambition I have is to correctly represent the interests of my constituents. I prefer to stand with Congressman TINCHER, of Kansas, who has raised thousands of hogs, and I prefer to take the advice of a man like Congressman WHITE, of Kansas, a farmer who farms with

his hands, and who every year raises hundreds of hogs; I would rather follow the advice of the farmers of this House who know what the farmers want; and they know that one thing the farmer wants is to keep down the burden of taxation. He does not want a lot of Washington experts to come out and tell him what he should do on the farm. [Applause.] Everyone knows it does not help the farmers to have a lot of fellows from Washington tell them how to raise hogs. They know more about it than do your experts from Washington. What the farmer wants is to cut down the useless appropriations. Let us make appropriations that will help the farmer, not have experts traveling around farming the farmer and taking the money out of his pocket to pay for it. I am in favor of appropriations wherever the farmers will be helped, but I do not want them hindered by experts and burdened with taxes. [Applause.]

Mr. RUBEY. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. McKEOWN].

Mr. McKEOWN. Mr. Chairman, this matter may be passed over lightly by some men in the House, but one of the most important things that you will have to deal with this session is food production in this country. The man worst hurt financially in the country is the man who raised hogs during the war and had to sell at a loss. You can go back into the western States and talk to the farmers who raised hogs at the solicitation of the Food Administration and various agents of the Government, and you will find that he is complaining that the Government officials induced him to go out and buy feed at the highest prices ever known in the country and buy hogs at the highest prices, and feed them for the market, and he now must take his loss. As a result of that, hundreds of farmers who have heretofore devoted their entire attention to raising hogs will raise no more hogs, if they do as they threaten. They do not understand why it was that Congress gave large amounts to make good certain losses on war contracts that had not been completed, and yet they had to pocket their losses when the armistice was signed, and when the armistice came their products were cut half in two, from nearly 20 cents down to 10 cents. Yet upon the market the consumer was paying more than he paid at 20 cents. When the price of beef cattle went down the market in Washington showed an advance of 25 per cent. If you reduce this appropriation, what will be the result? The result will be this: The farmers will not try to raise as many hogs, because conditions are not such as to induce them to do it. You take away the protection that is thrown around the man who ventures, because it is a venture to go into the hog-raising business, and when you withdraw that protection of having the serum and veterinary surgeon where they can be reached, you make the business of growing hogs more hazardous, and therefore you will reduce the output.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. TILSON. Will the gentleman explain to me and to this committee how 143 men can be available for the use of the entire country, for the hogs of the entire country?

Mr. McKEOWN. I would say to the gentleman that I do not know what conditions prevail in his State. His farmers may have acquired sufficient information to know how to handle their own herds, and no doubt in the State of Kansas they have acquired that information, but down in my State the farmers, while they are progressive, have not had the opportunities to learn how to inject this serum. Besides that, the serum must be taken to the farm in order to stop the epidemic where it commences, in order to save secondary work. These men must be carried out to the farm in order that the disease may be properly diagnosed. [Applause.]

Mr. Chairman, it might not be out of place at this time to make a few observations relative to the conditions that now confront the American farmer. America and the entire European Continent is calling upon him for more food, and yet the conditions under which he toils do not improve. The farmers are unable to get labor at any reasonable figure and often can not employ sufficient labor at any price. This is due to the fact that during the war the call and demand for labor in the shipbuilding and manufacturing centers took from the farm all the labor that was left after the boys went to the Army. The boys have returned from the Army, but the call of the city with high wages has left but few of them on the farm.

While obtaining increased prices for his products, yet the farmer is having to pay unheard-of prices for the things he must buy. This is especially true of his farm machinery and equipment required for his business.

In 1914 when the World War broke out the cotton farmers of my State suffered a tremendous loss because of the effect of the blockade of cotton to Germany and Austria, but, on the other hand, the things the farmers were required to buy commenced to rise in price and have been going up ever since until we are wondering where it will stop. Many farmers and merchants were ruined financially as a result of the embargo of 1914, and never recovered from the effects of the low price of cotton.

Cotton has recently reached a high price, but it has been slowly following the manufactured products up the scale. The farmers' products, as a rule, never start up at the same time as the manufactured articles, and, in my judgment, the products of the farm will be the first to be hit in the process of curtailing the cost of living, unless the farmers are aided in their methods of marketing.

Legislation that would be fair to the manufacturer in reducing the high cost of living would not be fair to the farmers.

The manufacturer can put on the market whatever quantity of the product of his factory he desires. He can increase the quantity in a given period of time or decrease the same as the exigencies may require; but the farmer can not control the amount of his crops. There is a Higher Power that controls the sunshine and the rains so necessary to a good crop. He may plant large acreage expecting a large yield and may have an entire failure.

It is therefore imperative that in legislating for the welfare of the farmers we keep this fact before our minds.

Some considerable feeling has grown up in the cities against the farmers of the country on account of the enormous increase in the cost of living. This is not justified, because there is too great a difference between the prices received by the farmer and the prices paid by the consumer. The wrong lies between the two. In many places the profiteers have been taking toll. To find the profiteers seems to be a difficult job. One is reminded of that game played in the days of his youth, "Button, button, who has the button?"

One thing is certain, however, and that is, these pirates will not get their just dues until they are brought to justice and have to wear trousers with large stripes running around, instead of narrow stripes running up and down.

Mr. Chairman, I am in favor of putting into effect every sane method that will reduce the cost of living, but I am not in favor of 5-cent cotton and 50-cent wheat to get it.

There is an abnormal demand for food, clothing, and the necessaries of life throughout the entire world. It could not be otherwise when we contemplate the immense loss and destruction of supplies during the war and the employment of millions of men in destroying lives and property for four long years. The demand grows greater every day upon the United States, and far exceeds the financial ability of many of the countries, and unless the peoples of continental Europe can get started to creating something with which to trade, the shipment of the products of the farmer will be greatly curtailed and a break in prices will result. This must be avoided.

Mr. Chairman, it is the duty of this Congress to give to the farmers of the country all possible assistance in their efforts to meet the demands being made upon them both at home and abroad, and for that reason I think the amendment of the gentleman from Missouri [Mr. RUBEY] should prevail.

Mr. HAUGEN. Mr. Chairman, I yield three minutes to the gentleman from Indiana [Mr. PURNELL].

Mr. PURNELL. Mr. Chairman and gentlemen of the committee, the question involved here is not whether we are for or against the American farmer. It is presumed that we are all for him. The question is, Shall we carry on the pay roll the 143 agents now engaged in looking after this work in some 2,900 counties of the United States? When this work was first started it was necessary for the Government to send Federal agents throughout the country not only to teach the farmer how to use this virus but to teach the veterinary surgeons over the country how to administer it. I say to you now that the veterinary surgeons have learned how to use it, and the farmers have learned how to administer it. They have learned its preventive uses, and we have incorporated in this bill enough money to insure the virus that is administered. We have not affected that. The Government still guarantees to the hog raisers of the country that the virus which is given will be pure, but we are not willing to carry on the pay roll a lot of paid experts who are traveling, as has been shown, over 2,000,000 miles each year to teach a few farmers how to give this serum. There are 2,900 counties in the United States, and it is utterly impossible for 143 paid experts of the Government to cover that territory. If there are counties where this work has not advanced, where the farmers do not know how to administer it, where the local veterinary surgeons are not onto their jobs, there is still left in this bill $292,000 to carry on that work. One hundred and eighty-eight thousand dollars is provided by the bill for Government inspection of serum, and $29,520 guarantees that the research work will be continued. We have left in the bill

$292,000, which, in my judgment, is just $292,000 more than ought to be kept in it, which can be used for the purpose of sending these 143 men throughout the length and breadth of this land in order to tell the farmers and veterinary surgeons something they now know or ought to know. The average American farmer—it is true in Indiana—would by far rather have his local veterinary surgeon come to his farm when there is a threatened outbreak of hog cholera and tell him how to administer serum, segregate the hogs, and apply the remedies than any so-called Government expert. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUBEY. Mr. Chairman, on this side we are considerably ahead in point of time of the gentleman from Iowa, because he is only yielding three minutes, where we are yielding five minutes to each man.

The CHAIRMAN. The Chair is advised that the gentleman from Missouri has used 15 minutes, and the gentleman from Iowa 14 minutes.

Mr. RUBEY. I will yield five minutes to the gentleman from Missouri [Mr. NELSON]. [Applause.]

Mr. NELSON of Missouri. Mr. Chairman and gentlemen of the committee, I greatly regret that the quality of the Missouri hog has been called into question. I want to resent the imputation that the Missouri hog is in the habit of stropping himself against a sassafras sapling; it is a mistake. The Missouri hog is a hog with hams and history. Only the other day in my district we sold a Poland China hog for $10,200. I believe if some of my friends who are opposed to this appropriation were to enjoy a real Missouri country-cured ham, brown as a berry, and with a never-to-be-forgotten flavor and aroma, instead of "the embalmed hind leg of a dead hog," that they would be strongly for this proposition.

May I say, in all seriousness, that I believe I speak for the farmers of my State, a State ranking third in hog production, when I say that we are strongly in favor of a liberal appropriation for this work. I say this because our people have repeatedly, through resolutions, gone on record to this effect. In the Missouri farmers' week meeting helding at Columbia, Mo., the seat of the Missouri College of Agriculture, the swine men of the State in convention assembled have asked that a liberal appropriation be made. Therefore, I believe I speak with authority.

I am sure that all of us want to know the truth as to the value of hog cholera control work. May I cite one instance in my own experience? As a boy, I remember on the home farm where out of a herd of 135 head of hogs we burned 110 head that died of hog cholera. And may I say to you that on this same farm to-day, with the simultaneous treatment constantly in use, we have not lost a hog from cholera in five years. There is absolutely no doubt as to the value of this as a preventive measure.

You people from the city are interested quite as much as those of us from the country. It means that to increase the meat supply——

Mr. TINCHER. Will the gentleman yield?

Mr. NELSON of Missouri. I will.

Mr. TINCHER. Do I understand that for five years on this particular farm the simultaneous treatment has been in use and has kept the hogs free from cholera?

Mr. NELSON of Missouri. Yes.

Mr. TINCHER. You have known about this treatment in Missouri for five years and there is one farm where you have kept it absolutely free from cholera by the use of this treatment for the last five years?

Mr. NELSON of Missouri. Yes, sir.

Mr. TINCHER. Would it be necessary to send a Government expert to that neighborhood?

Mr. NELSON of Missouri. I may say this in reply, that unfortunately it is disease and not health which is contagious. I am interested almost as much in whether my neighbor across the fence keeps his farm clean and keeps cholera off the farm as I am in conditions at home, because when he does not it spreads throughout the entire district. If every man realized the importance of this remedy, it would be a different proposition; but, unfortunately, scattered all over our country, are men who do not appreciate the importance of the treatment and who will not carry out the regulations of burning the hogs that have died of cholera.

So the disease may spread all over the country. Therefore I believe it is absolutely necessary that we continue this appropriation. I am in favor of economy. I will help you strike from this appropriation bill a lot of useless employees, and I know that they are there. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield three minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Chairman, I did not intend to say anything about this appropriation until a question was asked and answered by a member of the committee on the other side. The question was, "Is there a serum for hog cholera"—or whatever you call it—"the same as for diphtheria in the human animal?" And the reply came, "There is." Now, if that is correct, and I believe it to be correct, it seems to me that there is no use for any traveling inspectors in this department; and I am not speaking disrespectfully of the men in the public service. What you want to police, and police vigilantly, is the people who manufacture this serum, and impose a severe penalty upon any man who manufactures a spurious article. When that is done we have done all that we have done for the human animal.

In almost every county in the United States, especially in the agricultural portions, there is a farm agent who advises on all manner of things. In my county of Vermilion, with 90,000 to 100,000 people, I think we have at least 15, and I am not sure but more, veterinarians, and more than that if you count those who doctor the dogs and those who doctor the chickens. But I am referring to veterinarians, who are accomplished gentlemen all around and can treat most anything except the human animal. My county and my district are about two-thirds agricultural, and the other third is engaged in other callings, like manufacturing, and so forth. I think there is more good agricultural land in the district that I represent than any other district in the United States. I want to vote everything that is necessary to vote to aid the farmer in his industry, but I do not want to burden him with an unnecessary appropriation. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, this discussion and the amendment offered by the gentleman from Missouri [Mr. RUBEY] illustrate how difficult it is to separate a patriot from the public pay roll. Gentlemen talk about legislation and appropriations for the farmer when what they mean and what they have in mind is the farming of the farmer through the employment of "deserving Democrats." No farmer's interest, no public interest anywhere, will be affected injuriously by the separation from the public crib of a large number of the gentlemen who are now going about nursing the farmers' hogs and showing the farmers how to shoot serum into a hog's hind leg. I have so high a regard for the American farmer that I sympathize with him when a dapper gentleman, fresh from the country precincts of Chicago or New York, or some other metropolitan city, comes out to tell him how to vaccinate his hogs. We have been vaccinating calves for the black leg for many, many years, but we never thought it necessary to send out divers and sundry gentlemen throughout the country to tell the American stockmen how to apply the serum to a calf's leg.

I live among farmers. I represent farmers; I represent a State that is quite as distinctly farming in the way of stock raising as any State in the Union, and I have had continual complaints from my constituents of the seeming overanxiety of the agents of the Agricultural Department relative to their affairs. And they ask to be relieved from the pestiferous annoyances of superfluous agents of the Agricultural Department, who pretend to know more about their business than they do themselves.

We believe in the county agent. We have him in every county in our State. We believe in the activities of the Agricultural Department when and so far as they are directed actually in the interest of the farmer. But the idea that we must spend $300,000 of the people's money, largely contributed by the farmer, for the purpose of sending men hither and yon to vaccinate the farmers' hogs, is a proposition that is too ridiculous for serious discussion. You can not vaccinate all the hogs of all the people in the country for $290,000. And if you are not to vaccinate them all, why vaccinate them in a few favorite sections here and there? It has been well and proper to make appropriations to convey to the farmer information as to the proper way to use these serums and these vaccines, but the idea that we are to wet-nurse the farmers' hogs, and that for all time to come we are to furnish veterinarians to care for the farmers' stock, strikes me as a very extraordinary doctrine to come from the rock-ribbed Democratic State of Texas.

What has become of your democracy, gentlemen? What has become of your idea that people should be left to carry on their business in their own way, uninterfered with by the Federal Government, with only such aid and assistance as we all admit they should have? Do you gentlemen on the Democratic side now want the Federal Government to furnish you veterinarians to vaccinate all the hogs of the Southland? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUBEY. Mr. Chairman, I have listened with a good deal of amusement to the speech just made by my friend, the gentleman from Wyoming [Mr. MONDELL], and I am wondering what he is going to have to say when we reach that part of this bill where we are spending money to destroy wolves and coyotes, getting after the rabies in the West, and seeking to eradicate the predatory animals that destroy his live stock out there in Wyoming. Now, of course, if he does not want that done, we will be very glad to take it out of the bill. I am afraid, however, that he will object when we go to cutting down appropriations for the destruction of predatory animals.

Mr. MONDELL. Will the gentleman yield?

Mr. RUBEY. I can not yield now.

Mr. MONDELL. If the gentleman——

Mr. RUBEY. I can not yield and I am not going to yield.

Now, Mr. Chairman, we have heard a good deal about traveling. I want to take up some of these things and talk about them for just a little while. We have heard about the traveling expenses. I am wondering if my friends on the other side think that we can conduct experiments out here in the Agricultural Department and do any work of any kind that is worth anything by having to bring the hogs to Washington in order to have them treated and examined? They talk about traveling expenses. Let me give you one little illustration of that.

Mr. MANN of Illinois. It might be cheaper to bring them to Washington.

Mr. RUBEY. It would not be cheaper, and you would have a hard time doing it.

Just a day or two ago—and I want to say this is the first time I have taken up the question of hog cholera in my State recently—there was an outbreak of hog cholera in my district and I called on the department here and asked them to have a man from my State sent there.

They sent a telegram to Jefferson City, in my State, where the headquarters are, where they are cooperating with the State of Missouri, the Government inspectors with the State of Missouri officials, and they will probably send a man to Shannon County, in my State. Now, the way the railroads run it will be necessary for that man to travel at least 500 miles to go down into that territory and go into that district and set them right on the question of hog cholera. If by traveling 500 miles and spending a few days down there he can assist those farmers in stamping out the hog cholera in that one county and keeping it from spreading to all the counties around, he will be doing excellent work.

Mr. LAYTON. Have you no veterinarians there?

Mr. RUBEY. There may be veterinarians in some of the near-by towns, but—and in this I am sure the gentleman from Delaware, who is a physician, will agree—when I want a physician I want the very best I can get. When hogs in my district have cholera, I want a Government man who knows his business; I want the best veterinarian I can get.

Mr. LAYTON. You do not do that in a case of diphtheria?

Mr. RUBEY. Why, of course, I would; but I can not yield further. The difficulty is this: For a great many years in this country we had proposed all kinds of remedies for hog cholera all over the country. People did not believe in them. They were fake remedies, and the people of the country got so used to these fake remedies that it has been a very difficult matter to get them interested in the real sure-enough, efficient remedy offered by the Government. We have had to send out a great deal of propaganda. The Government has had to demonstrate beyond the peradventure of a doubt the fact that there is a remedy that will most certainly prevent hog cholera.

The gentleman from Connecticut [Mr. TILSON] spoke a moment ago about the work in his State. Now, there happen to be just three other States in the Union that raise less hogs than Connecticut, and yet a few days ago in conversation with one of the farm demonstrators from Connecticut I asked him particularly about the hog-cholera work, and he said it was fine work and satisfactory in every particular. We can all of us remember what the situation was 10 or 15 years ago.

I remember going out onto a farm and visiting with one of the patrons of my bank, who had a big, fine farm. It was in the fall. He had gathered his corn, and he had turned his hogs into the cornfield. As we walked down through that cornfield there was an old dead tree standing there, and by the side of that tree there were two dead hogs—great big, 200-pound, fine hogs. My friend's face was full of anguish as he looked at those hogs, and then he glanced up at the tree, and he saw there where the lightning had struck the tree. It showed beyond question that those hogs had been killed by that stroke of lightning in the storm that occurred the night before. I never saw a man look happier than did my friend when he found that out. He said, "My God! I thought my hogs had the cholera."

What did it mean to him? It meant the loss of practically every hog on his farm, because in those days they had no way of treating it, and when the cholera got on a farm it simply took every hog on the farm before it quit. Then, as a rule, after the farmer got cleaned up he would not go into the business again for two or three years, because he was afraid of the hog cholera. And here, when we are trying to do something to reduce the high cost of living, when we are trying to increase production, our friends say it is time to stop this work on the hog cholera.

We began this work in 1912. There was an appropriation made in that year of $75,000. Previous to that time there had been a great deal of investigation and experiments by the Government. Away back yonder in 1878 the first appropriation was made for work of this kind, $10,000. Along about 1885 the department discovered what was then thought to be the cause of hog cholera. In 1897 a serum was discovered which was thought to be effective, but further demonstration caused it to be abandoned. It was not until in 1903 and 1904 that the true nature of hog cholera was discovered, and it was not until in 1905 and in 1906 that an effective remedy was finally discovered. In 1912, six years later, Congress took up the work and appropriated the money that has enabled the department to demonstrate beyond doubt the efficiency of the remedy.

Let me tell you something further. So effective was that work, and so strongly did it impress the farmers and the hog raisers of the country, that they came before us in 1913, backed up by the Secretary of Agriculture, asking us to make a great, large appropriation. We made an appropriation, a lump-sum appropriation of $500,000, for the purpose of helping to stamp out the hog cholera, and that enabled the department to go into some of the hog-producing States of the Union, select certain counties, and make a thorough test of the effectiveness of the remedy. The work is now being done largely in cooperation with States. We have got an organization in Missouri and in a great many other States; they go into the communities where there is hog cholera——

Mr. SMITH of Idaho. Mr. Chairman, will the gentleman permit me to ask him a question?

Mr. RUBEY. A brief question.

Mr. SMITH of Idaho. What proportion of the 2,900 counties in the country have had the benefit of the service and advice of these experts?

Mr. RUBEY. I expect over 2,000.

Mr. SMITH of Idaho. If they rendered good service in those counties where they have been operating, as I understand gentlemen favoring a reduction of this appropriation admit, why is it not sensible to have these experts go into the other counties where they have not operated, instead of reducing the force?

Mr. RUBEY. The gentleman is correct. If it is a good thing for the counties and States where it has been tried, it is a good thing for all the counties and States where hogs are raised.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. RUBEY. I hope, Mr. Chairman, that the amendment offered by the gentleman from Connecticut [Mr. TILSON] will be voted down and that my amendment will be agreed to.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I trust the amendment offered by the gentleman from Missouri [Mr. RUBEY] will not be agreed to.

The Committee on Agriculture gave a great deal of consideration to this item, and the amount recommended—$510,000—is, in the opinion of a large majority of the committee, sufficient, even liberal, for the work the department should carry on.

I wish to give the committee an idea of how appropriations for this particular work have grown during recent years. If you will pay attention you will see how they were increased during the war, when there was a strenuous effort to increase production and prevent waste of food. The demand now for retention of war-time appropriations, and, in some cases, for large increases, is principally for the purpose of retaining the immense force which the department brought in and attached to the pay rolls during the war.

In 1916 the appropriation was $235,000.

In 1917 the appropriation was $360,000.

In 1918, $413,000.

In 1919, $446,000.

In 1920, the year that is now running, the appropriation was $641,000, an increase over the preceding year of nearly $200,000. This year they wish a further increase, and ask for $658,000.

Mr. JONES of Pennsylvania. And out of that $658,000 the sum of $621,000 is for salaries and traveling expenses.

Mr. McLAUGHLIN of Michigan. I have not made the exact calculation. Now, I believe the work the department has been doing is in the main a very good work, indeed. It is directed

and carried on by capable men, devoted to their work. One good thing they have done is to arouse interest in the work throughout the country.

That has been done promptly and well. As one of the gentlemen here has said, 33 States have already enacted legislation and signified their willingness to engage in the work under the lead of the bureau. That much has been done, and I am one of those who believe that the work should now and always be done largely by the States. The people have been aroused to their duty and to the protection of their own interest; now let them go on in the way they have started. The bureau is and will be able to advise and assist, but it should not be asked, or if asked should not, in my opinion, be permitted, to do all the work. Something has been said about outbreaks of hog cholera, and gentlemen have pointed to the decreased percentage of loss since this work was undertaken by the bureau. An outbreak comes one year and then another. No one can tell the cause nor when an outbreak will come, and the percentage of loss depends largely on the extent and severity of the outbreak. I do not deny that the work of the department will enable those who are raising hogs to guard against serious loss; certainly the loss will not be as great as it would be if the treatment were not administered. There is no known cure for hog cholera. The serum is used simply and entirely as a preventive. If the outbreak is serious and of wide extent, there will be a larger percentage of loss than in a year when the outbreak is slight or confined to a limited area. The mere statement or the mere record of the fact that the number of hogs lost or the percentage of loss is less in one year than in another year does not prove much.

One serious trouble encountered only a few years ago, which called for new work and the outlay of a large amount of money, was that it was difficult and almost impossible for anyone to secure a pure and effective serum. There were a large number of manufacturing concerns in the country engaged in making it, but to speak plainly it was not made on the square, and much of it, far from doing good, actually did harm when used. So a law was enacted in March, 1913, providing for inspection of these factories, and the work of inspection has been carried on diligently and with good effect.

This year, out of the $510,000 we propose that $188,000 shall be used for the inspection of serum factories. That work is necessary and must be done. The committee were not disposed to cut down that amount; in fact, I believe it was increased some $30,000, including transfers to the statutory roll of $5,280. We do not begrudge money for any necessary work.

Now, you have noticed by the figures I have given you that this work was largely increased during the war. We heard the appeal and yielded to the pressure, very properly, I believe, for large increases of appropriations to bring about increased production and the conservation of foodstuffs. In almost every bureau and branch of the Department of Agriculture there was a large increase of money to provide for these larger activities. The result was that good work was accomplished. It has my hearty approval, but the war is over and thousands of those who were taken into the Department in one line and another on account of war activities remain. Many of them should go. The Government does not need them. We must get back to normal times and carry on the work of the department in a normal way, supplying needed money, refusing to take on new work, and extending old lines of work only where absolutely necessary.

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired. The question is on the amendment of the gentleman from Connecticut [Mr. TILSON], which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. TILSON: Strike out of the Rubey amendment the figures "$585,000" and insert in lieu thereof "$410,000."

The question being taken, on a division (demanded by Mr. TILSON) there were—ayes 62, noes 68.

Mr. TILSON. Mr. Chairman, the vote is close. I ask for tellers.

Tellers were ordered; and the Chairman appointed Mr. TILSON and Mr. RUBEY.

The committee again divided; and the tellers reported—ayes 79, noes 77.

Accordingly the amendment to the amendment was agreed to.

The CHAIRMAN. The question is upon the amendment of the gentleman from Missouri [Mr. RUBEY] as amended by the amendment of the gentleman from Connecticut.

The question being taken, on a division (demanded by Mr. RUBEY) there were—ayes 83, noes 52.

Accordingly the amendment as amended was agreed to.

The Clerk read as follows:

In all, for general expenses, $3,778,266.

Mr. GARD. Mr. Chairman, I move to strike out the last word. I do this for the purpose of calling attention to a communication I have received from my friend Hon. Sam K. Hughes, a farmer and a very keen observer of events in Butler County, Ohio, regarding the sale of what is said to be the largest hog ever sold, I believe, in any market. It was sold by George J. Seeman, of Butler County, Ohio, its owner and breeder, and when sold at the age of 3 years weighed 1,280 pounds. This hog was of the big Poland China breed, originated by David Magie, of Butler County, Ohio. This animal has been thought to be of such importance by those interested in the breeding and raising of hogs that it has been photographed and reproduced in moving pictures and described in many newspapers. It is said to stand to-day as the record achievement of hog raisers, and hundreds of people from far and near have called at the Seeman farm to see this monarch of its kind.

Mr. LAYTON. How old was that hog?

Mr. GARD. Three years old.

Mr. BLANTON. How much did the hog bring?

Mr. GARD. I have not the price, but prices are very large for breeding animals, some, I am informed, selling for as much as $3,500 for one hog.

Mr. CANDLER. Will the gentleman yield?

Mr. GARD. Yes, gladly.

Mr. CANDLER. I congratulate the gentleman upon this magnificent hog raised in Ohio. In Lowndes County, Miss., many years ago there was a hog raised by a gentleman by the name of Sim Orr, which, according to my recollection, surpassed in weight the hog raised in Ohio, but just the exact weight I am not able to say. Therefore I will not attempt to state the exact weight for the RECORD. Mr. Orr not only raised the largest hog known of up to that date but also raised the largest steer. He was some stock raiser in his day.

Mr. GARD. Possibly the Mississippi hog was saturated with Tombigbee water. [Laughter.]

Mr. CANDLER. He was raised near the Tombigbee, it is true, in the great county of Lowndes, and that is the reason he grew so large. [Applause.]

The Clerk read as follows:

BUREAU OF PLANT INDUSTRY.

Salaries, Bureau of Plant Industry: One physiologist and pathologist, who shall be chief of bureau, $5,000; 1 assistant to the chief, $3,000; 1 executive assistant in seed distribution, $2,500; 1 officer in charge of publications, $2,250; 1 landscape gardener, $1,800; 1 officer in charge of records, $2,250; 1 executive clerk, $2,000; 4 executive clerks, at $1,980 each; 1 seed inspector, $1,000; 1 seed warehouseman, $1,400; 1 seed warehouseman, $1,000; 12 clerks, class 4; 17 clerks, class 3; 5 clerks, at $1,500 each; 28 clerks, class 2; 3 clerks, at $1,320 each; 86 clerks, class 1; 2 clerks or draftsmen, at $1,200 each; 2 clerks, at $1,100 each; 5 clerks, at $1,080 each; 7 clerks, at $1,020 each; 30 clerks, at $1,000 each; 43 clerks, at $900 each; 1 clerk or draftsman, $900; 11 clerks, at $840 each; 1 laborer, $780; 44 messengers or laborers, at $720 each; 8 messengers or laborers, at $660 each; 17 messengers or laborers, at $600 each; 1 artist, $1,620; 1 clerk or artist, $1,400; 2 clerks or artists, at $1,200 each; 2 laboratory aids, at $1,440 each; 1 laboratory aid, $1,380; 4 laboratory aids or clerks, at $1,200 each; 1 laboratory aid, clerk, or skilled laborer, $1,080; 3 laboratory aids, clerks, or skilled laborers, at $1,020 each; 2 laboratory aids, at $960 each; 2 laboratory aids, at $900 each; 6 laboratory aids, at $840 each; 7 laboratory aids, at $720 each; 1 map tracer or laboratory aid, $900; 2 gardeners, at $1,440 each; 4 gardeners, at $1,200 each; 8 gardeners, at $1,100 each; 15 gardeners, at $900 each; 19 gardeners, at $780 each; 1 skilled laborer, $1,100; 1 skilled laborer, $960; 2 skilled laborers, at $900 each; 3 skilled laborers, at $840 each; 1 assistant in technology, $1,400; 1 assistant in technology, $1,380; 1 general mechanic, $1,400; 1 mechanician, $1,080; 1 mechanical assistant, $1,400; 1 mechanical assistant, $1,200; 1 carpenter, $900; 1 painter, $900; 1 teamster, $840; 21 messengers or laborers, at $540 each; 29 messengers or laborers, at $480 each; 3 messenger boys, at $660 each; 14 messenger boys, at $600 each; 10 messenger boys, at $480 each; 5 messenger boys, at $420 each; 16 messenger boys, at $360 each; 4 charwomen, at $480 each; 21 charwomen, at $240 each; in all, $526,960.

Mr. BLANTON. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 19, line 20, after the sum "$780," strike out "forty-four" and insert "four"; in line 21 strike out "eight" and insert "one," and also strike out "seventeen" and insert "two."

And, on page 20, line 15, after the sum "$840," strike out "twenty-one" and insert "five"; in line 16 strike out "twenty-nine" and insert "five"; in line 17 strike out "three" and insert "one"; in line 18 strike out "fourteen" and insert "one," and also strike out "ten" and insert "one"; in line 19 strike out "five" and insert "one"; and in line 20 strike out "sixteen" and insert "one," so that the number of messengers allowed the Plant Industry Office be reduced from 167 to 22, the department having 576 other messengers provided for in this bill.

Mr. MANN of Illinois. Mr. Chairman, I make a point of order as to the form of the amendment.

Mr. BLANTON. Mr. Chairman, at the suggestion of the gentleman from Illinois, to whom we must always go for definite, final information, I ask leave to modify my amendment.

Mr. MANN of Illinois. The explanatory part is no part of the amendment.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to modify his amendment. Is there objection?

There was no objection.

Mr. BLANTON. That was for the benefit of those men who come in and are going to vote and do not know what they are voting on. [Laughter.]

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 19, line 20, after the sum "$780," strike out "forty-four" and insert "four"; in line 21, strike out "eight" and insert "one," and also strike out "seventeen" and insert "two"; and on page 20, line 15, after the sum "$840," strike out "twenty-one" and insert "five"; in line 16, strike out "twenty-nine" and insert "five"; in line 17, strike out "three" and insert "one"; in line 18, strike out "fourteen" and insert "one," and also strike out "ten" and insert "one"; in line 19, strike out "five" and insert "one"; and in line 20, strike out "sixteen" and insert "one."

Mr. BLANTON. Mr. Chairman——

Mr. BANKHEAD. Will the gentleman yield? I want to make a parliamentary inquiry.

Mr. BLANTON. No; I can not yield. This is more important than any parliamentary inquiry. Mr. Chairman, for 24 hours I have been worrying about this wasteful messenger service provided in this bill for this department. Here the committee has provided for this Department of Agriculture 743 messengers. Oh, the gentleman says that they are called messengers but they do something else, that they may do some clerical service. If these 743 messengers do any clerical service, then we ought to cut down the clerical force elsewhere in the bill, because we provide much more than a plenty of clerical force outside of the messenger service. In this paragraph alone we provide 167 messengers for the Plant Industry office, it being merely one of the numerous bureaus in the Department of Agriculture.

Mr. MURPHY. Will the gentleman yield?

Mr. BLANTON. No; I can not yield; I might hear some more about your "infamous league of nations" that the gentleman from Ohio [Mr. MURPHY] was talking about the other day, concerning which I do not believe there is another man in the United States who will agree with him that the League of Nations is "damnable," as he said it was the other day. So much for that.

Mr. BAER. I will say that I agree with him.

Mr. KING. And I agree to it.

Mr. BLANTON. I did not think there were two other men of that kind in the House. But, getting back to my subject—743 messengers for the Department of Agriculture and 167 for the Plant Industry Bureau alone. Now, gentlemen, if you want to go to the country with that kind of a record for economy, why, let it stay in the bill, because we are going to meet you on the hustings before the people on this question of economy. And when we do meet you we will do a plenty to you.

My friends, I am asking you to cut down this useless, unnecessary number of 167 to 22. Is not 22 a plenty? Did you notice in this bill, on page 4, that for the Secretary's office alone this great committee on economy has allowed 1 lieutenant of the watch, 2 second lieutenants of the watch, and 73 extra watchmen for one office—the Secretary's office alone—76 watchmen for one little building. My God, what do they watch? [Laughter.] The Secretary's office is nothing in the world but that one red building. Why should you fill and surround it with 76 watchmen? Where do you put all of those 76 watchmen? They are all on big salaries, and in addition to their salary each one gets a bonus of $240, and each year their salary is increased under civil service. Are you going to let that stay? Then you talk about economy. This Republican lip economy of which we are hearing so much. You fellows ought to get in line with the chairman of the Committee on Appropriations, Mr. GOOD.

Mr. BAER. Will the gentleman yield?

Mr. BLANTON. I can not yield. The gentleman from North Dakota has a way of getting before the people through cartoons. I can not draw cartoons.

Mr. BAER. Mr. Chairman, I make the point of order that the gentleman is not talking to the amendment.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. Is not the amendment divisible? It relates to different branches and sections.

The CHAIRMAN. The Chair would state that the amendment referred to messengers provided in the paragraph which is devoted to salaries in the Bureau of Plant Industry. The Chair thinks that if the gentleman desires these specific items of the amendment to be voted on separately, he can secure that by a demand for a separate vote.

Mr. MONDELL. Mr. Chairman, when a Democratic Secretary of Agriculture——

Mr. BLANTON. From Iowa.

Mr. MONDELL. Recently from Texas, now from Iowa, and all of his bureau chiefs come before a committee of Congress and swear by all the gods and the great hornspoon that in their department and the bureaus over which they have supervision and with which they are familiar, whose operations are constantly under their observation, they must have a given number of clerks and assistants, messengers and watchmen, what is the committee going to do? It is no doubt true there are too many. Those of us who visit these departments believe there is an unnecessary number of clerks and probably an unnecessary number of messengers in many of them, but just how are you going to determine where to draw the line? How are we to determine to just what extent these Democratic Secretaries and heads of bureaus, I will not say prevaricating, but to what extent are they exaggerating, to what extent are they drawing the long bow, just how far are they trying to put it over Congress?

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I regret I can not yield now. I can not tell, and as legislators, desirous of doing nothing to injure the public service, we must, in a great measure, take the word of these Democratic officials. To do otherwise would be to render ourselves subject to the charge of slashing estimates without regard to the interests and the needs of the public service. I suppose there is not anyone here who would feel particularly disturbed if our friends on the Democratic side want to reduce the number of these clerks and messengers. I imagine they can be reduced some without any very great harm to the public service. The committee has felt compelled, however, to place at least some credence in the statements of these officials, reiterated, emphasized, and insisted upon. They will swear that they can not spare a man and keep the Government service going, and what are you going to do about it? I do not think it would be a bad thing to do a little cutting all along the line, but the committee has felt that in the main it must sometimes yield its judgment to the reiterated demands of the responsible officials of the administration and at least give them the benefit of the doubt, when they declare that your Uncle Sam could not possibly attend to the affairs of the people if they had one less clerk or one less messenger.

Mr. RUBEY. Mr. Chairman, I move to strike out the last word. I do that for the purpose of replying to one statement by the gentleman from Wyoming [Mr. MONDELL]. During the consideration of this bill he comes upon this floor and talks about Democratic Secretaries and Democratic heads of departments, Democratic this and Democratic that. He is the one gentleman so far as I know who has tried to bring politics into this bill. Let me say that the gentlemen in the Department of Agriculture—I have the statistics here in my hand—practically all of the heads of the departments, have been there for years and years. They were there under Secretary Wilson when I came here, and they have been there ever since. Take one of them, for instance, Dr. Mohler. He is a most estimable gentleman, has been in the department many years, and is now head of the Bureau of Animal Industry. Dr. Mohler is a most efficient bureau chief. What his politics are I do not know and I do not care. We do not want politics in the Department of Agriculture. I resent the statement made by the majority leader in coming here and trying to inject politics into the Department of Agriculture. [Applause on the Democratic side.] The Secretary of Agriculture is a Democrat and possibly his immediate assistants are, but the men who are charged with the details of the work are the chiefs of the respective bureaus. Dr. Mohler, and I use him only as an illustration, Chief of the Bureau of Animal Industry, has charge of that bureau under the direction of the Secretary, and, of course, he is the man who is responsible for the work, and we all know it.

Mr. LITTLE. Mr. Chairman, will the gentleman yield for a question?

Mr. RUBEY. Yes; certainly.

Mr. LITTLE. Does the gentleman think we would be justified in passing the amendment of the gentleman from Texas [Mr. BLANTON]?

Mr. RUBEY. No; most assuredly we would not.

Mr. MANN of Illinois. Mr. Chairman, I do not think the gentleman from Wyoming [Mr. MONDELL] is properly subject to the lecture just delivered to him by the gentleman from Missouri [Mr. RUBEY]. What was the situation? The gentleman from Texas [Mr. BLANTON] on a number of occasions during the consideration of this bill has said, in effect, "We propose to go before the country and hold you Republicans responsible for making these provisions authorizing a lot of messengers in the Agricultural Department." The gentleman from Wyoming very properly replies that the request for these officials comes from a Democratic Cabinet officer. I do not see

how anyone can make an issue before the country on the ground that the Republicans have not sufficiently reduced the employees under a Democratic official and give the credit to the Democratic official.

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. I yield to the gentleman from Missouri.

Mr. BLANTON. The gentleman wants to be fair.

Mr. MANN of Illinois. I not only want to be fair but I am fair.

Mr. RUBEY. The gentleman from Illinois did not quite accurately quote the majority leader.

Mr. MANN of Illinois. I did not quote the majority leader at all.

Mr. RUBEY. He did not stop with the heads of the various departments, but he spoke of the bureau chiefs.

Mr. MANN of Illinois. I never quote anyone on the floor of the House. I stated the substance of the contention here and stated it correctly. I do not blame the gentleman from Missouri for criticizing the majority leader, but at the same time he had no criticism whatever to make of his Democratic colleague for seeking to reduce the number of messengers.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. BLANTON. According to the argument of the distinguished gentleman from Illinois [Mr. MANN] and of the distinguished gentleman from Wyoming [Mr. MONDELL], if a Democratic Cabinet officer should ask this Republican Congress for $1,997,000,000 with which to shoot skyrockets of communication to the planets in the skies, they, the Republican Congress, would have to supinely bow and give that much of the people's money to them.

Mr. MANN of Illinois. I do not think the gentleman is quite up to his usual standard in dissecting an argument. If a Democratic official made that request, however, and a Republican Congress granted the money, I fail to see where there would be any partisan issue before the people on the subject.

Mr. BLANTON. It would be a darn-fool issue.

Mr. MANN of Illinois. If both parties agreed to it, what is the partisan issue? Now, I am inclined to agree very largely with some of the suggestions made by the gentleman from Texas. I have no doubt there are too many messengers in the Agricultural Department and in every other department of the Government. The Committee on Agriculture, however, can not, in the very nature of things, take up for consideration and carefully examine the need for each messenger in the department. The Committee on Agriculture has more important duties to perform than finding out what each one of the 700 messengers in the department is doing. Necessarily, they always have been and they always will be guided in the main by the estimates for the number of messengers. I do not criticize the committee for bringing in recommendations which of themselves do reduce to some extent the number of messengers in the department. I am inclined to think it would not hurt anybody in the end if we very materially reduced the number of messengers, who are now so thick that they fall over each other in every department. [Applause.]

The CHAIRMAN. The time of the gentleman has expired; all time has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out something else.

The CHAIRMAN. That motion will not be in order, the Chair will state; there is an amendment pending.

Mr. McLAUGHLIN of Michigan. Were all the pro forma amendments withdrawn?

The CHAIRMAN. The pro forma amendment has not been withdrawn.

Mr. RUBEY. I will withdraw mine.

The CHAIRMAN. The gentleman from Missouri withdraws his pro forma amendment.

Mr. McLAUGHLIN of Michigan. I will renew that amendment.

The CHAIRMAN. The gentleman moves to strike out the last three words.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I think the gentleman from Missouri [Mr. RUBEY] is right in saying there is little if any politics in the Department of Agriculture. I remember some 10 years ago, when the distinguished gentleman, James Wilson, was Secretary, he paid the Committee on Agriculture the honor of a visit. We talked with him of the manner in which officials and employees of his department were selected. There had been a suggestion that politics or partisanship had some influence in such matters. I remember very well when he said, "There are 9,000 employees in the Department of Agriculture and I do not know the politics of nine of them." I believe he spoke with entire truthfulness. A few years ago, after the distinguished gentleman, Mr. Houston, became Secretary, he, too, came to see us one day, when a matter of the same import was brought before the committee. He remarked about it. Secretary Wilson's remark was quoted to him, and he said, "I can go him several better; there are 20,000 employees in this department"—now, mark the increase, and see how the number has grown and judge whether or not the committee has been unfair or niggardly in recommending appropriations—he said, "I have 20,000 employees, and of all of them I know the politics of only myself and my private secretary." I believe he, too, spoke with entire truth and candor. So I think the gentleman from Missouri is right in saying that there is little politics; but there are too many employees. [Applause.] Why does the bill still provide for too many? Because the Committee on Agriculture was unable to get assistance or suggestions from the heads of bureaus as to where cuts could properly be made in the bill, cuts that the majority of the committee said were necessary. The majority of the committee told department bureau heads that there was no disposition on the part of the committee to embarrass or hinder any necessary feature or portion of the work.

Mr. LONGWORTH. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. There was one exception; the Chief of the Forest Service, at our urgent request, named items and appropriations which might, if necessary, be changed or reduced without injury or embarrassment to the service. As to appropriations and estimates of other bureaus, the committee found it necessary to take testimony and otherwise to get all available information and in the end use its best judgment. We made many cuts, necessarily, Mr. Chairman, mostly in the lump sums. Cuts or changes of lump sums do not affect the men and women employees on the statutory rolls, the rolls which the gentleman from Texas is criticizing so severely. On the statutory rolls provision is made, we all believe, for the employment of larger numbers than are necessary for properly carrying on the work. We could not eliminate the excess; we could not tell which clerk, which watchman, which messenger should be refused, and we received no suggestion from any one connected with the department as to which of them could be eliminated.

Mr. LONGWORTH. Does the gentleman mean to say that the chiefs of bureaus refused the request of the committee that they should suggest as to where savings could be made?

Mr. McLAUGHLIN of Michigan. I think I am entirely right in saying that except as to the Chief of the Forest Service, the gentlemen who came before us were unwilling, did not wish to listen to our suggestions that their estimates could not be approved. We talked to them about economy. They were deaf to our suggestions as to where savings could be made.

And another thing that makes the number of employees in that department larger than it ought to be is that every one of them is under civil service, and time after time the heads of the bureaus, in answer to inquiries, have told us that there are clerks and other employees on the rolls who are incompetent. We asked why incompetents are not dismissed, and the answer was that they are under the civil service; that if one is to be gotten rid of there must be charges and a trial, so the bureau hesitates; and that is one of the reasons they do not proceed against anyone. Read it in the testimony; you will see it. We have heard it year after year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I do not believe anyone here wants to embarrass the Department of Agriculture, but I do not believe any person here can excuse the failure of the bureau chiefs in the Agricultural Department or any other department in their refusal to assist a congressional committee in the performance of its work. We are presumably here to represent the American people in every activity of the Government, and we ought to be impartial in whatever we have to do. We are the arbiters between the bureau chiefs and the people who pay the taxes, and I think that it will be admitted by every man here that if there ever was a time when we should pare to the bone that time is now. It is conceded by every impartial observer that in all the branches of the Government service in the District of Columbia we have more than 40,000 people who are not needed, but you can not get the cooperation of any man in the Government service to eliminate them from the pay roll. It is not very long since we appropriated money with which to pay the fare of a lot of people who were not needed in the service back to their homes, and even then we could not get rid of them, because we could not get the cooperation of the departmental branches of the Government, and it may be that to eliminate many employees who are no longer needed as a war necessity we must blindly cut without respect as to whether we know

what we are doing or not. [Applause.] The time has come when we must even do that and take a chance. [Applause.] For it must be understood that these people are not to be permitted to remain here in times of peace at the expense of the American people, who are already overburdened with taxation.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. LONGWORTH. I see that it struck the gentleman, as it struck me, that it is a most astounding condition that is revealed by what the gentleman from Michigan [Mr. MCLAUGHLIN] said, that the bureau chiefs utterly refused to assist the committees in deciding where cuts should be made. Does not the gentleman think that under such circumstances the committee would have been well justified in failing to appropriate a portion of these gentlemen's salaries until they would assist the committee?

Mr. MADDEN. I certainly do. And I am perfectly willing to enter upon a campaign now to assist in the elimination of every unnecessary employee.

Mr. BLANTON. Then vote for my amendment.

Mr. MADDEN. I will. I intend to vote for the gentleman's amendment.

Mr. SABATH. Will the gentleman yield?

Mr. MADDEN. I do not want to yield now.

I believe we have an obligation imposed upon us that the American people expect us to live up to, and that obligation is to bring back these departments to the period of peace. [Applause.] We must realize that the war is over, and I think we do, but we must do more than realize it. We must force these people in the administrative branch of the Government to realize it. We had about 30,000 people on the pay roll in Washington when the war came on, and to-day we have 110,000. Does anyone believe that 110,000 clerks are needed here in these days of peace? Not at all.

And every day, in every mail I receive, letters come telling me of the burdens that the people are carrying and wishing to know what we are doing to give them relief. Are we to be hamstrung here by the bureau chiefs? Are they to be permitted to say to the American people that "Only through us can you reduce the expenses of the Government"? We all realize that we have already $3,000,000,000 of a deficit and $6,000,000,000 of estimated expenses for 1921, with $5,300,000,000 of receipts estimated, when you take out what will not be collected. There is $5,300,000,000 of revenue to pay $9,000,000,000 of estimated expenses for 1921. Do you want to issue bonds? Do you think the people will buy them? Do you think anyone will justify action looking to that end? Are we to economize in fact or are we not? That is the issue. Now is the time to begin the work of economy. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Texas [Mr. BLANTON].

Mr. HAUGEN. Mr. Chairman, I would like to be recognized for five minutes.

The CHAIRMAN. All time has expired on the amendment. The question is on the amendment offered by the gentleman from Texas [Mr. BLANTON].

The question was taken, and the Chair announced that the noes appeared to have it.

Mr. BLANTON. Division, Mr. Chairman.

Mr. HAUGEN. Mr. Chairman, the vote should have been on the pro forma amendment.

The CHAIRMAN. The Chair stands corrected. The vote is on the pro forma amendment striking out the last three words.

The question was taken, and the amendment was rejected.

Mr. HAUGEN. Mr. Chairman, I move to strike out the last four words.

I believe there is some misconception of the statement that all the chiefs of the bureaus of the Department of Agriculture, except the Chief of the Forest Service, refused to give information or to cooperate with the committee. What was done, and I think the gentleman from Michigan [Mr. MCLAUGHLIN] will bear me out, was this: We suggested to the Chief of the Forest Service that he suggest what cuts could be made in the bill without injuring his service. He assisted us by making certain suggestions.

It was suggested to a representative of the department that he might indicate what cuts could best be made in the bill. He indicated that he would like to accommodate the committee, but I inferred that it would be embarrassing to him to suggest a cut in one bureau and not in another, or to suggest a cut in an item the needs of which he had been contending for. I can appreciate this, and I do not believe that the gentlemen who have spoken will contend that there should be any adverse criticism against the department for that.

I believe I voice the sentiment of every member of the committee when I say that every bureau chief is a man of integrity, of character, and of standing, endeavoring to perform his duty with fidelity, and is dominated with the noblest and loftiest ideals. Gentlemen, they are enthusiastic over their work, and if they were not they would not be worth even a part of the salary paid to them. They feel it their duty to go before the committee and ask for large appropriations. If they did not do that, they feel that they would not be doing their work justice. The committee must pass on their statements. The committee has been working night and day in the committee room, so we can not do as suggested—go to the departments to find out how many messengers they must employ and how many they need. We must take their word for it. They are men of integrity.

The result of the amendment of the gentleman from Texas would be to do this: It would strike off the employees at low salaries. The department would put others on the pay roll at an increase, possibly at three or four hundred dollars more a month, for they must have the help. That is what it would do. It would increase their salaries. As has been said here, many of the employees termed "messengers" do clerical work, receiving $700 or $800 in salary. Are we going to supplant them with clerks drawing salaries of $1,200 or $1,800? Or are we going to compel the scientists receiving $3,000 or $4,000 a year to perform the duties of messengers and clerks? Is it not necessary to have messengers in the departments? Why do we employ messengers here in the House? Why do not you gentlemen, drawing $7,500 a year, do the messenger work? If it is necessary for us to have messengers here in the House, is it not equally necessary to have them in the departments? There is as much need for them in the departments as in this House. We may have more messengers here than we ought to have, and I think they have more in the departments than they ought to have. We have cut the number—possibly in some instances we have cut more than we should have done. As has been stated, we worked in the dark and may have made mistakes. Because the bureau chiefs did not want to come before the committee and recommend cuts, I do not believe they should be so severely criticized for it.

Mr. YOUNG of Texas. Mr. Chairman, I would like to say just a few words.

I desire to reenforce what the chairman of this committee has said with reference to the preparation of this bill as to these employees. So far as I am personally concerned, and so far as every member of that committee is concerned, we do not want a single man on that pay roll that is not doing service that is worth the money being paid to him.

Now, some of you are going wild. This is a great department of this Government, that presides over the destiny of the whole agricultural section of our Nation. And what does the bill carry? It carries $30,000,000.

Now, you are speaking about cuts. For the whole field of agriculture the total appropriation is $30,000,000. Compare it with the other departments, if you please.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Texas. Yes.

Mr. MADDEN. The gentleman would not want to appropriate $100,000,000 if $25,000,000 would do, I am sure?

Mr. YOUNG of Texas. I say they are not doing that. We have cut it to the bone now, and have crippled the service. Take the great stockyard section that the gentleman represents. The meat inspection of the packing houses constitutes one of the great items on the pay rolls. The committee did recommend the increase of the salaries there over the estimates. That is not agriculture. That is meat inspection. When the House increased the list of the salaries you did not hear the gentleman from Illinois [Mr. MADDEN] kicking about that.

Mr. LONGWORTH. But the gentleman from Illinois does not represent the stockyards.

Mr. YOUNG of Texas. He represents that section; he represents that State—a part of that State. He represents a part of that city and he is a citizen of that city.

Mr. JOHN W. RAINEY. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Texas. No; I can not yield. I am not raising any controversy about it. Probably the gentleman who has risen is right about it. My friend JOHN RAINEY probably put it over. I am not raising any controversy about it. But that is not agriculture; yet it is charged up to agriculture. You talk about the Forest Service expending millions of dollars. That is not agriculture; yet it is charged up to this bill. Take from the field of agriculture the things that do not belong to it and you will see that we are spending less than $20,000,000 for agriculture.

Now, you are talking about cuts. You are talking about cutting out these employees. Where is there a man on the floor of

this House—and I am talking to intelligent men—who would seriously favor that proposition? I know how my colleague [Mr. BLANTON] expects to use this in Texas. He is going to use the word "messengers." [Laughter.] He does not know a thing about it. [Laughter.] I will tell you the truth; but he does not know a thing about it. He is just going to play on that word "messenger." That is what he is going to do. It is just as well to be honest and frank about it. I believe in economy.

Let me tell you another thing. Let any man belonging to the committee say whether or not these men in the various bureaus, when they came before the committee, were not fair to us.

You will not find a single man that sidestepped. I will tell you what we did do. When we asked them, "Considering the state of the Treasury, can you not cut this, that, or the other?" each one of those heads said, "We know the state of the Treasury. Here is a great work before you. It is our duty to lay it before you. We can not tell you where to cut out items without injury to the service." If you have men there presiding over those bureaus representing this great department, who do not deal with you squarely as a committee, and come before you and tell you what work is needed for the service of your constituents and mine, you would recommend that they be gotten rid of. I do not want a man there who is not earning something. I want him to render some adequate service for the salary he is getting. There may be too many of them. But count the pages here. Have you too many? Who is to say? Count the elevator men. Have you too many? Who is to say? Count the clerks in your offices. Have you too many? Who is to say? These men, the heads of these different bureaus in the department, are just as honorable as you and I are as representatives of the American people, and when they come before me, representing my people, as my people's agents, and tell me that they need this service, I give it to them. That is what the committee did. We should not attempt to fool anybody. [Applause.] The amendment should be voted down.

The CHAIRMAN. The time of the gentleman from Texas has expired. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. BLANTON].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. BLANTON. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 10, noes 58.

So the amendment was rejected.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LAYTON. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. STRONG of Kansas. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. TILSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Connecticut offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TILSON: Pages 19 and 20: Page 19, line 19, strike out "four" and insert "three"; line 13, strike out "twelve" and insert "nine"; line 13, strike out "seventeen" and insert "fourteen"; line 13, strike out "five" and insert "four"; line 14, strike out "twenty-eight" and insert "twenty-five"; line 15, strike out "eighty-six" and insert "seventy-three"; line 16, strike out "five" and insert "four"; line 20, strike out "forty-four" and insert "forty-two"; line 21, strike out "seventeen" and insert "sixteen." Page 20, line 3, strike out "two" and insert "one"; line 4, strike out "six" and insert "four."

Mr. TILSON. Mr. Chairman, I wish to say at the outset that if this amendment is adopted it will restore the number of employees in the bureau to exactly the same number as were appropriated for in last year's bill and now carried in the current law. This committee heretofore has tried to reduce and has succeeded to some extent in reducing the amount carried in the bill last year and the number of employees wherever possible. Contrary to what has been done in most other cases, this particular item has been increased and the number of employees as well in a considerable number of instances.

This item in 1918 carried $418,000 plus; in 1919 it carried $440,000 plus; in 1920, the current law, it carries $491,000 plus, a jump of $50,000; and now in this bill there is another jump of over $35,000 in this one item.

If we ever intend to get back to normal, to anything like where we were before the war, it is necessary not only to not increase but to cut wherever possible.

Here is a case where, instead of cutting, we have enlarged the number considerably, amounting in the entire item to $35,000. I can not believe that it is necessary at this time to provide additional employees whose salaries amount to $35,000 a year over and above what were considered necessary to carry on the work of this department successfully during the current fiscal year. Therefore I have offered this amendment, which, if agreed to, will not cut off a single employee, but will restore the number to what the current law carries.

Mr. HAUGEN. The gentleman has stated, as I understand him, that he is willing to allow what were carried for the current year.

Mr. TILSON. I think that ought to be the limit.

Mr. HAUGEN. Very well. If we agree upon that there will be no dispute. What has been done in this instance is simply to transfer certain employees from the lump-sum to the statutory roll and the lump sums reduced correspondingly; that is, reduced $36,880. In addition, one blacksmith at $1,200 has been dropped, so there is an actual decrease of $1,200, although an apparent increase of $35,680, due to the transfer of that amount from the lump sum. The employees so provided or transferred are the ones that your amendment proposes to strike out. There is no actual increase. If the amendment is adopted, as suggested by the gentleman from Connecticut, there will be a decrease of $35,680.

Mr. MANN of Illinois. I notice that the appropriations for the general expenses of this bureau this year are $2,529,000, and this bill reduces them to $2,272,000, a reduction of about $250,000.

Mr. HAUGEN. I can give the gentleman the figures.

Mr. MANN of Illinois. I have the exact figures before me. What I wanted to ask was whether this reduction in the general expenses, which is a reduction in the lump-sum appropriation, is made partly by transferring clerks now employed under the lump-sum appropriation to the statutory roll? Does that help to account for the increase in the statutory roll?

Mr. HAUGEN. Wherever a transfer is made to the statutory roll the lump-sum appropriation is reduced correspondingly, so one is an offset to the other. In this instance one roll, the lump-sum roll, is reduced $36,880 and another roll, the statutory roll, is increased $35,680. There is actually a decrease of $1,200.

Mr. MANN of Illinois. Then, you reduce the total of the lump-sum appropriation by about $250,000?

Mr. HAUGEN. Exactly. It is reduced by the amount added to the other roll.

Mr. MANN of Illinois. And, of course, if a part of that reduction is by reducing it in the lump-sum item and then transferring the employees to the statutory roll, there is, in fact, no increase in the appropriations by this bill at all but, in fact, on the total a considerable reduction.

Mr. HAUGEN. Certainly. Take, for instance, this bureau. The estimate for the bureau was $3,606,000. The committee cut the estimate $568,000. It has been stated that there are many decreases. As stated before, for the whole bill the bureau estimates were $41,953,483, which were cut more than $11,000,000. The department estimates were $37,528,102. The bill reported by the committee carries $30,540,034—a cut of $7,132,823 below the department estimate. The committee cut the appropriations for the current year $3,359,727. However, in various places in the bill there are transfers from the lump-sum appropriation to the statutoy roll, which appear to be an increase but actually are not. The transfers are submitted in accordance with provisions of law. In the instance to which the gentleman from Connecticut has referred we have simply transferred the employees from one roll to another.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EVANS of Nevada. Mr. Chairman, I move to strike out the last two words. One of the most disagreeable things in any business is what is known as laying off men. Evidently it is some one's duty here to know exactly what should be done in this regard, and it seems to me the thing to do is to establish another bureau to be known as the bureau of hiring and firing. Then we can find out all about it.

Mr. STRONG of Kansas. Not hiring, but firing.

The CHAIRMAN. The question is on the amendment of the gentleman from Connecticut [Mr. TILSON].

The question being taken, on a division (demanded by Mr. BLANTON) there were—ayes 23, noes 57.

Accordingly the amendment was rejected.

The Clerk read as follows:

For the investigation of diseases of orchard and other fruits, $80,935: *Provided*, That $8,000 of said amount shall be available for the investigation of diseases of the pecan.

Mr. WATSON. Mr. Chairman, I move to strike out the last word. I speak in favor of this paragraph and regarding the conditions as I understand them in my district and what the investigation of plant diseases has accomplished.

Only those who live in the country, surrounded by trees, plant life, and flowers, can understand the meaning of this section. Perhaps no orchard in my district planted 30 years ago yields fruit to-day, but trees that have grown within 10 years and sprayed in accordance with the methods prescribed by the Department of Agriculture now produce fruit. So if we go into the gardens we find that each vegetable is attacked by some insect. The strawberry, the raspberry, and the asparagus have their enemies, and unless we used insecticides it would be impossible to have the vegetables and fruits that we now enjoy.

Take, for instance, the potato. Sixty years ago there was not a potato bug in the country, but to-day we could not raise a potato if it were not for the spraying process that is now used. The Bureau of Chemistry, through many experiments, has discovered a spray that will kill the insect but not destroy the vine.

It seems strange that the wild flowers are not attacked by insects. The wild rose is not troubled by any disease, but as soon as we cultivate it to please our imagination, then it is subject to disease and is ravished by insects; thus the bud never blooms. Unless we appropriate these large sums to protect the fruits and flowers that appeal to our taste and imagination, they will return to their wild and primitive state. The amount that has been expended for the perfection of insecticides and fungicides has helped very much to retain the fruits and flowers that have been artificially developed during the process of time. It seems to me it is not economy to fail to spend money when by disbursing it we increase our natural resources and provide for a more perfect state of civilization.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HERSMAN. Mr. Chairman, I move to strike out the last two words for the purpose of asking the chairman of the committee in regard to the meaning of the words—

For the investigation of diseases of orchard and other small fruits, $80,935: *Provided*, That $8,000 of said amount shall be available for the investigation of diseases of the pecan.

I should like to know the meaning of the words "orchard and other small fruits."

Mr. HAUGEN. It means practically all fruits.

Mr. HERSMAN. You go on here and say:

Provided, That $8,000 of said amount shall be available for the investigation of diseases of the pecan.

Mr. HAUGEN. Yes; we set aside $8,000 for the pecan. It should not be necessary to put this in, but it is a new item and we carry it a second time.

Mr. HERSMAN. I think to clarify that we ought to add the word "nuts."

Mr. HAUGEN. We carry a number of items in the bill that take care of the nuts. We have made liberal appropriations for that.

Mr. HERSMAN. I wondered if it included in the words "other fruit" the nuts.

Mr. HAUGEN. Yes.

The Clerk read as follows:

For soil-fertility investigations into organic causes of infertility and remedial measures, maintenance of productivity, properties and composition of soil humus, and the transformation and formation of soil humus by soil organisms, $45,060.

Mr. TILSON. Mr. Chairman, I move to strike out the last word. What was the cause of this increase?

Mr. HAUGEN. There is an increase of $10,000 which is to be used in meeting the increased demand for information on new fertilizer materials. The gentleman knows that the question of fertilizer is an important proposition at this time. An effort is being made to procure fertilizer material at a lower cost. There has been much complaint concerning the quality of the fertilizer sold. Some fertilizers have been put on the market which have tended to destroy the crops rather than aid them.

Mr. TILSON. How is the money used—for the employment of experts?

Mr. HAUGEN. Yes; of course, it takes experts to pass upon it. I presume they have messengers, too, which has been so much objected to.

Mr. TILSON. I am not so much interested about the messengers as I am in the men who are making the investigation. I want to find out what they are doing and whether they are accomplishing anything.

Mr. HAUGEN. In this instance a great deal has been accomplished in the two bureaus—in the Bureau of Plant Industry and the Bureau of Soils. They have done good work. In my opinion there is little work in the department that is as generally appreciated by the farmers as this work on fertilizers by the Bureau of Plant Industry and the Bureau of Soils. The two bureaus cooperate, because it is as necessary to study the plants as it is the soil.

The Clerk read as follows:

For acclimatization and adaptation investigations of cotton, corn, and other crops introduced from tropical regions, and for the improvement of cotton and other fiber plants by cultural methods, breeding, and selection, and for determining the feasibility of increasing the production of hard fibers outside of the continental United States, $86,410: *Provided*, That not less than $7,500 of this sum shall be set aside for experiments in cottonseed interbreeding.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word. The committee in the language on page 24, line 7, in the proviso, says "not less than $7,500 of this sum shall be set aside," and so forth. I think that is not a properly worded provision. "Not less than $7,500" would permit the entire amount of $86,410 to be used for the one purpose indicated. The bill was faulty in the same respect last year.

Mr. MANN of Illinois. The bill last year said not less than $7,500 of this sum may be used.

Mr. McLAUGHLIN of Michigan. The fault was in using the words "not less than $7,500." The intention was to limit the amount to be used to $7,500; the bureau was given the appropriation of just the amount of money it wished to use. But there being no limit it actually used $22,000 instead of $7,500. So the wording should be so changed as properly to express the wish of Congress. I move to amend on page 24, line 7, by striking out the words "not less than" and further along in the line strike out the word "shall" and put in the word "may."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 24, line 7, strike out the words "not less than," and in same line strike out the word "shall" and insert in lieu thereof the word "may."

Mr. MANN of Illinois. Mr. Chairman, I am perfectly willing to accept any amendment offered by the gentleman from Michigan, but his amendment will not accomplish anything. The department having construed the language "not less than $7,500 may be used" will construe it again the same way. They have said that that did not limit it; that the appropriation was not limited to $7,500.

Mr. YOUNG of Texas. Mr. Chairman, I happen to know something about this particular item. This station is in the county adjoining my home, a county in the district of my friend Mr. RAYBURN. I have been on the work. It is very important work, and the department will only use this sum and no more.

Mr. MANN of Illinois. Then let us say "not more than $7,500."

Mr. YOUNG of Texas. I have no objection.

Mr. MANN of Illinois. The words "not less than" do not mean anything, because without any provision at all they can use the whole amount.

Mr. YOUNG of Texas. All I am interested in is to have the work continued, because it is important.

Mr. MANN of Illinois. I have no objection to the work being continued.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, the gentleman from Texas is right, and this work has the hearty approval of the committee. Seven thousand five hundred dollars is the amount that the bureau wishes. I ask, Mr. Chairman, to withdraw my amendment and will support the amendment suggested by the gentleman from Illinois [Mr. MANN].

Mr. JACOWAY. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. JACOWAY. Under his amendment only the amount of $7,500 can be used.

Mr. MANN of Illinois. Mr. Chairman, I move to amend by striking out the word "less," in line 7, and inserting the word "more," so that it will read that "not more than $7,500 of this sum shall be set aside." And I would then, if I had my way, strike out the words "shall be set aside" and insert the words "may be used."

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to withdraw the amendment he has offered. Is there objection?

There was no objection.

Mr. MANN of Illinois. Mr. Chairman, I offer to amend by striking out the word "less" and inserting in lieu thereof the word "more"; and by striking out the words "shall be set aside" and inserting the words "may be used."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 24, line 7, strike out the word "less" and insert in lieu thereof the word "more"; and in the same line strike out the words "shall be set aside" and insert in lieu thereof the words "may be used," so

that as amended the line will read: "*Provided*, That not more than $7,500 of this sum may be used for experiments in cottonseed interbreeding."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For the investigation and improvement of cereals and methods of cereal production, and the study of cereal diseases, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broom corn and methods of broom-corn production, $359,705: *Provided*, That $50,000 shall be set aside for the investigation and control of the diseases of wheat, oats, and barley known as black rust, leaf rust, and stripe rust: *Provided also*, That $147,200 shall be set aside for the location of and destruction of the barberry bushes and other vegetation from which such rust spores originate.

Mr. MANN of Illinois. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. GREEN of Iowa. Mr. Chairman, I desire to make some inquiry of the chairman of the committee in respect to this. I am at a loss to understand why so much money is expended for the purpose of discovering barberry bushes.

The CHAIRMAN. Does the gentleman from Illinois yield?

Mr. MANN of Illinois. Yes.

Mr. GREEN of Iowa. What is the necessity for this large appropriation of $147,000 to discover barberry bushes? I understand quite well the necessity for protecting wheat, if possible, against the black rust, and everyone else who has made any investigation into the matter understands that it has been demonstrated that the spores which start the rust collect on the leaves of the barberry bushes, and that they are the chief source of the black rust. That fact having been settled, however, so that there is no longer any question about it, and the barberry bush being a bush that is well known, that anyone can pick out after having once seen it, why should we now spend $147,000 to send experts out to find a bush that anybody could find?

Mr. MANN of Illinois. And when every State is engaged in the destruction of the common barberry bush.

Mr. GREEN of Iowa. Yes. As the gentleman from Illinois has stated, each State is engaged in the destruction of these bushes. I do not know how they could be destroyed anyway, except by direction of the State authorities. Why the States can not take care of the matter is a mystery to me.

Mr. HAUGEN. We have been appropriating large sums for demonstration and study here in Washington.

Mr. GREEN of Iowa. Yes. Originally I think that was proper.

Mr. HAUGEN. We have now cut out the appropriations for that work, but provide here for the officials to go out into the country and destroy the barberry bush, so as to educate the people and encourage the destruction of it. As to the merits of the proposition there seems to be no question but that if we can destroy the barberry bush in this country we will eradicate the black rust, which would increase the yield of this country about one-half.

Mr. GREEN of Iowa. I think the gentleman is correct about that.

Mr. HAUGEN. In Denmark, Sweden, and in every country that has tried it, that has proven to be true—that the yield increases. In the State of Iowa if it were not for the black rust our yield would have been, in a number of instances, twice what it has been.

Mr. MANN of Illinois. There is not a scientist of any note whatever who would claim that the destruction of the barberry bush would eliminate the black rust.

Mr. HAUGEN. I refer the gentleman to the scientists in the Department of Agriculture.

Mr. MANN of Illinois. They will not agree to that.

Mr. HAUGEN. Yes, they will. If the gentleman will refer to the hearings he will find that the officials acknowledge that. Whenever you eliminate the barberry bush you eliminate the black rust. Here we have a large country, which is altogether different from the European countries; it is generally understood that the spores are carried in the air sometimes as far as 200 miles or more.

Mr. MANN of Illinois. Of course, nobody knows that.

Mr. HAUGEN. It is generally believed.

Mr. MANN of Illinois. Nobody could establish such a proposition as that.

Mr. HAUGEN. The gentleman does not believe it?

Mr. MANN of Illinois. I do not know whether it can be done or not.

Mr. HAUGEN. But the experts say it can be done. It will carry as far as the wind will take it. It is the same as the spores of the dandelion.

Mr. GREEN of Iowa. I understand that in my own State, in one of the counties, first one man came there and then another and then another to look at some barberry bushes. The first one could not tell, and I suppose the second one could not, and the third could not, and so on until they had actually had seven men sent out there from somewhere, I do not know whether from Washington or not, to look at a few barberry bushes. Whether they finally destroyed them I do not know. But at all events it took seven men to find out whether they were barberry bushes. It is this kind of work by so-called experts that disgusts the farmer.

Mr. BLANTON. Mr. Chairman, to save time I am going to make the point of order, if the gentleman from Illinois does not. I make the point of order on the second proviso on page 25, lines 13, 14, and 15, beginning with "provided also." It is new legislation and is unauthorized by law.

The CHAIRMAN. The gentleman from Texas makes the point of order against the second proviso in the paragraph. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. HAUGEN. I do. The act provides that there shall be at the seat of government a Department of Agriculture, the general design and duties of which shall be to acquire and diffuse among the people of the United States useful information—that is exactly what is proposed here—on subjects connected with agriculture, in the most general and comprehensive sense of the word, and to secure, propagate, and distribute among the people new and valuable seeds, and so forth. In my opinion there is authority for it.

Mr. BLANTON. If the Chair has any doubt about it, I would like to be heard.

The CHAIRMAN. The Chair will hear the gentleman from Texas.

Mr. BLANTON. Under the gentleman's contention you could appropriate any amount of money to expend it on any subject that has anything to do with agriculture, such as orchards, nuts, and various other things that grow. The general authorization provided for in the act is the general authorization that puts into life the various departments of the Government.

We had this very question up at the time the gentleman from Massachusetts [Mr. GALLIVAN] first offered an amendment to appropriate ten million three hundred and odd thousand dollars for the Department of Labor to carry on what is known as the United States Employment Service. I made the point of order against it, and it was stricken out. The Chair will remember that; and the gentleman contended at that time at length that under the general provisions of the statute creating the Department of Labor we had authority to appropriate this sum. Why, the matter was discussed at length, and the Chair held that the general authorization did not authorize this particular appropriation of $10,300,000 for the specific purposes named and sustained my point of order against it. Now, Congress has never provided any law for the location and destruction of barberry bushes. If there is a bush known as the barberry bush and it is proper to destroy that bush in order to keep the black rust from damaging wheat out in Iowa, what more has the Department of Agriculture to do than merely to tell the farmers over the country who raise wheat—in Iowa and elsewhere—to destroy their barberry bushes? The Department of Agriculture is not going to destroy them for them. Why, the bull nettle in my State interferes with the growing of lots of crops. The Department of Agriculture is not going down and destroy the bull nettle. It can tell the farmers how to destroy it on the farms and then they will do it. Our Government is not that paternalistic. I insist, Mr. Chairman, it is not a proper item to come under the general law creating this department, and that my point of order should be sustained and the people of this country saved this $137,000 thus sought to be wrongfully expended.

Mr. MANN of Illinois. Mr. Chairman, I would like to be heard for a moment on the point of order. I reserved the point of order on this paragraph in the first instance. I do not think I should have made it, but I did want to get a little information in reference to it. The black-rust disease, or whatever it is, whatever you call it, attacks wheat in one State and moves from wheat to some other host. The common barberry is one of the main hosts that is known of the black-rust spores as they move from one plant to another. There are other plants, however, besides the barberry that are a host for black rust. But, on the point of order, there is, of course, no specific authority of law authorizing the Government either to pay for or locate or destroy the barberry bushes in private ownership. This goes to other vegetation. There is no limit under this. How far it may be necessary I do not know, but certainly the general act in reference to the Department of Agriculture to acquire and diffuse useful information can not be extended to the point of locating a particular plant and destroying it.

Mr. CONNALLY. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Texas desire to discuss the point of order?

Mr. CONNALLY. I desire to call the attention of the Chair to one thing in reference to this question. The Chair will note, in line 9, that the total appropriation under this paragraph is $359,705. He will note that no point of order, as I understand, was leveled at this item. Now, the $147,200 in the proviso is a portion of that total. Would not the proviso be merely a limitation of the total appropriation against which there is no point of order leveled, be merely a limitation of that $359,000, of which amount $147,000 would be set aside for the location of and destruction of barberry bushes? So, even if the point of order were sustained, it would not result in a saving of any of the appropriation. It would simply make the general appropriation remain as it is, which could be applied for some other purpose than the destruction of barberry bushes. This is simply a limitation upon a lump sum already appropriated in the first part of the paragraph, and being a limitation of the appropriation would not be subject to the point of order.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] makes the point of order against the proviso beginning with the word "*Provided*," in line 12, page 25, and ending with the word "originate," in line 15. This is a proviso that apportions a certain sum out of the total appropriation made for investigation and improvement of cereals and methods of cereal production and the study of cereal diseases, and so forth, for the purpose of locating and destroying barberry bushes and other vegetation. In the view of the Chair the organic law establishing the Department of Agriculture, to acquire and diffuse among the people useful information on subjects connected with agriculture in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants, and the further provision authorizing the employment of scientists, chemists, botanists, entomologists, and so forth, and fixing the annual salaries thereof, would not authorize the setting aside of a specific sum out of any appropriation for the purpose of locating and destroying bushes or other vegetation and paying for the same. It seems to the Chair that in order that that might properly be included in the general Agricultural bill, and in order that public funds might be utilized for that purpose, it would require a specific authority of law or some definite authorization in the general authority under which the department is established, that act being referred to as the organic act. The Chair is unable to find in the organic act or in the reference of the gentleman from Iowa any such authorization, and therefore sustains the point of order.

Mr. BANKHEAD. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Alabama rises to offer an amendment.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that we pass this item for the present and return to it later.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that this item be passed temporarily, to be returned to later.

Mr. BLANTON. Mr. Chairman, not to carry with it the part stricken out on the point of order?

The CHAIRMAN. The Chair will state to the gentleman from Texas that the appropriation to which the point of order has been made goes out with the sustaining of the point of order. The gentleman from Iowa [Mr. HAUGEN] now desires unanimous consent to return to that part of the paragraph which still remains, later in the proceedings, for the purpose of offering an amendment.

Mr. BANKHEAD. Reserving the right to object to the request, I would like to ask the chairman of the committee if he is doing that for the purpose of undertaking to determine what amount should properly be deducted from the $359,000?

Mr. HAUGEN. That is the purpose. It occurs to me, inasmuch as that proviso is out of order, the amount should be cut. But I am not prepared to state now whether that should be done or not.

Mr. BANKHEAD. I will say to the gentleman that I was going to offer an amendment to eliminate $147,000, in view of the ruling of the Chair, but I am glad that you acquiesce in the purpose.

Mr. HAUGEN. It may be that the department has some money for this work of investigation.

The CHAIRMAN. Is there objection to temporarily passing this paragraph, to be returned to later? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

For the investigation and improvement of fruits, and the method of fruit growing, harvesting, and, in cooperation with the Bureau of Markets, studies of the behavior of fruits during the processes of marketing and while in commercial storage, $110,200: *Provided*, That of this amount the Secretary of Agriculture is authorized to expend $27,000, or so much thereof as may be necessary, for the purchase of lands occupied by the department's experiment vineyards near Fresno and Oakville, Calif., now maintained under contracts with the owners: *And provided further*, That the land purchased for the Fresno vineyard shall not exceed 20 acres at a cost not to exceed $12,000 and for the Oakville vineyard not to exceed 20 acres at a cost not to exceed $15,000.

Mr. BLANTON. Mr. Chairman, I make the point of order against the part of this paragraph embracing the first proviso, beginning on line 13 and ending on line 18; and I also make a point of order against the last proviso, beginning "*And provided further*," on line 18, and ending on line 22, the two embracing an appropriation of $27,000, my point of order being that same are not authorized by law and constitute new legislation.

Mr. HERSMAN. Mr. Chairman, I ask that the gentleman withhold the point of order.

The CHAIRMAN. Does the gentleman from Texas reserve the point of order?

Mr. BLANTON. If the gentleman from California wants to speak, I will do so.

Mr. BARBOUR. I want to speak on that, Mr. Chairman.

Mr. BLANTON. If they are going to have an extended California argument——

Mr. BARBOUR. I think if the gentleman from Texas understood——

Mr. BLANTON. Mr. Chairman, I will reserve the point of order for five minutes and let the California gentlemen use that time as they want.

The CHAIRMAN. Does the gentleman from California [Mr. HERSMAN] desire to discuss the point of order?

Mr. HERSMAN. I would like to discuss it, but I will let my colleague discuss it first.

Mr. BARBOUR. I would like to state, Mr. Chairman and gentlemen of the committee, and particularly to the gentleman from Texas [Mr. BLANTON], who, I believe, is actuated by a desire to be fair, that this appropriation for the purchase of experimental vineyards in the State of California is absolutely necessary at this time.

Mr. BLANTON. Does the gentleman believe that the United States Government ought to buy land out there and go into that kind of business?

Mr. BARBOUR. I do.

Mr. BLANTON. I want to see the Government help the good people out there all it can, but to buy land and go into the vineyard business is something the Government ought not to do.

Mr. BARBOUR. I believe the Government should buy the land in this particular instance, and I think the gentleman from Texas will agree with me when I explain the situation that exists there. These experimental vineyards were started by the Federal Government in the year 1903. At that time the Anaheim disease and Phylloxera were destroying the vineyards of California. In four years' time practically 75 per cent of the vineyards in the Santa Clara Valley were absolutely wiped out of existence. At that time the vineyards throughout that section looked as though they had been swept by fire. This experimental work was started by certain large producers of wine grapes, who asked the Federal Government to come to their assistance in fighting these diseases. The Department of Agriculture then made arrangements with the owners of these vineyards to conduct these experimental stations on land that was furnished by them without expense to the Government.

The department entered into certain agreements by which the landowners furnished the land free of charge to the Government and did all of the necessary work under the direction of the department experts. At the end of each year the landowners submitted statements of account to the Department of Agriculture showing the actual expense for labor, stock, and implements, and for that expense alone they were reimbursed.

Those experimental stations have grown during the period of 17 years that they have been in operation, and to-day they contain the finest collection of viticultural plants known to exist in the world. That is true with respect to the station at Fresno, and I understand that it is true of the station at Oakville. These stations now contain 700 varieties of viticultural plants. And now, when prohibition has swept over the country and wiped out of existence the wine industry in the State of California, an industry that has been encouraged and fostered for years by the Federal Government, thousands of people in that State find their means of livelihood gone; so we are asking the Federal Government to make this small appropriation of $27,000 for the purchase of these lands.

As to the necessity of the purchase——

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. GREEN of Iowa. The gentleman speaks as if the work would be entirely discontinued if this appropriation were not made. I do not so understand it.

Mr. BARBOUR. I was going to address myself to that in a moment.

Mr. GREEN of Iowa. We still allow $83,200 appropriation to carry on this work.

Mr. BARBOUR. Not for this purpose. The necessity for buying these vineyards is this: The wine industry has ceased to exist in the State of California. The owners of the wine-grape vineyards upon which this experimental work was being carried on under the direction of the Department of Agriculture are selling their lands. They have no further use for those lands. As long as they were engaged in the wine industry, and in the business of producing wine grapes and making wine, this arrangement with the department went on. Now that the industry is wiped out of existence these men are selling their lands. They are subdividing them into small tracts, selling them off, and going out of the wine business.

Such being the case, there is nobody with whom the department can now carry on these arrangements. The owners of the land, compelled to go out of business, are no longer interested. The Department of Agriculture has an option to purchase the Fresno experiment vineyard for $600 an acre. In this connection I will state that I have received telegrams and letters from the president of the California Associated Raisin Co., than whom there is no better judge of the value of vineyard lands in the State of California, stating to me that $600 per acre for this land is a most reasonable price.

Furthermore, I want to say that if the Government buys this land it is not putting its money in a hole. This is land that is worth every dollar of $600 per acre, and, if anything, more. It is land that can almost any day be sold for that price. There is necessity for this legislation at this time because it is essential that we do something for the growers of wine grapes. For instance, it is necessary that the growers either graft their vines with new varieties or find some other product into which they may manufacture their wine grapes. That is the urgent necessity for continuing these experiment stations at this time.

Mr. SAUNDERS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. SAUNDERS of Virginia. I gather that this is simply an experimental farm operated by the Government in one particular industry?

Mr. BARBOUR. Yes; but it is a very important industry.

Mr. SAUNDERS of Virginia. We have a Government experimental farm across the river that the Government has bought and is running.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. BLANTON. Does not the gentleman from Virginia think it is rather far away from Washington for the Secretary to carry on an experimental farm in California, nearly 3,000 miles away?

Mr. SAUNDERS of Virginia. The Government is operating an experimental farm at Arlington for the benefit of the whole country. It could not operate the experimental farm at Arlington for the grape industry of California.

Mr. ANDERSON. Mr. Chairman, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. ANDERSON. I want to call the attention of the gentleman from Texas [Mr. BLANTON] to the fact that we have an investment out there in California on this land already. It represents an experiment of a great many years, and if we lose this land or the use of this land we lose the plant along with it, and we lose not only the investment itself but the experience derived as the result of a long series of experiments. It is entirely false economy to make a point of order against this item, because thereby we shall lose an investment that we have already gotten, and we will have to make it over again, and it will take years to duplicate it.

Mr. BLANTON. The Government will not lose its plants. Those people will be so glad to have the Government continue to operate these experimental leases that they will not take away either the land or the plants, but will let the business be carried on as it has been during the past few years.

Mr. ANDERSON. The people who own this particular piece of land have gone out of business entirely and they have no further interest in the maintenance of this plant. The gentleman is entirely in error if he assumes that there is any economy in making a point of order against this item.

Mr. YOUNG of Texas. Mr. Chairman, coming from the State of Texas, I want to reenforce what the gentleman from Minnesota [Mr. ANDERSON] has said. The Committee on Agriculture gave extended hearings to this item. The last word in the grape industry has been learned at these two experimental plants.

Mr. BARBOUR. That is the fact.

Mr. YOUNG of Texas. If you destroy them you destroy the last word, as far as these experiments are concerned. Now, we have a condition in which these lands are being sold. The Government has them under lease. These years have been spent in demonstrating and experimenting, with the greatest and most useful development in the industry that has been accomplished anywhere in the known world, and it has all been done on these two plots of ground. It would be penny-wise and pound-foolish for any man to throw away these 15 or 18 years' experience to save a few dollars and bring about a great loss. I hope that the grape industry of the country will be taken care of. I know that we acted wisely when we provided as a committee to keep these two items in the bill.

Mr. BARBOUR. The gentleman has stated the case in a nutshell.

Mr. BLANTON. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. BLANTON. After my distinguished colleague from Texas [Mr YOUNG] has given us his views I ought to consider the matter settled and withdraw the point of order right now, because a few minutes ago he said that he knew all about the matter of the Department of Agriculture needing 743 high-salaried messengers and that I did not know a single thing on earth about it. Of course, under the circumstances, I ought to bow to such profound knowledge and withdraw the point of order, but I can go down into my friend's district in Texas and convince 99 per cent of his constituents that the gentleman does not know what he is talking about when he asserts that this department needs 743 messengers and that 76 highly paid watchmen are needed for the Secretary's office alone. The trouble with the gentleman from Texas [Mr. YOUNG] is that he has been mixed up with these department heads so long that he gives them just what they ask for, and can not say "no" and can not turn them down. He knows too darned much about things around here. That is what is the matter. Too many of the older Members of Congress are like him, and maybe that is partly why we are now facing a $3,000,000,000 deficit.

Mr. YOUNG of Texas. If my colleague will withdraw his point of order, I will withdraw my statement that I made about his not knowing anything about messengers, and then we will be even.

Mr. BLANTON. No; I am going to let my point of order stand, but I will withhold it to let my friends from California get rid of what they have in their systems.

Mr. BARBOUR. I voted for the amendment of the gentleman from Texas [Mr. BLANTON] eliminating the messengers, and I hope he will be with me on this proposition.

Mr. RICKETTS. Will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. RICKETTS. I should like to know what kind of a lease the Government had on these lands which this appropriation seeks to purchase.

Mr. BARBOUR. The Government had an arrangement with the owners of the land by which the Government had the use of the land free of expense.

Mr. RICKETTS. For what length of time?

Mr. BARBOUR. There was no particular length of time. It just went on under a sort of gentleman's agreement.

Mr. RICKETTS. A verbal lease?

Mr. BARBOUR. I understand a verbal lease.

Mr. RICKETTS. There never was any writing?

Mr. BARBOUR. There never was a written lease. But the condition that exists in the country to-day could not be foreseen. Nobody knew we were going to have prohibition or that the producers of wine grapes would be put out of business.

Mr. GARNER. Will the gentleman yield to me in order that I may make a suggestion?

Mr. BARBOUR. Gladly.

Mr. GARNER. The various gentlemen from California will have more time to work on the gentleman from Texas if we let this bill go over until Monday. I suggest that we take out and give them time to work on him from now until Monday.

Mr. BLANTON. They will accomplish a whole lot.

Mr. GARNER. I do not know. I will give them time, anyway.

Mr. BLANTON. I come from the same sort of a country that my friend the gentleman does, where, in west Texas, we do not change with every shift in the wind.

Mr. BARBOUR. I believe the gentleman from Texas [Mr. BLANTON] always endeavors to act with fairness, and I believe he will do so in this case.

Mr. GARNER. I suggest to the gentleman from Iowa [Mr. HAUGEN] that it is 5 o'clock and we had better quit and have this matter thrashed out on Monday.

Mr. HAUGEN. May we not finish with this one bureau?

Mr. GARNER. I imagine these gentlemen from California want to be heard.

Mr. BLANTON. In order to bring the matter to a focus, I make the point of order that there is no quorum present.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. MONDELL having assumed the chair as Speaker pro tempore, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12272, the Agricultural appropriation bill, and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. JACOWAY. Mr. Speaker, I ask unanimous consent to extend in the RECORD my remarks on this bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 57 minutes p. m.) the House adjourned until Monday, February 9, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriations required by the Reclamation Service for the fiscal year 1921, payable from the reclamation fund (H. Doc. No. 645), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ELSTON, from the Committee on the Public Lands, to which was referred the bill (H. R. 406) amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California, and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, California, to the city of Los Angeles, Calif.," approved June 30, 1906, reported the same with amendments, accompanied by a report (No. 602), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KELLY of Pennsylvania, from the Committee on Indian Affairs, to which was referred the bill (S. 157) authorizing the Indian tribes and individual Indians, or any of them, residing in the State of Washington and west of the summit of the Cascade Mountains to submit to the Court of Claims certain claims growing out of treaties and otherwise, reported the same with amendments, accompanied by a report (No. 609), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CRAGO, from the Committee on Military Affairs, to which was referred the bill (S. 3750) to amend an act entitled "An act to provide for the settlement of claims of officers and enlisted men of the Army for the loss of private property destroyed in the military service of the United States," approved March 3, 1885, as amended by the act of July 9, 1918, and for other purposes, reported the same without amendment, accompanied by a report (No. 611), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SUMMERS of Washington, from the Committee on the Public Lands, to which was referred the joint resolution of the House (H. J. Res. 194) amending joint resolution extending the time for payment of purchase money on homestead entries in the former Colville Indian Reservation, Washington, reported the same with amendments, accompanied by a report (No. 610), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NOLAN, from the Committee on Patents, to which was referred the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes, reported the same with an amendment, accompanied by a report (No. 612), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ROSE, from the Committee on Claims, to which was referred the bill (H. R. 11410) for the relief of James E. Connors, reported the same with an amendment, accompanied by a report (No. 603), which said bill and report were referred to the Private Calendar.

Mr. KELLY of Pennsylvania, from the Committee on Claims, to which was referred the bill (H. R. 3564) for the relief of George W. Woodall, reported the same with an amendment, accompanied by a report (No. 604), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 1004) for the relief of the owner of the steam lighter *Cornelia*, reported the same with an amendment, accompanied by a report (No. 605), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 1005) for the relief of the owner of the steamship *Matoa*, reported the same with an amendment, accompanied by a report (No. 606), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 1006) for the relief of the owners of the schooner *Horatio G. Foss*, reported the same with an amendment, accompanied by a report (No. 607), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 1222) for the relief of the owners of the schooner *Henry O. Barrett*, reported the same with an amendment, accompanied by a report (No. 608), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SINNOTT: A bill (H. R. 12394) for the allotment of lands on the Klamath Indian Reservation in the State of Oregon, among the members of the allied tribes occupying the said reservation and composed of the Klamath and Modoc Tribes and the Yahooskin Band of Piute Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. HERNANDEZ: A bill (H. R. 12395) authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, Santa Fe County, and the town of Silver City; to the Committee on the Public Lands.

By Mr. SCOTT: A bill (H. R. 12396) to amend an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915; to the Committee on the Merchant Marine and Fisheries.

By Mr. NOLAN: A bill (H. R. 12397) to provide for the raising of public revenue by a tax upon the privileges of the use and enjoyment of lands of large value; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 12398) granting an increase of pension to James L. Passell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12399) granting a pension to John M. Wible; to the Committee on Pensions.

Also, a bill (H. R. 12400) granting a pension to Claude Bain; to the Committee on Invalid Pensions.

By Mr. BRITTEN: A bill (H. R. 12401) to reimburse Commander Walter H. Allen, C. E. C., United States Navy, for losses sustained while carrying out his duties; to the Committee on Naval Affairs.

By Mr. COLE: A bill (H. R. 12402) granting an increase of pension to Delia Williams; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 12403) granting a pension to Edwin E. Chick; to the Committee on Invalid Pensions.

By Mr. HARRELD: A bill (H. R. 12404) granting a pension to Seth A. Welch; to the Committee on Pensions.

Also, a bill (H. R. 12405) granting a pension to Matilda Hoffman; to the Committee on Pensions.

By Mr. HAYS: A bill (H. R. 12406) granting a pension to Frances M. Chronister; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12407) granting a pension to Archibald Collins; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 12408) granting an increase of pension to Peter Mariann; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 12409) granting an increase of pension to Lewis W. Ferguson; to the Committee on Pensions.

By Mr. LUFKIN: A bill (H. R. 12410) granting an increase of pension to Lucy C. Strout; to the Committee on Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 12411) granting a pension to John Huff; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 12412) granting an increase of pension to W. H. Riffey; to the Committee on Pensions.

Also, a bill (H. R. 12413) granting a pension to Harrison R. Large; to the Committee on Pensions.

Also, a bill (H. R. 12414) granting a pension to James A. G. Livingston; to the Committee on Pensions.

Also, a bill (H. R. 12415) granting a pension to John B. Eakles; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 12416) granting an increase of pension to John Smith; to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 12417) granting an increase of pension to Frank Hartwell; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 12418) granting a pension to Michael Walsh; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1398. By the SPEAKER: Petition of the San Diego Women's Civic Center, of San Diego, Calif., relative to the American Indian; to the Committee on Indian Affairs.

1399. Also (by request), petition of Coeur d'Alene Merchants' Association, of Coeur d'Alene, Idaho, relative to certain legislation; to the Committee on Appropriations.

1400. By Mr. ASHBROOK: Petition of Clearfork Grange, No. 255, of Butler, Ohio, favoring the French bill; to the Committee on Interstate and Foreign Commerce.

1401. By Mr. BARBOUR: Petition of the mayor and other residents, of Fresno, Calif., favoring the passage of the Lehlbach-Sterling bill (H. R. 3149); to the Committee on Reform in the Civil Service.

1402. By Mr. CANNON: Petition of Guy Dewhirst and sundry other citizens of Casey, Ill., favoring the passage of the Sims bill (H. R. 262), to stop gambling on races; to the Committee on Interstate and Foreign Commerce.

1403. By Mr. CRAGO: Petition of units of the National Guard of the State of Pennsylvania, relative to the Military Establishment of the United States; to the Committee on Military Affairs.

1404. By Mr. DALLINGER: Petition of the Department of Massachusetts of the American Legion, pledging its support to the Department of Justice in the arrest of radicals, etc.; to the Committee on the Judiciary.

1405. By Mr. ESCH: Petition of the county committee of Philadelphia County of the American Legion, relative to the general deficiency bill, etc.; to the Committee on Appropriations.

1406. By Mr. FULLER of Illinois: Petition of the Board of Trade of the City of Chicago, relative to the return of the railroads to their owners; to the Committee on Interstate and Foreign Commerce.

1407. Also, petition of Federal Highway Council, relative to legislation for good roads; to the Committee on Roads.

1408. By Mr. FULLER of Massachusetts: Petition of citizens of Massachusetts, favoring civil-service retirement bill, House bill 3149; to the Committee on Reform in the Civil Service.

1409. By Mr. McKINLEY: Petition of citizens of Illinois, relative to the Raker bill, House bill 1112; to the Committee on the Judiciary.

1410. By Mr. O'CONNELL: Petition of board of directors of the Board of Trade of the City of Chicago, regarding the return of the railroads to their owners; to the Committee on Interstate and Foreign Commerce.

1411. By Mr. ROWAN: Petition of I. H. Brainerd, of New York City, protesting against the 1-cent postage bill; to the Committee on the Post Office and Post Roads.

1412. Also, petition of Federal Highway Council, recommending national highway development as an economy measure; to the Committee on Roads.

1413. Also, petition of the National Grange, presenting the legislative program of that organization for 1920; to the Committee on Agriculture.

1414. Also, petition of the Silk Association of America, favoring antistrike legislation; to the Committee on Interstate and Foreign Commerce.

1415. By Mr. SMITH of Michigan: Petition of Harry Ollrich Post, of the American Legion, of Mount Clemens, Mich., favoring the purchase by the Government of Selfridge Field, Mount Clemons, Mich.; to the Committee on Military Affairs.

1416. By Mr. YOUNG of North Dakota: Petition of the Commercial Club of Jamestown, N. Dak., opposing any change in the present zone postal system; to the Committee on the Post Office and Post Roads.

1417. Also, petition of citizens of Goldwin and vicinity, N. Dak., protesting against the passage of the Esch or Cummins railroad bills now pending; to the Committee on Interstate and Foreign Commerce.

SENATE.

MONDAY, *February 9, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou art the author of peace and lover of concord. Thou dost look upon Thy children, pitying them in their ignorance, strengthening them in their weakness, guiding them when they put their trust in Thee. In this sacred moment of life we lift our hearts to Thee asking Thee to direct our steps. In all our ways may we recognize the leadership of God and walk in the path that Thou dost direct us, that the largest measure of good may come to us and through us to this land and to the world. For Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of the proceedings of Friday last was dispensed with and the Journal was approved.

FOREIGN LOANS.

Mr. BRANDEGEE. Mr. President, I ask that an article by Frank H. Simonds, entitled "Shall we give Europe a receipted bill for ten billions," published in the New York Tribune of yesterday, may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

[From the New York Tribune, Feb. 8, 1920.]

SHALL WE GIVE EUROPE A RECEIPTED BILL FOR TEN BILLIONS?—FRANCE, ENGLAND, AND ITALY FIRMLY BELIEVE THAT SUCH A COURSE IS ONLY RIGHT—SENTIMENT IN AMERICA IS NOT UNDERSTOOD BY OUR ASSOCIATES IN THE WAR.

(By Frank H. Simonds.)

"WASHINGTON, D. C.

"In all the discussions of the rehabilitation of Europe which are coming from the other side of the ocean now there is an unmistakable concentration of attention upon the financial aspect and an equally patent suggestion that the easiest, perhaps the only, solution of the European difficulty, so far as it has a solution outside of time and work, will be found in the forgiveness by the United States of the $10,000,000,000 loaned by us to our European associates in the war and remaining a debt to be paid in the future. Already, moreover, we have agreed to postpone the payment of the interest on this debt for a period of time and under certain conditions.

"From the moment of the meeting of the peace conference onward Paris was filled with suggestions, all having the same general character. Thus M. Ribot, several times president of the French Council and as such prime minister and one of the most eminent of French finance ministers, early in the conference proposed that there should be a general pooling of all the debts of the allied and associated powers, and then that the total should be reapportioned on the basis of the existing wealth of the several countries and the comparative sacrifice in men and in money made by these nations in the war.

WOULD HAVE RELIEVED FRANCE.

"The result of such a reapportionment obviously would have been to reduce the French debt very greatly, since France had made the largest sacrifice during the war, and was, both by reason of her size and her wounds incident to German invasion, much weaker than Great Britain or the United States. The larger part of the French indebtedness would in this fashion have been shifted to the shoulders of the United States. This was one of several French proposals which found little sup-

port in American quarters and was accordingly dropped, despite French disappointment.

"But there is a British proposal which amounts to the same thing and is now being put forward by many Englishmen and newspapers, notably by Maynard Keynes, one of the British financial representatives at Paris, who left the conference because of his disapproval of the economic terms, and who has embodied his views in a book which has excited much comment on both sides of the Atlantic.

"Mr. Keynes's thesis, that of M. Ribot in a slightly new form, and the general European thesis is that the United States should consent to cancel the $10,000,000,000 which it loaned to the nations associated with it in the recent struggle. This is the British proposal, which is put forward in many other forms, and Mr. Keynes's statement is only interesting as it provides a concise statement of the general notion.

"In this book Mr. Keynes points out that Europe owes the United States $10,000,000,000; that this sum represents our loans to our associates; but that Great Britain has also loaned $8,700,000,000 and France a little short of $2,000,000,000. Great Britain owes us outright $4,200,000,000. The effect of our canceling our loans would be to enable Britain to cancel hers. To be sure, what she owes us is only half of what Europe owes her; but Mr. Keynes correctly points out that since the larger share of the British loans is to Russia, Italy, and the smaller States, whose finances are difficult, no wise financier would estimate the present or even the future value of the British loans at more than 50 per cent.

"Accordingly, Britain would by our forgiveness and hers acquiesce in a mere bookkeeping transaction. She would actually stand where she did before the two operations, neither richer nor poorer. France, by contrast, would gain $3,500,000,000, in round figures, as a result of the cancellation by the United States and by Britain of the loans made to her and by her of Italian indebtedness. Italy would gain $4,000,000,000, Belgium rather less than $1,000,000,000; the figures for the other countries would be trifling.

"Two things would be accomplished by this transaction—the financial problems of the French and the Italians would be enormously lightened and the possibility of quarrels between the European nations which fought Germany growing out of the hopeless intermixture of debts would be abolished. Otherwise resentment by the French at their obligations to Britain, of Italy over her debt to France and Britain, of all Europe over their debts to the United States seems to Mr. Keynes inevitable.

"Now, what is the European idea of the reasons why the United States should thus consent to tax itself for $10,000,000,000 of principal and a very large number of other billions representing the cost of the interest on this vast capital? It is essential that this phase of the question should be understood in the United States if there is to be any real grasp of the European point of view.

"The reasons are twofold: First of all, the World War to the European mind was always our war. In it France and Great Britain, in particular, made sacrifices out of all proportion to those made by the United States, whether the measure be in money, in lives, or in anything else. If the United States had an equal interest, an equal responsibility, in the defeat of Germany, then there is logically no reason why the United States should not pay its proportionate share. Not to do this would amount to letting Europe bear our burdens and discharge our responsibilities.

"And now, when Europe has borne the greater share of the burden and finds itself at once victorious and approximately bankrupt, it sees the United States, by contrast, both prosperous and in a position to demand the payment of interest and principal on a vast debt, which represents the expenditure of our European associates in fighting that war, which was American quite as much as European. No equalization of the blood cost of victory is possible, but it cost France 1,400,000 lives to hold the Germans, the British Empire 900,000 lives to perform its mission, while the United States expended considerably less than 100,000. But if no equalization of the blood cost is possible, at least, so Europe argues, there was all the more reason for an equalization of the money tax.

WE GAVE EUROPE CAUSE.

"Now, alongside of this reasoning stands another set of circumstances which should go a long way toward explaining the European point of view. If many British and French public men and private citizens alike believe that the United States should undertake this burden, if Europe thinks that the United States has a moral obligation, it is able to find not a little support for this view in the statements made by Americans in Europe last year. We talked in Europe in a manner which permitted Europe to believe we were capable of making such a contribution. It is not merely that Europe would now put upon us a very great burden because we are comparatively more fortunate, but that Europe would now invoke the deeds our words seemed to promise.

"I am very anxious to make this point clear to my readers because, if it is not appreciated, the present and all similar European propositions must appear to Americans as sheer and preposterous presumption, as efforts to take advantage of American generosity, as merely designing and selfish ideas. If Europe has been led to make such propositions as those of Mr. Keynes and M. Ribot, the reason is to be found in the way Americans representing the United States in official capacity talked in Europe during the peace conference.

"Europe assumed from this talk that America was prepared to become a full partner in the new world organization—in the League of Nations firm—and that it was ready to put its capital and its credit into the business without stint. Now, if this were the case, then there would be a colorable warrant at the present time for asking us for a contribution which would not be out of proportion to the contributions already made by Great Britain and France during the war, which was in a real sense the first step in setting up the League of Nations itself.

TWO POINTS OF VIEW.

"Of course, if the United States only entered the war as a limited action, as a temporary partner willing to do its part without stint from the moment it did enter until the enemy was defeated, the whole situation takes on a different aspect. On such a basis we did perform our part, rather more than less; this will hardly be challenged in Europe. And on such a basis we were and are justified in retiring, once the purely limited purpose for which we entered—namely, the defeat of Germany, because a menace to us by her submarine course—had been accomplished. Our partnership was not in the concern seeking to organize the world, but in an association striving to abolish the German peril.

"The more I compare the European view of American relation to the war with the view I find held generally in this country, the more I am led to believe that the real misunderstanding grows out of the fact that the mass of the American people understood that they had gone into the war to defeat Germany, and the mass of the European people, like their leaders, have been persuaded by American public men, by the President before all others, that our entrance into the war was the ultimate evidence of a purpose to share henceforth in the regulation of world affairs; that the war was not a protective investment, a necessary expenditure to preserve our own safety, but an actual and deliberate mission 'to make the world safe for democracy,' if one please.

ROOT OF CRITICISM.

"At the root of most of the criticism which one now hears of the United States in Europe lies the idea that we have gone back upon moral and material obligations which were expressed in the language of Mr. Wilson at Paris, in the attitude we adopted throughout the Paris conference. If France and Great Britain to-day believe that we have a duty, expressed in such terms as the proposal regarding the $10,000,000,000 loan, the explanation must be found not in European presumption, primarily, but in American profession.

"You have an odd and far from happy situation. France and Great Britain believe that the war, in which they made such vast sacrifices, in which they received wounds from which recovery, if no longer doubtful must still be long and painful, was in the fullest sense our war as much as theirs, and that in it they did their own share and much of our share. And they can support this view alike with the figures of their own losses and with the words of American representatives in Paris. When they propose that we shall forgive them $10,000,000,000 of debts the proposal is not, to their minds, based upon charity; it is not a request for further benefactions; it is rather a demand that we fulfill our share of obligations which we have acknowledged.

"Now, everyone knows that the American view is quite the opposite. Here in Washington and largely throughout the country I find the general opinion to be that in the World War the United States saved France and Great Britain by military interposition and then and thereafter saved Europe by the enormous contributions of food and money. That there is any further positive obligation, that we owe Europe the $10,000,000,000 because of what Europe did for us, that we have been the beneficiaries of the sufferings and sacrifices of others, this notion does not to any extent prevail in the United States.

"As it is Europe sees the United States endeavoring to escape from moral obligations voluntarily acknowledged when these obligations involve material burdens, while the United States sees Europe attempting to take advantage of what it regards as its previous generosity by saddling upon it enormous financial burdens not properly to be charged to our account. The whole thing comes down to the simple statement of the terms of our association with our European companions in the war and after the war.

"Keynes, in his book, gives an admirable example of certain other European lines of reasoning. What, he inquires, will America get in return for the $10,000,000,000? Why, a remaking of the peace treaty in accordance with ideas which were advocated by the President at Paris. He would have France consent to an immediate and sweeping reduction of her claims against Germany, to a renunciation of her Sarre Valley contract, so far as the question of ultimate possession is concerned. Italy would give up financial claims against Austria. Great Britain would give up certain financial claims against Germany. There would be a general reduction of economic burdens which the treaty of Versailles placed upon the German.

THE ENGLISH PLAN.

"The result would come vastly nearer to an approximation of the idea Mr. Wilson had of European peace than does the treaty of Versailles. American ideas as advocated by him unsuccessfully would be reestablished. Now, this means merely that Mr. Keynes reasons that the United States would be perfectly willing to contribute $10,000,000,000 if as a result of the contribution the world peace were more firmly established, if what he holds to be a juster as well as a more tolerable settlement were thus to be achieved.

"It is a simple and sufficient example of the so-called 'liberal' European view. America is to-day holding back from the signing of the peace settlement; the Senate is refusing its sanction because of the character of the treaty, not as it affects the United States but as it affects Europe. We are refusing to accept the treaty because it is inequitable, so far as it concerns Germany. But if Europe consents to modify the harsher clauses affecting Germany, then the United States will not hesitate to chip in $10,000,000,000 as its contribution to the general fund necessary to achieve this better settlement.

"I recognize that this will seem fantastic to most Americans. I recall the comment of one of my New Hampshire neighbors, which seems to me admirably to sum up a very large fraction of American opinion.

NO MORAL OBLIGATION.

"He said:

"'We feel round here that we have got those European nations out of their troubles and now it is up to them to keep out of trouble in the future.'

"Neither he nor any of his neighbors with whom I talked during the summer had the smallest sense of any moral obligation to Europe for Europe's sacrifices in all the struggles of the first three years of the war.

"Exactly this sentiment prevails here in Washington. It is the conviction that the United States did its full share and more than its full share, given its own responsibilities, and that there is no moral or financial claim upon it for further contributions to Europe. Even so necessary and inconsiderable a course as permitting a postponement of the payment on European loans provoked sharp and general protest in Congress, a certain manifest impatience at the thought of further European contributions.

"Of course, it is fairly obvious that there is no burden of right or wrong on either side of what amounts to a total difference of opinion between Europe and America. The difficulty is the difficulty of comprehension of one nation by another. The Germans, for example, feel that the United States, through President Wilson, totally betrayed them in the matter of the armistice, persuading them to lay down their arms on certain conditions, and then consenting to the enforcement against them, when they had been disarmed, of totally different conditions. And our associates feel, not so differently from our enemies, that we proclaimed our willingness to make any sacrifice, material or otherwise, to further the cause of certain ideas in the world, and now, when the moment for sacrifice comes, we are deliberately and consciously repudiating those obligations.

"The fact of the matter seems to be that, so far as the mass of Americans were concerned, we entered the war only when the Germans forced us into it by their submarine campaign; that, having entered, we were prepared to consent to all sacrifices to attain the defeat of the German, but that when he had been defeated, and his defeat was so complete that even our associates in the war recognized it as such, our responsibilities were at an end.

"Keynes's book is a straightforward exposition of the thesis that the present treaties of peace are bad and will end in the ruin of Europe if they are not modified, modified mainly by changing not only the terms affecting Germany, but also those affecting Austria, Poland, etc. But he sees, as the only possible means of achieving these modifications, American intervention, American contribution by cancellation of a debt of $10,000,000,000 contracted by our European associates in fighting Germany. He reasons that such a contribution by the United States would suffice to persuade France and Italy to give up impossible claims for much more modest realities.

A WORLD DICTATORSHIP.

"But this merely means that the United States shall undertake, using its financial power as a club, to drive all the European nations to accept a different set of peace terms. It means that we shall undertake anew that dictatorship of world affairs which Mr. Wilson essayed to exercise at Paris, but did not wholly succeed in preserving to the end.

"The French, who have made greater sacrifices than the British and on the whole seem likely to receive far less in the way of material benefits, look at the thing rather differently, but the points of similarity are greater than those of divergence. They believe that we owe them a great debt by reason of their losses during three years of a war which was always ours, but in which we did not participate until 1918; that is, did not participate effectively. Thus they feel that we should both make payment of our share of the total financial costs and give them a guaranty for their future safety against a new German attack, which would again be an attack upon us as well as upon France.

"The Italian feels that the least we can do is to mind our own business and let him have the fruits of the victory, which cost him infinitely more than it cost us in lives, in treasure, in ravaged cities and fields. If the British and French in some measure feel that we are deserting them, the Italian feels that we are changing sides and actually attacking him by bolstering up his recent enemies, the Croats and the Slovenians, along the Adriatic.

"But all over Europe—in Germany, in France, in Austria, in Italy, and even in Great Britain—there is a very clear misunderstanding of the situation as the people of the United States see it. With a totally different evidence before them, peoples on either side of the ocean are arriving at utterly different conclusions. Europe is judging our present actions by the words of President Wilson and his associates spoken at Paris. When Europe, when the French and the British suggest that we resign our claims to $10,000,000,000 owed us, in the main by those two nations, neither regards it as a pure gift; rather, to the Frenchman it is the payment of a debt our own public spokesmen have acknowledged in their utterances; to the Englishman it is a payment, made necessary now, to bring about the establishment of that system of world peace and order for which we, through the same voices, pledged all our resources.

WANTS NEW LOANS.

"In the present article I am not endeavoring to suggest that the European view is correct; that it is just; that it should be accepted in the United States. But it does seem to me essential, if there is not to be dangerous resentment and unjust criticism, that there should be a recognition in the United States of the reasons which underlie the European view. If Europe is not warranted in its present opinion, there is no less unmistakable basis for that opinion discoverable in American utterances in Paris.

"The British and the French demand for the American contribution of $10,000,000,000 is only a first and part payment; even Mr. Keynes suggests new loans, once the old are canceled, a payment on account and for the establishment of that scheme of world ordering which Mr. Wilson advocated at Paris, declared to be the desire of his fellow countrymen and, so far as was possible, endeavored to persuade his countrymen to accept. It is our contribution to the capital stock of the League of Nations, a wholly reasonable assessment, provided only that the United States acknowledges the obligation, joins in the articles of incorporation. The weakness in the European argument lies in the belief that what American representatives did in Paris actually committed us to the partnership and that what is now going on is no less than an attempt to escape from just obligations, to repudiate our commitment. The fact that the United States was not bound by the word or the signature of the President until both had been ratified by the Senate is what has so far escaped European attention.

LORD GREY'S LETTER.

"To facilitate European understanding of American circumstance, nothing has contributed more than the recent letter of

Lord Grey, printed in the London Times; it makes clear the legal aspects of the American situation perfectly. But even this document will not at once demolish the previous notion that America is repudiating an obligation which was actually binding; still less will it remove the belief that America recognizes a moral obligation, which, at the moment at least, seems to be exactly what America does not recognize.

"Lord Grey is the first Englishman who has seriously attempted to explain to his fellow countrymen the facts in the American situation. Lloyd-George has been at pains to befuddle British minds by his constant assertion that politics alone, partisan considerations, exclusively explained the American delay in accepting the treaty. But it is equally necessary that the European, the British, situation should be explained in America and that Americans should understand the reasons why Europe asks and expects things from America which Americans do not feel that they are called upon to give and can not understand why Europe should feel justified in demanding.

"The very worst vice of the whole peace imbroglio is the extent to which it has estranged nations and peoples which, before the Paris conference met, were on a reasonably satisfactory basis of mutual understanding and sympathy."

TREATY OF PEACE WITH GERMANY.

Mr. HITCHCOCK. Mr. President, I ask to have inserted in the RECORD, without reading, the letter from the President of the United States addressed to me and published in the papers yesterday, and also a copy of the reservations to which he gives approval.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

TEXT OF PRESIDENT WILSON'S LETTER TO SENATOR HITCHCOCK WHEREIN HE ACCEPTED THE SENATOR'S RESERVATIONS.

THE WHITE HOUSE,
January 26, 1920.

MY DEAR SENATOR HITCHCOCK: I have greatly appreciated your thoughtful kindness in keeping me informed concerning the conferences you and some of your colleagues have had with spokesman of the Republican Party concerning the possibility of ratification of the treaty of peace, and send this line in special appreciative acknowledgment of your letter of the 22d. I return the clipping you were kind enough to inclose.

To the substance of it I, of course, adhere. I am bound to. Like yourself I am solemnly sworn to obey and maintain the Constitution of the United States. But I think the form of it very unfortunate. Any reservation or resolution stating that "the United States assumes no obligation under such and such an article unless or except" would, I am sure, chill our relationship with the nations with which we expect to be associated in the great enterprise of maintaining the world's peace.

That association must in any case, my dear Senator, involve very serious and far-reaching implications of honor and duty which I am sure we shall never in fact be desirous of ignoring. It is the more important not to create the impression that we are trying to escape obligations.

But I realize that negative criticism is not all that is called for in so serious a matter. I am happy to be able to add, therefore, that I have once more gone over the reservations proposed by yourself, the copy of which I return herewith, and am glad to say that I can accept them as they stand.

I have never seen the slightest reason to doubt the good faith of our associates in the war, nor ever had the slightest reason to fear that any nation would seek to enlarge our obligations under the covenant of the League of Nations, or seek to commit us to lines of action which, under our Constitution, only the Congress of the United States can in the last analysis decide.

May I suggest that with regard to the possible withdrawal of the United States it would be wise to give to the President the right to act upon a resolution of Congress in the matter of withdrawal? In other words, it would seem to be permissible and advisable that any resolution giving notice of withdrawal should be a joint rather than a concurrent resolution.

I doubt whether the President can be deprived of his veto power under the Constitution, even with his own consent. The use of a joint resolution would permit the President, who is, of course, charged by the Constitution with the conduct of foreign policy, to merely exercise a voice in saying whether so important a step as withdrawal from the League of Nations should be accomplished by a majority or by a two-thirds vote.

The Constitution itself providing that the legislative body was to be consulted in treaty making and having prescribed a two-thirds vote in such cases, it seems to me that there should be no unnecessary departure from the method there indicated.

I see no objection to a frank statement that the United States can accept a mandate with regard to any territory under article 13, part 1, or any other provision of the treaty of peace, only by the direct authority and action of the Congress of the United States.

I hope, my dear Senator, that you will never hesitate to call upon me for any assistance that I can render in this or any other public matter.

Cordially and sincerely, yours,

WOODROW WILSON.

Inclosure referred to:

"2. The United States assumes no obligation to employ its military or naval forces or the economic boycott to preserve the territorial integrity or political independence of any other country under the provisions of article 10, or to employ the military or naval forces of the United States under any other article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war, shall, by act or joint resolution so provide. Nothing herein shall be deemed to impair the obligation in article 16 concerning the economic boycott."

Proposed substitute reservations by Mr. HITCHCOCK to take the place of those proposed by Senator LODGE:

"That any member nation proposing to withdraw from the league on two years' notice is the sole judge as to whether its obligations referred to in Article I of the League of Nations have been performed as required in said article.

"That no member nation is required to submit to the league, its council, or its assembly, for decision, report, or recommendation, any matter which it considers to be in international law a domestic question such as immigration, labor, tariff, or other matter relating to its internal or coastwise affairs.

"That the national policy of the United States known as the Monroe doctrine, as announced and interpreted by the United States, is not in any way impaired or affected by the covenant of the League of Nations and is not subject to any decision, report, or inquiry by the council or assembly.

"That the advice mentioned in Article X of the covenant of the league which the council may give to the member nations as to the employment of their naval and military forces is merely advice which each member nation is free to accept or reject according to the conscience and judgment of its then existing Government, and in the United States this advice can only be accepted by action of the Congress at the time in being, Congress alone under the Constitution of the United States having the power to declare war.

"That in case of a dispute between members of the league if one of them have self-governing colonies, dominions, or parts which have representation in the assembly, each and all are to be considered parties to the dispute, and the same shall be the rule if one of the parties to the dispute is a self-governing colony, dominion, or part, in which case all other self-governing colonies, dominions, or parts, as well as the nation as a whole, shall be considered parties to the dispute, and each and all shall be disqualified from having their votes counted in case of any inquiry on said dispute made by the assembly."

REMOVAL OF SOLDIER DEAD FROM FRANCE.

Mr. THOMAS. Mr. President, I am in receipt of a letter relating to the subject of the removal of the dead bodies of soldiers from France to America which I ask to have inserted in the RECORD without reading.

There being no objection the letter was ordered to be printed in the RECORD, as follows:

POST-OFFICE BOX 1404,
Washington, D. C., January 21, 1920.

Senator CHARLES S. THOMAS.

SIR: Your talk with the "National League to Bring Home the Soldier Dead" and a few remarks linger in my mind. And I would state that in October, 1919, I was in Paris for the purpose of personally identifying a body said to be that of my husband, Lieut. Col. R. H. Griffiths, a Spanish War veteran and officer of Philippine Constabulary, who had (as temporary commissioned officer) three years' experience with the British Army before America declared war, but reported killed in action in Picardy on two dates, at the time the American First Division arrived in Picardy, and before action on that sector. History relates that the First Division arrived at Picardy on April 25, 1918, and Lieut. Col. R. H. Griffiths was reported killed on the 23d of April officially, and on the 28th of April, 1918; so, as they had only arrived there, they plainly were not in action.

Further, I am informed from The Adjutant General's Department that a number of important communications and telegrams in this case are missing from War Department files.

Therefore I was permitted to visit Paris for the purpose of personally identifying the body buried as his. Col. Leon Kromer flatly refused to exhume the body; could not get labor, etc.

But a Red Cross man—that is, a man with a Red Cross on his shoulder (such as are sold in every trinket shop in Paris)—happened in, wanted to exhume a body, bring it to Paris for cremation, and rebury it in the same cemetery or any place else arranged.

Col. Kromer bluffed that it could not be done. The man showed him a bunch of papers, and then said: "The people of soldiers in America are very rich and are willing to pay any price to have this done. Money and expense are no object."

At this Col. Kromer became very affable and called a chauffeur, ordered that this gentleman be taken to some other official for another permit. Then Col. Kromer turned to me with: "Madam, it is positively against the regulations to exhume bodies." But, being classed as the widow of an officer, with $82 a month to live on, I did not make a statement of unlimited payment, and had to go to London and cable to Washington for further instructions. Now, sir, Col. Kromer's name is spelled like "kultur," with a "K." His manner to me was similar. Anybody wearing a Red Cross could exhume and remove bodies. How many cremated bodies have been removed from American cemeteries in France? Col. Kromer was chief of the Graves Registration Service in October, 1919, and wore military intelligence insignia. Col. Kromer's attitude was supported by Gen. Connor.

Respectfully,

ANNA M. GRIFFITHS.

CLAIMS FOR DAMAGES BY COLLISION (S. DOC. NO. 214).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War, submitting an estimate of appropriation in the sum of $956.63 to settle claims for damages by collision, river and harbor work, which have been adjusted and settled by the Chief of Engineers, United States Army, which, with the accompanying paper, was referred to the Committee on Commerce and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the joint resolution (S. J. Res. 154) authorizing the Secretary of War, in his discretion, to turn over to the State of Kansas emergency hospital equipment to be used temporarily in emergency hospitals to be established in that State, and for other purposes.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 8819) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KAHN, Mr. ANTHONY, Mr. CRAGO, Mr. DENT, and Mr. FIELDS managers at the conference on the part of the House.

The message further announced that the House had agreed to a concurrent resolution authorizing the Clerk in the enrollment of the bill H. R. 11368, the Indian appropriation bill, to dispose of Senate amendments Nos. 114 and 115 in manner and form as if the House had receded from its disagreement to said amendments and had agreed to the same, in which it requested the concurrence of the Senate.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 3327) granting certain rights of way and exchanges of the same across the Fort Douglas Military Reservation, in the State of Utah, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. OVERMAN. I send to the desk several telegrams. I ask that the first one be read and that the others be printed in the RECORD, and that all be ordered to lie on the table.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Secretary will read as requested.

The Reading Clerk read as follows:

DURHAM, N. C., *February 7, 1920.*

Senator LEE S. OVERMAN,
Washington, D. C.:

Speaking for the millers of North Carolina, I protest against the evidence of bad faith in the proposed Gronna bill terminating wheat control. Millers of this State own large amounts of wheat bought from Grain Corporation; they also have made heavy sales of flour against these purchases. I believe the condition which caused wheat to decline in Kansas City 20 cents per bushel during the past three days may cause still further decline to materially lower basis than that guaranteed by the Federal Government. The repudiation of this pledge may cause financial losses to millers and merchants of such proportions as to become a national disaster.

A. M. SPEED.

The remaining telegrams were also ordered to lie on the table and to be printed in the RECORD, as follows:

STATESVILLE, N. C., *February 7, 1920.*

United States Senator LEE S. OVERMAN,
Washington, D. C.:

We protest against the bad faith evidenced in proposed Gronna bill terminating wheat control. We own a large amount of wheat, purchased from Grain Corporation, against which we have sold flour for future delivery. The mere introduction of this bill has caused cash wheat to decline 20 cents a bushel in last few days, and its passage would undoubtedly cause wheat to fall below present Government guaranteed price, thereby causing untold loss to millers, grain dealers, flour handlers, and farmers, who have been depending upon the guaranteed price per agreements made in good faith with Grain Corporation.

STEERLING MILLS.

—

STATESVILLE, N. C., *February 7, 1920.*

Hon. LEE S. OVERMAN,
Washington, D. C.:

We heartily indorse William Speed's telegram protesting against the abrupt termination of wheat control; if possible, would make it stronger. It might be a calamity to millers and merchants as well as to farmers still owning wheat.

STARR MILLING CO.

—

STATESVILLE, N. C., *February 7, 1920.*

Hon. LEE S. OVERMAN,
Washington, D. C.:

We heartily indorse William Speed's telegram protesting against the abrupt termination of wheat control; if possible, would make it stronger. It might be a calamity to millers and merchants as well as to farmers still owning wheat.

STATESVILLE FLOUR MILL CO.

—

STATESVILLE, N. C., *February 7, 1920.*

Hon. LEE S. OVERMAN,
Washington, D. C.:

We heartily indorse William Speed's telegram protesting against the abrupt termination of wheat control; if possible, would make it stronger. It might be a calamity to millers and merchants as well as to farmers still owning wheat.

CITY FLOUR MILLS CO.

Mr. JONES of Washington. I have a telegram similar to the one just read from the Merchants' Exchange of Seattle, Wash., and the Northwest Pacific Grain Dealers' Association, protesting against the repeal of the wheat price guaranty legislation. I ask that it may lie on the table.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JONES of Washington presented a telegram in the nature of a memorial from the Puget Sound Quarterly Meeting of Friends, of Seattle, Wash., remonstrating against compulsory military training, which was ordered to lie on the table.

He also presented a telegram in the nature of a petition from the Joint Postal Association, of Spokane, Wash., praying for the passage of the so-called Lehlbach-Sterling retirement bill, which was ordered to lie on the table.

Mr. LODGE. I present a memorial signed by citizens of Medford, Oreg., concerning the League of Nations, which I ask to have printed in the RECORD.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

MEDFORD, OREG., *February 2, 1920.*

To Hon. HENRY CABOT LODGE and Hon. CHARLES L. MCNARY, United States Senators:

The undersigned citizens of Medford, Oreg., respectfully represent that they are in entire accord with the statement of Hon. Robert Lansing, Secretary of State, made to Mr. Bullitt in Paris to the effect "that if the American people understood what was in the treaty of peace they would protest against its ratification"; and we further urge that the Senate insist upon a ratification, if at all, with the reservations known as the Lodge reservations, and that unless ample reservations are made thoroughly Americanizing the treaty that the Senate vote against its ratification. We believe that if it be ratified with the Lodge reservations the interests of America will be protected, but not without the said reservations.

Wm. M. Coling, attorney (opposed to any League of Nations); Gus. Cury, lawyer; K. G. Riddell, dentist (opposed to any League of Nations); Bert R. Elliott, dentist; G. M. Roberts, district attorney, Jackson City, Oreg.; E. G. Brown, merchant; Will G. Steel, commissioner Crater Lake National Park; S. S. Smith, manager Mail-Tribune; D. Elroy Getchell, banker (opposed to any League of Nations); W. J. Warner.

Mr. COLT. I present a resolution adopted by the General Assembly of the State of Rhode Island, recommending legislation providing for an immigration station at the port of Providence, which I ask to have printed in the RECORD and referred to the Committee on Immigration.

There being no objection, the resolution was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

STATE OF RHODE ISLAND, ETC.,
IN GENERAL ASSEMBLY,
January session, A. D. 1920.

Resolution recommending to Congress the passage of legislation providing for an immigration station in the port of Providence.

Whereas the development of the port of Providence is seriously handicapped and the proper examination of immigrants prevented by the absence of a suitable immigration station; and

Whereas the erection of such an immigration station with the proper facilities for the care and custody of immigrants is essential: Therefore be it

Resolved, That the General Assembly of the State of Rhode Island respectfully requests the Senators and Representatives in Congress to urge the passage of suitable legislation which will provide such an immigration station, and the secretary of state is hereby instructed to send a copy of this resolution to the Senators and Representatives in Congress from Rhode Island.

STATE OF RHODE ISLAND,
OFFICE OF THE SECRETARY OF STATE,
Providence, February 2, 1920.

I hereby certify the foregoing to be a true copy of the original resolution passed by the general assembly and approved by the governor on the 15th day of January, A. D. 1920.

In testimony whereof I have hereunto set my hand and affixed the seal of the State aforesaid this 2d day of February, in the year 1920.

[SEAL.] J. FRED PARKER,
Secretary of State.

Mr. COLT. I also present a resolution adopted by the General Assembly of the State of Rhode Island, which I ask to have printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

STATE OF RHODE ISLAND, ETC.,
IN GENERAL ASSEMBLY,
January session, A. D. 1920.

(Approved Feb. 4, 1920.)

Resolution favoring Senate joint resolution 102, Sixty-sixth Congress, first session, "To equalize the pay and allowances of commissioned officers, warrant officers, and enlisted men of the Coast Guard with those of the Navy."

Whereas the maintenance of the highest standard of efficiency in the conservation of life and property from the perils of the sea is of great importance to the commercial and shipping interests of the State of Rhode Island; and

Whereas there is now pending before the Congress of the United States, Senate joint resolution 102, which has for its purpose the equalization of the pay and allowances of commissioned officers, warrant officers, and enlisted men of the Coast Guard with those of the Navy, said Senate joint resolution having been favorably reported by the Committee on Commerce of the Senate of the United States; and

Whereas it is of the utmost importance that the provisions of said joint resolution be enacted into law at as early a date as practicable in order that the Coast Guard may be able to retain its trained personnel, and to secure by enlistment, suitable recruits to man its vessels and stations which has become difficult on account of the greater rates of pay prevailing in practically all business and commercial pursuits, which conditions threaten the efficiency of the service; and

Whereas it would be detrimental to the commercial and shipping interests of the State of Rhode Island if for any reason the efficiency of the Coast Guard should become impaired: Therefore be it

Resolved, by the General Assembly of the State of Rhode Island, That the Members of Congress from the State of Rhode Island be, and hereby are, earnestly requested to give their support to Senate joint resolution 102 and to use their efforts to secure its early passage by the Senate and House of Representatives of the United States; and be it further

Resolved, That a copy of these resolutions be sent to each Senator and Representative in Congress from the State of Rhode Island, and to the chairman of the Committee on Commerce of the United States Senate, and the chairman of the Committee on Interstate and Foreign Commerce of the House of Representatives.

STATE OF RHODE ISLAND,
OFFICE OF THE SECRETARY OF STATE,
Providence, February 7, 1920.

I hereby certify the foregoing to be a true copy of the original resolution passed by the general assembly and approved by the governor on the 4th day of February, A. D. 1920.

In testimony whereof I have hereunto set my hand and affixed the seal of the State aforesaid this 7th day of February, in the year 1920.

[SEAL.] J. FRED PARKER,
Secretary of State.

Mr. KNOX presented petitions of the Rotary Club of York; of Anthony Wayne Post, No. 418, American Legion, of Wayne; of Milton Lafayette Bishop Post, No. 301, American Legion, of Connellsville; of Philip J. Meaney Post, No. 249, American Legion, of Philadelphia; of Octagon Post, No. 291, American Legion, of Galeton; of Willet C. Sanford Post, No. 433, American Legion, of Morrisville; of Oak Lane Post, No. 263, American Legion, of Philadelphia; of Maneto Post, No. 270, American Legion, of Philadelphia; of Oscar M. Hykes Post, No. 223, American Legion, of Shippensburg; of Post No. 438, American Legion, of Knoxville; of Logan Post, No. 376, American Legion, of Philadelphia; and of Victory Post, No. 25, American Legion, of Selinsgrove, all in the State of Pennsylvania, praying for the passage of the so-called Davey sedition bill, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Dudley, Pa., praying for the enactment of legislation to prohibit the interstate transmission of race gambling information and odds, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Mount Union and Renovo and of Local Lodge No. 768, Brotherhood of Railroad Trainmen, of East Stroudsburg, all in the State of Pennsylvania, remonstrating against the passage of the so-called Cummins railroad bill, which were ordered to lie on the table.

He also presented a petition of the Board of Trade of Philadelphia, Pa., praying for the retention of the antistrike clause in the so-called Cummins railroad bill, which was ordered to lie on the table.

He also presented a resolution adopted by the Chamber of Commerce of Allentown, Pa., favoring private ownership and operation of railroads, which was ordered to lie on the table.

He also presented resolutions adopted by Local Lodge No. 577, Benevolent and Protective Order of Elks, of Wilkinsburg, Pa., and of Local Lodge No. 11, Benevolent and Protective Order of Elks, of Pittsburgh, Pa., favoring the summary deportation of certain aliens, which were referred to the Committee on Immigration.

He also presented petitions of the General George A. McCall Post, No. 31, Grand Army of the Republic, Department of Pennsylvania, of West Chester; of Lafayette Post, No. 217, Grand Army of the Republic, Department of Pennsylvania, of Easton; of John F. Melvin Post, No. 141, Grand Army of the Republic, Department of Pennsylvania, of Bradford; of Post No. 58, Grand Army of the Republic, Department of Pennsylvania, of Harrisburg; and of Captain George J. Lawrence Post, No. 17, Grand Army of the Republic, Department of Pennsylvania, of Minersville, all in the State of Pennsylvania, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

He also presented a memorial of Local Grange No. 619, Patrons of Husbandry, of Cessna, Pa., remonstrating against the United States going to war with Mexico, which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Chamber of Commerce of Reading, Pa., remonstrating against Japanese aggression in Korea, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Cliveden Improvement Association, of Germantown, Pa., praying for the enactment of daylight-saving legislation, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the Bucks County Historical Society, of Pennsylvania, remonstrating against the proposed acquisition by condemnation by the Government of certain lands in Pennsylvania as a site for a Government arsenal, which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Washington, Meadville, Johnstown, Conemaugh, Bethlehem, and Williamsport, all in the State of Pennsylvania, praying for the enactment of legislation providing for the retirement of superannuated Government employees, which were ordered to lie on the table.

He also presented a memorial of the Board of Trade of Philadelphia, Pa., remonstrating against the passage of the so-called Federal urban mortgage bank bill, which was referred to the Committee on Banking and Currency.

He also presented a petition of the Pittsburgh Section of the American Chemical Society of Pennsylvania, praying for the enactment of legislation providing for the encouragement and protection of the American dye industry, which was referred to the Committee on Finance.

Mr. SHEPPARD presented a petition of the Council of the Diocese of Texas of the Protestant Episcopal Church, praying for the adoption of the League of Nations covenant, which was referred to the Committee on Foreign Relations.

Mr. ELKINS presented a memorial of the executive board of District No. 17, United Mine Workers of America, of Charleston, W. Va., remonstrating against the passage of the so-called Sterling-Graham sedition bill, which was ordered to lie on the table.

Mr. CAPPER presented petitions of Post No. 132, Grand Army of the Republic, Department of Kansas, of Junction City; of Lewis Post, No. 294, Grand Army of the Republic, Department of Kansas, of Dodge City; and of Blue Post, No. 250, Grand Army of the Republic, Department of Kansas, of Topeka, all in the State of Kansas, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

He also presented memorials of Clarence Lieurance Post, No. 2, American Legion, of Neosha Falls, and of sundry citizens of

Marion County, Cherokee County, and Harper County, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

REPORTS OF COMMITTEE ON PUBLIC LANDS.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (H. R. 5213) for the relief of occupants and claimants of unsurveyed public land in township 8 north of range 2 west of Salt Lake meridian, Utah, reported it without amendment.

He also, from the same committee, to which were referred the following bills, reported them each with amendments, and submitted reports thereon:

A bill (S. 2371) for the relief of Katheryn Walker (Rept. No. 419); and

A bill (S. 2528) to grant certain lands to the city of Pocatello, State of Idaho, for conserving and protecting the source of its water supply and as a municipal park site (Rept. No. 420).

THE COMMITTEE ON PENSIONS.

Mr. SMOOT, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 300, submitted by Mr. McCUMBER on the 6th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Pensions, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MYERS:

A bill (S. 3884) to amend the Federal reserve act and to enlarge the powers of Federal reserve banks and member banks; to the Committee on Banking and Currency.

By Mr. McNARY:

A bill (S. 3885) authorizing the adjustment of the boundaries of the Ochoco National Forest in the State of Oregon, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. SUTHERLAND:

A bill (S. 3886) for the relief of the heirs of Henry Sturm, deceased; to the Committee on Claims.

By Mr. THOMAS:

A bill (S. 3887) for the relief of Stephen Olop (with accompanying papers); to the Committee on Claims.

By Mr. NEW:

A bill (S. 3888) granting an increase of pension to Henry C. Shoemaker (with accompanying papers); and

A bill (S. 3889) granting a pension to Watson D. Smith (with accompanying papers); to the Committee on Pensions.

By Mr. WOLCOTT:

A bill (S. 3890) authorizing the acquisition of a site for the United States Department of State; to the Committee on Public Buildings and Grounds.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. FLETCHER submitted an amendment proposing to appropriate not exceeding $30,000 for the transportation of foreign mails by airplanes and seaplanes, intended to be proposed by him to the Post Office appropriation bill, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

LOANS MADE UPON GRAIN.

Mr. GRONNA. I submit a resolution and ask unanimous consent for its immediate consideration. I ask that the resolution may be read. It is very short.

The resolution (S. Res. 301) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Senate instruct the Committee on Banking and Currency to investigate and report to the Senate the amount of loans made upon grain by the Federal Reserve and other banks, and to investigate the alleged causes of withdrawal of funds to provide for loans, extension, or renewal of loans upon wheat and other cereals.

CAR SHORTAGE.

Mr. GRONNA. Mr. President, I submit another resolution, which I ask may be read.

The resolution (S. Res. 302) was read, as follows:

Resolved, That the Senate instruct the Committee on Agriculture and Forestry to investigate the alleged lack of supply and failure to supply an adequate number of stock cars and cars for transporting grain and other farm products during the period of Government operation of railroads, and the charges of willful interference by certain officials of the Railroad Administration with the successful operation of the railroads by the Government, and to report the findings to the Senate as soon as possible.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. KING. I reserve the right to object. It seems to me if the subject of the resolution is a matter for investigation it ought to go to the Committee on Interstate Commerce, which is charged with the duty of considering all interstate-commerce questions.

Mr. GRONNA. I considered that question quite fully. The resolution, however, deals with agricultural products. As the Senator knows, I think nearly every Senator has received telegrams asking that something be done to relieve the congestion in the agricultural sections of the country and to furnish them cars for the shipment of wheat. The resolution simply asks for information, and I trust the Senator from Utah will not object to it. I do not see how it can possibly do any harm or interfere with any of the work done by the Committee on Interstate Commerce.

Mr. KING. Mr. President, I shall object to the consideration of the resolution if the Senator insists that the investigation shall be made by the Committee on Agriculture and Forestry. It is the proper function of the Committee on Interstate Commerce, if an investigation of this character is required, to conduct such investigation. I think it would lead to confusion and complications if we should repudiate the rules of the Senate and ignore committees whose duties and powers are well defined and understood. We should respect committees and not seek to deprive them of authority conferred by rules, and thus bring confusion and demoralization in legislative procedure. Suppose that complaints were made of the inadequate supply of cars for mining purposes and for the transportation of ores and coal. Could it be contended that under the rules of the Senate such complaints should be sent to the Committee on Mines and Mining? We have a Committee on Interstate Commerce, charged with the duty of making investigation, when investigation is required, of all interstate-commerce problems and questions. If the Senator will amend his resolution so as to refer it to the Committee on Interstate Commerce, I shall be glad to vote for it.

Mr. GRONNA. Mr. President, of course the Senator from Utah has the right to object. I fully realize that the resolution can not be passed this morning if objection is made.

Mr. KING. If the Senator will allow me——

Mr. GRONNA. Just a moment. I can assure the Senator, however, that there is an absolute necessity for more cars, and an investigation of this sort can do no harm. I could show the Senator, if I wanted to take up the time of the Senate, I think probably 50 telegrams which I have received this morning calling attention to the absolute necessity of having cars furnished for the shipment of grain.

I have no objection to permitting the Committee on Interstate Commerce to make an investigation if it sees fit, but why should the Senator from Utah object to the Committee on Agriculture and Forestry making the investigation, which deals with agricultural products and which has the responsibility of dealing with the marketing of agricultural products? I ask, Why does the Senator object to a resolution of this kind?

Mr. KING. I suggested that I would be willing to have the resolution considered if the Senator would amend it and refer it to the proper committee. If the Senator will take that course, I shall vote to have that committee make the investigation.

Mr. GRONNA. If the Senator objects, I give notice that I shall move to take it up to-morrow morning.

The VICE PRESIDENT. The resolution will go over under the rule.

Mr. POMERENE. Mr. President, I did not hear the reading of the resolution. I assume, however, from the discussion that it relates to the car supply as affecting the grain market.

Mr. GRONNA. It does.

Mr. POMERENE. If the Senator will permit me to make a suggestion, I this morning had a letter from the Toledo Produce Exchange advising that on a survey which was made I think on either Friday or Saturday they were short nearly 500 cars. I think that situation exists throughout the country largely.

Also, if the Senator will permit me to make the suggestion, a few days ago I had a large number of telegrams from Cleveland, and among them a telegram from the Cleveland Chamber of Commerce. The chamber of commerce advised that there was a very general shortage of cars in all branches of industry, and spoke of one company that had at that time nearly 600 cars of freight in the warehouse, and the number of cars was negligible. Throughout Ohio, and particularly in the coal region,

there is a shortage of car supply running from 50 to 75 per cent at the mines.

I call attention to this fact as indicating that it is not the grain interests that alone are suffering. The Senator from New Jersey [Mr. FRELINGHUYSEN] has had under investigation the question of coal supply to a very large extent, and the thought has occurred to me that in view of the general situation it might perhaps be better to have the resolution go to the Committee on Interstate Commerce. I assure the Senator from North Dakota that I am in entire sympathy with the purpose of his resolution.

Mr. KIRBY. Mr. President, I have information from two large lumber concerns in the State of Arkansas whose requirements demand that they shall have at least 200 cars a month to take care of their output, and they state that they have not had more than 25 cars a month recently. They employ from 500 to 1,500 men. One of the concerns had to close down one of its mills, and the other concern writes me that it will be necessary to shut down its mills unless the car supply is improved. That shows the condition there. There is a shortage of cars, and I do not see why the Committee on Interstate Commerce would not be the best vehicle or agency for the investigation of the condition, because it seems to be general throughout the country.

Mr. GRONNA. Mr. President, I wish to state the reason why I believe the resolution ought to have immediate consideration. I will say to the Senator from Arkansas, and also in reply to the Senator from Ohio, that there is not the urgent demand for cars for either of the products which they have mentioned that there is for wheat, and for this reason: As we all know, the law which was enacted March 4, 1919, guaranteeing a certain price for wheat expires by limitation on the 1st day of June. It is alleged—and it seems that there has been an understanding to make conditions such—that as much grain as possible should be moved to the grain centers all at once before that time.

The Senate has just adopted a resolution which I introduced calling for information as to why the Federal reserve and other banks are refusing to extend loans upon grain to farmers and to grain men. I have information—and I have the original letters before me—alleging that there must have been a misunderstanding with reference to the question of supplying cars for shipment of the grain which remains in the farmers' bins. I do not believe there are 50,000,000 bushels on the farms throughout the United States besides what is needed for seed and feed. There is a lot of grain in the smaller elevators of the country. These men have paid a high price—a much higher price than the price guaranteed by the Government—and if they want it all to flow into the terminal markets at one time, naturally it will depress the price.

If it were not during the morning hour, I would take sufficient time to read letters and telegrams from grain men showing that there will be no market for the grain outside of the Grain Corporation, thereby forcing down prices and involving a loss to those men from 50 cents to 75 cents a bushel. I do not say that I concur in this, however, but I call attention to the statements made.

I think that is an answer to the statement made by the Senator from Arkansas [Mr. KIRBY], as it demonstrates there is a reason why we should take immediate action in this matter, and that cars should be now furnished in order that the men who have sold grain to arrive at a high price may be protected.

Mr. KIRBY. I have no objection to immediate action, but I thought the other committee was the better agency to investigate this subject. If the mills of which I spoke have to be shut down, 3,000 men will be out of employment.

Mr. GRONNA. Yes; but let me say to the Senator, if he will permit me to finish my statement, that he has not heard of any reduction having been made in the price of the commodity which he mentioned. Instead of that commodity declining in price, it has advanced. I am sure the Senator from Ohio [Mr. POMERENE] has heard no complaint from the men who have written to him that the price of their commodity has declined; on the contrary, prices have been soaring.

The position with reference to grain is somewhat different. I have a letter before me here from a grain-elevator man in North Dakota stating that the price of grain in the city of Devils Lake declined from 50 to 70 cents a bushel last week. That was before my bill terminating the Grain Corporation was introduced. So I say, Mr. President, there is a good reason why this resolution should be given immediate attention and should be at once passed.

Mr. KELLOGG. Mr. President, I do not now desire to discuss the resolution. I simply wish to say that there were many telegrams received last week asking for cars, and Senators from Northwestern States, including myself, urged the Federal Railway Administration to send cars to the Northwest. We received assurances that that would be done, and a man was sent out to take charge of the matter. Of course, I have not had a report as to how many cars have been sent. I have no doubt there is a shortage of cars, but I think we have taken steps to remedy the situation so far as the shortage of cars will permit. I do not know definitely as to the details.

Mr. JONES of Washington. Mr. President, I simply desire to say that the lumber industry in the State of Washington is threatened with stagnation and ruin by the lack of cars. If there is to be an investigation as to the shortage of cars, I desire to have it include the lumber industry as well as other industries. I do not propose now to take any further time, but I simply wish to make this statement.

Mr. SMITH of Maryland. Mr. President, I desire to say to the Senator from North Dakota [Mr. GRONNA] that, so far as I am concerned, I have no objection to his resolution in regard to cars for grain shipment. I think it is very important that grain shipments should be made; but I also wish to say that I have received telegrams from representatives of the coal interests in my State to the effect that at some of the mines they have no cars whatever, the result of which is that the coal miners are not employed one-half of the time and that they are leaving that section of the country and are seeking other sections where they can get employment. That has produced absolute stagnation. I merely mention this fact to show that the car shortage is universal; that it does not apply to any one industry or to any one product. The people of my section are saying that they can get no cars. I have made it my business to apply to the Director General of Railroads for help. I repeat, the fact is that in the coal-mining region referred to they have been obliged to stop work because of the lack of cars. I do not object to the Senator's section of the country having cars for the shipment of grain; I think it is important they should have them; but the shortage of cars applies to all industries and all products, including those of my State.

Mr. STANLEY. Mr. President, in support of what the Senator from Maryland [Mr. SMITH] has said in this particular instance, I desire to say that the coal industry is the important industry at this time. When Lloyd-George was speaking of a threatened strike in the Cardiff region of Wales he said: "Coal is life." If the supply of coal is threatened, elevators will cease operations, the transportation system itself will halt, mills and factories everywhere will be forced to suspend, the lumber industry, the sawmills, will stop with the logs on the way. There can be no activity in any industry or enterprise in this country without a supply of fuel.

More than that, we have but recently, partially and temporarily, adjusted the differences between the operators and the operatives in the coal industry. A majority of the miners are foreign born and do not understand the causes of the industrial unrest or the reason for unemployment, and if the mines stop now because of a lack of transportation that stoppage may be followed by disastrous results, which can not be remedied even by an adequate supply of cars. For that reason I regard it as more important that the mines should be kept running at this time than that any other industry should receive immediate attention.

Mr. GRONNA. I should like to ask a question.

Mr. TOWNSEND. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator from Michigan will state his parliamentary inquiry.

Mr. TOWNSEND. Has the resolution offered by the Senator from North Dakota [Mr. GRONNA] gone over under the rule?

The VICE PRESIDENT. It went over 15 minutes ago.

Mr. TOWNSEND. I ask for the regular order.

Mr. GRONNA. I merely want to ask a question.

The VICE PRESIDENT. The regular order has been called for and that is the end of it. Concurrent and other resolutions are in order.

Mr. SMOOT. Mr. President, I desire to call the attention of the Senate——

Mr. STANLEY. I think I was in the regular order, but I take pleasure in advising the Senator from Michigan [Mr. TOWNSEND] that I have concluded my remarks.

DEPARTMENTAL PUBLICATIONS.

Mr. SMOOT. Mr. President, in order to conserve paper, and also to conserve the Treasury of the United States, Congress on March 1, 1919, passed an act conferring upon the Joint Committee on Printing certain powers. Under that act there was an investigation made of the publications of the different

departments of the Government. The committee instructed the different departments to discontinue certain publications that were being printed in different parts of the country.

I wish to call the attention of the Senate to the fact that I have before me now samples of publications printed at the different posts in the United States——

The VICE PRESIDENT. Did the Senator from Michigan call for the regular order?

Mr. SMOOT. I am perfectly willing to say nothing more.

The VICE PRESIDENT. The Chair understood the Senator from Michigan to call for the regular order. The Senator from Utah is not proceeding in regular order.

Mr. SMOOT. Very well.

STATEMENT BY MR. HERBERT HOOVER.

The VICE PRESIDENT. Are there any further resolutions?

Mr. BORAH. I do not wish now to take up the time of the Senate in comment, but, as I desire to comment later, I ask to have read the statement of Mr. Hoover which I send to the desk.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Reading Clerk read as follows:

HOOVER NOT TO TIE HIMSELF TO UNDEFINED PARTISANSHIP, SAYS HE IS NOT A CANDIDATE—HE WILL "VOTE FOR PARTY THAT STANDS FOR THE LEAGUE" AND COULD NOT VOTE WITH ORGANIZATION "IF IT WERE DOMINATED BY GROUPS WHO HOPE FOR ANY FORM OF SOCIALISM"—THANKS FRIENDS FOR ACTIVITIES.

Herbert Hoover last night issued the following statement defining his attitude toward the Presidency:

"In order to answer a large number of questions all at once, let me emphasize that I have taken a day off from the industrial conference in Washington to come to New York solely to attend to pressing matters in connection with the children's relief. I want to say again, I have not sought and am not seeking the Presidency. I am not a candidate. I have no 'organization.' No one is authorized to speak for me politically.

"As an American citizen by birth and of long ancestry, I am naturally deeply interested in the present critical situation. My sincere and only political desire is that one or both of the great political parties will approach the vital issues which have grown out of the war and are now with a clear purpose looking to the welfare of our people, and that candidates capable of carrying out this work should be nominated.

WILL VOTE WITH PARTY FOR LEAGUE.

"If the treaty goes over to the presidential election (with any reservations necessary to clarify the world's mind that there can be no infringement of the safeguards provided by our Constitution and our nation-old traditions), then I must vote for the party that stands for the league. With it there is hope not only of the prevention of war but also that we can safely economize in military policies. There is hope of earlier return of confidence and the economic reconstruction of the world.

"I could not vote with a party if it were dominated by groups who seek to set aside our constitutional guaranties for free speech or free representation, who hope to reestablish control of the Government for profit and privilege. I could not vote with a party if it were dominated by groups who hope for any form of Socialism, whether it be nationalization of industry or other destruction of individual initiative. Both of these extremes, camouflaged or open, are active enough in the country to-day. Neither of these dominations would enable those constructive economic policies that will get us down from the unsound economic practices which of necessity grew out of the war, nor would they secure the good will to production in our farmers and workers or maintain the initiative of our business men. The issues look forward; not back.

WANTS TWO GREAT PARTIES ONLY.

"I do not believe in more than two great parties; otherwise combinations of groups could, as in Europe, create a danger of minority rule. I do believe in party organization to support great ideals and to carry great issues and consistent policies. Nor can any one man dictate the issues of great parties. It appears to me that the hope of a great majority of our citizens in confronting this new period in American life is that the great parties will take positive stands on the many issues that confront us, and will select men whose character and associations will guarantee their pledges.

"I am being urged by people in both parties to declare my allegiance to either one or the other. Those who know me know that I am able to make up my mind when a subject is clearly defined. Consequently, until it more definitely appears what party managers stand for, I must exercise a prerogative of American citizenship and decline to pledge my vote blindfold.

"I am not unappreciative of the many kind things that my friends have advanced on my behalf. Yet I hope they will realize my sincerity in not tying myself to undefined partisanship."

Mr. THOMAS. Mr. President, if it is in order, I move to refer the communication of Mr. Hoover to Chairman Hays's committee of 1S1 on platform. [Laughter.]

Mr. SHERMAN. Mr. President, I am glad the Senator from Idaho has read into the RECORD the statement of Mr. Hoover. I regard it as an attack upon the American Federation of Labor. I note as a hopeful sign that he is opposed to class or group domination.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on the 7th instant, approved and signed the act (S. 3418) to amend an act entitled "An act to provide for the lading and unlading of vessels at night, the preliminary entry of vessels, and for other purposes," approved February 13, 1911.

The VICE PRESIDENT. Morning business is closed. The calendar under Rule VIII is in order.

TREATY OF PEACE WITH GERMANY.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in open executive session.

The motion was agreed to.

Mr. LODGE. Mr. President, I ask unanimous consent to suspend paragraph 1 of Rule XIII and reconsider the vote by which the Senate tabled the motion to reconsider the vote rejecting the resolution of ratification of the treaty of peace with Germany with the reservations adopted by the Senate.

Mr. BORAH. Mr. President, I do not know that I desire to object to the request for unanimous consent, but I should like to make an inquiry before we proceed. Are we proceeding at this time with reference to the treaty, including any proceedings with reference to bringing it back, under cloture?

The VICE PRESIDENT. The Chair has had some experience with the Senate on treaty questions. Nevertheless, the Chair has courage enough to say, as the question is propounded, that, after the vote shall be reconsidered, unless the treaty shall be rereferred to the Committee on Foreign Relations, or unless by unanimous consent the cloture rule shall be modified, the Chair will hold that it comes back under the cloture adopted by the Senate.

Mr. BORAH. Then, Mr. President, as I understand the ruling of the Chair, it is to the effect that cloture will obtain unless the treaty is rereferred to the Committee on Foreign Relations or unless by unanimous consent the cloture rule is modified?

The VICE PRESIDENT. That is the ruling of the Chair.

Mr. BORAH. May I ask the Senator from Massachusetts if it is the program to rerefer the treaty to the Committee on Foreign Relations?

Mr. LODGE. If my request for unanimous consent is granted or a motion to suspend the rules is carried, by intention is to follow it by a motion to recommit the treaty to the Committee on Foreign Relations.

Mr. BORAH. If I may be permitted to ask another question, is it the purpose of the leader of the minority to support the motion to refer the treaty to the committee?

Mr. HITCHCOCK. The disposition on this side of the aisle is to cooperate in any course that will bring the treaty promptly back into the Senate for consideration.

Mr. BORAH. Bring it back from the committee?

Mr. HITCHCOCK. Yes.

Mr. BORAH. Then the program is understood to be to refer the treaty to the Committee on Foreign Relations?

Mr. HITCHCOCK. Yes.

Mr. McCORMICK. Mr. President, reserving the right to object, do I understand that this action not merely implies but assures the future consideration of the treaty without cloture?

Mr. LODGE. If the motion to recommit is adopted there will be no cloture rule appended to it, unless the Senate chooses to apply the cloture rule, which is always within its power.

Mr. McCORMICK. I am addressing my inquiry to what I dare say may be the brief interval between the consideration of the treaty and its recommitment to the committee. I wonder if during that interval it is contemplated that objection will be raised, and effective objection, to the recommitment of the treaty?

Mr. LODGE. The motion to recommit is in order, whether the treaty comes back under the cloture rule or whether it does not. Of course, if the Senate votes down the motion to recommit, then a new situation is presented.

Mr. McCORMICK. Then, Mr. President, what do I understand that situation to be?

Mr. LODGE. It will be before us under the ruling of the Chair, as I understand, with the exhausted cloture appended to it.

Mr. LENROOT. Mr. President, will the Senator from Massachusetts yield?

Mr. LODGE. Certainly.

Mr. LENROOT. I understand the ruling of the Chair to be that cloture will apply until recommitment?

Mr. LODGE. That is my understanding. That motion can be made at any time, of course.

Mr. BORAH. Mr. President, the Chair has ruled that cloture will apply until the treaty is recommitted, but what will apply between the time this unanimous consent is given and the time the treaty is recommitted?

Mr. McCORMICK. That is the precise inquiry which I addressed to the Senator from Massachusetts.

The VICE PRESIDENT. If the Chair be correct, it comes back under the cloture rule. That is all there is to it.

Mr. BORAH. Then there could be no debate except such debate as Senators may have left?

The VICE PRESIDENT. As the Chair understands, a motion to recommit will be made by the Senator from Massachusetts, and the Chair believes that motion is not debatable unless we should run along until 2 o'clock.

Mr. NORRIS. Mr. President, I object to the request for unanimous consent.

Mr. LODGE. Then, Mr. President, under the notice which I gave, which I will ask to have read, I move to suspend paragraph 1 of Rule XIII.

The VICE PRESIDENT. The notice will be read.

The Reading Clerk read as follows:

FEBRUARY 2, 1920.

Notice by Mr. LODGE: "I hereby give notice, in accordance with the provisions of Rule XL of the Standing Rules of the Senate, that on Monday, February 9, 1920, I will move to suspend paragraph 1 of Rule XIII, in order that the Senate may be given an opportunity to reconsider its final vote upon the resolution of ratification of the treaty of peace with Germany, including the covenant of a League of Nations, and the subsequent action taken to prevent a reconsideration of such vote."

Mr. LODGE. Upon that I ask for the yeas and nays.

The VICE PRESIDENT. This requires a two-thirds vote. The roll will be called.

The Reading Clerk proceeded to call the roll.

Mr. UNDERWOOD (when Mr. BANKHEAD'S name was called). My colleague [Mr. BANKHEAD] is detained from the Chamber on account of sickness. The Senator from Missouri [Mr. REED] is absent on account of the sickness of his mother. They have arranged a pair between them on matters relating to the treaty, and I desire to announce the fact.

Mr. LODGE (when Mr. DILLINGHAM'S name was called). The Senator from Vermont [Mr. DILLINGHAM] is absent, I think on account of illness. He told me he was paired with the Senator from Maryland [Mr. SMITH]. On this question, I know, the Senator from Vermont would vote "yea."

Mr. RANSDELL (when Mr. GAY'S name was called). My colleague [Mr. GAY] is absent on a congressional commission investigating conditions in the Virgin Islands.

Mr. BORAH (when the name of Mr. JOHNSON of California was called). The Senator from California [Mr. JOHNSON] is absent on account of illness. If he were present, he would vote "nay."

Mr. JONES of Washington (when his name was called). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent on account of the illness of his wife. I have agreed to take care of him with a pair during his absence. I am assured, however, that if present he would vote as I shall vote on this matter. Therefore I feel at liberty to vote. I vote "yea."

Mr. KNOX (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. I transfer that pair to the junior Senator from California [Mr. JOHNSON] and vote "nay."

Mr. McKELLAR (when his name was called). I have a pair with the junior Senator from Missouri [Mr. SPENCER]. I understand, however, that if he were present he would vote as I shall vote. Therefore I feel at liberty to vote. I vote "yea."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY], whose absence has already been announced. I therefore withhold my vote.

Mr. TOWNSEND (when Mr. NEWBERRY'S name was called). I announce the absence of the junior Senator from Michigan [Mr. NEWBERRY], and state that he has a general pair with the senior Senator from Missouri [Mr. REED] on all matters except those affecting the League of Nations. I am authorized to state that if the junior Senator from Michigan were present he would vote "yea" on this motion.

Mr. PHIPPS (when his name was called). I have a pair with the junior Senator from South Carolina [Mr. DIAL]. I transfer that pair to the junior Senator from Michigan [Mr. NEWBERRY] and vote "yea."

Mr. McKELLAR (when Mr. SHIELDS'S name was called). The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness in his family.

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). My colleague [Mr. SMITH of Arizona] is absent on the business of the Senate; that is to say, he is investigating the murders of a large number of American citizens that have been committed by Mexican bandits and outlaws. If he were present, he would vote "yea."

Mr. SMITH of Maryland (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. However, with his consent I am at liberty to vote. I vote "yea."

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Iowa [Mr. KENYON] and vote "yea."

The roll call was concluded.

Mr. HARRISON. I am paired with the senior Senator from Missouri [Mr. REED]. If he were present, he would vote "nay" and I would vote "yea." He is also paired with the senior Senator from Alabama [Mr. BANKHEAD]. I transfer my pair to the junior Senator from Missouri [Mr. SPENCER] and vote "yea."

Mr. HARRIS (after having voted in the affirmative). I have a pair with the Senator from New York [Mr. CALDER]. I understand that, if present, he would vote "yea." I will therefore allow my vote to stand.

Mr. GERRY. I wish to announce the unavoidable absence of the senior Senator from South Carolina [Mr. SMITH] and of the junior Senator from South Carolina [Mr. DIAL] on account of illness.

Mr. GRONNA. I have been requested to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent from the Chamber because of illness.

Mr. LODGE. May I ask if I heard the junior Senator from Mississippi [Mr. HARRISON] transfer his pair to the junior Senator from Missouri [Mr. SPENCER]?

Mr. HARRISON. I transferred my pair to the junior Senator from Missouri [Mr. SPENCER].

Mr. LODGE. The junior Senator from Missouri [Mr. SPENCER], if present, would vote "yea."

Mr. HARRISON. Then I transfer my pair to the senior Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK].

Mr. McKELLAR. The Senator from Virginia [Mr. SWANSON] is detained from the Senate by illness in his family.

Mr. GERRY. The senior Senator from South Carolina [Mr. SMITH], the junior Senator from South Carolina [Mr. DIAL], the Senator from Mississippi [Mr. WILLIAMS], and the Senator from Wyoming [Mr. KENDRICK] are absent on account of illness.

The Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from Massachusetts [Mr. WALSH] are absent on public business.

The roll call resulted—yeas 63, nays 9, as follows:

YEAS—63.

Ashurst	Harding	McLean	Smith, Ga.
Ball	Harris	McNary	Smith, Md.
Beckham	Harrison	Myers	Smoot
Capper	Henderson	Nelson	Stanley
Colt	Hitchcock	New	Sterling
Culberson	Johnson, S. Dak.	Nugent	Sutherland
Cummins	Jones, N. Mex.	Overman	Thomas
Curtis	Jones, Wash.	Page	Townsend
Elkins	Kellogg	Phelan	Trammell
Fernald	Keyes	Phipps	Underwood
Fletcher	King	Pittman	Wadsworth
Frelinghuysen	Kirby	Pomerene	Walsh, Mont.
Gerry	Lenroot	Ransdell	Warren
Glass	Lodge	Robinson	Watson
Gore	McCumber	Sheppard	Wolcott
Hale	McKellar	Simmons	

NAYS—9.

Borah	Gronna	McCormick	Poindexter
Brandegee	Knox	Norris	Sherman
France			

NOT VOTING—24.

Bankhead	Fall	Moses	Smith, Ariz.
Calder	Gay	Newberry	Smith, S. C.
Chamberlain	Johnson, Calif.	Owen	Spencer
Dial	Kendrick	Penrose	Swanson
Dillingham	Kenyon	Reed	Walsh, Mass.
Edge	La Follette	Shields	Williams.

The VICE PRESIDENT. More than two-thirds of the Senators present having voted to suspend the rule for the purposes stated in the notice of the Senator from Massachusetts, the rule is suspended.

Mr. LODGE. I now move to reconsider the vote by which the Senate tabled the motion to reconsider the vote rejecting the resolution of ratification of the treaty of peace with Germany with the reservations adopted by the Senate.

Mr. NORRIS. Mr. President, I make a point of order against the motion, first, because the Senator from Massachusetts is not entitled to make it, not having voted with the prevailing side; second, because the matter sought to be reconsidered has already been once reconsidered; and, third, because it was finally disposed of on the 19th day of November, 1919, at a preceding session of Congress; that on that day that session of Congress adjourned without day, and hence it is now too late under general parliamentary law to make the motion.

The VICE PRESIDENT. The Chair overrules the point of order.

Mr. NORRIS. And from that decision I appeal.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. The question is not debatable.

Mr. BRANDEGEE. An appeal from the ruling of the Chair?

The VICE PRESIDENT. These motions and questions are not debatable before 2 o'clock.

Mr. NORRIS. On the appeal I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. JONES of Washington (when his name was called). Making the same announcement that was made awhile ago with reference to my pair with the Senator from Virginia [Mr. SWANSON], and with the same understanding, that he would vote as I shall vote, I vote "yea."

Mr. KNOX (when his name was called). Repeating the statement that I made a moment ago, I transfer my pair with the senior Senator from Oregon [Mr. CHAMBERLAIN] to the junior Senator from California [Mr. JOHNSON], and vote "nay."

Mr. GRONNA (when Mr. LA FOLLETTE's name was called). I again announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness.

Mr. McKELLAR (when his name was called). Making the same announcement as to my pair with the Senator from Missouri [Mr. SPENCER], and understanding that, if present, he would vote as I shall vote, I vote "yea."

Mr. MOSES (when his name was called). Repeating the announcement heretofore made regarding my pair, in his absence I withhold my vote.

Mr. PHIPPS (when his name was called). Repeating the announcement heretofore made as to my pair and its transfer, I vote "yea."

Mr. UNDERWOOD (when Mr. REED's name was called). I desire to announce a pair between the senior Senator from Missouri [Mr. REED] and my colleague [Mr. BANKHEAD].

Mr. McKELLAR (when Mr. SHIELDS's name was called). I make the same announcement with regard to my colleague, the senior Senator from Tennessee [Mr. SHIELDS], and ask that it may stand for the day.

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). My colleague [Mr. SMITH of Arizona] is absent on the business of the Senate; that is to say, he is investigating the murders of a large number of American citizens that have been committed by Mexican bandits and outlaws. If he were present, he would vote "yea."

Mr. SMITH of Maryland (when his name was called). Making the same statement as on the previous roll call, I vote "yea."

Mr. STERLING (when his name was called). Making the same announcement, as on the previous roll call, as to my pair and its transfer, I vote "yea."

The roll call was concluded.

Mr. HARRIS (after having voted in the affirmative). Making the same announcement with regard to my pair with the Senator from New York [Mr. CALDER], I will allow my vote to stand.

Mr. McKELLAR. The Senator from Virginia [Mr. SWANSON] is detained from the Senate by illness in his family.

Mr. GERRY. The senior Senator from South Carolina [Mr. SMITH], the junior Senator from South Carolina [Mr. DIAL], the Senator from Mississippi [Mr. WILLIAMS], and the Senator from Wyoming [Mr. KENDRICK] are absent on account of illness.

The Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from Massachusetts [Mr. WALSH] are absent on public business.

The result was announced—yeas 62, nays 10, as follows:

YEAS—62.

Ashurst	Harding	McLean	Smith, Ga.
Ball	Harris	McNary	Smith, Md.
Beckham	Harrison	Myers	Smoot.
Capper	Henderson	Nelson	Stanley
Colt	Hitchcock	New	Sterling
Culberson	Johnson, S. Dak.	Nugent	Thomas
Cummins	Jones, N. Mex.	Overman	Townsend
Curtis	Jones, Wash.	Page	Trammell
Elkins	Kellogg	Phelan	Underwood
Fernald	Keyes	Phipps	Wadsworth
Fletcher	King	Pittman	Walsh, Mont.
Frelinghuysen	Kirby	Pomerene	Warren
Gerry	Lenroot	Ransdell	Watson
Glass	Lodge	Robinson	Wolcott
Gore	McCumber	Sheppard	
Hale	McKellar	Simmons	

NAYS—10.

Borah	Gronna	Norris	Sutherland
Brandegee	Knox	Poindexter	
France	McCormick	Sherman	

NOT VOTING—24.

Bankhead	Fall	Moses	Smith, Ariz.
Calder	Gay	Newberry	Smith, S. C.
Chamberlain	Johnson, Calif.	Owen	Spencer
Dial	Kendrick	Penrose	Swanson
Dillingham	Kenyon	Reed	Walsh, Mass.
Edge	La Follette	Shields	Williams

So the ruling of the Chair was sustained.

The VICE PRESIDENT. The question now is on the motion of the Senator from Massachusetts to reconsider the vote by which the Senate tables the motion to reconsider the vote rejecting the resolution of ratification with the reservations adopted by the Senate.

The motion to reconsider was agreed to.

Mr. LODGE. Mr. President, I move to recommit to the Committee on Foreign Relations the treaty of peace with Germany, together with the reservations adopted by the Senate and the resolution of ratification, with instructions to report the treaty back immediately, together with said reservations and the ratifying resolution.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator from Massachusetts whether he would be willing to omit in the third line "reservations adopted by the Senate," and in next to the bottom line "together with such reservations," so it would read in this way:

I move to recommit to the Committee on Foreign Relations the treaty of peace with Germany, together with the resolution of ratification, with instructions to report the treaty back immediately without recommendation.

That will leave the whole matter in the Senate, where it can be considered, and will leave it practically where it was.

Mr. LODGE. My purpose, and my sole purpose, in what I am endeavoring to do this morning is to bring back the treaty before the Senate in the quickest possible way. Whatever work we are going to do in the Senate will be done, if done at all, by modifications of the reservations which the Senate adopted. All those reservations could be offered again. No right is cut off. Any reservation can be offered when the treaty is reported by the committee. I am certain that it will save the time of the Senate to bring the reservations back, because they are going to be the subject of discussion, and it is to them that modifications, if any, will be offered. To leave them out, it seems to me, we run the risk of delay and revising the whole treaty from beginning to end.

I think it is in the interest of prompt action to bring the treaty back to-morrow with the resolution of ratification and with the reservations. The resolution of ratification, of course, can not be presented until we get into the Senate and the treaty will come back in Committee of the Whole.

Mr. HITCHCOCK. If the Senator will tolerate another interruption——

Mr. LODGE. Gladly.

Mr. HITCHCOCK. The expression "reservations adopted by the Senate" strikes me as hardly correct, for the reason that the reservations were adopted in Committee of the Whole.

Mr. LODGE. They were subsequently adopted in the Senate, every one of them.

Mr. HITCHCOCK. In the Senate the Senate rejected the resolution incorporating the reservations, and it puts the matter in an awkward position to go on record here as favoring reservations adopted in the Senate, when as a matter of fact the resolution containing the reservations was defeated, and we have now reconsidered the motion by which that defeat occurred.

Mr. LODGE. The reservations were certainly adopted in the Senate. What was defeated was the resolution of ratification with the reservations appended. There is no doubt that the reservations were adopted. I think the description is an accurate one.

Mr. HITCHCOCK. Then, Mr. President, I move, in line 3 of the motion offered by the Senator from Massachusetts, to strike out the words "reservations adopted by the Senate," so that it will simply refer the treaty to the committee with the resolution of ratification.

Mr. LODGE. I think it would be a great mistake to adopt that course, and I hope it will not be taken. I ask for the yeas and nays.

Mr. UNDERWOOD. Mr. President, I understand the motion of the Senator from Massachusetts to recommit the treaty in this form and report it back to the Senate is for the purpose of voiding the cloture rule. I agree with the Senator from Nebraska that if the Senator from Massachusetts insists on his motion and we should order a reporting back of certain reservations which came before the Senate when the treaty was last reported, it puts Members of the Senate on this side of the Chamber in rather an embarrassing attitude in ordering the report of reservations that they did not favor. There is no question that this side of the Chamber desire to take up the treaty. They desire to cooperate with the Senator from Massachusetts in his effort to take it up; but they do not desire to be placed in the position of voting for proposals that they negatived by their vote when the matter was in the Senate before. It seems to me that the question of lifting the cloture rule can be done by unanimous consent, and I think an effort ought to be made to void it by unanimous consent before the vote is taken. I rise for the purpose of asking the Chair if the cloture rule heretofore adopted can not be set aside by the unanimous consent of the Senate?

The VICE PRESIDENT. There is no doubt about that.

Mr. UNDERWOOD. Then I ask the Senator in charge of the treaty, before he insists on this motion, at least to give the Senate a chance to void the rule by unanimous consent. If that is done, then the position of the treaty before the Senate now will be exactly where it would be if he sends it back to the Committee on Foreign Relations and then brings it back.

Mr. WATSON. With the reservations.

Mr. UNDERWOOD. The motion has been reconsidered.

Mr. WATSON. Precisely.

Mr. UNDERWOOD. And it will be exactly where it will be if the Senator from Massachusetts brings it back from the committtee.

Mr. BRANDEGEE. Mr. President, I desire to make an inquiry of the Senator from Massachusetts. If the sole purpose of the Senator in reconsidering the action of the Senate in rejecting the resolution of ratification which contained the reservations agreed to by the Senate is to get rid of the cloture and bring the matter before the Senate, in view of the fact that the Chair has ruled that unanimous consent can be given to set aside the cloture rule, would it not suit the Senator's purpose just as well to ask unanimous consent that the action of the Senate in rejecting the resolution of ratification be reconsidered, and then the resolution stands before the Senate just as it was when it was rejected with the reservations adopted by the Senate?

Mr. LODGE. That is what we have done. We have already reconsidered the vote by which the Senate rejected it.

Mr. BRANDEGEE. In view of the fact that the Senator from Alabama and the Chair agree that cloture can be dissolved by unanimous consent, and inasmuch as a dissolution of the cloture rule was the sole object of referring the resolution and the treaty to the committee, why does not the Senator from Massachusetts ask unanimous consent that cloture be dissolved?

Mr. LODGE. Mr. President, I should like, before giving the unanimous consent, to know the precise parliamentary situation in which we are then left.

As I understand it, we have reconsidered the vote by which the motion to reconsider was tabled. Therefore there is now before the Senate the motion to reconsider the vote by which the treaty was rejected. I desire the Chair to correct me if I am misstating the situation as I understand it. That being the case we can go on and reconsider the vote by which the resolution of ratification with reservations was rejected, and then we can proceed to reconsider the vote on each of the reservations, bringing them all severally before the Senate. That is the parliamentary situation, as I understand it.

The VICE PRESIDENT. The Chair has the recollection, subject to revision by the RECORD, that what was done was that separate votes were taken in Committee of the Whole on each of the reservations. They were decided and carried by the Senate by a majority vote, and the rule adopted by the Senate under a rule which the Chair believes to be in direct contravention of the Constitution of the United States, a rule that has led to all this trouble. If each reservation had been adopted by a two-thirds vote there would be no doubt about the final ratification by a two-thirds vote.

Then it passed into the Senate, and some reservations were voted on en bloc and on others there were separate votes.

Mr. LODGE. They all received a vote in the Senate.

The VICE PRESIDENT. They all received a vote. Then they were included in the resolution of ratification, and that was lost, not receiving the constitutional two-thirds vote of the Senators present. Then the motion was made to reconsider. The Senator from Massachusetts moved to lay the motion on the table, and that prevailed. Now, we have reconsidered the vote whereby the motion to reconsider was laid on the table. That leaves before the Senate the motion to reconsider the vote whereby the resolution of ratification containing the reservations was defeated. If you want it back in Committee of the Whole you must go back step by step and reconsider every vote that was taken until you get back into Committee of the Whole, or it must go to the committee on motion of the Senator from Massachusetts.

Mr. LODGE. Or we can keep it in the Senate.

The VICE PRESIDENT. I say if you want to go back to Committee of the Whole you must reconsider each one of these votes.

Mr. LODGE. Certainly.

Mr. LENROOT. Mr. President, may I attempt to correct the Chair's history in one particular? The resolution of ratification with reservations failed, was reconsidered, and again failed. The resolution for unconditional ratification failed, and the motion to reconsider that resolution was laid on the table. Therefore the resolution that will be before the Senate if this motion prevails is not the resolution with reservations but the resolution for unconditional ratification. It seems to me that the only way that this can be untangled is to have it go to the Committee on Foreign Relations and come back to the Committee of the Whole.

Mr. UNDERWOOD. I think unquestionably the Senate can do by unanimous consent anything that it can do by a series of votes. It seems to me clear that if the Senator from Massachusetts will ask that the cloture rule be set aside and that all votes that intervened be set aside and the treaty be taken up in Committee of the Whole in the initial stages in which it was originally presented to the Senate, that that can be done by unanimous consent, and by unanimous consent we reach the same conclusion.

Mr. LODGE. That would bring back the treaty as it was reported from the Committee on Foreign Relations with the series of reservations before us as rejected by the Senate and with the whole series of amendments to the treaty. That does not seem to me to be the proper method to dispose of the treaty.

Mr. NORRIS. May I inquire of the Senator from Massachusetts why the suggestion of the Senator from Alabama would not meet the situation? If the Senator from Massachusetts asks unanimous consent that all of the votes be reconsidered and that the treaty be taken up and considered as in Committee of the Whole the same as it was when originally reported from the Committee on Foreign Relations, would not that meet the situation?

Mr. LODGE. I was just stating the condition it would be in. It would be with all the amendments reported from the Committee of the Whole, some 50 in number, and carrying the reservations—15 I think—that were reported from the Committee of the Whole. It would open up the whole debate which arose when it was reported from the Committee on Foreign Relations. That is the situation which would arise.

Mr. SMOOT. Mr. President, I may have misunderstood the suggestion of the Senator from Alabama, but I understood him to say that unanimous consent would do away with all the amendments and that we could consider the treaty as in Committee of the Whole, and in the same condition it was in when it was reported from the Committee of the Whole to the Senate.

Mr. LODGE. No unanimous consent to take it back into Committee of the Whole can strip off the action of the committee because that has been done. By unanimous consent you can only undo these parliamentary motions that have been made and either adopt or defeat them; and when you get it back in Committee of the Whole it has the committee amendments and reservations on it. You can by unanimous consent put it back in the Committee on Foreign Relations, of course, if you want to get them off in that way, but where the unanimous consent proposed by the Senator from Alabama would leave it would be

where it was reported from the Committee on Foreign Relations. If the Senate wants to do that, very well.

Mr. SMOOT. I did not understand it quite that way.

Mr. HITCHCOCK. Will the Senator from Massachusetts give me his attention while I suggest a substitute for his motion, which I think will put the matter in Committee of the Whole, where it can be handled in accordance with his desire?

I move to recommit to the Committee on Foreign Relations the treaty of peace with Germany, with instructions to report the treaty back immediately without amendment and without reservations.

It will then be in Committee of the Whole, where the Senate can do with it as it pleases.

Mr. LODGE. I think voting it out of Committee of the Whole, of course, commits nobody. Every one of those reservations, of course, must come before the Senate, and the quickest way is to bring them out on the treaty from the Committee on Foreign Relations. I was taking the quickest way. It does not commit anybody on either side to the reservations which were voted on. The ratification resolution must come before the Senate and will come before the Senate. All I want to do is to shorten the road, and I shall adhere to my motion in that respect. I ask for the yeas and nays.

Mr. HITCHCOCK. I should like to ask the Senator from Massachusetts whether he agrees with the Senator from Wisconsin [Mr. LENROOT] that the resolution of ratification, which was reconsidered and laid on the table, and which we now have taken off the table, was not the resolution of unqualified ratification without any reservations?

Mr. LODGE. I have not looked into that.

Mr. HITCHCOCK. That is my recollection; and if that is correct, the motion which I suggest would be the proper course to put it in the committee, where we can agree upon the reservations that we desire to attach to it.

Mr. LODGE. The point of difference is a very simple one. I want to bring the treaty back here with the reservations. If the Senator wants to take it to the committee, the committee can bring it out with the reservations.

Mr. HITCHCOCK. Mr. President, if the Senator from Wisconsin is correct, the motion offered by the Senator from Massachusetts [Mr. LODGE] can not be accurate, because it refers to reservations when there were no reservations at all.

Mr. LENROOT. The motion of the Senator from Massachusetts relates to the treaty and not to the reservations; and, of course, it is in order to attach any instructions that we may see fit. It is not the resolution of ratification to which the motion of the Senator from Massachusetts refers but it is to the treaty.

Mr. HITCHCOCK. Yes; but the resolution of ratification having reservations in it was not reconsidered.

Mr. LENROOT. No.

Mr. HITCHCOCK. We have only voted to reconsider the resolution of ratification that contained no reservations.

Mr. LODGE. Oh, no; I beg the Senator's pardon. The motion to reconsider the resolution to ratify with the reservations was rejected; it was tabled.

Mr. JONES of New Mexico. Will the Senator from Massachusetts yield to me?

Mr. LODGE. Certainly.

Mr. JONES of New Mexico. I suggest that the Senator make his motion merely a general motion to recommit, without any instructions whatever.

Mr. LODGE. I have been trying to explain the situation; but if the Senator thinks it is desirable to send the treaty back to the Committee on Foreign Relations and let them consider it as they did in the original case, I can not object. It will, however, cause delay.

Mr. JONES of New Mexico. I assume that the committee will report the treaty back with such reservations as the chairman of the committee favors. If the chairman of the committee is in favor of reporting it back with reservations which have heretofore been reported, I assume that it will come back in that form or in such form as will be satisfactory to the chairman of the committee.

Mr. LODGE. If it is left open to the committee, the committee will bring back such reservations as they determine on. My object, as I have repeated again and again, is to get the subject which we are going to discuss and going to act upon, which is the reservations, as everybody knows, before the Senate as quickly as possible, and I think I have taken the shortest way to do so.

Mr. ROBINSON. Mr. President, I merely want to say that, in my opinion, considering the parliamentary situation as it exists, there is nothing inconsistent in the acts of those of us on this side of the Chamber in supporting the motion of the Senator from Massachusetts [Mr. LODGE]. It is well understood that the object is to bring the entire subject matter back to the Senate for consideration, and that it is expected that amendments will be offered by the Senator from Massachusetts himself to the reservations that it is contemplated will be reported with the resolution of ratification. In that view of the matter, I think we may very well end this debate and proceed to adopt the motion.

Mr. WALSH of Montana. Mr. President, I have a suggestion to make which I think might meet the approval of the Senator from Massachusetts. Everyone on this side and all of the friends of the treaty on the other side desire that the treaty go back to the Committee on Foreign Relations. They also favor that portion of the resolution which suggests that the treaty be reported back immediately. Some of us upon this side, however, do not feel as if we want to commit ourselves in favor of instructing the committee to report back the reservations. The question is capable of division. Let us vote first upon that part of the resolution that directs that the matter be referred to the committee with instructions to report immediately. Everyone will vote for that. Then let us simply take a viva voce vote upon the other question; that is to say, to return it with the reservations theretofore reported. Why would not that be the shortest way?

Mr. LODGE. The Senator can reach his purpose by moving to strike out the words to which he objects.

Mr. HITCHCOCK. I have already made such a motion; but, in view of the suggestion made by the Senator from Montana [Mr. WALSH], I am willing to withdraw the motion to amend, and simply ask that the question proposed by the Senator from Massachusetts be divided, so that we may have a straight vote on each clause.

Mr. LODGE. How will the Senator divide it?

Mr. HITCHCOCK. I ask, then, that we first vote upon this language:

I move to recommit to the Committee on Foreign Relations the treaty of peace with Germany—

Then second—

together with the reservations adopted by the Senate and the resolution of ratification—

And then finally—

together with the said reservations and the ratifying resolution.

Mr. LODGE. That is not dividing it; that is amending it.

Mr. HITCHCOCK. No; I am simply dividing it.

Mr. LODGE. I think it would be a great deal better to take a vote on an amendment. The Senator can reach his purpose by an amendment; that is the simplest way. What difference does it make, so long as the Senator gets a separate vote?

Mr. HITCHCOCK. I think it is rather immaterial. I was seeking to accept the suggestion of the Senator from Montana [Mr. WALSH], and I thought perhaps it would facilitate matters.

Mr. WALSH of Montana. That was not quite in accord with my idea. My idea was to have a vote upon the entire resolution offered by the Senator from Massachusetts, except that portion which directs the Foreign Relations Committee to return the reservations; a vote on the entire resolution to refer the whole subject matter, just as the Senator has it, with instructions to report immediately; and then the Senate vote——

Mr. ROBINSON. Will the Senator from Montana yield to me?

Mr. WALSH of Montana. Yes.

Mr. ROBINSON. May I point out that the danger in that proceeding would be that the controversy will be relegated to the Committee on Foreign Relations, where it may continue for many months, whereas it is the purpose of those who are promoting this motion, on both sides of the Chamber, to bring the matter to the attention of the Senate and to settle it as speedily as possible.

Mr. BRANDEGEE. Mr. President, I am sure that Senators will understand that if the Committee on Foreign Relations is instructed to report immediately, they can only report the reservations which the Senate acted upon. If the committee is expected to enter into a series of roll calls to modify the reservations that the Senate agreed upon and which were incorporated in the resolution of ratification, it will be an interminable task in the committee. There is no use instructing the committee to report forthwith or immediately, which means right now, or, at the latest, to-morrow morning, unless the Senators expect the committee to report back the reservations, which everybody agrees are going to be the basis of negotiations, with a view of modification. If those reservations, which are known as the Lodge reservations, are reported back here, the proceeding has succeeded in its purpose. We shall have gotten rid of the cloture rule, and both sides, and those who have practically exhausted their time under the cloture rule, will have an opportunity to discuss the modifications proposed. That is what is

coming, anyway. So I do not see any objection to the motion of the Senator from Massachusetts as it stands, to report forthwith, with the reservations that were agreed to by the Senate. If it is the wish of the Senate to change those reservations, we can do it when the treaty gets here. It will go to the Committee of the Whole, as I understand, will it not, Mr. President; and in Committee of the Whole amendments as well as reservations will be in order, will they not?

The VICE PRESIDENT. Undoubtedly.

Mr. BRANDEGEE. So the whole thing comes up de novo before the Senate when it once gets out of the committee.

Mr. GORE. Mr. President, it seems to me that when we all agree as to the exact thing we ought to do, we ought to be able to agree as to how to do it. There is not much use to shy at shadows. As I understand, the Senator from Massachusetts desires to restore the parliamentary status which prevailed when the resolution was perfected in Committee of the Whole and reported to the Senate; and I believe that unanimous consent should be granted to restore that parliamentary status. That, as I understand, is what will be accomplished when the treaty goes to the committee and comes back. I see the point the Senator is trying to arrive at. Senators on this side do not object; they merely object to the method of arriving at it. It seems to me if the Senator would prefer a request to restore that parliamentary situation it might be granted.

Mr. LODGE. Mr. President, I think the plain and sensible way to reach the object we are all trying to attain is through the motion I have made, which was carefully considered, and I should like a vote on the motion.

Mr. HITCHCOCK. We withdraw all amendments, Mr. President.

The VICE PRESIDENT. Let the motion be stated.

The Assistant Secretary read as follows:

Mr. LODGE moves to recommit to the Committee on Foreign Relations the treaty of peace with Germany, together with the reservations adopted by the Senate and the resolution of ratification, with instructions to report the treaty back immediately, together with the said reservations and the ratifying resolution.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to.

THE CALENDAR.

Mr. LODGE. Mr. President, I move that the Senate return to the consideration of legislative business.

The motion was agreed to.

The VICE PRESIDENT. The calendar under Rule VIII is in order.

Mr. SMOOT. I ask unanimous consent that the Senate begin the consideration of the calendar at No. 341.

The VICE PRESIDENT. Is there any objection?

Mr. GRONNA. I object.

Mr. NORRIS. I could not hear the request.

The VICE PRESIDENT. Objection has been made.

Mr. SMOOT. I ask unanimous consent to begin the consideration of the calendar with Order of Business No. 341.

Mr. NORRIS. Is that where the Senate left off when the calendar was last under consideration?

Mr. SMOOT. It is.

Mr. NORRIS. I have no objection.

Mr. GRONNA. I object.

The VICE PRESIDENT. The Senator from North Dakota objects. The first bill on the calendar will be stated.

BUSINESS PASSED OVER.

The joint resolution (S. Res. 76) defining a peace treaty which shall assure to the people of the United States the attainment of the ends for which they entered the war and declaring the policy of our Government to meet fully obligations to ourselves and to the world was announced as first in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 529) for the relief of the heirs of Adam and Noah Brown was announced as next in order.

Mr. SMOOT. I ask that that go over.

The VICE PRESIDENT. It will be passed over.

The bill (S. 600) for the relief of the heirs of Mrs. Susan A. Nicholas was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1223) for the relief of the owner of the steamer *Mayflower* and for the relief of passengers on board said steamer was announced as next in order.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 174) for the relief of Emma H. Ridley was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1722) for the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased, was announced as next in order.

Mr. KING. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 168) to create a commission to investigate and report to Congress a plan on the questions involved in the financing of house construction and home ownership and Federal aid therefor was announced as next in order.

Mr. KING. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2224) to incorporate the Recreation Association of America was announced as next in order.

Mr. KING. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1660) to provide a division of tuberculosis in, and an advisory council for, the United States Public Health Service, and for other purposes, was announced as next in order.

Mr. KING. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 41) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. KING. I ask that that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 2457) to provide for a library information service in the Bureau of Education was announced as next in order.

Mr. SMOOT. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 131) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade was announced as next in order.

Mr. KING. I ask that the bill go over.

The VICE PRESIDENT. It will be passed over.

The bill (S. 1448) for the relief of Jacob Nice was announced as next in order.

Mr. KING. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 172) for the selection of a special committee to investigate the administration of the office of the Alien Property Custodian was announced as next in order.

Mr. OVERMAN. I ask that that resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 2978) to establish additional fish-cultural subsidiary stations in the State of Michigan was announced as next in order.

Mr. KING. I ask that that bill go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 2773) for the relief of Ethel Proctor was announced as next in order.

Mr. KING. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2785) to provide aid from the United States for the several States in prevention and control of drug addiction and the care and treatment of drug addicts, and for other purposes, was announced as next in order.

Mr. KING. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 51) directing the Court of Claims to investigate claims for damages growing out of the riot of United States negro soldiers at Houston, Tex., was announced as next in order.

Mr. KING. Let that joint resolution be passed over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 2672) to carry into effect the findings of the Court of Claims in favor of Elizabeth White, administratrix of the estate of Samuel N. White, deceased, was announced as next in order.

Mr. KING. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1302) for the relief of John H. Rheinlander was announced as next in order.

Mr. KING. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2444) to create the commission on rural and urban home settlement was announced as next in order.

Mr. KING. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3201) fixing the salary of the district attorney for the eastern district of New York was announced as next in order.

Mr. KING. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3224) relating to the creation in the Army of the United States of the grade of lieutenant general was announced as next in order.

Mr. KING. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 215) providing that whenever the United States becomes a member of the League of Nations this Government should present to the council or the assembly of the league the state of affairs in Ireland and the right of its people to self-government was announced as next in order.

Mr. SMOOT. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

SUITS AGAINST THE GOVERNMENT.

The bill (S. 2692) to amend section 24 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, was announced as next in order.

Mr. GRONNA. May we have the bill read?

The VICE PRESIDENT. It has heretofore been read in full and amended.

Mr. GRONNA. I object to the consideration of the bill.

Mr. OVERMAN. Mr. President, I should like to explain the bill to the Senator.

Mr. GRONNA. That is all I ask, to have the bill explained or to have it read.

Mr. OVERMAN. Under the present law if a man in the State of the Senator from North Dakota or any other State wishes to bring suit against the Government on a claim, if the claim involves more than $10,000, he must come to Washington, employ a lawyer, and try the case here. This bill allows him to try it in his own State if the amount involved is less than $100,000; that is all the bill does.

Mr. GRONNA. May I ask the Senator what the amount is now under the present law?

Mr. OVERMAN. Ten thousand dollars.

Mr. GRONNA. And this makes the limit $100,000?

Mr. OVERMAN. If the claim involves an amount over $10,000 the claimant must now come to Washington to try it. This bill increases the amount to $100,000. Under the law now, I repeat, if a man has a claim for over $10,000 he has got to come to Washington to bring his suit. This bill provides that if he has a claim as much as $100,000 he may sue in his own State.

Mr. GRONNA. I withdraw the objection.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STEPHEN A. WINCHELL.

The bill (S. 1374) for the relief of Stephen A. Winchell was considered as in Committee of the Whole. It provides that in the administration of the pension laws Stephen A. Winchell, late of Company K, Sixth Regiment Maine Volunteer Infantry, and of Second Company, Second Battalion Veteran Reserve Corps, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of Second Company, Second Battalion Veteran Reserve Corps, on the 5th day of September, 1865; but that no pay, pension, bounty, or other emolument shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FISH-CULTURAL SUBSIDIARY STATIONS IN MICHIGAN.

Mr. TOWNSEND. Mr. President, I wish to return to Calendar No. 172, to which the Senator from Utah [Mr. KING] objected. He has just informed me that he has no objection to that bill and is willing to withdraw his objection to its consideration; and unless some other Senator objects, I should like to have the bill considered now.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate $50,000 for the establishment of two or more additional fish-cultural subsidiary stations in the State of Michigan, including the purchase of sites, construction of buildings and equipment at some suitable points to be selected by the Secretary of Commerce, and for the improvement and equipment of existing subsidiary stations in the State of Michigan; but provides that before any final steps shall be taken for the construction of such stations the State of Michigan, through appropriate legislative action, shall concede to the United States the right to conduct fish hatching and all operations connected therewith in any manner and at any time that the Commissioner of Fisheries of the United States may consider necessary and proper, any fishery laws of the State to the contrary notwithstanding.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ETHEL PROCTOR.

Mr. TOWNSEND. Mr. President, the Senator from Utah [Mr. KING] also objected to Calendar No. 196, being the bill (S. 2773) for the relief of Ethel Proctor, when it was reached in regular order. The Senator from Utah has informed me that he will withdraw his objection to that bill, and I ask that the Senate return to it and consider it now.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The VICE PRESIDENT. The bill has heretofore been considered, and the amendment reported by the committee has been agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (H. R. 6750) to deport certain undesirable aliens and to deny readmission to those deported was announced as next in order.

Mr. GRONNA. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1233) to repeal an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," and the act amendatory thereof, was announced as next in order. The bill had been reported from the Committee on the Judiciary adversely.

The VICE PRESIDENT. The question is, Shall the bill be indefinitely postponed?

Mr. FRANCE. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3090) to repeal the espionage act was announced as next in order.

Mr. OVERMAN. I ask that that go over.

The VICE PRESIDENT. The bill will be passed over.

FRANCIS M. ATHERTON.

The bill (S. 2614) for the relief of Francis M. Atherton was considered as in Committee of the Whole. It proposes that in the administration of the pension laws Francis M. Atherton shall hereafter be held and considered to have been mustered into the service of the United States as a member of the First Battery Vermont Volunteer Light Artillery on the 15th day of March, 1862, and to have been honorably discharged from the same on the 1st day of February, 1863, and to have been mustered into the service of the United States as an unassigned recruit on the 19th day of December, 1863, and to have been honorably discharged from the same on the 9th day of March, 1864.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHANGES IN NAMES OF VESSELS.

The bill (H. R. 3620) to authorize the Commissioner of Navigation to change the names of vessels was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN M. WILLEY.

The bill (S. 2707) for the relief of Ellen M. Willey, widow of Owen S. Willey, was considered as in Committee of the Whole. It proposes that in the administration of the pension laws the late Owen S. Willey, who served in the United States Navy from July 11, 1860, to April 16, 1863, as an acting master's mate, shall hereafter be held and considered to have been discharged honorably from the naval service of the United States as an acting master's mate on April 16, 1863, provided that no pay, bounty, pension, or other emolument shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment.

Mr SMOOT. Mr. President, I do not know whether there is anyone here who can explain the bill or not. I notice that the report says:

Under date of August 4, 1908, this department certified to the Secretary of the Treasury that the naval service of Mr. Willey was not creditable.

That is all that is stated in the report, and that could mean almost anything. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

ISAIAH STEPHENS.

The bill (S. 848) to reimburse Isaiah Stephens, postmaster at McMechen, Marshall County, W. Va., for money and postage stamps stolen, was announced as next in order.

Mr. SMOOT. I ask that that go over.

Mr. SUTHERLAND. Mr. President, I hope the Senator from Utah will refrain from objecting to the consideration of this bill. Does the Senator insist upon his objection?

Mr. SMOOT. From the report I do not see why the Government of the United States should pay this amount of money.

Mr. SUTHERLAND. Mr. President, the report of the committee, which went into this matter very carefully and very fully, was unanimous to the effect that this man was entitled to this reimbursement. It is a debt that seems to be justly due him. I hope the Senator from Utah will withhold his objection and let the Senate pass upon the matter.

Mr. SMOOT. Mr. President, under the report made by Mr. J. C. Koons, Acting Postmaster General, I can not see why the Government of the United States should pay this money. The Government was not lax in any way. The loss was entirely due to the carelessness of the postmaster.

Mr. SUTHERLAND. I disagree with the Senator entirely about that.

Mr. SMOOT. Then I will read the report, if the Senator wishes, and let the Senate decide about it.

Mr. SUTHERLAND. As I understand, then, the Senator is willing to let the matter come before the Senate?

Mr. SMOOT. No; I shall object to the consideration of the bill to-day under the report that has been made.

The VICE PRESIDENT. If the Senator is going to object, the bill might as well go over.

Mr. SUTHERLAND. Then there is no use in discussing it further to-day.

The VICE PRESIDENT. The bill will be passed over.

BILL PASSED OVER.

The bill (S. 3066) to provide for the incorporation of cooperative associations in the District of Columbia, was announced as next in order.

Mr. SMOOT. Mr. President, my colleague [Mr. KING] asked me to request that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

ELLIS B. MILLER.

The bill (S. 1661) for the relief of Maj. Ellis B. Miller was announced as next in order.

The Assistant Secretary read the bill.

Mr. SMOOT. Mr. President, the report states that—

This measure was considered in the Sixty-fourth Congress—Senate bill S. 7106—and received the favorable recommendation of the major general commandant of the Marine Corps at that time, and the accompanying letter of Brig. Gen. Charles T. Long, United States Marine Corps, dated September 5, 1919, sets forth the facts, and is submitted as a part of this report.

That letter is not in this report; and, unless some Senator can explain it in detail, I ask that it go over.

The VICE PRESIDENT. The bill will be passed over.

BILLS PASSED OVER.

The bill (S. 3109) to amend section 26 of the act approved July 17, 1916, known as the Federal farm loan act, was announced as next in order.

Mr. SUTHERLAND. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1455) for the relief of John L. O'Mara was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 2954) to remove the charge of desertion from the military record of Albert F. Smith, deceased, was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3152) for the relief of George W. Mellinger was announced as next in order.

Mr. THOMAS. Let that go over.

The bill (S. 1453) for the relief of Adolph F. Hitchler was announced as next in order.

Mr. OVERMAN. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 1713) authorizing and directing the Secretary of War to appoint a commission to investigate and report upon the available sources of water supply for the District of Columbia was announced as next in order.

Mr. OVERMAN. Let that go over. We have passed a bill with an amendment or rider to take care of that item.

The VICE PRESIDENT. The bill will be passed over.

WILLIAM E. JOHNSON.

The bill (H. R. 683) for the relief of William E. Johnson was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That, to reimburse William E. Johnson, former chief special officer and special disbursing agent, for the expenditure made by him under the direction of the Commissioner of Indian Affairs in the defense of Juan Cruz, a noncommissioned officer engaged in the suppression of the liquor traffic among Indians, for the payment of which no appropriation was available, there be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,839.95.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CARLOW AVELLINA.

The bill (H. R. 5665) for the relief of Carlow Avellina was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE B. GATES.

The resolution (S. Res. 262) referring to the Court of Claims the bill (S. 2675) to compensate George B. Gates for the infringement of his letters patent by the United States was considered by the Senate and agreed to, as follows:

Resolved, That the bill (S. 2675) entitled "A bill to compensate George B. Gates for the infringement of his letters patent by the United States," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

BILLS PASSED OVER.

The bill (S. 2822) making available additional moneys for the reclamation fund, and for other purposes, was announced as next in order.

Mr. JONES of Washington. Mr. President, of course I should like very much to see that bill passed, but I know we can not pass it on the Unanimous Consent Calendar, and I therefore ask that it may go over.

The VICE PRESIDENT. The bill will be passed over.

J. B. WATERMAN.

The bill (S. 2554) for the relief of J. B. Waterman was announced as next in order.

Mr. SMOOT. Mr. President, I have not had time to read this report, and I should like the Senator introducing the bill to explain the details of it—whether the Government was at fault or whether the postmaster was at fault.

Mr. HARDING. Mr. President, this is a very simple case, where a village postmaster in Ohio was robbed of $483 in stamps belonging to the Government. The only question raised against the bill, and one which the committee thought to be invalid, was a report by one of the post-office inspectors that the safe in which the stamps were deposited was not kept in perfect order; but the testimony adduced in the hearing by affidavits shows that the safe was more difficult to unlock because of its imperfect order than when it might have been in perfect order. Moreover, it is easy to understand that the possessor of a safe in a village finds it very difficult to keep it in such order as would be becoming in the case of a bank in a city, with facilities at hand; and, quite apart from these things, I know from personal knowledge that there are experts who can open any safe that was ever invented. I know that we have an attorney in my home city who can step into any county treasury in the State of Ohio, whenever they find themselves in trouble, and unlock the safe, no matter whether the trouble is because of a lost combination or some mishap to the mechanism of the safe.

So I really think that the Government ought to be considerate of this postmaster. I am not saying that this belongs to the legal qualifications of the attorney to whom I have referred.

The VICE PRESIDENT. The Chair thought the Senator was.

Mr. HARDING. I am only citing a very well-known fact, that there is no safe that is wholly secure against the operations of burglars. That is well established. There is no question but that the postmaster had been duly diligent in safeguarding the property of the Government, and he ought to be reimbursed for the loss sustained.

Mr. SMOOT. Mr. President, there is not a word from the Post Office Department in this report. It does not give any details whatever, and I can not understand why such a communication is not incorporated in the report.

Mr. HARDING. If the Senator from Utah will read the report, he will see that there are numerous affidavits on file.

Mr. SMOOT. Oh, well, of course we can get affidavits on almost any question we desire from people who are not interested in the matter; but the Government will have to pay this money if the bill is passed, and we ought to know at least why the Government should pay it.

Mr. HARDING. I am sorry that the Senator from Utah places such a low valuation on the affidavits of my fellow-citizens in Ohio.

Mr. SMOOT. It is not only in Ohio; it is in every State in the Union, as far as affidavits are concerned.

Mr. HARDING. Mr. President, I respect the Senator from Utah very much for his watchfulness, and I hope it will ever continue; but I should think it was attention unnecessarily given to interfere with the Government reimbursing one of its employees who has been robbed under these circumstances.

Mr. SMOOT. I will ask the Senator whether the Government of the United States thinks there was no negligence on the part of this postmaster?

Mr. HARDING. I explained when I first took the floor that the inspector made the report that the safe was not in perfect order, and the Post Office Department for that reason has advised against the payment of the claim; but the affidavits show that the safe in imperfect order was more difficult to open than it was in perfect order.

Mr. SMOOT. I ask that the bill go over to-day, Mr. President.

Mr. HARDING. Do I understand the Senator to object?

Mr. SMOOT. Yes; to-day.

The VICE PRESIDENT. The bill will be passed over.

DAVIS CONSTRUCTION CO.

The bill (S. 2861) for the relief of the Davis Construction Co. was announced as next in order.

Mr. GRONNA. Let that go over.

Mr. SMITH of Maryland. Mr. President, I hope the Senator will not ask that that bill go over. This is a very just claim. The fact is that this is a claim to itself, as it were. All of the claims of this character for buildings that were erected under the Secretary of the Treasury have been provided for and relief has been given them. This is a case where a small contractor contracted to build a Post Office Department equipment shops buildings, and, owing to the emergencies of the war, he could not get freight by car and had to haul a great deal of the gravel and sand by team. On account of the increased cost of material commandeered by the Government, the cost of this building was such that the principal in this company will have to sell his house if the bill is not passed.

Mr. GRONNA. May I ask the Senator to state the amount involved?

Mr. SMITH of Maryland. The amount involved is $26,000.

Mr. GRONNA. If the Senator will let it go over for this time, I should like to look into it a little further. I am a member of the committee, but I was not present when this bill was reported out.

Mr. SMITH of Maryland. The bill was unanimously reported; and I think the Senator from Maine [Mr. FERNALD], who was one of the Senators present, recognizes that that is the case. It has been put back once; and the home of the president of this company—a small contractor, an honorable man—will have to be sold in order to make up this deficiency unless the bill is passed. I hope the Senator will let it go through. It is perfectly just.

Mr. FERNALD. Mr. President, I want to substantiate what the Senator has just said. I went over this matter very carefully, and I consider it a very just claim, and one that ought to be paid.

Mr. GRONNA. Very well; I will withdraw my objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed, under such regulations as he may prescribe, to receive fully itemized and verified claims and reimburse the Davis Construction Co., contractor for the Post Office Department equipment shops building, erected at Fifth and W Streets NE., Washington, D. C., under the supervision of the Postmaster General, for losses due directly to increased costs due either, first, to increased cost of labor and materials, or, second, to delay on account of the action of the United States Priority Board or other governmental activities, or, third, to commandeering by the United States Government of plants or materials shown to the Secretary of the Treasury to have been sustained by it in the fulfillment of such contract by reason of war conditions alone. And the Secretary of the Treasury is hereby directed to submit from time to time estimates for appropriations to carry out the provisions of this act: *Provided*, That no claim for such reimbursement shall be paid unless filed with the Treasury Department within three months after the passage of this act: *And provided further*, That in no case shall the contractor be reimbursed to an extent greater than is sufficient to cover its actual increased cost in fulfilling its contract, exclusive of any and all profits to such contractor: *And provided further*, That the Secretary of the Treasury shall report to Congress at the beginning of each session thereof the amount of each expenditure and the facts on which the same is based.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS, ETC., PASSED OVER.

The joint resolution (S. J. Res. 139) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, was announced as next in order.

Mr. THOMAS. Let that go over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 3391) to amend an act entitled "An act providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma," approved February 8, 1918 (40 Stat. L., p. 433), was announced as next in order.

Mr. GRONNA. Mr. President, the chairman of the Indian Affairs Committee is not in the Chamber at this time. I ask that the bill may go over until he returns.

The VICE PRESIDENT. The bill will be passed over.

ROSEBUD INDIAN RESERVATION, S. DAK.

The bill (H. R. 396) to authorize the payment of certain amounts for damages sustained by prairie fire on the Rosebud Indian Reservation, in South Dakota, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 3477) to increase, without expenditure of Federal funds, the opportunities of the people to acquire rural homes, and for other purposes, was announced as next in order.

Mr. SMOOT and Mr. SUTHERLAND. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

ENLISTMENTS IN THE ARMY.

The bill (S. 547) authorizing the enlistment of non-English-speaking citizens and aliens was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That so much of the act of Congress entitled "An act to regulate enlistments in the Army of the United States," approved August 1, 1894, as provides that "in time of peace no person (except an Indian) who can not speak, read, and write the English language" be, and the same is hereby, repealed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (H. R. 4438) to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

PROTECTION OF MIGRATORY BIRDS.

The resolution (S. Res. 56) seeking a convention between the United States and certain Central American countries for the protection of migratory birds was considered by the Senate and agreed to.

BILLS, ETC., PASSED OVER.

The bill (S. 3746) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was announced as next in order.

Mr. SMITH of Georgia. We can not do anything with that bill before 2 o'clock. I therefore ask that it go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3747) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors was announced as next in order.

Mr. SMITH of Georgia. We can not dispose of these pension bills before 2 o'clock. That is the reason why I object.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 6639) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and to

certain widows and dependent children of soldiers and sailors of said war was announced as next in order.

Mr. SMITH of Georgia. For the same reason, I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 7775) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors was announced as next in order.

Mr. SMITH of Georgia. I ask that that bill go over for the same reason.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3395) to discontinue the improvement to provide a channel extending from the sea to the Charleston Navy Yard was announced as next in order.

Mr. HARRISON. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3396) to discontinue the construction of a dry dock at the navy yard, Charleston, S. C., was announced as next in order.

Mr. HARRISON. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 285) authorizing the subcommittee on Naval Affairs under resolution No. 62 agreed to June 6, 1919, to employ such counsel and clerical assistants as it may deem necessary was announced as next in order.

Mr. HARRISON. Let that go over.

The VICE PRESIDENT. The resolution will be passed over. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 1699.

RECONSIDERATION OF THE TREATY OF PEACE WITH GERMANY.

Mr. NORRIS. Mr. President, earlier in the day, when the treaty was before the Senate, I made a point of order against the motion of the Senator from Massachusetts [Mr. LODGE]. While the point of order was made and decided by the Chair and on an appeal the Chair was sustained, I was not permitted to make any remarks on the subject. I desire to take this occasion to put some matter into the RECORD, for any student who may in the future want to know what the parliamentary situation was, and so that he may realize what kind of a rape the Senate of the United States committed on general parliamentary law, if he wants to find it. I know, of course, that it will have no effect upon the Senate, but there may be a time when some one will want to write a history that is truthful upon just what occurred.

The Senator from Massachusetts moved to suspend a certain rule, the first paragraph of Rule XIII, which relates to the reconsideration of motions. That motion prevailed, and hence the rule was suspended. That means that as far as the first paragraph of Rule XIII is concerned it was just the same as though the Senate had never adopted such a rule, and hence we were considering the motion of the Senator from Massachusetts to reconsider the treaty the same as though we had no rule on the subject.

In that case, Mr. President, no one will deny that the general parliamentary law applies, and I want to insert in the RECORD now, and I defy anyone with any authority to contradict it, that under general parliamentary law, without any rule whatever by the body, it is not in order to reconsider any proposition the second time. Neither is it in order to make a motion to reconsider, under the general parliamentary law, after the time has elapsed that has elapsed since the treaty was disposed of last November.

First, I wish to call attention to the RECORD. The treaty was voted on upon the 19th day of November, 1919. On that same day a motion was made to reconsider the vote by which the resolution of ratification was rejected. That motion prevailed. It was reconsidered and then acted on again, and on the same day, and defeated again. So that one motion to reconsider had been made and under general parliamentary law, as I shall show by the highest authority in the world, that absolutely disposed of it for all time. It was dead, as the Senator from Massachusetts [Mr. LODGE] publicly said, after we had disposed of it; and there was not any way to get it here again unless the President of the United States resubmitted it, which I concede he had a right to do at any time.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. FERNALD in the chair). Does the Senator from Nebraska yield to the Senator from North Dakota?

Mr. NORRIS. Certainly.

Mr. GRONNA. I am very glad the Senator from Nebraska has placed these facts in the RECORD. My recollection with reference to what transpired in the Senate is exactly as the Senator has outlined it. If the Senator will permit me, I want to say that although I might have been in favor of voting for the general proposition, which I was not, I would not violate the rules of the Senate and vote in support of the motion which the Senator from Massachusetts [Mr. LODGE] made this morning, knowing as I did that it was not in order.

Mr. NORRIS. On the 19th day of November, the day we disposed of the motion to reconsider and disposed of the treaty, the session of Congress adjourned without day. That was not this session; it was a preceding session. We adjourned without day. From the 19th day of November, 1919, when that session had passed out of existence—not only the Senate but the entire Congress—nothing, of course, was done until to-day.

Let me say that the proposition in parliamentary law to reconsider a motion is an American proposition. It does not exist in England. It never existed before America developed it. It was born in America. It has grown up in parliamentary bodies in the United States until the law particularly on this point is well recognized and well known, but we can get no precedent going back of America, because the motion to reconsider originated in America.

One of the greatest authorities on parliamentary law, recognized by all students of the subject, is Cushing. I desire to read from section 1264 of Mr. Cushing's Law and Practice of Legislative Assemblies.

Mr. HITCHCOCK. Mr. President——

Mr. NORRIS. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. I wonder if my colleague, who lays such emphasis upon the fact that Congress adjourned sine die in November last, has had in mind Rule XXXVII, subdivision 2 of which reads as follows:

Treaties transmitted by the President to the Senate for ratification shall be resumed at the second or any subsequent session of the same Congress at the stage in which they were left at the final adjournment of the session at which they were transmitted.

Mr. NORRIS. I am acquainted with that rule, and I am also acquainted with the rule which provides that any bill pending at a session of Congress can be taken up at the next session of the same Congress. I mentioned the fact as to a motion to reconsider made at one session principally to emphasize the time that has elapsed, and I am going to show by the authorities that one week would have been enough, that one day would have been enough, to exclude it. The rule the Senator has read has nothing whatever to do with the question of reconsideration. If the treaty had not been finally acted on last session of Congress and had only been disposed of to-day or yesterday, then the rule he has read would apply. It is like a bill disposed of last session. It would be too late now to reconsider it. Our rule which we suspended provides that it must be on the same day or on either of the two succeeding legislative days, but under general parliamentary law we could not go even that far. So when we suspended the rule we got into another rule of general parliamentary law that was more drastic than the one we suspended.

1264. The inconvenience—

Mr. Cushing says—

sometimes resulting from the practical application of the rule above stated—

He has been discussing the motion to rescind before the motion to reconsider had been discovered in parliamentary law. The only method they had to take up a question that had once been decided was to rescind the motion by which the previous action had been taken, and Mr. Cushing was discussing that:

The inconvenience sometimes resulting from the practical application of the rule above stated has led to the introduction into the parliamentary practice of this country of the motion for reconsideration, which, while it recognizes and upholds the rule in its ancient strictness, yet allows a deliberative assembly for sufficient reasons to relieve itself from the embarrassment which might attend the strict enforcement of the rule in a particular case—

That is the rule to rescind to which he is referring—

so that it has now come to be a common practice in all our legislative and other deliberative assemblies, and may consequently be regarded as a principle of the common parliamentary law of this country, to reconsider a vote already passed, whether affirmatively or negatively.

In the note he says:

This motion, though parliamentary in its character, is entirely American in its origin, and one of the few motions known only in our legislative assemblies. The nearest approximation to it that I can find in the proceedings of the House of Commons is contained in the ninth volume of the journals of that body, and inserted in the note to paragraph 1257. Neither does it depend for its existence on the rules and orders of any assembly in which it prevails, though it is commonly regulated by them—

As it is in the Senate by the rule which we suspended.

It appears to have been in frequent use in the Congress of the Confederation, though it is not mentioned in the rules and orders of that body; and it was in common use in the House of Representatives of the United States before any rules on that subject were adopted.

In section 1273 Mr. Cushing, going on with the discussion, says what I shall read. I am omitting that part of it which has no reference to motions to reconsider, but he is considering the principle involved in the rule and has enumerated several of them, all of which would be interesting, but they do not have any bearing on the particular point raised by my point of order. In section 1273 Mr. Cushing said:

The third effect of this principle is—

I want the Senate to note this—

that when one motion to reconsider has been made and decided, either in the affirmative or negative, or is still pending, no other motion to reconsider the same question is admissible; but if the question since its first reconsideration has been so altered by amendments as to be no longer the same, it may again be reconsidered.

In other words, if you will follow out the reasoning and follow the reasoning of Mr. Cushing in it, you will find that unless that rule be adopted, then a motion to reconsider is simply a means by which endless discussion and endless consideration may be given to any proposition; there is no end to it. So without regard to our rule that we have had in the Senate which we suspended, under general parliamentary law when a question has once been reconsidered it can not be again reconsidered. So on that point my point of order was good. Now I will take up another one, as to time.

One of the points I am making is that from November 19, 1919, until now, with one session adjourned and Congress adjourning from day to day, it is absolutely contrary to parliamentary law that the motion should now be made. I want to read from Robert's Rules of Order, another well-recognized American authority. The subject is "Reconsider," and section 27, on page 73, reads as follows:

It is in order at any time, even when another member has the floor, or while the assembly is voting on the motion to adjourn, during the day on which a motion has been acted upon, or the next succeeding day, to move to "reconsider the vote" and have such motion "entered on the record," but it can not be considered while another question is before the assembly.

So that under general parliamentary law as laid down by Robert, bearing out entirely what Cushing says, and which I might also cite if I wanted to take the time, the general parliamentary law is, as I said, more strict than even the rule of the Senate which we suspended and which provides that this motion can be made on one of the two succeeding days. Robert says that it must be made on the same day the motion you want to consider was acted on or the next day. You can enter the motion even while they are voting on a motion to adjourn; that is, you could not consider it then, but you could enter the motion. The motion once entered can be considered after the lapse of that time.

On the other point I made awhile ago, let me read what Robert said on that, on page 74:

No question can be twice reconsidered unless it was amended after its first reconsideration.

There you are again. We have now reconsidered this proposition twice without any change after months and months and months have expired.

As I said at the beginning, I simply wanted to get this into the permanent RECORD of the Senate, so that it might be known by those who take the pains to look at it in the future that this was laid before the Senate and that notwithstanding the fact that it suspended this rule, the Senate absolutely violated a rule that controlled the Senate after that suspension took place. That is so plain that no man can misconstrue it. It is a rule that has no exception, a rule that has never before been denied by any legislative body in the United States.

Mr. President, if this were the end of it I would not care so much about it, but we are living now in a time when we are complaining of the disregard of law and of rules. We are living now in a time when of all other times we ought to be circumspect in our conduct and in our obedience to law and to order. To have the Senate give to the world an illustration of nullification of a plain parliamentary law that they have promised to uphold and sustain is simply to give encouragement in this day of wild speculation and wild reasoning to those who want to violate other laws and those who want to overthrow all law. It is to give encouragement to every Bolshevist, every revolutionist, and he will be able to point to the Senate of the United States and say there is a precedent where Senators even violated their own law in absolute defiance of all law and without the opportunity of any man on that floor being allowed at the time to raise his voice in criticism of such conduct.

You have the votes. I do not care much about the result. But, Mr. President, it is the exercise of a power that is bound to bring fruit in the end that will be damaging, perhaps not to us but to our children.

Let me read what George Washington said about things of that kind. I have read it before, but I want to read it again. Even though the Senator says in his own conscience we violated the law, but we did it for a good purpose, even though he is so wrapped up in the sacredness of the treaty and thinks it is going to bring so much good to humanity—I think he is wrong about that, but I concede his right to feel that way, and he excuses his conduct on the proposition that the end justifies the means—you establish a precedent. The whole civilization of the world has been built up on precedent. You establish a precedent in high places, and then you put the screws of the law on the poor devil who violates a law not half as sacred probably as the one that you thrust aside in trying to bring about what you consider the proper course to take. It is a usurpation of authority, Mr. President. George Washington said:

But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Thus, Mr. President, calling attention in better language than I can to the fact that we have to-day established a precedent that will give a good excuse for many an anarchist and many a revolutionist and many a Bolshevist to follow his illegal and inhuman conduct and take the law into his own hands; in other words, if the Senate of the United States does not respect law, how can we expect the ordinary citizen to do so?

MILITARY VERSUS REPRESENTATIVE DEMOCRACY.

Mr. McKELLAR. Mr. President, the first war against militarism was won by our boys in France last year. The second war against militarism in our country is about to be fought out in the United States Congress.

The introduction of the Army reorganization bill of the Senator from New York [Mr. WADSWORTH] makes the issue quite clear. The question is, Shall America be ruled by a military oligarchy more powerful, more expensive, more subversive of freedom than the German military oligarchy ever was? Or shall we continue to be ruled under our Constitution by the representatives of a democratic people? The issue is unmistakable. The lines are clearly drawn. The fight is on.

If the Congress passes the Wadsworth Army reorganization bill, militarism of the German type will have removed its abiding place from the land of the Hohenzollerns to a home in the United States, formerly and still proudly called "the land of the free and the home of the brave," and our participation in the German war will have been in vain. If the bill is defeated, militarism must only be a specter for a long time, because no nation on earth has the means now to resuscitate it except the United States.

It appears to be the common belief that all the Wadsworth bill does is to establish universal compulsory military training. While this is done, there are many other provisions of the bill, like giving the Chief of Staff war powers, abolition of the various State National Guards, giving the Chief of Staff power to build up a civilian organization, and fixing an enormous increase in expenditures for the War Department, any one of which largely overshadows the important matter of compulsory service or conscription. Virtually every provision of this remarkable bill is a blow aimed at peace and liberty. However, at this time I shall only deal with the universal compulsory service or conscription in time of peace.

REENACTMENT OF CONSCRIPTION LAW.

Section 51 of the Wadsworth bill, reported favorably by a majority of the Senate Military Affairs Committee, provides:

All male citizens of the United States (excluding residents of Alaska and the insular possessions) and all male persons who reside therein and who have declared their intention to become citizens, other than persons excepted by this act, shall, upon attaining the age of 18 years, or within three years thereafter, be subject to military or naval training, and shall be inducted into the Army or Navy of the United States for this purpose alone, and shall be subject to training therein for a period of four months and for such further time, not exceeding 10 days, as may be reasonably necessary for enrollment, mobilization, and demobilization.

Section 57 of the bill makes the provision of the conscription act of May 18, 1917, "relative to the registration, examination, classification, exception, exemption, and induction into the service," applicable to this act. All of the great, expensive machinery of the conscription act which was brought into being by the war and used in that war is again brought into force.

Mr. BORAH. Mr. President——

Mr. McKELLAR. When I get through I shall be delighted to yield to the Senator, if he will wait for just a few moments.

Mr. BORAH. Very well.

Mr. McKELLAR. It is thus seen that under the terms of this bill the conscription law made necessary by the war with Germany, which act was repealed by the act of June 15, 1917, so as to cease to have effect four months after the close of the

war, or after our forces were brought home, is reenacted as a permanent peace policy. We actually provided for the repeal of the conscription act at almost the beginning of the war—and less than one month after the passage of the conscription law—and yet more than a year after the war is over it is proposed by the majority to reenact it.

It is estimated that about 1,000,000 young men arrive at the age of 18 years every year, who will be affected by this act. All of the local and district boards created under the act, and all of the expensive machinery, and all of the penalties created by the original draft act will be continued should the proposed bill become the law.

I do not favor this provision for compulsory universal military training, and my reasons may be stated under three general heads, as follows:

NEITHER A WISE NOR AN AMERICAN POLICY.

I believe that the passage of such a bill would not be a wise military policy for the United States. Such a policy is in opposition to the traditions and to the history of our country. It is in opposition to the habits and to the customs of our people. It is not necessary to our national safety. It may be subversive of our democratic institutions. Since the birth of our Nation we have been engaged in six great wars. We have come out victorious in every one of them. Our armies have never been defeated. Our people are unaccustomed to militarism as a peace policy. It is contrary to the genius and happiness of our people to be under military domination. It is contrary to our well-defined views as to personal liberty and to freedom of conduct to be constantly under the supervision of military officials. Nor is it necessary to our national safety. We can never be in any immediate danger. I am not one of those who do not believe in military preparedness. I believe in military preparedness. I believe in having a Navy as large as that of England or any other nation—large enough to protect our shores from any enemy that may seek to invade them. I believe in having a well-balanced and an effective Army, that can be easily made larger, and I believe in having always such military-training schools in our country as will give us the first order of military officers whenever they are needed, and I believe in having well-organized National Guards in each State; but with two great oceans standing between us and any enemy that is likely to invade us, surely it is not necessary for our perfect defense to have the largest military force ever established in all the earth always in readiness.

Then, on the question of policy, the institution of universal military training, carrying with it the immense central military organization that will be necessary to the fulfillment of such a scheme, would be dangerous to our civil institutions. If kept up it would be just a question of time when the military authorities in this country would be supreme. One or two more foreign wars would turn us from a Republic into a military oligarchy. I am satisfied with the Constitution and the Government of the United States as they are. I do not wish to see them changed into a military oligarchy or to any other kind of government.

UNIVERSAL COMPULSORY TRAINING RENDERS GIANT MILITARY ORGANIZATION NECESSARY.

It must be plain to every student of the subject that in order to train a million men a year in an army that is yearly increasing by nearly that number more that the central military organization must be increased enormously. We must have a vast increase in the General Staff, a vast increase in general officers—Regular and Reserve—a vast increase of equipment and material, a vast increase in the number of camps and Army posts. In other words, it will be necessary to have the full quota of officers for an army of 1,000,000 men now and for 5,000,000 men within seven or eight years, and it will be necessary to have a full equipment for an army of this enormous number of men ready for war at any time.

Should this be established the dangers to our Republic would be enormous. No Congress would be independent of the will of this great centralized and highly organized force. No President would be unmindful of the power and influence of such a mighty military organization. No court would willingly offend such a power. The General Staff would soon become more powerful than all the present departments of government combined. The result must inevitably be a military oligarchy.

It was this kind of military oligarchy, but on a smaller scale, that the United States undertook to crush when she went to war with Germany. It was this kind of a military oligarchy that the free sons of America did crush in that war, for whatever attempts may be made to muddle the matter, the plain fact of the German war is that the hitherto untrained troops of America were better fighters and did overcome the troops of Germany, which has had a system of compulsory training for over 100 years.

Mr. FRELINGHUYSEN. Mr. President, will the Senator suffer an interruption?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New Jersey?

Mr. McKELLAR. I yield, of course.

Mr. FRELINGHUYSEN. Do I understand the Senator to take the position that the universal military service provided in the bill which he is discussing is compulsory service?

Mr. McKELLAR. I do; and, of course, when the bill is read there can not possibly be any difference of opinion on that subject, because the provisions of the draft act are reestablished in the bill.

Mr. FRELINGHUYSEN. Does the Senator believe that under the provisions of the bill those who come under it are subject to duty except when the President shall declare an emergency to exist?

Mr. McKELLAR. They are subject to call for duty when they become 18 years of age and at any time before reaching 21.

Mr. FRELINGHUYSEN. I do not wish to delay the Senator, but as I understand the bill it provides simply for the training of young men for four months during their eighteenth year, and they are not subject to compulsory service unless there is an emergency and unless they are called. They are not part of the organization of the Army of the United States, and therefore, while the bill provides for compulsory training, it does not provide for compulsory service. The Senator has not noted the distinction.

Mr. McKELLAR. If the Senator will examine the bill, he will find that he is wholly in error about it.

Mr. FRELINGHUYSEN. I read for the information of the Senator from page 76, which provides that—

The organized reserves—

And those in training are a part of the reserves—

shall be liable to call for military services of the President only when Congress shall declare that a national emergency exists.

Mr. McKELLAR. That does not at all contradict the position that I take in regard to the matter.

Mr. NEW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Indiana?

Mr. McKELLAR. Yes; I yield.

Mr. NEW. I was interested in what the Senator said a moment ago when he expressed the belief, as I understood him, that we must have an army capable of rapid expansion. Is that correct?

Mr. McKELLAR. I do not recollect having used any such words.

Mr. NEW. I understood the Senator to say that we should have a force that could be mobilized quickly and largely expanded.

Mr. McKELLAR. I think if the Senator will wait and hear what I have to say he will be in a better position to interrupt me in regard to the matters concerning which we differ. I do not think the Senator was present during all of my remarks, or, if so, he did not catch exactly what I said; I am quite sure he did not.

Mr. NEW. I have been present, and I thought I understood the Senator to the effect I have indicated.

Mr. McKELLAR. I think the Senator misunderstood me on that proposition.

In going to war—and I am talking about the German war—Congress promised the people of the United States that by the sacrifice of their sons and by the contribution of their wealth and of their services, that German militarism would be destroyed forever, and that when the war was over the armies of the United States would be disbanded and those that composed such armies would go back to the peaceful pursuits of life and that the military armaments of the world would be reduced. We did not promise that we would crush German militarism in Germany and then fasten the same kind of militarism, except a larger one, upon the people of the United States. I believe that if the people of the United States had dreamed that this would be done, they would have never permitted Congress to have gone into this war.

THE COST PROHIBITIVE.

But regardless of the merits of compulsory training, it is absolutely impossible—and I want Senators to listen carefully to this—for the United States to stand the gigantic cost of the bill as proposed.

The bill provides on its face in terms for 15,293 officers and 280,000 enlisted men. Generally speaking, a fair estimate of average cost of officers is $4,000 a year per officer. This would

make $61,172,000 cost of officers. The estimated cost of the enlisted man is $1,800 each per year. By a simple calculation this would amount to $504,000,000. The combined cost would be $565,172,000. This is exclusive of officers of the Medical Corps, chaplains, professors, and warrant officers—whatever they may be; I believe they are noncommissioned officers or selected men to whom it is desired to give the salary of commissioned officers or something approximating such salary—in all amounting to about 3,000, and which will increase these figures about $12,000,000 more.

The President nominally, but the Chief of Staff, specifically, has the right under the terms of the bill to increase the Army 20 per cent. If this is done, this would make $98,971,000 more, or a total of $605,826,000. This does not include the additional cost which would ensue if he added 20 per cent to the most expensive arm, the Artillery, and reduced the most inexpensive arm, the Infantry. By thus proceeding such action would increase the Army cost by approximately $206,913,000 instead of $98,971,000. To this must be added the cost of training 1,000,000 young men four months in the year. Assuming that you could train them as economically as you could keep men in the Army, and it is very doubtful whether it could be done as cheaply, this would amount to $600 per man per year, being one-third of $1,800, and would add $600,000,000 for the Regular Army, and it would give a grand total of $1,276,143,000.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New Jersey?

Mr. McKELLAR. I do.

Mr. FRELINGHUYSEN. I am sure the Senator wants to be accurate.

Mr. McKELLAR. I am sure not only that I want to be accurate, but that I am very accurate. I will say to the Senator that I have taken the pains to present these figures to military authorities than whom I consider there are none better, and I am speaking upon military authority when I make these statements about the figures.

Mr. FRELINGHUYSEN. I wish to state that if the Senator will read the hearings of the committee I think he will find that the committee and the subcommittee, taking nearly a year in the preparation of this bill, had before them the experts not only of the financial division of the War Department but of all of the branches, and that the best estimate and the maximum estimate which was made for the cost of the establishment as provided in this bill was between $450,000,000 and $500,000,000, and not six hundred and fifty-odd millions, as the Senator stated. Also the estimate of the number of men to be trained annually under the universal system of training was 600,000, and not a million men.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Idaho?

Mr. McKELLAR. Just one moment and I will yield. All I can say in answer to that, in the first place, is that any testimony to the effect that there are not a million young men or a little more than a million young men becoming 18 years of age every year is based on ignorance of the figures given by the census. In the next place, I want to say that any person—I do not care who he is—that has made an estimate of the cost of this bill at $600,000,000, including the expenses of the Regular Army, has not come within 50 per cent of the mark.

I now yield to the Senator from Idaho.

Mr. BORAH. Mr. President, did I understand the Senator from New Jersey to say that the estimate, according to the subcommittee's witnesses, was about $450,000,000?

Mr. FRELINGHUYSEN. Between $450,000,000 and $500,000,000 for the present establishment provided in this bill, outside of the universal military training. That was estimated for the first year at $134,000,000, and $94,000,000 three years afterwards. The maximum was $136,000,000 and the minimum $94,000,000, and by reason of the universal military training system devised in this bill we eventually expect to save on the cost of our Regular Army Establishment.

Mr. BORAH. What I was going to say was that if the estimate is $450,000,000, judging the future by the past $750,000,000 would be a very reasonable amount at which to fix the actual expense which will be attached to the bill.

Mr. FRELINGHUYSEN. I think the committee were faithful to their duties, because I know that the chairman and others have given very careful study to the question. Basing it upon the present cost, and making allowances for all the underestimates of the past, I think they made a fairer calculation than the Senator from Tennessee.

Mr. BORAH. I was not referring to the committee's work. I am referring now to what the Senator says was the estimate of these authorities. He may travel through the estimates which have been made before Congress for the last 10 years, and he will find that the estimates generally are about 50 per cent of the actual expense.

Mr. FRELINGHUYSEN. These estimates were based upon the calculation of the committee of the present cost of the service, and not entirely upon the estimates made by the War Department and the other departments relating to this subject heretofore. I want to say, further, that the committee have labored earnestly to give the Senate in this bill not only their best efforts but a very complete study of the whole situation, and not try to fool or lead the Senate into error in regard to the cost. The committee realize that the great question before the country at the present time is the cost of our Military and Naval Establishment. They realize that in this democracy we must bring the cost of our national defense to the lowest possible figure; but they also realize that it is necessary, in order to maintain our dignity and honor, to maintain an Army sufficient to protect this great population of 110,000,000 people.

The Senator from Tennessee probably wants to wipe out the Army. I do not know. I do not know what he proposes. He was not present at the hearings of this committee, although a member of the Military Affairs Committee; and now he is attacking——

Mr. McKELLAR. Mr. President, just one moment. I want to say that I do not think matters that were brought up before the committee ought to be introduced into the debate on the floor of the Senate; and there was a very good reason why I was not before the committee. The investigation was conducted by a subcommittee, and I was not invited, and of course——

Mr. FRELINGHUYSEN. I do not wish to be discourteous.

The PRESIDING OFFICER. Does the Senator from Tennessee further yield to the Senator from New Jersey?

Mr. McKELLAR. Now, wait one moment. I decline to yield to the Senator any further. His manner is such that I do not want to yield further at this time.

Mr. FRELINGHUYSEN. Mr. President——

Mr. McKELLAR. I decline to yield.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Utah?

Mr. McKELLAR. Mr. President, I desire to continue for a few moments. Then I will take great pleasure in yielding to the Senator from Utah, or any other Senator who desires courteously to interrupt me.

The PRESIDING OFFICER. The Senator declines to yield, and will proceed.

Mr. McKELLAR. Mr. President, continuing, to this enormous sum, $605,000,000, the cost of the Regular Establishment, must be added the cost of training 1,000,000 young men four months in the year. Assuming that you could train them as economically as you could keep men in the Army, and it is very doubtful whether it could be done as cheaply, this would amount to $600 per man per year, being one-third of $1,800, and would add $600,000,000 for the Regular Army, and it would give a grand total of $1,276,143,000.

I must stop here long enough to remark that it is stated that we pay these boys a little less when we are training them, and we do under this proposal; but that expense is largely increased by the overhead charges for just four months in the year. Of course, we know that the overhead charge will be relatively larger for training men four months in the year than for training them the whole year, and we have to take that into consideration when we measure the cost of the men who are thus trained. I give these figures without fear of successful contradiction, because they have not only been given by Army authorities but they are according to the experience of our country. You can take any Army bill for the last eight years, since I have been here, and any Army appropriation bill that has been passed by Congress will absolutely guarantee the correctness of the figures that I have given.

Mr. FRELINGHUYSEN. Mr. President——

Mr. McKELLAR. I decline to yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. Just for a question.

Mr. McKELLAR. I decline to yield to the Senator from New Jersey. The Senator's manner is wholly improper, according to my judgment, and I decline to yield.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee will proceed.

Mr. FRELINGHUYSEN. Mr. President, a point of order. I should like to have the Senator explain what there is about my

manner, or anything I have said, which is in any way discourteous to him.

Mr. McKELLAR. I decline to yield.

Mr. FRELINGHUYSEN. If there is anything of the kind, I most certainly wish to disclaim it. I have no desire to have any personal feeling between the Senator and myself. I simply wanted to have the truth brought out in this debate, and I want to ask the Senator a question, and I appeal to him to allow me to interrupt him at the present time.

Mr. McKELLAR. If the Senator from New Jersey will ask a courteous question I shall be delighted to yield to him; but unless it is so I shall certainly decline.

Mr. FRELINGHUYSEN. I always try to be as courteous as I can, and the Senator has failed to point out where I have been discourteous. I should like to have him do it. I should like to ask the Senator what his authority is for the figures which he is stating.

Mr. McKELLAR. I have figures here from officers who have gone over them carefully and who are very much more familiar with them than I am.

Mr. FRELINGHUYSEN. What Army officers?

Mr. McKELLAR. I decline to give the names of the officers. The Senator will find them in the published hearings. Why should I name certain officers when the Senator will find them in the hearings before the Senator's own subcommittee? The War Department is in favor of this bill, and it would not be fair to Army officers opposed to the bill for me to give their names. There are plenty of them.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee further yield to the Senator from New Jersey?

Mr. McKELLAR. Yes; I yield.

Mr. FRELINGHUYSEN. Does the Senator state that some of the officers whose names appear in the hearings before the committee have given him these figures?

Mr. McKELLAR. Some of them have, and the Senator misunderstands and misconstrues and misinterprets the testimony of the officers who have testified before the committee. The facts do not warrant the conclusion reached or suggested in the questions submitted by the Senator.

Mr. FRELINGHUYSEN. Would the Senator object to giving the names of the officers who appeared at the hearing who are authority for the statements the Senator makes?

Mr. McKELLAR. I will let the Senator examine the hearings for himself. I am perfectly willing that he should examine the record.

This will give a grand total of $1,276,143,000 for the Army when universal training goes into effect. To this must be added at least one-half of the cost of the Air Service, or $50,000,000, if the Air Service bill should pass, and the majority reported it out at one time. It is true that they withdrew it; but if it passes we will have to add $50,000,000 more to that, which will amount to $1,326,143,100 for the Army next year.

The assertion that we can have compulsory training under the bill for $143,000,000 or $150,000,000 a year is an idle dream. I will say to the Senate that you not only could not have compulsory training for $150,000,000, but you could not get the necessary officers to train the men, with the necessary materials, with the necessary Army posts; you could not furnish those things for the $150,000,000 a year. It is going to cost, just as we know that it has always cost, so much on the average per man whenever you put a man into the Army for training or any other purpose. It is going to cost you about $1,800, reckoned by the year. Four months is one-third of a year, and it is going to cost not less than $600 for four months' training, and probably a great deal more when the time comes.

If the bill should be enacted into law, instead of costing something like a half million dollars, as has been suggested here on the floor to-day, it will cost nearer $1,500,000,000 when we come to pay for it. It may not be that we will appropriate for it in the Army appropriation bill, but we will have to pass deficiency bills, as we have been doing for years, to make up the deficit that must come.

Mr. NEW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Indiana?

Mr. McKELLAR. I do.

Mr. NEW. The Senator says that in case the bill for a separate department of air shall eventually become a law that will add $50,000,000 to the expense of the Army.

Mr. McKELLAR. My understanding is that the estimate was $98,000,000.

Mr. NEW. If the rest of the figures that have been given to the Senator are as unreliable as those that he now quotes with reference to the Air Service, I am afraid that he is, to say the least, inaccurate.

Mr. McKELLAR. They could not be very much more inaccurate than the Senator's own bill, because the Senator had so little confidence in his own air bill that he withdrew its consideration from the Senate the other day before a vote came; and I imagine that the Senator's figures must have been a little inaccurate, or he would have gone ahead and tried to put his bill over.

Mr. NEW. So far as that goes, the bill for the separate department of air was not withdrawn for any such reason as the Senator from Tennessee ascribes.

Mr. McKELLAR. No; I think it was withdrawn because the Senator realized that the Senate would not pass it. It was an immense increase in the expenditures of the Government, which can not be justified at this time. We will have to raise the taxes on the people if we continue to pile these immense appropriations upon the people of this country, and I think that is why it was withdrawn.

Mr. NEW and Mr. POINDEXTER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. Oh, yes; I yield to the Senator from Indiana.

Mr. NEW. Mr. President, in the first place, I still contend that the bill creating a department of air would have worked a very substantial reduction in the expenses of the Government for the Air Service.

Mr. McKELLAR. Maybe that is why the Senator had so much trouble with his bill. He proved to the Senate that it would work a reduction in expenditures, and perhaps the Senate did not believe in a reduction of expenditures, and for that reason did not pass his bill.

Mr. NEW. Well, that may be possible; but what I rose to ask was, if the Senator from Tennessee leaves the Army without an air service——

Mr. McKELLAR. No; I am very much in favor of an air service.

Mr. NEW. The Senator does not wait until I ask my question.

Mr. McKELLAR. I beg the Senator's pardon.

Mr. NEW. I was going to add, if he leaves the Army without an air service unless the bill for the department of air is passed, as I understand, he simply leaves the Army without any estimate for air service and adds on $50,000,000 to the expenses in case the department of air bill is passed.

Mr. McKELLAR. I think we would have to add on more than that if we have a separate department of air—very much more than that. However, that is a mere guess. The Senator will remember that we appropriated some six hundred and odd million dollars for the Air Service the first year of the war, and perhaps a billion the next year, and there are not many of us that know where that money ever went. The people of this country do not know where it went. So far as I am concerned, I am very much in favor of an air service; but I am unwilling, for my part, to vote another dollar for the Air Service unless we know that we are going to have aircraft and fliers.

Mr. NEW. I not only admit that we spent $640,000,000 for air service the first year, but I will assert that we spent twice that sum.

Mr. McKELLAR. I think we spent a billion dollars the next year and got no service.

Mr. NEW. What I want to know is if the Senator makes no charge for the maintenance of an air service for the Army unless we are to have a separate department of air? He makes no estimate for it in the figures that he is giving us, but just says that he will add on $50,000,000 in case the department-of-air bill passes.

Mr. McKELLAR. If the Senator will wipe out his air service entirely, we will have a billion and one-quarter dollars appropriation for the next appropriation bill if this bill is passed. If the bill should be enacted into law, as I said, it will cost nearer one and one-half billion dollars than it would half a billion dollars. The actual cost is always greater than the estimate.

When we compare this gigantic sum—and I hope Senators will listen to this—for the entire military system with our compulsory military training in peace times, we can get some idea of what we propose to do under the Wadsworth universal-training bill. In round numbers Germany spent in 1907 for her entire military appropriation—universal training and all—$200,000,000. In 1908 she spent a like sum of $200,000,000; in 1909 also $200,000,000; and in 1910 and 1911 $200,000,000 each. In 1912 she spent $230,000,000, and in 1913, while preparing for war, she spent $360,000,000.

The very year the war began she had authorized an expenditure of but $210,000,000.

It is thus seen that we are going to expend for our Army during the ensuing year, if the bill passes, a sum more than

four times as large as Germany ever spent in peace times for her great military system and more than seven times as much as she ever spent in any year of peace except that one when she was preparing for war. In other words, we will have, in order to establish this military system in this country, a system seven times as expensive as the German military autocracy had, and yet we fought the German war to strike down German militarism!

If this proposed military system is put in force, in 12 years it will cost more than the United States has paid out for the German war. Exclusive of what we loaned the Allies, the war has cost us about $18,000,000,000, according to some estimates. Our Army alone will cost this sum in just 12 years. It is the most ambitiously audacious and expensive military proposal in all history.

This expenditure, in face of the fact that we have 4,000,000 young men well trained and ready for service upon 10 days' notice, is, to my mind, the most monstrous proposition that was ever put before the American people. If they are willing for such a proposition at this time to go through, P. T. Barnum must have been right when he said that the American people loved to be humbugged, and I might add they loved to be taxed. Income and excess-profits taxes must be increased in order to pay the cost or bonds must be issued. I challenge the Republican majority, for they are responsible for legislation, to put this increased burden upon the American people. I challenge our Republican friends to put a demand for peace-time conscription in their platform to be made next June. I will also wager any of my Democratic brethren who differ with me on the proposal that it will never go into the San Francisco platform.

AMERICAN PEOPLE OPPOSED TO MILITARISM.

I believe in thus voicing opposition to this gigantic military scheme I am in accord with the views entertained by the great body of the farmers of the country, who furnish in the persons of their sons the greatest number of soldiers for such an army. Their production will be cut down; their boys will become dissatisfied.

I believe I am in accord with the great body of laboring men, whose sons furnish the next largest quota of men for such an army; and also with the business world, whose business would be greatly hampered and interfered with by the compulsory taking away of such a large portion of their employees; and, again, with the educational world, the schools and colleges of the country, whose students will be taken by force at the most important stage of their school or college life; and, again, with the great body of our boys who have just completed a splendid service for their country in the European war.

Indeed, in my judgment, this bill, while I am sure not so intended, constitutes a direct slap at our splendid boys who won the late war. Never was a duty more nobly performed than they performed theirs. We asked them to destroy German militarism. They did it. We promised them to make our country safe from the militarism which they destroyed. Instead of fulfilling our promise to them the majority now propose to set up in our own country an even worse and vastly more expensive militarism than that which they destroyed and seven times as expensive and very much larger than any German militarism that ever existed.

We have discharged them from the Army without doing anything substantial for them. We have paid them little. We have promised them much by way of bills and have given them little by way of acts. I think we ought to do something substantial for these boys who have already done so much for our country before we embark on this wild orgy of expenditure for a future army of American militarism. We should pay our just debts to the Army just demobilized before we undertake to create a new army, to which as yet we owe nothing and so far as any man can now see we have no need for. To be perfectly frank, I shall vote for no large army and no large scheme of military training until the boys who won the late war with Germany have been properly paid. Instead of spending $1,300,000,000 for a new army this year, I would much prefer to spend not exceeding $300,000,000 on our present Army, and in some proper way devote a reasonable portion of this difference of a billion dollars to our soldiers who won this great war.

I am not unmindful of the fact that one of the great post-war organizations has passed a resolution favoring compulsory universal military training. I have the greatest respect for the views of that excellent organization, but I do not believe that resolution reflects the majority views of the great body of the soldiers who took part in that war, though it may reflect the views of a majority of the officers. I believe the enlisted men of the war are more generally opposed to conscription in times of peace than are the officers.

I believe I voice the views of all those who favor our National Guard system, indissolubly connected with our military system by our Constitution itself and by the desires of our people in all the years since the Constitution was formed. The various State National Guards did the most excellent service during the late war. No body of our troops behaved more splendidly. We should build up their organizations instead of pulling them down.

The Wadsworth bill should be defeated. No amendment of it can make it an American bill. We have an excellent law now. It is known as the Army reorganization act of 1916. That gives us an American military system. Under such a system we won the greatest of all wars. Under it we defeated the trained armies of Germany, trained under universal compulsory military training laws. Our troops won because they had in the highest degree a spirit to fight, a spirit that can not be built up under a military autocracy, and can only live under a democracy. Let us not crush out this American spirit to fight. Let us keep it as one of our most precious heritages, for our experience shows that we can never know when we may need it.

Let us have an Army sufficient for our needs. Let us have a splendid National Guard in each State. Let us build up a system of military training in our schools and colleges, so that we may always have a reserve of well-trained officers, and let us keep a Navy ever ready equal to that of any nation. Let us make our Regular Army a great vocational training institution, turning out and graduating 100,000 well-educated and well-trained young men every year, after a three years' course; let us make the educational and vocational advantages in the Regular Army, now already begun, so attractive to young men that there will be a waiting list to get in the Army instead of the present difficulty in getting recruits; but we should never establish a military oligarchy or autocracy in this country. We should never turn our country into an armed camp. We should never jeopardize our free institutions by raising, during the time of excitement caused by the winning of a great foreign war, the graven image of the time-despised, cruel, false, and imperious god of war, which has caused the downfall of so many great nations in the years that have gone by. Under our historically democratic military system we have never known defeat. Shall we exchange this uniformly successful system for a system of military despotism that has never in all the history of the world known a permanent success? To me such an exchange by us is inconceivable.

Mr. WADSWORTH. Mr. President——

Mr. McKELLAR. I yield to the Senator from New York.

Mr. WADSWORTH. I was very much interested in the suggestion the Senator made a moment ago as to what sort of a Regular Army we should have and what it should be used for. As I understood him, he suggested in the latter part of his remarks that the Regular Army should be used as a great vocational training school, with which I am in entire accord; but the Senator further suggests that from that Regular Army there should be graduated 100,000 men a year, each man having served three years. That means at least a Regular Army of 300,000 men, does it not?

Mr. McKELLAR. It does.

Mr. WADSWORTH. At $1,800 per year per man in cost, there is $540,000,000.

Mr. McKELLAR. That is true.

Mr. WADSWORTH. The Senator a little earlier in his speech stated that he was in favor of no appropriation larger than $300,000,000 a year.

Mr. McKELLAR. I will say that we have a Regular Army now authorized, and which is to be reduced to 225,000 men after July 1 next, as I understand it. The Senator knows it is almost impossible to get these young men to enlist in the Army voluntarily. We have great difficulty in recruiting for the service. Why? Because Army life is not attractive to the vigorous, splendid young men of America. They can make more money, they can do better, they can prosper more in the various walks of life in times of peace.

In order to have an Army we have to make it attractive to the young men, and we could not spend our money better than to make a great educational institution of the Regular Army. If we could arrange it so that we could take recruits into that Army, keep it filled at 300,000 men at a cost of $500,000,000, if you please, I think it would be vastly to the interest of the United States to do it, and I believe that we would build up a stronger body of military men than we can by giving every young man four months of military training when he becomes 18 years of age, a little dab of military training that would not amount to a row of pins after four or five years. What you want to do is not only to give him a military training but to educate him and fit him for life, and let him go out afterward and be equal to the other young men of the country who are otherwise well educated. As the Senator knows, in the last appropriation act we provided not a very large sum, a rather

moderate sum, to begin vocational training in the Army. I very gladly voted for it. I would be delighted to increase the amount a great deal more this year. It is our duty to increase the amount. We ought to educate these young men, and if we are going to have a Regular Army at all we must offer them some encouragement in order to secure their services.

Mr. WADSWORTH. I was not arguing the merits of vocational training in the Army. I am heartily in favor of it. I merely ask the Senator which figure he now adheres to? In one portion of his speech he announced that he thinks the appropriation for the support of the Regular Army should not exceed $300,000,000 this year. Then he announces at the end of his speech that he is in favor of a Regular Army of 300,000 men, which, on his figure of $1,800 per year per man, makes $540,000,000. Which is it?

Mr. McKELLAR. Though apparently that is a discrepancy, really it is not so, if the Senator will examine in the RECORD what I have actually said. I said that this year I thought we could reduce the amount for our Regular Army to $300,000,000 and use the difference between what I believe the Senator proposes to appropriate, about $1,300,000,000——

Mr. WADSWORTH. Oh, no.

Mr. McKELLAR. Use a reasonable proportion of the difference to pay these boys what we owe them. We have been promising these boys for a long time, and we have not performed at all. I have seen no bill from the committee authorizing the payment of a proper sum to the young men who won the war. I think we ought to pay them back before we start on this gigantic scheme of militarism in this country.

As I said, it seems to me $300,000,000 is enough for this year. We ought to have an army costing about that—an army of 180,000 men—and I think that would be ample for this year. We have right now 4,000,000 young men well trained whom we can get on 30 days' notice if we need them. Why should we embark on this enormous expenditure for training other young men when we have 4,000,000 men already trained in the country right now, and trained at an enormous cost to the Government?

Mr. WADSWORTH. May I ask the Senator one more question?

Mr. McKELLAR. Surely. I am delighted to yield.

Mr. WADSWORTH. The Senator's comparison of figures is very interesting. At a later time I shall endeavor to give the correct estimate. As I understand it, after this year perhaps the Senator would advocate the maintenance of a regular army of 300,000.

Mr. McKELLAR. I see no objection to it.

Mr. WADSWORTH. At $1,800 per man per year?

Mr. McKELLAR. I think that unquestionably we can not expect prices to always remain like they are. The Senator knows that about six years ago it took about $1,100, maybe about $1,000, to maintain a man. Seven or eight years ago, when I first came to Congress, I think we estimated it at $900 per year per man. It is the increase in the cost of living and in general prices that has carried the cost of the Army up. I think we could have and ought to have 300,000 men in the Army for a very much less sum than half a billion dollars.

Mr. WADSWORTH. The Senator admits that we can not have them at present prices. I assume his estimates are all based on present prices?

Mr. McKELLAR. They are all based on present prices.

Mr. WADSWORTH. Evidently the Senator is willing to vote this year for the amount necessary to support a Regular Army of 300,000 men at a cost of $540,000,000?

Mr. McKELLAR. Provided——

Mr. WADSWORTH. Provided what?

Mr. McKELLAR. Provided those men are given a good education while in the Army, where they could graduate and go out in the business world; and I venture the prediction right now that the business men of the country would vie with each other in endeavoring to get the young men trained in such a way with such a splendid physical and mental training.

Mr. WADSWORTH. I am not arguing that question. I am heartily in favor of it. The Senator's estimate is $1,800 per man per year, and that includes vocational training?

Mr. McKELLAR. That is true.

Mr. WADSWORTH. I wish to ask the Senator if, having committed himself to a $540,000,000 Army, how much is he going to allow the National Guard besides?

Mr. McKELLAR. I have not figured the amount.

Mr. WADSWORTH. I thought the Senator had not.

Mr. McKELLAR. I am perfectly willing to do with the National Guard what is right. We have been exceedingly liberal with the National Guard all over our country, and we were ever since the act of 1916. We have built them up. The provisions as to the National Guard are so involved that it is difficult to estimate about them.

Mr. WADSWORTH. At what cost?

Mr. McKELLAR. I do not remember the figures, but I am perfectly willing to go on like we have been doing and continue to build them up.

Mr. WADSWORTH. Let me interject with this suggestion——

Mr. McKELLAR. I do not think it is necessary this year, because, as I said, we have 4,000,000 young men upon whom we can put our fingers in 10 days or in 30 days at the outside.

Mr. WADSWORTH. I am not speaking about this year. I am taking the Senator's own suggestion that we will let this year go by, and after this year goes by we will have a Regular Army that will cost $540,000,000 a year on the basis of present prices. I ask the Senator how much more than that are we to spend for the National Guard? Apparently the Senator has made no estimate of that. Let me say to the Senator that the National Guard, under the national-defense act, was authorized at a maximum strength of 425,000 men. I would not contend that it could reach that strength——

Mr. McKELLAR. Oh, no; I have not the figures before me, but the most that we ever got up to until the war, it seems to me, was 60,000 or 70,000; it may be that it ran up to 100,000.

Mr. WADSWORTH. The Senator is exceedingly inaccurate in his figures.

Mr. McKELLAR. That may be.

Mr. WADSWORTH. We had 130,000 men in the National Guard at the time of the Mexican border service.

Mr. McKELLAR. That was because of threatened war with Mexico. Up until the time of threatened war——

Mr. WADSWORTH. The Senator is a little off in his figures, as he himself has admitted.

Mr. McKELLAR. If the Senator has the figures on the National Guard for 1912 and 1913, will he give them to us?

Mr. WADSWORTH. I have not them on my desk, but I will guarantee they are over 100,000.

Mr. McKELLAR. I think the Senator is mistaken.

Mr. WADSWORTH. The War Department estimates that it will cost on the average $400 a year to support a soldier of the National Guard; that is, through Federal assistance. We will say that the National Guard is no larger than it was in 1916—100,000 men. That is $40,000,000; and that is a very low estimate in strength a year from now. We will add that to $540,000,000, that the Senator has already said he is willing to stand for, and we shall have a sum of money which is greater than this bill will cost.

Mr. McKELLAR. I do not agree with the Senator at all. I do not believe this bill can possibly be put into force entirely, as I shall attempt to point out later on, for less than $1,325,000,000 or $1,326,000,000.

Mr. WADSWORTH. Has the Senator estimated for the National Guard in the estimates he has given the Senate?

Mr. McKELLAR. No; I have not; but that would add that much more.

Mr. WADSWORTH. I see the Senator has been very thorough.

Mr. McKELLAR. I am thorough enough for this: I think I understand the difficulties in the way of the Senator's bill. The Senator was not kind enough to put me on the subcommittee which had the arrangement of the hearings on these matters—at which I do not complain—and, therefore, my exact information as to what occurred in the committee is not as good as that of some other Senators who were on the subcommittee; but, I take it, that we all know what the Senator's bill contains; we can read his bill; we know what it calls for; and we all know from actual appropriations and from deficiency bills how much it takes to pay an officer and to keep an enlisted man in the Army.

Does the Senator desire to interrupt further, or does any other Senator desire to interrupt? If so, I will yield now.

Mr. BORAH. I desire to ask a question either of the Senator from Tennessee [Mr. McKELLAR] or of the Senator from New York [Mr. WADSWORTH].

Mr. McKELLAR. If I think the Senator from New York can answer the question better than I can, I shall turn it over to him.

Mr. BORAH. What are the provisions of the bill so far as military trials and courts-martial proceedings, and so forth, are concerned relative to the boys who may be in training in the camps under the universal-training provision?

Mr. WADSWORTH. There are no specific provisions in the bill covering courts-martial.

Mr. BORAH. Then I take it that there are no provisions which except them from the operation of the ordinary rules of courts-martial proceedings?

Mr. WADSWORTH. No; there are not.

Mr. BORAH. Then, they would come under the ordinary rules of procedure?

Mr. WADSWORTH. They would come under the Articles of War.

Mr. BORAH. Yes.

Mr. McKELLAR. I will call the Senator's attention to this provision of the bill which may cover the matter. I do not know, but I will examine it and see. It reads:

SEC. 57. THE EXISTING LAW MADE APPLICABLE.—In order to carry out the provisions of this act relative to the registration, examination, classification, exception, exemption, and induction into the service of persons liable for the military training provided for in this act, so much of the provisions of the act of Congress approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," as may be necessary and applicable thereto are hereby extended and made applicable for this purpose.

That clause might not be sufficient to include them; but the very fact that by section 51 they are inducted into the Army makes it absolutely certain that they will have to stand court-martial just as any other boys in the Army.

Mr. WADSWORTH. There is no question about that. The Articles of War, of course, apply.

Mr. McKELLAR. I take it that there can not be any question about that.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New York?

Mr. McKELLAR. I yield.

Mr. WADSWORTH. I now desire to take the time of the Senate for just a moment. It so happens that I have a detailed estimate before me prepared after weeks of effort by the War Department, in this instance by Gen. Lord, of the Department of Finance. I am sure the Senator from Tennessee has great confidence in Gen. Lord. This statement gives in itemized form the items of cost of the training for four months of 100,000 men. I think I will read it. It will not take very long.

Mr. McKELLAR. Before the Senator reads the statement, I should like to say that while I have great confidence in Gen. Lord, I have always found this about officers in the War Department—and it applies to most of them, indeed, I presume it applies to most men, for that matter—that when it comes to figures and they are figuring on something of which they approve, the figures are very favorable, and when they are figuring on propositions to which they are opposed, the figures are usually found unfavorable; but the fact is that we here in the Senate always have to check them up by deficiency bills, and oftentimes our deficiency bills for the War Department have been almost as large as are the regular appropriation bills. I make no charges against any officers, but we all know that figures are oftentimes confusing.

Mr. WADSWORTH. In spite of the Senator's indictment of the figures before he hears them, I am going to read them. This is the cost of training 100,000 men for four months. First, the cost of transportation to and from the places of training, at an average round-trip journey of 572 miles, at 3½ cents per mile, for the 100,000 men, $2,002,000. Certainly the Senator would not say that 572 miles was an underestimate of the average round-trip journey that every young man should take. That is a maximum.

Per diem allowance for subsistence in getting to and returning from the place of training, two days, at $2.25 per day, for 100,000 men, $450,000.

Cost of subsistence while undergoing training, 100,000 men, $6,390,000.

Cost of clothing while undergoing training, $2,855,385; cost of laundry while undergoing training, $400,000; medical attention, including dental treatment, $766,667; allowance of $5 per month for four months for each of the 100,000 men, $2,000,000; family allowance, estimated at $30 per month for four months for 10,000 men—that is, one-tenth of the entire number was estimated here to have dependents, a most generous estimate for men of 18 years of age—$1,200,000.

Expense of local boards, not less than three members each, to receive pay not exceeding $10 per day—the bill provides for only $5 per day—not exceeding $10 per day and per member for services and reimbursement of expenses, $553,500.

Clerical help, office rent, and maintenance, $384,375; appeal boards, estimated at 50 boards, 3 members each, 30 days, at $10 per member, $45,000; clerical help in connection with the appeal boards, $31,250; the boards themselves, two reports, at $2 per man for 100,000 men, $200,000.

Quarters, heat, and light—that is, in the camps—$1,013,374.

Equipment—that is, the rifles, the cartridge belts, and various other equipment other than clothing—$7,900,667.

The total for 100,000 men is $26,162,218.

Mr. McKELLAR. Mr. President, if the Senator will yield, except for a difference in the salary paid, what differences will the Senator suggest between the cost of inducting and training a young man into the Army and the cost of keeping a volunteer or a conscripted man in the Army? I am not concerned about figures, but, so far as I can see, the only difference—and it must be apparent to anybody—in the actual cost is a little difference in salary. If there are any other differences, will the Senator point them out? What are the differences?

Mr. WADSWORTH. Mr. President, the difference in salary is very large. The lowest pay in the Army is $30 a month. The pay under the Army reorganization bill for men undergoing training is $5 a month, which represents one-sixth of the lowest pay of the Army. The pay of the Army runs all the way from $30 a month to $12,000 a year. None of these men are going to get anything like that pay, and, of course, the saving is a great deal more therefore than five-sixths, infinitely more, in the matter of pay alone. In another direction the overhead is infinitely smaller.

Mr. McKELLAR. Proportionately, how could the overhead possibly be smaller for training a man four months than it could for training him a year month after month?

Mr. WADSWORTH. Because for that work we use the Regular Army officers, who are already on the rolls.

Mr. McKELLAR. This bill provides for a tremendous increase in the number of Army officers, in some cases as high as 300 per cent in certain classes. I have not the figures before me on my desk at this time. In a subsequent speech I am going to point out the enormous increase in officers provided for in order to carry out this unparalleled scheme of military training.

Mr. WADSWORTH. Mr. President——

Mr. McKELLAR. If the Senator will indulge me a moment further, I venture to say that when we come to the actual payment we are going to find that it will cost proportionately more to train a young man for four months than it will to train him for a year.

Mr. WADSWORTH. The Senator has said that a good many times; he may be right; but I should be exceedingly gratified if the Senator would put into the RECORD the itemized estimates which he has in mind and also state to the Senate where he got them.

Mr. McKELLAR. I will be glad to put in exactly the cost, as shown by appropriations we have provided to support the soldiers. I shall not put in the RECORD any names of Army officers from whom I have received figures in view of the attitude of the Secretary of War and the Chief of Staff on this bill. The Senator would not expect me to do it under these circumstances, and, of course, I can not do it.

HOUSING CORPORATION.

Mr. STERLING obtained the floor.

Mr. FERNALD. Mr. President, will the Senator yield to me for a moment?

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from South Dakota yield to the Senator from Maine?

Mr. STERLING. I will yield to the Senator if he will state the purpose of the interruption.

Mr. FERNALD. The purpose of my interruption at this time is this: Every time we consider the calendar we lack about a dozen bills of reaching a very important measure to which I think there is no objection on either side of the Chamber. I desire to ask unanimous consent for the immediate consideration of Calendar No. 358, being Senate bill 3738, abolishing the United States Housing Corporation. I think there is no objection to the bill.

Mr. STERLING. If the Senator can give any assurance that it will lead to no extended discussion, I will yield in order that the Senator may have the bill considered.

Mr. FERNALD. I do not think there is any objection to it.

The PRESIDING OFFICER. The Senator from Maine asks unanimous consent that the pending measure, the unfinished business, be temporarily laid aside, and that the Senate proceed to the consideration of a bill named by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3738) abolishing the United States Housing Corporation and other agencies and authorizing the Secretary of the Treasury to sell or otherwise dispose of property acquired or constructed pursuant to the power and authority granted by the act of Congress entitled

"An act to authorize the President to provide housing for war needs," approved May 16, 1918, and other acts and parts of acts amendatory thereof, and for other purposes, which had been reported from the Committee on Public Buildings and Grounds with amendments.

Mr. OVERMAN. Mr. President, I do not know anything about the bill. I think a quorum should be here when it is being considered, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Hale	McNary	Sheppard
Beckham	Harris	Nelson	Smith, Md.
Brandegee	Henderson	New	Smoot
Capper	Hitchcock	Norris	Sterling
Colt	Jones, N. Mex.	Nugent	Sutherland
Curtis	Kellogg	Overman	Thomas
Elkins	Keyes	Page	Trammell
Fernald	King	Phelan	Underwood
France	Lenroot	Phipps	Wadsworth
Frelinghuysen	Lodge	Pittman	Walsh, Mont.
Glass	McCormick	Poindexter	Watson
Gore	McCumber	Pomerene	Wolcott
Gronna	McKellar	Robinson	

Mr. CURTIS. I have been requested to announce the absence of the Senator from Iowa [Mr. KENYON], the Senator from New Jersey [Mr. EDGE], and the Senator from Louisiana [Mr. GAY] on business of the Senate.

The PRESIDING OFFICER. Forty-nine Senators having answered to their names, a quorum is present.

Mr. FERNALD. Mr. President, the purpose of this bill, as the title would indicate, is to abolish the United States Housing Corporation.

Early in 1918 an appropriation of $100,000,000 was made to establish and inaugurate an agency to build housing for people who were engaged in war work, in the building of ships and the manufacture of munitions of war. Forty-three projects were started, and most of them completed, in the country. The corporation now are endeavoring to sell that property in the many States where it is located. It is expected that they will be able to turn back to the Government about $72,000,000. This bill proposes to turn all of the business, which naturally now is of a clerical nature, over to the Treasury Department, and in doing this they are now selling this property. Three projects have already been sold complete, and it is thought by the corporation that having some definite legislation to determine when this business shall be turned over to the Treasury Department might hasten the process and aid them in disposing of the property.

Mr. SMOOT. Mr. President——

Mr. FERNALD. I yield to the Senator from Utah.

Mr. SMOOT. Did I understand the Senator to say that at the winding up of the business of the corporation they will be able to turn back to the Treasury $72,000,000?

Mr. FERNALD. That is the estimated amount.

Mr. SMOOT. In other words, the loss is $28,000,000?

Mr. FERNALD. Yes.

Mr. SMOOT. When the last appropriation was asked for by the Housing Corporation hearings were had upon the matter before the Appropriations Committee, and at that time I understood that the estimated loss of the Housing Corporation at its final wind-up would be about $22,000,000. That has now increased to $28,000,000?

Mr. FERNALD. About $28,000,000; yes.

Mr. SMOOT. I will ask the Senator where he got his estimate of $28,000,000?

Mr. FERNALD. I got it from the Housing Corporation. This is their estimate.

Mr. SMOOT. They gave the committee that estimate?

Mr. FERNALD. Yes. They estimate that they will return to the Government, after deducting for all of the war losses on account of excess cost of construction, the abandonment of uncompleted contracts, the return of building materials, the cost of the Homes Registration Service, and general overhead, the sum of $72,995,000. These assets are as follows:

Completed houses and dormitories	$27,436,000
Loans to transportation companies	6,307,000
Transportation property owned	152,000
Loans to municipalities and utility companies	1,600,000
Salvaged furniture and building material	2,800,000
Cash on hand to be returned to United States Treasury	2,200,000
	40,495,000
Cash returned to the United States Treasury	32,500,000
Total amount estimated to be returned to United States Treasury	72,995,000

Mr. SMOOT. Those are estimates?

Mr. FERNALD. Those are estimates. Of course it is impossible to tell the exact amount, because this property is now being sold, and it is not possible to tell just what it will bring. Three projects have been sold already, and they are very rapidly closing out the balance. This matter has been gone over very thoroughly with the Treasury Department, and it seemed necessary to turn it over to some one of the departments; and as the business is naturally of a clerical nature, collecting rents and handling money, that seemed to be the proper department.

Mr. SMOOT. I have no objection at all to turning it over to the Treasury Department. I will ask the Senator if his committee asked the Treasury Department as to the advisability of turning it over to that department?

Mr. FERNALD. Yes; and I had a representative from the Treasury Department with me in working out the bill.

Mr. SMOOT. In the hearings was anything developed by way of testimony that would show that now was the best time to sell these buildings or whether some time should be allowed for their disposition in the future?

Mr. FERNALD. Yes; we went through that subject very thoroughly. We had real estate men from different cities before the committee, and almost every witness testified that this was the best time to dispose of this property; that it ought to be done in the nex few months. They are getting very good prices, as the Senator will see. The loss of $28,000,000 is not a large amount, considering the circumstances.

Mr. SMOOT. I will say to the Senator that if the estimates are correct and the results tally with the estimates I shall be very well satisfied with the undertaking. I remember that at the time the bill was passed I expressed the opinion that there would be a loss of 33⅓ per cent. If we get back $72,000,000 instead of $67,000,000 it will be better than I anticipated when the bill passed, but, of course, these are only estimates, and we can not tell what the wind-up will be.

Mr. FERNALD. It is not possible to tell exactly. The estimates on what they have to sell are based upon the returns for what they have sold.

Mr. SMOOT. I will say that when the last appropriations were asked for the Appropriations Committee were of the opinion that there ought to be a winding up of the affairs of the corporation as quickly as possible, and the House went so far as to compel the Housing Corporation to dispose of the property within a certain time. The Committee on Appropriations of the Senate, however, thought that would be an unwise thing to do, because if the purchasers knew that the property had to be sold by a certain date no doubt it would have an influence in "bearing" the price at which the property would be sold through bidding by interested parties.

Mr. FERNALD. I want to say to the Senator that that is the precise reason why we determined that the affairs of the corporation should be wound up by June 30 instead of immediately, to give them a few months to advertise the property and to cast about for customers, which they are doing.

Mr. SMOOT. I have not had time to read the bill in full. Do I understand that the bill provides that all of the buildings of the Housing Corporation shall be sold by June 30, 1920?

Mr. FERNALD. No; it is left entirely with the Treasury Department.

Mr. SMOOT. In other words, the bill provides that by that time all of these things shall be turned over to the Treasury Department, and they shall handle them in the same way, together with the funds that the corporation may have on hand.

Mr. FERNALD. Exactly; all the notes, and so forth.

Mr. SMOOT. And whatever obligations the Housing Corporation is under at that time the Treasury Department will assume and carry on the business?

Mr. FERNALD. Precisely, with the exception of three projects which this bill transfers to the Navy Department. They are buildings that were built on the property of the Navy, and it was thought best by the Housing Corporation and by the Navy Department and by the Treasury Department that those three particular projects should be turned over to the Navy Department, which is done by the bill.

Mr. SMOOT. Do I understand that those houses which were on the Navy property are to be turned over to the Navy Department, with a view to disposing of them?

Mr. FERNALD. No.

Mr. SMOOT. Or to hold?

Mr. FERNALD. To hold for their use.

Mr. SMOOT. Were they built for that purpose?

Mr. FERNALD. No; they were not built for that purpose. They were built in connection with work that was going on for the Navy, but they were built by the Housing Corporation.

The land, however, is owned by the Navy, and is in close proximity to the work carried on by the Navy.

Mr. SMOOT. Then, instead of the Navy Department coming to Congress for an appropriation to build those houses, it secured the consent of the Housing Corporation to build them, knowing full well that at the end they would get the houses, because of the fact that they were built on Government land?

Mr. FERNALD. Exactly.

Mr. SMOOT. I do not think that is a very good way of doing.

Mr. OVERMAN. Mr. President, what becomes of the property where the working girls' dormitories are located?

Mr. FERNALD. That property is turned over to the Treasury Department.

Mr. OVERMAN. Is that to be sold?

Mr. FERNALD. It is not to be sold unless it seems wise to sell it. It was the opinion of the committee that these dormitories ought to be operated for some time to come yet.

Mr. OVERMAN. Who is to operate them, and how?

Mr. FERNALD. They are to be operated under the Treasury Department. The Housing Corporation will operate them until the 30th of June, and then the Treasury Department. They must be operated by somebody.

Mr. KING. Mr. President, will the Senator yield?

Mr. FERNALD. Yes; I am very glad to yield.

Mr. KING. Was the Senator entirely accurate when he stated that all of the buildings that are to be turned over to the Navy Department were constructed upon land which belonged to the Government and which was controlled by the Navy Department? I find in line 15, page 6, words which would seem to negative that suggestion. The language is as follows:

> The land located near the Puget Sound Navy Yard at Bremerton, Wash., with the improvements thereon, consisting of a hotel and apartment house, together with the land purchased by the United States Housing Corporation adjoining the said hotel.

Mr. FERNALD. I am glad the Senator called attention to that. I want to say that in that particular case the water that is used by the Navy comes from the spring where these buildings are built; and I think in that instance the Navy Department did not own the land, but they owned the spring and have for many years controlled the water there for their use.

Mr. KING. If the Senator will pardon me, then we are turning over to the Navy Department now hotels and apartment houses and other property that have been constructed by the Housing Corporation?

Mr. FERNALD. Yes.

Mr. KING. Does the Senator think that is wise and proper?

Mr. FERNALD. I thought it was, for I believe the Navy Department are now using that hotel. It is used for that purpose.

Mr. KING. By whom, and for what purpose?

Mr. FERNALD. By the Navy Department.

Mr. KING. For what purpose?

Mr. FERNALD. I do not know for what purpose. They have a great many men there, and I do not know just what those men are doing.

Mr. KING. Does the Navy Department furnish houses for those who are working in the navy yards?

Mr. FERNALD. I think they do, in many cases.

Mr. KING. I did not understand that that was the policy of the Government. I can readily see that if we furnish houses for the civilian employees in the navy yards in any part of our naval service the demand will soon be made that we furnish housing facilities for all employees in all navy yards and for all employees in the arsenals and powder factories and wherever the Government is engaged in any operations.

Mr. FERNALD. The Navy Department erected a good many houses, and in this instance section 5 authorizes the transfer to the Secretary of the Navy of houses, dormitories, and the schoolhouse on the naval reservation at Indianhead, Md.; the houses and schoolhouse on the naval reservation at Charleston, W. Va.; and the land located near the Puget Sound Navy Yard, at Bremerton, Wash. That is the property on which is located the spring which furnishes the water for the other houses that are used by the naval officers and the employees.

Mr. KING. Will the Senator permit a further inquiry?

Mr. FERNALD. Certainly.

Mr. KING. Did the Senator consider what the effect will be if we now furnish houses in one navy yard upon the morale of the employees in other navy yards? Does not the Senator realize that if we do that the demand inevitably will follow that we supply housing facilities for all employees of the Government?

Mr. FERNALD. I assume that it is very necessary, in many instances where the Navy are carrying out operations of different kinds, to have buildings. They have already constructed them in many instances, and this item would save the Government just about that much, because they have to have these buildings. They are using them now, and I think the buildings are practically filled with men who are working in the navy yards.

Mr. KING. The Senator knows that in Seattle we had a navy yard before the war, and the activities of the yard were as great or substantially as great as they will be in the future. I repeat that if we inaugurate now in one yard the policy of furnishing houses for the civilian employees we will have demands to furnish houses in every yard; and if we furnish houses for the civilian employees in the navy yards we will be compelled to furnish houses for the civilian employees in the arsenals and in all of the agencies of the War Department, and finally all those who work for the Government. I do not see where we are going to draw the line. I respectfully submit to the Senator that I think he has made a mistake, and that his committee have made a mistake, in legalizing this proposition that the Federal Government shall embark upon the plan of furnishing houses to those who work for it. I do not know where it is going to end. Unless there is a fuller explanation furnished with respect to this provision I shall ask the Senator to modify it or consent to an amendment; and I shall offer an amendment to strike out this section and ask that all of the houses referred to in the section shall be treated as the other houses owned by the Housing Corporation, namely, sold by the corporation, and if not then turned over to the Treasury Department to be sold at the earliest possible date.

Mr. FERNALD. I should like to read to the Senator the statement of Admiral Coontz, of the United States Navy. The chairman asked this question:

> The immediate matter that I understand the Secretary of the Navy wishes brought before this committee is the amendment offered to section 2 of the bill, reading as follows:
>
> "The following property shall be exempted from the provisions of this section and shall be placed under the jurisdiction of the Secretary of the Navy, together with any unexpended balances of appropriations made for the maintenance thereof by the sundry civil appropriation act approved July 19, 1919, which balances shall be accounted for and audited as Navy funds:
>
> "Houses, dormitories, and schoolhouse on the naval reservation at Indianhead, Md.; houses and schoolhouse on the naval reservation at Charleston, W. Va.; hotel and apartment house adjoining the Puget Sound Navy Yard at Bremerton, Wash.; together with the land purchased by the Housing Corporation adjoining the said hotel and that upon which said apartment house is erected."
>
> Now, Admiral, we will be glad to listen to you.
>
> Admiral COONTZ. I would say, Mr. Chairman, that in 1917, about the time the war broke out, there were at Puget Sound, Bremerton, Wash., which is adjacent to the city of Bremerton, if I recall, 1,180 employees.
>
> As the war went on, that number increased to about 6,800, and is now, I believe, about, roughly, 6,000.
>
> At the same time it became necessary to build a camp there to handle our enlisted force up to, say, 7,000 men; and we handled all sorts of officers, as we averaged about one ship to France every five days, with either flour or munitions, or sent it to Chile for nitrate; and it became necessary to find housing for these people. Bremerton was a small city; it is 15 miles from Seattle, and we had to have a ferry service.
>
> In the course of time the Housing Corporation built some 250 houses on various lots purchased contiguous to the navy yard and also a hotel and an apartment house.
>
> In order to get the land for the hotel and to make it convenient for the employees, they asked to place it on certain lots which the Navy owned in the city of Bremerton, and which were right across the street from the navy yard. Those were composed, I believe, of 14 lots. Seven of them were on one side of Park Avenue and seven on the other.
>
> In order to get the land large enough for this hotel—I happened to be commandant of the district out there at that time—I appeared before the city council of the city of Bremerton and they condemned this Park Avenue, which was a very nice street, and gave it, I believe, completely to the Government.
>
> They also gave us the right to run a tunnel under what is known as Burwell Avenue, in order that the navy-yard employees might get out quickly during their lunch hour, or at any time, to this hotel, and get their lunch and come back. This was done by the city of Bremerton.
>
> Since then they have paved the street, I believe, over the tunnel. In order to have a little extra land around the hotel the Housing Corporation bought two lots on Burwell Avenue and three lots on Fourth Street.
>
> The hotel, as is shown by this blue print [indicating], is on the original Navy land, and on that given by the city of Bremerton to the Government. This hotel is occupied now entirely by men and women who are employed in the navy yard. When I was out there two or three months ago with the fleet there were 40 women in the house, and my recollection is there were anywhere from 300 to 700 men that had rooms.
>
> In addition the United States Housing Corporation acquired some land further back in the city on which they built an apartment house, and rent small apartments to the employees of the navy yard and of the Government.
>
> They also built, as I stated, 250 houses, but they do not come into this question.
>
> The reason the Navy owned this land on which the hotel was built is because of a spring on the land, and because they wanted the spring rights so that this water would always be under our control. It comes down into a big reservoir in the navy yard, and several times during the last few years, when the other water there has failed, the fact that we had three days' supply from that spring tided us over some very

serious situations. I understand that situation is now about to be remedied by the Bremerton Water Co.

What we desire to ask is that that hotel built on the Navy land be transferred to the Navy Department, and the apartment house; this for the reason that it will be of great advantage, we believe, to the Navy and to the Government, and stabilize rent conditions in that part of the world, and keep them down to normal.

The hotel, which is known now as Navy Yard Hotel, is run by persons, as I understand it, who have leased it from the United States Housing Corporation. The apartment house is run by the Housing Corporation itself. We would expect to turn steady sums of money into the Treasury from those two buildings, as far as my knowledge goes.

The CHAIRMAN. You are speaking of the navy yard at Puget Sound. Do you know anything of the other propositions?

Admiral COONTZ. No, sir; Admiral Earle will handle those.

The CHAIRMAN. Do you know of any opposition to this amendment from any source?

Admiral COONTZ. None whatever.

From the testimony given by Admiral Coontz it will be seen that if these buildings were not turned over to the Navy Department they would have to be salvaged. They are now used and filled with people who are working in the navy yard, and it seems to me to be much better judgment to turn them over than it would be to salvage them for a very small amount and then be compelled to build other buildings to accommodate these men in the Navy. I think it is a very wise proposition.

Mr. McCUMBER. May I ask the Senator if they are rented to these employees?

Mr. FERNALD. Yes; they are rented.

Mr. McCUMBER. And the hotel is rented?

Mr. FERNALD. The hotel is run by somebody who charges rent and turns it back to the Government.

I wish to say to the Senator from Utah [Mr. SMOOT] that they do not get free rental there. They have to pay for it. I do not see how the Government would get much of anything out of it if it undertook to sell it, because the buildings would have to be torn down in this particular case, and in the other two cases, where they are turned over to the Navy Department, the houses and buildings are on land owned by the Navy Department.

Mr. SMOOT. May I ask the Senator why that property was not turned over to the Treasury Department, if they are going to run the housing proposition? Why was it not turned over to the Treasury Department instead of the Navy Department?

Mr. FERNALD. For the reason that the Navy was on the ground and operating the housing.

Mr. SMOOT. I understand the Housing Corporation—and I am quite sure that is the case, because it so developed before the Committee on Appropriations—made a lease of the hotel at Bremerton to some private parties, and they are running the hotel. It seems to me that if the Housing Corporation is going out of existence it would be very much better to turn it back to the department of the Government that is going to operate the houses that were built by the Housing Corporation. Why should the Navy have this property turned over to them and the Navy rent the building? If any department of the Government is to rent it, it ought to be the Treasury Department, and then let the money go back into the Treasury of the United States. It seems to me that would be the proper thing to do.

Mr. FERNALD. The Navy Department is constructing buildings almost every year in all their different activities, and it seemed to be proper to turn this property over to the department that was using it.

Mr. SMOOT. The Navy Department is certainly not erecting buildings to rent, and this is a building that happened to be built by the Housing Corporation upon Government land. That land ought to be held by the Treasury Department, just the same as all the post offices of the Government are held, just the same as all houses that the Government owns are held, and not allow the Navy Department to come into the question of holding titles for the Government for property of the United States and make leases in behalf of the Government of the United States.

Mr. FERNALD. Will the Senator permit me to read what Admiral Earle had to say on the other two projects?

Mr. SMOOT. Certainly.

Mr. FERNALD (reading)—

TESTIMONY OF REAR ADMIRAL RALPH EARLE, CHIEF OF THE BUREAU OF ORDNANCE, NAVY DEPARTMENT.

(The witness was sworn by the chairman.)

The CHAIRMAN. Admiral, which particular project do you wish to speak of?

Admiral EARLE. I wish to speak of the projects at Indianhead, Md., and South Charleston, W. Va.

The CHAIRMAN. Only these two projects?

Admiral EARLE. Only these two projects.

The CHAIRMAN. Very well; proceed.

Admiral EARLE. The project at Indianhead was initiated in much the same manner as were all the housing projects; that is, because the need for housing of employees during the war was far and away greater than the possibility of housing them. The United States Housing Corporation very kindly helped the Navy out, and these two places especially. The only land available at Indianhead and at South Charleston, W. Va., was land owned by the Government.

At Indianhead the Housing Corporation erected 100 houses and 3 dormitories and 1 schoolhouse, all of a very substantial and very nice character, that would attract the leading men in the employ of the Navy in the manufacture of powder and the testing of guns at Indianhead.

The CHAIRMAN. You expect to continue operations, do you, right along there?

Admiral EARLE. These operations will continue during the time of peace. The powder factory manufactures the powder that we use each year for target practice, and also the powder that is needed for vessels under construction.

The proving ground, of course, goes on actively all the time, testing all ordnance material of every description. These houses and this schoolhouse will be needed constantly. The schoolhouse particularly is of very great help to the people living at Indianhead. In fact, until this schoolhouse was built we had practically no way of educating the children of the employees, and now that is on a very good basis.

At South Charleston, W. Va., we are erecting the Navy's armor plant, the projectile plant being already in operation at that place.

The United States Housing Corporation has erected 65 houses and 1 schoolhouse for the same purpose; that is, to take care of the leading employees, make them satisfied with conditions, and thus insure that we have contented employees and employees of a good class.

Mr. McCUMBER. Will the Senator yield at that point?

Mr. FERNALD. Certainly.

Mr. McCUMBER. Do I understand that the Navy Department is operating schools for the children of employees and paying the teachers, and so forth, out of funds appropriated by the Government? It is a great surprise to me if such is the case. We are supposed to tax every State for funds for schooling purposes. Now, in addition to that, does the Senator tell me that the Government is running a school in the Navy Department, and is there any more reason for conducting a school by the Navy Department than there is for conducting a school by the Interior Department?

Mr. FERNALD. In the building of these projects all over the country by the Housing Corporation they did erect schoolhouses. They erected entertainment halls.

Mr. McCUMBER. They are running theaters as well as schools for the employees?

Mr. FERNALD. Yes; and they erected garages.

Mr. McCUMBER. And motion pictures?

Mr. FERNALD. I suspect they have moving-picture shows.

Mr. McCUMBER. All to be run at the expense of the Government and for the amusement of the people who are employed?

Mr. FERNALD. I am afraid that is the case sometimes.

Mr. McCUMBER. Does not the Senator think it is about time for us to get back to normal conditions and quit this extravagance?

Mr. FERNALD. I think it is. This is the first bill I know of that has been introduced to get back to normal conditions. We appropriated last year $2,060,970 to carry on this proposition.

Mr. McCUMBER. But is it getting back to normal if the bill allows schools to be conducted by the Navy Department, as well as theaters and hotels?

Mr. FERNALD. I know in this project in Washington they have an entertainment hall. I do not know how the money is raised, whether by the people who live in the buildings or how it is done.

Mr. McCUMBER. I wish to ask the Senator another question right here, because he has been on the committee that has been investigating this housing proposition. If the reports which come to me are not true they are certainly of a very slanderous nature. For instance, in the operation of all these buildings around the Capitol Grounds, that are rented to girls and where the Government is conducting a boarding house, charging them the usual price probably that is charged elsewhere in the city for room and board, I am informed that the Government is losing enough to board as many more.

Mr. FERNALD. That is not true, I will say to the Senator.

Mr. McCUMBER. I want to know whether it is true or not.

Mr. FERNALD. I think I can give the Senator the exact amount.

Mr. McCUMBER. It is estimated to me that the actual loss in running the dormitories over here, when you take into account the overhead expenses which are not charged at all to them but are paid directly by the Government, amounts to three hundred and forty-odd dollars per head. If it is not true I should like to have that matter cleared up.

Mr. FERNALD. The exact cost of boarding the girls, provided we charge interest at the rate of 5 per cent on one-half the expense of constructing the buildings and one-half the expense of the furnishings, would be $50.50 per month. The Housing Corporation charged the girls $45 per month.

Mr. McCUMBER. Why does the Senator take one-half of the expense of the buildings? If you put up a building that costs $100,000, why have you not got $100,000 invested, and why not take 10 per cent or 25 per cent as well as 50 per cent?

Mr. FERNALD. To be exceedingly fair, I thought I would make as good a showing as I could for the Housing Corporation,

for the reason that if the buildings were salvaged they would not bring 50 per cent of their cost. We have these buildings, and if they were salvaged they would bring much less than 50 per cent of their cost, and the furnishings would bring much less than 50 per cent.

Mr. McCUMBER. If the Senator will allow me, the point I want to get at is as to the success of the Government in running boarding houses.

Mr. FERNALD. I think the Government ought to go out of the business as soon as it reasonably can; but so long as we are bringing people in here at the rate of 1,700 per month and there is not room to house and board girls or anybody else, we must do something. I want to wind up the affairs of all these agencies that were established. The bill is in the line of economy, and it is the first one, so far as I know, to wind up the affairs of any war agency.

Mr. McCUMBER. If the Senator will allow me to come right back to the first proposition, taking these buildings at just what they cost, not what you can sell them for, but what they cost the Government, allowing 6 per cent, allowing for depreciation, allowing the ordinary overhead charges—because now all the clerical service is paid directly by the United States—I want to know whether the Government is not actually losing over $300 per head for each person who is being boarded there, notwithstanding the fact that they are charged the same price that they would pay elsewhere in the city?

Mr. FERNALD. I think that amount is too large. I want to read just the exact amount:

> The Government dormitories at Washington show expenditures, including accounts payable December 31, in excess of receipts in the sum of $18,624.24. The disbursements, however, include $44,712 worth of current supplies on hand as of December 31. The operating profit is therefore $26,093.91. An estimate for the deficiency appropriation for the fiscal year will be submitted in the usual way.

According to the figures, and we made a penny-wise examination of the accounts, it is shown that there is a little profit without charging any interest or any depreciation.

Mr. SMOOT. Or any overhead?

Mr. FERNALD. Or any overhead; that is, with the exception of the management and the officers.

Mr. McCUMBER. Of course, they could show a balance that would be very favorable if they did not charge anything but the real expenses of operating the buildings. They are free from taxes because they are on Government land, and at least you ought to figure 6 per cent, for there are no taxes upon the value of the buildings. Then there ought to be a charge for depreciation. Then there are all the expenses for the several hundred or thousand of clerks who have to look after the houses. That is not charged up in your bill to the expense of running the houses. When you deduct those charges I think you will find that you will get right back to a place where the rumor is about correct that we are losing about $300 per head for boarding those girls.

Mr. FERNALD. I still think the estimate is pretty large, but much that the Senator says is true. We make no account for depreciation or for interest or for overhead of the United States Housing Corporation, which I am seeking to abolish and do away with.

Mr. SMOOT. Mr. President, I would have been very much better satisfied with the bill if the committee had provided for the sale of every one of the houses. That is what ought to be done. They should have sold the hotel at Bremerton. It would be there for the employees of the Navy Department to live in just the same as it is now. The houses adjoining one of the other navy yards will be there, but the Government ought to sell those houses now. They are in good shape and will bring more money to-day than at any other time; and then, of course, it would be doing just what the Senator, I believe, would like to see the Government of the United States going out of the housing business entirely.

Mr. FERNALD. Every kind of business they have ever undertaken has been a failure.

Mr. SMOOT. The Senator from North Dakota [Mr. McCUMBER] spoke of schools. We have theaters right here in the post-office building in Washington. Space there has been turned over for a theater and shows are held there every Saturday night, and I understand sometimes during the week. It seems to me that ought to come to an end before very long. The space that is being held there for the theater can be used to good advantage to give space for employees in the District who are at present in rented buildings. The Government is paying exorbitant rent to-day for buildings located in the District of Columbia, and still we are running a theater in the Post Office Department.

Mr. FERNALD. I agree with the Senator that just as soon as it is feasible, and can be done in a business way, the Government ought to go out of all kinds of business, for the Government never made a success of anything of that sort; but it is true that the Navy has in many cities erected a great many buildings, and those buildings are necessary to house the Government employees. I am still, however, of the opinion that the Government would be wise, wherever it is necessary and it has the buildings, to turn them over rather than to make appropriations for the Navy to erect buildings, which will be done. In this instance it is simply turning them over after they have been built at an enormous expense, thereby saving the erection of other buildings, because otherwise the Navy will ask for an appropriation for the erection of similar buildings there. If we salvage them, we shall only have to go to work and erect other buildings at an enormous expense, because there are 6,000 people there who have got to be housed.

Mr. SMOOT. But the buildings would be there, whether we sold them or not.

Mr. FERNALD. If we sold the buildings, they would not be available, would they?

Mr. SMOOT. Certainly they would. If we sold the buildings to private parties and they did not want to live in the buildings they had purchased, they would rent them to Government employees. There is no need for houses there at all if they are not to house Government employees. If the Government employees have made money enough during the last two or three years to purchase their own houses, I am very glad of it; I hope that the Government employee may own his own house and live in it; but if he does not, then he can rent it just the same as he is renting a house now from the Government of the United States.

Mr. FERNALD. I have stated the status of the case, Senators. The reason why we thought it was wise to turn them over to the Navy Department was simply to save the buildings we have at what it cost us, rather than to tear down and salvage and go ahead and erect new buildings at probably five times the expense of the construction which we already have on the ground.

Mr. KING. Will the Senator yield to me?

Mr. FERNALD. Gladly.

Mr. KING. If this policy is to be pursued, does not the Senator think that the Housing Corporation ought to get credit for the value of the property and the Navy Department be charged with it in whatever bookkeeping system obtains between the departments? Let me say to the Senator that, as I understand this measure, I am opposed to the transfer of these properties to the Navy Department, and I shall offer an amendment, unless I hear additional reasons, transferring these houses to the Treasury Department. If such transfer be made, the Treasury Department may lease the property to employees of the Government or to whomsoever it please, and the rentals derived therefrom could be devoted to meeting the expenses of caring for the property. There will be no profit to the United States in acting as a landlord, because the cost of maintaining the property and handling it will be in excess of the rentals obtained by the Government. I have no confidence in the Government as a landlord. The cost to the Government in conducting hotels and boarding houses and in handling dwelling houses for rental purposes will be very much greater than if private persons were engaged in the same business; and if we continue the Government in the hotel business and housing business and the real estate business generally we will continue a wasteful and extravagant system for which there can be no valid excuse. Moreover, if in times of peace we inaugurate the plan of housing civilian employees of the Government in the navy yards, imperative demands will be made that this system be installed in all yards, and finally at the arsenals and wherever the Government has any considerable number of persons engaged in service.

Mr. SMOOT. Mr. President, if my colleague will yield, I desire to say that in section 5 it is already provided that "immediately upon the transfer of the said projects to the Secretary of the Navy" they shall "become available for the purposes appropriated, to be accounted for and audited as funds appropriated for the use of the Navy Department."

In other words, the Housing Corporation is to receive credit for the amount agreed upon for the transfer of the houses. Then we authorize the Navy Department to audit these funds as if Congress had made a direct appropriation for them to erect buildings. That is what section 5 proposes to do.

Mr. KING. I have not read the latter part of the section, but, doubtless, my colleague is correct in his interpretation of it.

I wish the Senator from Maine [Mr. FERNALD] would consent to a modification of section 5. I am so much in sympathy with the purpose of the bill, and have so often condemned the

Housing Corporation for its lack of economy, that I shall interpose no obstacles to the speedy passage of the pending measure. It does not meet in a satisfactory manner the entire problem, and fails to provide adequately for the closing out of the enterprise. The Housing Corporation is to be dissolved, but its duties are to be devolved upon the Treasury Department, and that agency is not compelled to wind up the entire business within a stated and definite time. Knowing the immortality of executive agencies of the Government, I am afraid we are "scotching"—not actually killing—the snake.

Mr. FERNALD. Mr. President, for weeks I have been trying to get this bill before the Senate. It is costing the Government $100,000 every month to provide employees for the United States Housing Corporation. It has been my desire to save some money for the Government, and yet I have been unable to get this bill up until to-day, and then I have obtained consideration for it only by the courtesy of my friend from South Dakota [Mr. STERLING].

I agree with everything my friend from Utah [Mr. KING] has said; I do not believe that the Government can carry on any kind of business economically; and I want to put every one of these agencies out of commission just as soon as I can.

I have considered this matter. For four months I conducted, as carefully and as conscientiously as any man could have done, an investigation of the War Housing Corporation. The Senator from Utah probably has read my report. I have made many criticisms of this activity, but this property is now in the Government's hands, and I have endeavored to find some way to get all we could out of it, and to dispose of the property involved at the earliest possible moment. Instead of carrying it on from year to year, I have long been anxious to close and wind up the affairs of the Housing Corporation. Here, however, is a lot of property that must be turned over to some department or to somebody, either to a bureau or a commission or a corporation. Why not turn it over to the Treasury?

Mr. KING. Will the Senator yield to me for a moment?

Mr. FERNALD. Certainly.

Mr. KING. If the Senator will excuse me, my suggestion is to turn over to the Treasury Department the buildings that are described in section 5 of the bill.

Mr. FERNALD. Does not the Senator think it wise to turn over to the Navy Department the buildings in these two projects that are already on land owned by the Government and controlled by the Navy? The one at Bremerton is not on naval land, although the water supply for the 6,000 people occupying the buildings erected by the United States Housing Corporation does come from Government sources, as I understand.

Mr. KING. Let me say to the Senator that the objection I have to turning any of these projects over to the Navy Department is that soon after it is done the Navy Department will conceive the plan of allowing employees to occupy these buildings for nothing. Then we shall have demands made in every other navy yard and in the arsenals and wherever there are employees of the Government that the Government of the United States shall also furnish buildings for them; and, in my opinion, we shall in the end be compelled to expend millions of dollars.

My idea would be this: We are transferring the other projects to the Treasury. I do not think we have been very happy and felicitous in selecting the Treasury Department, and yet I have no quarrel with the committee by reason of that fact. Having, however, turned the other projects over to the Treasury Department, it seems to me it would be wiser to turn these projects over to that department and then let the Treasury Department rent these houses to individuals until they are sold. If the Navy Department charges a ground rental for the buildings the Treasury could pay the Navy Department out of the rentals received a reasonable sum, and the residue could be used to cover in part the operating expenses.

As I said a moment ago, of course we shall not get enough to meet the overhead expenses; but if the Senator will consent to such an amendment I will agree that if it goes to conference, and upon further investigation the Senator finds that that is impracticable, whatever plan is finally agreed upon, after further consideration, I shall not object to, because I am so anxious to have the matter closed up.

Mr. FERNALD. I know the Senator is as anxious as I am to close up this and other features of this matter.

Mr. KING. And the Senator will agree with me that I have done all I could to facilitate the consideration of the bill, and that there has been no opposition from the minority side.

Mr. FERNALD. If the Senator will prepare an amendment which will cover this matter, I will accept it.

Mr. KING. If the Senator will pardon me, I will state the amendment. I move to strike out, in line 12, the word "Navy" and insert the word "Treasury"; and also, in line 21, to strike out the word "Navy" and insert "Treasury," so that it will read:

That immediately upon the passage of this act the Secretary of Labor shall cause to be transferred to the Secretary of the Treasury the houses, dormitories—

And so forth. And starting at line 20—

the same to be maintained and operated under the direction of the Secretary of the Treasury.

The Secretary of the Treasury is going to operate the other houses. If he deems it wise not to salvage these properties, let him make some arrangement with the Secretary of the Navy by which the Navy will lease to the Treasury, for such period as may be proper, the ground, and then let the Secretary of the Treasury rent, as he rents the other buildings, the dormitories and structures that are alleged to be upon Navy ground.

Mr. FERNALD. In lines 3 and 5 on page 7 it will be necessary to make a similar change.

Mr. KING. Yes; I move the same amendment in those places. If the Senator will accept the amendment, and it goes to conference—if he then finds it is impracticable after further consideration, I will not press it.

Mr. FERNALD. I accept the amendment. I am anxious to get this matter through.

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). The Secretary will state the amendment proposed by the Senator from Utah.

The SECRETARY. On page 6, lines 12 and 21, and in line 3 on page 7 it is proposed to strike out "Navy" and insert "Treasury," so as to read "Secretary of the Treasury."

Mr. SMOOT. A similar amendment should be made on line 5, page 7.

The ASSISTANT SECRETARY. Also, on line 5, page 7, it is proposed to strike out the word "Navy" and insert the word "Treasury."

The PRESIDING OFFICER. In the absence of objection, the amendment is agreed to. The Secretary will now state the committee amendments.

The first amendment of the Committee on Public Buildings and Grounds was, in section 1, page 1, line 5, after the words "granted by," to insert "sections 1, 2, 3, and 4 of"; and on page 2, line 1, after "1918," to strike out "and other acts and parts of acts amendatory thereof," so as to make the section read:

That the power and authority to provide housing, local transportation, and other general community utilities as granted by sections 1, 2, 3, and 4 of the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, shall cease and determine as of the date of the approval of this act: *Provided, however*, That the power and authority granted by the said act of May 16, 1918, to requisition any improved or unimproved land or any right, title, or interest therein, on which houses, buildings, improvements, local transportation, and other general community utilities and parts thereof have been constructed, shall remain vested in the President, to be exercised when necessary to protect the interest of the Government, and to cease with the termination of the war when formally proclaimed by the President.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 17, after the word "including," to strike out "all" and insert "such"; in line 20, after the word "act," to strike out "and" and insert "also"; and on page 3, line 7, after the word "available," to strike out "for the purposes appropriated, to be expended under the supervision of the Treasury Department during the fiscal year ending June 30, 1921," and insert "for expenditures as a lump sum by the Treasury Department in carrying out the provision of this act," so as to make the section read:

SEC. 2. That the various offices, bureaus, divisions, and branches of the public service and of the various corporate or other agencies exercising the powers granted by the said act of May 16, 1918, and other acts and parts of acts amendatory thereof, and all that pertains to the same, including such officers, clerks, and employees employed therein, as in the opinion of the Secretary of the Treasury are necessary to carry out the purposes of this act, also the official records and papers on file in and pertaining to the business of the said offices, bureaus, divisions, and branches of the public service and of the various corporate or other agencies and relating to the exercise of the said powers, together with the furniture, equipment, and supplies used in connection therewith, shall be transferred to the Treasury Department on the 30th day of June, 1920: *Provided*, That the unexpended balance of any and all appropriations available during the fiscal year ending June 30, 1920, for the exercise of the power and authority prescribed in said act of May 16, 1918, and other acts and parts of acts amendatory thereof, shall continue available for expenditure as a lump sum by the Treasury Department in carrying out the provision of this act.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 14, after the words "property of," to strike out "any" and insert "every"; in line 18, before the word "remaining," to strike out "and"; in line 22, before the word "legal," to strike out "such"; in the same line, after the word "form," to strike out "as in the opinion of the Secretary of the Treasury is necessary" and insert "required"; and in line 24, after the word

"America," to strike out "to be disposed of" and insert "for disposal," so as to make the section read:

SEC. 3. That the Secretary of Labor be, and he is hereby, directed to deliver to the Secretary of the Treasury on the 30th day of June, 1920, all property of every character whatsoever acquired under the power and authority granted by the said act of Congress approved May 16, 1918, and other acts and parts of acts amendatory thereof, remaining undisposed of on June 30, 1920, together with all deeds, contracts, agreements, mortgages, assignments, notes, stocks, bonds, and other evidence of security or indebtedness: *Provided*, That the same shall be transferred in legal form required to vest the legal or equitable title in the United States of America for disposal in accordance with the provisions of this act.

The amendment was agreed to.

Mr. SMOOT. Mr. President, just a moment before we leave page 3. My attention was diverted at the time the amendment was agreed to, in lines 7, 8, and 9, striking out the words "for the purposes appropriated, to be expended under the supervision of the Treasury Department during the fiscal year ending June 30, 1921," and inserting in lieu thereof the words "for expenditure as a lump sum by the Treasury Department in carrying out the provisions of this act."

I wish to say to the Senator I think that is a very unwise amendment, and I wish to tell him why. The appropriations were made to end June 30, 1920. They are specifically provided for in the appropriation bill. The amendment means that all of that money which was appropriated, no matter what it was for, is to be thrown into a lump sum, and the Treasury Department is to expend it in carrying out the provisions of this act with no limitation whatever. They may run it over into the year 1922; the only reason that they would not do so is that no department of the United States Government ever allows an appropriation to last any longer than it can possibly get rid of it. However, the bill itself would authorize that; it is unlimited appropriation and the amount is placed in a lump sum.

Mr. President, the greatest evil involving the waste of money comes from the departments expending money appropriated in lump sums. There is no limit what they may pay for salaries or anything else, and if they have any favorites they desire to take care of it is always out of a lump-sum appropriation. I think, if the Senator will consider that amendment, he will realize that the bill as it was originally drawn would be very much better, because the money was to be expended for the purposes appropriated and "to be expended under the supervision of the Treasury Department during the fiscal year ending June 30, 1921." It provides a limit, while there is no limit under the amendment the committee has suggested. Not only that, but all of the appropriations are put into a lump sum and the Treasury Department under this amendment can expend them in any way they desire.

Mr. FERNALD. Mr. President, the reason for the amendment was that many of these properties have or are being sold, and, of course, as soon as they are sold all expenditures in connection with them cease and can not be carried to another project. For instance, in the property here in Washington the appropriation made will not be sufficient; but the properties at Rock Island, at Moline, and at Davenport have all been sold, stopping all of the expense incident to them.

Mr. SMOOT. That is another reason why we never ought to agree to this amendment. When those properties are sold the money ought to go back into the Treasury of the United States.

Mr. FERNALD. It does go back into the Treasury of the United States.

Mr. SMOOT. Then this amendment does not affect that. The bill provides—

That the unexpended balance of any and all appropriations available during the fiscal year ending June 30, 1920, * * * shall continue available.

Mr. FERNALD. I shall not object to the Senator's suggestion.

Mr. SMOOT. I am quite sure the Senator will not insist upon the amendment reported by the committee. I therefore ask for a reconsideration of the vote whereby the committee amendment was agreed to.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The question is on agreeing to the amendment of the committee, beginning on page 3, line 7.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Public Buildings and Grounds was, in section 4, paragraph (a), page 4, line 16, after the words "the same," to insert the following proviso:

Provided further, That all deeds, contracts, or other instruments of conveyance executed by the United States Housing Corporation by its duly authorized officer or officers where the legal title to the property in question is in the name of said corporation, and by the United States of America by the Secretary of the Treasury where the title to the property in question is in the name of the United States of America, shall be conclusive evidence of the transfer of title to the property in question according to the purport of such deeds, contracts, or other instruments of conveyance, and in no case shall any purchaser or grantee thereunder be required to see to the application of any purchase money.

The amendment was agreed to.

The next amendment was, on page 5, after line 2, to strike out:

To conclude and execute contracts or other obligations and to collect the principal and interest of loans made or other sums due under obligations incurred pursuant to the provisions of the said act of Congress approved May 16, 1918, and other acts and parts of acts amendatory thereof: *Provided*, That all moneys received from the disposal of properties or otherwise collected in accordance with the provisions of this act shall be covered into the Treasury as miscellaneous receipts, and that all deeds, contracts, assignments, or other instruments or conveyance or transfer executed by the United States Housing Corporation or other agencies through their duly authorized officer where the legal title was in the name of such corporation or other agencies prior to June 30, 1920, shall be conclusive evidence of the transfer of title according to the purport of such deeds, contracts, assignments, or other instruments of conveyance or transfer, and in no case shall any purchaser, grantee, or assignee thereunder be required to see to the application of the purchase money or other consideration.

The amendment was agreed to.

The next amendment was, on page 5, line 22, to strike out the letter "c" in parentheses and insert the letter "b," and on page 6, line 6, after the word "thereof," to insert "*Provided*, That all moneys received from the disposal of properties or otherwise collected in accordance with the provisions of this act shall be covered into the Treasury as miscellaneous receipts," so as to make the clause read:

(b) To conclude and execute contracts or other obligations made or incurred under the provisions of the said act of Congress approved May 16, 1918, and other acts and parts of acts amendatory thereof; to collect the principal and interest of loans made or other sums due under such contracts or obligations and to take such other steps as are necessary to protect the interest of the Government and to fulfill the obligations duly incurred in carrying out the power and authority granted by the said act and other acts and parts of acts amendatory thereof: *Provided*, That all moneys received from the disposal of properties or otherwise collected in accordance with the provisions of this act shall be covered into the Treasury as miscellaneous receipts.

Mr. SMOOT. Mr. President, I should like to have paragraph (b) stricken out. Before I ask that, however, I want to ask the Senator a question. From the print of the bill, I take it that paragraph (b), beginning on line 22, is not in lieu of paragraph (b), beginning on line 3. It is another provision entirely, is it not?

Mr. FERNALD. It is another provision; yes.

Mr. SMOOT. Then I should like to have paragraph (b) that the committee has stricken out read, to see just what it refers to—lines 3 to 21, inclusive.

The PRESIDING OFFICER. The Secretary will read as requested.

The ASSISTANT SECRETARY. The committee proposes to strike out the following words, beginning on line 3, page 5:

(b) To conclude and execute contracts or other obligations and to collect the principal and interest of loans made or other sum due under obligations incurred pursuant to the provisions of the said act of Congress approved May 16, 1918, and other acts and parts of acts amendatory thereof: *Provided*, That all moneys received from the disposal of properties or otherwise collected in accordance with the provisions of this act shall be covered into the Treasury as miscellaneous receipts, and that all deeds, contracts, assignments, or other instruments or conveyance or transfer executed by the United States Housing Corporation or other agencies through their duly authorized officer where the legal title was in the name of such corporation or other agencies prior to June 30, 1920, shall be conclusive evidence of the transfer of title according to the purport of such deeds, contracts, assignments, or other instruments of conveyance or transfer, and in no case shall any purchaser, grantee, or assignee thereunder be required to see to the application of the purchase money or other consideration.

Mr. SMOOT. Mr. President, I take that to mean that all moneys received from the disposal of properties or otherwise collected in accordance with the provisions of this act shall be covered into the Treasury as miscellaneous receipts.

Mr. FERNALD. We thought the next section cleared it up. If the Senator will read the section beginning with line 22, he will see that it is more brief, and clears up the whole situation, I think, even better.

Mr. SMOOT. That is what I asked the Senator—whether or not it was a substitute for that.

Mr. FERNALD. Yes; it is a substitute.

Mr. SMOOT. Let it be read then and let us see if it is. I will ask the Secretary to read the next paragraph, beginning on line 22.

The PRESIDING OFFICER. The Secretary will read as requested.

The Assistant Secretary read as follows:

(*b*) To conclude and execute contracts or other obligations made or incurred under the provisions of the said act of Congress approved May 16, 1918, and other acts and parts of acts amendatory thereof; to collect the principal and interest of loans made or other sums due under such contracts or obligations and to take such other steps as are necessary to protect the interest of the Government and to fulfill the obligations duly incurred in carrying out the power and authority granted by the said act and other acts and parts of acts amendatory thereof.

The ASSISTANT SECRETARY. Then follows a proviso added as an amendment:

Provided, That all moneys received from the disposal of properties or otherwise collected in accordance with the provisions of this act shall be covered into the Treasury as miscellaneous receipts.

Mr. SMOOT. Mr. President, I think that does cover the substance of the part of the bill beginning on page 5, line 3, going down to and including line 21 on the same page. It certainly does if it refers to all the acts, and I think it does.

The PRESIDING OFFICER. The question is on the committee amendment on page 5, which will be stated.

The ASSISTANT SECRETARY. On page 6, line 6, after the word "thereof," it is proposed to insert:

Provided, That all moneys received from the disposal of properties or otherwise collected in accordance with the provisions of this act shall be covered into the Treasury as miscellaneous receipts.

The amendment was agreed to.

The next amendment was, in section 5, page 6, line 15, after the word "land," to strike out "adjoining" and insert "located near," so as to read:

That immediately upon the passage of this act, the Secretary of Labor shall cause to be transferred to the Secretary of the Navy the houses, dormitories, and schoolhouse on the naval reservation at Indianhead, Md.; the houses and schoolhouse on the naval reservation at Charleston, W. Va.; the land located near the Puget Sound Navy Yard at Bremerton, Wash., with the improvements thereon, consisting of a hotel and apartment house, together with the land purchased by the United States Housing Corporation adjoining the said hotel; the same to be maintained and operated under the direction of the Secretary of the Navy.

The amendment was agreed to.

The next amendment was, on page 7, after line 5, to strike out:

SEC. 6. That the provisions of the act of Congress approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanitarium facilities for discharged sick and disabled soldiers, sailors, and marines," and the same hereby are, extended so as to authorize the President to direct the transfer to the Treasury Department for the use of the Public Health Service such lands or parts of lands, buildings, fixtures, appliances, furnishings, or furniture under the control of the various corporate or other agencies of the Government not required for the purposes of such agencies, and suitable for the use of the Public Health Service, and the said act of March 3, 1919, be, and the same is hereby, amended to this extent.

And insert:

SEC. 6. That section 3 of the act entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanitarium facilities for discharged sick and disabled soldiers, sailors, and marines," approved March 3, 1919, is hereby amended to read as follows:

"SEC. 3. The Secretary of War is hereby authorized and directed to transfer without charge to the Secretary of the Treasury, for the use of the Public Health Service, such hospital furniture and equipment, including hospital and medical supplies, motor trucks, and other motor-driven vehicles, in good condition, not required by the War Department, as may be required by the Public Health Service for its hospitals, and the President is authorized to direct the transfer to the Treasury Department of the use of such lands or parts of lands, buildings, fixtures, appliances, furnishings, or furniture under the control of any other department or executive agency of the Government (including the United States Housing Corporation, the Emergency Fleet Corporation, or other corporate agencies) not required for the purposes of such department or agency and suitable for the uses of the Public Health Service."

Mr. KING. Mr. President, may I inquire of the Senator from Maine what relevancy this section has to the subject of the dissolution of the Housing Corporation? It seems to me it is as incongruous as the introduction into a bill of this character of something dealing with the construction of an aerial railway.

Mr. FERNALD. Mr. President, permit me to say to the Senator that there is already before our committee a bill carrying an appropriation of $80,000,000 for the establishment of hospitals, and it was felt that some of this property could be transferred to the War Department and save, as I suggested in the case of the other clause, much money in erecting new buildings. This provision reads:

That section 3 of the act entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanitarium facilities for discharged sick and disabled soldiers, sailors, and marines," approved March 3, 1919, is hereby amended to read as follows:

Then it goes on:

SEC. 3. The Secretary of War is hereby authorized and directed to transfer without charge to the Secretary of the Treasury for the use of the Public Health Service such hospital furniture and equipment—

We have thousands of dollars' worth of furniture that would not bring anything on the market if it were sold that could be transferred to that department for the use of hospitals.

Mr. KING. If the Senator will pardon me, it says "such hospital furniture."

Mr. FERNALD. Yes.

Mr. KING. Do I understand that it is the plan of the Senator to transfer to the Public Health Service furniture which the Housing Corporation has?

Mr. FERNALD. We have a great deal of hospital furniture, and the proposition is to turn that over.

Mr. KING. How did the Housing Corporation acquire a vast amount of hospital furniture; was it by the improper use of public funds?

Mr. FERNALD. Quite so; yes.

Mr. KING. By a gross usurpation of authority?

Mr. FERNALD. Well, they felt that they had authority. I do not think that they had, but they went on and bought it. They own the furniture, and, of course, it is practically worthless, except for such use as it might be put to in hospitals which the Government is operating.

Mr. McCUMBER. Mr. President, I want to ask the Senator from Utah if he does not understand that in this boarding-house system down here they not only have hospital service but they have doctors? I do not know whether they have dentists or not——

Mr. SMOOT. Yes.

Mr. McCUMBER. But they are furnishing amusement halls—furniture for amusement halls—and it will all have to be sold to some one finally, or else the Government will have to continue to run a theater here, and down in New Mexico it will probably have to run a bull pen for bull fights. Whatever the public wants for amusement apparently should be furnished and paid for by the Government.

Mr. KING. Answering the Senator, I confess that I have not kept pace with the faddists and cranks who have projected themselves into governmental activities. It is about time that we got rid of some of these cranks and faddists and got some sensible American citizens to look after some of these public activities.

Mr. FERNALD. I agree absolutely with what the Senator has to say. I am wondering if the Senator has read my report on the investigation of the United States Housing Corporation, which covers several pages?

Mr. KING. No; I have not had the opportunity.

Mr. FERNALD. I have made some criticisms along those lines all through, and I commend the report to the Senator's attention.

Mr. KING. I shall take the first opportunity to read it.

Mr. FERNALD. We have in these buildings, all over the country, much hospital furniture. We have it here. We have a hospital down here which is filled with girls to-day, and is equipped with much apparatus and medicine for carrying on all the work that is to be done in any hospital. This bill simply transfers that to the Public Health Service.

Mr. SMOOT. Mr. President——

Mr. KING. If my colleague will permit me, the Senator mentions the fact that there is pending before his committee a bill for the expenditure of $80,000,000 for additional hospitals.

Mr. SMOOT. Eighty-five million dollars.

Mr. KING. Eighty-five million dollars, my colleague says. I want to suggest to my friend from Maine that when he becomes more familiar with the Public Health Service he will be surprised at their moderation. It is a wonder that they did not ask for $150,000,000. The fact is, they ought not to have the $85,000,000, and they will never get it with my vote, and I shall oppose it in every legitimate and proper way. I am not in favor now of giving to that organization, in this indirect way, anything else. Whatever they get, let them get it as the result of a fair and full investigation, and let the needs of the organization be fully demonstrated. I have no doubt that they would take $100,000,000 worth of hospital fixtures, and what not, if the Government had them. I think it is unwise to turn them over in this way. If this organization ought to have them, let them buy them in the proper way, under appropriations which are made by Congress, or upon full investigation, if it is clear that additional hospital supplies or other property are needed, then by appropriate legislation designate the amount and value of the same and charge the Public Health Service with it and credit the agency that parts with such property.

Mr. FERNALD. I will say to the Senator that this bill contemplates that. He will find on page 8, down in line 6, the following provision:

And the President is authorized to direct the transfer to the Treasury Department of the use of such lands or parts of lands, buildings, fixtures—

And so forth. That is all provided for. It simply turns it over to the Treasury Department.

Mr. SMOOT. I wonder if the Senator has read the last provision, to which he has called my colleague's attention. He will find that it goes further than the first provision. The first provision is that "such hospital furniture and equipment, including hospital and medical supplies, motor trucks, and other motor-driven vehicles, in good condition, not required by the War Department, as may be required by the Public Health Service for its hospitals," shall be turned over—and what

more? Under this amendment you authorize and direct the President to transfer to the Treasury Department "the use of such lands or parts of lands, buildings, fixtures, appliances, furnishings, or furniture under the control of any other department or executive agency of the Government," including the United States Housing Corporation, the Emergency Fleet Corporation, or other corporate agencies, "not required for the purposes of such department or agency and suitable for the uses of the Public Health Service."

I want to say to the Senator that that means that the President of the United States can transfer to the Public Health Service almost any of these buildings and any lands he may see fit to transfer that are not being used now by any of the agencies of the Government. The Public Health Service requested $85,000,000, as the Senator says. I have the statement in writing of an official of this Government who says that beyond a doubt every one of the soldiers who will require hospital attention can be taken care of in the soldiers' homes as they exist in the different parts of the United States to-day.

Mr. FERNALD. Let me say to the Senator that I have already taken that up and written to these homes, and I find that that is absolutely true. In this instance, however, here is a lot of medicine, thousands of dollars' worth of medicine, that would not sell for a cent at auction or at private sale, and this simply transfers it to the Public Health Service. Now, of what earthly use would that be to anybody, and who would buy it? In this instance, however, it may be turned over to that department and will save the Government from the necessity of purchasing those things.

Mr. SMOOT. If the amendment only went that far, nobody would object to it; but medicine is included. Medicine is not land; and lands, of course, are not to be used by the Public Health Service to administer to patients.

Mr. FERNALD. But there are hospitals that may be used by the Public Health Service, instead of expending $85,000,000 in the building of more hospitals. Let me say that it is much more economical for the Government to turn over such hospitals and such lands as they now have. Instead of going ahead and making another appropriation and building more houses on purchased land, this property that is not worth a cent may be turned over for the use of the Public Health Service under this bill.

Mr. SMOOT. The proper thing to do is to have the Public Health Service come before the Appropriations Committee of the Senate and ask for an appropriation to build these buildings, and then it will not be made if we have these buildings to transfer to them.

Mr. FERNALD. They get everything they come before the Appropriations Committee for, and all the other committees.

Mr. SMOOT. But if the object of the amendment is as the Senator says, then the amendment is drawn in the way that it is drawn by the department for some purpose.

Mr. FERNALD. The purpose, I think, I can explain to the Senator.

Mr. SMOOT. The amendment says what the purpose of it is.

Mr. FERNALD. Does the Senator know that the United States Housing Corporation is incorporated in many States? The United States Housing Corporation that we have here is not the only such corporation. They are incorporated under the laws of the State of New York and other States.

Mr. SMOOT. The bill already provides that all of these transfers shall be made to the Secretary of the Treasury. That does not affect this at all, and I tell the Senator that this is dragged into this bill because there is not a bill that passes Congress but that the Public Health Service are looking for an opportunity to add something on to it; and all they have to do is simply to say, "It is for the health of the people," and any kind of an appropriation on the top of the earth is granted.

Mr. FERNALD. I thought I was doing a great service to this country when I proposed turning over the medicine and the appliances that we have in these hospitals, and the hospitals that the Government has already built at a tremendous expense, and saving the building of other hospitals for which bills are already pending before committees, and will go through somehow. The amount will not be $85,000,000, but there will be something appropriated, probably.

Mr. SMOOT. But the trouble is that the amendment does not reach what the Senator thought it did reach. The amendment is drawn so that they can take any buildings or any lands.

Mr. FERNALD. Any lands that these corporations may have in the District of Columbia or in the various States.

Mr. SMOOT. No; it refers to any agency of the Government, or any department of the Government, or any kind of building.

Mr. FERNALD. The Emergency Fleet Corporation have a little property that is embraced in this bill, but another bill will be drawn to turn over that property. It seemed to me a very wise thing, after it was shown to me where they had property and the use to which it was put, that it should be embraced in this bill. I can not see any objection to that amendment. I am sure that it is saving thousands and hundreds of thousands of dollars to the Government to turn over to the Public Health Service property that we already have and that will not sell for a single dollar, either at private sale or at public auction.

Mr. SMOOT. Mr. President, if the amendment were restricted to what the Senator thinks it is for it would be all right, but it grants sweeping authority to the President of the United States to turn over to the Public Health Service any of the buildings that any department of the Government is not using.

Mr. FERNALD. The President already has that authority under the act of March 3, 1919.

Mr. SMOOT. Well, then, if he has there is no need of this amendment.

Mr. FERNALD. With the exception of the properties that the Housing Corporation had, and the Emergency Fleet Corporation, and the United States Housing Corporation of New York and other States.

Mr. SMOOT. This amendment is not limited to that. If it were I would not object for a moment.

Mr. KING. Mr. President, will the Senator permit an inquiry?

Mr. FERNALD. Will the Senator wait for just a moment?

Mr. KING. Yes.

Mr. FERNALD. I think the Senator from South Dakota [Mr. STERLING] has an amendment to offer which may cover the matter.

Mr. STERLING. Mr. President, I realize that the power given in that part of the amendment to which reference has been made by the Senator from Utah [Mr. SMOOT] is a pretty broad and sweeping power, and I am going to move an amendment. I move, after the word "hospitals," in line 6, page 8, to insert a period and to strike out the remaining part of the amendment.

Mr. SMOOT. I was going to ask the Senator if he would not accept such an amendment.

Mr. FERNALD. Would not the Senator be satisfied if we included the appliances and medicines in the hospitals now already owned?

Mr. SMOOT. They will be included in it. The Senator will find in line 2 that it reads:

> Including hospital and medical supplies, motor trucks, and other motor-driven vehicles in good condition not required by the War Department as may be required by the Public Health Service for its hospitals.

Mr. FERNALD. I accept the Senator's amendment to the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. After the word "hospitals," in line 6, strike out the comma and all down to the period in line 14, so the section will read:

> SEC. 3. The Secretary of War is hereby authorized and directed to transfer without charge to the Secretary of the Treasury for the use of the Public Health Service such hospital furniture and equipment, including hospital and medical supplies, motor trucks, and other motor-driven vehicles in good condition not required by the War Department as may be required by the Public Health Service for its hospitals.

The amendment to the amendment was agreed to.

Mr. KING. Will the Senator from Maine [Mr. FERNALD] consent to another amendment, as follows: After the words "supplies," in line 3, page 8, strike out the words "motor trucks, and other motor-driven vehicles, in good condition, not required by the War Department, as may be required by the Public Health Service for its hospitals"?

If I believed that the Public Health Service would act fairly and reasonably in the matter, I would not object to that language; but, as my colleague has said, that agency is so grasping that it will not be content until it gets millions for additional buildings not necessary and for equipment costing millions which is not required. It will demand vehicles not required, and thereby lay additional burdens upon the Government.

Mr. FERNALD. I could hardly accept that, for the reason that we have thousands of motor trucks here now that would be practically useless, and the department would simply buy new trucks. It seems wise, therefore, to turn these over to that department.

Mr. KING. Of course; but are we going to authorize them to purchase additional trucks? We have made liberal appropriations for this service for the purchase of necessary equipment, and I think its needs are satisfied. Certainly they are until the regular appropriation bill, which will soon be passed, places additional funds at the disposal of the officials. We made liberal appropriations for the Public Health Service for motor

vehicles and for whatever else was necessary to cover the fiscal year ending June 30, 1920.

Mr. FERNALD. This provides for trucks not required by the War Department. They are practically useless.

Mr. KING. Let me say to the Senator that he knows that by previous legislation we authorized the War Department to turn over to the Agricultural Department and, I think, to the Public Health Service motor vehicles that the War Department does not require, and there have been turned over to the Department of Agriculture—at least there have been allocated to it, according to information furnished me some months ago—some 18,000 motor trucks and motor vehicles. I do not know how many more have been allocated, but it was stated they were going to allocate to the Agricultural Department more than 25,000 motor vehicles. How many have been allocated and turned over to the Public Health Service by the War Department I am not prepared to state.

Mr. FRELINGHUYSEN. Will the Senator suffer an interruption?

Mr. KING. Certainly.

Mr. FRELINGHUYSEN. Was not that transfer of motor transports by the War Department limited to the Post Office Department and the Department of Agriculture? Were there any allocated to the Public Health Service?

Mr. KING. My recollection is that there were some, but I will say to the Senator that I am not positive.

Mr. SMOOT. I will say to the Senator from New Jersey and to my colleague that I think the words ought to remain in the bill, but if they do remain in the bill, and the Public Health Service ask for motor trucks in their estimate for the next appropriation bill, they will not get them. We are no longer counting by the hundreds or thousands the motor trucks and the automobiles which the Government owns now. We are counting them by the acre. "How many acres have you?" If we give the trucks to them now and can thus stop an appropriation for such purpose hereafter, I think that is exactly what we had better do.

Mr. KING. If my colleague will permit, I think that his suggestion would be a wise one were it not for the fact that the Public Health Service have such an ambitious program. They are not now satisfied with hundreds of employees and a few million dollars annually, but they demand thousands of employees and tens of millions of dollars. There are overlapping divisions and constantly increasing demands. With that ambitious program, and if the bill passes with this provision in, I make the prediction now that they will submit demands to the War Department for thousands of motor vehicles upon the theory that their ambitious and extravagant program will ultimately be carried through and approved by Congress. If there were some limitation in the bill as to the number to be turned over to them, I would not object. But I warn the Senator that if the bill goes through in this form the Public Health Service will make demands upon the War Department for hundreds, if not thousands, of motor vehicles, based upon the extravagant and ambitious program which some of its officials have projected. Senators will be surprised when they are brought face to face with this bureaucratic agency and learn of its plans and purposes. Already it has inaugurated a plan to go into States and investigate the schools and exercise a sort of paternalistic care over school children. Surveys of various kinds are being planned. Thousands of employees are scurrying throughout the land, all at Government expense. Soon a department of public health will be demanded, and millions annually demanded for its support. Executive agencies grow great and fatten upon the credulity and negligence of the people.

Mr. FERNALD. I hope the Senator will not insist on the amendment to the amendment for the very reason that he suggests and that his colleague suggests. We have these motor trucks by the thousands of acres. There is a bill now on the calendar to erect buildings for them that will cost several hundred thousand dollars. If we could turn these automobiles and motor trucks over to somebody for nothing, it would be money saved to the Government.

Mr. KING. The Senator fails to catch the point I was attempting to make, namely, that if there is no limitation placed upon the functionaries of this service they will demand far more than they need. The Senator says we have these automobiles, so let us get rid of them. If we turn them over to this department and it does not need them, it will have charges against the Government for maintenance and for the upkeep of the vehicles, which, in the end, will aggregate thousands and tens of thousands of dollars per year. It is not economy to give to some department thousands and hundreds of thousands of dollars' worth of vehicles when that department does not need them. The Senator now, I respectfully submit, is not acting in the interest of economy by turning over to this service without any limitation whatever the large number of motor vehicles which it will demand simply because the Government has "acres" of them which it is not using and which are costing the Government a great deal to maintain.

Mr. FERNALD. I hope the amendment to the amendment will not be adopted.

Mr. KING. I shall not press it if the Senator from Maine will not accept it. I had hoped he would accept it or at least accept a limitation as to the number. My only reason for not demanding a vote is that because of the lack of a quorum it would result in defeating the bill.

The PRESIDING OFFICER. The question is on the amendment of the committee as amended.

The amendment as amended was agreed to.

The next amendment was, in section 8, page 9, line 9, after the word "Corporation," to strike out "on June 30, 1920"; in line 14, after the word "effective," to insert "on June 30, 1920"; and in line 15, after the words "this act," to strike out "on June 30, 1920," so as to make the section read:

SEC. 8. That the Secretary of Labor immediately upon the passage of this act shall cause to be instituted such legal steps as are necessary to wind up the affairs of the United States Housing Corporation, so as to dissolve the said corporation and all other corporate agencies heretofore and now exercising the powers and authority granted by the act of Congress approved May 16, 1918, and other acts and parts of acts amendatory thereof, and to make effective on June 30, 1920, the transfer to the Treasury Department provided for by this act: *Provided*, That on June 30, 1920, the Secretary of Labor shall report to Congress in accordance with the provisions of the act of Congress approved July 19, 1919, entitled "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes" (United States Housing Corporation), and in addition thereto shall furnish a detailed statement showing all real and personal property acquired under and by virtue of the provisions of the act of Congress approved May 16, 1918, and other acts and parts of acts amendatory thereof; showing the use to which each piece of property was applied and showing all property disposed of, together with the cost and the amount received from the sale of the same: *Provided further*, That the Secretary of Labor shall furnish a copy of the said report to the Secretary of the Treasury.

Mr. SMOOT. Do I understand the Senator from Maine that if these amendments are agreed to there will not be any requirement as to a date in the bill?

Mr. FERNALD. Oh, yes; the amendments strike out the date in two places, but it is found in the proviso—

That on June 30, 1920 the Secretary of Labor shall report to Congress in accordance with the provisions of the act—

And so forth.

Which winds up the affairs of the Housing Corporation. We cut out the date in two places and have it appear only once.

The amendment was agreed to.

The PRESIDING OFFICER. This completes the amendments of the committee.

Mr. KING. I will ask the Senator from Maine if he will consent to an amendment in section 4 which will limit the time within which the Treasury Department must make disposition of this property?

I call the Senator's attention to a fact with which he is familiar, namely, that if we give an executive agency any discretion as to the duration of its existence, it will never die. If you leave it to the discretion of any department, I do not care how patriotic the employees of that department may be, there will be a thousand excuses urged for the continuance of the agency or the instrumentality. We may be settling the business and activities of the Housing Corporation, but we are not ending the projects which have cost millions. We are permitting a discretion to the Treasury Department, and I prophesy that unless there is further legislation we will for years hear of this incompleted work. We should fix a time limit and compel the settlement of every phase of the questions and matters involved within that limit. Our work by this bill is incomplete.

Mr. FERNALD. The Senator, I think, must realize that it is an impossibility to close this out entirely, for the reason that notes which run for some years ahead have been taken for the property, and it will be necessary to collect the interest on those notes. It is quite impossible to close out entirely the business of the Housing Corporation, although it ought not to take any or very many extra employees with the Treasury Department, because the Housing Corporation expects to sell all of the property and get everything into notes and money to be turned over to the Treasury Department.

Mr. KING. Suppose the Housing Department does not sell the real estate, and it is turned over to the Treasury Department?

Mr. FERNALD. I think it would be unwise to provide that the property must be sold by a given date, because it might not be advisable. The price might not be fairly made on the property that must be sold. I do not think it would be wise to fix a date when everything should be closed out that is now owned

by the Housing Corporation. It can not be done, because these dormitories here in Washington could hardly be sold by the 30th of June. I think it is wise to leave it in the hands of the Treasury Department.

Mr. KING. I think the Senator will regret the conclusion that he has announced. If more Senators were here, I should ask for a vote upon the amendment, but I know we can not get a quorum to-day, and that would defeat the passage of the bill. Therefore I shall not press it, but I warn the Senator now, if he will permit me, that unless there is a limitation placed in the bill there will be urged as long as he is in the Senate of the United States pretexts for the maintenance of an organization in the Treasury Department and the retention of scores, if not hundreds, of employees for the purpose of handling the remnants of the defunct Housing Corporation.

I think that the Senator ought to consent to an amendment compelling the winding up and sale of all of the property of this corporation by the 30th of December, 1920. If the Senator does not do it, I assure him now that as long as he is here he will be compelled to face demands for appropriations for the salaries of a large number of employees who will be retained by the Treasury Department.

Mr. FERNALD. I do not accept that because I do not think it would be wise.

Mr. KING. Rather than defeat the bill, I will not press my suggested amendment; but I express the view that it is unfortunate that we can not free ourselves from the clutches of scores of unnecessary executive and administrative agencies. We are destroying one by this bill, but only changing its form. It will still persist as a division or bureau in the Treasury Department.

Mr. STERLING. I desire to suggest a formal amendment in lines 22 and 23, page 3 of the bill. The language, with the amendments adopted, is as follows:

In legal form required to vest the legal or equitable title.

I think the word "such" should be restored before "legal" and the words "as is" inserted before the word "required," so that it would read "in such legal form as is required to vest legal or equitable title."

Mr. FERNALD. I accept the amendment.

The PRESIDING OFFICER. It will be necessary to reconsider the vote by which "such" was stricken out.

Mr. FERNALD. I ask unanimous consent for that purpose.

The PRESIDING OFFICER. Without objection, the vote is reconsidered. The question now is on the amendment proposed by the Senator from South Dakota [Mr. STERLING].

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CIVIL-SERVICE RETIREMENT.

Mr. STERLING. Mr. President, I ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The Chair lays the unfinished business before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. STERLING. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 10, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 9, 1920.*

The House met at 12 o'clock noon.

Mr. MANN of Illinois assumed the chair as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our souls unto Thee, O God, our Heavenly Father, from whom cometh all wisdom, strength, and purity. Teach us, we pray Thee, how to think consecutively and reach wise conclusions, that we may do our whole duty as it is revealed to us as individuals and as a people.

Generation after generation comes and goes. History repeats itself with dire consequences. Hence we pray for wisdom to guide us, strength to sustain us, that we may do our duty and avert evil to ourselves and mankind. In the spirit of the Master. Amen.

The Journal of the proceedings of Saturday, February 7, 1920, was read and approved.

CONFERENCE—APPROPRIATIONS FOR MILITARY POSTS, ETC.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 8819, disagree to the Senate amendments, and ask for a conference.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to take from the Speaker's table a bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 8819) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919.

Mr. MADDEN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from California if the item of $2,700,000, relating to the purchase of the Dayton aircraft plant, is embodied in any of the Senate amendments?

Mr. KAHN. I do not believe it is.

Mr. MADDEN. If it is, will the gentleman be willing to bring that item back for the consideration of the House?

Mr. KAHN. I have no objection whatever to doing that.

Mr. MADDEN. I have no objection, then.

Mr. GARD. Mr. Speaker, reserving the right to object, this, I understand, is the bill that provided certain emergency sites?

Mr. KAHN. It is the bill to allow a continuation of work on some posts and aviation fields which was stopped under the provision that was put into the Army appropriation bill approved last July. This allows a continuation of that work. I want to say to the gentleman that there was a subcommittee of the Committee on Military Affairs that went to nearly all of the various sites involved. That committee came back and made a report, and the Senate put some additional items on the bill.

Mr. GARD. Will the gentleman yield further?

Mr. KAHN. I will.

Mr. GARD. The subcommittee which made the report reported unanimously in favor of the Dayton-Wright project at Dayton, Ohio?

Mr. KAHN. I do not recall whether or not there was a unanimous report on that. I will frankly say to the gentleman that when the bill passed the House "the gentleman from California" was at home in California.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. Mr. Speaker, there are several Senate amendments touching matters relative to which I think there is a very decided opinion on the part of the House. I have confidence that the House conferees will represent strenuously—and, I trust, successfully—the judgment of the House touching those matters.

Mr. KAHN. Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. With the consent of the House, the present occupant of the chair will name the conferees. Is there objection? [After a pause.] The Chair hears none.

The following conferees were announced: Mr. KAHN, Mr. ANTHONY, Mr. CRAGO, Mr. DENT, and Mr. FIELDS.

WOMAN-SUFFRAGE AMENDMENT.

Mr. EVANS of Nevada. Mr. Speaker, I ask unanimous consent to have a telegram read relating to woman suffrage.

The SPEAKER pro tempore. The gentleman from Nevada asks unanimous consent to have read a telegram relating to woman suffrage. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

CARSON, NEV., *February 7, 1920.*

Hon. CHAS. R. EVANS,
Washington, D. C.:

Nevada Legislature ratified national suffrage amendment at 10 minutes past 12 o'clock to-day.

EMMET B. BOYLE, *Governor.*

LEAVE TO ADDRESS THE HOUSE ON LINCOLN'S BIRTHDAY.

Mr. MONAHAN of Wisconsin. Mr. Speaker, on next Thursday we will celebrate throughout the Nation Lincoln's birthday, and I ask unanimous consent to address the House on the subject of Lincoln at that time.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to address the House on next Thursday, Lincoln's birthday, for 30 minutes. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, is there not a previous order of the House in reference to the gentleman from Washington [Mr. WEBSTER] addressing the House on the same day?

The SPEAKER pro tempore. The Clerk will read for the information of the House the order heretofore entered.

Mr. MONAHAN of Wisconsin. My request is to follow his address.

The Clerk read as follows:

On motion of Mr. FESS, by unanimous consent:

Ordered, That Mr. WEBSTER be permitted to address the House for 30 minutes on the life and character of Abraham Lincoln, after the reading of the Journal and disposition of business on the Speaker's table, Thursday, February 12, 1920.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to address the House for 30 minutes on Thursday, following the address named in the order already entered. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, may I call the attention of the gentleman from Wyoming to this request and remind him that this matter of granting requests for future addresses on legislative days has been discussed in the House a number of times, and I remember having one of my colleagues desiring to ask unanimous consent for 20 minutes at some future date, and I suggested to him that he see the gentleman from Wyoming and try to arrange to let him be heard. But it is bad policy to undertake to agree now upon unanimous consent for debate at some future date, not knowing what will come up on that date. I merely call the attention of the gentleman from Wyoming to it, because if this request is granted other requests will be made and it will be difficult for him to be consistent.

Mr. MONDELL. Mr. Speaker, I think the gentleman from Texas [Mr. GARNER] and the House understand my position in regard to these matters. I have said on several occasions that I felt it to be my duty to object to unanimous-consent requests of this character under ordinary circumstances. I have felt, however, that I could not properly object to addresses that related to important anniversaries. And while any Member of the House has a right to object in a matter of this kind, on the anniversary of the birthday of a very great man I do not feel that I can make objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. MONAHAN]. [After a pause.] The Chair hears none.

PRICE OF COMBED COTTON YARNS.

Mr. TILSON. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Connecticut rise?

Mr. TILSON. I wish to ask unanimous consent for the present consideration of a resolution.

The SPEAKER pro tempore. The gentleman from Connecticut asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 451.

Whereas the prices of combed cotton yarns have increased several hundred per cent during the years 1914 to 1919, inclusive, more than 100 per cent of which was during the last six months of the year 1919; and

Whereas this increase has been greatly in excess of the increase of the cost of the raw cotton and the labor entering into the manufacture of such yarns, and can not therefore be attributed to such increases: Therefore be it

Resolved, That the Federal Trade Commission is hereby requested to inquire into the increase in the price of combed cotton yarns during the years 1914 to 1919, inclusive, and especially during the last six months of the year 1919; to ascertain the cause or necessity for and the reasonableness of such increase; to ascertain the difference between the increase in the price of the yarn on the one hand and the increase in the cost of raw cotton and the labor entering into the cost of the manufacture of such yarn; and to report to the House at the earliest practicable date the result of the investigation, together with such recommendations as the commission may deem advisable and proper.

The SPEAKER pro tempore. The gentleman from Connecticut asks unanimous consent to discharge the Committee on Interstate and Foreign Commerce from the further consideration of the resolution and for its immediate consideration in the House.

Mr. GARD. Reserving the right to object——

Mr. TILSON. Mr. Speaker, just a brief statement. I have spoken to the chairman of the Interstate Commerce Committee in regard to this, and he informs me that owing to the pressure of the railroad-bill conference there has been no meeting of his committee since the introduction of this resolution. He himself has no objection to it whatever, and, so far as he could see, there was no objection to this request being made. I have also conferred with the Federal Trade Commission, and find that the commission is willing to make the investigation, and would have done it upon my request as a Member of Congress, except for the fact that the commission has so many requests of this kind. It seemed that the commission has heretofore tried to confine itself to requests made by departments of the Government or by one of the Houses of Congress.

Mr. RAYBURN. Did the gentleman consult with the minority members of the Committee on Interstate and Foreign Commerce?

Mr. TILSON. I did not. I spoke to the chairman only.

Mr. RAYBURN. I object, Mr. Speaker, to the request.

LINCOLN'S GETTYSBURG ADDRESS.

Mr. RUBEY. Mr. Speaker, I desire to submit a unanimous-consent request in reference to the observance of the birthday of Mr. Lincoln. It has been customary in the House for several years, after the reading of the Journal, to have Lincoln's address at Gettysburg read. My former colleague, Mr. Russell, of Missouri, inaugurated the custom, and he read the address every year during his service. I had the honor of reading it myself last year. I think, Mr. Speaker, that it would be exceedingly appropriate for the House this year to request the gentleman from Illinois [Mr. CANNON], immediately after the reading of the Journal on Lincoln's birthday, to read the Gettysburg address.

The SPEAKER pro tempore. The gentleman from Missouri aska unanimous consent that on Thursday, before or after——

Mr. RUBEY. After the reading of the Journal——

The SPEAKER pro tempore. Immediately after the reading and approval of the Journal——

Mr. RUBEY. And before the speeches are made——

The SPEAKER pro tempore. The gentleman from Illinois [Mr. CANNON] is requested to read the Lincoln Gettysburg address. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

AGRICULTURAL APPROPRIATION BILL.

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Agricultural bill.

The SPEAKER pro tempore. The gentleman from Iowa moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Agricultural bill. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. WALSH] will please take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12272, the Agricultural appropriation bill, with Mr. WALSH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12272, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HERSMAN. Mr. Chairman, I hope the gentleman will reserve it.

Mr. BLANTON. When the House adjourned Saturday evening I had made a point of order to two provisos in the paragraph beginning in line 9, page 27. The gentlemen from California, three of them, Mr. HERSMAN, Mr. BARBOUR, and Mr. LEA, desired to be heard on the merits of this paragraph, and in order that they may have 5 minutes each, the three gentlemen, I reserve the point of order for 15 minutes for that purpose.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BLANTON. I stated the point of order last Saturday, but I will restate it.

The CHAIRMAN. The gentleman desires to reserve his point of order?

Mr. BLANTON. I reserve it in order that the gentlemen may be heard on the merits of the paragraph.

Mr. HERSMAN. Mr. Chairman——

The CHAIRMAN. The gentleman from California is recognized.

Mr. MADDEN rose.

The CHAIRMAN. For what purpose does the gentleman from Illinois rise?

Mr. MADDEN. To make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MADDEN. It is this——

The CHAIRMAN. Does the gentleman from California [Mr. HERSMAN] yield?

Mr. HERSMAN. Yes.

Mr. BLANTON. I would like to know whether or not consent has been granted for the 15 minutes allowed to these three gentlemen. Is it done by unanimous consent?

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] has reserved his point of order, and the Chair has recognized the gentleman from California [Mr. HERSMAN]. There is no consent granted for specific debate. A motion for the regular order, I suppose, would bring either the withdrawal or the making of the point of order.

Mr. ANDERSON. Mr. Chairman, is the gentleman from California [Mr. HERSMAN] recognized for five minutes?

The CHAIRMAN. Yes.

Mr. HAUGEN. Mr. Chairman, may we have it understood that at the end of 15 minutes the point of order will be disposed of?

Mr. BLANTON. I will state that I intend to make the point of order then.

Mr. ANDERSON. I ask, then, for the regular order.

The CHAIRMAN. The regular order is demanded.

Mr. MADDEN. I make it now. The gentleman can be taken off his feet on a point of order, can he not?

The CHAIRMAN. Yes.

Mr. HERSMAN. Mr. Chairman, I ask that the gentleman reserve his point of order.

Mr. MADDEN. If it is to be reserved for 15 minutes and then made, I think it would be a saving of time to make it now.

The CHAIRMAN. The gentleman from Illinois makes the point of order.

Mr. HERSMAN. I ask that the gentleman may withhold it in the hope that we may present this matter in such a way that the point of order will be withdrawn.

Mr. MADDEN. In view of the fact that one of the Members was heard for five minutes on this subject on Saturday, I am perfectly willing to withhold it for five minutes, to give the gentleman from California five minutes. I will not extend it beyond that.

Mr. HERSMAN. Mr. Chairman, this is not to be taken out of my time?

The CHAIRMAN. No.

Mr. HERSMAN. Mr. Chairman and gentlemen of the committee, I find myself in a most trying position. What I may say or fail to say may affect the destinies of many families, and I hope that I may have the indulgence of the gentleman who has made this point of order so that I may present the facts as they appear to me.

The Federal Government for 15 years has had under its control two tracts of land in California, of 20 acres each, in different sections of the State. They have been carrying on experiments on these vineyards for a period of 15 years. The Government has collected from every part of the world different varieties of grapes, and they have now assembled 700 different varieties, which are being cultivated and studied on these two tracts. The real value of these experiments of over 15 years can hardly be measured in dollars and cents. There are 180,000 acres devoted to the culture of wine grapes in California; there are 210,000 acres devoted to the culture of raisin grapes in California; and hundreds of thousands of acres devoted to the culture of table grapes. These experiments carried on by the Federal Government have sought to find the soils suitable to these different varieties of grapes and the kinds of grapes suited to the resistant roots that are so necessary to the successful cultivation of grapes in California. The passage of the eighteenth amendment has made it necessary for the owners to sell these two tracts, and without they are purchased the Federal Government will lose the largest and most valuable collection of grapes in the world.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. HERSMAN. Yes.

Mr. BLANTON. If these grapes are worth several hundred million dollars, including the land on which they are grown, does the gentleman think that the business men of California, for the want of $27,000, will allow this experimentation work to be wiped out, when they can buy this land, or still lease it to the Government and allow the Government to continue the carrying on of the experiments, without buying the land?

Mr. BARBOUR. Mr. Chairman, will the gentleman yield?

Mr. HERSMAN. Certainly.

Mr. BARBOUR. These experiments are being carried on for the benefit of the industry all over the United States. The State of California is not penurious in its expenses in that State, but these experiments are being carried on for the benefit of the industry wherever it exists in this country. It is not a local proposition.

Mr. HERSMAN. I must hasten along, as my time is limited. We all know the difficulty of collecting money from a large number of people for experimental work. Experimentation is the work of the State and Federal Governments.

We would not appeal to the Federal Government if it were possible to get the State of California to advance this money at the present time. But it is not possible, as the legislature of our State will not meet for a year and a half, and any legislation that we could get through at that time would be entirely too late to meet this emergency. We have only the Federal Government to appeal to to secure these tracts which are so valuable to our viticultural interests. The purchase of these two parcels, besides being sound economically and appealing to the good business judgment of every man, also appeals to the moral side of our nature. It seems to me there is an obligation resting upon the Federal Government at this time to interest itself in securing these tracts. Under the passage of the eighteenth amendment the income from 180,000 acres has been wiped out. Six thousand families found themselves in a day reduced from a position of security to poverty, their sole means of livelihood having been taken from them.

Mr. Chairman, I care not how we voted or how we thought as to the advisability of passing our prohibition laws, there is in every American heart a feeling of fair play and justice which would prompt every man to hope that in some way or by some means this vast amount of wealth could be saved, that a way could be found to utilize our wine grapes by discovering a method by which their sugar content could be extracted or by experimentation find the proper table grape to graft onto these old and mature vines. I can not believe there is a man in this Congress who has so little business sagacity that he would not be willing to appropriate a few thousand dollars in order to try to save millions of dollars to the economic resources of our Nation. By finding a way to utilize the wine grapes of California the saving in taxes to the Federal Government in one year from this property would far exceed the expenditure proposed by the Agricultural Committee for the purchase of these two tracts.

And, further, Mr. Chairman, I can hardly see how anyone who felt it his duty to vote for the prohibition amendment could so harden his heart that at this time he would not be willing to vote to appropriate a few thousand dollars in order to find a method of saving the property which he had thought it his duty to vote to destroy. In addition to the financial wisdom of purchasing this property and the moral obligation which seems to me to rest upon the Federal Government so far as it can to assist the vineyardists of our State, there is also the human compassion that will appeal to everyone to aid as far as possible those who through no fault of their own have been deprived of their property. The vineyardists of California a few years ago could not have looked forward to the sweeping enactment of the prohibition amendment, as the State and Federal Governments have continued to encourage them to plant and tend to their vines. They and their families face the future without hope of saving any of their long and hard fought for gains. If we can now step in and with the expenditure of a small sum of money point the way to a different use for their property, a use that is not in conflict with our laws, certainly we have done something, and not more than should be done by our Federal Government. And if we are successful in our efforts we can rejoice with them. It is hard to realize——

Mr. LAYTON. Mr. Chairman, will the gentleman permit a question?

Mr. HERSMAN. Yes.

Mr. LAYTON. Is your purpose in advocating that proposition due to the fact that you want to make the transition that is necessary on account of the Federal amendment from an economic expenditure and for the benefit of your people?

Mr. HERSMAN. We have 180,000 acres in wine grapes, and we do not know how to use those grapes. We are in hopes that a method will be discovered by which these grapes can be utilized, their sugar content extracted, or a suitable process discovered by which they can be manufactured into a nonintoxicating beverage; or they may be successfully grafted into the right kind of raisin grapes, perhaps. If these two experimental stations are wiped out the Federal Government will have absolutely nothing to start with. They have spent 15 years in experimenting on different varieties, and now we are up to a point where if the land is not secured the work of many years will be lost. It will take years to start over again.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MADDEN. Mr. Chairman, the argument of the gentleman and his statement of the case have been so illuminating that I think there is a great deal of merit to the item to which I made the reservation to the point of order, and in view of what the gentleman says and the fact that he has convinced me, I withdraw the reservation.

Mr. LAYTON. I ask that the gentleman have two minutes more.

The CHAIRMAN. The gentleman from Illinois withdraws his reservation of the point of order.

Mr. BLANTON. I still have my reservation.

Mr. LAYTON. I insist on the regular order, Mr. Chairman.

Mr. BLANTON. If the regular order is insisted on——

Mr. LEA of California. Mr. Chairman, I desire to be heard.

Mr. BLANTON. If the regular order is insisted on, which would prevent our colleague from California [Mr. LEA] being heard on the merits, it forces me to make the point of order, or waive it, and I make the point of order to the two provisos on page 27, in the paragraph which begins with line 9, providing for using $27,000 to purchase land in California. It is new legislation, unauthorized by law, and it is a bad policy for this Government to indulge in.

The CHAIRMAN. Does the gentleman from Iowa [Mr. HAUGEN] desire to be heard on the point of order?

Mr. HAUGEN. It is clearly subject to a point of order.

Mr. LEA of California. Mr. Chairman, I should like to be heard a moment on this question.

The CHAIRMAN. Does the gentleman desire to discuss the point of order?

Mr. LEA of California. I do. I am familiar with the circumstances in this particular case. The land in question is not in my district. One of these vineyards is in the district of my colleague [Mr. CURRY of California] and the other in the district of Mr. BARBOUR. The situation here is not purely one of purchasing land. The Government already has a partial title in this property. At the present time the title of the Government is a leasehold interest, which is going to expire. We determined that the only practical thing to do is to acquire this property by purchase. The Committee on Agriculture did a businesslike and commendable thing when they inserted this provision in the bill. It will be helpful to the grape industry in California, which is a great industry.

Mr. LAYTON. Will the gentleman allow me to ask him a question?

Mr. LEA of California. Yes.

Mr. LAYTON. Has the Government any investment there in the shape of buildings, and so forth?

Mr. LEA of California. Not in the shape of buildings; but the Government has an investment of thousands of dollars that will be lost if this particular property is not retained.

Mr. CHINDBLOM. Will the gentleman yield for a further question?

Mr. LEA of California. Yes.

Mr. CHINDBLOM. What is the nature of that investment?

Mr. LEA of California. It consists of the experimental vines. The Government has there the greatest collection of vines on earth, assembled in these vineyards. These vines are attached to the soil and will be lost unless the Government retains this property.

There are two fundamental reasons why the Government ought to do this. The first reason is that there is at least $100,000,000 invested in vines in California. As a method of permanently improving them, this experimental vineyard is entirely consistent with businesslike principles and economy.

Second, and the pressing point is that prohibition has destroyed the value of at least $40,000,000 worth of vines in California that at the present time are of no practical value for any other purpose. Now, what we want to do in the immediate future is for the Government to solve the problem it is attempting to solve, of making these vines usable for food purposes, by grafting them into varities that will furnish a food product that can be lawfully supplied to the commerce of this country and the commerce of the world without violating the law. I appeal to the gentleman from Texas to consider this proposition, and ask him to withdraw his point of order.

Mr. BARBOUR. Will the gentleman yield?

Mr. LEA of California. Yes.

Mr. BARBOUR. Is it not a fact that we import annually into this country from France and the countries of southern Europe over $1,000,000 worth of Zante currants?

Mr LEA of California. Very much more than that.

Mr. BARBOUR. And the Department of Agriculture is already experimenting with the idea of producing these so-called currants in California, which are really small raisins, and the department believe from the experiments already made that these currants can be produced in California.

Mr. LEA of California. That is absolutely true. The experiments are now in progress.

Mr. BLANTON. Will the gentleman yield?

Mr. LEA of California. Yes.

Mr. BLANTON. I will go with the gentleman to any reasonable extent to assist these wine growers in California in rehabilitating themselves and getting into a new business, but we can do that without buying land. The gentleman knows, and every other man here knows, that if we buy this land out in California it is going to mean the expenditure of thousands of dollars in the future, and it is a policy to which I am not going to be a party when it can be prevented by a proper point of order.

Mr. LEA of California. There is no other practical way of doing it, because this investment of the Government, representing thousands of dollars, is in these vines which are attached to the soil, a part of the realty, and the Government loses them the moment its lease expires. I believe the Committee on Agriculture deserve great praise for attempting to help this industry in California. It was a common-sense, businesslike thing to do. What they propose would be helpful to a great industry. If the gentleman wants to help these men rehabilitate themselvs, there is no better way to do it. In fact, it is a pressing problem. These men must either dig up $40,000,000 worth of vines or else have a hope that may induce them to go ahead to turn the product of their vines into a food product.

We have experimental stations over this country. It is not a new policy. It is simply continuing a policy that already exists, and this great industry can be materially increased and developed, even though the Government retains these experimental vineyards for a long period of years.

Mr. MILLER. Can not the Government do it more economically under the method provided in this bill than it could otherwise?

Mr. LEA of California. No business man on earth would abandon these vineyards. Nothing could be more absurd than to throw away the investment which the Government already has and allow somebody else to acquire the property.

Mr. RAKER. I should like to be heard for five minutes on the point of order.

Mr. MANN of Illinois. May we have a ruling?

The CHAIRMAN. The Chair is ready to rule.

Mr. RAKER. I should like to be heard.

Mr. MANN of Illinois. I am going to make a motion in a moment that we permit the discussion of the question. I insist on a ruling on the point of order.

The CHAIRMAN. The Chair is ready to rule.

Mr. RAKER. Before the Chair rules on the point of order, let me say this to the Chair: It has been shown that the Government has appropriated money and has expended it in the vines that are on these two vineyards. The Government by its lease holds an interest in the real estate, a leasehold interest, to be sure. Now, while the point of order goes to the question of the right to change from a leasehold to a purchase, could not the Chair legitimately hold that this is simply changing from a leasehold estate, which the Government now has, to the obtaining of a title for a longer period of time in a thing that the Government already has an interest in?

That being the case, if technically it can not be maintained and the Chair technically has to rule upon the point of order, then I appeal to the gentleman from Texas to withdraw his point of order.

Mr. MANN of Illinois. I make the point of order that this is not a discussion of the point of order.

Mr. RAKER. I have the five minutes, and the Chair will hear me, and then I am through.

The CHAIRMAN. The gentleman is discussing the point of order. The Chair would like to ask the gentleman from California if the land provided for in this proviso adjoins any tract of land already owned by the Government?

Mr. RAKER. I understand it does not.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN of Illinois. Mr. Chairman, I move to amend by striking out, in line 13, page 27, the figures "$110,200" and inserting in lieu thereof the figures "$80,000."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 27, line 13, strike out the figures "$110,200" and insert in lieu thereof "$80,000."

Mr. MANN of Illinois. Mr. Chairman, I have no desire to cripple this service. We appropriated for the current year $83,200 under this item and provide that $20,000 of it may be used in connection with the investigation of grape culture. Now, the committee brings in a provision for the purchase of land that will cost $39,000.

I confess I have not been quite able to understand why in this critical situation of the grape industry of California we

should be asked to buy land which without the critical condition we had no trouble in leasing.

Mr. BARBOUR. Will the gentleman permit me right there?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from California?

Mr. MANN of Illinois. If the gentleman will state a thing which is to the point, I will yield.

Mr. BARBOUR. Until the eighteenth amendment was adopted——

Mr. MANN of Illinois. That is not the point.

Mr. BARBOUR. I am getting to the point as fast as I can, and the gentleman will see that it is to the point if he will permit me to state the proposition. Does the gentleman yield?

Mr. MANN of Illinois. I will if the gentleman will get to the point.

Mr. BARBOUR. These experiment stations are on the land of people who were in the business of producing wine grapes. The eighteenth amendment has wiped that industry out of existence. Had the industry continued, this agreement would have gone on without limit of time, but now these men who are no longer interested in the business of producing wine grapes are selling their lands. They are selling the lands on which these experiment stations are located.

Mr. MANN of Illinois. Oh, we are told repeatedly that the prohibition amendment has rendered the grape industry of California almost innocuous, in spite of the fact that grapes are selling for higher prices than ever before.

Mr. BARBOUR. This year.

Mr. MANN of Illinois. If this land could be leased while there was a profitable industry being carried on in growing wine grapes, and that industry has ceased, will somebody explain why the Government can not lease the land when the industry has been taken away?

Mr. BARBOUR. The lessor of the land is parting with the title to it, and the lease can not continue.

Mr. MANN of Illinois. They can not use this land on the basis of $600 an acre for any purpose except raising grapes. That is nearly $1,000 an acre for this land.

Mr. BARBOUR. And a most reasonable price.

Mr. MANN of Illinois. It may be for raising grapes, but for nothing else.

Mr. BARBOUR. That is what the land is used for.

Mr. MANN of Illinois. That is all it is good for. They tell us that the industry is to be destroyed, and therefore they must have the land to raise the grapes on. If the industry is to be destroyed, what do they want to raise more grapes for? If the industry is to be continued and the land is to be worth $1,000 an acre to raise grapes on it, there is no reason why the Government should buy the land.

Mr. HERSMAN. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. No; I do not yield. Each of the gentleman has had time to explain to the House and neither one has. I am not opposing your investigations out there. I am perfectly willing to let you carry on your investigations. The land item has gone out of the bill, and there is no reason why we should make the appropriation to buy the land and then have the Government divert it to something else in no way connected with the raising of grapes. I am perfectly willing to give them $20,000, as they have this year, or more, if they need it, for the grape investigation. I do not think that we ought to say that we will put in a bill an item of $39,000 for the purchase of land, and then when the item goes out leave the total sum the same and encourage the department to use the money somewhere else in no way connected with the raising of grapes.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. YOUNG of Texas. Mr. Chairman, I ask unanimous consent to ask the gentleman a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. YOUNG of Texas. I would like to have the attention of the gentleman from Illinois.

Mr. MANN of Illinois. First, I would like to modify my amendment so as to insert the figures $83,200 instead of the other figures.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to modify his amendment. The Clerk will report the proposed modified amendment.

The Clerk read as follows:

Page 27, line 13, strike out the figures "$110,200" and insert in lieu thereof the figures "$83,200."

The CHAIRMAN. Is there objection to the modification of the amendment.

There was no objection.

Mr. YOUNG of Texas. Mr. Chairman, I desire to ask the gentleman from Illinois this question: He seeks to reduce the total sum in the value of these two tracts of land. That is all the amendment proposes?

Mr. MANN of Illinois. That is all. I seek to reduce the amount that was cut off for the purchase of these two tracts of land.

Mr. HERSMAN. Mr. Chairman, I rise in opposition to the amendment. I want to answer the question that the gentleman from Illinois [Mr. MANN] has asked, Why are these vineyardists suffering if this land is worth $600 per acre? This land as a vineyard is worth nothing because it has 700 varieties of grapes on it. Who wants to buy a vineyard with 700 varieties of grapes? The value of that land is not in the grapes that are on it, but in the land itself, as it is in close proximity to Fresno and in the rich Napa Valley. It is worth $600 an acre without anything on it. The 700 varieties of grapes that the Government has put there are a menace to the land, to a private owner. No man wants to buy a vineyard or an orchard with 700 varieties of grapes or trees. What could he do with them? The only ones it is valuable to is to the Government of the United States and the people of the United States, because of the fact that for 15 years the Federal Government has collected and experimented on many varieties of grapes in order that the vineyardists of the whole United States may improve the quality of their table grapes and improve the quality of their raisin grapes and improve the quality of their wine grapes, and to find out what kind of grapes are congenial to the resistant stock and what soils are favorable to the different varieties of grapes. That is the value of this property. It is because the United States Government for 15 years has collected varieties of grapes from all over the world and has placed them there. This property is now going to be sold. The reason it is going to be sold is: The California Wine Association, the largest wine manufacturers in the United States, owns 600 acres in this one tract and 3,000 acres in another tract near by. When the eighteenth amendment went into effect their business was wiped out, and they are disposing of all of their property, all their vineyards. We find that this tract of 20 acres, which the Federal Government had as an experimental station, is a very valuable piece of property. It is worth $600 an acre without a grapevine on it.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. HERSMAN. Yes.

Mr. GREEN of Iowa. If this item is not decreased, if we keep the item as it is, would it help to carry on these vineyards? If the department can not carry on the vineyards anyway, I do not see why it should not go out. If this sum remains as it is now in the bill, does the gentleman understand that they could make some arrangement for further leasing to carry on these vineyards?

Mr. HERSMAN. We have tried in every way to get aid. The legislature of our State does not meet for a year and a half, and these vineyards are to be sold now. We are hoping to save to the grape industry of California and of this Nation this valuable collection and to preserve this station. The Federal Government has got to come to the rescue. If it does not, it is absolutely lost. It is illuminating to find that every man in this House realizes the wisdom, the good business sense, the moral obligation, and stirred by human compassion is anxious to purchase this tract with the one exception of this wart from Texas.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. HERSMAN. I want to say this: I am mighty glad that all the rest of that splendid Texas delegation have hearts and souls and would not so bemean themselves as to deprive 6,000 families of a helping hand.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BLANTON. Well, the gentleman is getting mad now. The gentleman from Texas can maintain his own position on this floor. He is big enough——

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BLANTON. And broad enough and strong enough to maintain his own position.

Mr. HERSMAN. You can be assured I will maintain mine.

The CHAIRMAN. Both gentlemen are out of order.

Mr. HERSMAN. Mr. Chairman, I ask unanimous consent to extend and revise my remarks in the RECORD.

The CHAIRMAN. Is there objection?

Mr. BLANTON. I will not object, because I think he ought to revise them when he cools off.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, I move to strike out the last two words. Evidently the gentleman who has made the motion does not appreciate what this amendment means or what was in the original amendment. The Government owns these varieties of grapevines and they have cost a large sum of money. It has taken years to gather them together. They are valuable property not only to California but to the entire United States. They were gathered for the purpose of wine grapes alone, but it has been demonstrated in some grafting that has already been done that these 700 varieties, by proper grafting and pruning and handling, will increase the food products of this country by many millions of dollars.

Mr. TINCHER. Will the gentleman yield?

Mr. RAKER. I yield for a question.

Mr. TINCHER. I am in favor of the purchase of the land, involving an expense of $27,000, and I have wondered if the gentleman could see that there was no use of carrying that amount of money?

Mr. RAKER. The gentleman's statement is quite lucid. The point is, it is not for the purpose of continuing the growing of and experimentation with these various varieties of vines for wine. The amendment is in operation. The people understand the situation, and why should not this Government, with the expenditure of money already incurred, continue to improve and make valuable one of the staple crops of the country, whereby the people may receive more of the raisin grapes and grapes of the table variety that have been and are being produced in California? That is what this amendment amounts to. The purpose here is to add a fruit product and to provide that large amounts of it may be raised.

The country is acclimated to it. The people are familiar with it. From this two or three hundred varieties may be obtained and become more valuable to the owners and to the country by reason of grafting and regrafting and handling the varieties that have already been obtained. That is what the gentlemen from California [Mr. LEA and Mr. HERSMAN] are appealing to this House for at this time. That is what we are all appealing for, not to destroy your own property but to assist in building up an industry that, by virtue of the efforts of the Agricultural Department, has grown so valuable. It is unfortunate that legitimate, proper developments of the agriculture interests, where the climatic conditions are so advantageous, should be defeated. We hope that when the bill gets into the Senate the Senate will place this item back on it again, to the end that we will have it disposed of by the conferees.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MANN of Illinois. Mr. Chairman, I did not oppose the original provision of the bill for the purchase of the land. I knew nothing about it. It might be that there was some good reason for it, and I made no opposition to it. But when the item of $27,000 for the purchase of the land goes out of the bill, the amount ought not to be left in the aggregate in this paragraph, because it will only encourage the department to spend the money uselessly somewhere else. They can not spend it for the purchase of the land unless there is specific authority given. I have simply proposed to reduce the appropriation to that of the current year, which covers the investigation, but does not provide for the purchase of land which can not be bought.

Mr. TILSON. Does the gentleman understand that the $20,000 which was expended last year, or authorized for a specific purpose, can now be spent under this language as it stands without the insertion of the proviso carried in the bill last year?

Mr. MANN of Illinois. I was going to ask that question myself when this amendment was disposed of.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out the last word.

In the current appropriation law is this language:

Provided, That $20,000 of this amount may be used for investigation and developing new grape industries and methods of utilizing grapes heretofore used for the production of alcoholic beverages.

I would like to ask the committee whether it is perfectly confident that under the item for the investigation and improvement of fruits, and so forth, it will be possible to use any portion of the $80,000 for investigating the new grape industry?

Mr. HAUGEN. It will; yes. But to make it clear that the $20,000 be used for it, it was set aside to be available for that purpose. But I take it the department would use the amount. They need not use the amount if not given the authority, but if we indicate to the department it should be used for this, they can do so. The language will do no harm. It is not necessary either way.

Mr. MANN of Illinois. Is it not desirable to specify, so that we will know?

Mr. HAUGEN. The custom is to either specify in the act or in the report, and the department takes notice of what is set out in the report, where it is the intention that the amount should be used for a certain purpose. If set out in the report or the act itself, the department will take notice of it.

Mr. MANN of Illinois. And this $20,000 was included in their estimate?

Mr. HAUGEN. Yes. There is no objection to the gentleman's amendment.

Mr. MANN of Illinois. I had not proposed it, but I had intended to do so. I have no desire to put anything in that is of no value.

Mr. HAUGEN. I am certain that the $20,000 will be available and will be used for that purpose, and that is the wish of the committee.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For investigating, in cooperation with States or privately owned nurseries, methods of propagating fruit trees, ornamental and other plants, the study of stocks used in propagating such plants and methods of growing stocks for the purpose of providing American sources of stocks, cuttings, or other propagating materials, $20,000.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. TILSON. Mr. Chairman, I reserve a point of order against the paragraph.

Mr. MANN of Illinois. Mr. Chairman, I would like to make a little inquiry about this item. I do not know how much information was given before the Committee on Agriculture, but I just assume that this is a result of the plant-quarantine order. I would like to make an inquiry as to whether there has been any complaint made to the Committee on Agriculture in reference to the plant-quarantine order.

Mr. Chairman, on the 1st of last June, I believe—although I am not sure of the same—an order went into effect forbidding the importation into the United States of any plants, shrubs, or anything else from plant life that was growing, with the exception of tulip bulbs and some other bulbs, and plants coming to scientific institutions, and it was afterwards modified to permit plants coming for certain propagating purposes and certain classes of plants that are bought entirely for propagating purposes. I called the attention of the House to the situation a year ago and predicted that there would be a good deal of complaint about the order by the nurserymen and florists of the country. Since that time nearly every national association connected with plant growth, such as the nurserymen and florists, and special associations, have passed resolutions denouncing the plant-quarantine order, which I have been asked many times myself to denounce, but I never have done so. I am not sure yet whether it is a desirable thing or not. I have no complaint of it myself at this time. For a while it looked as though the whole country would be swept with the desire to set aside the plant-quarantine order. I do not know whether that agitation has continued so much or not. Here, for instance, is one of the things that was said, and I know this will be very interesting to the Members of the House, namely, that they could not import orchids any more. I have noticed the number of orchids that the Members of the House are frequently buying. But it has been discovered now that they can raise orchids with very great success in the United States, and one of the largest series of greenhouses in this country has now thrown off everything else, I believe, except orchids, and is engaged in propagating them. I do not know whether they will get any information out of this item or not. I would like to know just what the department says it wants of this item.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HAUGEN. Mr. Chairman, the gentleman has reference to the order issued by the Federal Horticultural Board under the Department of Agriculture. There has been criticism of the order in the past.

Mr. MANN of Illinois. The Federal Horticultural Board, under an act of Congress, has jurisdiction of quarantine—quarantine within the State——

Mr. HAUGEN. It has the authority to make rules and regulations and to issue orders.

Mr. MANN of Illinois. Under the rules and regulations they have power to quarantine. Now, of course, the law provided quarantine, apparently, under special circumstances, on special findings; but the Federal Horticultural Board has issued a gen-

eral quarantine order. I do not say they are wrong. I do not know.

Mr. HAUGEN. There has been criticism in the past as to the order. This matter has been discussed for the last two or three years. It was discussed at length during the debate on the bill last year. My understanding is that the nursery people and others interested have taken the matter up with the department and that a better understanding has been reached. I am not advised as to just what took place.

Mr. MANN of Illinois. The order has not been modified to any extent, so far as nurserymen are concerned.

Mr. HAUGEN. I understand that it is satisfactory at the present time to those most concerned, and that little objection is now being raised to it.

Mr. ELSTON. The gentleman from Illinois [Mr. MANN] was speaking with regard to the success of domestic nurserymen in propagating orchids. I understand that is being done a great deal in various hothouses throughout the country. I understand also that the stocks have to be renewed from abroad from various East India islands and parts of South America periodically, and if they are not renewed that business would go out of existence in this country. Is that true?

Mr. MANN of Illinois. That is not true in the way the gentleman puts it. Of course, there are people engaged in that all the time, hunting for new orchids. We do not have those, but it is not necessary, so I am now informed, to import the stocks. They can propagate them here where they have them. Of course, under this plant-quarantine order, if they discover new varieties of orchids, they can be brought in for propagating purposes, being new and novel.

Mr. HAUGEN. If the gentleman will turn to the Book of Estimates, to the language used there, he will find that the purpose is to establish and maintain mother forests. The committee struck out the language, and provided that it shall be done in cooperation with private nurserymen, not to establish new stations, but to carry on the work of encouraging the production of orchids through private enterprise.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. TILSON. I observe that this is entirely a new proposition. We are proposing to appropriate $20,000. Being new, my attention was attracted to it, and I reserved the point of order for the purpose of asking for an explanation of what it is for, because I think the gentleman will agree with me that every new proposition ought to be scrutinized somewhat closely.

The remarks of the gentleman from Illinois [Mr. MANN] in regard to the foreign plant quarantine order and the cultivation of orchids are very interesting and illuminating, but whether they apply to this particular section or not I should like to find out.

Mr. ANDERSON. If the gentleman will permit, the purpose of this item is simply to assist the industry in this country.

Mr. GARD rose.

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. GARD. To inquire whether this little colloquy over there is entirely localized or not?

The CHAIRMAN. Does the gentleman from Minnesota desire recognition?

Mr. ANDERSON. I would be glad if the gentleman would yield.

Mr. TILSON. I yield under the reservation that the gentleman may give the information desired.

Mr. ANDERSON. The purpose of this item is to enable the department to assist the industry in this country to produce the stocks and seedlings here which formerly they got from abroad, and which they can not now get by reason of the plant quarantine order to which the gentleman from Illinois referred.

Mr. TILSON. Can the gentleman state just how this aid is given?

Mr. ANDERSON. The department contemplated the establishment of so-called mother orchards in forest lands and the production of seedlings, with the idea that these seedlings shall be sent to nurseries in large quantities, so that they become commercialized. We did not approve of that proposition. We thought they might just as well assist and promote the propagation of these seedlings and stocks by the nurserymen themselves, without establishing the mother orchards out in the forests, with all the buildings and employees necessary under those circumstances.

Mr. TILSON. Does the gentleman understand that specimens of plants, shrubs, or trees are to be furnished to private orchards and nurseries?

Mr. ANDERSON. In small quantities. The new ones always have been furnished, and will be in the future, until they can be produced by the nursery for commercial purposes.

Mr. MANN of Illinois. The gentleman will understand that our nurserymen have always imported, for instance, large quantities of certain kinds of fruits and cherries and plums for budding or grafting. The stock has been imported. That is what they call the stock being imported. The plants themselves are of no value except to be budded or grafted. They have been raised in France or Holland or Belgium. Now that supply is cut off. They can raise them here; there is no great difficulty about that. The question is largely a matter of expense. When they could be imported there was no great ambition here to find out the method of handling them in the cheapest way. Probably that is one thing they want to do.

Take, for instance, the experimental plant, the azalea. Before the war the Christmas plant most in evidence was the blooming azalea. None of them were produced in this country. They were all imported. They were brought up in hothouses to bloom. The importation ceased under the quarantine order. It is quite possible that without much expense in connection with private industry, by directing attention to it, they may find methods of propagating azaleas so that they could profitably be used. You did not see any last Christmas, and you may not see any for some time until there is some method of propagating them cheaply.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. CHINDBLOM. Is it not a fact that one of the purposes of this service is to find the localities where the climatic and other conditions are such that the stocks can be produced that were formerly produced on the other side? I will say this to the gentleman from Connecticut and to the Members of the House, that those of us who have any large nursery plants in their district have had their attention called to the desirability and necessity for the appropriation. I have such nurseries in my district, and I am satisfied that this item is of value and importance.

Mr. TILSON. Mr. Chairman, I yield to the superior wisdom of the committee that has recommended this appropriation, and I withdraw the reservation of the point of order.

The CHAIRMAN. The time of the gentleman from Connecticut has expired. The reservation of the point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

For the purchase, propagation, testing, and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation of the utilization of cacti and other dry-land plants; and to conduct investigations to determine the most effective methods of eradicating weeds, $130,000: *Provided*, That of this amount not to exceed $56,600 may be used for the purchase and distribution of such new and rare seeds.

Mr. ELSTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. ELSTON. I would like to know from the chairman of the committee why the additional amount of $56,600 is provided, when it appears that the appropriation of $130,000 covers the distribution as well as the tests and propagation of these new and rare seeds. Why should you have a double appropriation for the distribution?

Mr. HAUGEN. It is simply to indicate that $56,600 of the $130,000 may be used for this purpose.

Mr. ELSTON. Can the gentleman tell me what the distribution consists of, and to whom the seeds are distributed? Why is so large an appropriation recommended for that purpose?

Mr. HAUGEN. I believe the principal seed distributed under this item is alfalfa seed. A number of rare seeds are sent out throughout the country under this appropriation.

Mr. ELSTON. For how many years has the appropriation been carried on, and for how many years has the distribution been going forward?

Mr. HAUGEN. This item has been carried in the bill since 1914.

Mr. ELSTON. Does the gentleman believe that after we have employed five years in propagating and testing we have probably arrived at the possibilities in this line, so that it might be time now to cut this appropriation out and start on some new adventure?

Mr. HAUGEN. I believe they are making discoveries year after year. Recently some valuable alfalfa seed was discovered for use in North Dakota. It is fair to assume that under the investigations to be made new and valuable seeds

will be discovered and introduced into this country. I believe that it is the most valuable seed item in the bill.

Mr. ELSTON. Is the distribution made only of new and rare seeds, recently discovered since the last appropriation, or is the distribution made of old seeds?

Mr. MANN of Illinois. This has nothing to do with the Congressional distribution.

Mr. ELSTON. This seed is distributed through Congressmen, is it not?

Mr. MANN of Illinois. Once in a while, if you apply for them. They are not sent out freely by the department.

Mr. HAUGEN. The Members from certain sections of the country are allotted a certain number of packages of alfalfa seed, Sudan grass seed, and other seeds. The seeds most adaptable to the respective sections of country are allotted to the various sections.

Members from my section of the country are allotted a number of packages of alfalfa seed, sudan grass, and soy bean. Members from other sections are allotted seeds that are more adaptable to their sections of the country.

Mr. MANN of Illinois. They do not allot anything to the city people. It is not a general allotment.

Mr. HAUGEN. If the gentleman wants any allotted for the city of Chicago, he can get them.

Mr. MANN of Illinois. I have more agriculturalists in my district probably than the gentleman from Iowa has.

Mr. HAUGEN. Then the gentleman is entitled to the allotment.

Mr. MANN of Illinois. I did not say "farmers." I said "agriculturalists."

I think it was under one of these three items which are grouped together that the durum wheat was introduced into the United States. The value of durum wheat to the United States generally is many times the expenditure that the Government has ever made on all three of these items.

Mr. ELSTON. Then the gentleman from Illinois believes this is a proper activity?

Mr. MANN of Illinois. I think this is the one shining light in the Department of Agriculture. My only regret is that the items are usually so drawn that they permit the Department of Agriculture to make search for new and rare things all over the world outside of the United States, and do not permit them to do what they ought to be doing, go out here on the western plains and in the Rocky Mountains and discover natural plants which, if developed, would be of great value to the country. We permit them to go to Siberia and discover plants which grow under somewhat similar conditions, but if they went out here on the American plains to discover one and develop it they would not be permitted to do so.

The Clerk read as follows:

Purchase and distribution of valuable seeds: For purchase, propagation, testing, and congressional distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, $239,416. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packeting, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years nor less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants, shall upon their request, after due notification by the Secretary of Agriculture, that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the department upon the receipts of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th day of January: *Provided also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before during the same season been supplied by the department: *And provided also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cuttings, and plants.

Mr. PURNELL. Mr. Chairman, I move to strike out the paragraph.

Mr. LANGLEY. I have a perfecting amendment to the text.

Mr. BLANTON. I have a perfecting amendment that will come before the gentleman's motion to strike out.

The CHAIRMAN. The gentleman from Indiana [Mr. PURNELL], a member of the committee, is entitled to make his motion to strike out the paragraph. The perfecting amendments will be voted upon first. Gentlemen who desire to offer them will be recognized.

Mr. LANGLEY. May I offer my amendment now?

The CHAIRMAN. No; the gentleman from Indiana [Mr. PURNELL] has been recognized.

Mr. HAUGEN. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Iowa rise?

Mr. HAUGEN. To ask unanimous consent to limit debate.

Mr. LEE of Georgia. I suggest 30 minutes on a side.

Mr. HAUGEN. This matter has been discussed often, and every Member knows exactly how he is going to vote on it. Would not 15 minutes on a side be sufficient?

Mr. LEE of Georgia. I have requests which make it necessary for me to ask for 30 minutes on a side.

Mr. HAUGEN. I ask unanimous consent that the debate on this paragraph and all amendments thereto be limited to one hour.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that debate on this paragraph and all amendments thereto be limited to one hour.

Mr. HAUGEN. Half the time to be controlled by the gentleman from Kentucky [Mr. LANGLEY] and half the time by the gentleman from Indiana [Mr. PURNELL].

Mr. BLANTON. I object. It is not fair to have all the time controlled on that side of the House.

Mr. LEE of Georgia. That arrangement is agreeable to me.

Mr. BLANTON. Then I withdraw my objection.

The CHAIRMAN. The gentleman from Texas withdraws his objection. Is there objection to the request to limit debate on this paragraph and all amendments thereto to one hour, one-half to be controlled by the gentleman from Kentucky [Mr. LANGLEY] and one-half by the gentleman from Indiana [Mr. PURNELL]?

There was no objection.

The CHAIRMAN. The gentleman from Indiana [Mr. PURNELL] is recognized for 30 minutes.

Mr. LANGLEY. Mr. Chairman, I ask unanimous consent that my amendment which I propose to offer may be read for the information of the committee.

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Kentucky?

Mr. PURNELL. I yield to the gentleman from Kentucky.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the amendment which he proposes to offer may be read for the information of the committee.

Mr. BLANTON. In that connection, reserving the right to object, I ask unanimous consent that my amendment also be read.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that his amendment be read for information. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will first report the amendment of the gentleman from Kentucky [Mr. LANGLEY].

The Clerk read as follows:

Amendment by Mr. LANGLEY: Page 30, line 9, strike out the figures "$239,416" and insert the figures "$358,980."

Mr. BLANTON. I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The Clerk will now read the amendment proposed to be offered by the gentleman from Texas for information.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 31, line 7, strike out the word "or" and insert in lieu thereof the words "to be"; and, on page 31, line 8, strike out the words "addressed franked" and insert in lieu thereof "lists of constituents, all of such seeds to be mailed under frank of said department."

Mr. PURNELL. Mr. Chairman and gentlemen of the committee, I am not making this motion to strike out this paragraph for any idle purpose. I am in dead earnest.

This is the first opportunity, so far as this bill is concerned, to apply the acid test to those who preach economy and practice profligacy in the expenditure of the public money. [Applause.]

There are a great many items in this bill that can properly be scrutinized. The expenditure of a great deal of money appropriated by this bill can properly be questioned; but in my judgment this provision, or any other provision carrying an appropriation for a continuation of this pernicious practice of scattering throughout the country at the expense of the people seeds that are not wanted, not needed, not used, is indefensible.

I do not think I am violating any confidence when I say to the membership of the House that the members of the committee were not able to agree upon any amount.

I know this is an old subject, and that it has been discussed for years and years upon the floor of this House, but our committee was not able to agree upon an amount. A number of votes which were had to determine whether or not the bill should carry any amount at all resulted in a tie, and there was no decision. The bill carries $239,416, put in the bill by common consent in order that the matter might be brought before the House for consideration and final determination.

I was not a Member of this House when this practice was first started, but I am convinced in my own mind that it has ceased to serve the purpose for which it was begun. [Applause.] I am told that when appropriations were first made for sending out these free seeds broadcast over the country, it was done for the purpose of investigation and experiment, and I say to you that it has ceased to serve that purpose.

Gentlemen, there is one thing we can not lose sight of, and that is that we are to-day facing in this country a deficit. Nothing is quite so sure as death and taxes, and with a $3,000,000,000 deficit staring the already overburdened American taxpayer in the face, it is incumbent upon every Member of this House to cut, to prune every one of these appropriation bills to the very bone. I am not willing to cripple any branch of this or any other governmental service, but I am willing to resolve all doubts in favor of economy and cut until it hurts wherever cuts can be made.

If we are to have economy we must make a start; we must not pass an item because it seems small.

We can not come in here before this House and strike $3,000,000,000 from any one bill, but by taking off a few thousand here and a few hundred thousand there it is possible in the aggregate to cut $3,000,000,000 and save a bond issue.

I am not going to try to anticipate anybody's argument in connection with these seeds. I only want to state my own position. I do not believe in them. I do not believe this appropriation serves any good purpose. I do not say it does not serve any purpose, but I say that the purpose it does serve does not warrant the expenditure of this amount of money. It may encourage some of the boys and girls throughout this country to get a little closer to nature; it may serve to teach some boy or girl on the farm or in the city that farming is not the drudgery it has been painted; but I want to say to you that if you have that in your minds and if that is the purpose you want to accomplish you will find on page 74 of this bill an item of $1,500,000 for agricultural extension work.

The CHAIRMAN (Mr. MADDEN). The gentleman has consumed five minutes.

Mr. PURNELL. I believe I was recognized for 30 minutes, and I will ask the Chairman to call my attention when I have used 5 minutes more.

The CHAIRMAN. The Chair will do so.

Mr. PURNELL. There is carried in this bill an appropriation of $1,500,000 for agricultural extension work that really accomplishes something, that really does something. Through the agricultural colleges of the United States, through Federal assistance, boys' and girls' clubs and home economic clubs are organized, and those who have left the soil are inspired to return, while those who are on the soil are encouraged to stay. If this money is properly used and expended, as I believe it will be, all will be accomplished that the wildest advocate of this antiquated system can hope to accomplish. So that if you want to send garden seed broadcast throughout this country to encourage the youth of America to plant gardens, to raise beans, cabbages, and potatoes, you had better let it be done through some organized effort rather than scatter these seed broadcast, half of which will not grow when planted. The question is one of economy. The mere fact that we have established this practice and have followed it for years does not necessarily carry with it the implication that it ought to be continued. I sincerely hope that you will avail yourselves of this opportunity and agree to my amendment, thereby putting an end to a practice that is a relic of political barbarism. [Applause.]

I reserve the remainder of my time.

Mr. LANGLEY. Mr. Chairman, it seems to me that as a matter of economy of time at least this annual opéra bouffe, the dramatis personæ of which seem for the most part to be statesmen with a single-track mind, ought to be discontinued. The membership of this House has time and again shown their desire for a continuation of this congressional seed distribution. Most of those who in the past have sought to have the seed appropriation stricken out apparently rejoice in opposing the little things that contribute so much to the pleasure and enjoyment of the needy masses of the people.

Mr. SIMS. And the profit also.

Mr. LANGLEY. Yes. And yet they want to send millions of our people's money to keep the needy of other lands. An analysis shows that the opponents of this appropriation belong either to that class or represent districts which do not even raise the proverbial cabbage patch. The gentleman from Indiana [Mr. PURNELL] says that half the seeds that are sent out from the Agricultural Department do not grow. That is not true as to Kentucky. We have splendid soil down there and they all come up. It may be true in Indiana, and especially in the gentleman's district [laughter], because I have been told that there is some land in Indiana that will not even sprout peas. [Laughter and applause.] The gentleman says that this seed distribution might help us to get back to nature a little bit. If that means a little more work on the farm, I think after looking at the gentleman's physique and at mine, all will agree that we both might very profitably do a little more work on the farm in the way of avoirdupois reduction. [Laughter.]

I have had occasion to investigate this question a little bit, and I undertake to say that the annual expenditure of the amount involved, which has never been as much as $400,000, does more real good in general to the agricultural people of this country than any expenditure of a like amount that could be made in any other direction. [Applause.] It will prevent profiteering in seeds also.

The Agricultural Department estimates that these packages, containing five packets each, cost only a little less than 4 cents, and they cost nearly five times that much if purchased from retail dealers. Not only that, but it is estimated that the number of vegetable seeds alone sent out under this distribution will plant 170,000 acres of gardens, and think of the enormous advantage that will be to the agricultural interests of this country, and especially at this time when the cost of living is so high and increased production so essential to its reduction.

Mr. QUIN. Does the gentleman know how much in money the garden seeds alone amount to?

Mr. LANGLEY. I think for last year it was about $327,000, but I am not absolutely sure of the accuracy of these figures. It is my purpose to offer at the proper time an amendment striking out the amount carried by the committee's bill and to insert the amount carried in last year's bill for the current fiscal year. I would like to see it more than that. I wish I could multiply the committee's figures by two, so that we would each have enough for all of our constituents.

Mr. QUIN. I agree with the gentleman.

Mr. LANGLEY. At the same time we have to economize some, in view of the state of our finances, but let us not seek to practice a penny-wise and pound-foolish economy. I am not in favor of that. I am told that in a great many sections of the country, a year or two ago, the farmers were unable to get any garden seeds at all except those that they received through their Congressmen. I do not know whether that is the situation this year or not, but it is worthy of consideration in this connection.

I am in favor of continuing this distribution, but I want to tell you that these very gentlemen who are opposed to any appropriation for garden seed are not consistent enough to refuse to accept them. If they think it is wrong, why not give them to some one else who does not regard it as petty congressional graft, as it has been termed. To my mind the man who accepts graft believing it to be such is the most consummate grafter of them all. Without mentioning any names I will say that I have gone to a number of them who say they so regard it, and I have said, "I see that you are opposed to this appropriation for sending out garden seeds. Of course, you have plenty of them to your credit, and I need them down in Kentucky, for I do not now get as many as my constituents could use properly and profitably. Will you please lend me yours?" They invariably reply, "Oh, good Lord, John, I am trying to borrow some myself." [Laughter.] They will not let you have a single package. That is the truth about it.

The gentleman from Indiana [Mr. PURNELL] himself, who makes this motion, will use every package provided for in the bill for his district. He does not expect his amendment to carry. These antiseed men bob up untiringly every year and seek to strike out the appropriation. They know that the motion is not going to be adopted. They have been beaten every time, and they are going to be beaten again. After this is all over I am going to my friend from Indiana, and I am going to ask him if he wants to give me his quota, and I will bet $10 to 5 cents that he will not do it, because he wants to send them out to Indiana. [Laughter.]

Mr. PURNELL. Why, of course I would not give them to the gentleman. They belong to my district. If the Government pays the money for them, they belong there. I do not want the Government to waste the money. I would send out skunk oil if they would send it out free.

Mr. LANGLEY. If the gentleman prefers skunk oil to garden seeds for his district, I shall not object; but I want the people of the tenth district of Kentucky to get every dollar from the Federal Treasury they can use profitably and to which they are entitled, not only for seeds but for Federal buildings, river and harbor improvements, and the building of public highways, and anything else within my reach that will inure to their benefit. [Laughter and applause.] If the gentleman does not follow the same program, I am afraid that some fellow will succeed him in Congress before long. [Laughter.]

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. LANGLEY. Yes.

Mr. KINCHELOE. In answer to the further suggestion of the gentleman from Indiana, in view of the fact that he does send them out and that his people take them, is not that a further evidence that they want them?

Mr. LANGLEY. The deduction was so self-evident that I hesitated to make the point against my genial friend from Indiana.

Mr. SAUNDERS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. LANGLEY. Yes.

Mr. SAUNDERS of Virginia. Possibly the gentleman from Indiana might be induced to move an amendment to have his district stricken from the benefits of the distribution.

Mr. LANGLEY. I wish the gentleman from Virginia would make the motion and substitute skunk oil. [Laughter.]

Mr. PURNELL. I would say to the gentleman from Virginia that that hardly befits his usual dignity. I yield three minutes to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, I hope those who are opposing this wasteful expenditure will be more successful to-day than they have been on former occasions. It would seem to me that this year, when a real effort is being made to save money on the various appropriation bills, we might muster up a better vote than heretofore.

I represent an agricultural district. There is not a city in my district with a population of more than 8,000 people. The people there are practically all farmers. I want to say to you that, so far as I know, there are no farmers in my district who believe this appropriation ought to be continued. It has been stated to me time and time again by those who receive these seeds that they are no better than can be purchased for a few cents at the corner grocery store. If we were sending out to the farmers a new variety of seed, a rare variety of seed, a kind of field seed that could not be bought at the corner grocery store or from regular seed dealers, then there might be some excuse for continuing this expenditure. The fact is that these seeds can be bought in any town or village. I want to say also that the people of the country are not being fooled at all. They understand what it means. I do not think it adds anything to the dignity of a Congressman to come here session after session and vote for such a proposition as this. There are very few people in the country now who do not understand that the seeds are being sent out largely as an advertising scheme, and it is not especially creditable to the membership of this House to continue the farce any longer. The statement made by the gentleman from Indiana [Mr. PURNELL] is a good, straight argument—a convincing argument for getting rid of this expenditure now for all time. If it ever did have any value to the country, that time has long since expired.

Mr. LANGLEY. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, if there is any one thing particularly which has made Senators and Representatives ridiculous from New York to Galveston, from Norfolk to San Francisco, it is the free-gift garden-seed proposition. If we only knew exactly what our people thought about this subject and how much ridicule they and our newspapers heap upon us every time we spend the people's money on these measly little old packages of garden seed with our franks on them we would stop it. It is a useless expense.

Mr. FOCHT. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. I am sorry, but I can not yield. I would yield if I had the time.

But if the people do want the seed, adopt my amendment and let them have it, but take the politics out of it. Take our names off the packages. Can not you render sufficient valuable service to your people here, if they elect you, without sending them this measly little package of garden seed? I propose a plan to eliminate the politics, to take our franks off of the packages, and let the Agricultural Department send them out. Then you would see how soon Congress would cut the appropriation. If you cut the frank off you will not make an appropriation. You will lose your interest in the farmers, as you call them.

Let me tell my good garden-seed friend from Mississippi [Mr. CANDLER] that his farmers down there would rather that the taxes be cut down, so that they could buy their own garden seed, than to have us tax them this enormous sum of money every year to send them a little 10-cent package. I want to cut it off. I am going to vote for the amendment of the gentleman from Indiana [Mr. PURNELL] to cut them out entirely, but if we do not do that, then let us take politics out of it by adopting my amendment, and let us put seed mailing in the Agricultural Department, where it belongs, and let the Agricultural Department send the seed out. We could furnish the lists. You say they do not know to whom to send them. We can furnish them the lists of our constituents. Let the people understand that it is their money that is being spent so freely. It is not a present that their Congressmen and Senators and Delegates send them every year. It is bought with their own money. It is foolishness and ought to be stopped.

I will tell you how much I think about it. I have not even yet sent the names to the Agricultural Department for my allotment. I have been too busy trying to do something more valuable for my people than sending this garden seed out. I have not even sent the names in yet. I have not had time to begin addressing the franks. My people have not bothered me about them.

I want to tell you right now that if we mean economy we could save this $300,000 this year and we can take that much off of the taxes. Are you going to do it?

The CHAIRMAN. The time of the gentleman has expired.

Mr. PURNELL. Mr. Chairman, I yield three minutes to the gentleman from Texas [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MANSFIELD. Gentlemen, I hope I will not be accused of playing politics when I tell you that I am for both of these amendments. I shall vote first for the amendment introduced by the gentleman from Kentucky [Mr. LANGLEY]. If that fails, or if it carries, I shall then vote for the amendment offered by the gentleman from Indiana [Mr. PURNELL] to strike out the whole proposition. In my honest opinion it is a first-class nuisance to have a Congressman called upon to send out garden seed over the country. [Applause.]

I represent purely an agricultural district. There is not a town in that district with 10,000 inhabitants. My people are devoting their time to the raising of cotton and rice and agricultural products of all kinds, and especially in the growing of truck in the coast region of Texas, and I assure you there is no better country on the face of the earth for truck growing than in that coast section.

As the garden-seed business is at present, I consider it a nuisance, as I have told you. In the past three years I have received an average of one package for every five families in my district. I either want sufficient for all of them or I want none. Those who can not get them are as much entitled as those who receive them. And inasmuch as the amendment offered by the gentleman from Kentucky [Mr. LANGLEY] is to be voted upon first, I shall support that amendment, and, whether it is carried or not, I shall then vote for the amendment offered by the gentleman from Indiana [Mr. PURNELL] to strike the thing from the books altogether. If there ever was a time when this was necessary, in my judgment that time has passed. I do not believe the people of this country desire to have this expense saddled upon the taxpayers at this time. We have all the burdens of taxation we can afford, and I think it is the time to commence curtailment and apply the pruning shears on expenditures. But if the Congress proposes to continue the system, then we ought to increase the appropriation, as the amount stated in the bill will be entirely insufficient. Why should we appropriate an amount suffi-

cient to supply less than one-third of the people? How can we justify our conduct in voting to give the seeds to one constituent and denying them to two or three others? I want them for all or for none.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PURNELL. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. FAIRFIELD].

Mr. FAIRFIELD. Mr. Chairman, I doubt if any member of this committee would insist that this is necessary legislation. At least there might be some difference of opinion as to whether it is wise legislation at this particular time. I doubt very much whether there will be a single additional garden seed planted just because we distribute these seeds. [Applause.] I doubt very much whether there will be any considerable increase, even noticeable increase, in the total production of agriculture in this country because we have seen fit to spend nearly a quarter of a million of dollars for the distribution of seeds. To a great many men this whole matter is a matter of ridicule. I would not say that it has no value, for that would be wide of the mark. Extravagant statements of that kind seldom appeal or convince. But that it has a value equal to the amount of money that is expended is a very doubtful question.

Mr. RUCKER. Will the gentleman yield?

Mr. FAIRFIELD. Certainly.

Mr. RUCKER. If a package of these seeds should get into the hands of a poor laboring man or a poor widow and enable him to raise a garden, would it not be of some value there?

Mr. FAIRFIELD. Certainly it would be of some value there; but a poor laboring man or a poor laboring woman who has secured a garden and is able to have it plowed and has the time and is able to secure the tools for its cultivation would not necessarily be deprived of that garden because he did not receive a 15-cent package of seed.

I think we beg the question sometimes. I am not saying that this seed distribution has no value; but we have dealt in large sums here to such an extent that we think it insignificant to save to the Treasury nearly a quarter of a million dollars of money that is absolutely needed. There are a great many people who look upon this seed distribution as a useless expenditure. So far as the distribution is concerned, my own idea is that the seeds belong to the people and not to Republicans or to Democrats. But it is an annoyance, a nuisance, a difficult thing to secure an equitable distribution of the seed, and I this year got mine out of the way as quickly as possible by sending the seed to the newspapers in my district, both Democratic and Republican, and asking them to advertise the fact that they had received the seed and that the people who really wanted them might call for them.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. LANGLEY. Mr. Chairman, I yield three minutes to the gentleman from Indiana [Mr. BLAND].

The CHAIRMAN. The gentleman from Indiana is recognized for three minutes.

Mr. BLAND of Indiana. Mr. Chairman, when I first came to Congress I was as rantankerous against the congressional distribution of garden seed as my friend from Texas [Mr. BLANTON] seems to be now. I learned in the early stages of my experience here that in order to rank as a statesman you had to take a position against the congressional distribution of garden seeds. [Laughter.] However, I endeavored to find out what my people in the district desired with respect to this matter, and to that end I sent out at my own expense 54,000 letters of inquiry with a return card, on which a 2-cent stamp could be placed, and in answer to those letters I received 22,500 replies, to the effect that the seeds were wanted by the writers. My friend a moment ago said that he sent his quota out to the newspapers of his district. Most Members of the House who oppose the free distribution of seeds send them out that way if they send them out at all. It takes some time and work for a Congressman to send the seed out to the right persons—that is, to the persons who can use them. It requires attention and care and considerable expense to do the job right, and I take it that when this custom was first started that it was intended by Congress that since the Member had an acquaintance with his district, he would send them out to those who needed them. If you send them out to the newspapers or to the post office and let them be distributed in that manner, in nine cases out of ten the newspaper men or the postmaster wants to get rid of them as soon as he can. Arm loads are carried out by those who can not use many of them. Many of them, no doubt, find their way to the gutter. The farmer is not going to drive to town and go to the newspaper to get a package of garden seed, and only a few of the deserving garden raisers of the cities and towns will do so, but they usually appreciate and make good use of a package that comes to them through the mail.

I recall a speech our present President made somewhere in Ohio, as I remember it, where he estimated that the increased raising of gardens in 1918 saved something like $500,000,000 worth of food, which we were enabled to furnish to our soldiers and our Allies, and he spoke with highest praise of the people's efforts to increase garden products. One of the ways to decrease the cost of living is to encourage and stimulate production of garden materials. According to the estimates I have heard made here to-day it only costs about $75 to furnish my district with about 20,000 packages of garden seed. I am sending out about 23,000 packages. My allotment is not that large, and necessarily I have to obtain the difference from some of these statesmen who are opposed to sending them out, or, rather, I hope to get them from the Agricultural Department, which is enabled to furnish them by reason of the disinclination of some Members to send them out. Now, I can assure you that it costs me much more than the value of the seeds to find out who wants them and send them to them. As far as I am personally concerned, I feel like a great many others feel, that it is an expense and a great amount of work that could be taken from a Member of Congress by failing to make an appropriation for the Agricultural Department to buy them, but I want to say that the results in my district from the distribution of seeds are good. It was worth the money. [Laughter.]

Mr. WILLIAMS. You say they did you some good? [Laughter.]

Mr. BLAND of Indiana. Yes; it did me good, and it did my district good in increasing garden products; and it will do your district some good, Mr. WILLIAMS, if you will send yours out in that way. I am satisfied that most of the opposition to the appropriation for garden seeds comes from the men who do not want to shoulder the responsibility of sending them out in the proper way, and I am willing to concede if they are merely dumped in a few places in the district they will not make a very good showing. The gentleman from Texas said that he would not even send his list over to the Secretary of Agriculture. I venture to say he has no list. If he had a list of those who had expressed themselves as desiring garden seed and would spend his time in franking them the Government packages of seeds, I have no doubt but what the results would have been much better than for him to spend so much time making points of no quorum in the House. You send men out through the country at high salaries to vaccinate hogs for hog cholera, to teach the people how to make cottage cheese, and a hundred other things. You employ 750 messengers in the Agricultural Department alone. None of your statesmen-economists rave very much about this expense, but when it comes to the proposition of furnishing free of charge to every person in the district who desires and ought to have a package of seeds to stimulate production, then you raise the cry about economy and say in defense of your position that Congress is being ridiculed about the distribution of garden seeds. Of course, if you send them out to your general list and some go to a man who lives in an apartment house and has no garden, he will immediately say that the distribution of garden seed is a failure, and he will probably write you or tell you of what a small business you are engaged in. He would not consider that there are thousands of people in your district who can and will use them profitably, and in so doing stimulate production, increase varieties, and reduce the cost of living. It seems to me that it is a poor time to discontinue the distribution of seeds. I believe I have given it a fair test in my district. I know I have hundreds of influential men who do not believe in it, but in most instances they have no occasion for planting seeds; but I am quite sure that they are not opposed to the judicious and economical distribution of them among those who really will use them. I regret very much that it is not possible for me to send to my constituents other varieties of seeds than those contracted for by the department. I have a great number of calls for tobacco seed, different varieties of beans, different kinds of corn. I believe the Government could be helpful to the people in determining what character of seed would thrive best in the different communities, and if these seeds were furnished it is reasonable to suppose that good would result from it. Of course, this kind of distribution would be very expensive and probably impracticable to handle on a large scale, but I have heard no argument here to-day that will justify a discontinuance of the judicious distribution by Members of Congress of select varieties of garden seed. I have heard arguments which convinced me conclusively that the functions to be performed by Members of Congress in connec-

tion with their distribution have been sadly neglected in a great many districts. It seems that the fault is with us and not with the law.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. PURNELL. Mr. Chairman, I yield two minutes to the gentleman from Michigan [Mr. MCLAUGHLIN].

The CHAIRMAN. The gentleman from Michigan is recognized for two minutes.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I am in favor of striking out the item altogether; it has, in my opinion, been carried too long. The Department of Agriculture, using money supplied by Congress, is doing remarkably good work in many lines, but some of its activities, forced upon it by Congress, are attracting unfavorable attention. They draw adverse criticism, not because they are not well done, but because they should never have been undertaken. Some of these activities are wrong in principle, in that they involve the performing of labor for the people that the people ought to do and are abundantly able to do for themselves; they involve the giving and supplying to the people things the people ought to provide for themselves.

These activities of doubtful propriety sometimes start with the department, due to the enthusiasm of bureau chiefs—very commendable enthusiasm if along right lines and within reasonable limits. The Constitution and decent regard for its limitations upon the duty and the authority of the Congress and the departments restrain enthusiasm to some extent; a scanty Treasury must now exert a vigorous restraint. But the Congress is itself largely at fault for starting improper lines of work and is altogether to blame for continuing them. The idea of distributing seeds began not so many years ago with an appropriation of $1,000 for the importation and distribution of foreign seeds found to be suitable for growing in this country. Out of this worthy object and this modest appropriation the present debauch has grown. In time of food scarcity, as in time of war, a wide distribution of seeds may be proper, but during time of peace and normal production it is neither necessary nor justifiable. I question no man's motive, but a Member who believes the people need or very much wish free seeds—and for that reason only he votes this immense sum of money—should support the pending amendment which provides for sending out the seeds direct from the department and not under the Members' franks. But that amendment will not be adopted, showing plainly that those who oppose it wish their own names connected with the gift enterprise. I wish as much as anyone to please the people, certainly to supply their every need, but at this time of immense necessary expenditure, burdensome taxation, and certain deficit I can not vote, nor should the Congress vote, a quarter of a million dollars for an unnecessary if not an improper purpose.

I can see how men can vote for an appropriation of this kind who do not wish to economize in public expenditures. I can see how men can vote for this appropriation who feel no sense of responsibility for appropriations, but I can see no reason, nor is there a semblance of excuse, for such a vote by anyone who wishes to economize, especially by one who feels, or ought to feel, responsibility for what the Government is doing.

I trust the motion of the gentleman from Indiana [Mr. PURNELL] to strike out this item will prevail. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. LANGLEY. Mr. Chairman, I yield two minutes to the gentleman from Mississippi [Mr. QUIN].

The CHAIRMAN. The gentleman from Mississippi is recognized for two minutes.

Mr. QUIN. Mr. Chairman, I can not understand the viewpoint of the gentlemen who grow so parsimonious and economical when it is proposed that the poor people and the farmers of this country shall have a little consideration shown to them in the bill. [Applause.] They are here talking pretendedly for economy and saving a little dab of $150,000 or $200,000 that we formerly appropriated for the purpose of increasing our production of the vegetables that go on the table of the people of this country, and yet the gentlemen who vote to cut out such appropriations and to economize jump up here and howl in favor of spending a billion and a half dollars for conscription and universal military training in times of peace, and howl in favor of spending millions of dollars for dockyards. Some Members have gotten up and bellowed at every item which has been presented in which the poor people of this country are respected by Congress, as in this case of a small appropriation for garden seeds for planting by the people in order that their children may have good wholesome vegetable food on the tables every day in the year.

These gentlemen come up with a howl for economy. Where is it that you propose to economize? Do you propose to take bread out of the mouths of the poor, to take vegetables out of the mouths of the little children in the towns and in the factory places? [Applause.] They plant gardens. The farmers plant gardens, and they want these fine seed from the Government. All you people like the gentleman from Texas [Mr. BLANTON], who is so busy in making points of no quorum and talking against the poor people of this country, waste so much time in that way that you can not find time to send out your garden seed. You are the people who are opposed to this appropriation. The poor people throughout the country certainly desire the seed from this Government to be sent to them directly by their Congressmen. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. LANGLEY. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. FOCHT].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for three minutes.

Mr. FOCHT. Mr. Chairman, I have listened with interest to the remarks of gentlemen who have spoken here, who claim that the people throughout the country do not want the seeds, and who assert that those who do get them say they will not grow. My young friend from Texas [Mr. BLANTON] also inveighed against this proposition of sending out free garden seed. In one good long breath he wanted to abolish the seed distribution on the ground of economy, and in another good long breath he wanted the seed distribution to be made from the Department of Agriculture, and all in the name of economy. From that logic we could not decide whether he was outside trying to get in or inside trying to get out. [Laughter.]

But one thing I am sure of, and that is that the farmers of his district and the farmers of my district and the farmers of other districts would rather get a package of garden seeds from us than a speech. [Laughter.] At least I have had them send to me for garden seeds, but I have never had them send for a speech, and I am sure that that is the experience of the gentleman from Texas. [Laughter.]

Now, I will say to my young friend from Indiana [Mr. PURNELL] that I was here when there was only one Republican on the floor of this House from Indiana; now all are Republicans, and seed have been going out every year. I am delighted to see him here, and I know he is going to stay, and when he has been here longer he will know more than he does now on the subject of these seeds. [Laughter.] It will not be long until he will be around trying to get some of my quota of seeds to send to the people in his district. And I will say to my good friend from North Dakota [Mr. YOUNG] that when they get the wild and wooly Black Hills region of his State rolled down smooth enough so that things can be planted and grown there, there will come a demand for these seeds from that part of his State also. [Applause.]

My zeal in the interest of free seed is not that the rich cotton planter needs or may have them, nor that the owners of the vast wheat fields of the West need them, but that the owners of the countless modest homes in the towns and villages and countryside with attached gardens may have some share in the benefactions of our great Government, and it is my experience that nothing we have to send from here could be more beneficial to the folks of modest means than these seeds, nor could we do anything that will more greatly increase the yield of things that sustain human life, and which are more appreciated.

Therefore, in the presence of the fact that time more valuable twenty times over is weekly frittered away on this floor in attempted grand-stand displays and mediocre declamation for consumption at home than these seed will cost, I prefer to go on record for seed and the good people who want them as against the vocal unwindings that prove only a voice and suggest Hamlet's rebuke of Sage Polonius, "Words, words, words." [Applause.]

Mr. PURNELL. I yield two minutes to the gentleman from Indiana [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Chairman, in listening to this argument I have come to the conclusion that I have one of the best districts in the United States, because there does not seem to be anybody out there poor enough up to this time to ask me to vote to appropriate money to buy garden seeds.

I have been against this garden-seed proposition ever since I have been in Congress, because I came to the conclusion that it was a useless waste of money. I have taken these garden seeds which have been assigned to me and have tried to do the best I could with them, because they were forced on me, and they belong to my district. The first year I advertised in all the

newspapers in the district that I would send garden seeds to anybody who asked for them. Those advertisements were copied in Ohio, Kentucky, and Illinois, and after being copied into all those papers I received less than 1,800 inquiries for garden seeds. Those requests I supplied. I then tried the proposition of sending out garden seeds to the newspapers. I did not get anywhere with that, and this year I thought I would try the other route, and I have mailed them to everybody in my district whose name I could get, and so far I have not received any particular praise or commendation for doing it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PURNELL. I yield two minutes to my friend from Kentucky [Mr. LANGLEY] who has made a miscalculation in his time.

The CHAIRMAN. The gentleman from Indiana yields two minutes to the gentleman from Kentucky.

Mr. LANGLEY. I yield two minutes to the gentleman from Georgia [Mr. UPSHAW]. [Applause.]

Mr. UPSHAW. Mr. Speaker and gentlemen of the House, the Department of Agriculture, of course, was organized to encourage every phase of agricultural effort. And it is as clear as a cloudless sunrise that its organization and development have meant, indeed, not merely the sunrise but the sunburst of a new day in the rural life of America.

Having traveled rather widely in platform-lecture work before coming to Congress, I have had opportunity to see much of the farm-demonstration work going on, and I never meet these enterprising evangels of agricultural education and inspiration but that I feel something of the same thrill that stirs me when I go among the departments here in Washington and see this great Government with all of its symmetrical ramifications of wonder-working activity—it makes me a truer American and a better patriot.

The Department of Agriculture is doing a wonderful work under its financial limitations—mark my words, financial limitations—for it is a startling cause for contemplation that, with an annual governmental expense account of over $3,000,000,000, this Agricultural bill carries only about $30,000,000, and one-third of this amount, bless you, goes to other objects than agriculture—forestry, roads, and so forth—causes highly necessary in themselves and tremendously worthy, but not an actual part of agricultural activities. In other words, only $20,000,000 a year to encourage, to lead, and develop the most important industry—the foundation industry of all America.

And yet in face of this fact we find it necessary to vote for the Langley amendment to get the same amount for the distribution of seeds that we had last year, for the committee appropriation under the lash of the cry of retrenchment has been cut to only $239,000 for the gardens and flower yards all over the Nation.

I recognize the fact that we must buckle on our armor, put our hands in our pockets like a brave, grateful people, and pay our war debt, and that therefore retrenchment is necessary in certain directions, but let us not begin at the gardens and even the very tables of the people. [Applause.]

I confess with the gentleman from Indiana [Mr. BLAND] that before I came to Congress I used to laugh at the sending of garden and flower seeds as a part of a Congressman's duty. "Send me some garden seeds," said some of my supporting friends as I started away to Washington. And it was said as a laughing joke. But since I came here and began to feel the pulse of the people—call it a desire to please the "dear people" and come back, if you will—my mail reveals the fact that there is a widespread interest among the masses in this garden and flower seed business.

I am still laughing away down inside of me about that remark of my witty and brilliant friend, the gentleman from Pennsylvania [Mr. FOCHT], when he declared that "our constituents are more anxious for these seeds than they are for our speeches." I have a confession to make. It punctures my pride, but here goes: Since I crawled off of bed where I stayed about seven years as the result of an accident while I was hauling wood as a farmer boy, I have been selling "hot air" for a living [laughter], and to tell the truth about it, I enjoy my speeches even if nobody else does. [Laughter and applause.] But I make here the distressing confession that I have received a hundred times more requests for garden and flower seeds than I have for my speeches. [Laughter and applause.]

Only a few days ago I sent 50 packages of seeds to one man, a superintendent of a factory, who said he wanted to encourage his employees to plant gardens in the burnt district of Atlanta and to make their homes more attractive by beautifying their yards with flowers.

This, gentlemen, is not politics, as has been suggested; it is patriotism; it is common sense; it is production; it is a part cure for the high cost of housekeeping; it is personal and national economy; it is encouragement to the people at the very foundation of things.

BEECHER AND GRADY ON FLOWERS AND HOMES.

Henry Ward Beecher used to say that if he were traveling through a strange country and were looking for a place to stay all night he would keep on going until he found a house with flowers in the yard, for he knew that refinement and love must reign in the home where beautiful flowers smiled outside.

God smiled and the flowers bloomed,
Some poet grandly said,
And woman was the fairest flower
That raised her sun-crowned head.

Henry Grady declared in his great speech at the University of Virginia: "Teach a man that his sovereignty lies beneath his hat, link him to a spot of earth, and his loyalty will save the Republic when the drum tap is futile and the barracks are forever deserted."

And I love to think of the happy home of the plain, everyday citizen, the home that is his haven of rest and love and hope, surrounded by flowers of beauty and fragrance, all the more beautiful to him because of the deft and delicate touch of the noble little woman who is the wife of his bosom and the mother of his children—I love to think of him, I say, loyal defender of the flag that lifts its protecting folds above that happy home, coming home at nightfall and finding his wife standing with their laughing children amid the flowers that bloom about their home like the very smile of God, ready to give him the kiss of welcome that drives away "the cares that infest the day," and making him feel that for such a home he is ready to work and to live, and if need be to die. [Applause.]

Gentlemen of the House, I want this Government to do everything possible to link itself to the faith and the affections of that home. And if the flowers in that yard and the vegetables in that garden came largely from governmental help and encouragement it serves to make better patriots out of the boys and girls who planted them and feast upon them, and likewise of the father and mother who enjoy their beauty and their bounty. Every time a school boy or girl writes me for seed for the yard or the garden I send a letter seeking to encourage them in their worthy efforts. I thank God that I was reared by a father who taught me the wholesome doctrine that "every boy ought to know how a tired man feels"; and I know of nothing except the holy inspiration of a family altar that is more needed for the building of a steady stamina among the boys and girls of to-day than to encourage them to work—to work some every day—to beautify their home, to fructify their gardens, and to look with eager pride upon everything that brings happiness and prosperity to their parents, their home, their community, and their country.

HOME INDEPENDENCE A FOUNDATION NECESSITY.

And this thought is close akin to that other thought which is a foundation necessity in every home, and more especially in every farmer's home. I can never get over the feeling produced in my boyish heart by the incongruous picture of seeing some of our neighbors hauling hay and corn and meat by my father's home, which they had bought from some merchant in Marietta, Powder Springs, or Atlanta, who had agreed to "run" them with supplies to make their crop. And while farm demonstration and the farm-loan bank have done a great deal to help change this condition of dependence among the farmers, I still feel constrained, for the sake of those who have not yet become emancipated, to call all the farmers in the land before me, especially those in my own district, and issue to them this one ringing injunction "Live at home! Live at home! Live at home! Tax your genius and your industry to raise everything that the family needs at home, and your surplus will spell your financial independence!" Such a course will go a long way toward helping to solve many of the problems that confront and confound this Nation to-day. And as an encouragement to this good end I believe that the Department of Agriculture ought to be voted by this Congress a hundred millions instead of twenty millions a year. This Government can no longer afford to be "small" in its handclasp of encouragement to the man who feeds and clothes the world. [Applause.]

Mr. PURNELL. I yield two minutes to the gentleman from Illinois [Mr. WHEELER].

Mr. WHEELER. Mr. Chairman, every day you will hear economy preached on the floor of this House, particularly by the Members on the other side. At the same time the majority of those who are preaching economy vote for every tomfool, unnecessary appropriation that comes before the House. I do not blame our Democratic friends for doing that, because when they vote for all these appropriations the expenditures of the Government are increased, and next fall they will go out in their campaign and criticize the "extravagant Republican Congress."

The facts are that the seed houses from which the Government secures these seeds send us those left from their sales of a year or two prior.

In the face of all that some of the Republicans on this side permit the wool to be pulled over their eyes.

Talk about the farmer wanting these seeds! I have a district that is a farming district. I have never received 10 requests from the farmers of my district. They do not want the seeds. The fact of the matter is that the people are very much mistaken as to the quality of these seeds. Seventy-five per cent of them will not grow. They are not fertile. The people believe that the Government has a great big farm where these seeds are produced. They think the seeds are absolutely all right because the Government raises them. That is absolutely untrue.

Mr. LANGLEY. How much time have I remaining?

The CHAIRMAN. The gentleman from Kentucky has five minutes remaining.

Mr. LANGLEY. I yield five minutes to the distinguished gentleman from Mississippi [Mr. CANDLER], the Member from the Tombigbee district. [Applause.]

Mr. CANDLER. Mr. Chairman, I really did not intend to participate in this discussion, and would not do so now but for the universal requests on both sides of the House, by both Democrats and Republicans that I do so, as they say it will be impossible to pass this provision presented by our committee in our bill now pending unless I submit my views on this great and important question. [Applause and laughter.]

You will always notice that this motion to strike out this and similar provisions is always made by some distinguished gentleman who is seeking to get into the class of statesmen, and who is serving his first term. They never make the motion after they serve more than one term in this House. So this motion as usual comes from a one-termer. But the scales will drop from his eyes before his first term is out, and in the next Congress you will not hear a word from him on this subject, because he will hear from the people in the meantime, and somehow or other first-termers as well as long-termers will listen to the people when they speak, and ought at all times to do so. The voice of the people is mighty and should always prevail. [Applause.]

The gentleman from Indiana [Mr. PURNELL] said this was a pernicious practice. When did it become pernicious? He said the people do not want these seeds, although the requests for them come every day to every Member from all over the country. I dare say the gentleman from Indiana receives such requests himself practically every day. I picked up indiscriminately this morning this great bunch of requests I hold now in my hand that came to me to-day. They come in great numbers every day. The last one I happened to pick up, and here it is, says: "I am a little girl only 11 years old; I would thank you very much if you would send me some flower seeds."

These requests come from gentlemen and from ladies, from boys and from girls, and I ask you, my friend from Indiana, as I look into your face, handsome and intelligent as you are, can you turn a deaf ear to the voices of the little girls throughout the United States of America who want to plant these seeds, who are writing to you and to me and to others requesting us to send them? I do not believe you are so hard-hearted. If you, my dear friend, have any doubt as to what you should do, ask your courteous, chivalrous, handsome, and brilliant little son Fritz Purnell and he will tell you to vote for these little girls. He would vote for them if he was here and I now prophesy he will be here some day and have the opportunity to do so. [Applause.] The gentleman from Indiana said we were appropriating $1,500,000 in this bill for farm extension. Yes, and under that appropriation the boys' and girls' clubs throughout the country are encouraged and largely formed, and they want these seeds and they utilize them, and they write to the Members of Congress for them. If you want to make this farm extension work popular and effective, there is no better way to do so than to send some of these seeds to the boys and girls composing these clubs. A lot of these seed can be utilized in that way. If you will calculate you will find that if this appropriation was paid for by the farmers themselves it would not cost as much as 1 cent apiece to the farmers throughout the country, and when it will be paid, not by the farmers alone, but by all the people, the cost is so infinitesimal it is impossible of calculation.

Will you take the little package of seed away from the gentlemen, ladies, boys, and girls who write for it when it is the only direct communication that they receive from the Government of the United States that goes to them individually and personally? [Applause.]

You talk about economy, and you want to economize by taking a small package of seed from the farmers of America. If that is the character and extent of the economy which you propose to practice you will not get very far with it. You had better go to work and save hundreds and thousands and millions of dollars in the large, and in some instances extravagant, appropriations, in which effort to save money I will join you, rather than to begin your economy by saving a few cents by taking these seeds from the farmers of the land.

The school gardens are places where you can accomplish great good by the distribution of seeds. It is estimated by the Department of Agriculture that the value of the products that come from the school gardens in the United States of America amounts to millions of dollars each year. They further estimate that the value of the products grown from these seeds distributed by Congress amount to millions each year. So when you get down to the actual value of this investment the results mount up into millions. Therefore I say it should be continued and the motion of the gentleman from Indiana [Mr. PURNELL] to strike out the provision in the bill making this appropriation should be defeated, and I hope it will be. So long as my constituents, gentlemen, ladies, boys, and girls, want these seeds and show their desires by writing for them I want to send them to them. I am their servant here, and my earnest purpose, intention, and desire is at all times and in everything to represent the views of my constituents and respond to their requests on all occasions, and I believe my constituents will agree that I do so. [Applause.]

Mr. PURNELL. Mr. Chairman, I yield one minute to the gentleman from California [Mr. ELSTON].

Mr. ELSTON. Mr. Chairman, I am in favor of striking out this paragraph. This bill appropriates between thirty and forty millions of dollars for the legitimate interests of the farmer. This appropriation of $250,000 is in the nature of a prize or grab-bag business, a gratuity to people who have no serious need for it whatever. I believe that if we are in earnest in striking out needless appropriations and wasteful expenditures, we can best begin with this item. This seed distribution does some good; but the good that it does is nowhere commensurate with the $250,000 that we spend each year for the purpose. Some one has said here that the people like to have the seeds. Of course they do. They like to have anything they get free. If we should announce here that each constituent would be entitled to a dollar bill from his Congressman, there would be a general scramble for the gift, and all of them would be disappointed if we did not continue the practice. I am in favor of cutting out this item.

Mr. PURNELL. Mr. Chairman, I realize that anything I may say in conclusion will not influence a single vote. There has been a great deal of facetious discussion in connection with this amendment, but the fact remains that to continue this appropriation for the distribution of congressional seeds is nothing more or less than cheap, legalized, congressional graft. I repeat this is the first opportunity we have had during the consideration of this bill to apply the acid test to those lip economists who preach economy but practice profligacy with the people's money. God have mercy upon your political souls; the people should not. I hope the amendment striking out the section will be agreed to and that we may start off with a new set of books in this hour of the Nation's financial crisis.

Mr. LANGLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LANGLEY. I have had read for the information of the committee a proposed amendment. I now offer that amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 39, line 9, strike out the figures "$239,462" and insert in lieu thereof the figures "$358,980."

Mr. BLANTON. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BLANTON. It is unauthorized by law and is new legislation.

The CHAIRMAN. This amendment simply increases the amount contained in the paragraph. No point of order having been made to the paragraph, a point of order does not now lie, in the opinion of the Chair.

Mr. MANN of Illinois. Mr. Chairman, is there another amendment?

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] has offered an amendment for the information of the committee, which the Chair understands he intends to offer.

Mr. BLANTON. Mr. Chairman, I offer that amendment now.

The CHAIRMAN. The question is first on the amendment offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. BLANTON and Mr. PURNELL) there were—ayes 87, noes 99.

Mr. LANGLEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. LANGLEY and Mr. PURNELL to act as tellers.

The committee again divided; and the tellers reported—ayes 89, noes 104.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 31, line 7, strike out the word "or" and insert in lieu thereof the words "to be." On page 31, line 8, strike out the words "addressed franks" and insert in lieu thereof "list of constituents, all of such seed to be mailed under frank of said department."

Mr. LANGLEY. Mr. Chairman, I make the point of order that the proposed amendment would change existing law, which now provides the method of sending out these seeds. It would be new legislation on an appropriation bill, which is in contravention of the rules.

Mr. BLANTON. Mr. Chairman, the present bill is an appropriation bill, and it seeks as has been done in some other appropriation bills to provide that seeds, as heretofore, shall be sent under congressional franks. That is not law. It is merely a provision on an appropriation bill. There is nothing on the previous appropriation bills to indicate that it was intended by Congress that this should become permanent law. Therefore, it is clearly a temporary provision on an appropriation bill which dies at the end of the year for which that appropriation bill was passed. In any event, it does not change fundamental law. It merely provides the means by which the Agricultural Department shall go about the distribution of public seeds. To say that because in a previous appropriation bill the Congress has seen fit to permit Representatives and Senators to send seeds out under their frank that therefore Congress has not the same right in a subsequent appropriation bill to provide for a different manner of distribution would be ridiculous. It is not a change of law. It merely provides the means whereby the distribution of the seeds may be made.

Mr. LANGLEY. Mr. Chairman, my point of order is that it would change existing law, as it proposes to have the distribution made in a certain way, when existing law provides a different way. That is obviously new legislation and subject to the point of order. It seems to me that argument on the point is superfluous.

Mr. BLANTON. Mr. Chairman, this provision is not permanent law. This provision does not seek to change the purpose and intent of the bill or the purpose and intent of the section. The purpose and intent of this section is the distribution of garden seeds by the Agricultural Department, not the distribution of garden seeds by the Members of Congress. This is an appropriation bill, a bill which applies particularly and specifically to the Agricultural Department. Surely the Chair will not hold that a provision providing that the Agricultural Department itself will distribute the seeds that naturally would come from that department is new legislation on an appropriation bill, the particular subject before the committee being the distribution of garden seed.

Mr. MANN of Illinois. Mr. Chairman, all of this part of the paragraph at least is legislation. It provides that five-sixths of all the seeds shall be allotted for distribution in the respective districts. It provides that Members of Congress shall furnish franked slips to the department for the department to send out the seeds. That is legislation of itself. It certainly is in order to provide that instead of Members of Congress sending franked slips to the Department of Agriculture they shall send lists to the Department of Agriculture. In fact I fail to see any substantial difference between the proposition in the bill and the proposition of the gentleman from Texas. In the one case the Department of Agriculture is furnished franked slips by the Members of Congress and pastes franked slips on the packages of seeds and mails them, and in the other case, as proposed by the gentleman from Texas, a Member of Congress furnishes a list of names, notifies his constituent that he has given the name of the constituent to the Department of Agriculture to receive a package of seeds, and the Department of Agriculture writes a franked slip and pastes it on the seed package and mails it. It is quite within the power of Congress to determine in a bill which of these methods shall prevail, and this being all legislation in the bill, it certainly is subject to an amendment to change the method of transacting this business from tweedledum to tweedledee.

The CHAIRMAN. Will the gentleman from Illinois permit an inquiry?

Mr. MANN of Illinois. Certainly.

The CHAIRMAN. On May 19, 1902, Congress passed a resolution which provided that the Public Printer should furnish the Department of Agriculture such franks as the Secretary might require for sending out seeds on congressional orders, the franks to have printed thereon the facsimile of the signatures of the Senators, Representatives, and Delegates, and also the names of their respective States or Territories and such other printed matter as the Secretary may direct, the franks to be of such size, and so forth.

Now, the amendment of the gentleman from Texas provides that the seed shall be mailed under the frank of the Department of Agriculture. The Chair would like to ask the gentleman from Illinois if the amendment does not change the purpose and intent of the joint resolution of May 19, 1902, which provides for the printing of these slips with the Members' franks on them?

Mr. MANN of Illinois. I do not think so at all, Mr. Chairman. We provide by law for the printing of ordinary frank slips. We mail farmers' bulletins under frank slips. No one would contend that we would have to make an appropriation to print farmers' bulletins. No one will contend that because of that law providing for the printing of frank slips for sending out seed we have got to make appropriation for the seed at all. That is only a law covering a case when it arises, but if we do not authorize the sending of these seeds under Members' franks, of course, the law has no application. That is true, but there is nothing obligatory on Congress to say that seeds have to be sent that way. That is only in case a provision arises where Members send out the seeds themselves.

Mr. MADDEN. I would like to call the attention of the Chair to this phase of the situation. Rule XXI, section 2, provides that no legislation on an appropriation bill shall be in order which increases the amount of the appropriation or which on its face does not indicate a reduction in the amount to be appropriated. And I want to call the attention of the Chair to the fact that the imposition of the work of addressing the slips and sending out the seeds, provided for in this section of the pending bill, will add materially to the expense of the Agricultural Department and thereby brings the amendment outside the rule.

Mr. MANN of Illinois. Will my colleague yield?

Mr. MADDEN. Yes.

Mr. MANN of Illinois. It would all have to be done under this appropriation by reducing the number of seed sent out, and I do not see how it would increase the expense of the Agricultural Department.

Mr. MADDEN. It might increase the expense by compelling them to employ additional clerks, and then they would come to the Committee on Appropriations of the House for a deficiency.

Mr. MANN of Illinois. They would have to meet all the expense out of the appropriation for this item.

Mr. MADDEN. I am not sure whether they would or not. My colleague would not deny that they would have the power to create a deficiency?

Mr. MANN of Illinois. They would not have the power to create a deficiency.

Mr. MADDEN. If they did, then what?

Mr. MANN of Illinois. If they created it, I do not know then what. [Laughter.]

Mr. MADDEN. I just want the Chairman to take that into consideration in his decision.

Mr. SAUNDERS of Virginia. As I understand, the matter read by the Chair provides certain specific legislation in reference to this seed distribution. It must be perfectly apparent that no amendment offered on the floor can repeal that law. If it changes it in any degree, that modifies the legislation, and on an appropriation bill it is not in order.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] offers an amendment which, if adopted, will make the language in lines 7, 8, and 9, page 31, read as follows:

For distribution among their constituents, to be mailed by the department upon the receipt of their list of constituents, all of such seed to be mailed under the frank of said department in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine.

The gentleman from Kentucky makes the point of order that that amendment is new legislation and changes existing law. The Chair has already called attention to the fact that on May 19, 1902, Congress passed a joint resolution, as follows:

That the Public Printer shall furnish to the Department of Agriculture such franks as the Secretary of Agriculture may require for sending out seeds on congressional orders, the franks to have printed thereon the facsimile signatures of Senators, Representatives, and Delegates, also the names of their respective States or Territories, and the words "United States Department of Agriculture, Congressional Seed Distribution," or such other printed matter as the Secretary of Agriculture may direct; the franks to be of such size and style as may be prescribed by the Secretary of Agriculture; the expense of printing the said franks to be charged to the allotment for printing and binding for the two Houses of Congress.

That is found in 32 United States Statutes at Large, Public resolution 23.

It is true, as the gentleman from Illinois contends, that the language to which the amendment is offered provides for legislation, but it provides for legislation, in the view of the Chair, which is authorized under that resolution, namely, to provide for the sending out of the seeds, the franks for which are authorized to be printed upon requisiton of the Secretary of Agriculture.

The amendment of the gentleman from Texas seeks to change the method of sending these seeds out under the addressed franks of the Members of Congress and Delegates, so that they shall be sent out under the frank of the said department. If the legislation to which the amendment is offered were subject to a point of order, and no point of order was lodged against it, any germane amendment would be in order to perfect it even though it might possibly repeal or modify the existing law. But, in the view of the Chair, the language of the bill is legislation which is authorized by existing law and is such legislation as would not be subject to a point of order, while the amendment of the gentleman from Texas is such as to amend, modify, and change what seems to the Chair to be the plain meaning and intent of the resolution which the Chair has read, and which is existing law, and would not be in order to this paragraph of the bill. That is to say it is new legislation, its effect being to change existing law in a manner which is hardly within the requirements of the rules of the House, relating to legislation on a general appropriation bill. The Chair therefore sustains the point of order. The question is on the amendment offered by the gentleman from Indiana [Mr. PURNELL], to strike out the paragraph.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. PURNELL. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 71, noes 130.

So the amendment was rejected.

Mr. BANKHEAD. Mr. Chairman, I would like to ask unanimous consent to revise and extend my remarks on the pending bill.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to revise and extend his remarks on the pending bill. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. MANN of Illinois having resumed the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, announced that the President had, on February 7, 1920, approved and signed bills of the following titles:

H. R. 5348. An act for the relief of Mrs. Thomas McGovern; and

H. R. 8953. An act to authorize the incorporated town of Ketchikan, Alaska, to issue bonds for the construction and equipment of schools therein, and for other purposes.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Salaries, Forest Service: One forester, who shall be chief of bureau, $5,000; 1 chief of office of accounts and fiscal agent, $2,500; 1 inspector of records, $2,400; 7 district fiscal agents, at $2,120 each; 1 forest supervisor, $3,240; 1 forest supervisor, $2,880; 8 forest supervisors, at $2,500 each; 16 forest supervisors, at $2,380 each; 44 forest supervisors, at $2,180 each; 60 forest supervisors, at $1,980 each; 5 forest supervisors, at $1,780 each; 1 deputy forest supervisor, $1,980; 4 deputy forest supervisors, at $1,880 each; 25 deputy forest supervisors, at $1,780 each; 28 deputy forest supervisors, at $1,680 each; 15 deputy forest supervisors, at $1,580 each; 11 forest rangers, at $1,620 each; 23 forest rangers, at $1,520 each; 78 forest rangers, at $1,420 each; 288 forest rangers, at $1,320 each; 590 forest rangers, at $1,220 each; 1 clerk, $2,100; 4 clerks, at $2,000 each; 19 clerks, at $1,800 each; 21 clerks, at $1,600 each; 9 clerks, at $1,500 each; 23 clerks, at $1,400 each; 9 clerks, at $1,300 each; 138 clerks, at $1,200 each; 95 clerks, at $1,100 each; 54 clerks, at $1,020 each; 30 clerks, at $960 each; 122 clerks, at $900 each; 2 clerks, at $840 each; 1 clerk, $600; 1 clerk or proof reader, $1,400; 1 clerk or translator, $1,400; 1 compiler, $1,800; 1 draftsman, $2,000; 2 draftsmen or surveyors, at $1,800 each; 3 draftsmen, at $1,600 each; 1 clerk or compositor, $1,600; 3 draftsmen or surveyors, at $1,660 each; 16 draftsmen or surveyors, at $1,500 each; 6 draftsmen or surveyors, at $1,400 each; 2 draftsmen, at $1,500 each; 9 draftsmen, at $1,400 each; 4 draftsmen, at $1,300 each; 16 draftsmen, at $1,200 each; 2 draftsmen, at $1,100 each; 3 draftsmen, at $1,020 each; 1 draftsman, $1,000; 1 draftsman, $960; 12 draftsmen or map colorists, at $900 each; 1 draftsman or artist, $1,200; 1 draftsman or negative cutter, $1,200; 1 artist, $1,600; 1 artist, $1,000; 1 photographer, $1,600; 1 photographer, $1,400; 1 photographer, $1,200; 1 photographer, $1,100; 1 lithographer or photographer, $1,200; 1 lithographer's helper, $780; 1 blue printer, $900; 1 blue printer, $720; 2 telephone operators, at $600 each; 1 machinist, $1,260; 2 carpenters, at $1,200 each; 3 carpenters, at $1,000 each; 1 carpenter, $960; 1 electrician, $1,020; 1 laboratory aid and engineer, $1,000; 9 laboratory aids and engineers, at $900 each; 2 laboratory aids and engineers, at $800 each; 1 laboratory helper, $720; 1 laboratory helper, $600; 1 packer, $1,000; 1 packer, $780; 4 watchmen, at $840 each; 2 messengers or laborers, at $960 each; 3 messengers or laborers, at $900 each; 4 messengers or laborers, at $840 each; 3 messengers or laborers, at $780 each; 5 messengers or laborers, at $720 each; 6 messengers or laborers, at $660 each; 5 messenger boys, at $600 each; 2 messenger boys, at $540 each; 3 messenger boys, at $480 each; 3 messenger boys, at $420 each; 13 messenger boys, at $360 each; 1 charwoman, $540; 1 charwoman, $480; 1 charwoman, $300; 11 charwomen, at $240 each; in all, $2,488,180.

Mr. BLANTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 34, line 15, after the word "each," strike out the balance of the line, and all of lines 16, 17, 18, 19, 20, 21, and 22, and down to and including the second "each" on line 22, and insert in lieu thereof the following: "Ten messenger boys at $600 a year."

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. ANDERSON. Mr. Chairman, for the present, I object. I want to hear what the gentleman has to say, first.

Mr. BLANTON. Mr. Chairman, I will state to my good friend from Minnesota that I am still working on this useless messenger service. Saturday, when I offered amendments to cut down the messenger service in this bill from 743 messengers to 22, there followed a debate in which almost every participant admitted that there were too many messengers. And yet when the vote came we could get only 10 votes mustered in favor of retrenchment. I want to show my colleague from Minnesota what some of these gentlemen said.

Mr. MONDELL said:

It is no doubt true there are too many. Those of us who visit these departments believe there is an unnecessary number of clerks and probably an unnecessary number of messengers in many of them.

Then Mr. MANN of Illinois, the great leader on that side of the House, said:

Now, I am inclined to agree very largely with some of the suggestions made by the gentleman from Texas. I have no doubt there are too many messengers in the Agricultural Department and in every other department of the Government. The Committee on Agriculture has more important duties to perform than finding out what each one of the 700 messengers in the department is doing. I am inclined to think that it would not hurt anybody in the end if we very materially reduced the number of messengers, who are now so thick that they fall over each other in every department. [Applause.]

You will note that he received applause.

This is what Mr. MCLAUGHLIN of Michigan, a member of the Committee on Agriculture, said:

There are too many employees. [Applause.] Why does the bill still provide for too many? Because the Committee on Agriculture was unable to get assistance or suggestions from heads of bureaus as to where cuts could properly be made in the bill, cuts that the majority of the committee said were necessary. * * * We could not eliminate the excess; we could not tell which clerk, which watchman, which messenger should be refused, and we received no suggestion from anyone connected with the department as to which of them could be eliminated. * * * And another thing that makes the number of employees in that department larger than it ought to be is that every one of them is under civil service, and time after time the heads of the bureau, in answer to inquiries, have told us that there are clerks and other employees on the rolls who are incompetent. We asked why incompetents are not dismissed, and the answer was that they are under civil service; that if one is to be gotten rid of there must be charges and a trial, so the bureau hesitates, and that is one of the reasons they do not proceed against anyone.

Now, from Mr. MADDEN, the majority sage on departmental affairs—I will read what he says on pages 2611 and 2612 of the RECORD:

I think that it will be admitted by every man here that if there ever was a time when we should pare to the bone that time is now. It is conceded by every impartial observer that in all the branches of the Government service in the District of Columbia we have more than 40,000 people who are not needed, but you can not get the cooperation of any man in the Government service to eliminate them from the pay roll. * * * And I am perfectly willing to enter upon a campaign now to assist in the elimination of every unnecessary employee.

Mr. BLANTON. Then vote for my amendment.

Mr. MADDEN. I will. I intend to vote for the gentleman's amendment. * * * We had about 30,000 people on the pay roll in Washington when the war came on, and to-day we have 110,000. Does anyone believe that 110,000 clerks are needed here in these days of peace? Not at all.

Now, let us see what was said by Mr. HAUGEN, the chairman of this committee. Here is what he says on page 2612 of the RECORD:

It was suggested to a representative of the department that he might indicate what cuts could best be made in the bill. He indicated that he would like to accommodate the committee, but I inferred that it would be embarrassing to him to suggest a cut in one bureau and not in another. * * * The committee can not go to the departments to find out how many messengers they must employ and how many they need. We must take their word for it. * * * We may have more messengers here than we ought to have, and I think they have more in the departments than they ought to have.

Now, let us see what Mr. TILSON, the expert parliamentarian from Connecticut, says about this matter on page 2613 of the RECORD:

Contrary to what has been done in most other cases, this particular item has been increased and the number of employees as well in a considerable number of instances. This item in 1918 carried $418,000 plus; in 1919 it carried $440,000 plus; in 1920, the current law, it carries $491,000 plus, a jump of $50,000; and now in this bill there is another jump of over $35,000 in this one item. If we ever intend to get back to normal, to anything like where we were before the war, it is necessary not only to not increase but to cut wherever possible.

Mr. Chairman, despite all of the above lip-expressions of economy, I say when we went to vote on the matter, when we got down to a vote, one would be inclined to think, from all of these statements of these big leaders on this Republican economy side, that that amendment for retrenchment would carry. Yet when it came to a vote, so that these messengers could be reduced in this bill, there were only 10 votes for it in the committee. Not a single leader asked that these 367 absent Members be brought in.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask for five minutes more, because this is important.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes more. Is there objection?

Mr. ANDERSON. Reserving the right to object, Mr. Chairman, the gentleman used up all of his time in reading matter that was already in the RECORD, and therefore I object.

The CHAIRMAN. Objection is made.

Mr. BLANTON. I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. NOLAN. I object.

The CHAIRMAN. Objection is made.

Mr. BLANTON. I ask unanimous consent to continue for two additional minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to continue for two minutes. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, why do they object? Because these employees are civil-service employees of this Government, and whenever you go to take one off you have got the organization of that gentleman who prevented me from extending my remarks [Mr. NOLAN] coming up here and bulldozing Congress. That is why you see in the paper this morning the pronunciamento of his organizations, who say to the country that they are going to elect every Congressman to do their bidding, as the gentleman from California does so frequently in their behalf. That is the greatest menace that was ever sounded to the danger of this great Republic.

I want to say, Mr. Chairman, that I am glad to have seen Mr. Gompers's hand, because it is going to wake up the people of this country from the Atlantic to the Pacific, and whenever Samuel Gompers puts his hand on a Representative and says, "Elect him," the people are going to keep him at home. That will be the result of this great pronunciamento from the man who wants free speech, the man who wants free press. He is the gentleman who objects to Members of Congress going to the American people with these things that are of the utmost importance.

The CHAIRMAN. The time of the gentleman from Texas has again expired. The question is on agreeing to the amendment of the gentleman from Texas.

Mr. NOLAN. Mr. Chairman, I move to strike out the last two words.

Mr. HAUGEN rose.

The CHAIRMAN. Does the gentleman from Iowa desire recognition?

Mr. HAUGEN. Yes. The bill carries 36 messengers here, but the service is divided into eight districts and 151 national forest units. It would seem that the 36 messengers are not an unusually large number of messengers. When you take into consideration the amount of money expended and the receipts of the service, I think the gentleman will agree that the number asked for is a reasonable number.

Mr. NOLAN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from California moves to strike out the last two words.

Mr. NOLAN. Mr. Chairman and gentlemen of the House, I objected to the request of the gentleman from Texas [Mr. BLANTON] to extend his remarks. I do not object to anybody getting up on the floor of this House and talking about matters that are pertinent to the subject before the House, but I am going to object to any Member of this House taking up page after page of the CONGRESSIONAL RECORD with extensions of remarks——

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I make the point of order that the gentleman is not speaking to his amendment.

Mr. NOLAN (continuing). Especially when it is hypocrisy and demagogy.

Mr. BLANTON. Mr. Chairman, I insist on my point of order.

The CHAIRMAN. The gentleman from Texas makes the point of order that the gentleman from California [Mr. NOLAN] is not discussing the amendment.

Mr. MANN of Illinois. I ask unanimous consent, Mr. Chairman, that the gentleman from California may have five minutes. The gentleman from Texas had five minutes. I did not make a point of order on the gentleman from Texas.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from California may have five minutes. Is there objection?

Mr. BLANTON. Reserving the right to object, Mr. Chairman, I shall not object unless the gentleman is too contrary. In that connection I ask that I be permitted to revise and extend my remarks.

Mr. NOLAN. I will agree to that, unless the gentleman's remarks are not in connection with the subject that I objected to.

The CHAIRMAN. Is there objection?

Mr. BLANTON. I object.

Mr. MANN of Illinois. I am sorry that the gentleman from Texas objects, because he himself has just spoken for five minutes out of order. I did think of making a point of order against him when he was speaking. I do not think he ought to object to the gentleman replying to him—the gentleman whom he attacked.

Mr. LONGWORTH. The gentleman from California spoke on precisely the same subject as the gentleman from Texas.

The CHAIRMAN. The point of order is made that the gentleman from California [Mr. NOLAN] is not discussing the amendment he proposed. Therefore the Chair sustains the point of order.

Mr. BLANTON. I ask unanimous consent that the gentleman from California be permitted to speak five minutes out of order, and that I be permitted to revise and extend my remarks.

Mr. MANN of Illinois. Mr. Chairman, I ask for a division of the request.

Mr. BLANTON. I am perfectly willing for the request to be divided.

The CHAIRMAN. The committee will be in order. The House can not intelligently act on requests for unanimous consent until they are stated by the Chair.

Mr. BLANTON. I ask unanimous consent to modify my request.

The CHAIRMAN. The gentleman will wait until the Chair states the original request. The gentleman from Texas asks unanimous consent that the gentleman from California [Mr. NOLAN] be permitted to proceed for five minutes out of order, and that the gentleman from Texas himself be permitted to revise and extend his remarks in the RECORD. The gentleman from Illinois [Mr. MANN] asks for a division of the request.

Mr. BLANTON. And as it is modified, Mr. Chairman, that the gentleman from California be permitted to address the House out of order for five minutes.

The CHAIRMAN. The gentleman from Texas asks to modify his request as submitted, so that it will provide that the gentleman from California be permitted to address the House out of order for five minutes. Is there objection?

There was no objection.

Mr. BLANTON. Now, Mr. Chairman, I ask unanimous consent that I be permitted to revise and extend my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that he be permitted to revise and extend his remarks. Is there objection?

Mr. NOLAN. Reserving the right to object, Mr. Chairman, I would like to know whether the gentleman is going to revise and extend his remarks——

Mr. MOORES of Indiana. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Indiana objects. The gentleman from California [Mr. NOLAN] is recognized for five minutes.

Mr. BLANTON. That is as fair as we get.

The CHAIRMAN. The gentleman from California is recognized.

Mr. NOLAN. Mr. Chairman, I am not going to take the time of the House in trying to answer the references made by the

gentleman from Texas to myself. I have been here since 1913, and my record is well known to the workers of the country and well known to the Members of Congress and to people generally who take notice of the proceedings in the House and who read the CONGRESSIONAL RECORD. What I object to is the action of the gentleman from Texas or any other Member in abusing the privileges of the House by revising and extending remarks as a Member of Congress. I do not object so much to the extension of remarks, even when he goes to the newspapers and the magazines and inserts material and communications from his constituents and others. But I do object to the method adopted by the gentleman from Texas [Mr. BLANTON], not once but on many occasions, in attacking myself and others through the grant of the privilege of extension of remarks, by putting stuff into the RECORD that he does not utter on the floor of this House. That is why I intend to object whenever I am in this House when the gentleman from Texas asks permission to revise and extend his remarks. Last summer he attacked the Committee on Labor and he attacked the gentleman from New York [Mr. MACCRATE] and myself through an extension of remarks of 32 pages, which I attempted to answer and did answer under date of September 16 by putting into the RECORD, over the protest of the gentleman from Texas, communications that I and other Members of this House had received. Now, I am an advocate of free speech, but I want it to be free speech and I want a man when he attacks anybody to attack him to his face and not steal into the CONGRESSIONAL RECORD like a thief in the night behind his back.

Mr. BLANTON. I ask that the gentleman's words be taken down.

The CHAIRMAN. What is the gentleman's request?

Mr. BLANTON. If the gentleman directed that appellation to me, I ask that his words be taken down.

Mr. NOLAN. I take it there is no question as to whom I referred to.

Mr. BLANTON. Then I ask that the words be taken down.

The CHAIRMAN. The gentleman will indicate the words that he desires to have taken down.

Mr. BLANTON. The words about coming into the RECORD like a thief in the night.

The CHAIRMAN. The words will be taken down.

Mr. BLANTON. I think I am pretty open-mouthed in what I say.

The CHAIRMAN. The gentleman from Texas will suspend. The Official Reporters will write out the words, which will be reported by the Clerk.

The Clerk read as follows:

I want a man when he attacks anybody to attack him to his face and not steal into the CONGRESSIONAL RECORD, like a thief in the night, behind his back.

The CHAIRMAN. The committee will rise and report the words to the House.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the Agricultural appropriation bill, H. R. 12272, the gentleman from California [Mr. NOLAN] having the floor, uttered words which, upon the demand of Mr. BLANTON, were taken down; and said words having been taken down and reported to the committee, he reported the words to the House for its action.

Mr. CRISP. Mr. Speaker, I move that the words be expunged from the RECORD.

The SPEAKER. The gentleman from Georgia moves that the words be expunged from the RECORD.

The question being taken, on a division (demanded by Mr. CRISP), there were—ayes 17, noes 72.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair thinks there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members——

Mr. NOLAN. Mr. Speaker, to save the time of the House, may I be permitted to withdraw the remark which I made?

SEVERAL MEMBERS. No!

The SPEAKER. The gentleman from California requests that he be permitted to withdraw the words.

Mr. HICKS. I make the point of order that the Chair has announced that there is no quorum present.

Mr. MANN of Illinois. The Chair has already announced the absence of a quorum.

The SPEAKER. The gentleman said he would withdraw the words.

Mr. HICKS. But the Chair has announced that no quorum is present.

The SPEAKER. The gentleman is correct. The Chair had announced it. The Chair thinks it is too late, after the announcement that no quorum is present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees. As many as are in favor of the motion of the gentleman from Georgia [Mr. CRISP] will, as their names are called, vote "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 70, nays 186, answered "present" 27, not voting 145, as follows:

YEAS—70.

Ayres	Eagan	Mann, S. C.	Saunders, Va.
Bee	Eagle	Minahan, N. J.	Smithwick
Black	Evans, Mont.	Montague	Steagall
Blackmon	Fisher	Oldfield	Stedman
Bland, Va.	Goodwin, Ark.	Oliver	Stoll
Brand	Hoey	Olney	Taylor, Colo.
Briggs	Hudspeth	Overstreet	Thomas
Brinson	Jacoway	Park	Tillman
Buchanan	Johnson, Ky.	Parrish	Upshaw
Byrns, Tenn.	Johnson, Miss.	Pell	Vinson
Collier	Jones, Tex.	Phelan	Weaver
Connally	Kitchin	Pou	Welty
Crisp	Lankford	Quin	Wilson, La.
Dent	Lonergan	Rainey, J. W.	Wise
Dickinson, Mo.	McAndrews	Raker	Woods, Va.
Dominick	McClintic	Rayburn	Wright
Doughton	McDuffie	Robinson, N. C.	
Dupré	Major	Romjue	

NAYS—186.

Ackerman	Foster	Linthicum	Rose
Almon	Frear	Longworth	Sanders, Ind.
Anderson	French	Luce	Sanders, N. Y.
Andrews, Nebr.	Fuller, Ill.	Lufkin	Sanford
Ashbrook	Gandy	Luhring	Schall
Babka	Gard	McArthur	Scott
Bacharach	Glynn	McCulloch	Sherwood
Baer	Good	McKenzie	Shreve
Barbour	Goodall	McLaughlin, Mich.	Sinclair
Benham	Goodykoontz	Madden	Sinnott
Bland, Ind.	Graham, Ill.	Magee	Smith, Idaho
Bland, Mo.	Green, Iowa	Mann, Ill.	Smith, Ill.
Boies	Griest	Mapes	Smith, Mich.
Brooks, Ill.	Hadley	Martin	Snell
Brooks, Pa.	Hardy, Colo.	Mason	Steenerson
Browne	Harreld	Mays	Stephens, Miss.
Burroughs	Haugen	Merritt	Stephens, Ohio
Caldwell	Hawley	Michener	Stiness
Campbell, Pa.	Hays	Miller	Strong, Kans.
Carss	Hernandez	Monahan, Wis.	Strong, Pa.
Chindblom	Hersey	Mondell	Summers, Wash.
Christopherson	Hersman	Mooney	Sweet
Classon	Hickey	Moore, Ohio	Temple
Coady	Hicks	Moores, Ind.	Thompson
Cole	Hill	Morgan	Tilson
Cooper	Hoch	Mott	Tincher
Crago	Houghton	Mudd	Tinkham
Crowther	Huddleston	Murphy	Vaile
Currie, Mich.	Hutchinson	Nelson, Mo.	Vare
Curry, Calif.	Ireland	Nelson, Wis.	Vestal
Dale	Jefferis	Nichols, Mich.	Voigt
Davey	Johnson, S. Dak.	Osborne	Volstead
Davis, Minn.	Johnson, Wash.	Paige	Walters
Davis, Tenn.	Jones, Pa.	Peters	Ward
Dewalt	Kahn	Platt	Welling
Dickinson, Iowa	Kearns	Purnell	Wheeler
Dowell	Keller	Radcliffe	White, Kans.
Dunn	Kelly, Pa.	Ramsey	Williams
Echols	Kendall	Ramseyer	Wilson, Ill.
Elliott	Kennedy, R. I.	Randall, Wis.	Wingo
Ellsworth	Kiess	Reavis	Winslow
Emerson	Kleczka	Reed, W. Va.	Woodyard
Evans, Nebr.	Lampbert	Rhodes	Yates
Evans, Nev.	Langley	Ricketts	Young, N. Dak.
Fairfield	Layton	Robsion, Ky.	Zihlman
Focht	Lea, Calif.	Rodenberg	
Fordney	Lehlbach	Rogers	

ANSWERED "PRESENT"—27.

Bankhead	Garner	Lanham	Padgett
Begg	Griffin	Lee, Ga.	Rubey
Blanton	Hardy, Tex.	Lesher	Small
Box	Harrison	McKeown	Sumners, Tex.
Candler	Hayden	McKinley	Walsh
Drane	Hull, Tenn.	Mansfield	Young, Tex.
Fields	Humphreys	Nolan	

NOT VOTING—145.

Andrews, Md.	Clark, Fla.	Freeman	Igoe
Anthony	Clark, Mo.	Fuller, Mass.	James
Aswell	Cleary	Gallagher	Johnston, N. Y.
Barkley	Copley	Gallivan	Juul
Bell	Costello	Ganly	Kelley, Mich.
Benson	Cramton	Garland	Kennedy, Iowa
Booher	Cullen	Garrett	Kettner
Bowers	Dallinger	Godwin, N. C.	Kincheloe
Britten	Darrow	Goldfogle	King
Browning	Dempsey	Gould	Kinkaid
Brumbaugh	Denison	Graham, Pa.	Knutson
Burdick	Donovan	Greene, Mass.	Kraus
Burke	Dooling	Greene, Vt.	Kreider
Butler	Doremus	Hamill	Larsen
Byrnes, S. C.	Dunbar	Hamilton	Lazaro
Campbell, Kans.	Dyer	Hastings	Little
Cannon	Edmonds	Heflin	McFadden
Cantrill	Elston	Holland	McGlennon
Caraway	Esch	Howard	McKinley
Carew	Ferris	Hulings	McLane
Carter	Fess	Hull, Iowa	McLaughlin, Nebr.
Casey	Flood	Husted	McPherson

MacCrate	Porter	Sears	Timberlake
MacGregor	Rainey, Ala.	Sells	Towner
Maher	Rainey, H. T.	Siegel	Treadway
Mead	Randall, Calif.	Sims	Venable
Moon	Reber	Sisson	Wason
Moore, Va.	Reed, N. Y.	Slemp	Watkins
Morin	Riddick	Smith, N. Y.	Watson
Neely	Riordan	Snyder	Webster
Newton, Minn.	Rouse	Steele	Whaley
Newton, Mo.	Rowan	Stevenson	White, Me.
Nicholls, S. C.	Rowe	Sullivan	Wilson, Pa.
O'Connell	Rucker	Swope	Wood, Ind.
O'Connor	Sabath	Tague	
Ogden	Sanders, La.	Taylor, Ark.	
Parker	Scully	Taylor, Tenn.	

So the motion to strike out the words was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. KNUTSON with Mr. BELL.

Mr. NEWTON of Missouri with Mr. CLARK of Missouri.

Mr. BUTLER with Mr. STEELE.

Mr. ESCH with Mr. SIMS.

Mr. TOWNER with Mr. GARRETT.

Mr. PARKER with Mr. WILSON of Pennsylvania.

Mr. ANDREWS of Maryland with Mr. CULLEN.

Mr. SIEGEL with Mr. ASWELL.

Mr. TIMBERLAKE with Mr. BYRNES of South Carolina.

Mr. CANNON with Mr. SISSON.

Mr. BOWERS with Mr. NEELY.

Mr. WASON with Mr. DONOVAN.

Mr. CRAMTON with Mr. RUCKER.

Mr. REBER with Mr. DOREMUS.

Mr. WOOD of Indiana with Mr. GALLAGHER.

Mr. SNYDER with Mr. CARAWAY.

Mr. EDMONDS with Mr. CLARK of Florida.

Mr. TREADWAY with Mr. BOOHER.

Mr. ROWE with Mr. CARTER.

Mr. REED of New York with Mr. BRUMBAUGH.

Mr. DENISON with Mr. FLOOD.

Mr. TAYLOR of Tennessee with Mr. BENSON.

Mr. KINKAID with Mr. WHALEY.

Mr. PORTER with Mr. GALLIVAN.

Mr. MCKINLEY with Mr. FERRIS.

Mr. WEBSTER with Mr. CANTRILL.

Mr. HUSTED with Mr. TAGUE.

Mr. KENNEDY of Iowa with Mr. SABATH.

Mr. SELLS with Mr. CAREW.

Mr. WATSON with Mr. CASEY.

Mr. JUUL with Mr. HOLLAND.

Mr. RIDDICK with Mr. DOOLING.

Mr. GRAHAM of Pennsylvania with Mr. GOODWIN of Arkansas.

Mr. FESS with Mr. HOWARD.

Mr. SLEMP with Mr. GODWIN of North Carolina.

Mr. ANTHONY with Mr. BARKLEY.

Mr. COPLEY with Mr. SULLIVAN.

Mr. WHITE of Maine with Mr. CLEARY.

Mr. COSTELLO with Mr. TAYLOR of Arkansas.

Mr. GREENE of Massachusetts with Mr. VENABLE.

Mr. HULINGS with Mr. GANLY.

Mr. KRAUS with Mr. GOLDFOGLE.

Mr. FULLER of Massachusetts with Mr. WATKINS.

Mr. GREENE of Vermont with Mr. STEVENSON.

Mr. HULL of Iowa with Mr. SCULLY.

Mr. JAMES with Mr. SMITH of New York.

Mr. DALLINGER with Mr. SEARS.

Mr. GARLAND with Mr. SANDERS of Louisiana.

Mr. BRITTEN with Mr. HAMILL.

Mr. DUNBAR with Mr. O'CONNELL.

Mr. ELSTON with Mr. LAZARO.

Mr. BROWNING with Mr. HEFLIN.

Mr. FREEMAN with Mr. KETTNER.

Mr. CAMPBELL of Kansas with Mr. MOON.

Mr. DYER with Mr. IGOE.

Mr. DARROW with Mr. JOHNSTON of New York.

Mr. GOULD with Mr. MAHER.

Mr. DEMPSEY with Mr. LARSEN.

Mr. BURDICK with Mr. MCLANE.

Mr. HAMILTON with Mr. MCGLENNON.

Mr. BURKE with Mr. MEAD.

Mr. KING with Mr. O'CONNOR.

Mr. MCPHERSON with Mr. ROWAN.

Mr. KREIDER with Mr. MOORE of Virginia.

Mr. NEWTON of Minnesota with Mr. HENRY T. RAINEY.

Mr. OGDEN with Mr. NICHOLLS of South Carolina.

Mr. MCLAUGHLIN of Nebraska with Mr. RAINEY of Alabama.

Mr. KELLEY of Michigan with Mr. RIORDAN.

Mr. MORIN with Mr. RANDALL of California.

Mr. MCFADDEN with Mr. ROUSE.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. The motion of the gentleman from Georgia [Mr. CRISP] to strike out the words is not agreed to. The committee will resume its session.

Accordingly the Committee of the Whole House on the state of the Union resumed consideration of the Agricultural appropriation bill (H. R. 12272), with Mr. WALSH in the chair.

The CHAIRMAN. The gentleman from California [Mr. NOLAN] has three minutes remaining.

Mr. NOLAN. Mr. Chairman, I do not intend to take up any more time. I rose and got five minutes out of order for the purpose of calling the attention of the House to the reasons why I objected to an extension of remarks by the gentleman from Texas [Mr. BLANTON]. If this little performance here for the last three-quarters of an hour does nothing else than tend to correct that sort of an abuse, I am satisfied with my part in it. [Applause.]

Mr. STEENERSON. Mr. Chairman, we have heard to-day references to organized labor in politics, that the members of labor unions are going to combine to support their friends or alleged friends, regardless of political party affiliations. While this is nothing new in this country, if it means the subordination of vital political principles to class solidarity it is to be regretted. Class hatred should be minimized and avoided. Representative government is founded on mutual regard and confidence. All people, whether they work with hands or brain, are useful and necessary to the happiness of all. Nor should any movement be founded upon the idea that one class owns the property and another does the work. The working people own more of the funds deposited in savings institutions, banks, trust and insurance companies than any other class. To destroy the institution of private property would not increase the well-being of those who labor, but would injure them.

I commend to all thinking people these words of Abraham Lincoln:

LINCOLN ON PROPERTY.

Property is the fruit of labor; property is desirable; is a positive good in the world. That some should be rich shows that others may become rich, and hence is just encouragement to industry and enterprise. Let not him who is houseless pull down the house of another, but let him work diligently and build one for himself, thus by example assuring that his own shall be safe from violence when built.

By unanimous consent, Mr. BLAND of Indiana, Mr. CHINDBLOM, Mr. FAIRFIELD, Mr. PURNELL, Mr. MCLAUGHLIN of Michigan, and Mr. STEENERSON were given leave to revise and extend their remarks in the RECORD.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BLANTON], which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 34, line 15, after the word "each," strike out the balance of the line and all of lines 16, 17, 18, 19, 20, 21, 22, down to and including the second "each" in line 22, and insert in lieu thereof the following: "10 messenger boys at $600 each."

The question being taken, the amendment was rejected.

General expenses, Forest Service: To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigation and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building erected shall not exceed $1,000: *Provided further*, That hereafter the charge for grazing permits upon each of the national forests shall be not less than the appraised value of pasturage upon such national forests as determined by the Secretary of Agriculture from time to time, but at least every five years, beginning with the calendar year 1921, upon the basis of the commercial rates charged for pasturage upon lands of similar character, taking into account the advantages and disadvantages of the respective areas: *And provided also*, That the Secretary of Agriculture may allow free of charge the grazing of milch, work, or other animals used for domestic purposes not exceeding a total of 10 head owned and in use by bona fide settlers residing in or near a national forest; or animals in actual use by prospectors, campers, and travelers; or saddle, pack, and work animals actually used in connection with permitted operations on the national forests. To pay all expenses necessary to protect, administer, and improve the national forests, including the payment of rewards under regulations of the Secretary of Agriculture for information leading to the arrest and conviction for violation of the laws and regulations relating to fires in or near national forests, or for the unlawful taking of, or injury to, Government property; to ascertain the natural conditions upon and utilize the national forests; and the Secretary of Agriculture may, in his discretion, permit timber and other forests products cut or removed from the national forests to be exported from the State or Territory in which said forests are respectively situated; to transport and care for fish and game supplied to stock the national forests or the waters therein; to employ agents, clerks, assistants, and other labor required in practical forestry and in the administration of national forests in the city of Washington and elsewhere; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service; to purchase necessary supplies, apparatus, office fixtures, law books, and technical books and technical journals for officers of the Forest Service stationed outside of Washington, and

for medical supplies and services and other assistance necessary for immediate relief of artisans, laborers, and other employees engaged in any hazardous work under the Forest Service; to pay freight, express, telephone, and telegraph charges; for electric light and power, fuel, gas, ice, washing towels, and official traveling and other necessary expenses, including traveling expenses for legal and fiscal officers while performing Forest Service work; and for rent outside of the District of Columbia, as follows:

Mr. HAYDEN. Mr. Chairman, I reserve a point of order on the proviso beginning with line 13, page 35, and ending with the word "areas," in line 21, page 35.

Mr. MANN of Illinois. I reserve a point of order on the balance of the paragraph.

The CHAIRMAN. The gentleman from Arizona reserves a point of order on the second proviso, on page 35, lines 13 to 21, inclusive, and the gentleman from Illinois [Mr. MANN] reserves a point of order on the balance of the paragraph.

Mr. FRENCH. I reserve a point of order on the words in line 18, page 35, "beginning with the calendar year 1921."

The CHAIRMAN. They are included in the reservation of the point of order of the gentleman from Arizona [Mr. HAYDEN].

Mr. FRENCH. It is conceivable that the point of order I have made may apply to those words, while the points of order made by others may not apply to the remainder of the paragraph.

The CHAIRMAN. In that event the gentleman will be recognized.

Mr. HAYDEN. I want to inquire of the committee why it is that they attempt, as they state in their report, to double the grazing fees on the national forests, beginning with the year 1921, by the enactment of this proviso, when it was set forth in the hearings by the Chief of the Forest Service that there are now in existence on most of the national forests a series of five-year permits which began with the year 1919 and will not expire until the year 1923? To enact such legislation at this time is unfair and unjust to a large number of stockmen who, acting upon the announced policy of the Secretary of Agriculture, accepted a doubling of the grazing fees for the year 1919 with the distinct understanding that they could obtain five-year permits, which they have since obtained. On page 127 of the hearings appears a letter dated November 23, 1918, addressed to the Secretary of the National Live Stock Association, in Denver, by the Secretary of Agriculture, which reads in part:

> On a considerable portion of the national forests we have reached the point where permits for a period of five years can be put into effect without difficulty. * * * Therefore I am authorizing the forester to issue five-year grazing permits, beginning with the season of 1919, where the conditions warrant such action and it is desired by the permittees.

It is set forth in the testimony of Mr. A. F. Potter, the associate forester, that there are now in existence a large number of such five-year permits. Certainly it is unfair and unjust to the cattle growers and sheep raisers on the national forests to attempt now, in the light of the existing understanding, by legislation, to arbitrarily double the grazing fees they will have to pay. I want to know what it was that induced the committee to recommend such radical action.

Mr. ANDERSON. The language of the item is such that if we had not put that in they would have had to begin immediately, and we thought we would be more lenient than otherwise by making it 1921 instead of right away.

Mr. HAYDEN. The gentleman is well aware, as were other members of the committee, of the existence of this five-year agreement respecting grazing fees on the national forests. Why not wait to apply the raise until 1923, as suggested by Mr. Potter?

Mr. JOHNSON of Washington. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Arizona [Mr. HAYDEN] has the floor. Does the gentleman yield?

Mr. HAYDEN. I yield to the chairman of the committee.

Mr. HAUGEN. Mr. Chairman, the gentleman desires an answer to his question?

Mr. HAYDEN. I do.

Mr. HAUGEN. I have a copy here of the blank form of permits, and if the gentleman will examine it he will find that they reserve the right to terminate the lease at any time.

Mr. HAYDEN. That is true of every grazing permit that was ever issued on any national forest reserve. That is the reason why forest-reserve grazing permits are not as valuable as leases obtained on private grazing lands. The stockman can not afford to pay as much for a privilege which is revocable at any time.

Mr. HAUGEN. Very well, then. You have no five-year permit, because the Government reserves the right to revoke it.

Mr. HAYDEN. If the gentleman will let me give the history of this matter, I am sure that he will agree with my statement of the facts. In the years 1916 and 1917 the Forest Service made an investigation of the charges for grazing on private and Indian lands adjacent to the national forests, and decided that the rates charged on the forest reserves were not high enough. The Secretary of Agriculture in 1917 proposed to double the grazing fees. The stockmen were heard on the question, and they said that they would not object to doubling the fees provided that they were given five-year permits instead of the then prevailing permits which ran from year to year. It was with that distinct understanding that the raise in rates was made. In 1918 there was a 25 per cent increase, and last year, 1919, the Secretary of Agriculture enforced a 100 per cent increase. Over $880,000 in increased collections was paid into the Treasury by virtue of that increase. Now, in the middle of the term of the existing five-year agreements, the committee proposes by legislation to redouble the grazing fees on the national forests and increase the collections from the stockmen by $2,500,000 a year.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. HAUGEN. Mr. Chairman, we have a statement from the Chief Forester stating that no obligation has been incurred on the part of the Government as to the tenure of the permit. The gentleman has referred to the fees charged. If the gentleman will turn to the hearings, he will find that we turned over 155,000,000 acres of land to the department with forest, grazing, and water-power privileges included. Yet the expenditures for the Forest Service are $9,285,611 and the receipts only $4,358,414, leaving a deficit of $4,927,196. It seems to me that it is time that we were giving more consideration to the question of receipts from the forests. The grazing fees last year were for the entire year on an average $1.20 per head of cattle; sheep, 25 per cent less; horses, 25 per cent increase. The average fees received for cattle were 72 cents per head.

Mr. SINNOTT. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. SINNOTT. Will the gentleman compare the fees charged for cattle and the different kinds of stock upon our national forests with those charged in Canada? Is it not a fact that we charge almost double what they do, and in some cases two and a half times and three times as much?

Mr. HAUGEN. We may charge less than Canada, but we charge only half in the forests that they charge outside the forests under similar conditions. It is time to look into this matter and to charge a reasonable fee.

Mr. SINNOTT. Has the gentleman the figures to answer my question?

Mr. HAUGEN. I have the figures charged by the department and the figures charged outside of the forests.

Mr. SINNOTT. The figures I have from the department show that we charge two and a half and sometimes three times as much as they charge across the line.

Mr. HAUGEN. In Canada?

Mr. SINNOTT. For the same kind of grazing.

Mr. HAUGEN. I am not concerned over the fees in Canada, but I am concerned over the fees in this country.

Mr. SINNOTT. It affords a pretty good comparison.

Mr. HAUGEN. And I am concerned about the condition of the Treasury at this time.

Mr. HAYDEN. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. HAYDEN. I have here a letter from the Acting Forester, Mr. A. F. Potter, in which he states that the total receipts for grazing on the national forests last year were $2,609,000, and that the total expenditures of all kinds, including payments to the States, were $1,576,000, leaving a clear profit on the grazing of $1,032,000.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. McLAUGHLIN of Michigan. I suggest to the gentleman that they confine themselves to the point of order. The merits of the proposition are not in issue at this time.

The CHAIRMAN. The gentleman from Arizona reserved the point of order for the purpose of securing information. He proceeded under the five-minute rule, which is permissible until the regular order is demanded.

Mr. HAYDEN. If the gentleman from Michigan is anxious for action, and inasmuch as the hour of adjournment is close at hand, I make the point of order that this proviso is new legislation on an appropriation bill.

The CHAIRMAN. The gentleman makes the point of order that the language, beginning with the words "*Provided further*," in line 13, down to and including the word "areas," in line 21, is new legislation. Does the gentleman desire to be heard on the point of order?

Mr. HAUGEN. It would seem that if the Forest Service has jurisdiction over grazing and Congress has jurisdiction over the Forest Service, that Congress has also the right to prescribe how the permits shall be made and how the amount of the fees shall be reached. The courts have determined that the Forest Service has the power to fix the fees.

Mr. HAYDEN. Mr. Chairman, the point of order which I make is that under existing law the Secretary of Agriculture has authority to fix the grazing fees on the national forests, and that this proposed legislation is a change of existing law, directing the manner in which such fees shall be collected. It is also an attempt to raise revenue on an appropriation bill, and does not carry any reduction of expenditures. The precedents are very clear. Only a few days ago—on the 26th of January, to be exact—a decision in point was rendered when the Diplomatic and Consular appropriation bill was under consideration. An amendment was offered to increase the fees for passports from $1 to $5. The Speaker at that time held:

> By the terms of the amendment it is provided that an additional fee—in other words, additional revenue—shall be provided, which shall be put into the same fund from which this appropriation is drawn, and which increases that fund by the amount derived from the tax.
> * * * * * * *
> It is a novel suggestion that new taxes are economy or lead necessarily to a reduction of expenses.

The point of order was sustained.

A ruling to the same effect was made by the Chairman of the Committee of the Whole House, Mr. MADDEN, of Illinois, who said:

> It must be apparent to the members of the committee that there is nothing on the face of this amendment to indicate a reduction in the amount of the appropriation. Of course, it is true that if the amendment should be adopted it would raise revenue, but the revenue would go into the Treasury, to the credit of the general fund; and there is nobody here wise enough to say what that revenue would be appropriated for. It might not be appropriated for the payment of the expenses of the State Department at all; and on the face of the facts, as the Chair sees them, he can not see any possibility of the reduction of the amount of the appropriation on its face resulting from the amendment of the gentleman from Texas, nor can it be said that it will even increase the amount covered into the Treasury. The Chair therefore sustains the point of order.

There can be no question but that this proviso attempts to change existing law by legislation on an appropriation bill, and therefore violates the terms of clause 2 of rule 21, which prohibits that very thing from being done.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I wish to say only a word. There is authority of law for the Secretary making the charge for the use of the national forests for grazing and for other purposes. He has been pursuing one plan under that general authority. This is a suggestion or a direction to him to use another plan. It seems to me that this is not subject to the point of order.

It is his duty to make some charge, and he has been pursuing one plan and we are suggesting to him to use another.

Mr. HAWLEY. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will yield.

Mr. HAWLEY. Undoubtedly the Congress has the right to regulate charges for grazing, and it has exercised that right by giving the Secretary certain discretion in law, but that was a matter of general law. That discretion can not obtain on legislation on an appropriation bill. If the committee would bring in special legislation changing that, undoubtedly it would be in order for the committee to make such changes, but it is not in order to report legislative changes in an appropriation bill.

Mr. MANN of Illinois. Mr. Chairman, the gentleman from Arizona has made a point of order on the proviso beginning in line 13, page 35. I reserve a point of order on the balance. I desire, in connection with the point of order made by the gentleman from Arizona, as it is practically a part of it, to make a point of order on the proviso beginning on line 21, page 35, down to and including the word "forests," lines 3 and 4, page 36, and let it all go together. I do not think there can be any argument as to whether or not it is subject to a point of order.

Mr. FRENCH. Mr. Chairman——

The CHAIRMAN. Does the gentleman wish to discuss the point of order?

Mr. FRENCH. Mr. Chairman, the point of order made by the gentleman from Arizona covers language to which the point of order offered by myself was directed.

It seems to me that either point of order must be sustained under our rules, and I have in mind especially section 2 of Rule XXI, which provides that no change may be made upon appropriation bills of existing law, except as is germane to the subject matter of the bill and shall retrench expenditures. To my mind the provision included in the bill as reported by the committee, that attempts to define a policy for the fixing of grazing-permit charges and providing that this policy shall begin with the calendar year 1921, is clearly out of order, and it has been repeatedly decided by the Chair that language much less constructive than this is not in order.

Now let me refer for just a few minutes to the merits of the committee proposition. The committee proposes that hereafter charges for grazing permits upon each national forest shall be not less than approved value of pasturage upon such forests as determined by the Secretary of Agriculture from time to time, and at least every five years, beginning with the calendar year 1921, upon the basis of commercial rates charged for pasturage upon lands of similar character, taking into account the advantages and disadvantages of the respective areas.

In a general way the language of the proposed measure recites a policy that the department desires to follow.

Prior to 1906 no charge was made for grazing live stock upon the national forests. Although the number of each kind of stock was restricted and only limited numbers permitted to graze, the grazing privilege was allowed free in accordance with the prevailing custom upon the public lands.

The policy of charging for grazing permits was put into effect on January 1, 1906, and the rates first established were from 35 to 50 cents per head for grazing cattle and horses during the entire year and from 20 to 35 cents per head for the regular summer grazing season. The charge for sheep and goats was from 5 to 8 cents per head for the regular summer grazing season, no year-long grazing of these kinds of stock being allowed at that time.

The rates initiated in 1906 were readjusted and gradually increased during the first 10 years, with the result that on January 1, 1916, the charge for grazing cattle during the entire year had been increased from 40 cents to $1.50 per head in accordance with the advantages of the locality, and these rates were used as the basis for rates on other kinds of stock and for grazing periods of less than one year. The charge for horses was fixed at 25 per cent more than for cattle and the charge for sheep and goats at 25 per cent of the cattle rate. The charge for periods of less than one year was generally one-tenth of the annual rate per month.

Under these different schedules the average amount paid by the stockmen for their grazing permits was increased approximately 50 per cent between 1906 and 1916 and considerably more up to the last year, or 1919.

Under these different schedules and policies the total receipts from grazing on the national forests have increased from $513,000 in 1906, with an area of 94,159,492 acres, to $1,210,214 in 1916, with an area of 156,706,008 acres, and to $2,609,169 in 1919, with approximately the same acreage. There has been, proportionate with the area, an increase of about 50 per cent in the number of stock grazed.

In connection with the final increase the announcement was made that five-year permits would be issued, which would not be subject to reduction except to stop damage to the forest. Such permits have been issued for about two-thirds of the stock grazed upon the forests, and with the understanding that the present rates would apply until the end of the five-year period, in 1923. This action was taken to stabilize the live-stock industry and encourage expansion and improvement by small owners, who hesitated to borrow money for the purchase of additional stock or better animals without assurance regarding the future obligations they would have to meet. A change in the rates, applicable prior to the calendar year 1924, would necessitate a readjustment in these permits.

Those to whom these permits have been issued have made their business arrangements on the assumption that the leases have been issued in good faith. Under them men have acquired by purchase or by lease lands for winter use. They have constructed buildings. They have purchased breeding stock and shaped and modified their herds and flocks upon the basis, not of one year, or an uncertain period, but on the basis of five years.

These permits are necessarily part of the basis for the establishment of credit, and you can see what it would mean to those who hold them to tear them in two as a mere scrap of paper, and to say to those who hold them, "We shall renew your leases provided you will enter into a new lease upon the basis of 50 per cent or 100 per cent increase in rates to the Government." Gentlemen, a proposition of that kind can not be defended, and those who hold leases from the Government on forest reserves have the right to expect that, excepting for the most urgent reason, their leases shall be held sacred for the period of time recited in the lease. The reason why it appeared advisable to fix a period of five years was in order to encourage the stock industry on the forest reserves. Men would not go into the stock business and then be dispossessed at an uncertain time. It is to the interest of the Government to encourage a policy that will mean permanent industry, and it is to the interest of those

who engage in the business to know definitely the time for which their leases shall apply.

The provision of the bill suggested by the Committee on Agriculture should be eliminated, for the Secretary of Agriculture has all the authority that it confers, but if not eliminated it should be made to apply upon the expiration of permits that are outstanding and not be made to terminate current permits regardless of the responsibility assumed by those who are engaged in the stock business by virtue of these contracts or permits made by the Government.

I want to insert in my remarks at this point a table prepared by the Forest Service that will show the permits that are outstanding (1919) for grazing upon the forest reserves.

Grazing permits issued and number of stock grazed.

State.	Cattle, horses, and swine.				Sheep and goats.		
	Permits issued.	Number of stock grazed.			Permits issued.	Number of stock grazed.	
		Cattle.	Horses.	Swine.		Sheep.	Goats.
Alabama	2	59					
Arizona	1,570	360,011	6,509	637	160	264,853	6,604
Arkansas	452	4,591	83	494	15	49	230
California	3,021	208,683	7,019	3,324	551	606,526	13,286
Colorado	4,455	380,460	9,503	.....	872	1,044,208	1,322
Florida	23	787	.....	6	.....	.....	.....
Georgia	48	440	14	15	3	23	.....
Idaho	4,213	190,608	13,794	.....	1,093	1,758,877	.....
Michigan	.....	.....	.....	.....	2	91	.....
Montana	2,865	170,674	16,524	.....	521	835,224	131
Nebraska	54	12,757	713	.....	.....	.....	.....
Nevada	502	77,432	4,320	.....	109	390,753	.....
New Hampshire	15	158	12	.....	.....	.....	.....
New Mexico	2,020	174,979	5,309	467	576	440,302	39,051
North Carolina	186	1,157	52	56	5	82	.....
Oklahoma	57	3,304	294	.....	.....	.....	.....
Oregon	2,478	162,004	10,066	88	537	753,418	52
South Dakota	786	38,185	3,184	.....	8	12,200	.....
Tennessee	47	431	.....	.....	5	75	.....
Utah	7,249	172,246	9,914	67	1,641	811,510	110
Virginia	273	2,614	15	.....	1	6	.....
Washington	1,031	30,743	2,318	.....	196	236,307	.....
Wyoming	1,181	143,204	3,611	.....	329	680,670	.....
Total	32,528	2,135,527	93,251	5,154	6,624	7,935,174	60,780

SOME OBJECTIONS.

Time will not permit a full answer to every criticism that has been made.

One gentleman says that the average cost of grazing in the forest reserves is 72 cents per head of cattle for a season and one-fourth of that for sheep. And then he says that in Kansas and Iowa for the same use of pasture owners of stock are glad to pay $14 per head of cattle. Another Member declares that the rates on the forest reserves are one-tenth what they ought to be while others would pass immediately an act multiplying the rates charged by 300 per cent.

Gentlemen forget that the Kansas and Iowa lands of which they speak will sell for $50 to $100 per acre, while the forest-reserve lands that carry the most stock would not sell probably for $5 an acre if offered to the highest bidder.

Again, gentlemen forget that Kansas and Iowa lands are close to market, that on stock shipped from there there is little shrinkage in shipment, that stock may be shipped at almost any time and thus be able to meet the top-notch price, that fields are fenced, that water is abundant, and that herds do not require the constant attention of the cowboys and the sheep herders. Gentlemen forget that all these items add greatly to the expenses of the stockmen in the Western States.

Gentlemen forget that a generation ago for the most part predatory animals were killed off in the Middle States, while here is a problem that means annual loss to the stockmen who depend on the forest range.

But after all the chief reason why the committee proposition should not pass is because it annuls existing permits. The Government's word should be good. Agreements should be kept and men to whom have been granted permits for a definite period should not be disturbed in rights that exist under them.

The CHAIRMAN. The Chair is ready to rule.

Mr. HAUGEN. Mr. Chairman, it may not reduce the expenditures, but it will increase the receipts. It will really increase them by more than $2,000,000. It means more than $900,000 in revenue for the States and it means $1,000,000 revenue for the Treasury.

The CHAIRMAN. The gentleman from Arizona makes the point of order to the second proviso of this paragraph, in that it changes existing law and is legislation on an appropriation bill. Clearly the language of the proviso is in the form of permanent legislation, and as the gentleman from Oregon [Mr. HAWLEY] suggested, it seeks to provide specifically what is now by law given to the Secretary of Agriculture as a discretionary power. And the Chair sustains the point of order.

Mr. ANDERSON. Mr. Chairman, I offer an amendment.

Mr. MANN of Illinois. Mr. Chairman, I made a point of order in connection with the point of order of the gentleman from Arizona. It is all a part of the same thing.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] makes the point of order, beginning on line 21, page 34, down to and including the word "forests" in lines 4 and 5, page 36. The same reasons on which the previous ruling was based apply to this, and the Chair therefore sustains the point of order.

Mr. GARNER. Mr. Chairman, I desire the attention of the gentleman from Iowa [Mr. HAUGEN]. I want to call attention, if I may, to the time, and say that it is the intention of the Democrats to hold a caucus in this room after Congress adjourns, and we hoped to get through before dinner to-night. I notice the gentleman from Washington [Mr. JOHNSON] and the gentleman from Minnesota [Mr. ANDERSON] have each an amendment to offer.

Mr. MANN of Illinois. When does the gentleman wish us to adjourn?

Mr. GARNER. We want to begin now, at 4 o'clock. We gave notice to that effect.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12272, the Agricultural appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WEBSTER (at request of Mr. SUMMERS of Washington), for one day, on account of illness.

To Mr. CULLEN, until further notice, on account of illness.

EXTENSION OF REMARKS.

Mr. CANDLER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD on the Agricultural appropriation bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 20. Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate concurrent resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

Senate concurrent resolution 10.

Resolved by the Senate (the House of Representatives concurring), That there be printed 1,500 copies of the national banking act, as amended to date, for the use of the Senate and to be distributed through the Senate document room—

to the Committee on Printing.

ADJOURNMENT.

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 11 minutes p. m.) the House adjourned until Tuesday, February 10, 1920, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII:

Mr. GRAHAM of Illinois, from the Select Committee on Expenditures in the War Department, submitted a report relative to United States General Hospital No. 21 at Aurora, Colo. (Rept. No. 616), which said report was referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. O'CONNELL, from the Committee on War Claims, to which was referred the bill (H. R. 3977) for the relief of the legal representatives of Donnelly and Egan, deceased, reported the same without amendment, accompanied by a report (No. 613), which said bill and report were referred to the Private Calendar.

Mr. GLYNN, from the Committee on Claims, to which was referred the bill (H. R. 9046) for the relief of William Malone, reported the same without amendment, accompanied by a report (No. 614), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 390) for the relief of Peter McKay, reported the same with an amendment, accompanied by a report (No. 615), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ROUSE: A bill (H. R. 12419) granting additional compensation to the officers and enlisted personnel of the Army, Navy, and Marine Corps, including nurses; to the Committee on Military Affairs.

By Mr. WHEELER: A bill (H. R. 12420) providing for the monthly payment of pensions; to the Committee on Invalid Pensions.

By Mr. TINKHAM: Concurrent resolution (H. Con. Res. 50) regarding the appointment of commissions to deal with labor and capital; to the Committee on the Judiciary.

By Mr. ROGERS: Joint resolution (H. J. Res. 288) authorizing and directing the Joint Committee on Printing to publish a daily bulletin of public hearings held by committees, subcommittees, and commissions of Congress; to the Committee on Printing.

By Mr. BAER: Resolution (H. Res. 456) to designate a week to be known as liberty week; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island: Memorial of the General Assembly of the State of Rhode Island, favoring the passage of Senate joint resolution 102, to equalize the pay and allowances of commissioned officers, warrant officers, and enlisted men of the Coast Guard with those of the Navy; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Memorial of the General Assembly of the State of Rhode Island, favoring the passage of Senate joint resolution 102, to equalize the pay and allowances of commissioned officers, warrant officers, and enlisted men of the Coast Guard with those of the Navy; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOOHER: A bill (H. R. 12421) granting an increase of pension to William H. Miller; to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 12422) granting a pension to Mary Field; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 12423) granting a pension to David E. Tipple; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 12424) granting an increase of pension to Christopher C. Cann; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 12425) for the relief of Orlando Dicker; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1418. By Mr. CULLEN: Petition of Brotherhood of Painters, Decorators, and Paperhangers of America, Local Union No. 892, New York, opposing the Sterling-Graham peace-time sedition bill; to the Committee on the Judiciary.

1419. By Mr. CURRIE of Michigan: Petition of the Mothers' Club of the fifth ward, Big Rapids, Mich., urging the Smith-Towner bill; to the Committee on the Judiciary.

1420. By Mr. FULLER of Illinois: Petition of the Barnes Drill Co., of Rockford, Ill., opposing the adoption of the metric system of weights and measures for the United States; to the Committee on Coinage, Weights, and Measures.

1421. Also, petition of the churches of Duran, Ill., favoring the Sims bill, House bill 262; to the Committee on Interstate and Foreign Commerce.

1422. Also, petition of the Central Labor Union of Kansas City, opposing the return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

1423. Also, petition of the Lawyers' Club of New York City, favoring the Kenyon Americanization bill; to the Committee on the Judiciary.

1424. By Mr. KELLEY of Michigan: Letter of the acting Secretary of Commerce, transmitting petition of employees of the Steamboat-Inspection Service at Detroit, Mich., for increase of pay for inspectors and clerks of that service; to the Committee on Interstate and Foreign Commerce.

1425. By Mr. NELSON of Wisconsin: Petition of citizens of Weyerhauser, Wis., protesting against sedition bills; to the Committee on the Judiciary.

1426. Also, petition of International Union of Timberworkers, Local No. 78, Rhinelander, Wis., protesting against passage of pending sedition bills; to the Committee on the Judiciary.

1427. By Mr. O'CONNELL: Petition of J. H. Williams & Co., of Brooklyn, N. Y., relative to certain legislation; to the Committee on Coinage, Weights, and Measures.

1428. Also, petition of the College of the City of New York, Post No. 717, relative to Senate bill 3792, etc.; to the Committee on Military Affairs.

1429. Also, petition of George S. Ward, president, Ward Baking Co., New York City, urging defeat of Gronna bill, terminating wheat guaranty; to the Committee on Agriculture.

1430. Also, petition of American Protective Tariff League, urging revision of the tariff laws and opposing League of Nations as proposed; to the Committee on Ways and Means.

1431. By Mr. PARKER: Petition of the Hoosick Post, No. 40, of the American Legion, pledging loyalty to the Government, etc.; to the Committee on the Judiciary.

1432. By Mr. RAKER: Petition of Chamber of Commerce of the State of New York, indorsing Senate bill 3315; to the Committee on Education.

1433. Also, petition of the directors of the Board of Trade of the city of Chicago, urging the return of the railroads to private owners, etc.; to the Committee on Interstate and Foreign Commerce.

1434. By Mr. WATSON: Petition of citizens of Conshohocken, Pa., in favor of the Lehibach-Sterling bill; to the Committee on the Judiciary.

SENATE.

TUESDAY, *February 10, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, with Thee are the issues of life and death. We stand before Thee to give an account here of our stewardship. We must stand at last before Thee to render an account of the deeds done in the body. Thou dost call us by Thy providence to serve Thee. Thou hast sent us forth to be as an evangel of God, to give Thy will and Thy law to many men. Help us in Thy fear and with Thy favor and under Thy guidance to discharge the duties that are upon us. We ask for Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

INDIAN APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 11368) entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921," the Clerk be, and he is hereby, authorized and directed to dispose of Senate amendments numbered 114 and 115 in manner and form as if the House had receded from its disagreement to said amendments and had agreed to the same.

Mr. CURTIS. I ask unanimous consent for the immediate consideration of the concurreat resolution. The House did recede, and it is so shown in the printed report, but in the type-

written copy from which the report was made the figures "114" and "115" were left out.

The concurrent resolution was considered by unanimous consent and agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 20) giving to discharged soldiers, sailors, and marines a preferred right of homestead entry, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair presents a petition, which will be inserted in the RECORD.

The petition is as follows:

"WASHINGTON, D. C., *February 9, 1920.*

"*To the President, the Senate of the United States, and the American people:*

"It is with deep satisfaction that this conference committee, representing 27 national organizations, reassembles in Washington on the day that the treaty of peace again comes before the Senate. We come back to the National Capital, following our conference of January 13, with the strong hope that the treaty is soon to be ratified. The President of the United States, in his letter to Senator HITCHCOCK, has said definitely that he will accept reservations. Agreement on the fact that there are to be reservations has been reached, leaving only the matter of their final form to be determined. Authoritative intimations come from England and from France that the form of the reservations is wholly secondary to the compelling importance and necessity of having America a member of the League of Nations.

"We again invoke the fundamental democratic right of petition in the name of over 50,000,000 Americans belonging to the organizations we represent, urging that, without further delay, the reservations be cast in a final form.

"All the reservations now under consideration are the result of a long series of compromises. The original position of the Republicans that the treaty should be adopted only with amendments, and that of the President that it should be adopted without reservations, have both been abandoned. Conferences of the bipartisan committee of the Senate have resulted in practical agreement on all reservations except those on article 10 and on the Monroe doctrine. In regard to the latter there has not been any doubt that the doctrine should be preserved, differences now being confined to the method of expressing that opinion without offense to friendly nations both in Europe and America.

"As regards article 10 the difference between the reservation presented by Senator LODGE and that submitted to the President by Senator HITCHCOCK seems to consist in the fact that the former declares that we assume no obligation under the article without the approval of Congress in each specific case, and the latter that we assume no obligation to take action under the article without the approval of Congress in each specific case. The real nature of this difference is for us hard to understand, and we believe it will be wholly incomprehensible to the American people. In any event the difference is insignificant in comparison to the importance of the treaty and covenant itself. We believe that it is not only for the interests of the country but for those of the President, the Senate, and each of the great political parties, to ratify this treaty without further delay.

"We are confident also that when the United States takes its seat in the League of Nations it will not be a silent partner in the league but will exert an influence for humanity and justice proportionate to its resources, its population, its ideals, and its traditions.

"For the conference of national organizations favoring ratification of the peace treaty,

"Dr. A. LAWRENCE LOWELL, *Chairman.*
"Hon. OSCAR S. STRAUS.
"Mr. HERBERT S. HOUSTON.
"Dr. J. L. MCBRIEN.
"Mr. P. J. MCNAMARA.
"Mrs. PHILLIP NORTH MOORE.
"Mr. CHARLES S. MACFARLAND.
"Mr. JOHN POOLE.

"The foregoing statement was unanimously adopted by this national conference at which were represented the following national organizations:

"Agricultural press of the United States and other farming interests: Herbert Myrick.

"American Federation of Labor: Frank Morrison.

"American Rights League: James B. Townsend.

"American School Citizenship League: Samuel C. Mitchell.

"Associated Advertising Clubs of the World: Herbert S. Houston.

"Association of Collegiate Alumnæ: Mrs. Glen Levin Swiggett.

"Church Peace Union: Dr. Henry A. Atkinson.

"Council of Jewish Women: Mrs. Adolph Kahn.

"Brotherhood of Locomotive Firemen and Enginemen: P. J. McNamara.

"Farmers Educational and Cooperative Union: R. F. Bower.

"Federal Council of Churches of Christ in America: Dr. Charles S. MacFarland, Rev. E. O. Watson.

"International Association of Rotary Clubs: John Poole.

"League of Free Nations Association: Christiana Merriman.

"League to Enforce Peace: Oscar S. Straus, William H. Short.

"National Board of Farm Organizations: Charles A. Lyman, secretary.

"National Conference of Social Workers: Mrs. Matthews.

"National Council of Women: Mrs. Phillip North Moore.

"National Education Association: Dr. J. L. McBrien.

"Department of Superintendence, National Education Association: Miss Jessie L. Burrall.

"National Women's Christian Temperance Union: Mrs. Ellis Asby Yost.

"Order of Railway Conductors: L. E. Sheppard.

"Southern Commercial Congress: W. H. Saunders, Clarence J. Owens.

"Southern Sociological Congress: J. E. McCulloch.

"United Society of Christian Endeavor: Dr. J. Stanley Durkee.

"Women's Nonpartisan Committee for League of Nations: Mrs. J. Borden Harriman.

"World Alliance: Rev. Peter Ainslee, Dr. Roy B. Guild.

"World Peace Foundation: Dr. A. Lawrence Lowell."

Mr. MCKELLAR. I present two telegrams, one on the subject of grain and the other on the subject of the National Guard, which I ask to have printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

KNOXVILLE, TENN., *February 9, 1920.*

Hon. KENNETH MCKELLAR,
United States Senate, Washington, D. C.:

The passage of the Gronna bill at this time, terminating the wheat guaranty and appropriation thereunder, as recommended by the Senate Agricultural Committee, would mean an immense loss to every farmer still holding wheat, as well as serious embarrassment or bankruptcy of every grain dealer, miller, and baker in the United States; also of many jobbers. The loss to the farmers would be enormous, as there is still 200,000,000 bushels of wheat back on the farms, and with the collapse in foreign exchange wheat prices have already declined 30 to 40 cents a bushel because of inability to export. With the Government's guaranty taken from the farmers, bakers, grain dealers, jobbers, and millers there is no reason why further and disastrous declines should not occur. Practically all dealers, millers, bakers, and jobbers entered into a signed contract with the United States Grain Corporation protecting them under the wheat guaranty bill, and it certainly can not be the purpose of the Congress to now void this solemn obligation when it will have the effect of ruining not only the signers of the agreement but seriously crippling every farmer who still holds part of the 200,000,000 bushels of wheat that has as yet been unshipped. We earnestly urge that you use your best efforts to defeat this bill, and ask the Senate and House Agricultural Committees to hold public hearings, where farmers, dealers, bakers, and millers can present their side of the case.

J. ALLEN SMITH & Co.

JEFFERSON CITY, MO., *February 4, 1920.*

Hon. KENNETH MCKELLAR,
United States Senate, Washington, D. C.:

The enactment of the Wadsworth bill would wipe out the National Guard. The members of the Missouri National Guard cordially indorse your stand.

H. C. CLARKE, *Adjutant General.*

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of the State of Oregon, requesting the passage of legislation which will place on a common basis for pension purposes the veterans of the Civil War and those of the Indian wars and of their widows now receiving pensions, whether by virtue of general laws on the subject or in pursuance of special acts. I ask that the memorial be printed in the RECORD and referred to the Committee on Pensions.

The memorial was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

To the honorable Senators and Representatives in Congress assembled:

Your memorialists, the Senate and House of Representatives of the State of Oregon in legislative session assembled, respectfully represent:

That the early pioneers on the Pacific coast, in order to maintain American government, were compelled to engage in wars with the Indians of that region, particularly the Cayuse War of 1848, the Yakima War of 1856, and the Rogue River War of the same year. Service more arduous and difficult than theirs is not recorded in the history of the country. Common justice would dictate that these older veterans,

whose ranks are now more than decimated and who are now extremely few in number, should receive the same bounty at the hands of the General Government that is given those who served in the Civil War. Their widows, too, merit equal consideration with other widows on the pension list.

We therefore respectfully memorialize your honorable body to enact such legislation as will place on a common basis for pension purposes the veterans of the Civil War and those of the Indian wars, and their widows, now receiving pensions, whether by virtue of general laws on the subject or in pursuance of special acts: It is therefore

Resolved jointly by the Senate and the House of Representatives of the Legislative Assembly of Oregon, That the Senate and the House of Representatives of the Congress be, and they are earnestly urged to, enact proper legislation to accomplish the result above indicated; and be it further

Resolved, That the governor of the State of Oregon be requested to transmit a copy of this memorial to the Senate and the House of Representatives of the United States Congress.

Adopted by the house January 16, 1920.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 15, 1920.

W. T. VINTON,
President of the Senate.

Indorsed: Senate joint memorial No. 3, by Senator Lachmund.

J. W. COCHRAN,
Chief Clerk.

Filed January 16, 1920.

BEN W. OLCOTT,
Secretary of State.

UNITED STATES OF AMERICA,
STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, Ben W. Olcott, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of the Senate joint memorial No. 3 with the original thereof adopted by the Senate and House of Representatives of the Legislative Assembly of the State of Oregon at the special session of the Legislative Assembly of the State of Oregon, January 12 to 17, 1920, and filed in the office of the secretary of state January 16, 1920, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof, I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the Capitol at Salem, Oreg., this 31st day of January, A. D. 1920

[SEAL.]

BEN W. OLCOTT,
Secretary of State.

Mr. CHAMBERLAIN. I also present a resolution unanimously adopted by the Chamber of Commerce of Eugene, Oreg., respectfully urging Congress to give special and immediate attention to the enactment of pending legislation relative to national highway construction and the creation of a system of national highways. I ask that the resolution be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

Resolution unanimously adopted by the Eugene Chamber of Commerce January 26, 1920.

To the Senate and House of Representatives of the Congress of the United States of America:

The Eugene Chamber of Commerce, of Eugene, Oreg., in regular session, respectfully represents that—

Whereas the American Association of Highway Officials, in convention assembled at Louisville, Ky., on December 11, 1919, adopted a series of resolutions, copies of which resolutions were transmitted to the House of Representatives and the United States Senate, in which resolutions there were, among other matters urged upon the attention and consideration of the United States Congress, the following facts:

That the States within whose boundaries are included large national forest reserves have expended during the last five years millions of dollars in the improvement of State and county highway systems.

That the majority of these States have issued bonds in large amounts in order to finance modern highway construction.

That there are within the boundaries of these States approximately 150,000,000 acres of national forest reserves.

That State and county highways of national importance traverse these reservations through areas involving the most difficult highway construction in the West.

That the forests in these various States are great national assets which should be preserved, and the construction of roads and highways traversing the said forests facilitate the control of forest fires, which have in the past caused tremendous losses;

That the appropriations heretofore made by Congress have been inadequate to permit of sufficient road construction within such national forests to keep pace with State and county highway systems and construction or to provide for a standard of construction equaling that of the several States and counties.

That the withdrawal of large areas by the Government has decreased the taxable resources of the States and counties wherein such withdrawals have been made, thereby reducing the bonding capacity of said States and counties.

That it is the duty of the National Government to provide sufficient funds to develop its national resources to the same extent and standards as that of the States and counties similarly situated; and

Whereas the facts and conditions heretofore stated apply with equal force, as emphasized by said American Association of Highway Officials, to Indian and other Federal reservations, and to unappropriated lands of the United States; and

Whereas the said American Association of Highway Officials, by said series of resolutions, have urged upon the Congress of the United States the necessity of appropriating at least $10,000,000 per year for the next 10 years, of which appropriation no less than 75 per cent should be expended in the construction of primary State and county highways within and adjacent to national forests, and have urged upon said Congress the necessity of appropriating at least $2,500,000 for the fiscal year ending June 30, 1921, and $5,000,000 per year thereafter for the next 9 years, for the purpose of constructing highways through Indian and other Federal reservations or unappropriated lands of the United States; and

Whereas the said American Association of Highway Officials did, by said resolution, urge upon the United States Congress the appropriation of the following sums of money: $100,000,000 for the fiscal year ending June 30, 1921; $100,000,000 for the fiscal year ending June 30, 1922; $100,000,000 for the fiscal year ending June 30, 1923; $100,000,000 for the fiscal year ending June 30, 1924; and

Whereas there is pending before Congress proposed legislation having for its aim the creation and construction of a system of national highways, which legislation has received the indorsement of the American Association of Highway Officials; and

Whereas the said American Association of Highway Officials has in said resolutions urged and recommended that the said system of national highways shall be selected by the various States in cooperation with the bureau of public roads; and

Whereas the Eugene Chamber of Commerce unanimously indorse the facts set out in the resolutions adopted by the said American Association of Highway Officials, and we respectfully urge upon the United States Congress the further fact that the State of Oregon occupies a peculiar and special position with reference to national forests and other national and Federal reserves, and therefore is in a peculiar and special need of adequate highway construction: Therefore be it

Resolved by the Eugene Chamber of Commerce, of Eugene, Oreg., in regular session, That we do hereby most respectfully urge and request that the Congress of the United States of America give special and immediate attention to the passage of pending legislation relative to national highway construction and the creation of a system of national highways and to such other legislation as will be in harmony with the resolutions of the said American Association of Highway Officials; and we further urge that the said Congress of the United States of America appropriate for highway construction the amounts and appropriations herein designated and such other and additional amounts as will be necessary to most effectively promote highway construction; and we urge that such appropriations be made in such manner and in such amounts as will most effectively and adequately enable the bureau of public roads to continue its present cooperation with the various States in the construction of highways: Be it further

Resolved, That our Representatives and Senators in Congress be urged to use all reasonable means to bring about the results in this resolution set forth, and that the secretary is hereby authorized and directed to transmit a copy of this resolution to every member of our delegation in Congress.

EUGENE CHAMBER OF COMMERCE,
By F. L. CHAMBUS, *President.*

Attest:

W. F. GILSTRAP, *Secretary.*

Mr. TOWNSEND presented petitions of sundry veterans of the Civil War, residents of Otsego; of sundry citizens of West Branch; of members of the Grand Army of the Republic and Sons of Veterans, of Marshall; and of John McGarragh Post, No. 132, Grand Army of the Republic, Department of Michigan, of Portland, all in the State of Michigan, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

He also presented a petition of the Farm Loan Association, of Saginaw, Mich., praying for the passage of the so-called Smoot land bank bill, which was referred to the Committee on Banking and Currency.

He also presented a petition of the Civic and Commercial Association of Sault Ste. Marie, Mich., praying for the enactment of legislation providing for the establishment of a national highway system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of Wolverine Lodge, No. 942, Brotherhood of Railway Clerks, of Jackson, Mich., remonstrating against the adoption of the antistrike clause in the so-called Cummins-Esch railroad bill, which was ordered to lie on the table.

He also presented a resolution of Local Union No. 376, International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers of America, of Michigan, favoring a two years' extension of Government control of railroads, which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church of Climax, Mich., praying for the ratification of the League of Nations, which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church of Williamston, Mich., praying for the enactment of legislation to prohibit the interstate transmission of race-gambling information and odds, which was referred to the Committee on the Judiciary.

He also presented a petition of the Mothers' Club of Big Rapids, Mich., praying for the enactment of legislation to establish a department of education, which was referred to the Committee on Education and Labor.

He also (for Mr. NEWBERRY) presented petitions of William Sanborn Post, No. 98, Grand Army of the Republic, Department of Michigan, of Port Huron; of the Farragut Woman's Relief Corps, No. 4, of Battle Creek; and of the Woman's Relief Corps, Auxiliary to the Grand Army of the Republic, of Battle Creek, all in the State of Michigan, praying

for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

He also (for Mr. NEWBERRY) presented a petition of the Board of Commerce of Bay City, Mich., praying for the enactment of legislation to relieve certain conditions in Armenia, which was referred to the Committee on Foreign Relations.

He also (for Mr. NEWBERRY) presented a petition of the Board of Commerce of Bay City, Mich., praying for the ratification of the treaty of peace with reservations, which was ordered to lie on the table.

Mr. CAPPER presented a petition of Post No. 7, Grand Army of the Republic, Department of Kansas, of Council Grove, Kans., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented memorials of sundry citizens of Reno and McPherson Counties, in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. PHELAN presented a petition of the Chamber of Commerce of San Francisco, Calif., praying for the enactment of legislation providing increased pay to officers of the Army, which was referred to the Committee on Military Affairs.

He also presented a petition of Local Lodge No. 820, Brotherhood of Railway Clerks, of Stockton, Calif., praying for the enactment of legislation to prohibit the immigration of Japanese, which was referred to the Committee on Immigration.

Mr. CURTIS presented memorials of sundry citizens of Freeport, Kans., remonstrating against compulsory military training, which were ordered to lie on the table.

He also presented petitions of McCook Post, No. 51, Grand Army of the Republic, Department of Kansas, of Iola; of Post No. 132, Grand Army of the Republic, Department of Kansas, of Junction City; of Post No. 400, Grand Army of the Republic, Department of Kansas, of Almena; and of Blue Post, No. 250, Grand Army of the Republic, Department of Kansas, of Topeka, all in the State of Kansas, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

He also presented resolutions adopted by the Clark County Farm Bureau of Kansas, favoring the cancellation of Government farm loans in case of crop failure, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of Local Lodge No. 427, Benevolent and Protective Order of Elks, of Wichita, Kans., praying for the enactment of legislation providing for the deportation of undesirable aliens, which was referred to the Committee on Immigration.

He also presented a resolution adopted at a conference of the Protestant churches of La Jolla, Calif., favoring the so-called Pratt plan of Americanization of Indians, which was referred to the Committee on Indian Affairs.

Mr. McCUMBER. Mr. President, I have here quite a number of telegrams relating to the amendment offered by my colleague [Mr. GRONNA], which is intended to do away with the present grain-control law. The senders of the telegrams are against the proposition. I feel, however, that I should file them, but in doing so I want to say that I think my colleague is correct in his conclusion and that the telegrams express a fear which is not justified. I ask that the telegrams be printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

FARGO, N. DAK., *February 9, 1920.*

Hon. P. J. McCUMBER,
United States Senate, Washington, D. C.:

The discontinuance of the Grain Corporation at this time would be a calamity to the farmers' grain trade and business men of the Northwest. We wish to protest against any action tending toward this end.

INTERSTATE SEED & GRAIN CO.

YORK, N. DAK., *February 9, 1920.*

Hon. P. J. McCUMBER,
Washington, D. C.:

We, the undersigned, do hereby protest against the Government price of wheat being removed and we ask that you use your influence to have the price left as made by the Government.

J. Guilickson, G. Vansiyke, J. Johnson, Ernest Young, E. Schelius, A. Mavis, J. Belanger, E. Rude, A. Cochron, G. Runcorn, O. Bergo, E. Hector, J. Britsch, Louis Hines, George Binckley, C. Ryding, Charles Beck, A. Glock, A. Burns, and F. Whallen.

ELLIOTT, N. DAK., *February 9, 1920.*

Hon. P. J. McCUMBER,
Washington, D. C.:

We protest most emphatically against repeal of wheat guarantee act.

G. H. BRUNS,
President Grainmen's Union.

PAGE, N. DAK., *February 9, 1920.*

Hon. P. J. McCUMBER,
Washington, D. C.:

We think you should protest against Gronna measure doing away with Federal Grain Corporation before time previously set.

THE PAGE FARMERS' ELEVATOR CO.

TREATY OF PEACE WITH GERMANY.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in open executive session.

The motion was agreed to.

Mr. LODGE. Mr. President, in accordance with the instructions of the Senate yesterday I report back from the Committee on Foreign Relations the treaty of peace with Germany with the reservations and the resolution of ratification. I desire to give notice that I shall ask to have the treaty taken up for consideration on Monday next immediately after the routine morning business. I put it over until that time because so many Senators are absent, and I think it is important to have as full an attendance as possible.

There are some 25 Senators on both sides, about equally divided, who are now absent. Others are going away to keep engagements on the Lincoln anniversary on Thursday. There are also several Senators ill and it is impossible for them to be here and others at distant points on business of the Senate who can not be here. Therefore it is all the more important that we should secure the attendance of the Senators who can be here next Monday. I think we should make no progress in the interval with the treaty, and it is very important that we should have all Senators here when the treaty is taken up for continuous discussion. I therefore give notice that I shall call it up next Monday immediately after the routine morning business.

Mr. THOMAS. Is the morning business closed?

The VICE PRESIDENT. We are in executive session.

Mr. LODGE. I move that the Senate return to legislative session.

Mr. THOMAS. Will the Senator withhold the motion?

Mr. LODGE. Certainly; I withhold it.

INTERNATIONAL MONETARY EXCHANGE COMMISSION.

Mr. THOMAS. Mr. President, I send to the Secretary's desk and ask to have read Senate joint resolution No. 19.

The VICE PRESIDENT. The Secretary will read it.

The Reading Clerk read the joint resolution (S. J. Res. 19) authorizing the appointment of an international monetary exchange commission, introduced by Mr. THOMAS May 23, 1919, and referred to the Committee on Foreign Relations, as follows:

Resolved, etc., That a commission consisting of seven members, not less than two of whom shall be Members of the Senate and two of the House of Representatives, and known as the international monetary exchange commission, shall be appointed by the President of the United States.

This commission shall be authorized and instructed to inquire into and ascertain what methods and legislation are essential to the establishment and continuance of a fixed ratio of currency exchange between and among the nations, to confer and cooperate with commissions which may be created by Great Britain, France, Italy, Japan, and other countries, and charged with the same or similar duties, and to report the results of their inquiries and investigations to the President and the Congress not later than the first Monday of December, A. D. 1919.

For the purpose of defraying the expenses of said commission necessarily incurred in the discharge of its duties, the sum of $50,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, the same to be paid out upon vouchers approved by the chairman of the commission.

Mr. THOMAS. Mr. President, on August 7, 1914, during the early stages of the Great War, and long before the United States became involved in it, I ventured a prophecy that with its close would come the reestablishment of the ancient ratio between silver and gold. This was my language:

[From CONGRESSIONAL RECORD, 63d Cong., 3d sess., vol. 51, pt. 13, p. 13437.]

I think, Mr. President, that the price of silver has at present reached its extreme ebb tide. Its demonetization was concocted and its doom determined amid the echoes of the great contest between France and Germany. It was overthrown in the dust and thunder of that terrible strife, and monetary degradation declared that the burden upon conquered France might be doubled and its defeat made the more disastrous.

I predict, Mr. President, that out of this kindred tragedy, more extended and more extensive, involving every civilized country except the United States, Japan, and the South American Republics, this metal will be again exalted. That it will be redeemed, rejuvenated, and remonetized by the exigencies of the hour, by the logic of this awful conflict, and by the supreme requirements of an exhausted and bleeding civilization.

Hence, although the day may now be dark, although the immediate prospect may be so gloomy as to justify prevailing apprehensions of disaster, it is but that darkest hour before the dawn of silver's restoration to the mints of the world—that in the near future the now despised metal will command not only the market price of the past few years but continue to rise as individual and national demands shall increase until it reaches and maintains its ancient ratio; that it will ultimately give back to industry, to commerce, and to manufacture that universal prosperity which it once enjoyed and breathe new life into the silver-mining industry everywhere; that by the common voice

of mankind, enlightened by sacrifice and chastened by disaster, it will be restored to the high position and clothed again with its ancient prerogatives, of which it was cruelly deprived by unequal, unjust, and unfortunate legislation.

I based this forecast upon the enormous expenditures entailed by the war upon the principal nations of the Old World, necessitating the expansion of their credit, increasing their demand for material from silver-using nations, and burdening the gold supply of the world with a mass of obligations far beyond its power to discharge. It was also apparent that as the war progressed European stocks of gold would be constantly drawn upon to liquidate debts to neutral nations, incurred for supplies of every character, the exchange of commodities for commodities being impossible under war conditions. The United States as the greatest and wealthiest of all the noncombatants would secure by far the larger share of the outward flowing current and doubtless become the creditor of the world. Her past experience of the effect of falling and fluctuating exchange with oriental countries, upon her export trade, would warn her of the danger of a similar situation in Europe inevitably resulting from an over-inflated currency, and prompt her to initiate or accept an international concert to prevent or remove it. Europe on the other hand, bereft of her gold, confronted with enormous debts, obliged to reestablish and in many directions to reconstruct her international trade, would probably welcome any system of international change promising relief without endangering the financial structure of commerce or of credit. Signs like these pointed as I thought to the certain appreciation of silver, and through its rise in value to the establishment of international bimetallism. Events have justified my forecast thus far, and the time has come when America should take the initiative and renew its proposal of 1897 for the establishment of a parity between the ancient monetary metals, whose relative values now oscillate between 15½ to 15 to 1.

In estimating the effect of the war upon silver, I manifested no superior wisdom. I merely voiced what every thinking man must have perceived. Many others, notably the senior Senator from Utah, expressed the same view. And those most unwilling or most reluctant to accept it must have perceived in the slow but steadily accelerating rise of silver values throughout the war, in spite of prodigious efforts to prevent it, that the recurrence of the historic equilibrium between gold and silver was as certain as the tides. That equilibrium has been reached and passed. The scale now tips in the other direction. Gold is to-day the cheaper metal. It, rather than silver, needs the steadying influence of an international agreement that will prevent its further or future depreciation.

Mr. President, I have neither the wish nor the need to revive the old free-silver controversy which disturbed the political and financial chronometers from 1873 to 1900 and which became the paramount issue of the campaign of 1896. Its fundamental premise disappeared when silver touched 1.2929 in the markets of last November. It reversed itself when the price passed that figure. Gold then became the defendant in the world's financial courts. There it can say nothing in its behalf. Its advocates foreclosed its cause by their arguments and assertions in the days when silver, arraigned at the same bar, plead for justice and then begged for toleration. I could easily turn to the discussions of 1893 in this Chamber, take the speeches of gold-standard advocates, substitute gold for silver and silver for gold, wherever these terms occur, and demonstrate that because it is the cheaper metal gold to-day is discredited, dishonored, and demonetized; that it is without stability and altogether unsound; that the world of commerce has penalized and rejected it; that it is a commodity unworthy of the monetary function; that it is the creature of the market and exposed to every fluctuation of the law of supply and demand; that it can not measure values because it has no unchanging value of its own; that its coinage represents dishonest or short-legged dollars; and that no Nation jealous of its good name and the honor of its people should now use it as money of ultimate redemption.

But I could not do this fairly without also reversing my own attitude and abandoning all my convictions regarding the subject. Hence nothing could be gained by such a course beyond illustrating the absurdity to which the whirligig of time has reduced the logic of able, conscientious, and honest men. I content myself, therefore, with the reflection that events have confirmed the wisdom of bimetallism, justified the arguments of its defenders, confounded the contentions of gold-standard permanency, and demonstrated the great truth that the material composing money of redemption, whatever it may be, must yield to the inexorable pressure of demand and supply, and rest its fixity of values upon the fiat of human laws and customs. If any illustration were needed to emphasize this fundamental truth, it can be found in the career of the American silver dollar which has through all the years passed current at 100 cents, while silver in the market has fluctuated from 46 cents to 134 cents the ounce. Bold, indeed, is the man who will to-day contend that the leading commercial nations may not agree upon and enforce a fixed ratio of exchange between the metals and thereby steady the markets of the world, increase the volume of standard money, quicken the currents of trade, and establish the world's commerce upon a permanent and enduring money basis.

It may not be amiss to remind the Senate that the demonetization of silver followed the Franco-Prussian treaty of 1871, which imposed upon France the enormous indemnity of five thousand millions of francs. To make the burden unbearable Germany promptly adopted the gold standard and demanded her pound of flesh in money of the realm. Until then the Latin Union had successfully maintained the double standard of 15½ to 1 against the British single-standard system.

The United States, by a piece of ill-considered legislation, followed the German lead in 1873, albeit the silver dollar was at the time worth 102 cents in gold. Except those of India, all mints were thereupon closed to the free coinage of silver. In 1878 the Bland bill was enacted, whereunder a forced monthly coinage of 2,000,000 silver dollars was required. In 1890 the Sherman law was enacted, whereunder the Government was required to purchase 4,500,000 ounces of silver bullion and to coin 2,000,000 silver dollars per month until July 1, 1891. Both these laws were compromises; neither contained the principle of free coinage. They were grudgingly complied with by administrations hostile to bimetallism, and did much to confirm a public opinion unfavorable to the remonetization of the white metal by confounding free coinage with compulsory governmental purchases of silver bullion. They made the Government a competitive bidder for silver in the markets, thus forcing prices downward, and thereby increasing the gap between its commodity value and its coinage value. This condition thus deliberately created was then utilized as a potent and conclusive argument against the demand for free coinage. It was also reflected in a falling exchange with silver-using countries, which, acting as a bounty upon their exports, stimulated their manufacturing interests, to the corresponding detriment of our own.

In 1893 the British Government closed the Indian mints to the further coinage of silver. This precipitated a financial panic of world-wide dimensions. Its disturbing effects were intensified and prolonged in the United States by the repeal of the purchasing clauses of the Sherman Act in November of that year, and made the free-coinage issue of 1896 inevitable. Immediately following the defeat of Mr. Bryan in that campaign Senator Wolcott, conformably with the pledge of the Republican platform of that year, introduced a resolution in the Senate providing in substance that whenever after March 4, 1897, the President should determine that the United States should be represented at any international conference called by the United States or any other country with a view to securing by international agreement a fixity of relative value between gold and silver as money by means of a common ratio between these metals, with free mintage at such ratio, he was authorized to appoint five or more commissioners to such international conference, and the President was further authorized to call such conference, in his discretion, in the name of the Government of the United States, to assemble at such point as may be agreed upon. This resolution, although unpalatable to the advocates of national bimetallism, ultimately received their reluctant support. It was vigorously championed by such men as Senators Hoar, LODGE, Chandler, and Allison, and was finally passed shortly after Mr. McKinley's accession to the Presidency.

Senator Wolcott was appointed as the head of the commission thus created. He at once proceeded to Paris, where he was most cordially received. He speedily obtained assurances of the cooperation of the French Government in securing the desired international understanding, and the French ambassador to the Court of St. James was instructed to so inform the British Government, then represented by Lord Salisbury.

That Government was also cordial and seemingly responsive. In an evil moment, however, it was decided to submit the proposal to the Indian Government and await its answer before reaching a final decision. This step was unusual, if not extraordinary, but it was taken. The Indian Government rejected the plan in toto. Among the reasons assigned for this action was the statement that "if the ratio adopted were 15½ to 1, it would be a rise from about 16 pence to about 23 pence the rupee. Such a rise is enough to kill our export trade."

That trade depending for its vigor upon a depreciated rupee, or its equivalent, a low exchange, was preferable to a stable rupee sustained by an Anglo-French-American alliance. The British Government, unwilling to act counter to the view of

the government of its great dependency, declined to proceed with the negotiations, and the greatest opportunity ever offered to the world to again stabilize its monetary systems passed away.

In reporting his failure to the Senate Mr. Wolcott said: "In the summer of 1897 there was not a member of the English ministry who did not believe our labors would result in an international agreement. The answer of Sir James Westland was as much a surprise to them as to us, but, following the traditions of the India office, they declined to interrupt the policy which the governor general in council recommended. Mr. President, the experiment now about to be tried by the Government of India will not only in the opinion of the bimetallists of the world, but of nine-tenths of the gold monometallists of London, result in utter and abject failure. It will be impossible to impose upon the people of India this gold standard."

Mr. Meline, the French prime minister, commenting upon the debacle to the Chamber of Deputies, said: "We did not demand of Great Britain the free coinage of silver, which does not seem to be indispensable, but we asked for a concert of measures calculated to establish the fixed relation, and thus to terminate the monetary anarchy which now reigns in the world and which convulses international trade. I do not hesitate to say that we have failed. I do not, however, regret the step; it was a wise step and its results will show hereafter. For I am convinced that the day is near when the force of circumstances will compel the nations of Europe to face the problem and solve it. I hope that until that day dawns humanity will not have suffered from the vacillations which continually postpone the decision of so important a question."

Certain British statesmen, particularly Mr. Balfour, were quite as emphatic in their expressions of chagrin over the collapse of the Wolcott mission.

Indeed, Mr. Balfour was indirectly responsible for the resolution whose passage authorized the commission. Senator Hoar, himself an ardent international bimetallist, visited England in the summer of 1896. While there he was induced by Mr. Frewen to approach Mr. Balfour upon the subject, and received the assurance of that statesman that he would, if addressed in writing by Senator Hoar, respond favorably to the suggestion that Great Britain contribute to the desired object by reopening the Indian mints to silver coinage. In his very interesting reminiscences, Senator Hoar informs the world of his ready compliance with the suggestion, and of Mr. Balfour's failure to respond as agreed because of the suddenly developed opposition of a single member of the British Cabinet; an incident which served to wreck in its beginning a proposal to which Senator Hoar had secured the moral support of the French ministers of finance.

Although the plan miscarried, Senator Hoar was so encouraged by the prospect that he cabled his colleague, Senator LODGE, then in attendance upon the Republican national convention at St. Louis, suggesting the desirability of a platform declaration favoring international bimetallism, a suggestion which was duly heeded and which assumed this form: "We are opposed to the free coinage of silver except by international agreement with the leading commercial nations of the world, which we pledge ourselves to promote."

It will also be recalled that three years earlier Congress had repealed the compulsory purchase clause of the Sherman Act, but that the repealing law carried a proviso still upon our statute books, pledging the Nation to international bimetallism, and to efforts for its establishment. The Wolcott resolution, therefore, had tradition, law, and party pledge behind it, plus the active encouragement of France and the tacit approval of Great Britain. The Senator's defeat was under the circumstances as unexpected as it was unfortunate. He did not hesitate upon his return to publicly accuse the then Treasury officials of the United States of secretly but effectually utilizing their powers and their positions against the success of his mission.

The gold standard for India to which Senator Wolcott alluded in his report, and then contemplated by the British Government, was made operative in 1899. Every prediction of its miscarriage has been verified by the experiences of the past 21 years. The story of its ghastly failure is the story of India, social, industrial, and political. It is too long for rehearsal here, and I shall content myself with appending at the close of my remarks an article upon the subject from the facile pen of Mr. Moreton Frewen, easily the foremost living British authority upon financial economics, and one of the most brilliant of living British publicists.

Mr. President, at this juncture I ask leave to insert as an appendix to my remarks the article of Mr. Frewen, to which I have just referred.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. THOMAS. It is pertinent, however, to say that this crass attempt to transform the financial system of an ancient and multitudinous people has taught them to hoard gold as for centuries they have hoarded silver. India has for ages been a vast reservoir for this metal. It is known as the "sink of silver." But the denial of that metal to the right of coinage and the substitution of gold for it as money has converted India into a "sink of gold." Two hundred and seventy-three millions of sovereigns, equivalent to one billion three hundred and sixty-five million American dollars, have passed from the British Isles to India in response to the gold-standard demands of that community since 1899, and have disappeared as completely from the world as though cast into the center of the sea. And the gluttonous appetite for the yellow metal is insatiable. Such a drain would have severely taxed England's gold resources had the World War never occurred. But weighted with the awful burden of the obligations which that war has imposed upon her, she can not longer endure it. Sir James Meston, Indian finance minister, also complains of the disappearance as well during this period of 1,200,000,000 silver rupees, "jostled," to quote from Frewen, "into the myriad hordes of India by masses of shinplaster notes redeemable in gold." It is not extreme to assert that England's colossal gold contribution to India's gold-standard demands, which would have been wholly unnecessary had the Wolcott proposal been accepted, would have tided her over many a dangerous financial shoal between 1914 and 1918. Nor would she have encountered the Indian crisis of April, 1918, from whose perils she was rescued by the powerful aid of the United States, an aid which even this mighty Nation could not have given but for the reservoirs of silver which she had garnered under the operation of the Bland and Sherman laws. The story of that crisis is a brief one, but it held within its arms the fate of Christendom. It is told in a letter to me from Mr. Albert Strauss, of the Federal Reserve Board, bearing date June 12, 1919, which I read:

FEDERAL RESERVE BOARD,
WASHINGTON, *June 12, 1919.*

Hon. CHARLES S. THOMAS,
United States Senate.

MY DEAR SENATOR THOMAS: Complying with the request contained in your letter of the 12th, I give you below a brief statement of the circumstances surrounding the passage of the act of April 26, 1918, providing for the melting of silver dollars.

When, in September, 1917, the embargo was placed on the export of gold it naturally became difficult for the United States to pay for commodities in various countries which then had large trade balances in their favor. Among other countries so placed were China and India, and from India in particular the Government departments were importing commodities essential to the prosecution of the war, such as jute and burlap, and also shellac. Inasmuch as there is always a demand for silver in the oriental countries, it became clear that the situation in respect of India and China could be much relieved if silver, in addition to the current output, could be secured for shipment to those countries. It was accordingly suggested that the silver dollars held in the Treasury against outstanding silver certificates might be made available through the retirement of the silver certificates and the melt and shipment of the corresponding silver dollars. It was obviously inadvisable to complicate a plan to meet a war necessity by connecting it with the question of any permanent change in our currency, and it was therefore suggested that any such use of the silver dollars should be strictly temporary and be coupled with the condition that the silver be in due time replaced through purchases at a fixed price and, when repurchased, should be recoined into silver dollars. It was evident that some provision must concurrently be made to prevent contraction by supplying a substitute for the silver certificates thus retired, most of which were outstanding in small denominations. The subject was accordingly taken up for discussion with the Senators and Representatives from the States most largely interested in the mining of silver, and the plan finally embodied in the act of April 26, 1918, received the assent of all these parties. A bill embodying these provisions was introduced by Senator PITTMAN.

While matters were in this position the British ambassador brought to the attention of the Secretary of the Treasury an acute situation which had developed in India and which made it imperative for the successful conduct of the war that the British Government be able to at once secure for the Indian Government a large amount of silver. The situation thus described was the steady presentation for redemption of rupee currency in India, which threatened to bring about a situation where the convertibility of rupee currency into metal might have to be suspended. The consequence of the suspension of convertibility of rupee currency were represented by the British ambassador as very threatening, involving the prestige of the British Government in India, Egypt, and all Mohammedan lands. It was also pointed out that German agents were active in India, attempting to undermine the authority of the British Government, and that the suspension of convertibility might have important adverse effects on the Mesopotamia expedition, on recruiting in India, and on the stability of British rule in the Orient. It was pointed out that the Indian Government maintains some 300 redemption agencies in India, and in order that each of these agencies might be supplied with sufficient metallic reserve to permit prompt redemptions a comparatively large total reserve was required. In December, 1917, the metallic reserve had been about 45 per cent. In April, 1918, it had sunk to 34 per cent, and before the tide was turned with our assistance it actually fell as low as 31 per cent. In fact, so low did the reserve fall at some redemption agencies that the Indian Government felt suspension to be a matter of a few days only, and in the effort to avert it was compelled to pay out gold in the redemption of rupee notes, a measure which it was very reluctant to take, fearing that the paying out of gold might lead to the reestablishment of the appetite for gold in place of silver. During this period some 60,000,000

rupees (say, $20,000,000) of gold was actually paid out in the redemption of rupee notes.

The Secretary of the Treasury at once submitted to the proper committees of Congress the representations thus made by the British ambassador, and the act of April 26, 1918, was passed by Congress without delay.

Under this act a sale of 200,000,000 ounces of silver was made to the Indian Government, and this sale, the Secretary of the Treasury has been assured, was the means of averting the suspension of convertibility of rupee notes and thus saved what threatened to be a situation of real menace in the Orient at a critical point in the war.

The arrangement for the sale of silver to the British Government stipulated that rupee exchange for all purposes directly or indirectly connected with the war should be furnished to us by the British Government, and in this way the silver was made to serve our own requirements while at the same time relieving the serious situation set forth above.

Trusting that this letter gives you the information you desire, I remain,

Very sincerely, yours, ALBERT STRAUSS.

Mr. President, American and British financiers vied with each other from 1878 to 1893 in denouncing and ridiculing compulsory Government purchases of silver bullion under the Bland and Sherman Acts, neither of which were proposed or desired by bimetallists. The closure of the Indian mints was openly charged at the time to have been due to our accumulations. It may have been a policy of unwisdom, as it certainly was destructive of national bimetallism; yet it may be solemnly affirmed that but for these laws and their continued operation for 16 years the financial structure of the British Empire would have collapsed in the somber spring of 1918, the whole burden of the allied war expense would have fallen upon the shoulders of America, and Germany's chances for immediate and overwhelming military success increased a hundredfold. In the language of Senator OWEN, "the world faced a crisis of the first magnitude." America responded to the call of her great ally. Our silver was mobilized to meet the demands of India; the bullion gathered under the requirements of the Bland and Sherman laws defeated Germany and saved the world. Surely Britain will now welcome another Wolcott commission armed with similar authority, committed to the same purpose, and strengthened by the same support France then so generously extended.

If it be true, as many have heretofore charged, that England's constant refusal to join past efforts for the establishment of an international parity between the metals was due to her ability to bear the bullion market, buy cheap silver, and coin it into rupees at a huge coinage profit, the ground for such refusal no longer exists. It has been swept aside by the inexorable tide of events. As matters now stand, she can not coin silver rupees except at a loss. We can not coin silver dollars except at a loss, and that will be true as well of our fractional currency if silver advances much further in value. Under such conditions coinage not only ceases but the coins disappear. They go to the melting pot as rapidly as they can be secured.

A famine in rupees and in fractional currency the world over is just before us unless the ratio be adjusted by international agreement. Thus only can the bullion and the coinage values be kept the same. We have failed to do it heretofore because silver was too cheap. Shall we fail now because it is too dear? If so, we may be sure that it will rise so high as to compel a readjustment at a higher ratio if we are to use silver as money at all. Mexico has just embargoed her silver bullion. Other nations will inevitably hoard it while the world needs it in the currents of its exchanges more sorely than ever before.

In 1888 the British royal commission on gold and silver reached the unanimous conclusion that "undoubtedly the date which forms the dividing line between an area of approximate fixity in the relative value of gold and silver and one of marked instability is the year when the bimetallic system which had previously been in force in the Latin Union ceased to be in full operation. And we are irresistibly led to the conclusion that the operation of that system, established as it was in countries the population and commerce of which were considerable, exerted a material influence upon the relative value of the two metals. So long as the system was in force, we think that, notwithstanding the changes in the production and use of the precious metals, it kept the market price of silver approximately steady at the ratio fixed by law between them, namely, 15½ to 1."

This was the deliberate judgment of Britain's greatest financiers and statesmen, composing that famous commission, pronounced upon a long and exhaustive investigation of the subject. It never was and never can be gainsaid. And her Parliament would have acted upon it but for the pressure of the financial powers of the realm, fearful of change and controlling the exchanges of the world.

We have then the experiences of the period when the French ratio steadied the values between gold and silver, notwithstanding fluctuations in their proportionate production, and the official declaration of a British commission that instability of values synchronized with the period when the system of the Latin Union "ceased to be in full operation." Is it rash to assert that with a ratio fixed and supported by the United States, Great Britain, and France this stability will not only return but "be and abide with us forever"?

The gold-standard experiment with India can not continue. It would suck England dry of her remaining gold. Her effort to supply the special needs of India and draw upon the reservoirs of other lands to fill her own would not fail only but initiate a panic through falling prices of world-wide dimensions. Gold would be hoarded as never before. But India must have her standard; and if not gold, she must return to her ancient one. That, too, will impose a task of immeasurable difficulty, unless a ratio be established with gold by international understanding. For silver is no longer plentiful. Its production discloses constantly decreasing quantities. No abundant stores of silver remain unmined. The prospector stimulated by the rise in values may discover other deposits, but until then we must reckon only with what we have and what we may reasonably anticipate from the level of present production. The table here inserted gives the yield in gold and silver in the United States and in the world for the years 1913 to 1917, inclusive:

	United States.		The world.	
	Gold.	Silver.	Gold.	Silver.
1913	$88,884,400	$10,348,100	$459,939,900	$289,497,000
1914	94,531,800	40,067,700	439,078,260	207,678,038
1915	101,035,700	37,397,300	468,721,918	231,241,050
1916	92,590,300	48,953,000	454,176,500	208,391,628
1917	83,750,700	59,078,100	423,590,200	212,030,915

Mr. Frewen makes the following forecast of the probable world's annual demand for silver for the years 1920–1950, with silver at $1.30 the ounce:

	Ounces.
New silver to liquidate India's annual balance of trade $350,000,000, or 2 rupees per capita	250,000,000
New silver for the currency requirements of the Nigerias, Wst Africa, German and British East Africa	100,000,000
World's silversmiths' demand on the prewar scale	120,000,000
For subsidiary currencies European and American	70,000,000
For China, Hongkong, Malaysia, the Philippines	50,000,000
For reimbursing the Federal Treasury under the Pittman Act for, say, eight years	30,000,000
Total demand	620,000,000
Present annual output	157,000,000
Deficit	463,000,000

It will be observed that this estimate takes no note of the probable increasing demand for silver in the arts and industries, a circumstance likely to add very materially to it. Nor is that for China, in my opinion, sufficiently large. I am unable to make any estimate of China's silver supply. I know it is inadequate to her growing needs, for she is constantly reaching out for it. I may say in passing, Mr. President, that we are, and for some time have been, under the Pittman Act melting silver dollars and exporting the bullion to China.

The British minister has recently urged China to establish a uniform dollar currency and the discontinuance of the use of "sycee" silver in her trade, which suggestion she evidently regards with favor if the following cable to the New York Times on December 25 last is authentic:

CHINA TO ESTABLISH A UNIFORM DOLLAR—DEPRECIATION OF ITS SUBSIDIARY COINAGE AND OTHER EVILS ARE TO BE REMEDIED—SYCEE SILVER TO BE ENDED—CENTRAL GOVERNMENT MINT TO BE OPENED FOR THE COINAGE OF DOLLARS AT SHANGHAI.

PEKING, *December 25.*

Discontinuance of the use of sycee silver (pure uncoined bullion used as currency), the establishment of a uniform dollar currency, with subsidiary silver and copper coins, the opening of a mint at Shanghai for the free coinage of dollars, and the placing of other mints under efficient control in order to secure uniformity of standards are recommended in a note presented by the British minister to the Chinese Government. The note refers to the disadvantages resulting from depreciation of the subsidiary coinage and the discredited status of Chinese bank notes.

It is understood that the Chinese Government is sympathetic to the proposal and considers the moment favorable for replacing the sycee by a uniform dollar, and that a scheme will be announced early in the New Year under which a central Government mint, with the necessary foreign assistance, will be established at Shanghai for the free coinage of silver.

There is a double significance to this cablegram. China will establish a uniform dollar currency, which must be silver, since, like India, she can operate under no other standard, and she will do this by the recommendation of the British Government, an act which prior to the war and after 1893 would have been unthinkable. This, I think, clearly reveals the trend of British

purpose in the Orient, and with China coining her own dollars under a new and modern currency system, England having urged it, will lend a willing ear to America's renewed suggestion of an international ratio. There can be no greater stimulus to increased production than a steady and universal market operating under the same rate of exchange the world over, and without increased production the demands of commerce will inevitably invade the world's already insufficient supplies, to the disturbance of values and the destruction of markets.

I have referred to the economic aspects of a low exchange. That it stimulates exports from countries burdened with the cheaper money and repels imports to them is well known. The textile manufactories of Mexico, India, and Japan, the textile and metal manufactories of China, testify to the fact. These were the outgrowth of a falling silver exchange from 1873 to the beginning of the war. In 1908 Senator Teller thus stated the proposition:

> When formerly China sold us her products for our gold money $5 gold or 1 sovereign used to return her 3 taels, and 3 taels formerly paid a day's wages to 21 Chinese mill hands; while to-day 5 gold dollars return to China not 3 but 8 taels, and 8 taels pays a day's wage to 60 Chinese mill hands.

Hence the inevitable tendency to a vigorous export trade from low-exchange countries accompanied by increasing manufacture of goods formerly imported. The same conditions will confront America in Europe once the recently warring countries are settled and industry resumes its normal stride.

That sentence, Mr. President, was penned prior to the remarkable and disastrous fall in exchange which has punctuated the course of commercial affairs during the last 10 days; and the conditions now confronting us because of that change are the most sinister conditions which the world has confronted since the days of the armistice.

The problem of ratios has therefore broadened. It no longer concerns our relations with the Orient and South America. Great Britain faces a probable further decline in the exchange value of her pound sterling. But it brings her no compensation, for she is the world's great importer. She depends on other lands for the bulk of her raw material. These she must secure under adverse exchanges; a handicap which not even England can carry as an added burden. Foreign exchange has indeed become the sinister international problem within the past six months. It must be adjusted in some fashion soon or commercial chaos will overwhelm international trade. What better beginning can be made than a renewal of the commission of 1897? The seat of the difficulty in Europe is not inherently different from that in Asia. Each is largely due to the abnormal volume of paper currency as compared with the virtually stationary volume of specie.

A recent authority declares that at the commencement of the war the paper currency of 30 principal countries of the world aggregated a little over $7,000,000,000. At the end of the war, in November, 1918, it was about $40,000,000,000, and in December, 1919, $51,000,000,000, exclusive of Russia.

In 1914 the gold reserves of these 30 countries aggregated a little less than $5,000,000,000, in 1917 a little over $7,000,000,000, and in 1919 not quite so much. The ratio of gold reserve to outstanding notes in these countries was, in 1914, 70 per cent; in 1917, 18.4 per cent; in December, 1919, 13.7 per cent.

On the 6th day of this month I received from the statistician of the Federal Reserve Board in answer to an inquiry a statement showing the amounts of currency in circulation in the allied countries and Germany prior to the war and those existing upon the first of the year. I ask leave to insert them at this point in my remarks without reading.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

FEDERAL RESERVE BOARD,
Washington, February 6, 1920.

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

SIR: In compliance with your recent request for information regarding the amount of money in circulation in the principal European countries, I have the honor to hand you inclosed herewith statement showing the information desired for Great Britain, France, Germany, and Italy.

The figures given relate either to the close of 1913 or the middle of 1914 and to the most recent available date; that is to say, the end of 1919 or the beginning of 1920.

Respectfully, M. JACOBSON, *Statistician.*

GREAT BRITAIN.

On July 29, 1914, there were in circulation $184,566,000 of Bank of England notes, as against $444,555,000 on December 31, 1919. On the latter date there were in addition outstanding $1,742,947,000 of currency notes, issued by the treasury, secured by $138,695,000 of gold held by the exchequer (£8,500,000). Gold holdings of the Bank of England on July 29, 1914, were $185,567,000, compared with $444,516,597 (£91,342,155) held at the end of 1919.

Against the total amount of bank notes issued by the end of 1919, viz, $529,223,000 (£108,748,260), the issue department of the Bank of England held $439,436,000 (£90,298,260) in gold, so that the fiduciary note issue was only $89,787,000 (£18,450,000). The same amount of fiduciary note issues was reported on July 29, 1914. There are no reliable data as to the metallic circulation of Great Britain. The Cunliffe committee report (see p. 1182 of December, 1918, Federal Reserve Bulletin) estimated the gold held by the banks (outside of the Bank of England) and in public circulation on June 30, 1914, at $598,580,000 (£123,000,000), and on July 10, 1918, at $194,660,000 (£40,000,000).

According to the United States Director of the Mint, the monetary stock of Great Britain at the close of 1918 was made up as follows (Annual Report Director of the Mint, 1919, p. 282):

Metal stock unclassified	$3,003,000
Gold stock in banks and public treasuries	595,462,000
Paper circulation	2,188,134,000

At the end of 1913 (Annual Report Director of the Mint, 1915, p. 63):

Gold stock in banks and public treasuries	$494,300,000
Gold stock in circulation	335,800,000
Silver stock, limited tender	126,500,000
Uncovered paper	116,500,000

In addition there were outstanding during the month ending October 4, 1919, about $270,062,000 (£55,494,000) of notes of the Scotch and Irish banks, secured by $244,478,000 (£50,237,000) of gold and silver, as against a circulation of about $80,565,000 (£16,555,000) secured by $56,651,000 (£11,641,000) during the month ending August 14, 1914.

FRANCE.

On July 30, 1914, the Bank of France held in its vaults $799,279,000 of gold and $120,689,000 of silver. Its note circulation on that date was $1,289,885,000.

On January 2 of the present year the bank held in vault:

Gold	$694,930,000
Silver	51,281,000

while its note circulation had increased to $7,268,485,000.

The United States Director of the Mint estimates that about the end of 1913 France had a total stock of gold of about $1,200,000,000, of which $682,800,000 was held in the banks and public treasuries and $517,200,000 was in circulation. The country's stock of silver was estimated at $347,400,000 full tender coins and $63,700,000 limited tender coins, while the uncovered paper circulation of the country is given by the director as $325,800,000, presumably of Bank of France notes. As at the close of 1918 the same authoritative source gives $664,017,000 of gold held in banks and public treasuries; no gold in circulation; a silver stock of $61,432,000; and a total paper circulation of $5,838,173,000.

GERMANY.

On December 31, 1913, the Reichsbank held in its vaults $278,453,000 of gold, and $65,886,000 of silver. Its note circulation was $617,240,000.

There was also the "imperial war chest," which on December 31, 1913, contained 120,000,000 marks, $28,584,000 in gold, and which, at the outbreak of the war, was promptly delivered to the Reichsbank for the credit of the Empire.

On September 30, 1919, the bank held in vault:

Gold	$261,203,000
Silver	4,600,000

while its note circulation had increased to $7,094,573,000.

The four other banks of issue, the Bank of Bavaria, the Bank of Saxony, the Bank of Wurttemberg, and the Bank of Baden, held on December 31, 1913, metallic reserves to the amount of $35,674,000, and had a note circulation of $37,930,000. On September 30, 1919, these banks held in vault metallic reserve to the amount of $19,407,000, while their note circulation had increased to $62,685,000.

In addition to the note circulation of the Reichsbank and the four other banks of issue there was also in circulation on September 30, 1919, notes of the war-loan banks to the amount of $2,842,941,000, and treasury notes to the amount of $83,370,000. The condition of the metallic reserves and the note circulation in Germany on September 30, 1919, may be represented by the following table:

Reichsbank:	
Gold	$261,203,000
Silver	4,600,000
Metallic reserves	265,803,000
Other banks of issue, metallic reserve	19,407,000
Total metallic reserve	285,210,000
Reichsbank, note circulation	7,094,573,000
Other banks of issue, note circulation	62,685,000
Notes of the war-loan banks	2,842,941,000
Treasury notes	83,370,000
Total circulation	10,083,569,000

ITALY.

On December 31, 1913, the Bank of Italy held in its vaults $213,844,000 (1,108,000,000 lire) of gold, and $18,335,000 of silver. Besides the gold held by the Bank of Italy the other two banks of issue, the Bank of Naples and the Bank of Sicily, held on the same date, $51,531,000, and the Government held $22,581,000, making a total of $287,956,000 in gold.

On the same date the Bank of Italy had a note circulation of $340,536,000, the Banks of Naples and of Sicily together had $100,182,000, making a total for the three banks of issue of $440,718,000. The State also had a note circulation of $96,321,000, making a grand total of $537,039,000.

On September 30, 1919, the Bank of Italy held $155,365,000 in gold; the Banks of Naples and of Sicily together held $44,757,000, making a total for the three banks of issue of $200,122,000. The Government held $31,478,000, making the total gold as of that date $231,600,000.

On September 30, 1919, the note circulation of the Bank of Italy was $2,129,832,000, of the Banks of Naples and of Sicily, $569,254,000, making for the three banks of issue a total of $2,699,086,000. The note circulation of the State was $457,661,000, making a total circulation altogether of $3,156,747,000.

Mr. THOMAS. These figures disclose that the volume of paper currency had increased over 500 per cent from 1914 to 1918, and nearly 200 per cent between November, 1918, and January, 1920. Taken as a group, the Allies began the war with $3,763,000,000 of gold and $4,900,000,000 of paper. At its ter-

mination they had $5,217,000,000 of gold and $25,000,000,000 of paper. At present they have $5,071,000,000 of gold and $29,600,000,000 of paper. The ratio of gold to notes was, at the beginning of the war, 76.6 per cent; at the armistice, 20.9 per cent; and at present, 17.1 per cent; the significance of the last figure being that notwithstanding the war virtually closed more than 14 months ago, the tendency to an increase of paper circulation has not been in any degree checked, but is finding expression in constantly renewed issues, which not only add to the enormity of this problem but make the necessity of broadening the metallic basis of the world's currency the more necessary.

Mr. HITCHCOCK. Mr. President, I think the Senator is overlooking the fact that steps have been taken in Great Britain and in France to make a considerable reduction in their paper currency. One hundred millions are to be reduced from the circulation of Great Britain, and France is now issuing bonds for the purpose of reducing her bank currency.

Mr. THOMAS. I am aware of that; but the reduction of one hundred millions in the one country and the substitution of a bond issue for currency in the other will only serve, I think, to reveal the acuteness of the problem and the difficulty of meeting it in that way. Of course, fundamentally, currency deflation upon a large scale must necessarily affect exchanges, and affect them favorably, but deflation is always attended by conditions which in some instances are more sinister, more oppressive, and provoke more discontent and resentment toward governmental, social, and economic conditions than inflation, and the difficulty of the problem lies in carrying out a system of deflation without producing those terrible consequences which inevitably attend it when it progresses too rapidly. My belief is that the establishment by international arrangement of a fixity of ratio between gold and silver whereby fifteen or sixteen billions of silver, constituting the world's stock, can be placed under these issues with gold as a metallic basis will not only promote and largely effectuate the course of deflation, but will at the same time arrest the tendency to falling exchange and save the export trade of countries like the United States.

Many of these countries considered separately would present a still more unsatisfactory situation. More than enough is revealed in the figures quoted to indicate the impossibiliy of the redemption of these vast volumes of paper money with the gold upon which they are supposed to rest. Deflation is essential and must come sooner or later. But deflation has its train of miseries quite as oppressive and as terrible as these now besetting a harried world, and while they can not be avoided, they may be greatly mitigated by broadening the base on which all monetary systems ultimately rest.

Yesterday, Mr. President, Mr. Moreton Frewen was good enough to send me a letter, not addressed to me, however, written to him by a member of the Australian Parliament, Mr. Edmund Jowett. I understand Mr. Jowett to be one of the largest live-stock raisers of the world. Perhaps, to paraphrase one of the famous expressions of the Senate, he is, in Australia at least, considered the greatest shepherd since Abraham. This gentleman says:

THE CURRENCY QUESTION.

AUSTRALIA HOUSE OF REPRESENTATIVES.

MY DEAR SIR: I write to you specially just now to send to you the latest authoritative information regarding the currency in Australia and to ask you to give me any information that you may have easily accessible regarding the currency increases of other countries of the world.

I beg to quote for you an extract from pages 19 and 20 of the budget speech of our acting treasurer, Mr. Alexander Poynton. This shows that the Australian Commonwealth note issue (the sole note issue permitted in Australia) has increased from £9,854,923 before the war (Aug. 3, 1914) to £54,582,090 on August 11, 1919. The increase is £44,727,167, or nearly fivefold.

Curiously enough our treasurer deprecates the view that the increase in the Australian note issue is responsible for the high prices prevailing for commodities. But does he recognize that if many other important countries in the world have also increased their bank-note issues fivefold the probable result would be a great increase of prices of commodities all over the world?

I would like, if possible, to obtain equally authoritative figures for the rest of the world.

I notice that the price of silver has so seriously advanced that it has not only reached the old American 16 to 1 and the old Latin Union 15½ to 1 ratios, but that it has actually exceeded them.

If I remember rightly (see Jevons on Money, p. 137), when standard silver sells at 60¾ per ounce it is at the equilibrium of 15½ ounces of silver to 1 ounce of gold.

This point occurs to me: Is not the present a most favorable opportunity for the introduction, or rather the restoration, of international bimetallism at 15½ to 1 or if preferred by America at 16 to 1?

If so, it would mean that the leading mints of the world should be opened to the unrestricted coinage of silver and gold at 15½ to 1, the resultant coins, both silver and gold, to be unlimited legal tender.

This would be not the slightest hardship to anyone at present, because the paper currencies of the world seem to be so depreciated that apparently few people want to have their gold or silver coined.

But the moment the world begins to return to specie payments then the benefit of international bimetallism (i. e., unrestricted coinage at the mints of the world of both silver and gold at 15½ to 1) would be felt.

Such unrestricted coinage would help enormously to stabilize the currency and also tend to stabilize prices. Sooner or later the world will probably come back to specie payments and then the trouble—in the shape of an appalling fall in prices—will probably commence unless we first establish international bimetallism.

Representing as I do a large agrarian constituency in the Federal Parliament of Australia, I am very deeply concerned about the future value of agricultural and grazing products throughout the world.

I should therefore be exceedingly interested to hear your views upon the whole question. Also to be placed in communication with others holding similar views to mine with a view to concerted action being promptly taken.

I remain, yours, sincerely, EDMUND JOWETT.

Relatively speaking, America has an abundance of gold. It is needed elsewhere far more than here, yet we shrink from the thought of parting with it. It is still the fetish it ever was and ever will be so long as it is the sole arbiter of value. The tendency to cling to it can be defended neither by reason nor interest, but it is there, and its delusion, like other forms of fear, yields but to force. We may, doubtless we must, lend our credit to those whose trade we need. We may accept their securities and extend the maturity of their obligations. We may invest in their industrial activities, we may otherwise extend timely and continued assistance, but we can not, save by mutual agreement for the fixity of exchanges whereby both gold and silver, the money of all the nations, may possess a permanent relative value each with the other, remove the gambling element from international trade, stimulate international confidence in modern currency systems, make the progress of deflation comparatively easy, and reestablish the régime of a saner and more dependable monetary medium.

APPENDIX.

INDIAN GOLD STANDARD—SIR JAMES MESTON AND "THE ROMANCE" OF INDIAN FINANCE.

Sir, the story of "India Under the Gold Standard" does, indeed, merit the word "Romance," which India's finance minister (Sir James Meston) applies to the appalling series of experiments persevered in for the last 21 years and which have drained off to those hoards the gold reserves which would otherwise be in our banks operating our exchanges and which are the very lifeblood in the city arteries.

What now remains of the utterly crazy scheme which Sir James Meston advanced so rapturously in his budget speech of April, 1910, and which was to so "saturate" India with our gold, not a sovereign of which we could spare? This precious scheme to give India a gold currency has now so utterly collapsed that the Indian Government has in the last 10 years been forced to issue inconceivable masses of paper, its convertibility on demand into silver rupees having been solemnly pledged by that Government. It has now come to this pass: That as fast as the Government of India forces an 18-penny note into circulation any holder of that note, who naturally believes these notes will eventually go to protest, transposes it for a metal rupee and leaves the note in the currency until the next holder of the note catches at yet another rupee. And so, as Sir James Meston tells us in his budget speech last month, "twelve hundred million silver rupees" have been abstracted from the currency in four years, "and we may be forced to reconsider the whole basis of our currency and exchange policy."

Just a foreword as to this "currency and exchange policy" inaugurated in 1893 and now in its death throes after this "romantic" fashion and which from first to last, in the immortal phrase of Sir James Meston's predecessor, Sir Guy Wilson, has been "a gambling in rain," and whenever the rains fail, then a colossal gamble in human lives. With whom did this very romantic gamble originate? To tell the story shortly, it originated in a proposal addressed by the Indian Government to the home government in 1879 to drop her silver standard and to adopt England's gold standard. This revolutionary suggestion the home government submitted to a very distinguished commission, consisting of Mr. A. J. Balfour, Sir Louis Mallet, Mr. Edward Stanhope, Sir T. Seccombe, Sir Thomas Farrer, Sir R. Welby, and Sir Robert Giffen. The report of this commission was unanimously adverse, and when forwarding the report (Nov. 24, 1879) to the Government of India the lords of the treasury included this remarkable reflection on the moral nature of the proposal made:

"It appears, too, that the Government of India, in making the present proposal, lay themselves open to the same criticisms as are made upon Governments which have depreciated their currencies. * * * The Government scheme may relieve the Indian Government and others who desire to remit money to England, but this relief will be given at the expense of the Indian taxpayer, and with the effect of increasing every debt due by ryots to money lenders."

Now, observe that this objection is a moral objection, not merely an economic objection. It holds good not for 1879 but for all time. Next the general feeling in the bazaars of alarm and insecurity generated by the appointment of the 1879 commission having been very real, the Government of India, after receiving its report, thought it better to instruct Mr. Barclay Chapman, their financial secretary, to announce that the Indian mints should never thereafter be closed to the free coinage of rupees. This binding pledge was violated in 1893, with the result that every native who, relying on the pledge, had melted down his savings, found these savings enormously depreciated—indeed, largely confiscated.

Thirteen years later the Government of India again asked permission to change its silver standard. This time a committee was appointed, which (v. 155, 156, 157) reported that it did not feel justified in advising the home Government to "override the proposals for the closing of the mints" which the Government of India had again advanced, but the commissioners add "nothing should be done prematurely or without full deliberation." This report is dated at the India office, May 31, 1893, and 26 days later, such was the period allowed for mature reflection and "full deliberation," the Indian mints were closed fast—a closure followed by a panic which ran round the universe, and which next forced upon an American Congress, the majority in which had just been elected pledged to the free coinage of silver, the repeal of the Bland-Sherman Act.

It is important to show the effect of this tampering with the Indian currency, on the proportions in which the "drain" of the two precious metals to defray trade balances reached that country:

Period.	Per cent of gold.	Per cent of silver.
1886–1890	24.18	75.82
1891–1895	1.54	98.46
1896–1900	47.44	52.56
1901–1905	66.01	33.99
1906–1910	61.22	38.78
1911	73.58	26.42
1912	87.70	12.30

Just contrast England's attitude between 1910–1914, as revealed by that short table, with the attitude of Germany. While we here were driving £100,000,000 of gold pell mell into India's hoards, Germany was in the market cautiously buying gold at a premium as an essential prerequisite for "The Day." And yet, in full view of what Germany was doing and of this colossal hemorrhage of our gold to India's hoards, the Royal Commission of 1913 on the Indian currency reports (67):

"With the argument that India should be encouraged to absorb gold for the benefit of the world in general, we do not propose to deal. The extent to which India should use gold must, in our opinion, be decided solely in accordance with India's own needs and wishes."

Here is a "gold standard" avowedly and unblushingly forced upon India by a handful of white merchants connected with export trades and officials concerned to remit rupees with no reference to India's wishes, and the first effect which so "my lords" of the treasury declare must needs be "to add to the burden of every debt due by ryots to money lenders," the proportion of ryots to money lenders being about in the ratio of 100 to 1.

A truly terrible condition of industrial slavery in the Bombay cotton mills is put on record in a report by Mr. Mirams, surveyor general to the Government of Bombay, for Sir Thomas Holland's Industrial Commission, at this time sitting. The report deserves the closest scrutiny at this time of Indian unrest. Mr. Mirams estimates the income of the average family employed in the mills at Rs. 26 per month (or, at two workers per family, at Rs. 13 per worker). Of this amount Rs. 14 is spent on food, Rs. 6 on rent and "pan and biddis." Thus there remains a nominal surplus of Rs. 6 a month to "go shopping with." But wait a moment. "Eighty per cent of the employees are in debt," and the average debt per worker is Rs. 111—say, eight months' wages. The average rate of interest exacted by the Marwari is 1 anna per rupee per month, which rate of interest, collected in advance, is Rs. 7 per month, or 75 p. c. p. a. Such is the position of the cotton operative in that highly industrialized community.

And these shocking figures of usury in India are amply borne out by the evidence of the Government witnesses before the Chamberlain commission of 1913. When giving evidence before that commission, I declared that any such usury rates were utterly unknown in the days before the mints were closed in 1893, and that I had when in India in 1888 and 1889 looked carefully into this all-important problem of Indian usury, and had never come across a case which would stand examination where the rate of interest was higher than 2 per cent per month. But it is really a waste of time to argue a point so evident. It stands to reason that would-be borrowers who are able to convert their silver bullion at will into coined rupees by taking it to the nearest mint, that this open mint inevitably keeps within some bounds the voracity of shroffs and bunyas. Silver bullion in India before 1893 with the Indian mints open to free coinage was exactly the same "gilt-edged" security that gold bullion is here to-day—neither any better nor any worse. The closing of the mints has, by destroying this security, handed over the myriad-people East—"80 per cent" of them in debt for eight months' wages, the interest on the debt, 75 per cent—has handed them over to be fleeced by the most merciless usurers in the world!

And the remedy we are now assured for such an economic agony is—a democratic constitution!

If such is the exceeding bitter cry of urban India, driven to madness by usurers, what of its cultivator class? When this tampering with their currency was being urged by the Government of India in 1892 on the home Government, the great Industrial Association of Western India, with, it would seem, a premonition of the Mirams Report quarter of a century later, forwarded the following protest, which can be read in the evidence of the Herschell Commission:

"The heavy inherited immemorial burden of the ancestral debt of the Indian peasant cultivators is another and older feature concerning, as it does, over 90 per cent of the taxpaying population. Your memorialists observe that the large volume of the gold obligations of the Government is advanced to justify a departure from free trade in rupees. But they humbly suggest that the silver obligations of the peasantry are twenty-fold greater and more important than the gold obligations of the Government, so that while removing a minor evil a greater one will be substituted."

If we would realize to the full what the value of that security was, which, with a light heart, the Government annihilated when it closed its mints to the free coinage of silver in 1893, read the evidence of Mr. Mackenzie before the silver commission of 1876:

"In every large village there is a silversmith, and as soon as a man has got a few rupees he employs a silversmith to come to his house and make the ornaments. Although the peasantry of India have poor houses, yet the amount of ornaments they have would exceed in value the furniture and utensils of the same class of peasants in England."

Let every white Sahib of the I. C. S. ponder on that!

It is indeed high time; for every additional note issued adds fuel to the fire of the hoarder's anxiety to hoard, and a speech such as that of Sir James Meston last month is of itself enough to create a panic from the Khyber to Colombo. Could there be any reasonable doubt but that a man bent on hoarding a rupee would hoard the metallic rupee, which is forever 180 grains of silver, rather than hoard the promise to pay that 180 grains, of which promise Sir James warns every noteholder in his budget speech that only a year since "it seemed from week to week an utter impossibility that the Government of India could possibly escape from the suspension of specie payments." And this is the precious system for 30 crores of human beings, of which Sir James Meston's distinguished predecessor, Sir Clinton Dawkins, prophesied in 1899, when introducing the bill to make the sovereign a legal tender, "a stringency of loanable capital," said Sir Clinton, "might occur, but never a currency stringency."

Replying to a question in the House of Commons asked by Mr. Rupert Gwynne (Feb. 14, 1918), at the very moment, had Mr. Gwynne known it, that this crisis was at its worst, the Secretary of State said "the Government of India's sole undertaking is to cash notes in rupees." Recall that though their ultimate redemption is guaranteed there is no undertaking here "to cash" £1 notes in sovereigns. The failure of this "undertaking" would be an admission to 300,000,000 illiterate people that the Sirkar is unable any longer to honor its own checks! It is little wonder that Sir Robert Giffen should have asked 20 years ago, when this sinister experiment of "a gold standard without a gold currency" was inaugurated, whether the Indian Government "can go on long with its present ideas regarding money without the gravest complications in the Government of India."

Says Sir James Meston: "Our old friend Sir James Brunyate fought our battle at Washington," and that is—if you believe Sir James—how the honor of the Indian Government was saved by the skin of its teeth. Let me emphatically deny that. The offer at Washington advanced by Sir James Brunyate and Lord Reading was to buy the United States Treasury silver dollars at 86 cents an ounce. This offer was point-blank refused. It was the proposal that this writer advanced here to pay 115

cents for these "Bland" dollars, which was next considered, and which Gov. Emmet Boyle, of Nevada, compromised for "dollar silver"—that was the settlement by which, to the disappointment of Sir James Brunyate, the Government of India was enabled to protect its notes from going to protest. And now that we know from Sir James Meston all we do know how frantic the need of the Indian Government was, we see that it was perhaps a misfortune for the whole white world of workers that Gov. Boyle did not "stand pat" on my proposal to fix the price of silver at $1.15 and not $1. In a very few months silver will be much higher than $1.15.

Truly, sir, time has its revenges. Sir James Meston, in that same budget speech of 1910, from which you quoted yesterday, said of some then recent and rather acrid criticisms of mine:

"I come to an inveterate sniper, Mr. Moreton Frewen. In a long series of attacks which he has scattered over the press of three continents he has accused our currency policy, among other gentle arts, of the following: Abolishing the decalogue, famines, drunkenness, thieving, wholesale manslaughter."

Well, if I did, and on the threshold of another famine, do again affirm the vital importance of mints open to coin free for every bearer, ornaments and bullion, still I never said of that "romance" of closed mints anything more severe than Sir James himself said a month since—that but for the clemency of a foreign Government in melting and selling its currency to save Indian finance the silver certificates issued by the Indian Government must have been dishonored wherever presented at a bank or a treasury.

And why does Sir James Meston single out this writer, of all people, as an extremist among "snipers"? Let me put on record Mr. (now Sir David) Yule, chairman of the Bank of Calcutta. When addressing his shareholders in 1897 he said:

"It is this desperate ambition to have a 16-penny exchange at any sacrifice that has wrought the failure of the currency legislation of 1893 and has brought the people to the verge of ruin and discontent. How long will the money lenders suffer repayment of their advances to fall into arrear? The agricultural population of this country display great, even dogged, patience at their toil, but the money lenders have the doggedness without the patience. The village grogshop harbors the result—a dissolute and heartbroken peasant, once a thriving ryot."

If such is the opinion of a leading banker after four years of closed mints, what is the leisured opinion of the finance minister, the very man who had closed the mints? Sir David Barbour writes to me, I being in America (Sept. 16, 1897):

"The present policy gives no par of exchange at all until the gold standard has been made effective. * * * The rate of exchange is being artificially held up (a) by reduced drawings by the secretary of state, (b) by a total cessation of those drawings for the present, and (c) by a remittance of 10,000,000 rupees by the secretary of state to India. The rate of exchange must fall heavily as soon as this artificial support is withdrawn. * * * Under such conditions, to talk of the present policy as producing a stable or reliable par of exchange is absurd."

Could the city in dealing with a problem of exchange have found a wiser leader than the late Lord Aldenham? Lord Aldenham, with the late Lord Goschen, represented Great Britain at the monetary conference in Paris in 1878. Since 1853 Lord Aldenham had been a director of the Bank of England, and, in his turn, its governor. As principal in the great house of Antony Gibbs & Sons, Lord Aldenham had an unrivaled experience of fluctuating exchanges, particularly in the case of half a dozen South American countries. With an acute silver famine to-day, with our gold currency leached away by wholesale to India's hoards, it is time to recall the evidence which Lord Aldenham gave before the Herschell Commission of 1892. Question 12,875:

"Do you consider the consent of the French Government essential to an agreement of that kind?"

"I do not."

"You think that America and India together would form a broad enough basis?"

"I should say America alone, the Indian mints being opened to silver. I do not say America and India together, because it would involve putting India upon a bimetallic system, which I do not desire. What I mean is that the United States could do it alone, because France for 80 years almost alone maintained the ratio of 15½ to 1."

Lord Aldenham went on to compare the vast wealth, commerce, and population of the United States in 1892 with that of France before 1873. My own evidence before the Royal Commission of 1913 contains the following statement:

"The error of the Bimetallic Party was in our failure to recognize until too late that Great Britain before 1873 had done fully as much to secure a fixed ratio of exchange for silver and gold as France herself had. True, France until 1873 was the world's money changer. France gave on demand an ounce of gold for any 15½ ounces of silver, equally to the merchant of Lyons or the merchant of London. But France did not necessarily give her own gold, and this because she had at all times through her bill market access to the gold reserve of the Bank of England. Any 15½ ounces of French silver currency, when melted and exported to Bombay and there exchanged against wheat or rice sold to London, was a sight draft on the Bank of England for 1 ounce of gold, so long as, and only so long as, the Indian mints remained open. Thus it was the open mint in India and the free gold market of London that until 1873 maintained the exchange parity. All that Great Britain should ever have been asked to agree to at the various money conferences was to maintain those conditions which were still in being when the last conference at Brussels adjourned, and the action of which had during the preceding century secured fixed exchange. (Vol. II, p. 35.)

Let me put on record here the unimaginable breadth of the indignation which has been awakened by England's money-lender tricks in thus demonetizing silver in India—"silver," as Walter Bagehot had declared only a few years before, "the normal money of mankind." In 1896 we had the Venezuela message of President Cleveland and England's reply, the dispatch of a large fleet of warships into the Atlantic, which occasioned a panic on the New York Stock Exchange, and good American citizens paid fully $1,000,000,000 because of the hectoring tone of their Democratic President's message. Whereupon I wrote to a friend in the Senate, the leading "gold" Senator, a Senator presently destined to be the chairman of the Senate Foreign Relations Committee, and I expressed mild surprise as to these presidential lightnings and to the expulsion of the British ambassador. My friend replies that we owe this anti-British explosion to England's treatment of silver. This letter I next showed to a ministerial friend, presently to be our prime minister, who writes me that as to the cause he quite agrees with my American Senator, that our relations with these near relations have been poisoned by all this tampering and tinkering with silver in India and elsewhere. Two years earlier (1894) a letter had been addressed to me carrying the signatures of 33 Senators, 20 Republicans and 13 Democrats, and signed by both the Senators from Pennsylvania, both the Senators from New Hampshire, by the chairman of the Democratic national committee, by the ex-chairman of the Republican national committee, a letter ominous in every line of the storm of anti-English feeling gathering in the West. Will anyone write over his own signature to any organ of public opinion here and advance any single name which carries any authority whatsoever—the name of one who has approved of these flagitious experiments in India which, ever since 1893, have been matter for a tragic derision wherever students of economics have happened to assemble? That is my defense to Sir James Meston's strictures.

Will the Government of India never deign to learn the lesson? Will no Dawkins, no Westland, no Brunyate, no Meston, no Fleetwood Wilson ever sit down and try to reply to the question put to me nine years ago by Senator Teller, the nestor of the National Monetary Commission at Washington, when I was a witness before that commission? Had there been a reply which would have protected the honor of the Government of India, with what delight I would have advanced it then and to-day. Senator Teller's question was this:

"In the great Bombay famine of 1877 were not vast masses of silver ornaments brought to the Bombay mints for recoinage into rupees, and was it this recoining of their ornaments which enabled masses of natives to buy food; and did not the official reports declare that the coinage of silver ornaments, increasing as the famine increased, 'indicate with a certain accuracy the commencement, progress, and severity of the present famine'? Now, suppose, as was the case in India, that our people here, instead of keeping their gold in the banks in coin, melted down the coin and shackled it on their limbs for safe-keeping. Suppose we had a famine and the Government here closed its mints to the free coinage of gold, and sold a coined gold dollar, not for its weight in gold, but for twice its weight in gold, and that our people proceeded to die from the artificial price exacted by our officials for the coins with which they bought their food. Is this exactly what the Government of India has done by its citizens?"

That is, in the judgment of any independent critics, what the Indian Government certainly did when it closed its mints. It created a money famine in order to advance its exchange; it "abolished the Decalogue"; its people died, and will again die, like flies at any famine time. The case of the village chief, read out in the United States Senate, has been told a score of times. It will stand telling once again. This headman came in from a famine-stricken village in 1897 to Allahabad, bringing 2,000 tolas

of silver ornaments and bullion, which, had the mints been open, would have sent him back to his village with Rs. 2,000. As it was, the mints being closed, he found himself forced to accept the best and, indeed, only offer—that of a local shroff for Rs. 600. Reduce this shameful recorded incident—one in ten thousand, did we know it—to a mathematical formula. The late Mr. Handasyde Dick, whose opportunities of observation in early life in India had been unrivaled, estimated that with rice no higher than 11 seers per rupee—and rice never was higher than 14 seers per rupee in the famine of 1897—the people can be pulled through a famine for one anna per capita per day. So that when that headman went to Allahabad and lost 8 annas per each of 2,000 tolas, he lost also one week of life for each of his 2,500 villagers. The Indian death rate for the year 1897 was 37 per thousand. The rate for the previous eight normal years was 30 per thousand. Thus 2,000,000 people died of that famine, which was far less a food than a "money famine," and privation left the seeds of disease and early death with uncounted millions more. How many souls then were taken off by what Mr. David Yule (chairman of the Bank of Calcutta) fitly stigmatized as "that famine breeding gold standard"? Is it wonderful that since the closing of her mints India has developed this astonishing unrest? Was it not a "money famine" when Mr. Vicary Gibbs declared in the House of Commons in 1897 that rupees were being borrowed in Bombay at 2 per cent per month on the security of gold bars? Such is the working out of "the gold exchange standard" in India. It is little wonder China will not touch such a "standard" with a pair of tongs. That any Briton can put on record such a story without a grievous sense of responsibility is inconceivable. But if through currency reform, if by the reopening of India's mints to silver, before it is quite too late, we can head off a revolution in India, then indeed shout the tale of Allahabad from the housetops, in order that, in the words of Sir James Meston, a month since, the Government of India "may be forced to reconsider the whole basis of our currency and exchange policy."

The objection Chinese statesmen have to metaling India's "gold exchange standard" is not perhaps any squeamishness as to the decalogue, but has an impregnable economic basis. China is a "debtor nation," and it is all important that her currency should be of that order which will stimulate her exports and contract her imports. The lower, within bounds, the gold price of silver the larger will be her balance of trade. In February, 1909, the Mandarin Tong Shoa Yi—a little later China's first prime minister—wrote me his objections to applying the Indian currency system to his country. He said:

"In China fluctuations in exchange, such as those of last year, are, of course, very troublesome for our importing merchants. Still, no doubt, last year's fall in silver greatly assists our mills and other manufacturing industries which might be damaged by the competition of imported foreign goods if the exchange rose. Thus the fall in exchange is even as an increasing tariff, but, unlike a tariff, our exports are not reduced but are, so to speak, subsidized."

In 1908, Senator Teller, of the United States Monetary Commission, had summed up this "yellow peril" of low silver exchange in these few words:

"When formerly China sold us her products for our gold money 5 gold dollars, or 1 sovereign, used to return her 3 taels, and 3 taels formerly paid a day's wage to 21 Chinese mill hands; while to-day 5 gold dollars return to China not 3 but 8 taels, and 8 taels pay a day's wage to 60 Chinese mill hands."

Reporting at that time to the United States Steel Corporation on the operation of the new Han Yang steel mill at Hankow, Mr. Watson reckoned the per capita wages paid in this mill at one-fifteenth of the wages paid in Pittsburgh, and that the efficiency of the Chinaman was 90 per cent of the white worker. Thus the fall in exchange from 3 taels per sovereign to 8 taels had the effect of cutting down the wages cost of Chinese iron and steel for export in the ratio of 8 to 3.

Sir James Meston now says "there is absolutely no justification for the continuing panic which has drawn 1,200,000,000 silver rupees from our mints during the last four years." Let me suggest to Sir James that there is no such "panic." India is most prosperous; it is not any panic, but sheer prosperity—the huge inrush of specie—which accounts for this intense hoarding. Sir James Meston has issued masses of 18d. notes, and, of course, these pledges jostle their metal representatives into the myriad hoards of India. Burn the "shinplaster" notes and the rupee will emerge again. In the 15 years, 1855–1870, the total production of silver from the world's mines was reported by our silver commission of 1876 to have been less than £28,000,000, and during those 15 years India, with less than half her present population, took no less than £29,000,000 sterling of silver. But for the traditional habit of hoarding, such a mass of new rupees as this would have inflated her currency; as it was, the "index number" for the years from 1855 to 1888 showed, according to the gold and silver commission, a slight fall. If what Sir James Meston ingeminates were now to happen—if the rupees came now by wholesale out of the hoards for banking capital and for investment, and also all this printing-press money remained in active circulation—there would be in India such an inflation of prices as would convulse wages, would double and treble all prices, and lead to most serious disturbances.

The true policy of the Government of India is to permit the rupee exchange to advance steadily to the parity of the melting point of the rupee; that is, to silver at 60.84, and thus exchange at 22.61d. That accomplished, we have restored the Indian exchange with all her silver-using neighbors, China, the Straits, etc., and she will be protected against the present ruinous competition of Japan—of Japan trading as now with China at a silver exchange ratio of 1 to 29½, by comparison with India trading with China at 1 to 19. That done, and having thus restored the exchanges through silver "monometalism" for 800,000,000 Asiatics, we shall have done the greatest day's work in all human history for all white labor, because we shall have both protected that labor from the competition of Asiatic exports, which, as Walter Bagehot, when editor of the Economist, never wearied of pointing out, are "bonused" and "stimulated" by shrinking silver exchange, and also we shall have established a rate of exchange for all Asia which will enable her—will enable her silver money—to again buy our gold money (buy our gold "bills"), and thus buy our goods. For many years now the Government of India has relied on cheap silver—on its dishonest "artificial" rupee—to bonus and stimulate its exports, and thus through fraudulent exchange rates filch from us our gold. In its reply to the proposals of the Wolcott Commission sent over by President McKinley, when negativing the plan so ardently supported by Lord Salisbury and his chancellor (Sir Michael Hicks Beach)—as also by M. Meline, the French prime minister—in that reply what said Lord Elgin, Sir George White, Sir James Westland, truly names to conjure with these, when "turning down" the most important League of Nations proposal ever advanced by the three great powers, Great Britain, the United States, and France? This blessed trinity of Simla solons said in their dispatch of 1897: "If the ratio adopted were 15½ to 1 (it) would be a rise from about 16d. to about 23d. the rupee. Such a rise is enough to kill our export trade." There is the answer of Indian officialdom—that honest untampered money and free exchanges will kill India's exports—the sort of reply with which the financial world is familiar when dealing with the treasurer of some bankrupt South American Republic clamorous for more "paper."

Twenty years have now elapsed since by that fatuous dispatch the Government of India was permitted to override a carefully designed proposal which had behind it the Governments of the United States and France, and to which England was already pledged by Lord Salisbury, and by the elaborate speeches of the then chancellor of the exchequer and Mr. Balfour in the House of Commons (Mar. 17, 1896). It may be useful now, by the light of Sir James Meston's panic oration last month and its admissions, to put on record the words used by Senator Wolcott January 17, 1898, when giving an account of his mission to the United States Senate:

"In the early summer of 1897 there was not a member of the English ministry who did not believe our labors would result in an international agreement. The answer of Sir James Westland was as much a surprise to them as to us, but, following the traditions of the India office, they declined to interrupt the policy which the governor general in council recommended. Mr. President, the experiment now about to be tried by the Government of India will, in the opinion not only of the bimetallists of the world but of nine-tenths of the gold monometallists of London, result in abject and utter failure. It will be impossible to impose upon the people of India this 'gold standard.'" And on October 21, 1897, an important member of Lord Salisbury's cabinet wrote me, and now permits me to publish the following letter:

"Unless Barbour, Sir David—Indian finance minister when the mints were closed in 1893—is altogether wrong the gold standard scheme is impossible, and, if so, the Indian Government must come to their senses. If the American delegates are wise, they will take advantage of the loophole we have given and postpone their negotiations till the Indian scheme collapses, as Barbour prophesies it will very shortly. In any case, when

you see the papers you will, I think, agree that no other course was open, and it would only have left the cause without adherents in high places if we had split on it now."

It may be well now to put on record the apologia for Great Britain with which M. Meline concluded his explanation to the Chamber of Deputies of the French Republic in these long drawn-out negotiations, having been fooled to the top of its bent by Lord Elgin equally with the American Republic. The French premier said:

"About this matter I consider that we have done our duty, for I am not accustomed when in power to abandon the convictions which I have always upheld. This year we were offered the opportunity of joining the United States in a diplomatic effort to induce a neighboring country to assist in measures looking to a reestablishment of a fixed relation between silver and gold, and we made the effort. We did not demand of Great Britain the free coinage of silver, which does not seem to be indispensable, but we asked for a concert of measures calculated to establish the fixed relation, and thus to terminate the monetary anarchy which now reigns in the world and which convulses international trade.

"I do not hesitate to say that we have failed. I do not, however, regret the step; it was a wise step, and its results will show hereafter, for I am convinced that a day is near when the force of circumstances will compel the nations of Europe to face the problem and solve it. I hope that until that day dawns humanity will not have suffered from the vacillations which continually postpone the decision of so important a question."

Twenty-one years have elapsed, not a long time in the history of nations, and in his budget speech last month Sir James Meston records the fulfillment of Sir David Barbour's prophecy. The Indian gold standard has collapsed, but not before it had destroyed England's. But all that is ancient history. What we have now to do is to restore an honest silver monometallic currency to Asia, in order that we may secure an honest monetary standard not only for the Orient but for the West, based here by all means, if you please, on gold, if, indeed, that is not already too late and the gold required gone. Since 1898, thanks to this insane scheme of an universal "gold standard"—a fraudulent scheme now dying as hard and as dishonest as "Prussian militarism" is dying—we have seen India suck into her hoarding places nearly £253,000,000 of that gold which is now so despairingly demanded for our own financial reconstruction. Two hundred and fifty-three million pounds sterling! The horse having been first stolen in these years past, and then galloped to death, our authorities locked the stable door a few weeks since. A great central bank for North America, Great Britain, and France, with three regents of the financial caliber of the late Senator Aldrich, Sir Edward Holden, and M. Ribot, such an institution endowed with those £253,000,000 and with a safe loaning capacity of at least £3,000,000,000 on the security of that gold, could have given us 3 per cent money rates in perpetuity, and enabled that league of three nations to go far to "reconstruct" the entire human race and rescue it from usurers of all sorts. All this bright vision we have sacrificed in order to gratify the empirics of a half a dozen Indian "finance members," those amateur financiers and currencyists the Simla vivisectors, who since 1893 have "tried it on the dog" in the West, as also in the East.

For the financial situation in India to-day there is no precedent in all history. Whenever other countries have resorted to huge unsecured emissions of paper currency, as, for example, the United States in the sixties, or Russia, the Argentine, and Brazil, their exchanges with their "creditor nations" (say, with England) were always against them, so that they were unable to retain their gold. For this reason they issued paper money, depreciated their currencies, and in this way stimulated their exports, reduced their adverse trade balances and thus their imports, restoring in the long run their exchanges. That is the very A B C of the foreign exchanges. But the Indian position is the very antithesis of all this. India has always enjoyed such a favorable balance of trade as has made her "the sink" of the precious metals, and to-day that balance of trade is no doubt far greater than it ever was in her history. It is so great that far from being unable to retain the metal of her standard (gold), it has become quite impossible for us in Great Britain to protect our gold reserves against this Indian drain. It is India that has driven England to inconvertible paper, not we India. To stuff India's currency with 18-penny paper promises to pay a metallic rupee is under such conditions the finance of a Gilbert and Sullivan operetta; it cries aloud for the immediate intervention of Parliament if we in England are yet to be saved from financial anarchy and infinite confusion.

The moral to be derived from all this tinkering and tampering is, however, of surpassing interest. The monetary legislation of the last three centuries has been arranged to satisfy the usurious instinct of an infinitely clever cosmopolitan oligarchy, which has long ago made of every bourse a spider's web and which had enmeshed the universe, and this notwithstanding the bounty of nature in discovering for mankind time and again some great and unexpected treasure trove of one or other of the precious metals—in Bolivia, Brazil, California, Ballarat, Nevada, Colorado, the Rand. But when those huge African supplies, which promised the alleviation of the burden of all debt, were disclosed, then it became necessary for the money lenders to divert this Pactolus flood—to pour it, so to speak, upon the sands of the Sahara. Otherwise the real burden of all debt, national or mortgage debt, would have been sensibly relieved. Hence this desperate Indian adventure, which planned to avert the fall in the value of money by deflecting the new African gold by wholesale to India. Instead of, as before 1890, sending India about 2,000,000 sovereigns annually, change her standard, said the cosmopolitan money lenders, who have for three centuries drafted our monetary law, and annually send her 25,000,000 sovereigns, and, presto, the remedy for rising prices and the alleviation of debt is found.

Was ever before a net set so clumsily in full sight of any bird, and with a more contemptuous conviction the bird would just flop in? The Chamberlain commission of 1913, strange as it may seem, expresses neither disgust nor surprise for either the fowlers or their silly fowl. All its members append their signatures to clause 36. Gentle reader, pray say what in cold blood you think of clause 36 of the report of the Chamberlain commission?

"With the argument that India should be encouraged to absorb gold for the benefit of the world in general we do not propose to deal. * * * The extent to which India should use gold must, in our opinion, be decided solely in accordance with India's own needs and wishes."

There is much to be said for the view of Sir Lionel Phillips and his friends that the production of gold should be bonused, but Shylock himself never sponsored a view more immoral and more sinister than that "India should be encouraged to absorb gold for the benefit of the world in general." Was this the reason why, for the first time in human history, a "precious metal"—silver—was, in 1910, subjected by the Indian Government to a very high tariff in order to increase, as it did and does immensely increase, the absorption of our gold by India? And what has been the result of these amazing machinations? The waste of our gold on India has since 1910 been so colossal that mankind has broken clean away from metallic standards and now navigates an uncharted ocean. Instead of silver, "the normal money of mankind," as Bagehot described it in 1876, we find ourselves projected into "greenbackism." Thus by demonetizing silver, the world's usurers, too clever by half, have demonetized gold itself.

Let me say, in conclusion, that no one living has worked harder to make the great experiment of a gold currency for India a success—not even Sir James Meston nor Sir Fleetwood Wilson—than has Mr. Montagu de P. Webb, of Karachi. I do not therefore often find myself in the same lobby with Mr. Webb. But the following lines from a letter of Mr. Webb to the Times of India, written before the war, are a symphony for the budget speech of Sir James Meston a month since, and they show how accurate has been Mr. Webb's prevision of the drain of our gold to Asia and the coming bankruptcy of England's gold standard at the hand of India. Mr. Webb wrote:

"Not until Great Britain finds herself face to face with serious industrial competition from India, China, and Japan, not until vast capital accumulations have shown Lombard Street that the East can finance that industrial competition without the aid of "the city"—and both these developments are steadily proceeding—will the magnates of Lombard Street realize that the silver and gold problem has been solved."

Surely justice demands something more than mere repeal for a form of profiteering of which it is strictly true to aver it has shaken to its foundations the great finance structure of our universe.

Yours, faithfully, MORETON FREWEN.

CARLTON CLUB, *April 15, 1919.*

Mr. THOMAS subsequently said: Mr. President, apropos of the address which I delivered this morning, my attention has been called to a communication to the New York Times from Sir Moreton Frewen, relating to the same subject. I ask leave to have it inserted in the RECORD in connection with the remarks that I submitted.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

COTTON AND EXCHANGE—MR. FREWEN THINKS ENGLAND QUITE ABLE TO PAY—A POINT ABOUT SILVER.

To the EDITOR OF THE NEW YORK TIMES:

The newspapers are full of discordant notes which seem to throw doubts on the position and price of your cotton. Will you permit me to write that your great customer England never was better able to pay the full dollar price for your cotton than to-day, and never in living memory have the profits of the Manchester mills been greater than at this moment, the great recent fall in sterling albeit. It is true that Manchester has to pay an unprecedented price for the dollar with which she pays for your cotton, but look at the new price at which she sells her manufactured cottons, not merely at home but to those great customers India and China—two trades which take at least $200,000,000 a year from England.

At 40 cents a pound for your cotton an 8½-pound parcel of gray shirtings cost in Manchester last September 29 shillings. I have no later figures with me. Look, then, at the immense advance in the price Manchester receives because of the jump in tael exchange from 8 taels per sovereign to 3 taels. The price at which this parcel sells in Shanghai has advanced from 29 shillings to 74 shillings because of the advance in exchange. It is little wonder that the Lancashire trades are in a ferment of activity, and there is no question of either their willingness or their ability to pay the whole advance in the dollar price of cotton which is occasioned by the fall in sterling exchange. You must also remember that the fall in sterling gives a great bonus to all that America exports to Asia; that where a cotton mill in Massachusetts competes for that trade with a cotton mill in Lancashire your export with sterling exchange at the new rate has a great competitive advantage over Lancashire.

May I, in conclusion, say a few words apropos these new silver exchanges?

Will not a new generation of voters just dismiss all the prejudices bred of ignorance and go back to the leisured and careful convictions of your wise men who repealed the Bland silver bill in 1893? Let us to-day take up the problem of silver just where these repealers left it and by a wide area of agreement, which can now be had, fix these present splendid rates of exchange with a thousand millions of Asiatics. Then, indeed, we shall secure steady exchanges in an era of splendid reconstruction.

Fresh from the repeal of the Bland Act the following cable was sent to the lord mayor of London. The message represents the verdict in a very great trial, fresh in each man's memory, of a very distinguished jury indeed—the United States Senate at the best period in its history:

WASHINGTON, *May*, 1894.

To the LORD MAYOR OF LONDON,
Mansion House, London:

We desire to express our cordial sympathy with the movement to promote the restoration of silver by international agreement, in aid of which we understand a meeting is to be held to-day under your lordship's presidency. We believe that the free coinage of both gold and silver by international agreement at a fixed ratio would secure to mankind the blessing of a sufficient volume of metallic money, and what is hardly less important secure to the world of trade immunity from violent exchange fluctuations.

John Sherman, William Cullom, W. B. Allison, Henry Cabot Lodge, D. W. Voorhees, Calvin S. Brice, George F. Hoar, O. H. Platt, Nelson W. Aldrich, A. P. Gorman, Wm. Frye, Edward Murphy, C. K. Davis, David B. Hill.

It seems but the other day that Walter Bagehot declared to a select committee of the House of Commons that "silver is the normal money of mankind." The normal money! Si monumentum petis, circumspice. The utter rout and confusion of the world's currency and finance.

MORETON FREWEN.

NEW YORK, *February 6, 1920.*

Mr. LODGE. I move that the Senate return to the consideration of legislative business.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (S. 3875) to amend sections 5549 and 5550 of the Revised Statutes of the United States, reported it without amendment and submitted a report (No. 423) thereon.

He also, from the same committee, to which was referred the bill (S. 3430) fixing the salaries of certain United States attorneys and United States marshals, reported it with amendments and submitted a report (No. 422) thereon.

Mr. PAGE, from the Committee on Naval Affairs, to which was referred the bill (H. R. 11927) to increase the efficiency of the personnel of the Navy and Coast Guard, through the temporary provision of bonuses or increased compensation, reported it with amendments and submitted a report (No. 421) thereon.

CLAIMS FOR DAMAGES BY COLLISION.

Mr. JONES of Washington. Senate Document 214 relates to damages adjusted by the Chief of Engineers and a letter from the Secretary of the Treasury transmitting this data. It was referred to the Committee on Commerce and ordered printed. It should have been referred to the Committee on Appropriations.

I ask that the Committee on Commerce be discharged from the further consideration of the matter and that it be referred to the Committee on Appropriations.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

The message also announced that the House agrees to the amendment of the Senate to the bill (H. R. 10746) to authorize the incorporated town of Wrangell, Alaska, to issue bonds for the construction, enlargement, and equipment of schools; the acquisition and construction of a water-supply system; the construction of a sewer system; the construction of a city dock and floating dock; and to levy and collect a special tax therefor.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 11368) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

A bill (S. 3891) granting a pension to Anna J. Atlee; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 3892) for the relief of Alfred B. Andrews; to the Committee on Claims.

By Mr. CURTIS:

A bill (S. 3893) granting a pension to Joseph W. Songer (with accompanying papers); and

A bill (S. 3894) granting a pension to Ada N. Gahm (with accompanying papers); to the Committee on Pensions.

By Mr. NUGENT:

A bill (S. 3895) authorizing the granting of certain irrigation easements in the Yellowstone National Park, and for other purposes; to the Committee on Public Lands.

By Mr. FRANCE:

A bill (S. 3896) for the retirement of Frank Schoble, jr., and Raymond D. Day, first lieutenants in the United States Army; to the Committee on Military Affairs:

By Mr. GRONNA:

A bill (S. 3897) to amend sections 16 and 26 of the act of Congress approved July 17, 1916, known as the Federal farm-loan act; to the Committee on Banking and Currency.

MARTINA SENA AND OTHERS.

Mr. NORRIS. I ask unanimous consent that the Committee on Agriculture and Forestry be discharged from the further consideration of the bill (S. 3218) for the relief of Martina Sena, Luis E. Armijo, and Maria Baca de Romero, and that the bill be referred to the Committee on Public Lands.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMOOT submitted an amendment authorizing the Chief of Ordnance, United States Army, to expend from the unexpended balance of appropriations heretofore made under the title, "Armament of fortifications," for the construction of storage facilities, etc., not exceeding $12,351,000, which amount shall remain available during the fiscal year 1921, etc., intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. DILLINGHAM submitted an amendment proposing to appropriate $10,511.55 for use of the Eastern Dispensary and Casualty Hospital in the District of Columbia, etc., intended to be proposed by him to the second deficiency appropriation bill,

which was referred to the Committee on Appropriations and ordered to be printed.

Mr. RANSDELL submitted an amendment proposing to appropriate $250,000 for the prevention of the spread of epidemic diseases, etc., intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. FLETCHER submitted five amendments intended to be proposed by him to the river and harbor appropriation bill, which were referred to the Committee on Commerce and ordered to be printed.

CAR SHORTAGE.

Mr. GRONNA. Mr. President, a parliamentary inquiry. Yesterday I introduced a resolution which was not disposed of. Some Senators have asked me to let it go over until to-morrow. Will it be in order then?

The VICE PRESIDENT. The Chair has ruled that resolutions do not come up automatically upon the succeeding day, but lie on the table to be called up at the conclusion of morning business at any hour on any day when the Senators introducing the resolutions desire to call them up.

Mr. GRONNA. I thank the Chair. I give notice that I shall call up Senate resolution 302 to-morrow.

The VICE PRESIDENT. Morning business is closed.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. LODGE. I move that the Senate proceed to the consideration of the bill (H. R. 11960) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Foreign Relations with amendments.

Mr. LODGE. I ask that the bill be read for action on the amendments of the committee.

The VICE PRESIDENT. The Senator from Massachusetts requests that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments shall be first considered. The Chair hears no objection, and it is so ordered. The Secretary will read the bill.

The Assistant Secretary proceeded to read the bill.

The first amendment of the Committee on Foreign Relations was, under the subhead "Clerks at embassies and legations," on page 4, line 13, after the words "United States," to strike out "$438,000" and insert "$688,000," so as to make the clause read:

For the employment of necessary clerks at the embassies and legations, who, whenever hereafter appointed, shall be citizens of the United States, $688,000; and so far as practicable shall be appointed under civil-service rules and regulations.

The amendment was agreed to.

The next amendment was, under the subhead "Contingent expenses, foreign missions," on page 7, line 18, after the word "authorized," to strike out "$810,000" and insert "$1,000,000," so as to make the clause read:

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, repairs, postage, telegrams, furniture, typewriters (including exchange of same), messenger service, compensation of kavasses, guards, dragomans, and porters, including compensation of interpreters and the compensation of dispatch agents at London, New York, San Francisco, and New Orleans, and for traveling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations, including such loss on bills of exchange to officers of the United States Courts for China, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, $1,000,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 7, to insert:

PURCHASE OF THE EMBASSY BUILDING AND GROUNDS AT SANTIAGO, CHILE.

For the purchase of the embassy building and grounds about it at No. 1602, Alameda, Santiago, Chile, and for making necessary minor repairs and alterations in the building to put it into proper condition, $130,000.

The amendment was agreed to.

The next amendment was, under the subhead "Emergencies arising in the Diplomatic and Consular Service," on page 9, line 14, before the word "together," to strike out "$400,000" and insert "$500,000," so as to make the clause read:

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service and to extend the commercial and other interests of the United States, and to meet the necessary expenses attendant upon the execution of the neutrality act, to be expended pursuant to the requirement of section 291 of the Revised Statutes, $500,000, together with the unexpended balance of the appropriation made for this object for the fiscal year 1920, which is hereby reappropriated and made available for this purpose.

The amendment was agreed to.

The next amendment was, under the subhead "Allowance to widows or heirs of diplomatic or consular officers who die abroad," at the top of page 10, to insert:

PAYMENT TO MRS. WINIFRED T. MAGELSSEN.

To Mrs. Winifred T. Magelssen, widow of William C. Magelssen, late consul to Melbourne, Australia, $4,500, one year's salary of her deceased husband, who died while returning to the United States from his post of duty from illness incurred in the Consular Service.

The amendment was agreed to.

The next amendment was, on page 14, after line 9, to insert:

PAN PACIFIC UNION.

To meet the actual necessary expenses of delegates of the United States to the first Pan Pacific Scientific Congress, to be held in the city of Honolulu in August, 1920, and the necessary clerical work and assistants in preparing for, during, and after the congress and in calling a second congress, to be expended through the Pan Pacific Union, at the discretion of the Secretary of State, made available for the fiscal year ending June 30, 1921, $9,000.

Mr. LODGE. There are errors in the draft of the amendment as printed, and I ask to substitute for that the one which I send to the desk. It is precisely the same in effect.

The VICE PRESIDENT. The Secretary will read the proposed substitute.

The ASSISTANT SECRETARY. In lieu of lines 11 to 18 insert:

To meet the actual necessary expenses of delegates of the United States to the first Pan Pacific Scientific Congress, to be held in the city of Honolulu in August, 1920, and to pay for the necessary clerical work in connection with the congress and in calling a second congress, to be expended through the Pan Pacific Union, at the discretion of the Secretary of State, $9,000.

Mr. SMOOT. Mr. President, this is the first appropriation made for this purpose. I should like to have the Senator from Massachusetts explain the real purpose of it, and if in the future, in his opinion, these appropriations will come annually or is it just for this year?

Mr. LODGE. Mr. President, the people of the Hawaiian Islands and all others in the Pacific, including China and Japan, have formed an association, and are very desirous of having this conference, which is purely for scientific and commercial information. The Territory of Hawaii has already appropriated $10,000 for the purpose, New Zealand has appropriated $15,000, and it is expected that all the Pacific nations will appropriate for it.

Its purpose, as I said, is scientific and commercial. The governor of Hawaii and the Delegate from Hawaii appeared before the committee in its behalf, and it seemed to us a very desirable thing to do and that the improvement of relations and the knowledge gained will be very valuable. The committee was convinced that it is meritorious.

As to it being continued in the future, I can only say to the Senator that these things when once begun I have never known to die.

Mr. SMOOT. Nor have I.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued.

The next amendment was, on page 19, line 12, in the subhead before the word "High," to strike out "International" and insert "Inter-American," so as to make the subhead read "United States section of the Inter-American High Commission."

The amendment was agreed to.

The next amendment was, on page 19, line 15, before the word "High," to strike out "International" and insert "Inter-American," and in line 8, after the words "Secretary of," to strike out "State" and insert "the Treasury," so as to make the clause read:

To defray the actual and necessary expenses on the part of the United States section of the Inter-American High Commission, arising in such work and investigations as may be approved by the Secretary of the Treasury, $25,000, to be expended under the direction of the Secretary of the Treasury.

The amendment was agreed to.

The next amendment was, under the subhead "Waterways treaty, United States and Great Britain: International Joint Commission, United States and Great Britain," on page 20, line 7, before the words "to be," to strike out "$25,000" and insert "$40,000," and in line 12, after the word "business," to strike out "*And provided further*, That no part of this appropriation shall be expended for salaries of commissioners in excess of $3,500 each per annum," so as to make the clause read:

For salaries and expenses, including salaries of commissioners and salaries of clerks and other employees appointed by the commissioners on the part of the United States, with the approval solely of the Secretary of State, including rental of offices at Washington, D. C., expense of printing, and necessary traveling expenses, and for one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and for other purposes, signed January 11, 1909, $40,000, to be disbursed under the direction of the

Secretary of State: *Provided*, That no part of this appropriation shall be expended for subsistence of the commission or secretary, except for actual and necessary expenses, not in excess of $8 per day each, when absent from Washington and from his regular place of residence on official business.

The amendment was agreed to.

The next amendment was, under the subhead "Post allowances to consular and diplomatic officers," on page 23, line 13, after "$600,000," to insert "*Provided*, That no part of this appropriation shall be used for the payment of post allowances to any officer or employee not appointed under the Department of State and solely responsible thereto," so as to make the clause read:

To enable the President, in his discretion and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to consular and diplomatic officers and consular assistants and officers of the United States Court for China in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, $600,000: *Provided*, That no part of this appropriation shall be used for the payment of post allowances to any officer or employee not appointed under the Department of State and solely responsible thereto.

The amendment was agreed to.

The next amendment was, under the subhead "Contingent expenses, United States consulates," on page 25, line 16, after the word "authorized," to strike out "$900,000" and insert "$1,000,000," so as to make the clause read:

Expenses of providing all such stationery, blanks, record and other books, seals, presses, flags, signs, rent (so much as may be necessary), repairs to consular buildings owned by the United States, postage, furniture, including typewriters and exchange of same, statistics, newspapers, freight (foreign and domestic), telegrams, advertising, messenger service, traveling expenses of consular officers and consular assistants, compensation of Chinese writers, loss by exchange, and such other miscellaneous expenses as the President may think necessary for the several consulates and consular agencies in the transaction of their business, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, $1,000,000.

The amendment was agreed to.

The next amendment was, on page 26, after line 18, to insert:

FEES FOR PASSPORTS AND VISÉS.

From and after the 1st day of May, 1920, a fee of $1 shall be collected for each application and $10 for each passport issued to a citizen or person owing allegiance to or entitled to the protection of the United States or a person who has declared his intention to become a citizen of the United States, and said fees shall be paid into the Treasury of the United States at least quarterly: *Provided*, *however*, That no fee shall be collected for passports issued to officers and employees of the United States proceeding abroad in the discharge of their official duties.

From and after the 1st day of May, 1920, a fee of $9 for each visé of the passport of an alien and $1 for each application of an alien for a visé shall be collected and paid into the Treasury of the United States quarterly: *Provided*, That no fee shall be collected from any officers of any foreign Government, its armed forces, or of any State, district, or municipality thereof, traveling to or through the United States or soldiers coming within the terms of public resolution No. 44, Sixty-fifth Congress (H. J. Res. 331).

From and after the passage of this act it shall be unlawful for any citizen or person owing allegiance to or entitled to the protection of the United States or any person who has resided in the United States three years and has declared his intention to become a citizan of the United States to depart from the United States for any foreign country except Canada, Mexico, Cuba, Bermuda, and the Bahama Islands, or by way of these excepted countries to a foreign country, through the possessions of the United States or otherwise, or to depart from said possessions for any foreign country except Panama and those hereinbefore excepted, unless he bears a valid passport.

The amendment was agreed to.

Mr. SMOOT. Mr. President, has the amendment been agreed to?

The VICE PRESIDENT. The amendment has been agreed to.

Mr. SMOOT. Before the amendment was agreed to I thought the Senator from Massachusetts was going to offer an amendment to the amendment.

Mr. LODGE. I desire to perfect the amendment.

Mr. SMOOT. That is what I thought. After that shall have been done I desire to ask the Senator from Massachusetts a question.

The VICE PRESIDENT. If there be no objection, the amendment will be considered as not having been agreed to.

Mr. LODGE. I wish to amend the amendment on page 27, line 3, by striking out the period at the end of line 3, inserting a comma, and the words "or to members of their immediate families accompanying them, and this section shall not be applicable to seamen."

The VICE PRESIDENT. The question is on the amendment to the committee amendment.

The amendment to the amendment was agreed to.

Mr. LODGE. On the same page, lines 15 to 18, I move to strike out the words "or any person who has resided in the United States three years and has declared his intention to become a citizen of the United States."

The VICE PRESIDENT. The amendment to the amendment is agreed to without objection.

Mr. SMOOT. Mr. President, I now desire to ask the Senator from Massachusetts a question. The amendment beginning on page 26, line 20, reads as follows:

From and after the 1st day of May, 1920, a fee of $1 shall be collected for each application and $10 for each passport issued to a citizen or person owing allegiance to or entitled to the protection of the United States or a person who has declared his intention to become a citizen of the United States, and said fees shall be paid into the Treasury of the United States at least quarterly.

I desire to ask the Senator from Massachusetts if the committee has taken into consideration a condition which exists to-day? I know of many American citizens who have secured passports from the State Department to go, say, to England. Such passports have to be viséd by the English High Commission, which is located in New York; but many such passports are not viséd. Accordingly, under this bill, after an applicant has paid $11 in order to get his passport from the State Department, if visé is refused by the high commission at New York the passport would be of no use to him and he would have spent his money in vain.

Mr. LODGE. Mr. President, a fee on the visé is only paid in case it is granted.

Mr. SMOOT. I am aware of that, but the American who has paid the State Department $10 for his passport, on application to the English High Commission at New York may have visé refused. How is he then going to get his $10 back?

Mr. LODGE. The visé is given by the representative of the country of destination and, of course, the applicant has got to get a visé on any passport.

Mr. SMOOT. I am aware of that, and there would be no objection on my part to the amendment if passports were always viséd by the officials of the country of destination. I have knowledge of, I was going to say, hundreds of cases where the State Department has issued passports to American citizens who have applied at New York for a visé on their passports, and the visé has been refused. That is being done to-day on the ground——

Mr. LODGE. That happens in but very few cases, Mr. President.

Mr. SMOOT. I will say to the Senator that I personally know of a great many such cases, for they have come under my personal observation.

Mr. LODGE. Mr. President, it is impossible to suppose that the amount of money involved in such cases is more than a trifle, for but very few applicants are refused visés of their passports.

Mr. SMOOT. I will say to the Senator that I have had——

Mr. LODGE. Does the Senator from Utah desire the language so arranged that where a visé of a passport is refused by the foreign country the amount paid for the issuance of the passport shall be reimbursed to the applicant?

Mr. SMOOT. Why should it not be reimbursed to him? The passport does not do him any good.

I will say to the Senator that I took this matter up with the State Department less than 10 days ago as to the case of American citizens who are being absolutely refused entrance into England by the refusal of a visé of their passports at New York.

Mr. LODGE. If the Senator from Utah will prepare an amendment which will cover cases where visés of passports are refused by foreign countries, and providing that the amount of the passport fee shall be reimbursed by the Government of the United States, I shall be willing to accept it.

Mr. SMOOT. That is all I care for. I will say to the Senator from Massachusetts that the Secretary of State stated that it was almost unthinkable that such a thing as that should occur, and yet, I repeat, that in the last six months——

Mr. LODGE. What is done in such cases under the present law?

Mr. SMOOT. For the last six months I have been trying to have the British Government rescind the order that was issued as to this matter, but I know the practice has continued until to-day. I know the Secretary of State now has the question up with the British Government.

Mr. LODGE. Of course, every country has a right to grant or refuse visés of passports, and the number of visés of passports of immigrants coming to this country that we were obliged to grant was 500,000 last year.

Mr. SMOOT. The British Government takes the position that food is scarce and that as to persons who desire to go over to England and stay there for, say, over six months, they do not wish to visé their passports.

If the Senator from Massachusetts will agree to an amendment of the kind I have suggested, I should have not a particle of objection to this provision; but I do believe there should be such an amendment agreed to.

Mr. LODGE. I am perfectly willing to accept such amendment if the Senator from Utah will prepare it.

Mr. MOSES. I should like to ask the Senator a question. Is the refusal to visé passports because of an order in council a Crown statute or a governmental regulation?

Mr. SMOOT. It is by governmental regulation, as I have been told by Capt. Jeffs, who has charge of the English High Commission at New York, which is responsible for the viséing of passports.

Mr. MOSES. May I suggest further that the amendment should be drawn so as to include cases where statutes exist which would forbid the entrance of a foreigner into a country, as, for example, we have certain statutes that absolutely forbid the admission of certain classes of individuals; and we ought not to make the amendment so sweeping that those classes could benefit.

Mr. SMOOT. No foreigner would benefit by the amendment which I shall propose.

Mr. LODGE. This legislation refers only to passports which we issue to American citizens.

Mr. MOSES. I understand that; but there might be certain classes of American citizens who might be fugitives and by some subterfuge or other might secure passports.

Mr. LODGE. Fraud vitiates everything, of course.

Mr. THOMAS. Mr. President, have the committee amendments been concluded?

Mr. LODGE. No. I gladly accept such an amendment as the Senator from Utah [Mr. SMOOT] suggests, but I think it had better come in after the first paragraph, which relates to passports.

Mr. SMOOT. Or after the word "quarterly," in line 7, on page 27.

Mr. LODGE. Let there be put in at the appropriate place some such wording as this:

Whenever any foreign country refuses to visé a passport issued to an American citizen, the State Department is authorized to refund whatever has been paid for fees on the return of the passport.

The Secretary will be able to make such changes in the wording as may be necessary to make it accurate.

Mr. SMOOT. With the understanding that the amendment to the amendment shall be agreed to, I shall not object to the committee amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. At the end of the committee amendment it is proposed to insert the following:

Whenever any foreign country refuses to visé a passport issued to a citizen of the United States the State Department is hereby authorized to refund to said citizen whatever fees have been paid by him on return of the passport.

Mr. LODGE. I think that is all right.

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. THOMAS. Mr. President, I call the attention of the chairman of the committee having the bill in charge to page 11, lines 6 to 9, which provide an appropriation for the International Boundary Commission, United States and Mexico, $5,000. There is an unexpended balance for the present fiscal year amounting to somewhere in the neighborhood of $15,000, which is needed for the purpose of completing surveys of what are called "bancos," and that work can be completed, as I am informed, by the use of this unexpended balance. Therefore, at the end of line 8, page 11, I move to amend by inserting:

The unexpended balance of the appropriation for the fiscal year ending July 1, 1920, is hereby made available for the fiscal year ending July 1, 1921, for the objects and purposes designated by said act of appropriation.

Mr. LODGE. Mr. President, I have no objection to making the unexpended balance available. That, I am sure, will cover the matter.

Mr. THOMAS. I thank the Senator.

Mr. LODGE. That will make the total amount available $20,000.

Mr. SMOOT. Mr. President, I will not object to the amendment offered by the Senator from Colorado, but I desire to state that in the past the Appropriations Committee have objected to similar amendments.

Mr. McKELLAR. Mr. President, as I understand, that will make the total amount available $20,000, while the amount asked for was $45,000. I wish to ask the Senator from Massachusetts if he will not agree to an amendment on page 11, line 8, to strike out "$5,000" and insert "$20,000"? I wish to say to the Senate and to the Senator from Massachusetts that I am not very familiar with this matter. It is one which the senior Senator from Tennessee [Mr. SHIELDS] has been looking after, and he is detained from the Senate on account of illness in his family. I should like to have the Senator allow the amendment to go in the bill, at any rate until my colleague returns to the Senate, and if there is any discrepancy it can be corrected in conference.

Mr. LODGE. Mr. President, I think I have gone as far as I can in accepting the amendment offered by the Senator from Colorado. This commission has been at work since 1893——

Mr. SMOOT. That is, they have been drawing salaries since that time.

Mr. LODGE. They have been drawing salaries since that time. They appear to be engaged in an interminable task, because in the valleys, which extend some 400 miles, I think, the river shifts continually and forms what are called bancos. For instance, the line as drawn throws certain territory on to the American side of the river, we will say, but in the winter when the high water comes and the river changes its course it cuts through American territory and puts it inside the Mexican line. That is going on constantly. The Senator from Tennessee appeared twice before the committee, and the commissioner, Mr. Hill, who also comes from Tennessee, appeared, and likewise the Secretary. They admitted frankly that the only way to reach a final settlement was to establish an arbitrary line. This work has been going on for nearly 20 years, and the committee of the House and the committee of the Senate, which have had the subject before them not only this year but many times, both are entirely against the continuance of this work and this surveying. Mexico has not had an engineer there for the past year, and nothing has been done. If there are one or two surveys to complete, I am willing to make the previous appropriation available, but in view of the action of the committee I do not feel warranted in adding to the sum provided by the House, which is appropriated solely because it is a treaty matter. They would have abolished the whole thing if there had not been a treaty agreement. I think that $20,000 will take care of the officers of the commission.

Mr. McKELLAR. Mr. President, I am going to offer an amendment to strike out "$5,000," on line 8, page 11, and to insert in lieu thereof "$20,000."

The Mexican Boundary Commission was established under treaty with Mexico. Article 2 of that treaty provides:

The International Boundary Commission shall be composed of a commissioner appointed by the President of the United States of America and of another appointed by the President of the United States of Mexico, in accordance with the constitutional provisions of each country, of a consulting engineer, appointed in the same manner by each Government, and of such secretaries and interpreters as either Government may see fit to add to its commission.

Judge Hill, in describing what was being done, in the hearings said this:

In the estimate that I made for the appropriation for this fiscal year there were three distinct items of work that we regarded as important. One was a reconnoissance of the Rio Grande and its tributaries with a view of locating practical dam and reservoir sites for storing water for irrigation, and with a view of controlling the flood waters so as to reduce to a minimum the avulsive changes in these valleys; another was the establishment of gauging stations for the measurement of the water at different places above and below the mouths of important tributaries, so as to have a record of the flow of the river; and the other was this work of surveying these valleys where the line had not been surveyed under the treaty of 1905. We did make the reconnoissance of the river; we have established the gauging stations, and have them in operation; but because of the failure of the Mexican Government to cooperate with us we were not able to do the surveying, because this is a joint commission, and the survey ought to be made jointly by the engineers of the two Governments, and reported by them to the joint commission for its action.

So that it seems that the commission is doing a good work there.

Mr. LODGE. Mr. President, to be frank, they are not doing any work at all. They have had three meetings this year, the record of which covers nine typewritten pages.

Mr. McKELLAR. I do not know about the records of the meetings, but I know that these men have been down there on the job.

Mr. LODGE. They have had three meetings. They are not to blame for that, because there is no Mexican engineer at all.

Mr. SMOOT. Nor has there been for over three years.

Mr. LODGE. No; I think that is a little long. I think it is only two years.

Mr. McKELLAR. My recollection is that the commission rather lapsed and remained in abeyance for a number of years, but in the last two or three years they have had a live man at the head of it, and he has been at work.

Mr. LODGE. I want the Senator from Tennessee to be reasonable, and I think he will be when I have read the figures. Re-

member, we have added $15,000 made available of an unexpended balance. That makes a total of $20,000.

Let me read the expenses of last year. Gauging stations were established and maintained——

Mr. McKELLAR. What page is the Senator reading from?

Mr. LODGE. Page 41 of the Senate hearings. The expenditures were for making surveys, installing gauging stations, maintaining same four months, instruments for engineers, office supplies, rents, traveling expenses, telegrams, express and freight, ice, telephone, machine, sundries, salaries of commissioner, consulting engineer, assistant engineer, secretary, and disbursing officer, and clerk, office, El Paso. Seventeen thousand three hundred and twenty dollars will cover all the salaries and leave a balance of $2,500, which will cover, I think, all the other items.

Mr. McKELLAR. There is an item of $6,424.62 for making surveys, $2,792.76 for installing gauging stations, and $1,253.50 for instruments for engineers. The total of all these items, including the salaries up to July of last year, was $32,241.64, so that it would mean a reduction——

Mr. LODGE. For the next six months there was only $16,000 spent, because the Mexican was not there, and nothing was done.

Mr. McKELLAR. Well, they have been making surveys, because this is shown in the items of expense.

Mr. LODGE. Mr. President, they made no surveys in the past year. They admitted that themselves.

Mr. McKELLAR. They have a statement to that effect in this record.

Mr. LODGE. They may have had an engineer there, but they told me that no Mexican engineer had been there for over a year. Mr. Hill stated that himself. They may have been keeping up some surveys, but this $20,000 that they now have will pay all the salaries, and that is the principal thing.

Mr. SMOOT. Mr. President, I think about the only three necessary things to accomplish with this appropriation are that the commission, first, shall receive their checks; second, indorse the check; and, third, spend the money.

Mr. McKELLAR. Oh, the Senator is entirely mistaken about that.

Mr. SMOOT. I have studied this question more than the Senator from Tennessee has.

Mr. McKELLAR. The Senator may have, but I do not think he has studied it as carefully as I have, because the Senator is mistaken about that. I know he is well meaning in the matter, but he is just simply mistaken about it.

Mr. SMOOT. I am only judging what is going to happen in the future by what has happened in the past.

Mr. McKELLAR. The Senator remembers that several years ago it was in the hands of an Army officer, and nothing was done, but since it has been in the hands of a civilian commissioner down there a good deal more work has been done.

Mr. SMOOT. Oh, well, the Senator must know that the commissioner from Colorado was not an Army officer.

Mr. McKELLAR. Who was the commissioner from Colorado? As I remember, some general in the Army, whose name I forget now, was commissioner for many years, and I do not think he paid very much attention to it; but since that time they have been very active about it.

Mr. SMOOT. I am not going into that matter. I will content myself by simply saying that when the amendment offered by the Senator from Colorado gets into conference I hope the conferees will not agree to it.

Mr. McKELLAR. I know, of course, that unless the Senator from Massachusetts agrees to let it go into conference I can not get the amendment through the Senate. I realize that; so, unless he says that he is willing for it to go into the bill, so as to get it into conference, there is no use in my offering the amendment.

Mr. LODGE. All of the committee who were present and heard the statement were satisfied that the amount ought not to be increased. Now we have added this amendment, which gives them $15,000 more.

Mr. McKELLAR. That, of course, will help the situation somewhat, and I will accept what the Senator has done about it.

Mr. LODGE. I have accepted the amendment, and after the action of the committee on it I really think that is as far as I ought properly to go.

Mr. McKELLAR. I withdraw the amendment, then.

Mr. LODGE. I am sure the House take the view—perhaps a darker view than I do—that if it were not for the treaty they would abolish the commission.

Mr. SMOOT. They would have abolished it long ago.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Colorado [Mr. THOMAS].

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. LODGE. I move that the Senate request a conference with the House of Representatives on the bill and amendments and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. LODGE, Mr. MCCUMBER, and Mr. HITCHCOCK conferees on the part of the Senate.

CIVIL-SERVICE RETIREMENT.

Mr. STERLING. I move that the Senate proceed to the consideration of the unfinished business, Senate bill 1699.

Mr. POMERENE. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Harris	McLean	Simmons
Beckham	Harrison	McNary	Smith, Md.
Borah	Henderson	Myers	Smoot
Capper	Hitchcock	Nelson	Stanley
Chamberlain	Johnson, S. Dak.	New	Sterling
Colt	Jones, Wash.	Norris	Sutherland
Culberson	Kendrick	Nugent	Trammell
Curtis	Keyes	Overman	Underwood
Elkins	King	Page	Wadsworth
Fernald	Knox	Phelan	Walsh, Mass.
France	Lenroot	Phipps	Warren
Frelinghuysen	Lodge	Poindexter	Watson
Gronna	McCormick	Pomerene	Williams
Hale	McKellar	Sheppard	Wolcott

Mr. CURTIS. I announce the absence of the Senator from Iowa [Mr. KENYON], the Senator from New Jersey [Mr. EDGE], and the Senator from Louisiana [Mr. GAY] on business of the Senate.

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness. I ask that this announcement may stand for the day.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Fifty-six Senators having answered to their names, a quorum is present.

Mr. STERLING. Mr. President, I do not think my motion that the Senate proceed to the consideration of the civil-service retirement bill was put to the Senate. I renew the motion now.

The PRESIDING OFFICER. The question is on the motion of the Senator from South Dakota that the Senate proceed to the consideration of Senate bill 1699.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

TREATY OF PEACE WITH GERMANY.

Mr. BORAH. Mr. President, I had inserted in the RECORD yesterday the full statement of Mr. Hoover, expressing his views upon the political questions which at this time seemed to him worthy of discussion.

I am not about to discuss the question of Mr. Hoover's candidacy for the Presidency. I do not know whether he is a candidate in either or neither or both parties, and at the present time it is not my purpose to undertake to find out from his statement whether or not he is a candidate. I was greatly interested, however, in some views which he expressed, particularly with reference to the subject now uppermost in the minds of the people of this country. He has occupied a position which makes his views upon this subject of more than ordinary interest. It is with reference to those views that I desire to offer some observations.

I quote from Mr. Hoover's statement:

> If the treaty goes over to the presidential election with any reservations necessary to clarify the world's mind that there can be no infringement of the safeguards provided by our Constitution and our Nation-old traditions, then I must vote for the party that stands for the league.

There has been some difference of opinion as to the exact meaning of this statement. Some have thought that it could be construed as placing Mr. Hoover in opposition to any reservations at all; but I think a fair and legitimate construction of the language used is to the contrary. As I understand the statement, the treaty must carry reservations which respect our Constitution and our Nation-old traditions. In case the treaty is presented in the presidential election with such safeguards, as I construe the statement, Mr. Hoover would support the party standing for the treaty with those reservations. It is true that he does not state clearly what he would do in case the treaty were presented without sufficient reservations;

but the fair inference, it seems to me, is that it would have to carry reservations according to the standard here laid down before he would support it.

Mr. President, if this is the statement of Mr. Hoover, and if I have correctly construed it, it is indeed of unusual interest in the consideration of the matter at this time. If the construction which I have placed upon it be a fair one, then Mr. Hoover may fairly be placed alongside of those who have heretofore been classed as irreconcilables. He would, of course, deny this, but if he ever tries to write a league to conform to his standard, assuming he would stick to his standard, he would land in this much-despised camp.

No one has contended for anything other than a league which would protect and safeguard the provisions of our Constitution and the Nation-old traditions of our country, and it marks a distinct advance upon the part of those who heretofore have been advocating the treaty. If it is conceivable that a treaty can be formed and a league of nations written which will respect the Constitution of the United States in its letter and its spirit, and which will safeguard and preserve the Nation-old traditions of our country, the matter would end here without any further debate, in my judgment, upon the part of anyone. The entire controversy has been over the question of how we can protect and safeguard our institutions as protected by our Constitution and our policies as established by our Nation-old traditions.

Those who have advocated the unconditional ratification of the treaty have, I assume, entertained the belief that there was nothing in the treaty or the league which runs counter to the Constitution. Certainly those who have been advocating reservations have taken the position that all they sought by the reservations was the safeguarding of the things which Mr. Hoover says reservations must safeguard before it secures his approval or his vote. Speaking for myself, and, I believe, for others who have been opposed to any league at all, we have based our opposition upon the proposition that those things could not be safeguarded and protected at all under any reservations which could be offered or which had been suggested. In a word, that a league and our Nation-old policies are irreconcilable.

So the whole question is what will protect our Nation-old traditions and what kind of a league can be written or framed which will safeguard those traditions and the principles of our Government as crystallized into our fundamental law? I think if Mr. Hoover will sit down and take his pencil and undertake to write a league of nations which will do what he says here is a prerequisite to his support, he will find himself in the position of some of us who have undertaken that same thing—that it is impossible to accomplish the feat. It can not be done. You must either give up our Nation-old policies or you must stay out of the league. You can not be entangled in European affairs and not be entangled at the same time. Viscount Grey said quite candidly that this was not only a plunge into the unknown but into a course absolutely contrary to our previous foreign policy.

It is very easy to say in popular parlance and as a matter of generalization that you want a league, but you want one which will not in any wise infringe upon our constitutional principles or our traditions. But when you sit down and reduce it to a practical concrete result it is a very difficult thing to do. Indeed, with all due respect to those who hold a different opinion, I insist that it is an impossible thing to do. You can not have a league of nations such as Mr. Hoover speaks of, because you can not have a league unless you give up some of those things which he says are prerequisite. Let us read his statement again:

> If the treaty goes over to the presidential election with reservations necessary to clarify the world's mind that there can be no infringement of the safeguards provided by our Constitution and our Nation-old traditions, then I must vote for the party that stands for the league.

Our Nation-old traditions, Mr. President, with reference to our foreign policy, will bear repeating, especially in view of Mr. Hoover's statement. Before going to another feature of it I am going to call attention to those Nation-old traditions, the basis upon which they rest, and ask my colleagues here how it is possible to conform a league to the principles thus announced in his statement as necessary to constitute a league which will secure his support.

Washington, in his Farewell Address, which constitutes the basis of our whole foreign policy, including the Monroe doctrine as well as the doctrine which is peculiarly associated with Washington's name, had this to say in the very beginning of our Government:

> The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.
>
> Europe has a set of primary interests, which to us have none or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Mr. President, the very idea of a league, the fundamental principle upon which it must rest or not rest at all, is in direct contravention to this, the oldest and the most sacred of our Nation's traditions. While I do not mean to say this as an impeachment of Mr. Hoover's intellectual integrity, when a man says to the people of the United States that he is in favor of a league of nations which will preserve this tradition, he is stating a contradiction and he can never reduce his theory to practice. And it is the viciousness of the whole scheme that when you reduce it to practice where it will have to go, when the burden falls upon the masses of the American people, it will be a different thing from what it is when you talk about it from the rostrum.

> Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?
>
> It is our true policy to steer clear of permanent alliance with any portion of the foreign world.

What is a league of nations but an alliance with all of the world who come into it, with Europe and with Asia and with Africa and with the islands of the sea? Every part of the habitable globe is included in it. How can one say that he wants a league with reservations which protects that which destroys the league itself if it does protect it? What we are entitled to, Mr. President, in dealing with the League of Nations, as I said in the very beginning of this controversy months ago, is candor with ourselves and with the American people, and not pretend to offer them something which in fact we are not giving them.

This is particularly pertinent:

> It is folly in one nation to look for disinterested favors from another.

Is not that quite as true to-day as it was a hundred and odd years ago? Have you gentlemen observed anything since the armistice was signed on the part of either of our allies or associates which runs counter to this remarkable statement, courageous and wise, that it is folly in one nation to look for disinterested favors from another?

> It must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

It sounds like a note, Mr. President, from the Father of our Country to some of the well-meaning men who seem to think that a different rule will now apply, and that we can accept those altruistic theories which have never as yet obtained among the nations of the earth.

Kindred to the rule which I have just been stating, and a part of it, really, is the second proposition that relates to our Nation-old traditions. It is stated by Mr. Jefferson, who, perhaps, of all men who ever lived had the greatest capacity for stating with completeness and succinctness the entire proposition in a single sentence or paragraph. We remember when Mr. Monroe was dealing with the question or the problem which afterwards crystallized into what is known as the Monroe doctrine he wrote to Jefferson, then in his old age, at Monticello, asking for his advice, and Jefferson responded, saying:

> The question presented by the letters you have sent me is the most momentous which has ever been offered to my contemplation since that of independence. That made us a Nation. This sets our compass and points the course which we are to steer through the ocean of time opening on us. And never could we embark upon it under circumstances more auspicious. Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe. Our second, never to suffer Europe to intermeddle with cis-Atlantic affairs. America, North and South, has a set of interests distinct from those of Europe and particularly her own. She should, therefore, have a system of her own separate and apart from that of Europe.

The very object of the league, Mr. President, is to eliminate and destroy both of these principles. As it was originally drawn it wholly accomplished that fact. In my humble judgment, as it was drawn the second time it accomplishes that fact. There is no doubt that it accomplishes a destruction of what is known as the Washington policy, and there is just as little doubt in my mind that it destroys the other, and, in my humble opinion, with the reservations which have been written both of the policies will disappear, one instantly and the other inside of a decade.

These two policies have nowhere been stated better than they were stated by the President of the United States some three or four years ago. I am calling attention to this in order that those who are interested in Mr. Hoover's statement that this league

must preserve these Nation-old traditions must take into consideration these announcements which I have read, which have been engrafted upon our political system, and which have become just as essential to our happiness as a people and power as a Nation as the Constitution of the United States itself.

Mr. Wilson said:

Every man who worthily stands in this presence should examine himself and see whether he has a full conception of what it means that America should live her own life. Washington saw it when he wrote his Farewell Address. It was not merely because of passing and transient circumstances that Washington said that we must keep free from entangling alliances. It was because he saw that no country had set its face in the same direction in which America had set her face. We can not form alliances with those who are not going our way and in our might and majesty and in the confidence and definiteness of our purpose we need not and we should not form alliances with any nation in the world.

Mr. THOMAS. Will the Senator state the date and the occasion when the President delivered himself of those utterances?

Mr. BORAH. I can not state with exactness the date, but it was in May, 1915, as I now remember.

These, Mr. President, constitute the body of the Nation-old traditions which Mr. Hoover says these reservations should protect. I have this question to submit to Mr. Hoover: What is his plan for protecting them? Where is the framework of the league which will protect them? Will he submit it to the American people? Will he give the Senate the benefit of it? How can it be done? It is the thing about which we have been contending here for nine months. I venture to say that no proposition will thus be submitted, because when it comes, as I said, to working it out as a practical proposition you can not do it.

Mr. Taft and the advocates of the league have admitted that it is the destruction of our hitherto foreign policy; that it is an entire change of our national system so far as policies are concerned. I do not know, indeed I think I am authorized to say, from the President's speeches upon his western tour, that he regards it as an entire change of our foreign policy with the possible exception of the Monroe doctrine.

If the able gentleman does not tell us how we are to preserve our national traditions, how shall we or the national conventions know how it is to be done? Evidently he does not think that the reservations accomplish it because he does not indorse either set of reservations. Evidently he thinks that no program has yet been submitted which accomplishes it because he does not indorse any program. He simply lays down the policy and leaves us to deal with the rest. The rule he announces is perfectly sound; its execution will work disaster to his league.

Suppose we enter the League of Nations with article 10 left in it, which obligates us to protect the territorial integrity and political independence of all nations who join the league, immediately the policy of Washington disappears and immediately the policy of Monroe disappears, because it applies to the western continent as well as the eastern continent and makes no exception, neither in article 10 nor in article 11.

Do I understand that Mr. Hoover is in favor of joining the League of Nations with article 10 as it stands, or does he propose to eliminate it entirely? Does he propose to join the league with article 11 as it stands, or does he propose to eliminate it? The criticism which I have to offer is that we are left utterly in the dark as to what constitutes the kind of league which America should adopt.

There have been two reservations offered to article 10; one by the Senator from Massachusetts [Mr. LODGE], the leader of the majority side, and one by the Senator from Nebraska [Mr. HITCHCOCK], the leader of the minority side. After some 60 days of careful study of these two reservations the only difference I find between the two is whatever difference arises by using the word "unless" instead of using the word "until." Mr. Hoover does not tell us whether he is an "unlessite" or an "untilite." [Laughter.] He does not seem to understand that upon these words hangs the fate of the world. Our reservation friends realize the stupendous importance of this difference. Those of us on the outside who have had some difficulty in regard to it follow blindly our leaders. The Lodge reservation reads as follows:

The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

The reservation offered by the Senator from Nebraska reads:

The United States does not assume any obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, until in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

Does not Mr. Hoover know the intellectual battle that is now going on here to divide the world between the "unlessites" and the "untilites"?

Mr. HITCHCOCK. Mr. President——

Mr. BORAH. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. That the Senator quotes the reservation which he has just read as my reservation is another proof of the persistence of evil in the world. That was not a reservation which I offered; it was a reservation which was printed with my name attached to it; but I never offered it, for the reason that it was not perfected and was erroneously sent to the desk with a batch of other reservations during the time limit, when it was necessary to get all of the reservations before the Senate. I have made explanations of the situation several times, and I presume the Senator from Idaho is more interested in setting forth an interesting and amusing incident than he is in making any misrepresentation of my position. The reservations which I offered were those upon which the Senate voted and upon which it cast 41 votes. They are the reservations which have since received the approval of the President of the United States; but the reservation which the Senator has read was not a reservation that I offered.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. BORAH. I yield.

Mr. KNOX. I suggest, if the Senator will permit me, that it is very much to the credit of the Senator from Nebraska that he disavows the reservation just read by the Senator from Idaho.

Mr. HITCHCOCK. Mr. President, I trust that I shall not be under any necessity of disavowing the reservation any further. I am perfectly willing to listen to the amusing discussion of it by the Senator from Idaho, but I trust no one will hereafter seriously charge me with its authorship.

Mr. BORAH. Mr. President, my personal regard for the Senator from Nebraska will hereafter guide me, and I shall not charge him with being the author of the reservation; but it will always be a source of speculation to the Senator from Idaho as to how the reservation got in under the wing and under the name of the Senator from Nebraska, and how it was permitted to be printed and to appear in the volume among all those reservations which were offered and to be offered as the reservation of the Senator from Nebraska. However, whether the Senator from Nebraska is the author of it or not, or whether it must go fatherless into oblivion, it does illustrate, to my mind, the controversy here between the reservationists.

So far as the principle which Mr. Hoover states is concerned—that is, the preserving of our "Nation-old traditions"—the Nation-old tradition excludes the reservation of the Senator from Massachusetts just as completely as it does the reservation which does not belong to the Senator from Nebraska; for, mind you, Mr. President, our Nation-old tradition did not contemplate our taking any part in European affairs, even by the action of Congress. The Father of his Country, Mr. Jefferson, Mr. Madison, Mr. Monroe, and Mr. Hamilton intended to exclude the Executive, the Congress, or any other governmental agency from interfering in foreign affairs at all. Both of those reservations provide that we may protect the territorial integrity and political independence of all these nations when Congress says so. Our Nation-old tradition said that Congress never shall say so. It was not to exclude the Executive from taking such action, but it was to turn the people of the United States as a people, through their Congresses and their Executives, away from the thought of engaging in such a policy. So I say that the Nation-old tradition excludes the reservation of the Senator from Massachusetts just as completely as it does the other reservation, the author of which is unknown, and as it does the policy announced by Mr. Hoover.

There will come a time, Mr. President, in this controversy when we shall have to stop talking generalities. When you meet the man and the woman in the street and in the field, those who deal with the concrete propositions of life, who are not given to the use of glittering generalities, but who deal with the things which touch them in their struggle for existence, you will have to answer to them, "How do you protect us from the embroilment in Europe?" What will they say in reply when you say, "We propose to protect the territorial integrity of these nations, but not until Congress or unless Congress says so"? Their reply will be to you, "Congress has no more right to say so than has the President of the United

States. We, the people, propose to oppose that policy, and we do not propose that even Congress shall have the power to commit the men and women of this country to such a burden."

There may be some egotism in Congress which leads it to believe that it is a surer and safer guardian of the people's interests than the Executive, and vice versa; but the safeguard is back among the people of the United States, and they do not propose to protect the territorial integrity of other nations under the direction of Congress any more than they do under the direction of the President of the United States. If Congress should vote to do so, it would be violating the policy of Washington and Monroe just as completely as if the Executive did it alone.

Mr. LENROOT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Wisconsin?

Mr. BORAH. I do.

Mr. LENROOT. I am very interestingly following the Senator's argument, but I should like to ask the Senator whether he thinks the policy of Washington is superior to the will of the people of the United States represented by Congress acting under the Constitution?

Mr. BORAH. I do, until you give the people of the United States an opportunity to pass upon the question. Do not misunderstand our position. If you will send this question to the people of the United States, let them go into the voting booths and direct their representatives to enter this league through proper changes of the Constitution and whatever else may be necessary, that is a different proposition; but the Congress of the United States has had no instruction upon this subject.

In 1916, Mr. President, if there was anything that was studiously avoided in the campaign it was this very issue. Neither the President of the United States nor his antagonist even broached the subject that we were going to enter upon such an enterprise; indeed, the President of the United States was elected upon the very contrary proposition; and Mr. Hughes never intimated that he proposed to change the policy of Washington and Monroe if he were elected. Was it made an issue in 1918, when the present Congress was being elected? When have the people had an opportunity to pass upon this question? Give them an opportunity; let them vote upon it. This is their Government and their country. If they want to enter into this enterprise, they have a perfect right to do so; they can change every line of the Constitution; they can annul the policies under which we have lived; but let us have their wisdom and their judgment upon the matter before we, as agents who have received no instructions, usurp our authority and say we are going to take this action.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield further to the Senator from Wisconsin?

Mr. BORAH. Yes, sir.

Mr. LENROOT. The Senator does not claim, does he, that there is anyone on this side of the aisle who contends that this Congress should assume that obligation? If Congress ever should assume it, the people will have an opportunity, under the reservation, to instruct their representatives when they elect them.

Mr. BORAH. To get out of it?

Mr. LENROOT. No; to assume the obligation.

Mr. BORAH. Oh, yes. If I understand the Senator from Wisconsin is now standing with me to send this question to a vote of the people, then we have no difference in the world, because the people have a perfect right to deal with the Constitution as they wish and to deal with our policies as they wish; so if we are going to the people on this proposition, that is a different thing; but I call the Senator's attention to the fact that this treaty is now back in the Senate for no other reason than to get it out of the next campaign if possible, to which aspect of the situation I am going to refer in a few days.

Mr. LENROOT. Will the Senator yield further?

Mr. BORAH. I yield.

Mr. LENROOT. The Senator is now discussing the Lodge reservation to article 10. Under the Lodge reservation to article 10, if Congress ever does assume the obligation, it will not be this Congress but it will be a Congress elected when the people will have an opportunity in the election of that Congress to assume the obligation.

Mr. BORAH. Precisely; but in the meantime the Senate has bound the people of the United States by a moral obligation to do this thing in case certain conditions arise.

Mr. LENROOT. There we do not agree.

Mr. BORAH. In other words, you have set aside the policy of Washington, because you have entered into a contract to do many things about the affairs of Europe.

Mr. LENROOT. If the Senator will yield further, I can not at all agree with him upon that construction. By this reservation we assume nothing and leave Congress wholly free in the future to assume or not to assume the obligation. The policy of Washington remains, in so far as this reservation is concerned, until some future Congress, if it ever shall, shall change it. The ratification of the treaty with this reservation does not change it in the slightest degree.

Mr. BORAH. Mr. President, the policy of Washington does not remain; we are sitting through our accredited representatives in the council; we are sitting through our representatives in the assembly; we are taking part in the political affairs of Europe. Whether it amounts to the preservation of the territorial integrity of some country or not, we are taking part in all the affairs of Europe, which is contrary to the policy of Washington, regardless of whether or not it ever rises to the point of actually protecting the territorial integrity of any nation of Europe.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield further to the Senator from Wisconsin?

Mr. BORAH. I yield.

Mr. LENROOT. Now, the Senator is getting away from article 10. I was confining my observations to the obligation assumed under article 10 and the reservation declining to assume it.

Mr. BORAH. But we have got to take the entire instrument. That is true so far as article 10 is concerned, technically speaking. For the sake of the argument—although I do not think it will bear that construction—we will take the Senator's construction of it, that the Congress would have the right to refuse to execute article 10; but under what conditions would it have the right to refuse to do so? Suppose our representatives on the council and our representatives on the assembly have cooperated with the representatives of the other nations of the earth on the council to such a point as that a moral obligation has arisen. Is the Congress of the United States free, as it is to-day? Has it the same latitude and the same discretion that it has to-day? If you think it has, take the situation as it is presented to us here in the Senate Chamber now. The reason why we are asked to do what we are asked to do to-day, or next week, is because our representatives in Versailles have committed us to the proposition and that we are morally bound to act. What is the trouble with our English friends now, and why are they becoming so estranged from us? It is because they say that our representative went thither and contracted, and now, in the language of Sir George Paish, who is here as a volunteer to instruct the American people in their moral obligations, we are moral delinquents for failing to comply with the course laid down by our accredited representative.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I yield.

Mr. THOMAS. The same position was assumed on the night of the 17th of January in New York City by the acting premier of Canada, his position being that we, the United States, having accredited the President as our representative to the Versailles conference, were morally bound by the conclusions which he reached and by the document to which he appended his signature.

Mr. BORAH. And that would be accentuated, Mr. President, by reason of the fact that the next gentleman that goes, if he goes, will not be only accredited by the Executive but he will be accredited by the Congress itself, and the Congress will have to respect him as the accredited representative of both departments of the Government.

Mr. President, on other features of this matter, for I have digressed somewhat——

Mr. KING. Mr. President, will the Senator permit an inquiry?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. Yes; I yield.

Mr. KING. Without discussing whether or not the League of Nations involves a departure from the traditional policy announced by Washington in his Farewell Address, I was interested to know what the Senator meant when he said—at least I so interpreted his remark—that if we adopt the League of Nations we would have to modify or change the Constitution of the United States, or at least it would impose obligations which would be in contravention of the Constitution of the United States. I was anxious to know what particular clauses of the Constitution of the United States would be violated by entering into the League of Nations.

Mr. BORAH. Mr. President, if the Senator will permit me, I would prefer to go on with my remarks along other lines; but I will say, in order that the Senator may know that I did not speak inadvisedly with reference to my own view, that I do think this necessitates either a disregard of the Constitution of the United States or, if we conform to it, a change, in view of the fact that the league creates an office unknown to the Constitution and puts in that office an officer unknown to the Constitution and delegates authority to bind the United States. We create an office unknown to the Constitution. We give the officer powers unknown to the Constitution. The Congress of the United States is delegating certain powers to that officer. The Congress has no authority to delegate any such powers, no authority to create any such office, no authority to create any such officer or to give him any such power. There are other constitutional objections, but I can not discuss them at this time.

Mr. President, I want to refer now for a few moments to the treaty itself, in view of Mr. Hoover's interview, and particularly in view of Mr. Hoover's great opportunity for knowing some things concerning the treaty and its effect upon Europe which some of us have not had an opportunity to know.

I hold in my hand a book entitled "The Economic Consequences of the Peace," by J. M. Keynes. I presume that Senators have generally read this book. If they have not, I know they will find it exceedingly interesting. I wish not only that they could all find time to read it, but, more especially, that it could be read by the people of the United States very generally. Let me say in passing that it would be well for those who may be interested in the book to read first the speech of the Senator from Pennsylvania [Mr. KNOX] delivered in the Senate Chamber on the 29th of August last. It is remarkable to what an extent this book sustains the views then expressed by the Senator and the prophecies, if I may use the term, which he made with reference to the effect of this treaty upon Europe.

This book is written by a gentleman who is now the editor of the Economic Journal in England, has been for many years associated with the treasury department, was a member of the supreme economic council at Paris, and, as I understand, was a visitor to this country with Lord Reading. He has had an excellent opportunity to study this particular situation, and he has been all his life a student of the subject matter, economy and finance, with which he particularly deals when he discusses the probable effect of the German treaty. His contention is that the German treaty consigns continental Europe to perpetual famine and chronic revolution; that unless the treaty is completely revised and rewritten it must inevitably result that the economic system of Europe will be destroyed, which will result in the loss of millions of lives and in revolution after revolution, which necessarily follows when a people find themselves in the condition to which the people of Europe will be reduced. He shows, in the first place, that the German economic system was the economic system of Europe, around which the economic system of all the other countries of Europe was grouped; that this treaty industriously and effectively destroys the only economic system in Europe which could take care of the appetites and clothe the people, 300,000,000 in number, living in continental Europe; and that the United States—this is not his language, but the inference which in my judgment may be drawn from it—must necessarily enter upon an endless task of pouring funds into continental Europe to feed those who are to be impoverished by reason of the German treaty. I understand—I think I saw it in print; I know I have heard it several times—that Mr. Hoover himself stated that the German treaty reduced Austria to perpetual famine. What I should like to know is if the judgment of Mr. Hoover, who asks that the pending treaty should receive the approval of the people of the United States, is in accordance with that of the great economists of England who have already denounced the treaty as an impossible one, working disaster and ruin to an entire continent.

Mr. Hoover has been there. He has studied the situation. He knows the conditions, financial and economic. There is no one in the United States who has any better or greater opportunity to know the situation than Mr. Hoover. No one could advise with more effectiveness and success as to the economic consequences of this treaty, so far as this country is concerned, than Mr. Hoover himself; and I call upon him, as one who has stated the policies which should guide the two great parties of this country, to advise the two great parties and the Senate of the United States, and particularly the people of the United States, as to whether or not the conclusions drawn by Mr. Keynes are correct conclusions. If they are, we should hold back from the ratification of this treaty as we would hold back from being participants in wholesale murder.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. BORAH. I yield to the Senator.

Mr. HITCHCOCK. The picture that the Senator draws from the work of Mr. Keynes is very impressive, and I sympathize a good deal with that English economist's view that prostrating Germany and rendering Germany helpless is possibly a damage to all Europe; but has the Senator from Idaho contemplated the consequences of American failure to become a party to the treaty, so as to have membership on the all-powerful reparations commission? These great powers of exacting tribute and reparations from Germany, and the control of the economic conditions in Germany, are vested in this commission on reparations; and the attitude of that commission toward Germany is going to be the cause of alleviating or of perpetuating the evils of which Mr. Keynes in his book speaks. Now, if America becomes a member of that commission, America's influence on the commission will necessarily become very powerful. Already, whether it is the result of Mr. Keynes's book or of other propaganda in Great Britain, it is known that the British attitude toward Germany is changing, and that Great Britain proposes so to modify the terms of the treaty, through her influence on the reparations commission, as to make it possible for Germany to produce and play her part in the world; and Great Britain's influence with France will be to the same effect.

Now, I ask the Senator from Idaho this question: Will not the presence of the United States upon the reparations commission have a beneficial influence in causing such a modification of the terms exacted from Germany as to give the German people a chance to get upon their feet? Will not the American influence be all in the direction of moderation and alleviation; and will not that presence, therefore, be of tremendous benefit in permitting the economic conditions in Europe to be so modified and improved that the restoration of normal conditions will be hastened?

To my mind, the presence of the United States upon the reparations commission will be of inestimable value in bringing about that result in Europe. The United States will be a disinterested member.

Mr. BORAH. Mr. President, of course the influence of the United States and the power of the United States may be something after we join the league, and something after we become a member of the reparations commission; but how infinitely greater it is, how commanding it is just now, if we say to France—because this treaty, according to this book, is France's idea crystallized—"We will assume no such burden and we will have no part in any such cruel and unjust situation until you consent to modify this treaty in accordance with what the President of the United States insisted upon at Versailles"! Let us stay out until they remedy the wrong which they themselves made possible.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. BORAH. I do.

Mr. KNOX. The Senator from Idaho made reference a moment ago to a speech that I made in the Senate on the 29th of August on this subject. I want to call the attention of the Senator and of the Senate to the fact that in that speech I avowed, in these terms, that its sole and only purpose was to advance the proposition that it was impossible for Germany to carry out the terms of the treaty. I predicated that statement not only upon my own conception, after a very close analysis of the terms of the treaty, as to the weight of the obligations that were laid upon the back of Germany, but I took the testimony of Mr. Bernard Baruch, who, in compliance with a request from the State Department to send an expert on the economic features of the treaty, testified under my cross-examination that in his opinion Germany would never be able to carry out the terms of the treaty. I asked him if he considered it good business to lay upon the back of a debtor a burden that he could not carry, and he replied that he did not think it was good business.

The obvious situation is that economically Europe is pyramided upon Germany. European solvency either depends upon Germany being able to pay a fair indemnity, or it depends upon the United States advancing more money to keep Europe going; and if one or the other of those two things is not accomplished, and speedily accomplished, we have nothing but a prospect of Bolshevism and anarchy throughout the entire Continent of Europe.

If the Senator will permit me now to say something in reply to the Senator from Nebraska, it is true that the reparations commission have the power to reduce or increase the amount of the reparations. They can increase them by a majority vote without reference to their Governments. The members of the

commission themselves have that authority; but they can not abate one farthing of the reparations without the unanimous vote of all of the commissioners, backed up and supported by the action of their Governments. Now, I ask, what prospect is there that those who exacted those extraordinary, cruel, and unusual terms will voluntarily reduce them? And to the extent that there is throughout the world—and there is throughout the world—a very great feeling that this treaty must be modified, I attribute it largely to the fact that up to now the United States has refused to become a party to it.

Mr. BORAH. Mr. President, it ought to be stated here that this book discloses that the President of the United States and his advisers were from the beginning opposed to the treaty in its terms. I think there is no doubt that America's influence was thrown entirely against the treaty in the respects in which we now make complaint of the treaty, but it did no good; it did not accomplish anything. All of which ought to answer the contention that once in we can effectuate a change.

The Senator from Nebraska [Mr. HITCHCOCK] I know has read the book and he recalls that in chapter 3 the author outlines and narrates how Mr. Clemenceau and Mr. George dealt with the President, and how they outgeneraled the President and accomplished that which the President did not desire, but which they intended from the beginning to have. It is a revelation bearing upon the proposition that Europe has changed her nature. So has the leopard!

I will read now the concluding paragraph of chapter 3 for the benefit of the Senate, and then I will take up the book further. It seems that Mr. Clemenceau and Mr. George had accomplished their purpose and had a great deal of trouble in getting the President up to the point where he would agree to it. Then after they had accomplished it and found out what a stupendous burden they had put upon Germany and what would be the consequences it would have upon the rest of them, they immediately came to the conclusion that perhaps they had better modify the treaty a little. They started out then to get the President to change back and modify that to which he had consented, and that is disposed of in this fashion:

Thus it was that Clemenceau brought to success what had seemed to be, a few months before, the extraordinary and impossible proposal that the Germans should not be heard. If only the President had not been so conscientious, if only he had not concealed from himself what he had been doing, even at the last moment, he was in a position to have recovered lost ground and to have achieved some very considerable successes. But the President was set. His arms and legs had been spliced by the surgeons to a certain posture, and they must be broken again before they could be altered. To his horror, Mr. Lloyd-George, desiring at the last moment all the moderation he dared, discovered that he could not in five days persuade the President of error in what it had taken five months to prove to him to be just and right. After all, it was harder to debamboozle this old Presbyterian than it had been to bamboozle him; for the former involved his belief in and respect for himself.

I leave that for the contemplation of the Senator as to what effect our representative would have on the reparation commission when he would have to have a unanimous vote of the commission. Let us have the bamboozling and debamboozling this time before we are in where we are again at their mercy.

Mr. HITCHCOCK. I do not know whether it will disturb the Senator from Idaho, but I should like to have him recite to the Senate, as the author of that book does, what were the causes which led Lloyd-George to make those foolish exactions of Germany.

Mr. BORAH. I will come to that as I go along.

Mr. HITCHCOCK. That would fit in very well now. It was because Lloyd-George wanted to try the referendum on the English people and insisted on having an election. Instead of exerting his responsibility as head of the British Government, he went into a British campaign, and in the campaign, as the result of political excitement and against his own judgment, he was made to promise to the British people impossible exactions of Germany, which he had to carry out when he got to Paris.

Mr. BORAH. The United States is not going to become responsible for the political exigency or insincerity of Mr. Lloyd-George. I read now from page 3 of the book:

But the spokesmen of the French and British peoples have run the risk of completing the ruin, which Germany began, by a peace which, if it is carried into effect, must impair yet further, when it might have restored, the delicate, complicated organization, already shaken and broken by war, through which along the European peoples can employ themselves and live.

On page 25 the author says:

The war had so shaken this system as to endanger the life of Europe altogether. A great part of the Continent was sick and dying; its population was greatly in excess of the numbers for which a livelihood was available; its organization was destroyed; its transport system ruptured; and its food supplies terribly impaired.

It was the task of the peace conference to honor engagements and to satisfy justice; but not less to reestablish life and to heal wounds. These tasks were dictated as much by prudence as by the magnanimity which the wisdom of antiquity approved in victors. We will examine in the following chapters the actual character of the peace.

Yes; if the peace and happiness of Europe was to be considered it was of first concern to restore Europe's economic system. Not to do so was to put in peril the whole social structure of Europe and to lay heavy burdens upon civilized people everywhere. It was to punish the helpless and the innocent and to starve women and children by the thousands, even millions.

I am only running through the book to get a certain drift of it in order to make some comments later.

On page 51 the author says:

The President's attitude to his colleagues had now become: I want to meet you so far as I can; I see your difficulties, and I should like to be able to agree to what you propose; but I can do nothing that is not just and right; and you must first of all show me that what you want does really fall within the words of the pronouncements which are binding on me.

Mr. President, I have no doubt that my colleagues and many other people have thought that I have been a little severe in my language toward the men who represented France and England at the conference, but nothing I can say within the parliamentary rules of this Chamber would be too severe. When you think of the fact that they have lightly wrecked the entire economic system of an entire continent and reduced to starvation millions of people, and perhaps prevented the world peace from coming at all in this decade, there is no language too severe for such men. I am not passing my judgment upon them; I am reading the judgment of a man who sat there, an educated gentleman, an instructed gentleman, advising against this and denouncing those who finally consummated it. This treaty in its consequences is a crime born of blind revenge and insatiable greed.

I read further:

Then began the weaving of that web of sophistry and Jesuitical exegesis that was finally to clothe with insincerity the language and substance of the whole treaty. The word was issued to the witches of all Paris:

Fair is foul, and foul is fair,
Hover through the fog and filthy air.

The subtlest sophisters and most hypocritical draftsmen were set to work and produced many ingenious exercises which might have deceived for more than an hour a cleverer man than the President.

If we can understand the English language, Mr. President, we have here an indictment by a responsible gentleman who was an official at the conference that these gentlemen sitting with the President deliberately sat down to deceive him and to deceive the American representatives into signing a treaty which means disaster to the whole European Continent. And now, while this is being revealed and as the facts are coming out, we, as a Senate, are asked by the same men or the same representatives to hasten to complete the work of the President. Is it not time that we, with the facts that are being divulged, stop and reflect upon that which we are about to do?

The author here gives a number of illustrations of the way in which this was accomplished, which I will not take the time to read. I read now from page 56:

The future life of Europe was not their concern; its means of livelihood was not their anxiety. Their preoccupations, good and bad alike, related to frontiers and nationalities, to the balance of power, to imperial aggrandizements, to the future enfeeblement of a strong and dangerous enemy, to revenge, and to the shifting by the victors of their unbearable financial burdens onto the shoulders of the defeated.

Two rival schemes for the future polity of the world took the field—the 14 points of the President and the Carthaginian peace of M. Clemenceau.

What have the advocates of the league done to inform our people of this dishonest dickering at Versailles, all of which has resulted so shamefully? What have they said to the people concerning this fearful, cruel burden which we assume when we ratify this treaty? Tell the people the truth. They have been deceived and kept in the dark long enough. They will have to carry this burden.

The writer next shows how the Carthaginian peace of Clemenceau finally obtained.

Upon page 65 he says:

The German economic system as it existed before the war depended on three main factors:

1. Overseas commerce as represented by her mercantile marine, her colonies, her foreign investments, her exports, and the overseas connections of her merchants; 2. The exploitation of her coal and iron and the industries built upon them; 3. Her transport and tariff system. Of these the first, while not the least important, was certainly the most vulnerable. The treaty aims at the systematic destruction of all three, but principally of the first two.

The Senator from Nebraska a few moments ago spoke of the reparation commission. The author says, on page 78:

The reparation commission is empowered, up to May 1, 1921, to demand payment up to $5,000,000,000 in such manner as they may fix, "whether in gold, commodities, ships, securities, or otherwise." This provision has the effect of intrusting to the reparation commission for the period in question dictatorial powers over all German property of every description whatever. They can, under this article, point to any specific business, enterprise, or property, whether within or outside Germany, and demand its surrender; and their authority would appear to extend not only to property existing at the date of the peace but also to any which may be created or acquired at any time in the course of the next 18 months.

Such a power was never before lodged in a tribunal nor in any single individual, I presume, in the history of the world. It enables the reparation commission to seize any property that it may find, according to its own discretion, and to demand the surrender of it, whether it be inside of Germany or outside of Germany, if it belongs to Germany or German nationals.

At page 79 the author says:

Thus the powers of the reparation commission, with which I deal more particularly in the next chapter, can be employed to destroy Germany's commercial and economic organization as well as to exact payment.

On page 94 the book says:

But this is not yet the whole problem. If France and Italy are to make good their own deficiencies in coal from the output of Germany, then northern Europe, Switzerland, and Austria, which previously drew their coal in large part from Germany's exportable surplus, must be starved of their supplies. Before the war 13,600,000 tons of Germany's coal exports went to Austria-Hungary. Inasmuch as nearly all the coal-fields of the former Empire lie outside what is now German-Austria, the industrial ruin of this latter State, if she can not obtain coal from Germany, will be complete. The case of Germany's neutral neighbors, who were formerly supplied in part from Great Britain but in large part from Germany, will be hardly less serious.

Mr. President, in a few days we will have before us a bill appropriating $150,000,000 or $200,000,000 for the purpose of taking care of the people in Europe who, under the German treaty, are deprived of an opportunity of earning a livelihood even if they desire to do so. We are asked at one end of the transaction to agree to a treaty which is impoverishing the people, and we are asked here to appropriate money to feed those people whom we have impoverished, and no one knows how long it is to continue. Austria can never recover under the treaty, if this gentleman is correct. The neutral adjoining nations are in very little better condition. Not only are we signing an unjust and an intolerable treaty, but we are committing ourselves to the proposition of feeding interminably those whom they have impoverished.

It was one thing to punish Germany, it was one thing to administer justice to those who had brought upon the world this disaster, but it was an entirely different thing to reduce countless millions to starvation by reason of depriving Germany of the opportunity of responding to a judgment which justice would assess against her. As the Senator from Pennsylvania [Mr. KNOX] said in his interrogatory to the witness, it was an unwise thing to put upon a debtor a debt that she could not pay, but it was a cruel and murderous thing to go further and destroy her capacity not only to feed her own but to help take care of millions in adjoining countries.

I now read from page 96:

If the distribution of the European coal supplies is to be a scramble in which France is satisfied first, Italy next, and everyone else takes their chance, the industrial future of Europe is black and the prospects of revolution very good.

I will hasten on through. Mr. President, I call attention now to page 226. This chapter is entitled "Europe after the treaty." I read:

This chapter must be one of pessimism. The treaty includes no provisions for the economic rehabilitation of Europe—

The supremest question which could have been presented to the conference—

nothing to make the defeated Central Empires into good neighbors, nothing to stabilize the new States of Europe, nothing to reclaim Russia; nor does it provide in any way a compact of economic solidarity amongst the Allies themselves; no arrangement was reached at Paris for restoring the disordered finances of France and Italy or to adjust the systems of the Old World and the New.

The council of four paid no attention to these issues, being preoccupied with others—Clemenceau to crush the economic life of his enemy; Lloyd-George to do a deal and bring home something which would pass muster for a week; the President to do nothing that was not just and right. It is an extraordinary fact that the fundamental economic problems of a Europe starving and disintegrating before their eyes was the one question in which it was impossible to arouse the interest of the four. Reparation was their main excursion into the economic field, and they settled it as a problem of theology, of politics, of electoral chicane—

The Senator from Nebraska is not present, but that is an answer to his question—

from every point of view except that of the economic future of the States whose destiny they were handling.

And yet we are hastening under the whip to see if we can not get our name permanently and forever attached to this treaty, which has been in existence a few months and is now, by reason of the disaster which it is working, receiving the condemnation of the intellects of Europe.

I read further:

The essential facts of the situation as I see them are expressed simply. Europe consists of the densest aggregation of population in the history of the world. This population is accustomed to a relatively high standard of life, in which even now some sections of it anticipate improvement rather than deterioration. In relation to other continents, Europe is not self-sufficient; in particular, it can not feed itself. Internally the population is not evenly distributed, but much of it is crowded into a relatively small number of dense industrial centers. This population secured for itself a livelihood before the war, without much margin of surplus, by means of a delicate and immensely complicated organization, of which the foundations were supported by coal, iron, transport, and an unbroken supply of imported food and raw materials from other continents. By the destruction of this organization and the interruption of the stream of supplies, a part of this population is deprived of its means of livelihood.

Again, on page 230, he says:

To put the peace conditions into execution would logically involve, therefore, the loss of several millions of persons in Germany. This catastrophe would not be long in coming about, seeing that the health of the population has been broken down during the war by the blockade and during the armistice by the aggravation of the blockade of famine. No help, however great or over however long a period it were continued, could prevent these deaths en masse. "We do not know—

This is a quotation from the report of the Germans at the peace conference, and then the author makes a comment upon their report:

"We do not know, and, indeed, we doubt," the report concludes, "whether the delegates of the allied and associated powers realize the inevitable consequences which will take place if Germany, an industrial State, very thickly populated, closely bound up with the economic system of the world and under the necessity of importing enormous quantities of raw material and foodstuffs, suddenly finds herself pushed back to the phase of her development which corresponds to her economic condition and the numbers of her population as they were half a century ago. Those who sign this treaty will sign the death sentence of many millions of German men, women, and children."

After studying and reflecting upon this question for months, the author further says:

I know of no adequate answer to these words. The indictment is at least as true of the Austrian as of the German settlement. This is the fundamental problem in front of us, before which questions of territorial adjustment and the balance of European power are insignificant.

One other quotation, Mr. President:

It is these articles which have reconciled to the league some of its original opponents—

Referring to certain articles of the league—

and now hope to make of it another Holy Alliance for the perpetuation of the economic ruin of their enemies and the balance of power in their own interests, which they believe themselves to have established by the peace.

Mr. President, if any Senator here had brought any such indictment as that against this treaty he would have been discredited at once as being oversympathetic with those to receive the punishment; but this book is written by one who can not be charged with sympathy as against a just and righteous punishment. It is written by one, however, who understands what this treaty is to do as an economic proposition to the entire Continent of Europe. As he says in another place, France can not escape; Italy can not escape; ruin must accompany the entire Continent of Europe, and, perhaps, England as well.

These are things which I should like to have Mr. Hoover's judgment concerning—a man who has been in Europe, who knows the situation, who has studied it—whether or not we, as a people, should become a party to that which is denounced as a disaster. If it is not as described here in the book, if the consequences foreshadowed are not justified, let us know that fact; let us have the opinion of the man who is in the best position to advise us; but, on the other hand, if anything like that is true which is pictured here, it is the solemn obligation and duty of the Senate, regardless of the demands of the uninformed, to hold back the honor and the obligations of the United States until the remedy is afforded—the infamy wiped out. From the bottom of my heart I thank God that one by one those responsible for forcing this treaty and deceiving our representatives are receiving judgment at the hands of the people.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Idaho yield to the Senator from South Dakota?

Mr. BORAH. I yield.

Mr. STERLING. Granting, now, that the picture drawn by the author from whom the Senator from Idaho has read is true, that the economic condition described is the result of the hard terms of the treaty which has been imposed on Germany and Austria; granting, now, that we adopt the so-called Lodge reservation, for example, thus safeguarding American institutions and American liberty and American rights, might we not by the ratification of the treaty, by becoming a member of the League of Nations, have a wholesome influence, a stabilizing and steadying effect upon the conditions there? Might not our counsel and our advice in a council of the League of Nations concerning the economic conditions of the European countries be worth while and help to mitigate some of the horrors which have been described?

Mr. BORAH. I do not know whether the Senator from South Dakota was present when the Senator from Pennsylvania [Mr. KNOX] answered practically the same question of the Senator from Nebraska [Mr. HITCHCOCK]; but if we accom-

plish anything we would have to accomplish it as members of the reparation commission.

Mr. STERLING. I had that in mind when I asked the question. Aside from the power of the reparation commission, aside from the influences that might be brought against certain members of the reparation commission—I grant them all—aside from that, might we not have, by joining the league under the terms prescribed by the reservations, anyway, have a good and wholesome influence and thus benefit the whole world, ourselves as well as them?

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. KNOX. Will the Senator permit me to make a suggestion?

Mr. BORAH. I yield.

Mr. KNOX. The greatest care was taken that the League of Nations should have nothing to do with reparations. The reparations are all to be handled by the reparation commission, and the reparation commission sits in secret. It takes no cognizance of the League of Nations. It is proceeding now by absolutely and utterly ignoring the existence of the League of Nations; and that will be the rule right along. It is like joining one organization for the purpose of influencing another. You have got to be in the organization itself in order to do so.

Mr. BORAH. I suppose what the Senator from South Dakota [Mr. STERLING] means is that the moral influence of the presence of a representative of America would have a tremendous effect. I can only judge the future by the past. This was all done as against the moral influence of a very distinguished American. Will we never get through indulging in these fancies? I would not object to them ordinarily, but they are very costly not only in treasure but even in human life.

Mr. STERLING. But, may I say to the Senator from Idaho, it was done under peculiar circumstances?

Mr. BORAH. Yes; and there will always be peculiar circumstances in Europe.

Mr. STERLING. It was done under peculiar conditions, when the feeling upon the part of France, for example, was strong as against Germany, the power that she had feared for generations, for that matter; and now in fear that she might, unless Germany was stripped of everything, again rise against her, she insisted on exacting these tremendous punishments.

Mr. BORAH. She insists on it now. According to the press dispatch yesterday in the New York Sun, France has notified England that she will not waive a cent.

Mr. STERLING. But may not time and the witnessing of the conditions that exist as a result of the treaty have their effect even upon France?

Mr. BORAH. Yes; I think time is a very effectual thing in this case; I want it on our side, and I am going to suggest to the Senator how to get a little time upon this matter. If we are going into this, and America, by reason of being in the league and a member of the reparations commission, is going to have a very heavy burden to carry, the Senator from South Dakota and myself will not be very greatly affected by it; we will pay our small portion of the taxes, but we will not be greatly affected; the people at large will have to carry this burden. We have already sent $100,000,000 over there and poured it into this situation. We are now being asked to send $100,000,000 or $150,000,000 more, and this book advises that there is no end of it. The taxpayers of the country have got to assume that burden; and, as a mere matter of equity and talking about the question of fairness, is it just to impose that burden upon the American people until the American people have an opportunity to know all the facts and to pass judgment upon the matter themselves? Does the Senator from South Dakota feel that he is authorized, as an agent, to enter into a bankrupt concern which will not affect him very much but which will, perhaps, ruin his principal?

Mr. STERLING. In regard to any contributions we may be asked to make, I feel we can hardly resist the appeals of the destitute and the starving.

Mr. BORAH. Exactly; we can not resist them very well, but we can refuse to become a party to making them destitute, and we can refuse to become a party to reducing them to starvation. According to this book and the discussion of the question it contains, the condition in Europe is brought about at the present time by reason of the terms of the treaty. Austria can not go to work this year or next year; Hungary is in no better position, and therefore we are upon the one hand joining in a proposition which will condemn them to starvation and, of course, then we can not refuse to feed them after we have been a party to starving them.

Mr. STERLING. Mr. President, that condition exists irrespective, as I understand, of whether or not we ratify the treaty. The treaty is in force and effect, so far as that is concerned.

Mr. BORAH. But if we do not ratify the treaty until that condition is remedied it will be remedied, and if we say that the treaty is such that we can not accede to it because of its hard terms and because of its economic effect upon Europe, it will be changed. The Senator would not go into the most ordinary business affairs of life under any such condition as he asks this Republic to go into this matter. If the Senator were asked to put $500 into a business concern with anything like the outlook that confronts the American people when they go behind this guaranty he would not consider it for a single moment.

What I contend is this: If by reason of local conditions in France and England a treaty was written which is one which we can not in good conscience and in justice sign, it is but the part of prudence and common sense and wisdom for us before we become a party to it to insist upon the revision of the treaty according to justice and not according to election speeches.

Mr. STERLING. Mr. President, I should like to ask the Senator if the author from whom he has quoted discusses at all the question of America and the League of Nations?

Mr. BORAH. Incidentally, yes. I do not know that I can turn to it, but I believe there is one paragraph on page 267, not very exactly to the point concerning which the Senator asks but indirectly so. It is as follows:

> But if this view of nations and of their relation to one another is adopted by the democracies of western Europe and is financed by the United States, Heaven help us all. If we aim deliberately at the impoverishment of central Europe, vengeance, I dare predict, will not limp. Nothing can then delay for very long that final civil war between the forces of reaction and the despairing convulsions of revolution, before which the horrors of the late German war will fade into nothing, and which will destroy, whoever is victor, the civilization and the progress of our generation. Even though the result disappoint us, must we not base our actions on better expectations and believe that the prosperity and happiness of one country promotes that of others, that the solidarity of man is not a fiction, and that nations can still afford to treat other nations as fellow creatures?

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield further to the Senator from South Dakota?

Mr. BORAH. I do.

Mr. STERLING. Evidently the author invokes the aid of Heaven if they depend upon America, not that America could not render the help if she wanted to.

Mr. BORAH. Laying aside the humorous significance of the Senator's remarks, what he means is that if the treaty stands in its present terms and America nevertheless undertakes to finance Europe, disaster will follow just the same in Europe; what he means is that America can not by anything she may do overcome the disaster which must inevitably follow from the terms of the treaty. Shall we nevertheless with shameless indifference hasten on to stain the honor of this Republic by approving the whole miserable, deceitful, cruel scheme? Will not Mr. Hoover state frankly to the public what he has stated frankly in private concerning the world's unparalleled infamy—called the German treaty? If he will state publicly the things he has stated privately, as reported to me by my colleagues who enjoy the close friendship of Mr. Hoover, he will indeed render a service to his countrymen.

POWERS OF FUEL ADMINISTRATOR.

Mr. KING. Mr. President, the Senator from Utah [Mr. SMOOT] desires to discuss the unfinished business, and I was about to suggest the absence of a quorum, in order to give him an opportunity to be present.

The PRESIDING OFFICER. The Secretary will call the roll.

Mr. KING. I have not suggested the absence of a quorum as yet.

Mr. FRELINGHUYSEN. Mr. President——

Mr. KING. If the Senator from New Jersey desires to proceed, I will yield to him.

Mr. FRELINGHUYSEN. I ask unanimous consent to submit a resolution which I desire to have read and for the immediate consideration of which I ask unanimous consent.

The PRESIDING OFFICER. Is there any objection?

Mr. McKELLAR. Let the resolution be read.

Mr. STERLING. I would like to be advised as to the effect that will have upon the unfinished business.

Mr. FRELINGHUYSEN. I ask unanimous consent.

The PRESIDING OFFICER. Unanimous consent has been requested to present the resolution, and it is directed to be read in order that the Chair may ascertain whether there is objection.

The Assistant Secretary read the resolution (S. Res. 303), as follows:

Resolved, That the Director General of Railroads is hereby directed to report to the Senate as soon as practicable—

1. The extent of the authority, powers, and duties with respect to the shipment, distribution, apportionment, or storage of coal or coke, which were originally delegated to the Fuel Administrator under an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, as amended, and the proclamations or orders thereunder, subsequently transferred to the Director General of Railroads by the Executive order of November 22, 1919, or any prior or subsequent proclamation or order.

2. The exercise by the Director General of Railroads at the present time of the powers so delegated and the extent to which any authority, power, or duty has been extended, enlarged, or curtailed by the President since the original delegation.

3. The exact contents of all papers, documents, or memoranda delegating or conferring authority, powers, or duties upon the Director General of Railroads with respect to the shipment, distribution, apportionment, or storage of coal or coke under or by virtue of such act of August 10, 1917, as amended.

4. The agency or agencies under the control of the Director General of Railroads now exercising such transferred or delegated authority, powers, or duties.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution? The Chair hears none. The question is, Shall the resolution be agreed to?

Mr. FRELINGHUYSEN. Mr. President, I simply want to explain to the Senate my object in introducing this resolution.

After Dr. Garfield resigned, I understand that the powers of the Fuel Administration were transferred to the Director General of Railroads. There have been numerous inquiries from my State, from purchasers of coal, as to what department they can appeal to; and we failed to find, upon investigation, where the authority rests. I should like to know, so as to inform my constituents whether or not the Director General has taken over all the powers conferred on the Fuel Administrator under the Lever Act. This is simply a resolution asking for a report on that subject.

Mr. McKELLAR. Mr. President, I have no objection at all to the resolution. I think it ought to pass. It occurs to me, however, that at the same time we might ask for information in reference to the distribution or redistribution of empty freight cars, under a recent order, for grain purposes; and I wonder if the Senator from New Jersey has any objection to adding another section dealing with that subject?

Mr. KING. Mr. President, will the Senator permit an inquiry?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Utah?

Mr. McKELLAR. Certainly.

Mr. KING. On yesterday the Senator from North Dakota [Mr. GRONNA] offered a resolution. I objected to its consideration if he insisted on the resolution going to the Committee on Agriculture and Forestry. I stated that I was entirely willing that it should be considered and passed, and should vote for it, if it was referred to the appropriate committee, to wit, the Committee on Interstate Commerce. I should like to inquire whether that resolution was called up this morning by the Senator from North Dakota?

Mr. McKELLAR. My understanding is that it was not called up.

The PRESIDING OFFICER. The Senator from North Dakota gave notice that it would be called up to-morrow.

Mr. FRELINGHUYSEN. I have no objection to an amendment to the effect suggested by the Senator from Tennessee.

Mr. NORRIS. Mr. President, may I interrupt the Senator from Tennessee?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Nebraska?

Mr. McKELLAR. Surely.

Mr. NORRIS. I certainly have no objection to the amendment of the resolution as the Senator suggests; but if it covers the same ground, as I anticipate it will, that is covered by the resolution of the Senator from North Dakota——

Mr. McKELLAR. I do not know whether it does or not. It is a matter that is very acute.

Mr. NORRIS. I should feel obliged to object to it now in that event, because the Senator from North Dakota is not here. He gave notice to-day that he would call up his resolution to-morrow.

Mr. McKELLAR. May I ask the Senator if he is sure that the resolution of the Senator from North Dakota covers the exact matter to which I have referred?

Mr. NORRIS. No; I am not sure; but from what I heard the Senator state in regard to it I am inclined to think it does. I should like to ask the Senator from Utah in regard to that. He heard them both.

The PRESIDING OFFICER. The Chair will suggest that the resolution of the Senator from North Dakota is here and will be submitted to the Senator from Tennessee for his examination.

Mr. KING. Mr. President, I did not hear the statement of the Senator from Tennessee, but the resolution offered by the Senator from North Dakota asked for a certain investigation by the Committee on Agriculture and Forestry as to cars for the shipment of wheat, and I objected to its reference to that committee.

Mr. NORRIS. Yes; I was here. I know just what happened then; but the point I am raising is that if the amendment suggested by the Senator from Tennessee covers the same ground that is covered by the resolution of the Senator from North Dakota, I do not think it ought to be pressed until the Senator from North Dakota is present.

Mr. McKELLAR. I agree with the Senator about that, and it seems that my proposed amendment does cover substantially the same matter that is covered in the resolution of the Senator from North Dakota and therefore I shall withdraw the suggestion.

Mr. NORRIS. I thank the Senator.

Mr. FRELINGHUYSEN. I thank the Senator.

Mr. McKELLAR. I understand that the resolution of the Senator from North Dakota will be called up to-morrow.

The PRESIDING OFFICER. The question is on agreeing to the resolution offered by the Senator from New Jersey.

The resolution was agreed to.

AMENDMENT OF THE RULES.

Mr. PHELAN. Mr. President, on last Friday I gave notice under the rule that I would on this day submit a proposed amendment to the rules affecting Rule XXII. I understand from the chairman of the Committee on Rules that that committee is now considering similar amendments. I therefore offer the resolution which I send to the desk and ask that it be referred to the Committee on Rules.

The resolution (S. Res. 304) was referred to the Committee on Rules, as follows:

Resolved, That Rule XXII be amended by striking out the following language now contained in the last paragraph of said rule, viz:

"Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time."

HON. FRANKLIN K. LANE.

Mr. MYERS. Mr. President, I am sorry to say the Government will soon lose the services of one of its ablest, most valuable, most faithful, and most efficient public officials. The Hon. Franklin K. Lane, Secretary of the Interior, has tendered his resignation, effective the 1st of March, and it has been accepted. Secretary Lane is a statesman of large vision, broad mind, and far-seeing judgment. He has been an indefatigable worker for the advancement of this country, for the development of its industrial and economic resources, and for the creation of larger opportunities for American citizens of this and future generations.

Much of the legislation for the economic and industrial development of the resources of this country, which is now about to come to fruition, is in large part the result of the indefatigable efforts and persistent work of Secretary Lane. The influence which he has had in that field will bear beneficial results for generations to come. I regret greatly the retirement from public life of Secretary Lane. I am sorry for our Government to lose the services of so faithful, so devoted, and so capable an official. He has given the best part of his life to the public, and he will be missed.

In the editorial columns of the Washington Post of yesterday appeared a very true and well-merited tribute to the worth and ability of Secretary Lane and his great services to the country. I heartily indorse its sentiments and statements, and I ask that it be printed in the RECORD as part of my remarks.

The PRESIDING OFFICER. Without objection, the editorial will be included in the RECORD as requested.

The matter referred to is as follows:

MR. LANE'S RESIGNATION.

"The resignation of Secretary of the Interior Franklin K. Lane will prove a distinct loss to the public service. No higher compliment than this could be paid to a man who has spent 21 years, the best years of his life, serving the people.

"Mr. Lane is recognized as one of the best-equipped men identified with the Wilson administration; in fact, one whose equipment has been far superior to the tasks assigned him, whose ability the President has not availed himself of to the full. Therefore it is not remarkable that there should come from those who have appreciated his services the suggestion of his

name in connection with the presidential nomination, ignoring the fact that he is constitutionally debarred from the Presidency by having been born in Canada. The error is entirely excusable, since the public is not so interested in the birthplace of a public official as in his capability. Were Mr. Lane of American birth there is little doubt that he now would be seriously considered for the leadership of his party in the approaching campaign.

"In his letter of resignation to the President, Secretary Lane regrets the necessity which compels him to leave the Cabinet, but says 'I must now think of other duties.' The meaning of that phrase is all too clear to those who have given their time to the public service. It means that after 21 years in office he must now get out into the world and earn a competence for himself and his family, having been unable to do this on the modest salaries of the offices he has held. And he will earn it handily if the business world appreciates brains and energy and courage.

"Although born in Prince Edward Island, Mr. Lane at an early age was taken to California by his parents, and to all intents and purposes is a native son. After having served as corporation counsel of San Francisco from 1897 to 1902, during which time he was active in Democratic politics and received the vote of his party for United States Senator, he was appointed in 1905 a member of the Interstate Commerce Commission. He served with distinction and ability on that body until 1913, when he became Secretary of the Interior.

"Through the troublous times of the past three years the sound judgment and clear utterance of Secretary Lane have been of help to the President and to the country. There were times when it was expected that he would be assigned to more vital work during the war, but for inscrutable reasons this was not done. Indeed, there were times when his advice was rejected, to the public injury as after events proved, but Mr. Lane, with the true spirit of a patriot, subordinated his personal feelings to the desire to serve his country in the great emergency.

"He leaves the Cabinet with a fine record of accomplishment, with the cordial good wishes of the President and his fellow Cabinet members, and with the respect and gratitude of his countrymen. There isn't much more than this to be had out of life, but whatever there is Mr. Lane is entitled to it."

Mr. PHELAN. Mr. President, I can not allow the opportunity suggested by the remarks of the Senator from Montana to go by without stating that Hon. Franklin K. Lane is a citizen of California, and that California is well pleased with the discharge by him of important duties extending over a period of nearly 20 years of public service, largely in the Interstate Commerce Commission and the Department of the Interior. His career has been highly useful, distinguished, and honorable.

I am sure I express the feeling of California and of the Nation as well when I say that his severance of his relations with the public service is a matter of profound regret.

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. KING. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Beckham	Johnson, S. Dak.	Moses	Smoot
Borah	Jones, N. Mex.	Myers	Sterling
Brandegee	Kellogg	New	Sutherland
Capper	King	Norris	Thomas
Curtis	Kirby	Overman	Walsh, Mass.
Fernald	Knox	Page	Walsh, Mont.
Frelinghuysen	Lodge	Pomerene	Warren
Gronna	McCormick	Robinson	Watson
Harris	McCumber	Sheppard	Wolcott
Harrison	McKellar	Sherman	
Henderson	McLean	Simmons	
Hitchcock	McNary	Smith, Ga.	

Mr. CURTIS. I wish to announce the absence of the Senator from Maine [Mr. HALE], the Senator from Washington [Mr. POINDEXTER], the Senator from Florida [Mr. TRAMMELL], and the Senator from Nevada [Mr. PITTMAN], in attendance on a meeting of a subcommittee of the Committee on Naval Affairs.

The PRESIDING OFFICER. Only 45 Senators have answered to the roll call. There is not a quorum present. What is the pleasure of the Senate?

Mr. STERLING. Has the list of the absentees been called?

The PRESIDING OFFICER. It has not. The names of the absentees will be called.

The Assistant Secretary called the names of the absent Senators, and Mr. NUGENT, Mr. PHELAN, Mr. STANLEY, and Mr. TOWNSEND answered to their names when called.

Mr. FRANCE, Mr. COLT, Mr. OWEN, Mr. CHAMBERLAIN, Mr. PHIPPS, Mr. LENROOT, Mr. KEYES, Mr. JONES of Washington, Mr. RANSDELL, Mr. NELSON, and Mr. BALL entered the Chamber and answered to their names.

The PRESIDING OFFICER. Sixty Senators having answered to the roll call, there is a quorum present. What is the further pleasure of the Senate?

Mr. STERLING. Mr. President, I understand that the Senator from Utah [Mr. SMOOT] expects to address the Senate on the pending bill.

Mr. SMOOT. Mr. President, the Finance Committee have under consideration the dye bill. It is impossible to secure a quorum of the committee unless I attend; and I wish to say to the Senator from South Dakota that I have been in attendance on that committee this afternoon, and that is why I was not in the Chamber. The Senator from North Dakota [Mr. MCCUMBER] has called the committee together on the last two days in the hope of getting a report upon that bill. The Senator will remember that a special joint resolution was passed extending the time during which the embargo, if I may so term it, upon the importation of certain dyestuffs from Germany should be enforced. The time specified in the joint resolution is nearly here, and we had hoped that we could get the bill into the Senate during the coming week and have it considered by the Senate.

I am perfectly willing to proceed this afternoon with the discussion of the pending bill or to take it up the first thing in the morning. I should very much prefer to take it up in the morning, if the Senator from South Dakota does not object, and that will allow the committee to proceed to-day with the consideration of the dye bill.

I ask the Senator from South Dakota what is his opinion in relation to the matter.

Mr. STERLING. Mr. President, I do not like to see the pending bill any longer delayed. It will be recalled, I think, by the Senator from Utah that the bill was before the Senate for three days last week, and on two of those days the Senate adjourned at an early hour because we could not get a quorum. We were unable to do anything on the bill yesterday, and the time to-day has been largely occupied with other matters. It seems to me we ought to proceed with the consideration of the bill. I want the Senator from Utah to know that I appreciate his situation.

Mr. SMOOT. I will say to the Senator that to-morrow morning I do not expect to occupy more than an hour's time in the discussion of the measure. I am perfectly willing to vote upon it right now so far as I am concerned, but I do think that for the benefit of the RECORD there ought to be a statement made as to just the difference between the estimates made by the Senator in his report and those made by the board of efficiency of the department. I am not going to take any time of the Senate simply to talk; I merely want to present those figures to the Senate, and then I am perfectly willing to vote upon every amendment and upon the bill itself just as quickly as possible.

Mr. STERLING. I should like to know if there is not some other Senator who would occupy the time this afternoon?

Mr. SMOOT. If there is anyone else to speak, I would be glad to have him speak this afternoon.

Mr. ROBINSON. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 11, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 10, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

With increased devotion and growing fervor, Father in heaven, we would worship Thee in spirit and in truth, that by Thy holy influence we may develop all that is purest, noblest, God-like in our being and eliminate the evil; that we may be worthy of Thy preferment and leave the world a little better that we have lived and wrought; and thus be the instruments in Thy hands of establishing brotherly love in all the world; that peace, joy, happiness, may reign in all hearts and Thy will be done. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

COAL, OIL, AND GAS ON THE PUBLIC DOMAIN—CONFERENCE REPORT.

Mr. SINNOTT. Mr. Speaker, I call up the conference report on the oil-leasing bill, S. 2775.

The SPEAKER. The gentleman from Oregon calls up the conference report on the oil-leasing bill, which the Clerk will report.

The Clerk read as follows:

A bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Oregon asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. MANN of Illinois. Reserving the right to object, Mr. Speaker, this is a new bill, practically. It is a compromise, I suppose, between the House and the Senate bills. It has never been read in the House, and the Senate amendments have never been read in the House. Does not the gentleman think that it would be advisable, as a matter of record at least, to have read the bill which we are to vote upon?

Mr. SINNOTT. There are not many changes from the House bill.

Mr. MANN of Illinois. I think it is desirable.

Mr. SINNOTT. Then, I will withdraw the request.

Mr. MONDELL. Mr. Speaker, the fact is there are very, very few changes in the bill as it passed the House, so that the House has had the bill, and has examined the bill, and has passed the bill practically as it is now before us. On the other hand, I think there is no objection to reading the report of the conferees if that is desired.

Mr. MANN of Illinois. I ask that it be read.

The SPEAKER. The Clerk will read the report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the title to the bill, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the matter proposed by the House amendment insert the following:

"That deposits of coal, phosphate, sodium, oil, oil shale, or gas, and lands containing such deposits owned by the United States, including those in national forests, but excluding lands acquired under the act known as the Appalachian Forest act, approved March 1, 1911 (36 Stat., p. 961), and those in national parks, and in lands withdrawn or reserved for military or naval uses or purposes, except as hereinafter provided, shall be subject to disposition in the form and manner provided by this act to citizens of the United States, or to any asssociation of such persons, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, and in the case of coal, oil, oil shale, or gas, to municipalities: *Provided*, That the United States reserves the right to extract helium from all gas produced from lands permitted, leased, or otherwise granted under the provisions of this act, under such rules and regulations as shall be prescribed by the Secretary of the Interior: *Provided further*, That in the extraction of helium from gas produced from such lands, it shall be so extracted as to cause no substantial delay in the delivery of gas produced from the well to the purchaser thereof: *And provided further*, That citizens of another country, the laws, customs, or regulations of which, deny similar or like privileges to citizens or corporations of this country, shall not by stock ownership, stock holding, or stock control, own any interest in any lease acquired under the provisions of this act.

"COAL.

"SEC. 2. That the Secretary of the Interior is authorized to, and upon the petition of any qualified applicant shall, divide any of the coal lands or the deposits of coal, classified and unclassified, owned by the United States, outside of the Territory of Alaska, into leasing tracts of 40 acres each, or multiples thereof, and in such form as, in the opinion of the Secretary of the Interior, will permit the most economical mining of the coal in such tracts, but in no case exceeding 2,560 acres in any one leasing tract, and thereafter the Secretary of the Interior shall, in his discretion, upon the request of any qualified applicant or on his own motion, from time to time, offer such lands or deposits of coal for leasing, and shall award leases thereon by competitive bidding or by such other methods as he may by general regulations adopt, to any qualified applicant: *Provided*, That the Secretary is hereby authorized, in awarding leases for coal lands heretofore improved and occupied or claimed in good faith, to consider and recognize equitable rights of such occupants or claimants: *Provided further*, That where prospecting or exploratory work is necessary to determine the existence or workability of coal deposits in any unclaimed, undeveloped area, the Secretary of the Interior may issue, to applicants qualified under this act, prospecting permits for a term of two years, for not exceeding 2,560 acres; and if within said period of two years thereafter, the permittee shows to the Secretary that the land contains coal in commercial quantities, the permittee shall be entitled to a lease under this act for all or part of the land in his permit: *And provided further*, That no lease of coal under this act shall be approved or issued until after notice of the proposed lease, or offering for lease, has been given for 30 days in a newspaper of general circulation in the county in which the lands or deposits are situated: *And provided further*, That no company or corporation operating a common carrier railroad shall be given or hold a permit or lease under the provisions of this act for any coal deposits except for its own use for railroad purposes; and such limitations of use shall be expressed in all permits and leases issued to such companies or corporations, and no such company or corporation shall receive or hold more than one permit or lease for each 200 miles of its railroad line within the State in which said property is situated, exclusive of spurs or switches and exclusive of branch lines built to connect the leased coal with the railroad, and also exclusive of parts of the railroad operated mainly by power produced otherwise than by steam: *And provided further*, That nothing herein shall preclude such a railroad of less than 200 miles in length from securing and holding one permit or lease hereunder.

"SEC. 3. That any person, association, or corporation holding a lease of coal lands or coal deposits under this act may, with the approval of the Secretary of the Interior, upon a finding by him that it will be for the advantage of the lessee and the United States, secure modifications of his or its original lease by including additional coal lands or coal deposits contiguous to those embraced in such lease, but in no event shall the total area embraced in such modified lease exceed in the aggregate 2,560 acres.

"SEC. 4. That upon satisfactory showing by any lessee to the Secretary of the Interior that all of the workable deposits of coal within a tract covered by his or its lease will be exhausted, worked out, or removed within three years thereafter, the Secretary of the Interior may, within his discretion, lease to such lessee an additional tract of land or coal deposits, which, including the coal area remaining in the existing lease, shall not exceed 2,560 acres, through the same procedure and under the same conditions as in case of an original lease.

"SEC. 5. That if, in the judgment of the Secretary of the Interior, the public interest will be subserved thereby, lessees holding under lease areas not exceeding the maximum permitted under this act may consolidate their leases through the surrender of the original leases and the inclusion of such areas in a new lease of not to exceed 2,560 acres of contiguous lands.

"SEC. 6. That where coal or phosphate lands aggregating 2,560 acres and subject to lease hereunder do not exist as contiguous areas, the Secretary of the Interior is authorized, if, in his opinion, the interests of the public and of the lessee will be thereby subserved, to embrace in a single lease noncontiguous tracts which can be operated as a single mine or unit.

"SEC. 7. That for the privilege of mining or extracting the coal in the lands covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed in advance of offering the same, and which shall not be less than 5 cents per ton of 2,000 pounds, due and payable at the end of each third month succeeding that of the extraction of the coal from the mine, and an annual rental, payable at the date of such lease and annually thereafter, on the lands or coal deposits covered by such lease, at such rate as may be fixed by the Secretary of the Interior prior to offering the same, which shall not be less than 25 cents per acre for the first year thereafter, not less than 50 cents per acre for the second, third, fourth, and fifth years, respectively, and not less than $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of diligent development and continued operation of the mine or mines, except when such operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the

Interior may determine, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the Secretary of the Interior may, if in his judgment the public interest will be subserved thereby, in lieu of the provision herein contained requiring continuous operation of the mine or mines, provide in the lease for the payment of an annual advance royalty upon a minimum number of tons of coal, which in no case shall aggregate less than the amount of rentals herein provided for: *Provided further*, That the Secretary of the Interior may permit suspension of operation under such lease for not to exceed six months at any one time when market conditions are such that the lease can not be operated except at a loss.

"SEC. 8. That in order to provide for the supply of strictly local domestic needs for fuel, the Secretary of the Interior may, under such rules and regulations as he may prescribe in advance, issue limited licenses or permits to individuals or associations of individuals to prospect for, mine, and take for their use but not for sale, coal from the public lands without payment of royalty for the coal mined or the land occupied, on such conditions not inconsistent with this act as in his opinion will safeguard the public interests: *Provided*, That this privilege shall not extend to any corporations: *Provided further*, That in the case of municipal corporations the Secretary of the Interior may issue such limited license or permit, for not to exceed 320 acres for a municipality of less than 100,000 population, and not to exceed 1,280 acres for a municipality of not less than 100,000 and not more than 150,000 population; and not to exceed 2,560 acres for a municipality of 150,000 population or more, the land to be selected within the State wherein the municipal applicant may be located, upon condition that such municipal corporations will mine the coal therein under proper conditions and dispose of the same without profit to residents of such municipality for household use: *And provided further*, That the acquisition or holding of a lease under the preceding sections of this act shall be no bar to the holding of such tract or operation of such mine under said limited license.

"PHOSPHATES.

"SEC. 9. That the Secretary of the Interior is hereby authorized to lease to any applicant qualified under this act any lands belonging to the United States containing deposits of phosphates, under such restrictions and upon such terms as are herein specified, through advertisement, competitive bidding, or such other methods as the Secretary of the Interior may by general regulation adopt.

"SEC. 10. That each lease shall be for not to exceed 2,560 acres of land to be described by the legal subdivisions of the public land surveys, if surveyed; if unsurveyed, to be surveyed by the Government at the expense of the applicant for lease, in accordance with rules and regulations prescribed by the Secretary of the Interior, and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such survey; deposits made to cover expense of surveys shall be deemed appropriated for that purpose; and any excess deposits shall be repaid to the person, association, or corporation making such deposits or their legal representatives: *Provided*, That the land embraced in any one lease shall be in compact form, the length of which shall not exceed two and one-half times its width.

"SEC. 11. That for the privilege of mining or extracting the phosphates or phosphate rock covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed by the Secretary of the Interior in advance of offering the same, which shall be not less than 2 per cent of the gross value of the output of phosphates or phosphate rock at the mine, due and payable at the end of each third month succeeding that of the sale or other disposition of the phosphates or phosphate rock, and an annual rental payable at the date of such lease and annually thereafter on the area covered by such lease at such rate as may be fixed by the Secretary of the Interior prior to offering the lease, which shall be not less than 25 cents per acre for the first year thereafter, 50 cents per acre for the second, third, fourth, and fifth years, respectively, and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of a minimum annual production, except when operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions shall be made as the Secretary of the Interior shall determine unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the Secretary of the Interior may permit suspension of operation under such lease for not exceeding 12 months at any one time when market conditoins are such that the lease can not be operated except at a loss.

"SEC. 12. That any qualified applicant to whom the Secretary of the Interior may grant a lease to develop and extract phosphates, or phosphate rock, under the provisions of this act shall have the right to use so much of the surface of unappropriated and unentered lands, not exceeding 40 acres, as may be determined by the Secretary of the Interior to be necessary for the proper prospecting for or development, extraction, treatment, and removal of such mineral deposits.

"OIL AND GAS.

"SEC. 13. That the Secretary of the Interior is hereby authorized, under such necessary and proper rules and regulations as he may prescribe, to grant to any applicant qualified under this act a prospecting permit, which shall give the exclusive right, for a period not exceeding two years, to prospect for oil or gas upon not to exceed 2,560 acres of land wherein such deposits belong to the United States and are not within any known geological structure of a producing oil or gas field upon condition that the permittee shall begin drilling operations within six months from the date of the permit, and shall, within one year from and after the date of permit, drill one or more wells for oil or gas to a depth of not less than 500 feet each, unless valuable deposits of oil or gas shall be sooner discovered, and shall, within two years from date of the permit, drill for oil or gas to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered. The Secretary of the Interior may, if he shall find that the permittee has been unable with the exercise of diligence to test the land in the time granted by the permit, extend any such permit for such time, not exceeding two years, and upon such conditions as he shall prescribe. Whether the lands sought in any such application and permit are surveyed or unsurveyed the applicant shall, prior to filing his application for permit, locate such lands in a reasonably compact form and according to the legal subdivisions of the public-land surveys if the land be surveyed; and in an approximately square or rectangular tract if the land be an unsurveyed tract, the length of which shall not exceed two and one-half times its width, and if he shall cause to be erected upon the land for which a permit is sought a monument not less than 4 feet high, at some conspicuous place thereon, and shall post a notice in writing on or near said monument, stating that an application for permit will be made within 30 days after date of posting said notice, the name of the applicant, the date of the notice, and such a general description of the land to be covered by such permit by reference to courses and distances from such monument and such other natural objects and permanent monuments as will reasonably identify the land, stating the amount thereof in acres, he shall during the period of 30 days following such marking and posting, be entitled to a preference right over others to a permit for the land so identified. The applicant shall, within 90 days after receiving a permit, mark each of the corners of the tract described in the permit upon the ground with substantial monuments, so that the boundaries can be readily traced on the ground, and shall post in a conspicuous place upon the lands a notice that such permit has been granted and a description of the lands covered thereby: *Provided*, That in the Territory of Alaska prospecting permits not more than five in number may be granted to any qualified applicant for periods not exceeding four years, actual drilling operations shall begin within two years from date of permit, and oil and gas wells shall be drilled to a depth of not less than 500 feet, unless valuable deposits of oil or gas shall be sooner discovered, within three years from date of the permit and to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered, within four years from date of permit: *Provided further*, That in said Territory the applicant shall have a preference right over others to a permit for land identified by temporary monuments and notice posted on or near the same for six months following such marking and posting, and upon receiving a permit he shall mark the corners of the tract described in the permit upon the ground with substantial monuments within one year after receiving such permit.

"SEC. 14. That upon establishing to the satisfaction of the Secretary of the Interior that valuable deposits of oil or gas have been discovered within the limits of the land embraced in any permit, the permittee shall be entitled to a lease for one-fourth of the land embraced in the prospecting permit: *Provided*, That the permittee shall be granted a lease for as much as 160 acres of said lands, if there be that number of acres within the permit. The area, to be selected by the permittee, shall be in compact form and, if surveyed, to be described by the legal subdivisions of the public-land surveys; if unsurveyed, to be surveyed by the Government at the expense of the applicant

for lease in accordance with rules and regulations to be prescribed by the Secretary of the Interior and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such surveys; deposits made to cover expense of surveys shall be deemed appropriated for that purpose, and any excess deposits may be repaid to the person or persons making such deposit or their legal representatives. Such leases shall be for a term of 20 years upon a royalty of 5 per cent in amount or value of the production and the annual payment in advance of a rental of $1 per acre, the rental paid for any one year to be credited against the royalties as they accrue for that year, with the right of renewal as prescribed in section 17 hereof. The permittee shall also be entitled to a preference right to a lease for the remainder of the land in his prospecting permit at a royalty of not less than 12½ per cent in amount or value of the production, and under such other conditions as are fixed for oil or gas leases in this act, the royalty to be determined by competitive bidding or fixed by such other method as the Secretary may by regulations prescribe: *Provided*, That the Secretary shall have the right to reject any or all bids.

"SEC. 15. That until the permittee shall apply for lease to the one quarter of the permit area heretofore provided for he shall pay to the United States 20 per cent of the gross value of all oil or gas secured by him from the lands embraced within his permit and sold or otherwise disposed of or held by him for sale or other disposition.

"SEC. 16. That all permits and leases of lands containing oil or gas, made or issued under the provisions of this act, shall be subject to the conditions that no wells shall be drilled within 200 feet of any of the outer boundaries of the lands so permitted or leased, unless the adjoining lands have been patented or the title thereto otherwise vested in private owners, and to the further condition that the permittee or lessee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil or gas developed in the land, or the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits. Violations of the provisions of this section shall constitute grounds for the forfeiture of the permit or lease, to be enforced through appropriate proceedings in courts of competent jurisdiction.

"SEC. 17. That all unappropriated deposits of oil or gas situated within the known geologic structure of a producing oil or gas field and the unentered lands containing the same, not subject to preferential lease, may be leased by the Secretary of the Interior to the highest responsible bidder by competitive bidding under general regulations to qualified applicants in areas not exceeding 640 acres and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned upon the payment by the lessee of such bonus as may be accepted and of such royalty as may be fixed in the lease, which shall not be less than 12½ per cent in amount or value of the production, and the payment in advance of a rental of not less than $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year. Leases shall be for a period of 20 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods. Whenever the average daily production of any oil well shall not exceed 10 barrels per day, the Secretary of the Interior is authorized to reduce the royalty on future production when in his judgment the wells can not be successfully operated upon the royalty fixed in the lease. The provisions of this paragraph shall apply to all oil and gas leases made under this act.

"SEC. 18. That upon relinquishment to the United States, filed in the General Land Office within six months after the approval of this act, of all right, title, and interest claimed and possessed prior to July 3, 1910, and continuously since by the claimant or his predecessor in interest under the preexisting placer mining law to any oil or gas bearing land upon which there has been drilled one or more oil or gas wells to discovery embraced in the Executive order of withdrawal issued September 27, 1909, and not within any naval petroleum reserve, and upon payment as royalty to the United States of an amount equal to the value at the time of production of one-eighth of all the oil or gas already produced except oil or gas used for production purposes on the claim, or unavoidably lost, from such land, the claimant, or his successor, if in possession of such land, undisputed by any other claimant prior to July 1, 1919, shall be entitled to a lease thereon from the United States for a period of 20 years, at a royalty of not less than 12½ per cent of all the oil or gas produced except oil or gas used for production purposes on the claim, or unavoidably lost: *Provided*, That not more than one-half of the area, but in no case to exceed 3,200 acres, within the geologic oil or gas structure of a producing oil or gas field shall be leased to any one claimant under the provision of this section when the area of such geologic oil structure exceeds 640 acres. Any claimant or his successor, subject to this limitation, shall, however, have the right to select and receive the lease as in this section provided for that portion of his claim or claims equal to, but not in excess of, said one-half of the area of such geologic oil structure, but not more than 3,200 acres.

"All such leases shall be made and the amount of royalty to be paid for oil and gas produced, except oil or gas used for production purposes on the claim, or unavoidably lost, after the execution of such lease shall be fixed by the Secretary of the Interior under appropriate rules and regulations: *Provided, however*, That as to all like claims situate within any naval petroleum reserve the producing wells thereon only shall be leased, together with an area of land sufficient for the operation thereof, upon the terms and payment of royalties for past and future production as herein provided for in the leasing of claims. No wells shall be drilled in the land subject to this provision within 660 feet of any such leased well without the consent of the lessee: *Provided, however*, That the President may, in his discretion, lease the remainder or any part of any such claim upon which such wells have been drilled, and in the event of such leasing said claimant or his successor shall have a preference right to such lease: *And provided further*, That he may permit the drilling of additional wells by the claimant or his successor within the limited area of 660 feet theretofore provided for upon such terms and conditions as he may prescribe.

"No claimant for a lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud, or who has not acted honestly and in good faith, shall be entitled to any of the benefits of this section.

"Upon the delivery and acceptance of the lease, as in this section provided, all suits brought by the Government affecting such lands may be settled and adjusted in accordance herewith and all moneys impounded in such suits or under the act entitled 'An act to amend an act entitled "An act to protect the locators in good faith of oil and gas lands who shall have effected an actual discovery of oil or gas on the public lands of the United States, or their successors in interest," approved March 2, 1911,' approved August 25, 1914 (38 Stat. L., p. 708), shall be paid over to the parties entitled thereto. In case of conflicting claimants for leases under this section, the Secretary of the Interior is authorized to grant leases to one or more of them as shall be deemed just. All leases hereunder shall inure to the benefit of the claimant and all persons claiming through or under him by lease, contract, or otherwise, as their interests may appear, subject, however, to the same limitation as to area and acreage as is provided for claimant in this section: *Provided*, That no claimant acquiring any interest in such lands since September 1, 1919, from a claimant on or since said date claiming or holding more than the maximum allowed claimant under this section shall secure a lease thereon or any interest therein, but the inhibition of this proviso shall not apply to an exchange of any interest in such lands made prior to the 1st day of January, 1920, which did not increase or reduce the area or acreage held or claimed in excess of said maximum by either party to the exchange: *Provided further*, That no lease or leases under this section shall be granted, nor shall any interest therein inure to any person, association, or corporation for a greater aggregate area or acreage than the maximum in this section povided for.

"SEC. 18a. That whenever the validity of any gas or petroleum placer claim under preexisting law to land embraced in the Executive order of withdrawal issued September 27, 1909, has been or may hereafter be drawn in question on behalf of the United States in any departmental or judicial proceedings, the President is hereby authorized at any time within 12 months after the approval of this act to direct the compromise and settlement of any such controversy upon such terms and conditions as may be agreed upon, to be carried out by an exchange or division of land or division of the proceeds of operation.

"SEC. 19. That any person who on October 1, 1919, was a bona fide occupant or claimant of oil or gas lands under a claim initiated while such lands were not withdrawn from oil or gas location and entry, and who had previously performed all acts under then existing laws necessary to valid locations thereof except to make discovery, and upon which discovery had not been made prior to the passage of this act, and who has performed work or expended on or for the benefit of such locations an amount equal in the aggregate of $250 for each location if application therefor shall be made within six months from the passage of this act shall be entitled to prospecting permits thereon upon the same terms and conditions, and limitations as to acreage, as other

permits provided for in this act, or where any such person has heretofore made such discovery, he shall be entitled to a lease thereon under such terms as the Secretary of the Interior may prescribe unless otherwise provided for in section 18 hereof: *Provided*, That where such prospecting permit is granted upon land within any known geologic structure of a producing oil or gas field, the royalty to be fixed in any lease thereafter granted thereon or any portion thereof shall be not less than 12½ per cent of all the oil or gas produced except oil or gas used for production purposes on the claim, or unavoidably lost: *Provided, however*, That the provisions of this section shall not apply to lands reserved for the use of the Navy: *Provided, however*, That no claimant for a permit or lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud, or who has not acted honestly and in good faith, shall be entitled to any of the benefits of this section.

"All permits or leases hereunder shall inure to the benefit of the claimant and all persons claiming through or under him by lease, contract, or otherwise, as their interests may appear.

"SEC. 20. In the case of lands bona fide entered as agricultural, and not withdrawn or classified as mineral at the time of entry, but not including lands claimed under any railroad grant, the entryman or patentee, or assigns, where assignment was made prior to January 1, 1918, if the entry has been patented with the mineral right reserved, shall be entitled to a preference right to a permit and to a lease, as herein provided, in case of discovery; and within an area not greater than a township such entryman and patentees, or assigns holding restricted patents may combine their holdings, not to exceed 2,560 acres for the purpose of making joint application. Leases executed under this section and embracing only lands so entered shall provide for the payment of a royalty of not less than 12½ per cent as to such areas within the permit as may not be included within the discovery lease to which the permittee is entitled under section 14 hereof.

"OIL SHALE.

"SEC. 21. That the Secretary of the Interior is hereby authorized to lease to any person or corporation qualified under this act any deposits of oil shale belonging to the United States and the surface of so much of the public lands containing such deposits, or land adjacent thereto, as may be required for the extraction and reduction of the leased minerals, under such rules and regulations, not inconsistent with this act, as he may prescribe; that no lease hereunder shall exceed 5,120 acres of land, to be described by the legal subdivisions of the public-land surveys, or if unsurveyed, to be surveyed by the United States, at the expense of the applicant, in accordance with regulations to be prescribed by the Secretary of the Interior. Leases may be for indeterminate periods, upon such conditions as may be imposed by the Secretary of the Interior, including covenants relative to methods of mining, prevention of waste, and productive development. For the privilege of mining, extracting, and disposing of the oil or other minerals covered by a lease under this section the lessee shall pay to the United States such royalties as shall be specified in the lease and an annual rental, payable at the beginning of each year, at the rate of 50 cents per acre per annum, for the lands included in the lease, the rental paid for any one year to be credited against the royalties accruing for that year; such royalties to be subject to readjustment at the end of each 20-year period by the Secretary of the Interior: *Provided*, That for the purpose of encouraging the production of petroleum products from shales the Secretary may, in his discretion, waive the payment of any royalty and rental during the first five years of any lease: *Provided*, That any person having a valid claim to such minerals under existing laws on January 1, 1919, shall, upon the relinquishment of such claim, be entitled to a lease under the provisions of this section for such area of the land relinquished as shall not exceed the maximum area authorized by this section to be leased to an individual or corporation: *Provided, however*, That no claimant for a lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud, or who has not acted honestly and in good faith, shall be entitled to any of the benefits of this section: *Provided further*, That not more than one lease shall be granted under this section to any one person, association, or corporation.

"ALASKA OIL PROVISO.

"SEC. 22. That any bona fide occupant or claimant of oil or gas bearing lands in the Territory of Alaska, who, or whose predecessors in interest, prior to withdrawal had complied otherwise with the requirements of the mining laws, but had made no discovery of oil or gas in wells and who prior to withdrawal had made substantial improvements for the discovery of oil or gas on or for each location or had prior to the passage of this act expended not less than $250 in improvements on or for each location shall be entitled, upon relinquishment or surrender to the United States within one year from the date of this act, or within six months after final denial or withdrawal of application for patent, to a prospecting permit or permits, lease or leases, under this act covering such lands, not exceeding five permits or leases in number and not exceeding an aggregate of 1,280 acres in each: *Provided*, That leases in Alaska under this act whether as a result of prospecting permits or otherwise shall be upon such rental and royalties as shall be fixed by the Secretary of the Interior and specified in the lease, and be subject to readjustment at the end of each 20-year period of the lease: *Provided further*, That for the purpose of encouraging the production of petroleum products in Alaska the Secretary may, in his discretion, waive the payment of any rental or royalty not exceeding the first five years of any lease.

"No claimant for a lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud, or who has not acted honestly and in good faith, shall be entitled to any of the benefits of this section.

"SODIUM.

"SEC. 23. That the Secretary of the Interior is hereby authorized and directed, under such rules and regulations as he may prescribe, to grant to any qualified applicant a prospecting permit which shall give the exclusive right to prospect for chlorides, sulphates, carbonates, borates, silicates, or nitrates of sodium dissolved in and soluble in water, and accumulated by concentration, in lands belonging to the United States for a period of not exceeding two years: *Provided*, That the area to be included in such a permit shall be not exceeding 2,560 acres of land in reasonably compact form: *Provided further*, That the provisions of this section shall not apply to lands in San Bernardino County, Calif.

"SEC. 24. That upon showing to the satisfacttion of the Secretary of the Interior that valuable deposits of one of the substances enumerated in section 23 hereof has been discovered by the permittee within the area covered by his permit and that such land is chiefly valuable therefor the permittee shall be entitled to a lease for one-half of the land embraced in the prospecting permit, at a royalty of not less than one-eighth of the amount or value of the production, to be taken and described by legal subdivisions of the public-land surveys, or if the land be not surveyed by survey executed at the cost of the permittee in accordance with rules and regulations to be prescribed by the Secretary of the Interior. The permittee shall also have the preference right to lease the remainder of the lands embraced within the limits of his permit at a royalty of not less than one-eighth of the amount or value of the production to be fixed by the Secretary of the Interior. Lands known to contain such valuable deposits as are enumerated in section 23 hereof and not covered by permits or leases, except such lands as are situated in said county of San Bernardino, shall be held subject to lease, and may be leased by the Secretary of the Interior through advertisement, competitive bidding, or such other methods as he may by general regulations adopt, and in such areas as he shall fix, not exceeding 2,560 acres; all leases to be conditioned upon the payment by the lessee of such royalty of not less than one-eighth of the amount or value of the production as may be fixed in the lease, and the payment in advance of a rental of 50 cents per acre for the first calendar year or fraction thereof and $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited on the royalty for that year. Leases may be for indeterminate periods, subject to readjustment at the end of each 20-year period, upon such conditions not inconsistent herewith as may be incorporated in each lease or prescribed in general regulation theretofore issued by the Secretary of the Interior, including covenants relative to mining methods, waste, period of preliminary development, and minimum production, and a lessee under this section may be lessee of the remaining lands in his permit.

"SEC. 25. That in addition to areas of such mineral land which may be included in any such prospecting permits or leases, the Secretary of the Interior, in his discretion, may grant to a permittee or lessee of lands containing sodium deposits, and subject to the payment of an annual rental of not less than 25 cents per acre, the exclusive right to use, during the life of the permit or lease, a tract of unoccupied nonmineral public land, not exceeding 40 acres in area, for camp sites, refining works, and other purposes connected with and necessary to the proper development and use of the deposits covered by the permit or lease.

"GENERAL PROVISIONS APPLICABLE TO COAL, PHOSPHATE, SODIUM, OIL, OIL SHALE, AND GAS LEASES.

"SEC. 26. That the Secretary of the Interior shall reserve and may exercise the authority to cancel any prospecting permit upon failure by the permittee to exercise due diligence in the prosecution of the prospecting work in accordance with the terms and conditions stated in the permit, and shall insert in every such permit issued under the provisions of this act appropriate provisions for its cancellation by him.

"SEC. 27. That no person, association, or corporation, except as herein provided, shall take or hold more than one coal, phosphate, or sodium lease during the life of such lease in any one State; no person, association, or corporation shall take or hold, at one time, more than three oil or gas leases granted hereunder in any one State, and not more than one lease within the geologic structure of the same producing oil or gas field; no corporation shall hold any interest as a stockholder of another corporation in more than such number of leases; and no person or corporation shall take or hold any interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof, which, together with the area embraced in any direct holding of a lease under this act, or which, together with any other interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof, for any kind of mineral leased hereunder, exceeds in the aggregate an amount equivalent to the maximum number of acres of the respective kinds of minerals allowed to any one lessee under this act. Any interests held in violation of this act shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States district court for the district in which the property, or some part thereof, is located, except that any ownership or interest forbidden in this act which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition: *Provided*, That nothing herein contained shall be construed to limit sections 18, 18a, 19, and 22 or to prevent any number of lessees under the provisions of this act from combining their several interests so far as may be necessary for the purposes of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipe line or lines of railroads to be operated and used by them jointly in the transportation of oil from their several wells, or from the wells of other lessees under this act, or the transportation of coal: *Provided further*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same: *And provided further*, That if any of the lands or deposits leased under the provisions of this act shall be subleased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form part of, or are in anywise controlled by any combination in the form of an unlawful trust, with consent of lessee, or form the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, phosphate, oil, oil shale, gas, or sodium entered into by the lessee, or any agreement or understanding, written, verbal, or otherwise to which such lessee shall be a party, of which his or its output is to be or become the subject, to control the price or prices thereof or of any holding of such lands by any individual, partnership, association, corporation, or control, in excess of the amounts of lands provided in this act, the lease thereof shall be forfeited by appropriate court proceedings.

"SEC. 28. That rights of way through the public lands, including the forest reserves of the United States, are hereby granted for pipe-line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications provided in section 1 of this act, to the extent of the ground occupied by the said pipe line and 25 feet on each side of the same under such regulations as to survey, location, application, and use as may be prescribed by the Secretary of the Interior and upon the express condition that such pipe lines shall be constructed, operated, and maintained as common carriers: *Provided*, That the Government shall in express terms reserve and shall provide in every lease of oil lands hereunder that the lessee, assignee, or beneficiary, if owner, or operator or owner of a controlling interest in any pipe line or of any company operating the same which may be operated accessible to the oil derived from lands under such lease, shall at reasonable rates and without discrimination accept and convey the oil of the Government or of any citizen or company, not the owner of any pine line, operating a lease or purchasing gas or oil under the provisions of this act: *Provided further*, That no right of way shall hereafter be granted over said lands for the transportation of oil or natural gas except under and subject to the provisions, limitations, and conditions of this section. Failure to comply with the provisions of this section or the regulations prescribed by the Secretary of the Interior shall be ground for forfeiture of the grant by the United States district court for the district in which the property, or some part thereof, is located in an appropriate proceeding.

"SEC. 29. That any permit, lease, occupation, or use permitted under this act shall reserve to the Secretary of the Interior the right to permit upon such terms as he may determine to be just, for joint or several use, such easements or rights of way, including easements in tunnels upon, through, or in the lands leased, occupied, or used as may be necessary or appropriate to the working of the same, or of other lands containing the deposits described in this act, and the treatment and shipment of the products thereof by or under authority of the Government, its lessees, or permittees, and for other public purposes: *Provided*, That said Secretary, in his discretion, in making any lease under this act, may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided further*, That if such reservation is made it shall be so determined before the offering of such lease: *And provided further*, That the said Secretary, during the life of the lease, is authorized to issue such permits for easements herein provided to be reserved.

"SEC. 30. That no lease issued under the authority of this act shall be assigned or sublet, except with the consent of the Secretary of the Interior. The lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights, under such a lease, and upon acceptance thereof be thereby relieved of all future obligations under said lease, and may with like consent surrender any legal subdivision of the area included within the lease. Each lease shall contain provisions for the purpose of insuring the exercise of reasonable diligence, skill, and care in the operation of said property; a provision that such rules for the safety and welfare of the miners and for the prevention of undue waste as may be prescribed by said Secretary shall be observed, including a restriction of the workday to not exceeding eight hours in any one day for underground workers except in cases of emergency; provisions prohibiting the employment of any boy under the age of 16 or the employment of any girl or woman, without regard to age, in any mine below the surface; provisions securing the workmen complete freedom of purchase; provision requiring the payment of wages at least twice a month in lawful money of the United States, and providing proper rules and regulations to insure the fair and just weighing or measurement of the coal mined by each miner, and such other provisions as he may deem necessary to insure the sale of the production of such leased lands to the United States and to the public at reasonable prices, for the protection of the interests of the United States, for the prevention of monopoly, and for the safeguarding of the public welfare: *Provided*, That none of such provisions shall be in conflict with the laws of the State in which the leased property is situated.

"SEC. 31. That any lease issued under the provisions of this act may be forfeited and canceled by an appropriate proceeding in the United States district court for the district in which the property, or some part thereof, is located whenever the lessee fails to comply with any of the provisions of this act, of the lease, or of the general regulations promulgated under this act and in force at the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes or for remedies for breach of specified conditions thereof.

"SEC. 32. That the Secretary of the Interior is authorized to prescribe necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act, also to fix and determine the boundary lines of any structure, or oil or gas field, for the purposes of this act: *Provided*, That nothing in this act shall be construed or held to affect the rights of the States or other local authority to exercise any rights which they may have, including the right to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee of the United States.

"SEC. 33. That all statements, representations, or reports required by the Secretary of the Interior under this act shall be upon oath, unless otherwise specified by him, and in such form and upon such blanks as the Secretary of the Interior may require.

"SEC. 34. That the provisions of this act shall also apply to all deposits of coal, phosphate, sodium, oil, oil shale, or gas in the lands of the United States, which lands may have been or may be disposed of under laws reserving to the United States such deposits, with the right to prospect for, mine, and remove the same, subject to such conditions as are or may hereafter be provided by such laws reserving such deposits.

"SEC. 35. That 10 per cent of all money received from sales, bonuses, royalties, and rentals under the provisions of this act, excepting those from Alaska, shall be paid into the Treasury of the United States and credited to miscellaneous receipts; for past production 70 per cent, and for future production 52½ per cent of the amounts derived from such bonuses, royalties, and rentals shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress, known as the reclamation act, approved June 17, 1902, and for past production 20 per cent and for future production 37½ per cent of the amounts derived from such bonuses, royalties, and rentals shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State within the boundaries of which the leased lands or deposits are or were located, said moneys to be used by such State or subdivisions thereof for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State may direct: *Provided*, That all moneys which may accrue to the United States under the provisions of this act from lands within the naval petroleum reserves shall be deposited in the Treasury as 'Miscellaneous receipts.'

"SEC. 36. That all royalty accruing to the United States under any oil or gas lease or permit under this act on demand of the Secretary of the Interior shall be paid in oil or gas.

"Upon granting any oil or gas lease under this act, and from time to time thereafter during said lease, the Secretary of the Interior shall, except whenever in his judgment it is desirable to retain the same for the use of the United States, offer for sale for such period as he may determine, upon notice and advertisement on sealed bids or at public auction, all royalty oil and gas accruing or reserved to the United States under such lease. Such advertisement and sale shall reserve to the Secretary of the Interior the right to reject all bids whenever within his judgment the interest of the United States demands; and in cases where no satisfactory bid is received or where the accepted bidder fails to complete the purchase, or where the Secretary of the Interior shall determine that it is unwise in the public interest to accept the offer of the highest bidder, the Secretary of the Interior, within his discretion, may readvertise such royalty for sale, or sell at private sale at not less than the market price for such period, or accept the value thereof from the lessee: *Provided, however*, That pending the making of a permanent contract for the sale of any royalty oil or gas as herein provided, the Secretary of the Interior may sell the current product at private sale, at not less than the market price: *And provided further*, That any royalty oil or gas may be sold at not less than the market price at private sale to any department or agency of the United States.

"SEC. 37. That the deposits of coal, phosphate, sodium, oil, oil shale, and gas, herein referred to, in lands valuable for such minerals, including lands and deposits described in the joint resolution entitled 'Joint resolution authorizing the Secretary of the Interior to permit the continuation of coal-mining operations on certain lands in Wyoming,' approved August 1, 1912 (37 Stat. L., p. 1346), shall be subject to disposition only in the form and manner provided in this act, except as to valid claims existent at date of the passage of this act and thereafter maintained in compliance with the laws under which initiated, which claims may be perfected under such laws, including discovery.

"SEC. 38. That, until otherwise provided, the Secretary of the Interior shall be authorized to prescribe fees and commissions to be paid registers and receivers of United States land offices on account of business transacted under the provisions of this act."

And the House agree to the same.

N. J. SINNOTT,
ADDISON T. SMITH,
J. A. ELSTON,
EDWARD T. TAYLOR,
Managers on the part of the House.

REED SMOOT,
I. L. LENROOT,
H. L. MYERS,
KEY PITTMAN,
Managers on the part of the Senate.

STATEMENT.

In order that the specific modifications of the House bill, as shown in the foregoing, may be indicated by section and specific amendment, the following explanation is made, by reference to S. 2775, "ordered to be printed with the amendments of the House of Representatives" (star * print), now available in the document room.

Section 1, of the bill as agreed to in conference, is section 1 of the House bill, with amendment as follows:

Page 38, House bill, in lines 24 and 25, and on page 39, lines 1 and 2, strike out the following: "That all right, title, and interest in all helium in the lands or deposits subject to disposition under this act are hereby expressly reserved and shall remain in the Government of the United States," and insert in lieu thereof the following: "That the United States reserves the right to extract helium from all gas produced from lands permitted, leased, or otherwise granted under the provisions of this act, under such rules and regulations as shall be prescribed by the Secretary of the Interior: *Provided further*, That in the extraction of helium from gas produced from such lands, it shall be so extracted as to cause no substantial delay in the delivery of gas produced from the well to the purchaser thereof."

The above lines stricken out and those inserted relate to helium gas, a noninflammable gas used in balloons and dirigibles.

Section 2 is section 2 of the House bill without change except the addition of the word "*further*" after the word "*Provided*," on page 40, line 2.

Section 3 is section 3 of the House bill without change.

Section 4 is section 4 of the House bill without change.

Section 5 is section 5 of the House bill without change.

Section 6 is section 6 of the House bill with the following amendment: Page 42, line 11, strike out "not to exceed." The same page, line 15, strike out "such."

This amendment in no wise changes the meaning of section 6 of the House bill but simplifies the language.

Section 7 is section 7 of the House bill without change.

Section 8 is section 8 of the House bill with the following amendments:

Page 44, line 9, strike out "municipal corporations" and insert in lieu thereof "individuals or associations of individuals."

On the same page, line 10, after the word "use," insert "but not for sale."

On the same page, in line 13, after the word "That," insert "this privilege shall not extend to any corporations: *Provided further*, That in case of municipal corporations."

The above amendments restore the Senate provisions to said section 8 and permit individuals or associations of individuals to secure limited licenses or permits to secure a supply of coal for strictly domestic needs. The House provisions confined such licenses and permits to municipal corporations.

Section 9 is section 9 of the House bill without change.

Section 10 is section 10 of the House bill with the following amendment: At the end of the section, on page 46, line 2, strike out the period, insert a comma, and add the following: "the length of which shall not exceed two and one-half times its width." This restores the Senate provision, which merely gives the construction of the Department of the Interior to the phrase preceding said amendment, "compact form."

Section 11 is section 11 of the House bill with the following amendment: Page 47, line 6, change the word "six" to "twelve," thus authorizing the Secretary of the Interior to permit suspension of operation for 12 months instead of 6, as provided for in the House bill.

Section 12 is section 12 of the House bill without change.

Section 13 is section 13 of the House bill without change.

Section 14 is section 14 of the House bill without change.

Section 15 is section 15 of the House bill without change.

Section 16 is section 16 of the House bill without change.

Section 17 is section 17 of the House bill without change.

Section 18 is section 18 of the House bill with the following amendments: Page 53, line 24, strike out "continuously since" and insert, after the comma following the figures "1910," the words "and continuously since."

This amendment was made for clarity.

Page 55, line 9, after the word "thereon," insert the word "only."

This word was omitted by mistake from the engrossed copy of the House bill.

On page 55, in lines 24 and 25, and page 56, lines 1 and 2, strike out the following:

"No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such

claimant without notice of fraud at the time such interest was acquired shall not be chargeable therewith."
and insert in lieu thereof the following:

"No claimant for a lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud, or who has not acted honestly and in good faith, shall be entitled to any of the benefits of this section."

This amendment restores to the bill the Senate fraud provision which was considered stronger and more drastic than the House provision, which it thus supersedes.

The description of the act, referred to in line 7, on page 56, is amended by adding the title of the act.

Section 18 was further amended as follows:

Page 56, line 13, strike out "on or prior to September 1, 1919,".

The purpose and efficacy of the language just stricken out is retained in the following amendment:

Page 56, lines 17, 18, and 19, strike out the following:

"That no claimant acquiring any interest in such lands since September 1, 1919, shall secure a lease thereon under this section:"
and insert in lieu thereof the following:

"That no claimant acquiring any interest in such lands since September 1, 1919, from a claimant on or since said date claiming or holding more than the maximum allowed claimant under this section shall secure a lease thereon or any interest therein, but the inhibition of this proviso shall not apply to an exchange of any interest in such lands made prior to the 1st day of January, 1920, which did not increase or reduce the area or acreage held or claimed in excess of said maximum by either party of the exchange:"

Section 18 is known as the relief section of the bill, and relates to very valuable producing oil lands which are now involved in litigation. The purpose of the House language stricken out was to prevent the claimant or holder of excess area and acreage from disposing of such excess, which excess, under the terms of the House bill, would revert to the United States to be leased by competitive bidding. The above amendment by the insertion of said language retains the purpose of the House bill, while at the same time it does not prevent one holding or claiming not more than the maximum allowed by section 18 from disposing of any part thereof. It also recognizes an exchange of interest in lands made prior to January 1, 1920, provided the exchange does not reduce or increase the area or acreage held in excess of the allowed maximum, thus not permitting a change in the status quo of the excess holder or claimant. Sales of oil lands have been made by claimants holding less than the maximum allowed. It was thought best not to interfere with such sales, nor with exchanges in settlement of controversies which did not result in reducing the area or acreage held in excess of the maximum allowance.

Section 18 was further amended for clarity as follows:

Page 56, line 20, strike out the word "or" and insert in lieu thereof the following "nor shall any interest therein."

Section 18a is the same section of the House bill without change.

Section 19 is section 19 of the House bill, with the following amendments:

On page 58, lines 9 to 13, inclusive, the Senate fraud provision explained above in connection with section 18 was adopted instead of the House fraud provision.

Also the following amendments:

On page 58, line 15, strike out "on or prior to September 1, 1919."

On the same page, line 17, change the colon to a period and strike out the remainder of said section, to wit:

"*Provided*, That no claimant acquiring any interest in such lands since September 1, 1919, shall secure a permit or lease thereon under this section."

Section 19 relates in the main to locations upon which no discovery has been made. In other words, it relates to "wild-cat" territory. The provisions in the House bill stricken out, would needlessly embarrass and hamper the locator in financing oil development and drilling. For this reason it was thought best to eliminate the restrictions of the House bill.

Section 20 is section 20 of the House bill without change.

Section 21 is section 21 of the House bill without change other than the substitution of the Senate fraud provisions for the House fraud provisions, above explained in connection with the same amendment to section 18.

Section 22 is section 22 of the House bill with the following amendments: On page 61, line 11, after the word "who," insert "prior to withdrawal." This amendment restores the Senate provision requiring substantial improvements to have been made prior to an oil-land withdrawal in Alaska.

This section was further amended as follows: Page 62, line 1, insert after the word "lease," a colon. Lines 2 and 3, on said page 62, strike out the following: "and may in the discretion of the Secretary include noncontiguous tracts."

The House language stricken out permitted the Secretary in the Territory of Alaska to include in a lease noncontiguous tracts.

Section 22 was further amended on page 62, lines 8, 9, 10, 11, and 12 by substituting the Senate fraud provisions for the House fraud provisions, for the reason above set forth in connection with section 18.

Section 23 is section 23 of the House bill without change.

Section 24 is section 24 of the House bill with one amendment, as follows: Page 63, line 4, strike out the word "any" and substitute the word "one." This is merely a verbal amendment.

Section 25 is section 25 of the House bill without change.

Section 26 is section 26 of the House bill without change.

Section 27 is section 27 of the House bill without change.

Section 28 is section 28 of the House bill without change.

Section 29 is section 29 of the House bill without change.

Section 30 is the same as section 30 of the House bill with amendment, as follows: Page 70, line 17, after the word "purchase" insert "provisions." This amendment is a mere verbal one for clarity.

Section 31 is section 31 of the House bill without change.

Section 32 is section 32 of the House bill with the following amendment:

Page 71, line 19, strike out the following: "and thereafter to readjust the change."

The purpose of this amendment is as follows:

In lines 18, 19, and 20, page 72, of the House bill, the Secretary was authorized "to fix and determine and thereafter to readjust and change the boundary lines of any structure, or oil or gas field, for the purposes of this act." It was thought that the inclusion of the language stricken out would authorize the Secretary to readjust and change the boundary lines of an oil field after vested rights had attached, to the injury of such vested rights. It was not thought wise to leave the language of section 32 subject to such construction.

Section 33 is section 33 of the House bill without change.

Section 34 is section 34 of the House bill without change.

Section 35 relates to the division of proceeds from sales, bonuses, royalties, and rentals. It is the same as the House provision, with the following amendments:

Page 72, line 19, strike out the figure "60" and insert in lieu thereof "52½."

Same page, line 24, strike out the figure "30" and insert in lieu thereof "37½."

The effect of the above amendments is to put 52½ per cent of the amounts derived from future proceeds into the reclamation fund and to pay 37½ per cent of such future proceeds to the State within which the leased lands or deposits are located.

Section 36 is section 36 of the House bill without change.

Section 37 is section 37 of the House bill with the following amendment:

Page 74, line 16, strike out the following: "and the lands containing such deposits."

The inclusion of the above language stricken from section 37 would bring the bill in conflict with the statutes permitting a surface entry, and probably repeal the same, and was therefore eliminated.

Section 37 was further amended by more clearly referring to the joint resolution approved August 1, 1912, and was also further amended by striking out the proviso at the end of the section, beginning in line 23, on page 74.

This proviso was stricken out for the reason that it would cause needless expense to the small prospector and locator.

Section 38 was stricken from the House bill.

Section 38 was as follows:

"That the United States shall have the preferential right to obtain, extract, and remove helium from all lands permitted, leased, or otherwise granted under the provisions of this act, and from gas or oil or from gas and oil or other products found within such deposits, or under lands containing the same, under such rules and regulations as shall be prescribed by the Secretary of the Interior."

In lieu of section 38 of the House bill the following amendment was inserted in section 1 of the conference bill:

"*Provided*, That the United States reserves the right to extract helium from all gas produced from lands permitted, leased, or otherwise granted under the provisions of this act, under such rules and regulations as shall be prescribed by the Secretary of the Interior: *Provided further*, That in the extraction of helium from gas produced from such lands it shall be so

extracted as to cause no substantial delay in the delivery of gas produced from the well to the purchaser thereof."

Section 38 of the conference bill is the same as section 39 of the House bill.

The chief differences between the Senate and the House bills were:

1. As to the maximum charges.
2. The relief provisions in section 18.
3. The division of proceeds under section 35.

The Senate bill limited the maximum charges by the Government for coal to 20 cents per ton; for oil to 25 per cent of the value of the production. The House bill contained no maximum restrictions on said charges by the Government. The conference agreed to the House provisions.

The second chief point of difference between the Senate and the House as to the relief provisions in section 18 was settled in a way so as to preserve the integrity of the House safeguards against the disposal of excess holdings.

The third point of difference between the Senate and the House was the disposal of the proceeds. The Senate bill put 45 per cent of the proceeds into the reclamation fund and paid 45 per cent to the State. The House bill put 70 per cent of the proceeds from past production and 60 per cent of the proceeds from future production into the reclamation fund, and paid 20 per cent from past production and 30 per cent from future production to the State. The compromise reached in conference left intact the provisions of the House bill as to past production, to wit, 70 per cent to the reclamation fund and 20 per cent to the State. As to future production, a compromise was reached by splitting the difference between the House bill—60 per cent to the reclamation fund and 30 per cent to the State—and the Senate bill—45 per cent to the reclamation fund and 45 per cent to the State—thus giving the reclamation fund 52½ per cent and the State 37½ per cent of the proceeds from future production.

N. J. SINNOTT,
ADDISON T. SMITH,
J. A. ELSTON,
EDWARD T. TAYLOR,
Managers on the part of the House.

Mr. SINNOTT. Mr. Speaker, after this bill passed the House, last October, I received a letter from Mr. Gifford Pinchot concerning the House bill. I sent a copy of that letter to Secretary Daniels and received a letter in reply from Secretary Daniels. I have handed those two letters to the Clerk, and I should like to have them read in my time.

The SPEAKER. Without objection, the letters will be read.

The Clerk read as follows:

WASHINGTON, D. C., *November 8, 1919.*

Hon. NICHOLAS J. SINNOTT,
Chairman House Public Lands Committee,
House of Representatives, Washington, D. C.

MY DEAR MR. SINNOTT: I have just gone over the mineral-leasing bill as passed by the House. While it contains some provisions with which I am not in accord, in my opinion it is the best leasing measure that has passed either House. On the whole, it follows the conservation principles laid down by Theodore Roosevelt. To you, the members of your committee, and to the House are due the thanks of the friends of conservation. I have strong hope that the conference committee and the Senate will concur in your good work.

Sincerely, yours,

(Signed) GIFFORD PINCHOT.

THE SECRETARY OF THE NAVY,
Washington, November 20, 1919.

MY DEAR MR. SINNOTT: I am in receipt of your esteemed favor inclosing a letter from Hon. Gifford Pinchot with reference to the mineral-leasing bill as it passed the House. I thank you very much for sending it to me. I have insisted all the way through that the naval reserves ought to be protected, and I understand that is what was done in the bill that has passed the House.

Sincerely, yours, (Signed) JOSEPHUS DANIELS.

Hon. N. J. SINNOTT,
House of Representatives, Washington, D. C.

Mr. SINNOTT. Mr. Speaker, I think I can truthfully say that the hopes of Mr. Pinchot and the friends of conservation as expressed in his letter have been realized in the conference report, and that the conferees have concurred in the good work of the House, for in no vital, fundamental feature of the bill expressing the House policy has the conference report changed the House bill.

While I realize that numbers do not necessarily count, yet it may be of interest to the Members of the House to know that of the House amendments to the Senate bill, 11 were modified in a small way; that the House receded on some 16 amendments, 4 or 5 of which merely related to the fraud provision of the bill, restoring the Senate fraud provision, which many Members of the House, myself among them, thought were much stronger than the House provisions.

Sixty House amendments were accepted by the conferees in toto without modification—accepted as they passed the House.

I do not feel that it is necessary to make an extended or elaborate explanation of this oil-leasing bill. This is the fifth time that this bill will have passed the House if it does pass to-day. The matter is very familiar to most of the Members of the House, and unless Members have questions to ask concerning the bill, I expect to reserve the balance of my time.

Mr. GARD. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Oregon yield to the gentleman from Ohio?

Mr. SINNOTT. Yes.

Mr. GARD. Does not the gentleman think it would be well to make a concise, comprehensive statement as to what the bill is? It is a new bill, practically.

Mr. SINNOTT. Well, the bill is practically the same as it passed the House last October. It is also modeled on the bill that passed the House at the last session and the session before and the session before.

In brief, the bill does away with and repeals the present laws providing for the patenting and the absolute disposal by the Government of the mineral resources named in the bill. This bill is strictly a leasing bill. No longer can patents be issued deeding away these mineral resources of the Government, except as to some valid claims now existing upon mineral lands provided for in section 37 of the bill. But apart from that, no longer will oil, oil-shale, phosphate, sodium, or coal lands be deeded away by the Government.

The bill provides for limited leases for coal lands, for oil and oil-shale lands, for phosphate lands, and for sodium lands, reserving to the Government certain royalties and rentals. In the case of coal the royalty is to be at least 5 cents per ton. In the case of oil in what is known as "wildcat" or unknown territory, where oil is discovered by an applicant or a permittee, the permittee pays 5 per cent of the value of the production on his leasehold. Then in known oil territory there is a limited lease for not exceeding 640 acres, for which lease the lessee must pay not less than 12½ per cent of the value of the production, and in addition to that he has to pay a certain bonus royalty, which bonus royalty will be determined by competitive bidding.

The bill gives the Government control over the future operations of these leases. It provides for continuous, economical, and diligent development and operation of the leasehold, with provisions against waste, with provisions guarding the safety and welfare of miners, with provisions against monopoly for selling the products at reasonable prices, and other matters of that kind that are to be inserted in the leases. The violation of any of these provisions will work a forfeiture of the lease.

Mr. CANNON. Mr. Speaker, will the gentleman yield for a question right there?

Mr. SINNOTT. Yes.

Mr. CANNON. I understand a lease can only cover 640 acres. If a man gets his lease and strikes oil or sodium or phosphate, then his minimum is 12½ per cent. Is that correct?

Mr. SINNOTT. As to the oil lease in unknown or what is called wildcat territory the permittee gets a permit to prospect for oil or gas on not to exceed 2,560 acres. On the discovery of oil he gets a lease for 20 years for one-fourth of his permit area. In the case I have stated he would get a lease for 640 acres. For the oil produced from the 640 acres he would pay 5 per cent of the value of the production. Then, in addition to that, he gets a preferential lease on the remainder, the remainder between the 640 acres and the 2,560 acres, but for that he has to pay a royalty of not less than 12½ per cent, or one-eighth, and that rate is to be fixed by competitive bidding or by such other method as the Secretary may provide.

Mr. CANNON. Right at that point, what made me ask the question is this: Suppose, for the sake of illustration, he has found oil or any of the other articles covered, and it costs him $100,000. Then when its great value is ascertained, is it possible that competitors may come in who have not spent a cent and bid up 20, 50, or 75 per cent as against the man who has made the expenditure and taken the risk?

Mr. SINNOTT. The man you refer to, of course, has the absolute right to one-fourth of the area included in his permit, but what you state is true as to the remainder. Others may come in and bid, and if they bid over him he loses the remainder of the land unless he is willing to take the remainder at the highest bid; he has that privilege.

Mr. CANNON. He can keep the one-fourth absolutely?

Mr. SINNOTT. He can keep the one-fourth absolutely. He has a vested right in a lease to that. The remainder, of course, he can take at the highest bid, or the Secretary is authorized to determine the price on the remainder by regulation.

Mr. CANNON. If he should develop two wells he would be sure of the one-fourth?

Mr. SINNOTT. He would be sure of the one-fourth.

Mr. CANNON. His competitors could not oust him, but if he keeps his lease, as I understand the gentleman, suppose they bid up to 80 per cent, to illustrate. He must then pay 5 per cent on that 80 in addition to the royalty?

Mr. SINNOTT. Does the gentleman mean on the one-fourth?

Mr. CANNON. Yes.

Mr. SINNOTT. No. Five per cent is the maximum that he has to pay on the one-fourth.

Mr. CANNON. He has got the one-fourth until the expiration of the lease?

Mr. SINNOTT. Yes.

Mr. CANNON. And how long does the lease run?

Mr. SINNOTT. The lease runs for 20 years, and at the end of 20 years new terms may be prescribed by the Secretary of the Interior, unless new laws are passed in the meantime in relation thereto.

Mr. CANNON. Has he a preference for a renewal?

Mr. SINNOTT. Yes; he has a preference for a renewal under section 17 of the bill.

Mr. CANNON. But he would have to compete, under the direction of the Secretary of the Interior, with others who might desire to get an original lease, while he only wanted a renewal.

Mr. SINNOTT. He has a preference right at whatever terms are fixed by the Secretary, or at whatever terms may be fixed by law.

Mr. CANNON. I have taken this bill because I do not know much about it, as I have taken most of the legislation that comes before the House; but the gentleman represents the new part of the United States, which is largely undeveloped. His constituents are interested in the development of the country as well as the gentleman.

Mr. SINNOTT. Yes.

Mr. CANNON. Now, is the gentleman satisfied that this bill will not prohibit the development of the country which he and others represent?

Mr. SINNOTT. Yes; the gentleman is satisfied with the bill, and thinks that it will help to develop that section of the country, concerning which we believe that—

Time's noblest offspring is the last—

according to the old lines.

Westward the course of empire takes its way, you know, and time's noblest offspring is the last—that means, of course, the West.

Mr. CANNON. Being a tenderfoot and not knowing much of anything about it, I ought to be willing to follow the gentleman.

Mr. HARRELD. How much of this land has been withdrawn?

Mr. SINNOTT. About 6,000,000 acres of oil lands have been withdrawn, and about 40,000,000 acres of coal land.

Mr. HARRELD. What effect will this bill have on that land? Is that restored to entry?

Mr. SINNOTT. The withdrawn lands will be subject to prospecting permits and also to leases.

Mr. HARRELD. The same as lands that have not been withdrawn?

Mr. SINNOTT. Yes. The same as lands that have not been withdrawn.

Mr. GRIGSBY. With reference to the proviso concerning Alaska in section 22, and the language limiting the number of permits, the bill as reported reads as follows:

Not exceeding five permits or leases in number and not exceeding an aggregate of 1,280 acres in each.

Now, the language that has been omitted is as follows:

And may in the discretion of the Secretary include noncontiguous tracts.

Am I right in my assumption that that was taken out as surplusage in view of the use of the word "aggregate"?

Mr. SINNOTT. The gentleman is referring to lines 2 and 3 on page 62 of the star print of the bill as it passed the House?

Mr. GRIGSBY. I am.

Mr. SINNOTT. Yes; that language was considered to be mere surplusage, and therefore was stricken from the bill. I shall insert in the RECORD letters from the Departments of Interior and Justice giving approximations on the moneys impounded referred to in section 18, and to be distributed under the provisions of section 35:

DEPARTMENT OF THE INTERIOR,
Washington.

Hon. N. J. SINNOTT,
Chairman Committee on the Public Lands,
House of Representatives.

MY DEAR MR. SINNOTT: In reply to your request for information as to the approximate amounts of money which will be received as back royalties under the general leasing bill, S. 2775, if enacted, I have to advise as follows:

According to the figures of the General Land Office the amount of escrow deposits under the law of August 25, 1914 (38 Stat., 708), in California is something over $1,152,523.48 and in the State of Wyoming, $3,172,482.36, making a total of $4,325,005.84. In addition, there are three tracts of land in Wyoming involved in a three-cornered proceeding, in which the State, a mineral claimant, and the United States are litigating, in which there have been impounded all receipts, amounting to between $2,000,000 and $3,000,000. One-eighth of this amount, if the United States is successful, would be approximately $300,000, which would make the total escrow deposits to June 30, 1919, something over $4,600,000. In addition, there was considerable production from oil wells in both California and Wyoming prior to the passage of the said act of August 25, 1914, none of which was impounded, but for which the parties must account if they take advantage of the leasing bill. We have absolutely no figures for California, but a rough estimate furnished by the Bureau of Mines relative to Wyoming is that some $4,000,000 worth of oil was taken out before 1914, one-eighth of which would be $500,000. We could only guess as to what had been taken out in California prior to 1914, but I should think it would amount to fully as much as in Wyoming, and if this guess is correct, there would be $500,000 due from the California operators as one-eighth of this production.

Consequently, the total amount from impoundments and from production prior to the act of 1914 would be about $5,600,000; that is to say, that much would have to be paid over to the United States under the provisions of the bill.

Further, the Department of Justice in its court proceedings has had a number of receivers appointed to take charge of production from wells involved in the suits. These amounts must involve many millions of dollars, but the Land Department has no record thereof, and as I advised you informally yesterday the information as to the amounts held by the Department of Justice through receivers will have to be obtained from Assistant Attorney General Nebeker, Department of Justice.

Very truly, yours,

E. C. FINNEY,
Member Board of Appeals.

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DEPARTMENT OF THE INTERIOR,
Washington, January 17, 1920.

Hon. N. J. SINNOTT,
House of Representatives.

MY DEAR MR. SINNOTT: In reply to your request for figures on the impoundment of oil and gas moneys, I find that the General Land Office reports are not up to date owing to the fact that it has not heard from its field officers. However, we have taken the figures actually in hand and then made a careful estimate of receipts between the date of the last reports and December 31, 1919. The figures are as follows:

Wyoming—	
Total escrow to Sept. 30, 1919	$3,458,045.81
Three months to Dec. 31, 1919 (estimated)	285,000.00
Total to Dec. 31, 1919	3,743,045.81
California—	
Total escrow to June 30, 1919	1,152,523.48
Six months to Dec. 31, 1919 (estimated)	300,000.00
Total to Dec. 31, 1919	1,452,523.48
Total amount of estimated impoundments in both States to Dec. 31, 1919	5,195,569.29

In addition, there is impounded in Wyoming, as stated to you in a previous letter, the proceeds of the oil produced from three 40-acre tracts in dispute between the State, mineral claimants, and the United States. This is an impoundment of all receipts less operating expenses, and amounts to approximately $2,480,000.

If the relief measure should pass and one-eighth be collected, this would add approximately $200,000 to the amount above estimated, or a total estimated amount of $5,495,569.29.

In addition, the Department of Justice has impoundments made through receivers, and also has some judgments obtained in courts which, if they become final, would turn a large amount of money over to the United States. This information, I understand, you are obtaining from the Department of Justice.

Very truly, yours,

E. C. FINNEY,
Member Board of Appeals.

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DEPARTMENT OF JUSTICE,
Washington, D. C., January 21, 1920.

Hon. N. J. SINNOTT,
House of Representatives, Washington, D. C.

SIR: In accordance with your request for information as to the amount of moneys impounded in the hands of receivers in the withdrawn oil-land suits, I take pleasure in handing you the following statement:

In suits affecting lands in the naval reserves in California:	
In the Honolulu case (approximately)	$3,800,000
In other cases	5,500,374
Total in naval reserves	10,300,374
In suits affecting lands in California outside of naval reserves	9,427,795
Total in California	19,728,169

In the Hanley case in Wyoming there is impounded in bank under stipulation approximately $200,000.

There is also impounded in Wyoming in the Ridgely case, under an arrangement entered into between the Interior Department and the defendants prior to the institution of suit and which has remained in force, over $2,000,000. The exact amount impounded in this case may be had from the Interior Department.

In addition to the above amounts now impounded in the hands of receivers and otherwise, the defendants must account for large amounts of oil extracted prior to the appointment of receivers. The aggregate amount thus to be accounted for or the amount in any particular case can not now be given, except that it may be stated that in eight of the

California cases in which accountings have been completed and final decrees entered, the aggregate of money judgments entered in favor of the Government for oil taken prior to the appointment of receivers is $2,977,077.26.

The amount of oil in the hands of receivers January 1 could not be definitely ascertained in time for this report, but it is stated to be a very small quantity.

Respectfully, for the Attorney General,

FRANK K. NEBEKER,
Assistant Attorney General.

Statement showing how the one-eighth of the impounded moneys referred to in the letters from the Department of Justice, Jan. 1, 1920, and from the Department of the Interior, Oct. 16, 1919, and Jan. 17, 1920, is to be distributed.

It is to be remembered that under the provisions of section 18 and section 18–a, one-eighth of the moneys impounded is to be paid to the Government to be distributed in accordance with section 35.

MONEYS IN CALIFORNIA.

All the proceeds accruing to the Government from the Naval Reserves are to be paid into the Treasury.	
This sum will amount to one-eighth of $10,300,374, or	$1,287,546.75
From letter of Department of Justice, January 21, one-eighth of $9,427,795	1,178,474.00
From letter of Department of Interior, January 17, one-eight impounded	1,452,523.00
Total one-eighth impounded in California	2,630,997.00
20 per cent of this amount to be paid to the State of California	526,199.00

MONEYS IN WYOMING.

From letter of Department of Interior, January 17	$3,458,045.00
From letter of Department of Interior, January 17	285,000.00
From letter of Department of Interior, January 17	300,000.00
Estimated in accounting, letter Department of Interior, October 16	500,000.00
From letter, Department of Justice, January 21, one-eighth of $200,000	25,000.00
In addition not set forth in above letters	500,000.00
Total one-eighth impounded in Wyoming	5,068,045.00
20 per cent of this amount to be paid to the State of Wyoming	1,013,609.00
Total one-eighth funds impounded California	2,630,997.00
Total one-eighth funds impounded Wyoming	5,068,045.00
Total in both States	7,699,042.00
70 per cent paid to reclamation fund	5,389,329.00

In addition to the above figures it is thought that one-eighth of the proceeds from the accounting to be hereafter had will add several million dollars to the funds to be divided, under the provisions of section 35 of the bill.

FUTURE ESTIMATES.

DEPARTMENT OF THE INTERIOR,
Washington, January 13, 1920.

Hon. N. J. SINNOTT,
House of Representatives.

MY DEAR MR. SINNOTT: In reply to your telephonic request for an estimate of receipts under the general leasing bill, if enacted, I have to advise you that any estimate at this time must be understood to be a mere guess. Roughly, however, I would estimate that the receipts will be more than $10,000,000 per year. We have only one coal lease at the present time, that of the Owl Creek in Wyoming, an area of less than the maximum provided in the leasing bill. The royalty is 8 cents per ton, and the Government's royalties last year were over $24,000. Assuming that we would only make 50 coal leases, the income at that rate would be $1,200,000 per year. Estimating the returns under the phosphate and sodium features of the bill at $300,000, the receipts from coal, phosphate, and sodium would be $1,500,000.

Considering the production and return from the known oil areas of Government land in California and Wyoming, of the fact that many new wells will be brought in as soon as adjustment is made under the leasing act, and that there is bound to be some discoveries on the vast area of Government land now withdrawn, I think a conservative estimate of the oil and gas returns would be $8,500,000 per annum.

Very truly, yours,

E. C. FINNEY,
Member Board of Appeals.

Mr. Speaker, if estimates in this letter of future receipts from this bill prove true, and I hope they do, the reclamation fund will be enriched to the extent of $5,250,000 each year.

Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. Does the gentleman yield to anybody?

Mr. SINNOTT. I yield to the gentleman from Colorado [Mr. TAYLOR] five minutes.

Mr. TAYLOR of Colorado. Mr. Speaker and gentlemen of the House, I assume that there is no necessity of referring at this time to any of the parts of this bill that have been agreed upon by both the Senate and the House, and were not in dispute between the two bodies, and were therefore not referred to the conference committee. In other words, the only matters that can be before this House at the present time are matters which the House put in the Senate bill by way of amendment and then receded from or modified. As the gentleman from Oregon [Mr. SINNOTT] has well said, there is very little for us to now consider. Of the 85 or 90 amendments that the House put in the bill the Senate yielded and agreed absolutely to some 60 of them, and they include most of the main ones, too. We somewhat modified something like a dozen of them, and as to 16, I believe it was, the House receded. Those were mostly matters of comparative unimportance or where we, as your conferees, ourselves thought that the Senate provision was clearly better than ours. The bill which we, as your conferees, now bring before you as a conference agreement is, practically speaking and on principle, to all intents and purposes the same as it was when we passed it in this House. The Senate conferees have substantially accepted our bill, so I can see no logical reason why any Member should oppose the adoption of this conference report. This is a tremendously important piece of legislation. Congress has been working on this subject for nearly 10 years. After long and patient hearings and investigations, the Public Lands Committee has reported out this bill and the House has passed it time and again, only to have it killed in the Senate or in conference, and I am delighted to see it so near now to becoming a law; and when the President signs it, as I hope and believe he will, the whole country in general, and the West in particular, will be wonderfully benefited by it. Under this bill there will be many billions of dollars worth of development throughout the West.

Now, if anyone wants to go over the bill in detail and take the House provisions that have been modified or rejected by the conference and that are before the House at this time, of course I or any other member of the conference committee will be glad to explain any of them. I feel that the Public Lands Committees of both the Senate and the House, and in both this Congress and the last Congress, and especially the chairmen of both of these committees, are entitled to the congratulations and thanks of both Congress and the country for their many years of hard, tedious, and patient work on this measure. They have rendered a great service to the West and to the entire country.

In addition to what the chairman of the committee has said, when he read the letter from Secretary Daniels and one from Mr. Gifford Pinchot, I will say that the Secretary of the Interior, Mr. Lane, has also written the following letter to the chairman of the committee, the gentleman from Oregon [Mr. SINNOTT], as follows:

THE SECRETARY OF THE INTERIOR,
Washington, September 8, 1919.

Hon. N. J. SINNOTT,
Chairman Committee on the Public Lands,
House of Representatives.

DEAR MR. SINNOTT: Referring to yours of September 6, submitting for my consideration Senate bill 2775, generally known as the leasing bill, I would say that, in my opinion, it is on the whole the best leasing bill that has passed either House of Congress.

Cordially, yours,

F. K. LANE.

So we have the executive departments satisfied with this measure. Both the Senate and the House are satisfied with the measure. The conservation sentiment throughout the country is satisfied with this measure, and on behalf of the West, in further answer to my good friend from Illinois [Mr. CANNON], who asks if this bill will prohibit the development of the West, I will say no. It will greatly encourage and stabilize the development of the West. While it is not quite as liberal as I think it might be in justice to the West, yet it is a fair and workable bill, and the West wants it and will give it a fair trial, and if some of its provisions turn out in practice to be too drastic or harsh we will ask Congress to modify them by amendment at some future session. I think this bill is the most ultraconservative bill that has ever been passed by Congress. It is overwhelmingly conservative, and it changes the whole principle of the public-land laws of the United States by refusing hereafter to allow the title to lands to go into private ownership, and adopts for the future a Government leasing policy for the coal and the oil and the gas and the phosphate and these other substances. While most of the people of the West believe it would be better if this land went into private ownership under proper restrictions and went onto the tax roll and became subject to taxation for local development and the support of any States and counties and schools and roads, that has all now gone by and it is not before us at this time, and it is now agreed upon that we will adopt and try out this leasing policy.

In this connection I want to say one thing. While this is a leasing bill, and the Federal leasing policy, whether it is wise or otherwise, is going to hereafter be adopted; and it may be demonstrated that it is best and become the permanent policy of our Government in these matters. Yet the Senate and the House have both always retained in every bill of this kind the provisions of section 37 and expressly recognized and legalized and attempted to affirmatively protect the property and legal rights under the laws as they are now and have for over 40 years been on our statute books of the honest prospectors, the bona fide locators in good faith, and holders of rightful claims, claims that are valid and existing under existing laws at the date of the passage of this act. Those claimants, even though they may not have perfected a legal discovery under the

laws, are entitled to go ahead and maintain and perfect their claims under the present existing laws and obtain a patent to their lands just as though this bill had never been passed, and I hope no court or Federal department will ever attempt to deny to these people the rights which Congress looks upon as vested and is attempting in section 37 to guarantee to them. Congress has no right to pass an ex post facto law depriving citizens of their vested legal property rights, and no court or executive official has any right to misconstrue the law to give it that effect or to flagrantly violate the plain intention of Congress in this matter.

Mr. CANNON. Will the gentleman yield?

Mr. TAYLOR of Colorado. Yes; certainly.

Mr. CANNON. What proportion of the money that is received by the Goverament goes to the Government and what, if any, goes to the States?

Mr. TAYLOR of Colorado. Ten per cent of all of the royalties derived from coal, oil, gas, phosphates, and so forth, goes to Uncle Sam direct. That is for the expense of administration. Of all the oil royalties that are now held up by receiverships and impounded in the various courts in litigation, amounting to several million dollars and held to await the determination by Congress or the courts as to what should become of it, 70 per cent goes into the reclamation fund for the purpose of aiding and encouraging irrigation projects and development throughout the West, and 20 per cent of that money goes to the States in which the oil was produced. California and Wyoming will each get a large sum, and the reclamation fund will get possibly $6,000,000. That is for the past production up to the passage of this bill. Hereafter the division is different. From this time on 37½ per cent of all the royalties derived by the Government that come from all the oil, and coal, and gas goes to the State in which they are produced and 52½ per cent of all such proceeds goes direct into the irrigation and reclamation fund, and the remaining 10 per cent goes to the Government for administration.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask the gentleman to yield me a few minutes more.

Mr. SINNOTT. Mr. Speaker, I yield three minutes more to the gentleman from Colorado.

Mr. CANNON. That means that 87½ per ceat in the future royalties goes for reclamation and to the States.

Mr. TAYLOR of Colorado. Ninety per cent—52½ to the reclamation fuad and 37½ to the States where the money is collected.

Mr. CANNON. And 10 per cent to the man who makes the development?

Mr. TAYLOR of Colorado. No; the man who makes the development gets whatever the Secretary of the Interior lets him have. He can not get more than seven-eighths of his production, and he may not get any. I am talking now about the manner of the division of the amounts of money that are collected by the Government from the men and companies that make the development.

The amount the man who makes the development gets depends entirely upon the Secretary of the Interior. He has got to pay to the Government at least one-eighth, 12½ per cent, royalty on everything, whether he makes anything or not, and the Secretary of the Interior can make him pay any per cent from that on up to 100 per cent if he wants to. There is a minimum but no maximum limitation on the Secretary of the Interior in his determination of what royalty anybody must pay on his production of oil or coal, gas, and so forth.

Mr. CANNON. What does the gentleman mean by royalties? With my limited knowledge, I gather that practically the whole of the royalties that occur in the respective States and in the arid regions goes to the States.

Mr. TAYLOR of Colorado. Oh, no; I wish they did. But they do not. As I said before, 37½ per cent goes direct to the States hereafter and the rest goes, 52½ per cent, into the reclamation fund and 10 per cent into the Federal Treasury. That reclamation fund may be expended in any State. It may be expended in States that have no coal or oil and that do not produce a dollar. It may be expended, and undoubtedly some of it will be spent, in Texas, and Texas has no public lands and will contribute nothing to this fund, or it may go into States that do produce oil and coal and gas and do contribute very largely to this fund. All money that goes into the reclamation fund, no matter where it comes from, is expended for irrigation development in the arid States of the West where it will produce the best results and reclaim barren land and make homes for the people and develop and build up that country, and the money that goes to the States is to be expended on roads and schools.

Mr. CANNON. I am inclined to vote for the conference report, but I shall be gratified if the arid regions and the mountain regions where irrigation is being developed do not finally have to come to the Treasury of the United States for assistance to take care of their irrigation.

The SPEAKER. The time of the gentleman from Colorado has again expired.

Mr. SINNOTT. Mr. Speaker, I yield one minute more to the gentleman in order to suggest that all of the proceeds coming from the naval reserves go into the Treasury.

Mr. TAYLOR of Colorado. Yes; those funds may be so applied, and that is a very large sum, several million dollars.

Mr. Speaker, this law will apply to some 750,000,000 acres of public land in the United States and Alaska. It is a great constructive piece of legislation. It means homes and occupations for millions of people and vast benefits to the entire Nation, and I am gratified and proud to have taken an humble part in the long struggle to bring about the enactment of this bill. [Applause.]

Mr. SINNOTT. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Speaker, I received the following telegram this morning, which I want to read to the House. To me it is a matter of great importance, and I believe the House should take some action in respect to the matter it refers to. It relates to the shipment of freight in the Southern States. The telegram is as follows:

PHILADELPHIA, PA., *February 9, 1920.*

CHAIRMAN WAYS AND MEANS COMMITTEE,
House of Representatives, Washington, D. C.:

The National Federation of Construction Industries, by action of its executive committee and in consultation with its constituent national associations, vigorously protests instructions issued by the United States Railroad Administration covering the Mississippi Valley region that from February 8 to 18 no box cars shall be loaded with other than news-print paper, wood pulp, sugar, grain, and less than car lot merchandise. This shuts off box cars for building materials and is disastrous to construction industry, will close down hundreds of manufacturing plants, tie up construction work now in progress, and throw hundreds of thousands of men out of employment. Preventing shipment of construction materials in box cars will largely reduce operations and shipments of producers of gravel, stone, and other construction materials handled in open cars. The disastrous effect of this order will probably not continue for 10 days only but may result in congestion and shortage of car supply for an indefinite period. This federation represents combined construction industry of United States, which has several hundred national associations of producers, $3,000,000,000 permanent wealth, annually supplies more than one-quarter of railroad tonnage, and employs more labor than any other industry.

ERNEST T. TRIGG,
President National Federation of Construction Industry.

That order has gone into effect and prohibits the shipment of meat in carload lots, the shipment of all kinds of textiles and clothing, provisions of every description, building material of all kinds, and all of those things I mention can only be shipped in box cars for the protection of the goods from the weather. The Railroad Administration has seen fit to issue this order prohibiting the shipment of all goods in box cars for the next 10 days, except as stated—print paper, wood pulp, sugar, and grain. Thousands of men will be thrown out of employment if the order continues, the telegram states, and it expresses the fear that the order will not extend merely over the 10 days but for a much longer period of time.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GARNER. Has the gentleman from Michigan interviewed the Railroad Administration to ascertain the reasons they give for issuing this order?

Mr. FORDNEY. No; I have not called upon them; but let me say to the gentleman I have in my office communications from every part of the country, which letters and telegrams have come in during the last 10 days, especially from the Northwest—Oregon, Idaho, Washington—and from the coal fields of Indiana and Illinois and Ohio, complaining of a shortage of cars. Those same complaints have also come from the South. The lumbermen of the South say they obtain 50 per cent less than their necessary supply of cars for the shipment of lumber and building material, which, of course, tends to increase the cost of production, because there is a shortage in the supply of building material in all the lumber yards of this country and in all of the cities of the country.

Mr. GARNER. The gentleman is just now giving probably a very good reason why the Railroad Administration issued this order. There is apparently a shortage of cars everywhere from what the gentleman says, and there may be pressing need that these particular things to which he refers should have preference over other articles in interstate commerce.

Mr. FORDNEY. That may be true; but if the gentleman will read the testimony just given before an investigating committee in the Senate he will find that at Asheville, N. C., there

stood for 20 days on the tracks there 7,823 cars, unloaded by the Government, and the Government paid $81,000 of demurrage on empty cars. The cars are now being held on various sidetracks all over this country, to the detriment of business of the country, because of lack of efficiency in the administration of the railroads under Government control.

Mr. SINNOTT. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, there are approximately 350,000,000 acres of public lands remaining in continental United States and about 400,000,000 in Alaska. Of these lands, it is estimated that about 55,000,000 to 60,000,000 acres in continental United States contain coal of some sort. Seven million acres of those lands have been withdrawn as being valuable for oil or gas. The probability is that a much larger acreage than that of the public domain will be found valuable for oil or gas. Under the present law these coal lands may be sold at a price fixed by the department, not less than $10 to $20 an acre, depending upon their distance from the railroad. Oil lands may be taken and title acquired under the placer acts in any area that locators may desire to take them. Under this bill we reverse our policy of passing title to lands in fee, and reserve to the Government title to all the lands of the remaining public domain containing coal, gas, phosphate, and sodium. We provide for the leasing of those lands and like deposits which have been reserved in areas that have been disposed of under limited title under certain conditions set forth in the bill.

We have been endeavoring for 10 years to secure legislation of this character, but this year for the first time the House has had before it a bill that is strictly a leasing measure. It therefore fulfills the desires and the expectations of those who, 10 or 12 years ago, began the agitation for what was known as the conservation of the mineral resources of the public lands. The proceeds of the rents and royalties obtained from the lands are to be divided between the States in which the minerals are produced to an extent intended to reimburse them for the loss of taxing values; the Government, with a view of covering the cost of administration; and the national reclamation fund. From the best information possible to obtain it seems that the reclamation fund will receive immediately in the neighborhood of $5,000,000 from rents and royalties already accrued, and it is believed that from this source in the future the reclamation fund will be sufficiently large to carry on a systematic and reasonably speedy development of the irrigation possibilities of the 17 Western States which are the beneficiaries under the reclamation law.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. In just a moment. Bills proposing in part such a system as this have passed the House four times. Each time the bill has been a little better, and I think this bill is by far the best of all the bills that have been before the House. This is largely because of the fact that it is strictly a leasing measure, whereas the other bills that have been before the House provided partly for leasing and partly for the passage of the title in fee. I yield to the gentleman from Texas.

Mr. GARNER. The gentleman will recall, I am sure, the criticism that has been made of Congress concerning its neglect in passing legislation of this character. But I believe when this bill becomes a law it will show that the postponement was justified rather than to take one of the bills which heretofore passed one or the other branch of the Congress.

Mr. MONDELL. I think that is true; at any rate the bill is much better than the measures which have heretofore been before the Congress, and, curiously enough, the bill is not only an improvement in its effect on the public interest but in some respects it is much fairer to the men already on the ground and having claims of one sort or another, although, in my opinion, the measure does rather scant justice to some of those people. No one need feel worried in supporting this bill for fear it does too much for the men that had gone on the ground under the land laws and endeavored to develop these minerals. It does them rather scant justice, but it is the best that can be secured in that respect and it does safeguard the public interest.

I congratulate the Congress that it seems, after these years of effort, we are going to have a fairly reasonable and well-constructed leasing law and one that does thoroughly protect the public interest. There are still in the bill provisions which will entail unnecessary expense, especially in the coal sections, and provisions which will not, in my opinion, work well; but take it all in all the bill is a great advance along the lines of conservation. The passage of the bill is an important step in our program of progessive constructive legislation.

Mr. SINNOTT. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. ELSTON].

Mr. ELSTON. Mr. Speaker, I think that there has been sufficient debate on this bill and sufficient explanation of it, and I ask for this time only to make some observations not having to do with further clearing the text of the bill, as I believe that is unnecessary. I desire to make brief reference to the work of the chairman of this committee, not only in the preparation of the bill as it passed the House, but in the conduct of the conference itself. This bill has been through the House four times, and for once, I believe, the House has got substantially all that it claimed in the way of advanced and enlightened legislation. In previous sessions the Senate has made some modification of the theory of the bill as it passed the House. I believe that chiefly through the aid of Chairman SINNOTT we now have a bill that represents fairly the attitude of the House as it was expressed in the House when the bill was passed. In no essential respect has the bill been modified, and this satisfactory result is largely due to Chairman SINNOTT. The congratulations of the House are due the gentleman from Oregon [Mr. SINNOTT] for his splendid work. [Applause.]

By unanimous consent, Mr. SINNOTT, Mr. MONDELL, and Mr. TAYLOR of Colorado were granted leave to extend their remarks in the RECORD.

Mr. SINNOTT. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BAER. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from North Dakota makes the point of no quorum. Evidently no quorum is present. The Doorkeeper will close the doors, and the Sergeant at Arms will notify the absentees. Those in favor of the adoption of the conference report will, as their names are called, answer "yea" and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 287, nays 13, answered "present" 5, not voting 123, as follows:

YEAS—287.

Ackerman	Dominick	Hull, Tenn.	Michener
Almon	Doughton	Humphreys	Miller
Anderson	Drane	Husted	Minahan, N. J.
Andrews, Nebr.	Dupré	Hutchinson	Monahan, Wis.
Anthony	Eagan	Igoe	Mondell
Ashbrook	Echols	Ireland	Montague
Babka	Elliott	Jacoway	Moon
Bacharach	Ellsworth	James	Mooney
Barbour	Elston	Jefferis	Moore, Ohio
Barkley	Emerson	Johnson, Ky.	Moore, Va.
Bee	Esch	Johnson, Miss.	Moores, Ind.
Begg	Evans, Mont.	Johnson, Wash.	Morgan
Benham	Evans, Nebr.	Johnston, N. Y.	Morin
Benson	Fields	Jones, Pa.	Mott
Black	Fisher	Jones, Tex.	Mudd
Bland, Mo.	Focht	Kahn	Murphy
Bland, Va.	Fordney	Kearns	Nelson, Mo.
Blanton	Foster	Kelly, Pa.	Nelson, Wis.
Box	Frear	Kendall	Nolan
Brand	Freeman	Kiess	Ogden
Briggs	French	Kincheloe	Oldfield
Brinson	Fuller, Ill.	King	Olney
Brooks, Ill.	Gandy	Kinkaid	Osborne
Brooks, Pa.	Ganly	Kitchin	Overstreet
Browne	Gard	Kleczka	Padgett
Browning	Garland	Kraus	Paige
Burroughs	Garner	Langley	Park
Butler	Glynn	Lanham	Parrish
Byrnes, S. C.	Godwin, N. C.	Lankford	Pell
Byrns, Tenn.	Good	Layton	Phelan
Caldwell	Goodwin, Ark.	Lazaro	Porter
Campbell, Pa.	Goodykoontz	Lea, Calif.	Pou
Candler	Graham, Ill.	Lee, Ga.	Purnell
Cannon	Green, Iowa	Lehlbach	Quin
Carter	Greene, Mass.	Lesher	Radcliffe
Chindblom	Greene, Vt.	Linthicum	Rainey, J. W.
Christopherson	Griest	Lonergan	Raker
Classon	Hadley	Longworth	Ramsey
Cleary	Hardy, Colo.	Luce	Ramseyer
Coady	Hardy, Tex.	Lufkin	Randall, Calif.
Cole	Harreld	Luhring	Randall, Wis.
Collier	Hastings	McAndrews	Rayburn
Cooper	Haugen	McClintic	Reber
Crago	Hawley	McDuffie	Reed, W. Va.
Crisp	Hayden	McKenzie	Rhodes
Crowther	Hernandez	McKeown	Ricketts
Currie, Mich.	Hersey	McKinley	Riddick
Curry, Calif.	Hersman	McLaughlin, Mich.	Robsion, Ky.
Dale	Hickey	McPherson	Rodenberg
Darrow	Hicks	Madden	Rogers
Davey	Hill	Magee	Romjue
Davis, Minn.	Hoch	Major	Rose
Davis, Tenn.	Hoey	Mann, Ill.	Rouse
Denison	Holland	Mansfield	Rowe
Dent	Houghton	Mapes	Rubey
Dewalt	Hudspeth	Martin	Rucker
Dickinson, Mo.	Hulings	Mays	Sabath
Dickinson, Iowa	Hull, Iowa	Mead	Sanders, Ind.

Sanders, La.	Stedman	Tilson	Welty
Sanders, N. Y.	Steele	Tincher	Wheeler
Saunders, Va.	Stevenson	Tinkham	White, Kans.
Schall	Stiness	Upshaw	Williams
Sherwood	Stoll	Vaile	Wilson, Ill.
Shreve	Strong, Kans.	Vare	Wilson, La.
Sims	Strong, Pa.	Venable	Wingo
Sinnott	Summers, Wash.	Vestal	Winslow
Small	Summers, Tex.	Vinson	Wood, Ind.
Smith, Idaho	Sweet	Volstead	Woods, Va.
Smith, Ill.	Taylor, Ark.	Walsh	Wright
Smith, Mich.	Taylor, Colo.	Ward	Yates
Smithwick	Temple	Weaver	Young, Tex.
Snell	Tillman	Welling	

NAYS—13.

Baer	Keller	Nichols, Mich.	Steagall
Buchanan	Lampert	Oliver	
Carss	Little	Robinson, N. C.	
Connally	McFadden	Scott	

ANSWERED "PRESENT"—5.

Bell	Dowell	Evans, Nev.	Griffin
Bond			

NOT VOTING—123.

Andrews, Md.	Eagle	McCulloch	Sinclair
Aswell	Edmonds	McGlennon	Sisson
Ayres	Fairfield	McKinley	Slemp
Bankhead	Ferris	McLane	Smith, N. Y.
Blackmon	Fess	McLaughlin, Nebr.	Snyder
Bland, Ind.	Flood	MacCrate	Stephens, Miss.
Booher	Fuller, Mass.	MacGregor	Stephens, Ohio
Bowers	Gallagher	Maher	Stevenson
Britten	Gallivan	Mann, S. C.	Sullivan
Brumbaugh	Garrett	Mason	Swope
Burdick	Goldfogle	Merritt	Tague
Burke	Goodall	Neely	Taylor, Tenn.
Campbell, Kans.	Gould	Newton, Minn.	Thomas
Cantrill	Graham, Pa.	Newton, Mo.	Thompson
Caraway	Hamill	Nicholls, S. C.	Timberlake
Carew	Hamilton	O'Connell	Towner
Casey	Harrison	O'Connor	Treadway
Clark, Fla.	Hays	Parker	Voigt
Clark, Mo.	Heflin	Peters	Walters
Copley	Howard	Platt	Wason
Costello	Huddleston	Rainey, Ala.	Watkins
Cramton	Johnson, S. Dak.	Rainey, H. T.	Watson
Cullen	Juul	Reavis	Webster
Dallinger	Kelley, Mich.	Reed, N. Y.	Whaley
Dempsey	Kennedy, Iowa	Riordan	White, Me.
Donovan	Kennedy, R. I.	Rowan	Wilson, Pa.
Dooling	Kettner	Sanford	Wise
Doremus	Knutson	Scully	Woodyard
Dunbar	Kreider	Sears	Young, N. Dak.
Dunn	Larsen	Sells	Zihlman
Dyer	McArthur	Siegel	

So the conference report was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. KNUTSON with Mr. BELL.

Mr. NEWTON of Missouri with Mr. CLARK of Missouri.

Mr. TOWNER with Mr. GARRETT.

Mr. REAVIS with Mr. HOWARD.

Mr. BOWERS with Mr. NEELY.

Mr. JOHNSON of South Dakota with Mr. FLOOD.

Mr. MERRITT with Mr. CASEY.

Mr. WASON with Mr. ASWELL.

Mr. ZIHLMAN with Mr. HEFLIN.

Mr. COSTELLO with Mr. WISE.

Mr. TAYLOR of Tennessee with Mr. BRUMBAUGH.

Mr. ANDREWS of Maryland with Mr. WILSON of Pennsylvania.

Mr. THOMPSON with Mr. BANKHEAD.

Mr. PARKER with Mr. EAGLE.

Mr. KELLEY of Michigan with Mr. SCULLY.

Mr. SIEGEL with Mr. GOLDFOGLE.

Mr. TIMBERLAKE with Mr. SULLIVAN.

Mr. MACGREGOR with Mr. SMITH of New York.

Mr. KENNEDY of Iowa with Mr. THOMAS.

Mr. TREADWAY with Mr. BLACKMON.

Mr. COPLEY with Mr. HENRY T. RAINEY.

Mr. GOODALL with Mr. STEPHENS of Mississippi.

Mr. WALTERS with Mr. CARAWAY.

Mr. KREIDER with Mr. WATKINS.

Mr. WOODYARD with Mr. AYRES.

Mr. DALLINGER with Mr. O'CONNELL.

Mr. SLEMP with Mr. CLARK of Florida.

Mr. YOUNG of North Dakota with Mr. GALLIVAN.

Mr. KENNEDY of Iowa, with Mr. RIORDAN.

Mr. WATSON with Mr. HARRISON.

Mr. NEWTON of Minnesota with Mr. DOOLING.

Mr. WHITE of Maine with Mr. CAREW.

Mr. MCKINLEY with Mr. SISSON.

Mr. SNYDER with Mr. CULLEN.

Mr. STEPHENS of Ohio with Mr. GALLAGHER.

Mr. PETERS with Mr. RAINEY of Alabama.

Mr. DOWELL with Mr. MANN of South Carolina.

Mr. REED of New York with Mr. BOOHER.

Mr. FESS with Mr. FERRIS.

Mr. BURKE with Mr. ROWAN.

Mr. SANFORD with Mr. MCLANE.

Mr. DEMPSEY with Mr. STEVENSON.

Mr. CRAMTON with Mr. WHALEY.

Mr. SELLS with Mr. CANTRILL.

Mr. CAMPBELL of Kansas with Mr. DOREMUS.

Mr. DUNN with Mr. O'CONNOR.

Mr. BRITTEN with Mr. MCGLENNON.

Mr. EDMUNDS with Mr. NICHOLLS of South Carolina.

Mr. BLAND of Indiana with Mr. HUDDLESTON.

Mr. FAIRFIELD with Mr. HAMILL.

Mr. GOULD with Mr. DONOVAN.

Mr. JUUL with Mr. TAGUE.

Mr. GRAHAM of Pennsylvania with Mr. MAHER.

Mr. HAMILTON with Mr. KETTNER.

Mr. BOIES with Mr. SEARS.

Mr. BURDICK with Mr. LARSEN.

Mr. EVANS of Nebraska. Mr. Speaker, I voted "aye." I wish to withdraw that vote and vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. EVANS of Nevada, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The conference report is agreed to.

On motion of Mr. SINNOTT, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

WRANGELL, ALASKA.

Mr. GRIGSBY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 10746, with a Senate amendment, and agree to the same.

The SPEAKER. That does not require unanimous consent. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 10746) to authorize the incorporated town of Wrangell, Alaska, to issue bonds for the construction, enlargement, and equipment of schools, the acquisition and construction of a water-supply system, the construction of a sewer system, the construction of a city dock and floating dock, and to levy and collect a special tax therefor.

The SPEAKER. The Clerk will report the Senate amendment.

The Senate amendment was read.

The SPEAKER. The question is on agreeing to the Senate amendment.

Mr. GRIGSBY. The amendment merely reduces the rate of interest on the bonds from 7 to 6 per cent.

Mr. GARD. It does not change the amount of the bond issue, but the rate of interest on the bonds is changed from 7 to 6?

Mr. GRIGSBY. Yes.

Mr. GARD. Is that satisfactory to the community up there?

Mr. GRIGSBY. Yes, sir.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

COTTON YARN.

Mr. TILSON. Mr. Speaker, I ask unanimous consent to discharge the Committee on Interstate and Foreign Commerce from the further consideration of House resolution 451, and ask its immediate consideration.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to discharge the Committee on Interstate and Foreign Commerce from the further consideration of the resolution which the Clerk will report, and for the immediate consideration of the same.

The Clerk read as follows:

House resolution 451.

Whereas the prices of combed cotton yarns have increased several hundred per cent during the years 1914 to 1919, inclusive, more than 100 per cent of which was during the last six months of the year 1919; and

Whereas this increase has been greatly in excess of the increase of the cost of the raw cotton and the labor entering into the manufacture of such yarns, and can not therefore be attributed to such increases. Therefore be it

Resolved, That the Federal Trade Commission is hereby requested to inquire into the increase in the price of combed cotton yarns during the years 1914 to 1919, inclusive, and especially during the last six months of the year 1919; to ascertain the cause or necessity for and the reasonableness of such increase; to ascertain the difference between the increase in the price of the yarn on the one hand and the increase in the cost of raw cotton and the labor entering into the cost of the manufacture of such yarn; and to report to the House at the earliest practicable date the result of the investigation, together with such recommendations as the commission may deem advisable and proper.

The SPEAKER. Is there objection?

Mr. SABATH. Reserving the right to object, Mr. Speaker, I desire to ask the gentleman whether he would be willing to include cotton fabrics; not only yarns but things which are manufactured out of yarns, namely, cotton cloth, and muslin, and

ginghams, and things of that kind that have increased in value from 300 to 500 per cent?

Mr. TILSON. I would have no objection unless the effect would be to make the investigation so wide that before any part of it could be made its usefulness would be past.

Mr. SABATH. I am informed that there is an agreement on the part of the manufacturers of some of these articles whereby they deliberately close down their factories and shops for the purpose of retarding production, thereby being able to greatly increase the price of such muslins and cotton cloths as they manufacture. In view of that fact I believe that the investigation should go further than simply the manufacture of yarns. It should include the manufacture of cloths and muslins and other cotton fabrics.

Mr. TILSON. I do not believe that the gentleman from Illinois is getting at the trouble. The yarns that I speak of, if I understand correctly, do not enter into the manufacture of muslins, although they do enter into the manufacture of other fabrics. From such investigation as I have been able to make of it, I think the greatest increases have been in combed cotton yarn, increases such as I have been unable to account for. The Federal Trade Commission is willing to make the investigation. All that is desired is a request on the part of Congress or either House of Congress that the commission do it.

Mr. SABATH. I am very anxious, perhaps more anxious than the gentleman is himself, to have such an investigation started, and I feel satisfied that when they do start——

Mr. KITCHIN. I suggest to the gentleman from Connecticut that he ask unanimous consent to put in cotton cloths.

Mr. TILSON. Mr. Speaker, I have no objection to widening the sphere of this investigation to a certain extent, and ask unanimous consent to modify my resolution by inserting cotton cloths.

Mr. SABATH. Cotton cloths and muslins and ginghams.

Mr. KITCHIN. That is all right.

Mr. TILSON. It will probably be necessary to investigate to a certain extent these matters, anyway, because the manufacturers of these products made from cotton yarns would probably be as much interested as anyone else.

The SPEAKER. If the gentleman wishes to modify his resolution so broadly, the Chair thinks it would be better to bring it in after it is completed.

Mr. TILSON. Very well.

LOUISIANA SUGAR.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to have printed in the RECORD the interrogatories passed by the House of Representatives on December 18, 1919, and sent to the Attorney General, in relation to the fixing of the price of Louisiana sugar, and his answers, filed in the House on February 6 last.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to have printed in the RECORD the queries propounded to the Attorney General relative to sugar and his answer thereto. Is there objection?

Mr. GARD. Reserving the right to object, Mr. Speaker, this is the matter that the gentleman showed me. The answers of the Attorney General are now included in a House document, are they not?

Mr. TINKHAM. They are printed in a House document, but they have not yet been printed in the RECORD.

Mr. GARD. Why should they now be printed in the RECORD? What is the reason?

Mr. TINKHAM. The reason is this: There is going to be action taken in relation to these interrogatories and a discussion of them, and I believe that the House of Representatives should have them printed in order that they may be before it in comprehensive form.

Mr. GARD. Has there been any report from the Federal Trade Commission on the investigation of the sugar question which some time ago was authorized?

Mr. TINKHAM. There has been no report by the Federal Trade Commission upon that order of investigation.

Mr. GARD. When was the investigation ordered?

Mr. TINKHAM. It was ordered the 1st day of last October.

Mr. GARD. It seems to be following the usual course of investigations, which are not made until the use of the investigation has ceased.

Mr. TINKHAM. I am sorry to say that the observation of the honorable Representative from Ohio seems to be true.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, the gentleman states that he wishes to place these two documents in the RECORD so that there will be action taken hereafter. I want to ask the gentleman from Massachusetts whether that action will be political or otherwise?

Mr. TINKHAM. It will not be political. It will be economic, and I hope it will be for the benefit of the American people when finished.

Mr. GARD. What action will that be?

Mr. TINKHAM. I intend on next Thursday to address the House in relation to these interrogatories and the answers thereto under general debate on the Military Academy bill.

Mr. MANN of Illinois. How will the gentleman get in?

Mr. GARD. That is not action. That is conversation.

The SPEAKER. Is there objection?

There was no objection.

Following are the documents referred to:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., February 3, 1920.

To the House of Representatives of the United States:

In answer to the resolution of the House of Representatives, dated December 18, 1919, I beg to transmit the following:

1. As to paragraph 1, I beg to state that I neither made, assented to, nor approved the price for Louisiana sugar on the plantation of 17 cents per pound for yellow clarified and 18 cents per pound for plantation granulated.

2. As to paragraph 2, in view of my answer to paragraph 1, I deem no further answer necessary.

3. As to the first request in paragraph 3, I beg to state that it has not been usual for the office of the Attorney General in advance of legal action to render an official opinion in relation to the United States criminal statutes and notify possible violators of his interpretation of them, nor has it ever been done to my knowledge.

In answer to the second request in paragraph 3, I never notified the Louisiana sugar producers that under laws against profiteering they would not be prosecuted if they sold yellow clarified at 17 cents per pound and plantation granulated at 18 cents per pound.

4. In answer to paragraph 4, I beg to state that in the fall of 1919 this department was called upon to give some guide to the United States district attorney in New Orleans as to facts and circumstances which should be taken into consideration by him in beginning criminal prosecutions.

This implied a determination that, as a practical proposition, he might successfully contend in court, in the absence of particular circumstances, that a sale of sugar above a reasonable, fair, maximum price for this year's Louisiana crop of sugar was an excessive price and therefore a violation of the Lever law. He had before him the fact that Louisiana sugar was selling in the open market at from 20 to 27 cents, that the crop was but 40 per cent of the normal, and that the price was rapidly mounting.

It was the opinion of the department that all these factors would be taken into consideration by the court in considering any prosecutions, and that prosecutions begun in disregard of such considerations would offer no prospect of eventual success.

On November 7, 1919, the United States district attorney in New Orleans wired the Attorney General as follows:

"NEW ORLEANS, LA., *November 7, 1919.*

"ATTORNEY GENERAL,
"*Washington, D. C.:*

"After a protracted meeting with the sugar planters their committee agreed to a fair price of 17 cents per pound for prime yellow clarified sugar, net on plantation with 1 cent additional per pound for choice plantation granulated intermediate grades in proportion. The committee further recommended that all sales where delivery has begun by evidence of bills of lading shall stand, but recommended that all contracts for a higher figure be abrogated in fairness to all producers and manufacturers whose action in making contracts has been delayed by deference to authorities. Prime yellow clarified sold on the open market in New Orleans yesterday at 20½ cents, market virtually bare, with ready buyers for all sugar of that grade at that price. My session with the planters was a protracted one and was held after I had talked to many of the leading consumers and obtained their views. The committee itself was composed largely of the most conservative element of planters, yet there was only one member of the committee originally consenting to the 17 cents suggestion, all other members holding for a higher price because of the admitted short crop and low sugar yield. Stating in this connection that such cane as had passed through the mill showed an unusually poor yield of sugar, making estimates of production made a week ago high, and indicates losses to many even at prices agreed. I have sought the very best sources of advice in this matter and have reached conclusion that the 17 cents agreed upon is reasonable and recommend that the department accept it. I have reached this conclusion because 17 cents as a maximum price does not carry with it any guarantee that the entire crop can be disposed of at that figure and it is probable that the average for the crop would be considerably less. I have before me your telegram 6th referring to willingness of conference committee to accept 14 or 15 cents as price for entire crop. I had this fact in mind when I wired you November 3, but as Government is not in a position to guarantee the producer any fixed price for his crop and is necessarily limited to establishing a fair price, which virtually means maximum price, it would be impossible to secure consent of planters to fix the fair average price as a maximum price because of the vast difference existing between maximum price and average price for crop. I believe the action of the planters yesterday represents the extreme limit of their concessions although they met me in a conciliatory spirit. Sincerely hope that maximum price suggested may be acceptable to the department. Please instruct me by wire.

"MOONEY,
"*United States Attorney.*"

On November 8, 1919, the following telegram was sent:

"MOONEY,
"*United States Attorney, New Orleans, La.:*

"Your wire of the 8th, detailing results of conference. Consider agreed price rather high, but hereby concur in maximum fixed price of 17 cents for Louisiana plantation clarifieds, 18 cents for Louisiana clear granulated. Understanding that all contracts for a higher figure to be abrogated. Further suggest, if possible, you secure an agreement in writing by authorized committee of Louisiana producers and refiners to be used as prima facie evidence where prices are charged in excess of agreement. You are hereby instructed to immediately prosecute any violator of this agreed price.

"PALMER."

These telegrams do not at all mean that we fixed the price, but do mean that, under all the special circumstances existing as to the Louisiana crops, this department was willing to concede that prosecutions would be ineffectual and unsuccessful if based upon a contention that any price less than 17 cents per pound for yellow clarified and 18 cents per pound for plantation granulated was an "excessive price" under the Lever law.

Respectfully submitted.

A. MITCHELL PALMER,
Attorney General.

House resolution 394.

IN THE HOUSE OF REPRESENTATIVES,
December 18, 1919.

Resolved, That the Attorney General is hereby directed to report to the House of Representatives forthwith—

(1) Whether he made, assented to, or approved in any way of a price for Louisiana sugar on the plantation of 17 cents per pound for yellow clarified and 18 cents per pound for plantation granulated.

(2) Upon what authority of law he has fixed or agreed that the price of Louisiana sugar on the plantation should be 17 cents per pound for yellow clarified and 18 cents per pound for plantation granulated.

(3) Whether it has been usual for the office of the Attorney General, in advance of legal action, to render an official opinion in relation to the United States Criminal Statutes and notify possible violators of his interpretation of them and whether he notified Louisiana sugar producers that under laws against profiteering they would not be prosecuted if they sold yellow clarified at 17 cents per pound and plantation granulated at 18 cents per pound.

(4) The facts upon which he fixed or agreed upon the maximum price of 17 cents per pound for yellow clarified and 18 cents per pound for plantation granulated and how these facts were obtained.

Attest:

(Signed) WILLIAM TYLER PAGE,
Clerk.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1374. An act for the relief of Stephen A. Winchell;

S. 2773. An act for the relief of Ethel Proctor;

S. 2614. An act for the relief of Francis M. Atherton;

S. 2861. An act for the relief of the Davis Construction Co.;

S. 547. An act authorizing the enlistment of non-English-speaking citizens and aliens;

S. 3738. An act abolishing the United States Housing Corporation; and

S. 2978. An act to establish additional fish-cultural subsidiary stations in the State of Michigan.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 3620. An act to authorize the Commissioner of Navigation to change the names of vessels;

H. R. 683. An act for the relief of William E. Johnson;

H. R. 5065. An act for the relief of Carlow Avellina; and

H. R. 396. An act to authorize the payment of certain amounts for damages sustained by prairie fire on the Rosebud Indian Reservation, S. Dak.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 49.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 11368) entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921," the Clerk be, and he is hereby, authorized and directed to dispose of Senate amendments numbered 114 and 115 in manner and form as if the House had receded from its disagreement to said amendments and had agreed to the same.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1374. An act for the relief of Stephen A. Winchell; to the Committee on Military Affairs.

S. 2773. An act for the relief of Ethel Proctor; to the Committee on Claims.

S. 2614. An act for the relief of Francis M. Atherton; to the Committee on Military Affairs.

S. 2861. An act for the relief of the Davis Construction Co.; to the Committee on Claims.

S. 547. An act authorizing the enlistment of non-English-speaking citizens and aliens; to the Committee on Military Affairs.

S. 3738. An act abolishing the United States Housing Corporation; to the Committee on Public Buildings and Grounds.

S. 2978. An act to establish additional fish-cultural subsidiary stations in the State of Michigan; to the Committee on the Merchant Marine and Fisheries.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 11368. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921.

LEAVE TO ADDRESS THE HOUSE.

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. MONAHAN] be allowed to address the House on the morning of the 23d of February, after the Journal has been read, upon the subject of George Washington.

The SPEAKER. For how long?

Mr. MONTAGUE. Twenty minutes.

The SPEAKER. The gentleman from Virginia [Mr. MONTAGUE] asks unanimous consent that the gentleman from Wisconsin [Mr. MONAHAN] be permitted to address the House on Monday, February 23, on the subject of George Washington, for 20 minutes, immediately after the reading of the Journal and the disposition of business on the Speaker's table.

Mr. MANN of Illinois. Reserving the right to object, Mr. Speaker, I did not understand the request.

Mr. MONTAGUE. I will say to the gentleman that the request was that the gentleman from Wisconsin [Mr. MONAHAN] be allowed to address the House for 20 minutes on George Washington after the reading of the Journal on the 23d of February, the 22d falling upon Sunday; hence the request for the 23d.

Mr. MANN of Illinois. I see no reason for objecting, although I wonder if the gentleman from Wisconsin intends to address the House on every anniversary day that we celebrate. On Thursday of this week he is to address the House on Lincoln.

Mr. MONTAGUE. Well, I am sure the address will be well worth listening to.

Mr. MANN of Illinois. No doubt it will be, but it will take that much time from the public business.

The SPEAKER. Is there objection to the request?

Mr. GARD. Reserving the right to object—and I shall not object—has the matter been brought to the attention of the majority leader as to the disposition of time on that side?

The SPEAKER. Is there objection?

There was no objection.

WASHINGTON'S FAREWELL ADDRESS.

Mr. MANN of Illinois. Mr. Speaker, has there been any provision made yet for the reading of Washington's Farewell Address on the 23d?

The SPEAKER. There has not.

Mr. MANN of Illinois. I ask unanimous consent that the Speaker may designate some Member of the House—not myself—to read Washington's Farewell Address on the 23d.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the Speaker suggest the name of a Member to read Washington's Farewell Address on the morning of the 23d, immediately after the reading of the Journal and before the remarks of the gentleman from Wisconsin [Mr. MONAHAN]. Is there objection?

There was no objection.

COTTON YARNS.

The SPEAKER. Has the gentleman from Connecticut [Mr. TILSON] his amendment ready?

Mr. TILSON. Yes, Mr. Speaker. I renew my request. I send my proposed amendment to the Clerk's desk.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of H. Res. 451 with an amendment, which the Clerk will report.

The Clerk read as follows:

Amend in line 3, page 1, after the word "yarns," by inserting the words "and cotton cloths."

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. MANN of Illinois. Reserving the right to object, as I understand, this resolution directing an investigation by the Federal Trade Commission is now pending before the Committee on Interstate and Foreign Commerce. I understood the gentleman to state that the reason, or one reason at least, why it had not been acted upon by that committee was because the railroad bill was in conference.

Mr. TILSON. I understand that the committee has not had a meeting.

Mr. MANN of Illinois. I hope and have reason to believe that that reason will soon disappear. I think it is a very bad practice to undertake to direct a department or branch of the Government to make an investigation which will cost thousands of dollars and which in the end usually proves worthless without the resolution being considered by a committee.

Mr. TILSON. In this case, as the gentleman knows, the Federal Trade Commission is working all the time. If the commission is not doing this work it will be doing some other work.

Mr. MANN of Illinois. The other work may be quite as important as this. I know that whenever the Federal Trade Commission are directed by either House of Congress to make an investigation they predicate a request for an appropriation upon that direction, and whenever they run short of work they get some Member of Congress, either in this body or the other, to suggest a direction to them to proceed with work. Now, I do not assume that is the case in this particular instance——

Mr. TILSON. It is not.

Mr. MANN of Illinois. Though I dare say the gentleman has conferred with the Federal Trade Commission.

Mr. TILSON. I tried to get the commission to make the investigation without this formal request.

Mr. MANN of Illinois. Which they have full authority to do under the law. But the moment they are directed to do it, then they come before the Committee on Appropriations and say, "Why, Congress has directed us to do this. We must have so much money with which to do it." Now, my friend from Connecticut thinks it is wise for us to spend the money in that way. I do not, but I think we ought to have the opinion of a committee on the subject as to whether it is wise to spend money in that way or not. It will cost that much more money to make this investigation. I do not think the investigation will amount to the snap of your finger after it is made. The gentleman from Connecticut [Mr. TILSON] probably knows a good deal more about cotton and cotton raising than I do. I think we ought to have a report from a committee before we direct the Federal Trade Commission to spend a large amount of money in making an investigation, whether it is useful or useless.

Mr. TILSON. Of course, the gentleman can object if he wishes, and can prevent the passage of this resolution now. If so, I shall have to wait until the Committee on Interstate and Foreign Commerce can pass upon it, and I do not know when that will be. Meanwhile the good that such an investigation might accomplish will certainly be lessened.

Mr. MANN of Illinois. They will not finish an investigation of this sort in a year's time.

Mr. TILSON. Oh, yes; I understand they make a good many investigations of this kind in a year's time.

Mr. MANN of Illinois. No; they do not.

The SPEAKER. Is there objection?

Mr. MANN of Illinois. I feel constrained to object.

The SPEAKER. Objection is made.

AGRICULTURAL APPROPRIATIONS.

On motion of Mr. HAUGEN, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill, H. R. 12272, with Mr. WALSH in the chair.

The CHAIRMAN. When the committee rose last evening a point of order had been made and disposed of.

Mr. HAUGEN. I offer the following amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HAUGEN: Page 35, line 13, after the colon, insert:

"*Provided further*, That no part of any appropriation in this act for Forest Service shall be expended on any national forest in which the fees charged for grazing shall be at a rate less than 300 per cent of the existing rate."

Mr. HAYDEN. I make the point of order on the amendment offered by the gentleman from Iowa that it is legislation on an appropriation bill and an attempt to change existing law under the guise of a limitation.

The existing law provides that the Secretary of Agriculture shall have authority to fix the grazing fees upon national forests. The amendment offered by the gentleman directs the Secretary of Agriculture to treble the existing grazing fees. Clearly legislation of that character is not in order upon an appropriation bill. I do not believe that by indirection, under the pretense of a limitation, the gentleman from Iowa can accomplish that purpose.

Mr. HAUGEN. Mr. Chairman, I believe there can be no question about the amendment being in order. As stated by the gentleman from Arizona, the Secretary now has authority to fix grazing fees. The amendment is simply a limitation upon the appropriation. It states that none of the money appropriated shall be expended unless a certain fee is charged, which seems to me is entirely in order. As to the authority to charge for grazing permits, that question has been passed upon by the Supreme Court and settled.

Mr. HAYDEN. The connection between increasing the fees for grazing upon a national forest and the necessary appropriation for carrying on the administration of that forest is not such as to justify the contention that the gentleman is making. The effect of his amendment would be that unless the Secretary of Agriculture trebled the grazing rate upon a given forest that national forest could not be administered; that nothing whatever could be done. All the Forest Service employees would be discharged and forest fires allowed to rage unchecked. Timber trespassing would take place without restraint, with the forests unguarded. The effect of such legislation would be absolutely ruinous.

Mr. HAUGEN. The amendment does not go that far. It is within the power of Congress to determine how money shall be expended, and that is all that is sought to be done by this amendment.

Mr. HAYDEN. What the gentleman seeks to do, in fact, is to legislate upon an appropriation bill under the guise of a limitation.

Mr. HAUGEN. It is not legislation. It is simply a limitation on the appropriation for the Forest Service. I will read from a memorandum submitted by the Forest Service on this proposition:

> The act of June 4, 1897, originally authorized the Secretary of the Interior to administer the national forests. The part of that act which is pertinent shows the authority of the Secretary to prescribe rules and regulations. This act does not direct the Secretary of the Interior specifically to make a charge for any uses or sales. The question was raised, and the Attorney General of the United States held in 1905 that the language of the act gave the Secretary of Agriculture the right to establish rules and regulations for the use of national forest land and the right to fix a charge for such usage. The opinion of the Attorney General has since been sustained by the Supreme Court.

So there is no question about the authority of the Secretary to fix the fees, and, of course, there can be no question but that Congress has authority to determine how money appropriated shall be expended.

Mr. HAYDEN. Does the gentleman from Iowa deny that the effect of his amendment will take out of the hands of the Secretary of Agriculture the discretion now lodged in him by law and compel him to increase the grazing fees by three times the present charges?

Mr. HAUGEN. The forest reserves have been transferred to the Secretary of Agriculture with the same power formerly granted the Secretary of the Interior.

Mr. HAYDEN. Exactly; and the effect of the gentleman's amendment will be to take away the discretion now lodged in the hands of the Secretary of Agriculture by existing law and compel him to arbitrarily treble the grazing fees now paid.

Mr. HAUGEN. The amendment prescribes how the money appropriated shall be expended. If the forests are to be wasted, then we do not propose to spend the money appropriated. The amendment provides that if the Secretary will impose a proper charge for the grazing permits, as specified in this amendment, the money may be expended, but if the forests are to be wasted, then no money shall be available for expenditure. That is all there is to it.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. MANN of Illinois. I do not recall the exact terms of the amendment suggested, but will this amendment, if agreed to, affect contracts for leasing or grazing now in existence?

Mr. HAUGEN. It may affect the contracts; but all of the contracts are made conditional, it being stipulated that they may be terminated at the discretion of the Secretary. The amendment provides that no part of the appropriation for the Forest Service shall be expended on any national forest in which the fees charged for grazing shall be at a rate less than 300 per cent of the existing rates.

Mr. MANN of Illinois. That would require the Secretary to cancel all of the contracts.

Mr. HAUGEN. Oh, no.

Mr. MANN of Illinois. Do not say "Oh, no," until I finish my statement, because the gentleman is not correct. It would require the Secretary to cancel all grazing contracts now in existence before he could expend a dollar of the money carried by this act. The gentleman shakes his head, but it seems to me that the gentleman is wrong.

Mr. HAUGEN. No repudiation of contracts is suggested.

Mr. MANN of Illinois. No; nothing is said in the amendment about contracts; but here is a case, we may say, where a man has a contract for grazing. The gentleman says that no part of this material should be expended in the Forest Service as long as that contract is not doubled or trebled. Is not that changing the contract?

Mr. HAUGEN. The contracts when made are all drawn conditional upon just this sort of a proposition; that is, the right

to terminate or modify the contracts is reserved by the Secretary.

Mr. MANN of Illinois. I know; but the gentleman, I think, makes this incorrect assumption, that a limitation on an appropriation bill on one subject directing the Secretary to do something means that he is not to expend the money. That is not the case. A limitation in an appropriation bill is put there to prevent a certain thing being done, not to prevent the expenditure of the money at all. I do not know, but I still agree with the gentleman on the point of order. I was trying to when we started out. It seems to me that the gentleman's amendment now requires the Secretary of the Interior to cancel all of the contracts that are now outstanding and add three times the contract price if they are to be renewed. The Secretary of the Interior can not refuse to expend this money. He has no jurisdiction to say that he will not support the national forests. The law requires him to do that. If he is to do it, then we direct him to do something which I think we have not any right to do.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. SNELL. What percentage of those lands are under contract now?

Mr. MANN of Illinois. They are all under contract.

Mr. SNELL. Practically all of them?

Mr. MANN of Illinois. Yes; and I think they ought to be made to pay more. I am in sympathy with the purpose of the amendment.

Mr. HAYDEN. No person can graze live stock on a national forest without a permit from the Secretary of Agriculture, and every grazer of live stock has now such a permit, which, if this legislation is agreed to, would have to be canceled and the grazing rates trebled.

Mr. SNELL. How long do these contracts run?

Mr. HAYDEN. A large number of permits were issued for five years, beginning with the year 1919, under a new policy announced by the Secretary of Agriculture.

Mr. SNELL. How much have they been raised lately?

Mr. HAYDEN. The last raise was 100 per cent. Twenty-five per cent was added to the grazing fees on national forests in 1918 and a 100 per cent increase was made in 1919. That 100 per cent raise was agreed to by the stockmen of the national forests upon the express condition that instead of year to year permits the new permits should be issued for five years. I have in my hand a copy of that class of five-year permits which I shall insert at this point.

[Sample copy.]

[United States Department of Agriculture, Forest Service. Five-year grazing permit. (This permit is not transferable and may be revoked within the discretion of the Secretary of Agriculture.)]

APRIL 10, 1919.

John Doe, of Winslow, Arizona, having paid to the First National Bank of Albuquerque, N. Mex. (U. S. depository), the grazing fee, amounting to the sum of seventy-two and no/100 dollars ($72.00), is hereby authorized to pasture the following number and class of live stock: One hundred (100) head of cattle, upon the lands of the United States within the Coconino National Forest, from May 1, 1919, to October 31, 1919, and during the same period each year following until October 31, 1923, provided payment of like amount is made each year thirty days before the beginning of the grazing period.

Provided, That the animals shall not intrude upon any area upon which grazing is prohibited, nor upon any portion of the national forest except the following-described area: The Buckhorn grazing district.

This permit is issued upon the facts stated and under the promises and agreements made by said John Doe in his application dated December 1, 1918, and subject to the stipulations printed on the back hereof.

This permit is issued with no obligation or agreement on the part of the Government to maintain an exclusive possession upon any part of said forest to any one person or firm, nor as to adjustment of any conflict as to possession.

For violation of any of the terms of the application on which it is based, or whenever any injury is being done the forest by reason of the presence of the animals therein, this permit will be revoked and the animals will be removed from the forest.

RICHARD ROE, *Supervisor.*

STIPULATIONS.

The acceptance of this permit binds the permittee and his employees, engaged in caring for the animals while on the forest, to extinguish, before leaving the vicinity thereof, all camp fires started by himself or any of his employees; to render all reasonable aid in extinguishing forest fires within the district in which the stock is grazed, such service to be without compensation if required to protect the grazing area described in this permit, but at the prevailing rate of compensation if otherwise; to obey and support all the laws and regulations governing national forests; to pay for all damages sustained by the United States through any violation by himself or his employees of such laws or regulations or of the terms of this permit; and to forfeit this permit whenever the national forest for any reason ceases to exist, or for a violation of the national forest regulations now or hereafter adopted or of any of the terms of this permit, or whenever an injury is being done to the forest by reason of the presence of the animals therein.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman from Arizona yield?

Mr. HAYDEN. Yes.

Mr. McLAUGHLIN of Michigan. I think the gentleman is not quite right in saying that so many of the contracts run for five years, and that they were made so in pursuance of a statement of policy by the Secretary of Agriculture. The Secretary of Agriculture conferred with those who lease the national forests for grazing purposes, and one of the subjects under discussion was the amount that should be charged. The Secretary suggested an increase, but said that according to his policy there would be no considerable further increase during the coming five years. Some of the contracts were made for five years following that conference, but every contract made and every permit issued contains an express provision that the amount can be changed at any time, and that for reasons sufficient to the Secretary it may be canceled entirely at any time. So that the adoption of the provision suggested by the gentleman from Iowa would be no violation of existing contracts.

Mr. HAYDEN. It is in violation of the announced policy of the Secretary of Agriculture, which appears in a letter printed on page 127 of the hearings, to the effect that the time had arrived on the national forests where five-year permits could be issued; that he had directed and authorized the issuance of such permits. It further appears in the testimony before the committee that a large number of such permits have been issued. To my certain knowledge practically every permit issued on the forests of my State during the past year has been for five years.

Mr. McLAUGHLIN of Michigan. That policy the Secretary of Agriculture talked about was a policy that he had been pursuing of charging only a fraction of the value of the forests for grazing purposes. He was inclined to continue that policy. It is the idea of the Congress, at least if the Committee on Agriculture properly represents the sentiment of Congress, that his policy is wrong and ought to be changed. The Secretary ought not to continue to permit the forests to be used at a very small part of their value. The policy ought to be changed. And, besides, it is the province of the Congress to determine the policy, and the amendment the committee offers determines the policy that there should be increases. When the Secretary talks about five years, it is simply giving voice to his sentiment that his old policy of charging a very small fee ought not to be changed, at least for five years. Congress differs from him; at least it ought to. The Committee on Agriculture differs from him radically and has made this recommendation to the House.

Mr. HAYDEN. The committee itself in the amendment which was reported to the House provided for five-year permits. The committee is adopting the announced policy of the Secretary of Agriculture, except that they make a difference in the time as to when that policy shall go into effect. The Secretary decided the question in 1919 and made a 100 per cent raise, and now, by reason of the present inflated values of live stock, the committee is of opinion that a further raise can be made in the middle of the present five-year period, and arbitrarily seeks to impose this burden on the live-stock industry of the national forests.

Mr. MONDELL. Mr. Chairman, an amendment has been offered in the guise of a limitation. There are at least two things that can not be done under the guise of a limitation. Under the pretense of a limitation you can not change existing law. You can not under that guise or pretense take from an executive officer the discretion, authority, and control that has been vested in him. The amendment offered by the gentleman from Iowa does both of these things. It changes existing law, and in changing existing law it takes from the Secretary of Agriculture the discretion which he is now exercising. That it does that is evidenced very clearly by the discussion that has been had relative to the five-year contracts which the Secretary has entered into acting under his discretion. Having the authority to fix the rates, he has been fixing them, and in many cases he has entered into agreements under which five-year leases have been granted.

The rulings with regard to limitations on appropriations have been quite liberal, but they have been very clear and definite, in that they deny the right to change existing law or take from the discretion of an executive officer under the guise of an attempt to limit the use of money appropriated. It is not a question as to the wisdom or virtue or propriety of the plan proposed.

It is clearly out of order, because it is a change of existing law and legislation under guise of a limitation. It does take from an executive officer the discretion which the law has given him and the discretion which he is now exercising, and the discretion under which he has made five-year contracts in many cases.

Mr. ANDERSON. Mr. Chairman, I desire to be heard very briefly on the point of order.

I want to direct the attention of the Chair to some decisions with which I anticipate he is already familiar, for the purposes of the record. I want to direct the attention of the Chair to the character of the limitations which have heretofore been sustained by the Chair as limitations against points of order such as are made against this proposition.

For instance, it has been held that while it is not in order on an appropriation bill to require lettering on public vehicles, it is in order to withhold an appropriation from all that are not lettered. Now, if it would be in order to apply a limitation to an appropriation in the Post Office appropriation bill to the effect that no part of the appropriation should be spent for the maintenance of vehicles, we will say, unless they were lettered in a certain way, it would seem to follow in the same way that you might put a limitation upon an appropriation for the national forests providing that no part of the funds for that service should be spent in the national forests in which the grazing fees were less than a certain amount.

The gentleman from Illinois [Mr. MANN] makes the point that the effect of this limitation will be to require the cancellation of these contracts. Now, let me put it squarely to the Chair. Would the Chair say that the Congress would have no authority to say in this particular that no part of any appropriation made for the Forest Service in this act should be spent in any national forest in which the Forest Service had made a certain contract? I venture to say that the Chair would not so hold. It seems to me that it follows that the mere fact that the effect of this limitation is to require the cancellation of a contract does not of itself make this limitation subject to a point of order.

There is another decision which is even more in point than the one to which I have alluded. In volume 4 of Hinds' Precedent, paragraph 3995, it was held that the following paragraph was in order:

For transportation of mail by pneumatic tube or other similar devices, by purchase or otherwise, $225,000.

A point of order was made against that item on the ground that it was not authorized by law; that it was a change of existing law, because the Postmaster General had the authority to carry the mail anyway he pleased, and that this was a direction to him to do it in a certain way. Now, we have exactly the same situation in the national forests. The Agricultural Department has the power to require a fee to be paid for grazing. We simply say that that charge shall not be less than so much, upon the condition that the appropriation shall not be spent unless it is so much. It seems to me that the proposition which the gentleman from Iowa proposes is not a change of existing law or in violation of the rules, nor is it outside of the purview of the rules which apply to limitations upon an appropriation bill.

Mr. HICKS. Will the gentleman yield for a question?

Mr. ANDERSON. Yes.

Mr. HICKS. In citing the references in Hinds' Precedents in regard to the Post Office bill, how was the point of order finally determined?

Mr. ANDERSON. Well, it was held in that case that the item was in order.

Mr. HICKS. So that the limitation proposed to be placed in the Post Office appropriation bill was held to be in order.

Mr. ANDERSON. Absolutely. And there are a number of decisions going as far as this one does.

Mr. MONDELL. Mr. Chairman, the gentleman from Minnesota [Mr. ANDERSON] is not as happy as he ordinarily is in citing precedents. His first precedent cited a case where there was no law—no sort of law——

Mr. ANDERSON. There is not any here.

Mr. MONDELL (continuing). In regard to lettering vehicles; and, therefore, it might very properly be said that a certain appropriation being made, it could not be applied to vehicles that were not lettered.

Mr. ANDERSON. Will the gentleman yield?

Mr. MONDELL. There was no law affected by that. That was clearly a limitation.

Mr. ANDERSON. The gentleman, of course, will not contend that you can make new law in an appropriation bill but you can not change existing law?

Mr. MONDELL. It was not new law. To simply say that this particular appropriation shall not be spent on a particular class of vehicles is not making new law at all. It is clearly a limitation—as clear as noonday.

Mr. ANDERSON. I call the gentleman's attention to the fact that in that particular instance the Chair held, in the form of legislation instead of in the form of limitation, it was legislation.

Mr. MONDELL. Very well. The gentleman is urging that it was a limitation, and I was taking his word for it, and I think he was right about it. It was clearly a limitation on the appropriation. It did not propose to fix any law or provide any law or establish any rule of law or practice. He then quoted another case in which there was no law. And I think all three of the cases cited were of that character—for instance, the provision with regard to the pneumatic tubes. In the absence of any law, the appropriation might be made with a limitation; but, Mr. Chairman, there is a law on this subject, and the law is that the Secretary shall fix the fee. And an amendment has been offered under which the Congress fixes the fee at three times the present fee. It is a legislative fixing of a fee, and thereby it amends the law which allows the Secretary to fix fees, and it takes from the Secretary's discretion. Clearly this is an effort to change existing law and enact a new law, and to take from the discretion of an executive officer under the guise and pretense of a mere limitation.

Mr. HAYDEN. If the Chair will look at paragraph 3931 of Hinds' Precedents he will find the principle announced that legislation can not be proposed under the form of a limitation, and thereafter follow pages and pages of precedents in support of that general principle of parliamentary law. Apparently the gentleman from Minnesota [Mr. ANDERSON] has thumbed his volume of precedents very thoroughly and has been able to find but two doubtful cases in support of the exceptional and ingenious argument he now is making. There can be no doubt but that under the standing rules of the House this amendment is not in order.

Mr. FRENCH. Mr. Chairman——

The CHAIRMAN. Does the gentleman wish to discuss the point of order?

Mr. FRENCH. I wanted to develop the idea a little bit further by saying that if this could be held to be in order under the guise of a limitation you could attach a provision to any appropriation bill saying that unless the conditions there recited shall be enacted and complied with the appropriation shall not be expended. It is precisely what is done here, except it is done in a few words. There is existing law on the subject, and it is proposed to change it by increasing the fees 300 per cent arbitrarily.

Mr. GREEN of Iowa. Mr. Chairman, I desire to be heard very briefly on the point of order.

The CHAIRMAN. The Chair will ask the gentleman from Minnesota [Mr. ANDERSON] to cite the place in the precedents where the reference is to be found to which he called attention.

Mr. ANDERSON. It is in volume 4, paragraph 3953, and the Chair will find precedents along in the same order at about the same place. I did not cite them all.

Mr. GREEN of Iowa. Mr. Chairman, conceding that this amendment would change the law, which I do not concede at all, because I think the gentleman from Minnesota is correct about it, I still think the amendment would be in order for this reason: I read now very briefly from a decision of Chairman Crisp, quoted on page 507 of the Manual:

The Holman rule provides an additional method of legislating upon an appropriation bill. The proviso to clause 2 of Rule XXI provides that legislation, the natural consequence of which is to retrench expenditures, is in order if it is proposed by a committee of the House having jurisdiction of the legislative subject matter of the amendment or by a joint commission.

Mr. HAYDEN. But it must be conceded that this amendment is not proposed by a committee having jurisdiction of the legislative subject matter, so that the rule which the gentleman from Iowa has quoted would not apply.

Mr. GREEN of Iowa. Why not?

Mr. HAYDEN. The only way by which legislation that would be in order under the Holman rule can come before the House is by a report from a standing committee to the House. This amendment was offered from the floor by a Member of the House.

Mr. GREEN of Iowa. No. It does not make any difference as to the form of the amendment if the committee has jurisdiction of it.

Mr. HAYDEN. To be in order such an amendment must be regularly reported to the House by the Committee on Agriculture.

Mr. GREEN of Iowa. This is a committee amendment.

Mr. HAYDEN. The gentleman from Iowa is mistaken. This is not a committee amendment. It is an amendment offered individually by the gentleman from Iowa [Mr. HAUGEN]. It was not acted upon by the Committee on Agriculture and was not reported by that committee to the House.

Mr. GREEN of Iowa. I misunderstood that. I understood this was a committee amendment. If it is not a committee amendment, my remarks do not apply.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which reads as follows:

Provided further, That no part of any appropriation in this act for the Forest Service shall be expended on any national forest in which the fees charged for grazing shall be at a rate less than 300 per cent of the existing rates.

To which amendment the gentleman from Arizona [Mr. HAYDEN] makes the point of order that it is legislation changing existing law and is not proper to be placed on the bill.

The Chair has examined the precedents cited by gentlemen who have discussed the point of order, and the Chair believes that as a general proposition an amendment proposed as a limitation must be a limitation upon the appropriation, and should not be an affirmative limitation upon the official who may be vested with discretion or specific authority under existing law. In the view of the Chair, this limitation does not come within the rule laid down in the case of the public vehicles—the precedent cited by the gentleman from Minnesota [Mr. ANDERSON]—where the appropriation was withheld for a certain class of public vehicles.

The Chair understands, as he referred to the authority yesterday, that the Secretary of Agriculture under existing law is vested with certain discretionary power. It is sought by this amendment to so modify that law, which gives him the general discretion or wide discretion, as to limit his discretion in the matter of the regulation of fees for grazing on national forests. In the opinion of the Chair this is a limitation which would forbid the whole of the appropriation made for the national forests from being expended, except upon the condition that an executive officer should take a certain specified course which he is not now required to take under existing law, and it is a limitation upon the discretion and authority of the executive officer rather than a limitation upon the appropriation. The Chair does not think that the amendment comes within the provisions of the Holman rule, and is therefore constrained to sustain the point of order.

Mr. ANDERSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON: Page 35, line 13, after the figures "$1,000," insert: "*Provided further*, That no part of any appropriation in this act for the Forest Service shall be expended on or in connection with any national forest in which the fees charged for grazing shall be less than the appraised value of such grazing as determined by the Secretary of Agriculture."

Mr. HAYDEN. Mr. Chairman, I make the point of order that the amendment just offered seeks, by an alleged limitation upon an appropriation, to change existing law.

The amendment of the gentleman from Minnesota provides that there shall be an appraisal of the value of grazing on the national forests, and that unless such an appraisal is made—a duty which is not now imposed upon the Secretary—the appropriations made by this bill can not be used. The existing law authorizes the Secretary of Agriculture to fix the grazing fees. This thinly disguised limitation seeks to take away from the Secretary a power that he now possesses.

Mr. ANDERSON. Mr. Chairman, the Chair, being a very distinguished parliamentarian, is familiar with the fact that very slight changes in amendments, at least changes which appear to be very slight on the surface, often constitute sufficient modification to bring a proposed item within the rule, where another item of very similar character would be outside of the rule.

Now, there is a very marked difference between the amendment which I have offered and the amendment which the gentleman from Iowa [Mr. HAUGEN] offered with respect to its status as a limitation. The amendment which the gentleman from Iowa offered did have the effect, perhaps, within reasonable grounds of argument at least, of changing the law in the sense that it affirmatively increased the fees which the Secretary was charging in the national forests under existing law. It fixed the charges at a higer rate than under existing law. The amendment which I have offered does not have that effect. It simply provides that no part of the appropriation shall be expended in a national forest in which the fees charged shall be less than the appraised value as determined by the Secretary.

Now, under the decision of the Supreme Court, the Secretary of Agriculture determines what is the value of the grazing. Under this item he would continue to determine what is the value of the grazing. He might determine that its value is exactly what he is charging now. I hope he will not do that. I hope he will change his basis of appraisal from a nominal basis to a commercial basis. But this does not require him to do that. It does not affirmatively require him to change the charges in a national forest at all. It certainly does not go any further than the item to which I referred the Chairman in my prior argument in case of the Post Office Department, where it was held that although the Postmaster General had the power to distribute the mails or carry the mails in any way he pleased, the item might direct him to carry them in a particular manner.

Now, I want to direct the attention of the Chair to the fact that there is no affirmative or specific law giving the Secretary of Agriculture the power to fix these grazing rates. What happened was this: The Secretary had general powers to make rules and regulations relative to the use of the national forests. Under that power he fixed the grazing charges in the national forests, and the Supreme Court, in a test case, held that the Secretary of Agriculture had that power. He still has it. He has it under my amendment. He can make the grazing fees exactly what they are to-day. But even if this amendment required him to make the charges on the basis of the appraised value in the sense of the commercial value of the grazing, I contend that the limitation is clearly within the precedent laid down in the case to which I referred touching the Post Office Department.

Mr. HAYDEN. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. HAYDEN. The gentleman from Minnesota concedes that the Secretary of Agriculture, under the law and decisions of the Supreme Court, now has the power to fix the grazing fees?

Mr. ANDERSON. Yes; and he can fix no fee at all.

Mr. HAYDEN. The Secretary is not limited by the existing law as to how he shall arrive at a determination of what the grazing fees shall be. But the gentleman's amendment limits the Secretary of Agriculture to an appraisal as the only method of determining the value of the grazing on the forest reserves. Therefore the amendment limits his discretion and authority to that particular way of arriving at the value of the grazing privilege.

Mr. ANDERSON. I say he has to arrive at it by some method now, and the mere fact that this designates the method does not make it subject to a point of order, because it is clearly within the limit of the rule laid down in the case I referred to.

Mr. MONDELL. Mr. Chairman, I will be brief. It is very clear that the amendment offered limits the discretion of the Secretary, as just suggested by the gentleman from Arizona [Mr. HAYDEN]. He may now arrive at his determination of what the grazing fees are to be through any process that seems proper to him. He may take into consideration any number of factors, and he should take into consideration a great variety of factors that ought to be considered; but the gentleman from Minnesota [Mr. ANDERSON] would limit him to the consideration of one factor of the equation in the determination of what the grazing fee should be.

Mr. HAYDEN. Yes; but under the existing law the Commissioner of Indian Affairs has the right to fix the grazing fees upon an Indian reservation without appraisal. He simply offers them to the highest bidder. That would be one method of fixing the grazing fees without any appraisal at all. The Secretary of Agriculture has the same authority.

Mr. TINCHER. Will the gentleman yield?

Mr. HAYDEN. I have not the floor.

Mr. SAUNDERS of Virginia. Mr. Chairman, there is a very simple test that may be applied to this amendment. Should it be adopted what would be the law then in force as compared with the existing law?

Under existing law the Secretary of Agriculture is not hedged about with any limitation upon his discretion. He is clothed with a discretion which he may exercise, not according to any prescribed rules, but upon the considerations that in his judgment are proper to be included in arriving at a decision. Will that be the situation of the Secretary if this amendment is adopted? Not at all. This amendment hedges him about in the exercise of his discretion. To hedge an official about in the exercise of discretion is to reduce that discretion, and to reduce one's discretion is to change existing law, for the manifest reason that as a result of this reduction the Secretary will have less authority under the law than he formerly enjoyed. Applying the principle of limitation to the expenditure of money it is perfectly competent for Congress to say that officials shall not have the benefit of money that we appropriate under circumstances specifically indicated. It is always competent for Congress to do this, but that is a very different thing from undertaking to say to an official that he shall not enjoy the benefits of an appropriation unless he does something or causes something to be done which requires the force of the amendment either to enable him to do or to compel him to do.

Mr. RAKER. And in addition to that, this amendment gives him no discretion, because it provides that there must be an appraisement.

Mr. SAUNDERS of Virginia. I have made that criticism of the amendment, that it hedges about the exercise of an otherwise unlimited discretion. The moment you do that, the moment you reduce the discretion which the Secretary enjoys at present, you thereby change the law. Apart from this amendment the Secretary possesses unlimited discretion to determine the elements proper to be considered in arriving at his conclusion. Pass this amendment, and in the future the Secretary can not do what he is now enabled to do. Something then will have been taken away from him, if his present power of discretion is curtailed. But the curtailment of official discretion is legislation. It is forbidden to legislate on an appropriation bill, in the guise of a limitation. This amendment is legislation in that guise, and is therefore out of order.

Mr. HAWLEY. Mr. Chairman, I desire to add one further suggestion. The amendment provides that no part of the appropriation for the Forest Service can be expended except under the limitation provided in the amendment that an appraisement shall be had to determine the grazing fees to be charged on any particular forest. Now, suppose the department is not able, prior to the time of the summer season, to go to any particular forest and make an appraisement. A forest fire breaks out in that forest. The Secretary can not expend any money in extinguishing that fire until he has appraised the grazing fees on that forest. Under the guise of limiting the authority of the Secretary of Agriculture as to fixing grazing fees the proposed amendment limits the authority of the Secretary and changes the law under which he can extinguish forest fires, and is clearly not in order on an appropriation bill.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I am wondering if the Chair has before him the law under which the Secretary of Agriculture has been acting, which law gentlemen say will be changed if this amendment offered by the gentleman from Minnesota is adopted.

As I understand it the law under which the Secretary has acted is the act of June 4, 1897, which says among other things—

He may make such rules and regulations and establish such service as will insure the objects of such reservations, namely, to regulate their occupancy and use and to preserve the forests thereon from destruction.

I can not find any law which vests in the Secretary of Agriculture the absolute, unlimited authority to fix these grazing fees. It comes under his general authority to regulate, and it seems to me that it is not right to hold that any amendment suggesting to him a method of regulating is necessarily a change of law.

Mr. HAYDEN. Mr. Chairman, either the gentleman contends that there is law or that there is no law. If there is no law there is a precedent in section 3812 of Hinds' Precedents which states that the enactment of positive law where none exists is construed as a provision changing existing law such as is forbidden in an appropriation bill. So the gentleman's argument falls to the ground in either event.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Minnesota offers an amendment which provides—

that no part of any appropriation in this act for the Forest Service shall be expended on or in connection with any national forest in which the fees charged for grazing shall be less than the appraised value of such grazing as determined by the Secretary of Agriculture.

To which amendment the gentleman from Arizona makes the point of order that that is not a proper limitation, in that it is legislation which changes existing law.

The Chair is advised by the memorandum submitted by the gentleman from Iowa [Mr. HAUGEN], chairman of the Committee on Agriculture, that the Supreme Court has held that the provisions of the act of June 4, 1897, giving the Secretary of the Interior authority and discretion in making provisions for the protection of forests against destruction by fire, and against depredations, to make rules and regulations for such service as will insure the object of the reservation and permit the Secretary to fix the charge for such use.

The Chair thinks the authority conferred by that act is very broad and general in its terms, and that it confers wide discretion on the Secretary of Agriculture. In the view of the Chair the limitation offered to the provision of the bill with reference to the Forest Service, making appropriations for that service, which might be construed as modifying the existing law limiting the wide discretion given by that law, must necessarily be held to be a change of existing law. And while the amendment does not positively establish the fee as the amendment offered by the gentleman from Iowa [Mr. HAUGEN] did, still it directs the Secretary to act in a particular manner in arriving at the fee which he shall charge, and in that respect it limits his discretion and modifies the general provisions of the law contained in the act of 1897. For this reason the Chair feels constrained to sustain the point of order.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing an address delivered by the Speaker of this House at Springfield last Sunday.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to print in the RECORD an address by the Speaker of the House delivered at Springfield, Mass., on Sunday last. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 35, line 13, after the colon, insert:

"*Provided further*, That the charge for grazing permits upon each of the national forests shall, under the rules and regulations authorized by the acts of June 4, 1897 (30 Stat. L., p. 11), and the act of February 1, 1905 (33 Stat. L., p. 628), be not less than the appraised value of pasturage upon such national forests as may be determined by the Secretary of Agriculture from time to time."

Mr. HAYDEN. Mr. Chairman, I make the same point of order. The Chair has covered the entire case in his last ruling.

The CHAIRMAN. The gentleman from Arizona makes a point of order. Does the gentleman from Michigan desire to be heard on the point of order?

Mr. McLAUGHLIN of Michigan. Mr. Chairman, this matter was before the Committee on Agriculture when this bill was being prepared, and being brought to the attention of the Chief of the Forest Service and of the Solicitor of the Forest Service, those gentlemen, at the suggestion of the chairman of the committee, prepared an amendment to meet the views of the committee and at the same time be free of the objection that it might be subject to a point of order.

The amendment, as I have stated it, was prepared by the solicitor, and if the Chair will pardon me, I will read what the solicitor says about it:

The act of June 4, 1897, referred to in the proposed amendment, originally authorized the Secretary of the Interior to administer the national forests. The part of that act which is pertinent, showing the authority to prescribe the rules and regulations, is as follows.

A part of that has been read by others, but in order to make the statement continuous I will, with the permission of the Chair, read in full what the solicitor says:

"The Secretary of the Interior shall make provisions for the protection against destruction by fire and depredations upon the public forests and forest reservations which may have been set aside or which may be hereafter set aside under the said act of March 3, 1891, and which may be continued; and he may make such rules and regulations and establish such service as will insure the objects of such reservations, namely, to regulate their occupancy and use and to preserve the forests." * * *

This act did not direct the Secretary of the Interior specifically to make a charge for any uses or sales of any products. The act of February 1, 1905, however (33 Stat., 628), authorized the fixing of a charge when it provided for the disposition of receipts from the sale of any products or the use of any lands on the national forests. Section 5 of that act is as follows:

"That all money received from the sale of any products or the use of any land or resources of said forest reserves shall be covered into the Treasury of the United States." * * *

It should be remembered that the law referred to—the act of February 1, 1905—transferred the national forests and jurisdiction over them from the Secretary of the Interior to the Secretary of Agriculture.

The solicitor says further:

The Attorney General of the United States held in 1906 that the above language gave the Secretary of Agriculture both the right to establish rules and regulations for the use of any national forest lands and the right to fix and collect a charge for such uses. The opinion of the Attorney General has since been sustained by the Supreme Court of the United States and in several other courts of lesser importance. The Supreme Court decisions were United States *v.* Light and the Utah Light & Power Co. *v.* the United States (one of these cases is in 220 U. S. and the other can be easily located).

The solicitor adds:

This amendment, I believe, is not subject to a point of order, since the Secretary of Agriculture can now charge for grazing permits under rules and regulations authorized by existing law, and he can fix this rate of charge as the appraised value of the lands to be grazed as is proposed to be done in the amendment.

Mr. HAYDEN. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I yield.

Mr. HAYDEN. Did the committee question the Solicitor of the Department of Agriculture as to his experience which qualified him as an expert on parliamentary law in the House of Representatives?

Mr. McLAUGHLIN of Michigan. This matter was put up to him squarely, because we realized that if the amendment was subject to the point of order some gentlemen from the West, some of whom in the past, at least, have most deeply resented the

suggestion that grazing fees should be increased, might now make the point of order, and we ought to be fortified by the opinion of those who have given very careful consideration to the subject.

Mr. HAYDEN. Did the committee consider that the Solicitor of the Department of Agriculture knew more about parliamentary law than the members of the committee itself?

Mr. McLAUGHLIN of Michigan. I offer the suggestion of the solicitor for what it is worth. I have perfect faith and confidence in the present occupant of the chair, and of course we will abide by his decision.

Mr. ANDERSON. Mr. Chairman, I do not expect to be able to direct the attention of the Chair to decisions that he has not already read, but I want to point out that the strict ruling of the Chair made upon the last amendment I offered, and which perhaps might be applied to the amendment offered by the gentleman from Michigan, seems to me to be narrower than is justified by the later decisions of Chairmen of the Committee of the Whole upon questions of limiations on appropriation bills. I call the attention of the Chair to some language which appears in section 825 of the House Manual, where the rule is thus stated:

The limitation may not be applied prôperly to the official functions of executive officers, but it may restrict executive discretion so far as it may be done by a simple negative upon the use of the appropriation.

It seems to me that the amendment which the gentleman from Michigan offers does not seek affirmatively to legislate with respect to official functions of the Secretary of Agriculture. It seeks by a simple negative to limit his discretion with respect to a particular subject.

I call the attention of the Chair to a decision under the general rule to be found on page 657 of Hinds' Precedents, volume 4, section 6969:

On April 12, 1906, the Post Office appropriation bill was under consideration in Committee of the Whole House on the state of the Union, when Mr. Jesse Overstreet, of Indiana, offered this amendment: Page 15, strike out lines 6 to 16 and insert the following:

"For inland transportation by star routes, including temporary service to newly established offices, $7,100,000: *Provided*, That no part of this appropriation shall be expended for continuance of any star-route service the patronage of which shall be served entirely by the extension of Rural Delivery Service, nor shall any of said sum be expended for the establishment of new star-route service for a patronage which is already entirely served by Rural Delivery Service: *And provided further*, That out of this appropriation the Postmaster General is authorized to provide difficult or emergency mail service in Alaska, including the establishment and equipment of relay stations, in such manner as he may think advisable, without advertising therefor."

That proviso sought, of course, to limit the discretion of the Postmaster General with respect to a matter over which, under the general law, he had absolute authority; and it seems to me that in the amendment which the gentleman from Michigan has offered all he has done is to limit the executive discretion with respect to the use of this appropriation by the simple negative upon the appropriation itself, and that it is within the rule which is stated in the Manual and within the decision which I have just quoted.

Mr. SAUNDERS of Virginia. Mr. Chairman, it seems to me that the concluding statement of the gentleman from Minnesota puts him out of court. He admits that the amendment is an effort to limit executive discretion. The limitation of discretion and the limitation of money are entirely different things, though they are frequently confused. When the effort is made to limit the discretion of an officer, as pointed out by the Chair in his former ruling, that is nothing, if effective, but legislation. According to the decision of the Supreme Court referred to, I think, by the gentleman from Michigan, the Secretary of Agriculture possesses at present unlimited discretion in this connection. I think a statement was read, coming from some solicitor and supposed to be in aid of the decision of the pending parliamentary point, to the effect that this amendment could not possibly be out of order, because the Secretary of Agriculture can do at the present time the things proposed by the amendment. That is perfectly true, but he is not compelled to do them. This amendment proposes to compel him in the future to travel this road and none other. He may at present, in the exercise of his unlimited discretion, do the very things proposed, but of his own free will. Pass this amendment, however, and for the future he can exercise his discretion in no other way. The effect of the amendment, therefore, is to circumscribe the discretion which the law now gives to the Secretary. Hence it is legislation and out of order.

The CHAIRMAN. The gentleman from Michigan offers an amendment which provides that the charge for grazing permits upon each of the national forests shall, under the rules and regulations authorized by the act of June 4, 1897, Thirtieth Statutes at Large, page 11, and the act of February 1, 1905, Thirty-third Statutes at Large, page 628, be not less than the appraised value of pasturage upon such national forests as may be determined by the Secretary of Agriculture from time to time.

The language is not in the form of a limitation, in the view of the Chair, in that it relates to the appropriation made. It clearly is a provision which modifies the discretion and authority of the Secretary of Agriculture as contained in the two acts referred to, and does not come within the precedent cited by the gentleman from Minnesota [Mr. ANDERSON], referring to the expenditure for the continuance of the star-route service. It clearly seeks to change the law——

Mr. McLAUGHLIN of Michigan. Mr. Chairman, if the chairman will permit an interruption, I did not prepare the amendment. It evidently was not completed. I took it from the chairman of the committee. It is evidently a draft of the purpose to be accomplished. The words making it a limitation or the words to the effect that no part of this appropriation shall be used "until" or "unless" were inadvertently omitted. Those words should precede the language of the amendment. If that would make any difference with the ruling of the Chair, I would ask consent to have the amendment modified.

The CHAIRMAN. The Chair does not think that would change it.

Mr. McLAUGHLIN of Michigan. Then I shall not take the time to offer it.

The CHAIRMAN. The amendment fixes what the charge shall be. The present law leaves that in the discretion of the Secretary. The mere fact that the Secretary can adopt this method of fixing a fee prescribing what the charge shall be under existing law, in the view of the Chair, does not authorize on an appropriation bill a provision establishing what the fee shall be and making that the authorized fee, and to that extent curtailing the discretion and power of the Secretary and thus modifying and changing existing law. As the gentleman from Virginia [Mr. SAUNDERS] has pointed out, if this were done it would limit the discretion of the Secretary and say what the fee should be after the Secretary had done a particular thing. The Chair sustains the point of order.

Mr. HAUGEN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. HAUGEN: Page 37, after line 8, insert: "For the purpose of protecting, improving, and securing the fullest possible use of the public grazing lands of the United States, and promoting the production of live stock, $50,000; and the President of the United States is hereby authorized to establish, from time to time, by proclamation, grazing commons upon any of the unreserved, unappropriated public lands of the United States chiefly valuable for grazing; and thereafter such grazing commons shall be administered by the Secretary of Agriculture, under such rules and regulations as he may prescribe, the violation of which shall be punished as is provided for in section 56 of the Penal Code of March 4, 1909 (35 Stat., p. 1900); and all laws applicable to the national forests, including appropriations for and the distribution of moneys received, the entry and survey of agricultural homesteads, and the right to prospect for and acquire mineral lands are hereby extended and made applicable to such grazing commons."

Mr. HAYDEN. Mr. Chairman, I make the point of order that this amendment is legislation on an appropriation bill. The amendment shows on its face that it is an attempt by the Committee on Agriculture to assume the jurisdiction now possessed by the Committee on the Public Lands. The amendment would extend the jurisdiction of the Secretary of Agriculture over the public lands of the United States outside of the national forests, which are now under the jurisdiction of the Secretary of the Interior. I am free to confess that I am in sympathy with a proper regulation of grazing on the public domain, but I must insist that the committee of the House having jurisdiction of that subject matter should undertake the legislation and not the Committee on Agriculture, which has no such authority under the rules of the House.

Mr. HAUGEN. Mr. Chairman, will the gentleman reserve the point of order?

Mr. HAYDEN. Certainly.

Mr. HAUGEN. I want to make a statement concerning this amendment. The average fee on the forest reserve now for cattle is 72 cents a head.

The total receipts for grazing are about $2,600,000. A 2-year-old steer, for instance, pastured all summer sells around $15 a hundred. If so, these people could well pay more for the grazing than they are now paying. What they pay for a year's grazing is about what we pay in my section of the country for one month's grazing. Yet these people object to a fee of 72 cents. They come before this committee to ask large appropriations. You are willing to take money out of the Treasury to expend in the forests, but you are not willing to increase the receipts a dollar to put into the Treasury. This proposition, if the amendment is adopted, will add more than $1,000,000 to your

State treasury and will, in all probability, add two or three million dollars to the Federal Treasury.

Here is a revenue which we should avail the Government of, especially at this time, when we need it badly, and at a time when there are heavy demands on the Treasury. Consider the situation, gentlemen. Are you warranted in opposing this amendment, which properly will bring millions of revenue into the Treasury? It seems to me that it is an absolutely fair proposition that those using the forest reserves for grazing should pay a reasonable price for the privilege.

Mr. HAYDEN. The gentleman from Iowa will concede this fact, that under the amendment which he has offered he is seeking to regulate grazing on 220,000,000 acres in the public domain, where nothing is now charged, and that the public domain entirely surrounds the national forests, where a grazing fee is charged.

Mr. HAUGEN. We are at present expending money to keep the cattle grazing on the public lands off the national forests. We are not getting a penny in return for allowing cattle to graze on the public land; not one cent is going back into the Treasury for that privilege, yet the gentleman is opposing this amendment. He is opposing this amendment proposing a fee for grazing on the public lands, which will not only put money into the State treasury but into the Federal Treasury as well, although he is perfectly willing to take money out by the millions to be expended in the forests and on the public lands. My friend, the receipts from the national forests from all sources are only a little over $4,000,000, while the expenditures on the national forests run over $9,000,000, leaving a deficit of over $4,000,000 per annum, and yet you oppose this amendment to increase the revenue.

Mr. HAYDEN. Let me make a brief statement. If the Committee on Agriculture—and they are cordially invited to do so—will visit the forest reserves of the West and give the cattlemen, the woolgrowers, and other stock raisers an opportunity to be heard, will familiarize themselves with the actual conditions, and then report legislation to Congress which, after hearing both sides of the controversy, you have satisfied yourselves is just and fair, you will hear very little opposition from the West. But the situation is, if I may be bold to point it out, that there is but one Representative in Congress who is a member of the Committee on Agriculture who has in his district a national forest reserve.

Mr. HAUGEN. The gentleman is mistaken. The gentleman from Montana [Mr. RIDDICK] is a member of the committee, and so is the gentleman from Arkansas [Mr. JACOWAY].

Mr. HAYDEN. I had reference to the gentleman from Montana. No member of the committee, so far as I know, has ever made a tour of the West and studied the actual conditions on the national forests and therefore can speak from first-hand information. All that the members of the committee know is what somebody from the Department of Agriculture tells them.

Mr. HAUGEN. The gentleman is assuming a great deal. There are members on the committee who have had as much experience in the cattle business as anybody here.

Mr. HAYDEN. That may be true, but not upon the forest reserves. Not a member of your committee has ever grazed a head of cattle or sheep in a national forest. The people I represent, the stock growers of the West, through their various organizations, are asking for an opportunity to present their side of the case to the Committee on Agriculture. There never was a controversy without two sides, and if this committee will call witnesses to Washington, or, much better, if the members of the committee will go out to the West and see the conditions for themselves, I am satisfied that legislation can be enacted which will bring revenue to the Treasury and at the same time protect the legitimate interests of the stockmen on the national forests. But it has been proposed to hastily and arbitrarily place a great burden upon them without even a hearing. I have, therefore, felt constrained, from a sense of duty to my constituents, to make points of order against all such amendments.

Mr. HAUGEN. The fact remains that in the Forest Service the expenditures are over $9,000,000, and the receipts from all sources are only slightly over $4,000,000. There is a deficit of over $4,000,000. We turn over 155,000,000 acres of land to the Forest Service to administer. The Secretary has authority to charge for grazing, for the timber, and for the water privileges as well, and yet there is a deficit of $4,000,000.

Mr. MONDELL. Mr. Chairman, I rather regret that the Committee on Agriculture has seen fit to attempt, in connection with the consideration of a very important appropriation bill, to vitally change the law affecting very large areas and vast interests. This committee is a legislative committee as well as an appropriating committee, and has the authority and it is the duty of the committee from time to time to take up the problems that properly come before it, examine them, and legislate upon them. The committee has not seen fit to do that in connection with the matters that have been discussed here, but placed in the bill a paragraph vitally changing the law with regard to a matter of very great interest to the people of an enormous area of the country, and without, I regret to say, that careful, painstaking consideration which the importance and the complicated character of the problem requires.

Now, Mr. Chairman, it is all very well for a gentleman to consider the lush pastures of Kansas or Missouri or even of Maryland, and then attempt to compare them with the sparser forage of forest reserves, a considerable portion of which may be above timber line, a large portion of which is likely to be so steep and rocky that a goat can not climb the hillsides, and portions of which may be so inaccessible that it is exceedingly difficult to reach the pasture grounds. The areas of forest reserves that afford grazing are so varied in their character that they afford grazing all the way from 30 days to 12 months in a year. Parts of some of them are so remote, so difficult of access, that it requires from a week to a month for the flocks or herds to reach them, and a month to return home, necessitating the careful guarding of flocks and herds to prevent destruction by predatory wild animals. In many reserves there is the danger of an early fall or late spring snow that is liable to kill or greatly injure stock.

Now, I hope the gentlemen of this committee will visit the forest reserves. I hope they will go upon them and that they will learn of their character and of the conditions under which men utilize them, and that, having done so, if they think there should be any limit or any modification of the discretion of the Secretary, they will bring in a bill in the usual way, providing for such limitation or modification. Gentlemen, it is a peculiar and interesting thing that from the national forests—mark the words national forests—covering upward of 160,000,000 acres of land, the receipts from grazing are nearly double the receipts from the sale of timber. That in itself would, it seems to me, very properly suggest to the members of the Agricultural Committee not that they investigate the question of the grazing fees but that they investigate the question of the use and the sale of the timber taken from these great forest areas.

Mr. SNELL. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. SNELL. Do they not change the value of the stumpage on public lands occasionally?

Mr. MONDELL. I imagine they do occasionally, and they do change the grazing fees on grazing lands of the reserves, and they have changed them very recently. As a matter of fact, they have nearly doubled them in a year.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. As a matter of fact, they have nearly doubled them in the last year, and while the fees from grazing have been nearly doubled, as I recall, in the last year or two, the fees arising from the sale of timber from 150,000,000 acres of forest reserves have remained practically stationary. We still continue to receive from the forests twice the amount of money for the use of the grass that we do from the sale of the timber.

Mr. SNELL. Will the gentleman yield for another question?

Mr. MONDELL. Yes; I will yield.

Mr. SNELL. Is that because they do not cut the timber or because they sell it for less than it is worth?

Mr. MONDELL. I am perhaps unlike some people. I try not to jump at conclusions.

The forest reserves extend all the way from Arkansas to the confines of the Bering Sea. I have not been over all of them. I do not know the conditions on all of them. I do not pretend to say whether there should be more sales of timber or whether the sales that are made should be at a higher price. I would not pretend to say without having made an examination. And so I suggest that gentlemen should not pretend to say without careful examination that grazing fees, from which we are now getting nearly $3,000,000 as against the little more than half that amount for timber, are only one-third or one-half of what they ought to be. I know many of these forest reserves. I have been over a number of them, and I know their character, and yet I am not prepared to say whether or not these fees are as high as they ought to be, and I would

not pretend to say unless I had made a careful examination of the matter.

I still remember a man in my State who declined to accept an opportunity to graze his flocks on the lands of a national forest without any payment at all, because he said that the wild beasts were so dangerous that he could not afford to take his flocks there without the protection of fires by night, and there was no timber to build signal fires to protect his stock. He said he would have to haul timber so far in order to build the guard fires necessary to protect his flocks that he could not afford to graze even where no fee was charged.

Mr. SNELL. Mr. Chairman, will the gentleman permit one more question?

Mr. MONDELL. In a moment. My time flies.

Mr. SNELL. I will ask that you have more time.

Mr. MONDELL. I will be glad if you will.

Mr. SNELL. Mr. Chairman, I ask unanimous consent that the time of the gentleman be exteaded for five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the gentleman from Wyoming may proceed for five additional minutes after the expiration of his time. Is there objection?

There was no objection.

Mr. SNELL. As I understand from the chairman of the committee, one of the things they had in mind was to revalue these leases and see if they were getting all from the grazing privileges that are necessary.

Mr. MONDELL. As a matter of fact, that is just what the Secretary now does.

Mr. SNELL. Has the gentleman any objection to that?

Mr. MONDELL. Not at all. That is exactly what the Secretary is doing.

I recall that my local newspapers, as I scanned them last summer, contained many notices of meetings here and there in the vicinity of the forest reserves of the forest officers and the men who used the reserves. Stockmen and farmers and ranchmen came from miles around and met the forest officers and went over the reserves with them, and the whole question was thrashed out, and after full and free discussion on the ground, out of knowledge and understanding, the grazing fees were fixed, and they are being so fixed from time to time. Over a great portion of this area the fee has been raised in the last year, and, as I understand, the receipts within the last year or two have practically doubled.

Now, if in the opinion of the committee the department is not raising the fees fast enough and the committee can not go to the reserves, may I suggest to the committee that they call here the stockmen, the farmers who use the forests, a few from each locality—call them here some time and go over the matter with them carefully? It would be better if the committee could visit the reserves. I wish they might. I am sure all these gentlemen would enjoy getting out on the hurricane deck of a mountain bronco and going over those rugged mountains. They would see scenery such as never before blessed their view, and they would become familiar with the conditions under which the herders and flock masters and stockmen of that section utilize grasses which, if they were in this part of the country, would be going to waste. Why, gentlemen of the Committee on Agriculture, let me suggest this to you, that instead of being too much worried about what some one is paying for the use of a spear of grass away over yonder near timber line, many miles away from the nearest settlement on a forest reserve, the committee investigate the question why, over here in Maryland and over yonder in Virginia and the surrounding States, there are hundreds of thousands of acres accessible to settlement, with farms all around them, where the grass is not utilized at all.

Mr. BLANTON. Mr. Chairman, will the distinguished leader of the majority yield for a question?

Mr. MONDELL. I yield, but my time flies.

Mr. BLANTON. Is not the gentleman afraid, if his suggestion is carried out, that it would end in a very expensive junketing trip?

Mr. MONDELL. No. I do not think it would cost too much. I do not think it would be a junketing trip. I have never considered trips by Members of Congress to scenes of Federal activity, to see the results of congressional appropriations, were junketing trips. I regret there are not more of them. I have not known of one of them that was not helpful and beneficial to the public service. The trouble is we are compelled to sit here and hear witnesses from a distance and take their ex parte statements and legislate more or less in the dark. I wish we had vacations long enough every summer to enable us to get about over the country and keep posted with regard to what Uncle Sam is doing and not be compelled to sit down at committee tables and take the word of departmental officers in regard to matters or the ex parte statements of interested witnesses.

The CHAIRMAN. The time of the gentleman from Wyoming has again expired.

Mr. MONDELL. Mr. Chairman, I ask that I may have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MONDELL. I suggest to the committee that they go into this subject, and go into it carefully, and then I shall be perfectly content with their judgment, whatever it may be. I am suggesting that this is not the way to do it. The gentleman from Iowa [Mr. HAUGEN] has just presented an amendment which proposes to put under the control of the Department of Agriculture all of the unentered public lands. In other words, it is a proposal to establish a leasing system on the public domain. Well, in one guise or another we have had that proposition presented to us ever since I can remember, and I always have been against it, and I expect to continue to be against it. As a boy I lived in northwestern Iowa on a homestead, and a mile beyond our home the prairie stretched away uninhabited for 60 miles to the Big Sioux River. There were counties without an inhabitant; and while these areas were settling the people there used the grasses, and Uncle Sam did not attempt to collect anything for the use of them. It was such a use as was helpful in the development of the country.

Later, as the remaining areas became more or less of a semiarid character, gentlemen began to say, "Let us have a lease law." And who wanted the lease law? Was it the settler who was coming in and establishing his home and a farm? Never. The big cattle barons, the big sheepman—good folks, splendid folks—they have done a mighty work in the development of that western country, and they are doing a mighty work yet. They have helped feed the Nation and they have utilized resources which but for them would have gone to waste. Taking all that into consideration, we had to look out for the settler who was coming. We had to look out for the man who would eventually make a home on the land, the man who would cultivate it, if it was fit for cultivation.

Our aim always has been to have every acre that is suitable for cultivation, with or without irrigation, turned with a plow and made to yield more, much more, than it would yield in its natural state.

We may have carried that idea too far. We may have invited people into areas where it is difficult to make a living by farming. There is only one way of testing it out. There is only one way in which it has ever been tested out. That is by having settlers try it. I have seen whole counties in the State of Kansas with scarcely a settler. I once helped to build a railroad in Kansas, in what is now one of the best parts of Kansas, 45 miles long, and the whole distance was across abandoned homesteads and across lands dotted with deserted sod houses; there was not a settler left except at the little towns at either end. There had been grasshoppers and drought, and they had all gone back to their wives' folks in Missouri or elsewhere. The railroad was built, some of the original settlers came back or new settlers took their places, and finally they conquered the desert, and if you were to ask any Kansas man about it who has not lived there long he would scout the notion that there ever was any question about that being a good farming country. Yet I have seen it when it was abandoned as a farming country. We have had to retain these areas for the farmer, for the coming home builder, and we could not retain them for him if we crystallized them into great feudal leases, even under the best-guarded law.

Now, we may be reaching a time when there are some areas here and there so clearly impossible of reclamation, so definitely permanent grazing lands, that it may be wise, carefully and judiciously, to arrange some way for their leasing; but we will have to be very careful that we do not tie them up in great leaseholds, lands that may have a future of greater usefulness against the day when somebody will be found energetic and forceful and intelligent enough to find some way to make them useful as cultivated areas. So I say to my friends that while this proposal looks well on the face of it, it has many sides. We of the West who have hoped for its development and who have watched it grow, who have seen the frontier recede back from the eastern Kansas line until there is no longer a frontier, do not desire to see land which can be utilized for homes withheld for other purposes. [Applause.]

Mr. RUBEY, Mr. TINCHER, and others addressed the Chair.

Mr. MANN of Illinois. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The regular order is the disposition of the reservation of the point of order.

Mr. RUBEY. I hope the gentleman will not insist on that now.

Mr. HAUGEN. There are several gentlemen who want to speak.

Mr. MANN of Illinois. We have not moved a line in the consideration of this bill, and we have got to go on with it just a little, anyway. I ask for the regular order.

Mr. HAYDEN. Under the circumstances I must insist on the point of order.

The CHAIRMAN. The gentleman from Arizona makes the point of order. Does the gentleman from Iowa [Mr. HAUGEN] desire to be heard on the point of order?

Mr. HAUGEN. No. I concede the point of order, but I believe these gentlemen should have an opportunity to be heard for a few minutes.

The CHAIRMAN. The Chair sustains the point of order.

Mr. RUBEY. I move to strike out the last word, Mr. Chairman.

Mr. MANN of Illinois. I make the point of order. Let the gentleman discuss the item of the bill.

Mr. RUBEY. I move to strike out the section that relates to leasing. I move to strike out the last word.

Mr. MANN of Illinois. There is no last word, Mr. Chairman.

Mr. RUBEY. I move to strike out the paragraph.

Mr. MANN of Illinois. What paragraph?

Mr. RUBEY. The paragraph last read.

Mr. MANN of Illinois. We have disposed of that.

The CHAIRMAN. An amendment was offered to the paragraph beginning with line 1 on page 35.

Mr. MANN of Illinois. Oh, no; the gentleman offered his amendment as a new paragraph. It had no relation to the last one.

The CHAIRMAN. The gentleman from Illinois is correct. The Chair is informed by the Clerk that the last amendment offered was to follow line 8 as a new paragraph. Therefore there is no paragraph before the House. The Clerk will read.

The Clerk read as follows:

Missoula National Forest, Mont., $15,212.

Mr. RUBEY. Mr. Chairman, I move to strike out the last word. In that connection I want to say that I have listened to the speech made by my friend the gentleman from Wyoming, in commendation of the western country, with a good deal of interest. His speech proves the truth of the prophecy I made the other day.

Mr. MANN of Illinois. I make the point of order that the gentleman is not addressing himself to the proposition before the House.

Mr. RUBEY. I moved to strike out the word "Montana." That is the last word.

Mr. MANN of Illinois. That has nothing to do with it.

Mr. RUBEY. I am talking about the gentleman from Wyoming [Mr. MONDELL], who comes from a neighboring State.

Mr. MANN of Illinois. I shall not insist on the point of order for five minutes, and that will allow the gentleman from Missouri [Mr. RUBEY] to be heard; but I give notice that I will insist on the point of order hereafter if this discussion is to be continued. What is the use? The gentleman introduced something that had no place in the bill, and we have not moved a line. I am not willing to stay here until next August to let gentlemen produce hot air.

Mr. RUBEY. As the gentleman knows, I have not taken up very much time in this discussion, and I would not take up any time now if it had not been for the fact that just a day or two ago, when we had before this House a proposition providing for the appropriation of a large sum of money to take care of the hog growers of the country, the gentleman from Wyoming [Mr. MONDELL] came onto the floor of the House and made a very ardent speech in advocacy of a decrease of $100,000 in that appropriation. I said then to the House that it would not be very long before the gentleman from Wyoming would be here opposing legislation that happened to affect the people of the West. Now, the Committee on Agriculture proposes a change in the plan of charging for grazing in the national forests—a change that will bring into the Treasury of the United States $4,000,000 or $5,000,000 additional every year. The gentleman from Wyoming was very anxious to reduce the hog-cholera appropriation $100,000 on the theory of economy, but when we want to put into the Treasury fifty times that amount by requiring the people out there in the West to pay a reasonable sum for the use of that grazing land the gentleman from Wyoming comes in here and opposes it. Another thing we desire is that the people who graze their stock upon the public lands of this country, and who are now getting free grazing on those lands, shall be required to pay a reasonable sum for that privilege and thereby put into the Treasury of the United States every year $4,000,000 or $5,000,000.

Not only that, but we want to protect the public land itself. The land is now wild. The cattle are running over it and it is deteriorating every day. The people are allowed to use the land without any restrictions or regulations whatever. They are absolutely destroying the public lands by the unrestricted use of the grazing privileges, and the gentleman from Wyoming objects to our protecting those lands. He not only objects to taking money out of the Treasury, but he also objects to putting money into the Treasury.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. RUBEY. I yield for a question.

Mr. McLAUGHLIN of Michigan. When the gentleman speaks about protecting these grazing lands from destruction, does he know that the public lands outside of forest reservations in some sections have been so denuded of all vegetation and injured by the animals that have grazed over them that there has been such erosion that some of the gentlemen who have spoken in opposition to the position the gentleman is now taking have presented bills to this Congress asking for appropriations of millions and millions of dollars for the construction of reservoirs for the preventing of floods and further destruction caused by or resulting from the very policy which they are now defending and which we are trying to change?

Mr. RUBEY. That is absolutely true, Mr. Chairman, and if the Committee on the Public Lands, who have jurisdiction of this matter, would bring in a bill and give this Congress the opportunity to vote on it, there is no question what would happen. A number of bills have been introduced. Bills are pending before the Public Lands Committee to-day providing for a charge for grazing privileges upon the public lands, and yet the House gets no opportunity to vote upon them.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. RAKER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. RAKER. I want to oppose the motion to strike out. I agree heartily with what the gentleman from Iowa said——

Mr. MANN of Illinois. I make the point of order that the gentleman is not discussing his amendment. I hope the gentleman will let us make a little progress before this subject is reopened.

Mr. RAKER. I just want to say this——

Mr. MANN of Illinois. I ask that the gentleman be reasonable and let us make a little progress.

Mr. RAKER. I want to say this——

Mr. MANN of Illinois. It appears that the gentleman is not willing to be reasonable about anything.

Mr. RAKER. That is unjust, unkind, and unmerited, and the gentleman knows he has no right to say it. There is no need of his volunteering those statements, and I have got tired of it, even if he is an old man.

Mr. MANN of Illinois. I am not so old but that I am perfectly well able to take care of myself.

Mr. RAKER. I know you are able, but you do not use very good judgment in using your ability.

Mr. MANN of Illinois. The gentleman is not only out of order but out of temper as well.

The CHAIRMAN. The gentleman from Illinois makes the point of order that the gentleman from California is not discussing the amendment. The point of order is sustained.

Mr. RAKER. I move to strike out the section. I hope the Chair will permit me to proceed in order. I have not taken any occasion to interject remarks without addressing the Chair, but I have submitted to it repeatedly.

Mr. MANN of Illinois. I make the point of order that the gentleman is not discussing the amendment he proposes.

The CHAIRMAN. The gentleman from Illinois makes the point of order that the gentleman from California is not discussing the amendment he proposes. Thus far the gentleman from California has not discussed his amendment, and the Chair is compelled to sustain the point of order.

Mr. RAKER. I was not discussing the point of order. I told the Chair I was not going to discuss the point, but I ask unanimous consent that I may proceed upon the subject under debate, on the Forest Service, for five minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent that he may continue for five minutes. Is there objection?

Mr. MANN of Illinois. Reserving the right to object, I have no objection whatever to the gentleman from California expressing his views on this subject, if he will wait until we read a little way into the bill. We have not done anything on the

bill at all. I wanted to make a speech upon the subject myself, but I have refrained from doing so, and I hope other gentlemen will follow that example.

Mr. RAKER. While the gentleman is reserving the point of order——

Mr. MANN of Illinois. Oh, let it go for a little while.

The CHAIRMAN. Is there objection?

Mr. MANN of Illinois. I object.

The Clerk read as follows:

Arapahoe National Forest, Colorado, $5,736.

Mr. RAKER. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent that I may proceed for five minutes.

Mr. MANN of Illinois. Which item was read?

Mr. RAKER. The last one that we read, right after the California item.

Mr. MANN of Illinois. Oh, I suggest the gentleman wait until we reach the bottom of the next page. If we read a page or two a day, I will not object to some discussion.

The CHAIRMAN. Does the gentleman from California prefer a request for unanimous consent?

Mr. MANN of Illinois. I suggest to the gentleman that we wait until we read another page.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to proceed for five minutes on the conduct of this forest and other forests of like character.

Mr. CANDLER. Mr. Chairman, a few moments ago the gentleman from Wyoming——

The CHAIRMAN. The Chair will ask the gentleman to suspend until he can put the request for unanimous consent. The gentleman from California asks unanimous consent to proceed for five minutes upon the conduct of the forest in Colorado and other forests, line 18. Is there objection?

Mr. MANN of Illinois. Mr. Chairman, I object.

Mr. RAKER. Mr. Chairman, I move to strike out the item and discuss the question of forestry.

The CHAIRMAN. The gentleman from California moves to strike out the paragraph.

Mr. RAKER. Mr. Chairman, I want to call the attention of the committee to forests of this kind and to say that there is not ordinarily a great deal of timber in many of them, and that the collection of the fees on the forests is on the grazing land outside of the timber lands. As an illustration, you will find undoubtedly in this, and in many other forests, that where the timber occurs—that is, actual timber—there is but little land for grazing. It is unfortunate that the Committee on Agriculture does not appreciate that fact. The forests in the East are entirely different. There the grass grows and there is forage all the time of high quality and of large quantity. The fee comes from the balance of the forest lands upon which there is practically no timber, but a great deal of it is withdrawn for water and watersheds. While we are not necessarily objecting to that, the homesteader adjoining the forest reserve gets some benefit in the little grazing there is there. By virtue of this they have built up that country, and as I started out to say, and I hope I will not be prevented from saying it, I want to agree, and do agree, with what the gentleman from Wyoming [Mr. MONDELL] has said upon this subject. The criticism of the gentleman from Missouri [Mr. RUBEY] of the gentleman's statement is unjust, and is not borne out by the facts. I say it, and I say it unhesitatingly, that the committee while on the subjects with which they are familiar are doing nicely, but they are not familiar with this subject. They do not know what these people have gone through, what they are doing and the value that they have added to this country. The general purpose of the committee now seems to be to do away with all of the remaining public lands so that it will not be settled. I know, and the gentleman from Wyoming knows, what the situation out there is. As a boy I have ridden over that land for many miles, at times hundreds of miles, 50 and 60 miles, and 40 years ago there was practically no stock in the country, no grass growing upon it.

They say that by virtue of using it erosion has occurred and that it has been washed away. They do not know anything about it. They have not had any experience. The farmer there is developing it and making it a good part of this country, and building up a good citizenship all over the West. On that land that appeared to be an absolute desert they have gone 10 and 15 and 20 and 100 and 200 miles and brought in the water, and to-day you will see prosperous homes scattered all over there—houses, stock, alfalfa, horses, cattle, and sheep, all of which is a credit to any civilization. I am getting tired of this bickering and talking about what these western people are doing, and the fact that these lands should be put into a cow pasture. It is all nonsense, and it would not be heard upon the floor of this House if the men knew the facts and had the experience that these men in the West have had and know what they have done in regard to it.

Mr. CANDLER. Then the gentleman would agree with the suggestion made by the gentleman from Wyoming that the Committee on Agriculture ought to go out there and look at it?

Mr. RAKER. I would; and I want to say that for four years the Committee on the Public Lands have had this up before them, and they have had witnesses from all over the country, and every time they have unanimously turned it down they have agreed that the West should not be turned into a cow pasture, but should be left open for homesteaders. Under the last bill that came from the Committee on the Public Lands 80,000 homestead applications have been filed on that public domain, and they are assisting in building up their homes and improving the country. That is what is being done. I am in favor of grazing, but I am opposed to so tying up the remaining public land that the homesteader will have the same trouble in obtaining homesteads on that public domain that he has been having during the last 10 years in regard to the forest reserve. We want proper grazing, but still do not want to restrict homesteading. They should both go on in a proper method.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

The Clerk read as follows:

Wyoming National Forest, Wyo., $5,089.

Mr. ANDERSON. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 44, line 9, insert a new paragraph, as follows:

"The foregoing appropriations for specific national forests shall be reduced by 20 per cent as to each of such forests in which the fees for grazing shall be less than the appraised value of such grazing, as determined by the Secretary of Agriculture."

Mr. HAYDEN. Mr. Chairman, I make the point of order that this amendment is again an attempt to legislate upon an appropriation bill under the guise of a limitation.

Mr. ANDERSON. Mr. Chairman, I will not attempt to again cite the decisions upon questions of similar character. I direct the attention of the Chair to the fact that the Congress might very well desire to make the amount of the appropriations carried for each of these national forests dependent upon the receipts for grazing in such forests, and that is exactly what this does. It is not directed to the discretion of the Secretary at all. It simply says that in any forest where the charges are less than the appraised value, as determined by the Secretary of Agriculture, there shall be 20 per cent less appropriated or used than is carried in the bill. That is not directed to the discretion of the Secretary; it is the action of Congress. The Congress might very well in the exercise of its legislative discretion determine that in a national forest where the charge for grazing was less than the appraised value of such grazing it desired to expend less than is carried in another forest where the charge is equal to or greater than the appraised value, and that is all that is provided by this amendment.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. MANN of Illinois. As to the form of the gentleman's amendment, I understood the amendment undertakes to say that the amount of the appropriation is reduced.

Mr. ANDERSON. Yes.

Mr. MANN of Illinois. We make the appropriations and we fix the amount. The amount is not reduced. The gentleman's amendment can not reduce the amount. I suppose what the gentleman means is that the amount of the appropriation which shall be expended shall be 20 per cent less than the amount of the appropriation unless certain things take place. For myself, I do not see why that would not be in order, but I doubt whether the amendment as it reads will amount to anything, because, as I understood it, it undertakes to reduce the appropriation by saying so, and that is not the intention at all, and that is not what it does.

Mr. ANDERSON. That may be true. What I am trying to do is to offer a limitation which is in order, and I have drawn the language with that idea in mind. Whether it is properly expressed or well expressed, of course, is another question.

Mr. MANN of Illinois. I was trying to get at the form of the amendment, first, and whether it was in order; and, second, whether it should be agreed to.

Mr. HAYDEN. Let me direct the attention of the Chair to the fact that under section 5 of the act of February 1, 1905, Congress has provided that all moneys received from the sale of

any products or the use of any land or resources of said forest reserves shall be covered into the Treasury of the United States. So that when the gentleman from Minnesota says that Congress may now desire to provide that the receipts from the national forests shall be devoted to other uses he is met by the fact that Congress has already expressed an opinion as to what shall be done with such funds, and he can not now by indirection change the existing law.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. HAYDEN. Certainly.

Mr. GREEN of Iowa. How does this change the law? The Secretary has the same power as before. He can go ahead and fix the rates, if he wants to do so.

Mr. HAYDEN. The Secretary of Agriculture now has full power to fix the grazing rates.

Mr. GREEN of Iowa. And he would have even if this amendment were adopted.

Mr. HAYDEN. He would not. If this amendment were adopted, the Secretary must fix the rates on the appraised value of the grazing. At the present time he has authority to fix the grazing fees by competition at public sale to the highest bidder. He may base the grazing charge on the price charged for adjacent lands or on any other factor which he sees fit to consider. But under this amendment he must appraise the value of the grazing privilege and by that method alone fix the charge.

Mr. GREEN of Iowa. The gentleman is entirely in error. This does not tell the Secretary to do anything. He can do as he wants to, absolutely, but if he does it in a certain way only a certain amount of this appropriation will be expended. He still will have the power, if this amendment carries, to do all those things the gentleman has stated. It does not restrict him in any way whatever; it does not take away his power or say that he shall not have power to do what he is doing now. It simply provides that this appropriation shall be reduced, and I think, as the gentleman from Illinois states, that part of the amendment ought to be modified in order to bring about the effect desired by the gentleman from Minnesota. It simply states that this appropriation should be reduced if the Secretary does these things, but it does not say he shall not do these things or that he shall do them in a particular way.

Mr. HAYDEN. This amendment seeks to exercise compulsion on the Secretary of Agriculture by indirection and force him to do something he is not now compelled to do under the law.

Mr. MANN of Illinois. That is the case under any limitation—to tell him to do something or not to do something.

Now, Mr. Chairman, I do not know whether the Chair is of the belief that the rulings which he made heretofore would decide a point of order on this amendment or not. Under the limitation it is not competent, generally speaking, to do indirectly what can not be done directly and to require a department official to do something not now authorized by law. And it has frequently been held also that under the guise of a limitation in many cases you can not affect the discretion of the department. On the other hand, it is quite within the power of Congress to say that it will appropriate $10,000 for a certain purpose, no portion of which shall be paid to a red-headed man or no portion of which shall be paid to any but a red-headed man. That, in a way, affects the discretion of the head of the department. We can make the appropriations with such limitations as we please, which are mere limitations. Now, this amendment proposes that only 80 per cent of the appropriation can be expended in a national forest where the appraised value of the grazing land is not charged. That is a pure limitation on the expenditure of the money. The Secretary of the Treasury has full discretion left in his power to charge what he pleases for the grazing lands under his power and to make regulations for the disposition of the lands. But this amendment only provides he shall not expend more than 80 per cent of the amount appropriated unless a certain condition of affairs exists. That may not be the exact language of the amendment, but that is the purpose of it, and I presume will be the amendment that will be offered if this is not in order.

Now, we can say clearly that no portion of the money shall be expended on a national forest if any of the timber thereon shall be cut during the fiscal year. It is plainly within our jurisdiction. We can say a great many different things in the form of limitations on the expenditure of money. We are not required even to make an appropriation for the maintenance of national forests. We can strike out the item entirely if we wish to do so.

Of course we can not, under the guise of a limitation, direct the Secretary of the Interior to do something the law does not provide for, or which he is not required to do, but we can say he shall not have the money unless a certain condition there arises, and we may say very reasonably that we do not wish to make this appropriation to be expended in the full amount under certain conditions, because we expect these forests to remunerate for their own expenditures. That is a limitation within our discretion, in my opinion.

The CHAIRMAN. Will the gentleman from Illinois permit an inquiry?

Mr. MANN of Illinois. Certainly.

The CHAIRMAN. The language of the amendment is that the foregoing appropriation for a specific national forest shall be reduced by 20 per cent, and the Chair would like to ask the gentleman from Illinois if that is a reduction in appropriation or retrenchment of expenditure?

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent to withdraw the amendment and offer another in lieu of it.

Mr. MANN of Illinois. I confess I can not answer the inquiry of the Chair.

The CHAIRMAN. The gentleman from Minnesota [Mr. ANDERSON] asks unanimous consent to withdraw the amendment. Is there objection?

Mr. MONDELL. Mr. Chairman, of course these are all subject to a point of order. Everybody is good-natured here, and everybody is perfectly willing that this Agricultural Committee shall spend all summer over an amendment to their own bill, and, of course, we shall not object to any amendment they may offer, or any modification or change they may desire in any amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota [Mr. ANDERSON]? [After a pause.] The Chair hears none. The amendment is withdrawn.

Mr. ANDERSON. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ANDERSON: Page 44, line 9, add a new paragraph, as follows:

"That of the foregoing appropriations not more than 80 per cent shall be expended in any national forest in which the fees for grazing shall be less than the appraised value of such grazing as determined by the Secretary of Agriculture."

Mr. HAYDEN. Mr. Chairman, I make the same point of order that I made against the former amendment, because the object sought to be accomplished is the same, that is, that under the guise of a limitation and a reduction in appropriations the gentleman from Minnesota is seeking by his amendment to interfere with the discretion now lodged in the Secretary of Agriculture by existing law with respect to fixing the grazing fees on the forest reserves.

The CHAIRMAN. Will the gentleman from Arizona permit an inquiry?

Mr. HAYDEN. Certainly.

The CHAIRMAN. Does the gentleman find anything in this amendment which would preclude the Secretary of Agriculture from spending 100 per cent of the appropriation made?

Mr. HAYDEN. Certainly. In order to expend 100 per cent of the appropriation made the Secretary of Agriculture is required to do something that he is not now compelled to do under the existing law, and thereby the amendment interferes with his discretion. The Secretary must, before he can spend 100 per cent of the appropriation, make an appraisal of the grazing values upon any and all of the national forests. Otherwise the appropriation will be reduced 20 per cent. What is the primary purpose of the appropriation? It is to protect the national forests from fire and from trespass, to guard and protect public property consisting of timber worth millions of dollars. The adoption of such an amendment will seriously interfere with the ability of the Secretary of Agriculture to protect the national forests by reducing the sums available for that purpose, as estimated for by the department and allowed by the committee, because unless and until the Secretary shall take affirmative action, as directed by the amendment, and appraises the grazing values, all of the money appropriated will not be available for use in the manner intended. There can be no dispute about that; so it is apparent that this limitation is an attempt to legislate on an appropriation bill which is contrary to the rules of the House.

Mr. MONDELL. Mr. Chairman, this amendment is similar to the amendments that have already been offered. The gentleman from Minnesota [Mr. ANDERSON] has exercised a good deal of ingenuity in attempting to get around the decisions of the Chair, that you can not, under the guise of a limitation, either change existing law or take from the discretion of an administrative officer.

What if this amendment should provide that "no part of the money should be used unless and until," and so forth? That

would be a change of existing law, clearly. I do not think the gentleman who offers this amendment would deny that such an amendment would be a change of existing law.

You do not change the character of the amendment by providing that only a certain part of the appropriation shall be used except under a change of law or rule relative to fixing of grazing fees. Under the guise of a limitation on the use of the money, the attempt is made to change existing law relative to the fixing of grazing fees. That is exactly what is attempted to be done, an attempt to change the law relative to the fixing of grazing fees, to establish a new rule for the fixing of grazing fees. The rule now is that they shall be what the Secretary shall determine, using his discretion. This amendment says they shall be fixed on a certain basis; they shall amount to the estimated value, and so forth. That is a change of law. The situation is in no wise modified, changed, or affected by reason of the fact that the character of the limitation is modified somewhat. It is the same old attempt to change the law and the rule under which grazing fees are fixed, and to do it under the guise of a limitation.

Mr. MANN of Illinois. Mr. Chairman, certainly no one will deny that it is in our power to reduce all these appropriations 20 per cent in making them. Instead of providing for $5,089 for the Wyoming National Forest, Wyo., we could cut off 20 per cent of that amount. No one denies that.

Now, we can say that we appropriate 20 per cent less. Then we could have said that we appropriate 20 per cent, provided it is raised out of additional money collected. Maybe we could not do it in that way; but here is in effect what this amendment does: It proposes to say by way of limitation that 80 per cent of this appropriation may be expended, and then the other 20 per cent may be expended if certain fees for grazing are fixed upon a certain basis. We may think in making that limitation that this national forest shall contribute something to the Federal Treasury for the purpose of helping to pay its expenses. We simply say by the amendment that 20 per cent, practically, of the appropriation shall not be expended unless a certain limitation is agreed to and lived up to.

If we can not put that kind of a limitation in, I do not know what kind of a limitation that is a limitation you can put on any bill. This does not direct the Secretary to do anything that he is not authorized to do. It does not require him to do anything at all. He can do as he pleases about it.

The CHAIRMAN. Will the gentleman permit an inquiry?

Mr. MANN of Illinois. Certainly.

The CHAIRMAN. If the Secretary acts upon the limitation, which is put in by the proposed amendment, would the gentleman understand that he can then expend the 100 per cent of the amount appropriated?

Mr. MANN of Illinois. I so understand it.

The CHAIRMAN. And that does not retrench expenditure. Does the limitation retrench expenditures?

Mr. MANN of Illinois. A limitation has nothing to do with the matter of limiting expenditures. Any limitation would be in order that directly retrenched the expenditures by reducing the amount carried in the bill. That has not been attempted. That limitation does not come within the terms of the Holman rule, of course, at all. It is a limitation in the appropriation bill, as when we say we give an appropriation "with a string tied to it." That is what all limitations are.

Mr. HAYDEN. If the Chair is inclined to be of the opinion that this limitation would reduce expenditures, permit me to direct his attention to the following statement, which appears on page 15 of the report of the committee on this bill:

> Reconnoissance of forest resources (p. 46, line 23): There is an increase in this item of $25,000. This amount will be required for the necessary estimating and appraising of the grazing resources of the national forests incident to the changed program provided in this bill.

The committee has actually increased the sum of money carried in this bill in order to conduct such appraisals. All moneys received from the national forests are deposited in the Treasury as miscellaneous receipts, and there is no possible way to prove that any part of the funds so received are directly used on the forest reserves.

Mr. MONDELL. Mr. Chairman, if the gentleman will permit me, the statement of the gentleman from Illinois [Mr. MANN] rather emphasizes the fact that this is a change of existing law. He referred to the fact that as to 20 per cent of these appropriations they could not be used unless the Secretary proceeded under a change of law; unless he proceeded to fix grazing fees on a basis not now provided by law, and under a rule not now provided by law. Of course, if he did that his discretion, at least so far as that 20 per cent expenditure is concerned, would be limited.

The CHAIRMAN. The gentleman from Minnesota offers an amendment in the form of a new paragraph, to read as follows:

> That of the foregoing appropriations not more than 80 per cent shall be expended in any national forest in which the fees for grazing shall be less than the appraised value of such grazing as determined by the Secretary of Agriculture.

The gentleman from Arizona [Mr. HAYDEN] makes the point of order that that amendment is not in order, because it is in effect legislation which changes existing law.

This proposed amendment, if the Chair understands it, seeks to limit certain appropriations made for national forests which have been set out by name, so that before the amount appropriated in the bill can be used certain fees for grazing shall be fixed by the Secretary of Agriculture at a sum set forth in the amendment, not less than the appraised value of such grazing. Where the fees are less than the appraised value for grazing, as determined by the Secretary of Agriculture, only 80 per cent of the amount appropriated is to be expended on any of our forests.

It seems to the Chair that the amendment proposed is a limitation upon the discretion of the Secretary of Agriculture, as fixed by existing law, and that unless it is plain and clear that the amendment will reduce expenditures or will decrease the appropriations in order to be in order under the Holman rule as an amendment, such an amendment, seeking to limit or modify the discretion and power vested in the Secretary by existing law, would not be in order. This amendment seeks to limit the expenditure to 80 per cent where the fees for grazing shall be less than the appraised value of such grazing, as determined by the Secretary of Agriculture. That is to say, the fees for grazing shall be determined in a particular way, and shall be determined not within the discretion as conferred by existing law. It seems to the Chair that this is such a limitation as is not permissible under the rules and does not come within the provisions of the Holman rule, and the Chair is therefore constrained to sustain the point of order.

Mr. ANDERSON. I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Minnesota appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. ANDERSON. Mr. Chairman——

Mr. MONDELL. Mr. Chairman, I move to lay that on the table.

Mr. CRISP. Mr. Chairman, the gentleman can not do that.

Mr. MONDELL. I realize that.

Mr. ANDERSON. Mr. Chairman, I withdraw the request. I changed my mind when I was on my feet.

The CHAIRMAN. The Chair did not so understand it.

Mr. JOHN W. RAINEY rose.

The CHAIRMAN. For what purpose does the gentleman from Illinois rise?

Mr. JOHN W. RAINEY. To strike out the last three words.

The CHAIRMAN. The Chair thinks the Clerk would have to read before that can be done. The Clerk will read.

The Clerk read as follows:

> Additional national forests created or to be created under section 11 of the act of March 1, 1911 (36 Stat. L., p. 963), and lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted for the purposes of said act, $76,850.

Mr. JOHN W. RAINEY. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last three words.

Mr. JOHN W. RAINEY. Consistent with a policy heretofore announced by me, I invited my constituents and the owners of industries in my district to call my attention to any criticisms directed against them, saying that if they brought the matter to my attention I would be very glad to present their side of the case to the Members of the House. As a result of that suggestion, I am in receipt of a letter from Mr. L. S. Swift, of Swift & Co., who takes exception to remarks on the floor of this House on February 5 by the gentleman from Texas [Mr. YOUNG] and the gentleman from Kansas [Mr. TINCHER]. I do not want to take up the time of the House, but I ask permission to incorporate this letter in the RECORD, so that those who are interested and who are not prejudiced may be informed and have the opportunity of reading both sides of the question.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD in the manner indicated by him. Is there objection?

Mr. MONDELL. Mr. Chairman, I shall have to object. I do not think we should allow to be printed in the RECORD a letter

that reflects on Members of Congress or that criticizes them, without knowing what is contained in the letter.

Mr. JOHN W. RAINEY. Then I will be very happy to read the letter.

Mr. MONDELL. I object.

Mr. YOUNG of Texas. I do not object to the gentleman reading it. I would like to have the opportunity to answer Swift & Co.

Mr. TINCHER. If the gentleman will yield, I wish to state that I have no objection to any criticism which Swift & Co. may make of myself.

The CHAIRMAN. Objection is made.

Mr. JOHN W. RAINEY. Without reading the letter, let me say that I have already discussed the contents of the letter with the gentleman from Texas [Mr. YOUNG] and the gentleman from Kansas [Mr. TINCHER]. My desire not to take up the time of the House prompted me to make this request.

Mr. MANN of Illinois. I do not like to interrupt, but I hope my colleague will not compel me to make a point of order. My colleague will have a chance to be heard later, and I hope he will not inject something that will take up the rest of the afternoon.

Mr. JOHN W. RAINEY. There is no disposition on my part to interrupt the proceedings, but I have waited patiently since yesterday afternoon. I do not inflict myself very frequently on the membership of the House, and I really believe I am entitled to some consideration and repeat that my district is entitled to recognition.

Mr. MANN of Illinois. My colleague never inflicts himself. I hope he will allow us to proceed with the bill.

Mr. JOHN W. RAINEY. In view of the gentleman's suggestion I will defer for the present.

The CHAIRMAN. The gentleman withdraws his pro forma amendment. The Clerk will read.

The Clerk read as follows:

In all, for the use, maintenance, improvement, protection, and general administration of the specified national forests, $2,068,762: *Provided*, That the foregoing amounts appropriated for such purposes shall be available interchangeably in the discretion of the Secretary of Agriculture for the necessary expenditures for fire protection and other unforeseen exigencies: *Provided further*, That the amounts so interchanged shall not exceed in the aggregate 10 per cent of all the amounts so appropriated.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. The large amount carried by this paragraph, over $2,000,000, indicates a part of what we are losing on the national forests and a part of what we are losing by our failure to charge a reasonable rental for grazing lands. I very much regret that none of the amendments were found to be in order which would have provided that the appraised value of these grazing lands might be used as a basis of the rental charge. I do not know of any fairer basis that could be taken for that purpose, and I hope the Committee on Agriculture will find time later on to consider a bill on this subject and report it out.

Mr. HERNANDEZ. Will the gentleman yield for a question?

Mr. GREEN of Iowa. I yield to the gentleman from New Mexico.

Mr. HERNANDEZ. Does the gentleman contend that this $2,000,000 used for the administration of these forests is all lost to the Government?

Mr. GREEN of Iowa. Oh, no.

Mr. HERNANDEZ. Does the gentleman contend that we do not return any of this money to the Treasury?

Mr. GREEN of Iowa. Oh, no.

Mr. HERNANDEZ. Some of these forests are paying more than the amount that is expended on them.

Mr. GREEN of Iowa. Some of them are, but only a few of them.

Mr. HERNANDEZ. I know those in my State are doing so.

Mr. GREEN of Iowa. I want to say, for the benefit of the gentleman from Wyoming [Mr. MONDELL], who does not seem to be present just at this moment, that the Members from some of the Eastern States and the Central States are not so ignorant with reference to the character of these grazing lands as the gentleman seems by his remarks to indicate. I have ridden hundreds of miles over some of this land that is used for pasturing these cattle. Contrary to what the gentleman from California has stated, I have seen, right in some of these forests, the finest pasturage that I ever set my eyes upon; wild oats and wild grasses of various kinds, which afforded the most luxuriant feed I ever saw and best adapted for the growth of cattle. I do not know why a reasonable rental should not be paid for this grazing. The persons who are using these lands are mostly large owners of stock, some of them worth millions of dollars, and they might well pay the reasonable appraised value of these lands. For some reason they have shown no disposition to do that, but, on the contrary, they have shown a disposition to exclude the small holders, the man who owns a few head of stock, and to keep him off of these lands entirely. I regret to say that even seems to be the desire of the agents of the Department of Agriculture, because it is easier to handle these lands when they are occupied by big herds than when they are occupied by many small ones. But possibly if we had a fair appraisal of these lands the small holder, the man with only a few head of stock, would get somewhere near what is his due, because he could probably better afford to pay it than the big man. I hope the Agricultural Committee will take up this subject at the proper time and report a bill to the House.

Mr. TINCHER. Mr. Chairman, I move to strike out the last two words. I do so for the purpose of addressing the committee on an entirely new subject, namely, the grazing of the national forests. Perhaps members of the Committee on Agriculture have not traveled over the national forests as much as some gentlemen would like to have us do, but there are some things of which we are aware. One is that we are appropriating Government money to fence the forests for pastures. Another is that we have been appropriating money from the United States Treasury to make surveys of the different forests, to ascertain how many acres are necessary for pasturing cattle. We are aware that the Government has received for the last two years only about 10 per cent of the value of these forests for the pasturage of these animals. I do not have to go out to your national forests and look them over to know what kind of pastures you have there. When I buy your cattle from those forests and receive them at my home and see them on the market, I know what kind of a pasture the Government is furnishing. I know also that you have the safeguard of a surveyor to find that you get the required number of acres in that locality, to see that your animals get the proper pasturage, and that this Government appropriates money to fence the pastures for you.

Now, I agree with my friend RUBEY, from Missouri, that it is rather far-fetched for men from Arizona or any other part of that territory to come here and fight the stopping of this leak in the Teasury. I want to compliment the chairman of this committee [Mr. HAUGEN] upon his position in fighting this leak.

Mr. BLANTON. Will the gentleman yield?

Mr. TINCHER. Not now. I have something I want to say. I will yield later. Some gentleman on this floor the other day asked if the chairman of the Committee on Agriculture was a friend of the farmer.

I want to say to you that he is not only a friend of the farmer but he is a friend of the producer and a friend of the consumer. Why, gentlemen, he is a statesman, because he is trying to stop a leak in the Federal Treasury. [Applause.] And he is going to stop it. We may need a rule, we may not be able to stop the leak with a cotton plug, but we are going to stop this $6,000,000 leak in the Treasury, caused by the lack of proper return for the pasturing on the national forest reserves. I hope there is no feeling over this matter. To-day ought to be a joyous day in our history. To-day is the first day in the history of our great Nation that Mr. Pinchot has congratulated the floor leader on our side on his attitude toward conservation. To-day, my friends, is a great day for the public. I want to congratulate the gentlemen on the Democratic side of the House to-day for having had the foresight and the courage and the manhood and the Americanism to throw off the yoke last night, and to declare yourselves for America and against compulsory military training. [Applause.] Thus, you have said to the public and to the world in general, "We refuse to follow the General Staff. We ignore the advice of Baker. We set aside the letter of the Chief Executive, and we decide to follow that great leader, Mr. MONDELL, on the question of compulsory military training. [Applause.] To-day is a day when we all ought to be happy, and I congratulate you. I have a personal pride in this, because my colleague [Mr. ANTHONY] from my State, a member of the Committee on Military Affairs, has been making this fight, and now you have agreed with him, and you have decided, over the protest of the Chief Executive, to back him up in his effort to prevent the Prussianizing of the American Army, and to stand for America. So I say to-day ought to be a day of general rejoicing. I congratulate you on the new leadership that you have voluntarily adopted by your vote last night in conference.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. I yield the floor.

The Clerk read as follows:

For the selection, classification, and segregation of lands within the boundaries of national forests that may be opened to homestead settlement and entry under the homestead laws applicable to the national forests; for the examination and appraisal of lands in effecting exchanges authorized by law and for the survey thereof by metes and bounds or otherwise by employees of the Forest Service under the direction of the

Commissioner of the General Land Office; and for the survey and platting of certain lands, chiefly valuable for agriculture, now listed or to be listed within the national forests, under the act of June 11, 1906 (34 Stats., p. 233), and the act of March 3, 1899 (30 Stats., p. 1095), as provided by the act of March 4, 1913, $87,000.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word. It is under this appropriation that some of the difficulties so eloquently spoken of by the gentleman from Wyoming [Mr. MONDELL] are sought to be overcome. It is true that in laying out national forests, in some of them originally, areas not strictly forest lands were included. The limits included lands more suitable for agriculture than for forestry. That was early realized, and money was provided for the employment of men to investigate just such conditions and for setting aside from the national forests lands more suitable for agriculture. As a result of this kind of work millions of acres have been eliminated from the national forests proper and have been made subject to homestead entry; millions of acres have actually been settled by homesteaders. The work is going on, other areas will be eliminated, and later they will be taken up and settled. It is to be hoped that this appropriation will be continued, so that the disagreeable situation, unfortunate on account of the haste in which the forests in the first place were laid out, may be speedily remedied.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. TILSON. Although additional new duties seem to be imposed by this paragraph, nevertheless the amount has been decreased. What is the explanation for that remarkable fact?

Mr. McLAUGHLIN of Michigan. I have not the figures before me showing just what the reduction is.

Mr. TILSON. It is $20,000. We find this language:

For the survey thereof by metes and bounds or otherwise by employees of the Forest Service under the direction of the Commissioner of the General Land Office.

That is new language.

Mr. HAUGEN. That is new language, but is suggested by the two departments, and it is made in accordance with the law to save the survey by the other department.

Mr. TILSON. I wondered whether there were additional duties imposed, with a reduction in the item.

Mr. HAUGEN. No; we simply agreed that it might be legally done without a duplication of work.

Mr. WINGO. Mr. Chairman, I rise in opposition to the amendment. In the few short months that I have had the privilege of enjoying the companionship of the distinguished Chesterfield, the statesman and farmer from the sand dunes of Medicine Lodge, the gentleman from Kansas [Mr. TINCHER], I have learned to appreciate him very much, but never more than I did a few moments ago, when he assumed the rôle of speaking for the Republican Party in congratulating the Democratic Party on following the Republicans in opposition to compulsory military service. Of course, the false assumption was apparent even to a schoolboy. The Democratic Party has not followed the Republican Party, because nobody knows what the Republican Party stands for on the question of compulsory military training. I presume the gentleman from Kansas extended the proper expressions of condolence to his next-door neighbor, Mr. HARRELD, of Oklahoma City, when he bowed to the blunt orders of the autocratic steering committee on the Republican side of this House, who vetoed his selection for membership on the Committee on Military Affairs because he is opposed to compulsory military service, and who said to him, "Unless you surrender your convictions and the convictions of your constituents upon the question of militarism, you must bow your head in shame and go out of public life," because everybody knows that kicking him off the committee meant his political death. That is what it meant—that HARRELD was crucified in order that the Republicans of this House might play their little double-crossing game on this question of universal compulsory military training. What is the game? What is the position of the Republican Party? You do not know, the gentleman from Kansas does not know——

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. I will ask the gentleman to wait for a moment.

Mr. MADDEN. I would like to have the gentleman make a true statement.

Mr. WINGO. That is what I want to do.

Mr. MADDEN. The gentleman evidently does not know what he is talking about or he would not make the statement that he has.

Mr. WINGO. What is that?

Mr. MADDEN. The gentleman just said that he bowed to the autocratic orders of the steering committee. I wish to call the gentleman's attention to the fact that no orders were issued from any steering committee.

Mr. WINGO. Oh, certainly not. The steering committee has grown so great on the Republican side that even the frown of the steering committee, a whispered suggestion that one will have to follow the wishes of the steering committee, is sufficient. It was stated, not in the public press, but was stated by a leading Republican, that Mr. HARRELD either must voluntarily get off "or we will kick him off." Let us see what the position of the Republican Party is. The gentleman from Kansas [Mr. TINCHER] congratulated us on following the Republican Party. God knows I would hate to see the Democratic Party assume the attitude of the Republican Party in this House. Your attitude on universal compulsory military training is typical of your attitude on every public question. You have not a conviction on a single public question, or if you have a conviction you are afraid to take the American people in your confidence before election day. What are you trying to do—to follow MONDELL or JULIUS "CAESAR" KAHN? Are you following the chairman of the Committee on Military Affairs of the Senate?

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. WINGO. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. TILSON. Oh, Mr. Chairman, while we are all very much regaled by the gentleman and always are interested in hearing him speak, yet in the interest of progress we ought to go along with the bill. We have made very little progress.

Mr. WINGO. Very well, I withdraw my request, hoping that some Republican will take that five minutes to tell us where the Republican Party stands on compulsory military service. You wiggle in and you wiggle out so that you do not know yourself where you stand. You do not know whether you are with WADSWORTH and KAHN or with MONDELL. [Applause and laughter on the Democratic side.]

The Clerk read as follows:

For investigations of methods for wood distillation and for the preservative treatment of timber, for timber testing and the testing of such woods as may require test to ascertain if they be suitable for making paper, for investigations and tests within the United States of foreign woods of commercial importance to industries in the United States, and for other investigations and experiments to promote economy in the use of forest products, and for commercial demonstrations of improved methods or processes, in cooperation with individuals and companies, $173,260.

Mr. BLANTON. Mr. Chairman, I make the point of order to the following portion of this paragraph:

For investigations and tests within the United States of foreign woods of commercial importance to industry in the United States.

That is new legislation and is unauthorized by law.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. HAUGEN. That is an item that has been carried for a number of years. It has been carried since 1912, starting with an appropriation of $177,000. What is the point of order?

Mr. BLANTON. It is new legislation, unauthorized by law; and the mere fact that in some previous appropriation bill such an item was carried, unless it is definitely shown that it was the intention of the Congress to make it permanent law, would not make it in order in an appropriation bill now. There has been no appropriation bill enacted indicating that this should be permanent law and that an annual appropriation should be made for it.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, may I ask the gentleman what his objection is?

Mr. BLANTON. To the investigation of foreign woods, because the Department of Agriculture could go to every foreign country after such woods and spend this $173,260 messing around in Europe. That is something I do not think this country wants done.

Mr. McLAUGHLIN of Michigan. Why, the very language of the bill is that the tests are to be within the United States.

Mr. BLANTON. Yes; but it does not prevent sending emissaries on junketing trips to the battle fields of France and to England to have a nice summer trip at some time, such as has been done by representatives of various other departments that I could name.

Mr. MADDEN. I just wanted to call the gentleman's attention to this: We are talking about everything but the point of order, and if I may be permitted I want to say that this is one of the most valuable items in the bill to the people of America. Investigations that go on in connection with this provide for methods of discovering how you can veneer with high-class wood on the commonest kind of wood that we have. You can take any kind of wood and provide veneering and make it appear as artistic as anything I know in that line. And the continued examinations and investigations and tests made under this item have resulted in enabling the people of the United States to indulge in a higher class and a more artistics work of finish in

buildings and homes and every kind of construction than they have ever been able to indulge in before, and it is more economical than can be done with the original timber.

Mr. BLANTON. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLANTON. Does the gentleman believe that this country is dependent upon foreign woods for that purpose? I maintain we have plenty of varieties of different kinds of woods in this country to perform our various experiments upon.

Mr. MADDEN. That may be the information of the gentleman, who is not an expert on that class of work; but the opinion of men who have had the experience in this line of work is that it is the most valuable aid to an economical work of construction and development of art that has ever been done at the expense of the Government in any of its branches. I am speaking from experience.

Mr. NELSON of Wisconsin. Mr. Chairman and gentlemen of the committee——

Mr. BLANTON. Mr. Chairman, I ask that the argument be confined to the point of order.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] has made a point of order. The Chair will be glad to hear the gentleman from Wisconsin on the point of order.

Mr. NELSON of Wisconsin. My purpose, Mr. Chairman, is not to address myself directly to the point of order, but rather by your permission to address myself to the item against which the gentleman from Texas [Mr. BLANTON] has made the point of order, namely, the appropriation of $173,260 for the Forest Products Laboratory at Madison, Wis. The gentleman from Texas [Mr. BLANTON] has made the point of order that this item is not proper legislation, because it appropriates money for investigations and tests of foreign woods of commercial importance to industries in the United States.

Mr. BLANTON. Not that it is not proper legislation, but that it is new legislation, unauthorized by law.

Mr. NELSON of Wisconsin. Mr. Chairman, the gentleman from Texas [Mr. BLANTON] is mistaken in his statement, and I contend his point of order is not well taken. The item in question does not provide for tests without the United States, as the gentleman from Texas seems to think, but does provide for tests within the United States of foreign woods which may be of commercial importance to our American industries.

Further, this is not new legislation, as the gentleman from Texas contends, as this very item has been carried in the Agricultural appropriation bill for several years past. It is, therefore, not a new item of legislation, but is old legislation regularly carried in the Agricultural appropriation bill, and therefore, in my judgment, comes clearly within the general purposes of the organic law.

Mr. Chairman, I fully agree with the distinguished gentleman from Illinois [Mr. MADDEN], who has just said that "this is one of the most valuable items in the bill to the people of America." Mr. Chairman, I happen to be quite familiar with the work of the Forest Products Laboratory located at Madison, Wis., having been for 13 years a member of the board of regents of the University of Wisconsin and a member of the board when this laboratory was located at Madison in 1910. I can, therefore, speak with some degree of authority and with information gathered from observations of the work of the laboratory on the ground of operations. So strongly do I feel that this laboratory should be encouraged in its splendid work under the excellent supervision of its director, Mr. C. P. Winslow, ably supported by the assistant director, Mr. O. M. Butler, and the efficient members of the staff, who are men of high caliber and large scientific attainments, that were it not for the very strained condition of our National Treasury and the general slogan for retrenchment of expenditures I would, at the proper time, move an amendment to double the appropriation called for in the bill. Indeed, Mr. Chairman, I sincerely hope that we shall agree that it will be a matter of economy and conservation of our commercial, financial, and economical resources as a Nation to increase this appropriation in next year's budget to at least $500,000, so as to give adequate support to one of the most important scientific bureaus of investigations and tests carried on by our Government in the conservation of our natural resources.

The present lumber and wood prices are the highest that have ever been known in the United States, and are still rising. In spite of rapidly increasing prices, which are partly due to the growing shortage of materials, there is an appalling waste and loss of efficiency in handling, through practically every phase of wood manufacture and utilization, from the logging operations in the woods to the completion, shipment, and even in the use of the final product. Losses in the seasoning of wood in the United States at the present time are conservatively estimated to reach nearly $50,000,000 annually. Every dollar of this loss is an added cost in the production of lumber and every board foot wasted an additional drain on our rapidly diminishing forest resources. Several billion feet, worth in the neighborhood of $75,000,000, could be saved annually if full use were made of preservative processes for treating ties, poles, posts, piling, mine timbers, shingles, lumber, and other wood which is exposed to the weather and thereby subject to decay. A large percentage of the annual loss from fire in the United States of about $200,000,000 is in wooden structures, and this could be materially reduced through the development of fire-retarding paints and compounds and fire-resisting construction. A casual survey shows that the losses from faulty mill and shop practices in a wide range of industries amount to millions of dollars annually. Unnecessary losses through packing and shipment in poorly designed and constructed containers are variously estimated at from $40,000,000 to $100,000,000 annually for domestic shipments alone, and the packing methods used by American concerns in export shipments are reported by the Consular Service to be notoriously bad.

Practically every city in the United States has its own building code, and for wood as a material there is the greatest confusion and practically unlimited range in requirements. Reasonable uniformity would be of obvious advantage to both manufacturer and consumer. In structural timbers strength is ordinarily a prime requisite, yet for only two groups of timbers in the United States has a system of grading rules been developed which selects the wood on a basis of its strength. For lumber practically every species has at least one distinct set of grading rules and several species have more than one set, and this from the standpoint of the consumer results in a confusion which places the average consumer at a great disadvantage in his lumber purchases.

Of the material in the woods, only approximately 30 per cent appears in the form of seasoned rough lumber, and in the manufacture of the rough lumber there is a further waste which in some important wood-consuming industries reaches from 10 to 25 per cent, and in special cases even higher. In the bending of high-grade stock in vehicle making, for example, losses frequently reach 50 per cent. We are clearly falling far short of taking advantage of our opportunities for saving and utilizing this enormous waste.

Many of the industries which manufacture and utilize wood are among the oldest industries and as such have been very slow on their own initiative to improve their processes and cut down waste. The public is concerned as much as the industries, because inefficient methods and waste are exhausting our remaining timber resources and are increasing prices of all wood products to the consumer. The only effective solution of this situation lies in forest products research, provided for in the Forest Products Laboratory.

It was for the purpose of promoting economy and efficiency in the utilization of wood and in the processes by which forest materials are converted into commercial products that the Forest Products Laboratory was established in 1910 by the United States Forest Service at Madison, Wis., in cooperation with the University of Wisconsin. This laboratory is an institution of practical research, and with the exception of a similar, though much smaller, organization in Canada is the only institution of its kind in the world. Its organization of trained specialists conducts investigations into the mechanical, physical, and chemical properties of various woods and wood wastes and of processes and methods of manufacture and handling to secure greater efficiency and economy. When it is considered that the value of the products of the primary and secondary wood-using industries of the country aggregates over $10,000,000,000 annually, the importance of such an institution is apparent. Indeed, the hearings state that the lumber industry is the second or third largest industry of our country.

In the early years of its operation the laboratory's small organization of eighty-odd people devoted its attention primarily to the development of fundamental and correlated information of the properties of the varied available species of timber and to improvements in the better-known and standard processes and methods in its utilization.

At the outbreak of the World War the importance of forest products to a successful national defense program—from the airplane propeller to the charcoal in the gas mask and from the wood alcohol in the high explosives to the wooden container for the shipment of the shell—made necessary not only the use and application of the knowledge already gained, but a vast amount of further information which necessitated increasing the prewar organization. Since the close of hostilities, it has been found that the results of this work during the emergency are practically all applicable to industrial needs, and while lack of

funds has made it necessary to reduce the organization over 50 per cent, the industrial requests for the wider effective dissemination and demonstration of the results already secured and also for further studies and investigations are sufficient to justify an organization far greater than is at present possible. These requests and opportunities are becoming increasingly broad and numerous, and failure to meet them is causing incalculable losses annually to the country. For example, one of the conspicuous lines of work which should be greatly expanded is the investigations to develop the general laws for box and container construction, the relationship between the size and contents of the box, the kind and thickness of material to be used, methods of nailing, strapping, and so forth, and, further, special tests to check the application of general laws to special classes of containers. Tests of this character with proper cooperation with producers and shippers will rapidly reduce unnecessary losses, now amounting to millions of dollars annually. As one example of the value of forest-products investigations, work of this character is known to have saved to the United States several times more than the total sum spent to date in all forest-products investigations.

A system of grading for structural timber which permits its selection on the basis of strength, the prime requisite, has been developed and commercially adopted only for the southern pines and the Douglas fir of the West. Similar rules should be developed for hemlock and for other woods used for purposes where strength is a controlling factor. The growing scarcity of timber and the difficulty of securing high-grade material in large sizes will result in the use of built-up timbers. Two years of war alone brought pronounced changes in this direction. If built-up timbers are to be used safely and economically, an extensive series of tests to develop the best designs and the most effective fastenings and joints is necessary.

In addition to structural timbers there are great possibilities in the use of laminated and built-up construction for many other purposes, such as wagon parts and smaller articles, like shoe lasts, and so forth. Any such development increases utilization and reduces the cost of material and the losses and time in drying. Fundamental strength tests should be completed for all American species, since only from these tests can be decided the comparative merits of various timbers, which are becoming scarce or high priced, and the possibility of using substitute timbers.

Plywood is a comparatively new wood product, and compared to other materials of construction little is known of its strength, of the comparative values of different species, the best methods of manufacture, the best glues and methods of gluing, and of its merits as compared with solid wood. Its use is increasing, and information along the lines indicated is greatly needed. The development of glues is necessary from the standpoint of plywood and also from the standpoint of many classes of laminated construction, and for those which are exposed to the weather and to moisture water-resistant glues are necessary. Before the war there were no recognized standard specifications for glue. An excellent beginning was made in investigations of glues and their proper manipulation during the war, and the results of the work with waterproof glues and plywood at the Forest Products Laboratory saved the country over $5,000,000 in the procurement of this material during the emergency; but the bulk of the field still remains to be covered.

For many purposes, such as furniture, vehicles, cooperage, and airplane manufacture, it is necessary to bend wood. Practically nothing is known as yet of the conditions under which this can be done most effectively and without the excessive losses at present common in commercial plants which waste high-grade, expensive materials.

On problems connected with the drying of wood, much progress has been made in the development of general laws and in their application to a few of our more common woods and a few additional woods which can not be seasoned easily. The work done has made it possible, for example, to kiln-dry wood with safety for airplane construction during the war. Much remains to be done in the determination of general laws and in the application of results to the remainder of American species in commercial use, especially to such important species as Douglas fir, western hemlock, and some of the more refractory hardwoods. While the more important field is in methods of artificial drying, there is room also for a great improvement in methods used in the natural seasoning of wood.

The life of the four to six billion feet of timber which decays in service each year could be lengthened from two to four times by preservative treatment. The work already begun to determine the efficiency of various preservatives under various conditions of exposure and when used with different species should therefore be hastened and completed.

Preservatives not only prolong the life of treated woods but make it possible to utilize the less durable species in the place of the more durable ones. Untreated piling of the best species when placed in exposed conditions is sometimes wholly destroyed in a few months. Work so far done indicates for this specific use the possibility of increasing the life to several years. Far too little has been done in the development of fire-retarding compounds for the impregnation of wood, and the possibilities are practically unlimited. Enough has been done in the study of methods of construction to show great possibilities in the reduction of fire risks by the development of slow-burning construction and of fire stops. During the war a cheap and practical wood coating was developed for airplane propellers which practically prevents the absorption of moisture and thus eliminated the shrinking, expansion, and warping which make airplane propellers useless. Investigations of this character should be extended to wood finishes and protective coatings in general, with the practical certainty of great benefits in durability and resistance to the absorption of moisture. There is a very general and urgent demand for the development of satisfactory coatings and finishes.

Intensive technical studies of the operations of mill and shop practices of lumber, pulp and paper, and the secondary wood-using industries such as veneer and cooperage plants, furniture factories, sash and door mills, vehicle and implement factories, and various kinds of specialty shops, by highly-trained technical men able to review the processes and problems of these industries in an entirely new light, can unquestionably bring about savings and increase efficiency amounting to many millions of dollars annually.

The greatest possibility for utilizing the two-thirds or more of the material in the woods which is now wasted before the final product appears is through the chemical industries. Of these the pulp and paper industry is the most important. Tests already begun to determine the feasibility of using other American species for pulp should be completed for all promising species. Further studies are needed to improve the efficiency of paper-making processes. The demand for specialty products made of pulp is rapidly increasing, and much work should be done on such products as fiber silk, twines, rugs, fabrics, and so forth. Losses through the decay of wood pulp in storage now amount to several millions of dollars annually, and the development of methods to eliminate this will benefit the supply, quality, and cost of print paper. Methods employed for the distillation of both hardwoods and softwoods are still primitive.

Comparatively few species are used, whereas there is a possibility of using many, and the use of waste material can be greatly increased. Much should also be done regarding the possibilities of utilizing the products of wood distillation.

Wood pulp made from spruce is now practically the basis for most of our news-print paper, and while the demand for news-print paper is increasing at an enormous rate the supply of spruce logs is decreasing at an alarming rate. Already the shortage is acute, and we are facing a paper shortage that threatens the suspension of many of our newspapers of the country. In the hearings on this bill we are told that 2,000 to 3,000 small newspapers face extinction unless the news-print supply is increased. No doubt other woods can supply the need. We should find by tests what they are. The Forest Products Laboratory, provided with adequate funds to carry on tests and experiments, would, undoubtedly, find some relief for the acute situation which now exists. Indeed, could Congress be made to realize and understand the importance of the pulp and paper division of the Madison laboratory alone it would gladly and promptly provide an adequate appropriation for its support.

An important phase of forest-products research is cooperation with industries and the public, to assist as fully as possible in putting promising laboratory results into practice, and this phase of the work should be developed in proportion to the investigations. It is as important to see that the results of the work are effectively utilized as it is to conduct the research; this can only be accomplished by the development of a group of specialists able to lend assistance of a practical nature at the plant or place of operation of the manufacturer engaged in the use of wood or its by-products.

In general the Forest Products Laboratory is practically the only institution of appreciable size in existence which is devoting its attention solely to wood and its by-products. Its work bears directly on the problems of industries manufacturing annually products valued at over $10,000,000,000. The application of the results of the laboratory's investigations has already resulted in direct savings to this country amounting to many times more than the total cost of maintaining the institution during the past 10 years.

There is an ever-increasing demand upon the laboratory organization for further work, and this has never been more acute

and important than now, when the constantly rising cost of lumber and other wooden products is making economy in the utilization of forest products of increasing importance not only to the industries concerned, but to the public as a whole. It would seem, therefore, a shortsighted policy to restrict the activities of this institution, and that in any sound policy of economy adequate provision for the continuation and expansion of the work of this institution should be made.

Economy and efficiency in handling forest products, and a comprehensive plan for reforestration of our denuded waste-land areas, is a national necessity. One of the greatest and most important national problems to-day is the proper conservation and utilization of the products of our rapidly depleting forests. A national forest policy is one of the pressing needs in our reconstruction program. [Applause.]

Mr. ANDERSON. Will the Chair indulge me just a moment on the point of order?

I wish to call the attention of the Chair to the fact that the Forestry Service is, in the first instance, a great business institution. It is charged with the management, direction, and control of timberlands aggregating, I think, something like 110,000,000 acres. These timbered lands are of very great variety, and with respect to them the Forest Service is charged with very great responsibilities and with very great powers and duties. It has power to sell great portions of the stumpage on these lands almost without restriction. It has the power to reforest portions of these forests that have been denuded by fires or otherwise. It is necessarily, in the direction, control, and management of this enormous business, compelled to gather together for its own use and information of the employees and officers of the Forest Service great masses of information with respect to the utilization of timber in this country and in foreign countries. The item under consideration, against which the gentleman from Texas has made the point of order, is the item under which the experimentation and the investigation necessary to the management, direction, and control of these great timber resources are undertaken. I wish to call the attention of the Chair to some of the powers which the Forest Service has with respect to forest reservations. For instance, it is provided—

That said reservation shall be under the exclusive control of the Secretary of the Interior—

And permit me to say here that all the powers and duties originally invested in the Secretary of the Interior with reference to these forests are now transferred to the Secretary of Agriculture—

whose duty it shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury of all timber, mineral deposits, natural curiosities, or wonders within said reservation, and their retention in their natural condition.

How can he provide for the sale of timber in the forests under appropriate circumstances if he has not the powers and means to investigate the things which are related to the sale of timber and the management of the forests?

Now, it may be necessary in order to gather information with respect to the preservation of rare timber in the forests to investigate the methods of preservation of foreign timber. So it seems to me that the power, the authority to investigate into the methods of preserving the foreign woods, and so forth, is implied by the very extensive power which we have conferred upon the Secretary of Agriculture and the Chief of the Forest Service by the various enactments of Congress.

The CHAIRMAN. The gentleman from Texas makes the point of order to the language on page 46 of the bill, as follows:

For investigations and tests within the United States of foreign woods of commercial importance to industries in the United States.

The Chair would state, in considering the paragraph in which this language is found, in connection with the authority of the Bureau of Forestry, before and after its transfer from the Department of the Interior to the Agricultural Department, it seems that this activity on the part of the Department of Agriculture, through the Bureau of Forestry, is one that is within the general purposes of the organic law. It does not provide for tests without the United States, as the gentleman from Texas [Mr. BLANTON] suggested, but for tests within the United States of foreign woods of commercial importance to the industries of the United States. The Chair is inclined to the view——

Mr. BLANTON. Mr. Chairman, may I offer this further suggestion, that according to the Chair's ruling, under the general interpretation of the organic statute the Agricultural Department has the authority to send to France and secure horses over there and bring them over for experimental purposes.

Mr. ANDERSON. That has been done.

Mr. BLANTON. But not except by express authority of Congress.

The CHAIRMAN. Well, this does not involve that question. The Chair will state that he is inclined to think that this comes within the general authorization and purposes of the department, and therefore overrules the point of order.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. McLAUGHLIN of Michigan. Oh, can we not finish this item?

The CHAIRMAN. The Chair will count. [After counting.] Sixty Members are present, not a quorum.

Mr. HAUGEN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, had come to no resolution thereon.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following joint resolution:

H. J. Res. 20. Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry.

LEAVE OF ABSENCE.

Mr. CALDWELL, by unanimous consent, was granted leave of absence for one week, on account of important business.

ADJOURNMENT.

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 3 minutes p. m.) the House adjourned until to-morrow, Wednesday, February 11, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Navy, transmitting request for legislation for the relief of Ruperto Vilche, of Guantanamo City, Cuba, was taken from the Speaker's table and referred to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CRAGO, from the Committee on Military Affairs, to which was referred the bill (S. 3383) to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, reported the same with an amendment, accompanied by a report (No. 617), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 4142) granting an increase of pension to Henry S. Robert; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12357) granting a pension to Edward M. Smailes; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12169) granting a pension to Mary Muhleder; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 12393) granting a pension to Joseph S. Penland; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STRONG of Pennsylvania: A bill (H. R. 12426) authorizing the Secretary of War to donate to the Brookville Park Association, Brookville, Pa., two German cannon or field-pieces, carriages, and equipment, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12427) authorizing the Secretary of War to donate to the town of New Bethlehem, Pa., two German can-

non or fieldpieces, carriages, and equipment, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12428) authorizing the Secretary of War to donate to the town of Punxsutawney, Pa., two German cannons or fieldpieces, carriages, and equipment, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12429) authorizing the Secretary of War to donate to the town of Reynoldsville, Pa., two German cannons or fieldpieces, carriages, and equipment, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12430) authorizing the Secretary of War to donate to the town of Blairsville, Pa., two German cannons or fieldpieces, carriages, and equipment, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12431) authorizing the Secretary of War to donate to the town of Ford City, Pa., two German cannons or fieldpieces, carriages, and equipment, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12432) authorizing the Secretary of War to donate to the county of Clarion, State of Pennsylvania, two German cannons or fieldpieces, carriages, and equipment, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12433) authorizing the Secretary of War to donate to the county of Armstrong, State of Pennsylvania, two German cannons or fieldpieces, carriages, and equipment, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12434) authorizing the Secretary of War to donate to the county of Indiana, State of Pennsylvania, two German cannons or fieldpieces, carriages, and equipment, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12435) authorizing the Secretary of War to donate to the county of Jefferson, State of Pennsylvania, two German cannons or fieldpieces, carriages, and equipment, with a suitable number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 12436) authorizing the Secretary of War to donate to the E. D. Sharp Post, No. 267, Grand Army of the Republic, for the E. D. Sharp soldiers' plot in the cemetery at Rimersburg, Clarion County, Pa., two German cannons or fieldpieces, carriages, and equipment, with a suitable number of shells; to the Committee on Military Affairs.

By Mr. GRIGSBY: A bill (H. R. 12437) to authorize the expenditure of the sum of $100,000, heretofore appropriated for the erection of a United States post office, courthouse, and jail at Cordova, Alaska, by the act approved March 4, 1913, for the erection of a United States courthouse and jail at Cordova, Alaska; to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 12438) granting an increase of pension to Silas Hendrix; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12439) granting a pension to Sarah F. German; to the Committee on Invalid Pensions.

By Mr. CARSS: A bill (H. R. 12440) granting an increase of pension to Frank Bachmeyer; to the Committee on Pensions.

Also, a bill (H. R. 12441) to reimburse the Duluth, Winnipeg & Pacific Railway for custom fine No. 368, erroneously imposed by the collector of customs at Duluth, Minn.; to the Committee on Claims.

By Mr. COLLIER: A bill (H. R. 12442) for the relief of Mrs. Charles Fitzgerald; to the Committee on Claims.

By Mr. HICKS: A bill (H. R. 12443) authorizing the Secretary of the Treasury to pay certain claims, the result of a fire in the Government ordnance plant at Baldwin, N. Y.; to the Committee on Claims.

Also, a bill (H. R. 12444) granting a pension to William Southard; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 12445) granting an increase of pension to Lena Griswold; to the Committee on Invalid Pensions.

By Mr. OLNEY: A bill (H. R. 12446) to carry out the findings of the Court of Claims in the case of the Fore River Shipbuilding Co.; to the Committee on Claims.

By Mr. PETERS: A bill (H. R. 12447) granting an increase of pension to William H. Durham; to the Committee on Invalid Pensions.

By Mr. RADCLIFFE: A bill (H. R. 12448) granting a pension to Albin D. Schaefer; to the Committee on Pensions.

By Mr. RANDALL of California: A bill (H. R. 12449) for the relief of Elisha L. Bennett, jr.; to the Committee on Military Affairs.

By Mr. SCHALL: A bill (H. R. 12450) granting a pension to John F. Lindquist; to the Committee on Pensions.

Also, a bill (H. R. 12451) granting an increase of pension to Louis S. Harris; to the Committee on Pensions.

By Mr. SWOPE: A bill (H. R. 12452) granting an increase of pension to Joanna L. Dixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12453) granting a pension to Susie Dixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12454) granting an increase of pension to Elyza Settles; to the Committee on Pensions.

Also, a bill (H. R. 12455) granting a pension to Sarah J. Stapleton; to the Committee on Invalid Pensions.

By Mr. TINCHER: A bill (H. R. 12456) granting an increase of pension to Asael B. Caldwell; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 12457) for the relief of Stephen Olop; to the Committee on Claims.

By the SPEAKER: Memorial of the Legislature of the State of Oregon, urging that the veterans of Indian wars be placed on the same basis for pension purposes as those of the Civil War; to the Committee on Pensions.

By Mr. STINESS: Memorial of the Legislature of the State of Rhode Island, favoring Senate joint resolution No. 102, "To equalize the pay and allowances of commissioned officers, warrant officers, and enlisted men of the Coast Guard with those of the Navy"; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of North Dakota: Memorial of the Legislature of the State of North Dakota, commending President Wilson for his untiring efforts to secure world peace and urging a speedy ratification of the peace treaty with only such reservations as are compatible with a binding and bona fide participation by the United States of America in the covenant of the League of Nations; to the Committee on Foreign Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1435. By Mr. BROWNING: Petition of 15 members of the United States Customs Guards Branch, Federal Employees' Union No. 23, National Federation of Federal Employees, port of Philadelphia, urging increased compensation of employees; to the Committee on Interstate and Foreign Commerce.

1436. Also, petition of 18 residents of Wenonah, Gloucester County, N. J., indorsing bill proposing to retire Government employees; to the Committee on Reform in the Civil Service.

1437. By Mr. FOSTER: Petition of citizens of Cleveland, Ohio, indorsing the Lehlbach-Sterling bill; to the Committee on Reform in the Civil Service.

1438. Also, petition of W. E. Jeffers & Sons, proprietors of the Square Deal Stock Farm, of Albany, Ohio, relative to certain legislation now pending; to the Committee on Ways and Means.

1439. By Mr. FULLER of Illinois: Petition of citizens of Rockford, Ill., relative to constitutional guaranties; to the Committee on the Judiciary.

1440. Also, petition of E. V. Price & Co., of Chicago, opposing Senate bill No. 2232; to the Committee on Education.

1441. Also, petition of the Rockford (Ill.) Manufacturers and Shippers' Association, and other Illinois corporations, favoring certain provisions in the pending railroad bills; to the Committee on Interstate and Foreign Commerce.

1442. By Mr. GALLIVAN: Petition of C. W. Hunt Co. (Inc.), the Day Baker Co., the Bay State Hardware Co., the National Shawmut Bank of Boston, the mayor and City Council of Waltham, relative to the Watertown Arsenal; to the Committee on Military Affairs.

1443. Also, petition of Waldo Bros. & Bond Co., the John Whalen Co. (Inc.), Blacker & Shepard Co., Charles M. Abbott, the Eastern Clay Goods Co., and the Carpenter-Morton Co., all of Boston, Mass., relative to the Watertown Arsenal; to the Committee on Military Affairs.

1444. Also, petition of a special convention of the American Legion, the Massachusetts Department, regarding legislation affecting soldiers; to the Committee on Military Affairs.

1445. By Mr. HICKS: Petition asking for tariff on beans, etc., from Nassau County Farm Bureau, New York; to the Committee on Ways and Means.

1446. By Mr. KIESS: Petition of sundry citizens of Williamsport, Pa., favoring the passage of House bill 1112; to the Committee on the Judiciary.

1447. By Mr. LINTHICUM: Petition of the Maryland Federation of Women's Clubs, of Baltimore, Md., indorsing the Fess bill, House bill 12078; to the Committee on Education.

1448. Also, petition of the Maryland Society of the Sons of the American Revolution, indorsing House bill 10650; to the Committee on the Judiciary.

1449. Also, petition of the Brotherhood of Railway and Steamship Clerks, Monumental Lodge, No. 567, relative to an increase in pay; to the Committee on Ways and Means.

1450. Also, petition of J. H. Cottman & Co., of Baltimore, Md., indorsing the Cummins railroad bill; to the Committee on Interstate and Foreign Commerce.

1451. Also, petition of Jacob Hann, jr., of Baltimore, Md., favoring the Army increase pay bill; to the Committee on Military Affairs.

1452. Also, petition of Mrs. Charles E. Ellicott, president of the Woman Suffrage League of the State of Maryland, favoring military rank for Army nurses; to the Committee on Military Affairs.

1453. Also, petition of John E. Jubb, secretary and treasurer of the Order of Railroad Claims Investigation of North America, Baltimore Lodge, No. 241, favoring the consideration of a certain petition which is in the hands of Hon. OSCAR E. KELLER; to the Committee on Interstate and Foreign Commerce.

1454. Also, petition of the firm of Gaither & Gaither, attorneys at law, of Baltimore, relative to House bill 1038; to the Committee on Claims.

1455. Also, petition of V. Dougherty, Nat Wilkes, Arthur K. Christie, Francis A. Madler, E. E. Reed, Charles Boegner, George T. Bowen, and Charles J. McAuliffer, all of Baltimore, Md., favoring Government control of railroads; to the Committee on Interstate and Foreign Commerce.

1456. Also, petition of the United Mine Workers of America, Local Union No. 2471, of Mount Savage, Md., protesting against the Cummins railroad bill; to the Committee on Interstate and Foreign Commerce.

1457. By Mr. MEAD: Petition of the Federal Employees' Union, No. 19, relative to certain conditions in the Department of Internal Revenue; to the Committee on Reform in the Civil Service.

1458. Also, petition of the American Protective Tariff League, assembled relative to the League of Nations and tariff questions now pending; to the Committee on Foreign Affairs.

1459. Also, petition of the county committee of Philadelphia County of the American Legion, relative to certain legislation; to the Committee on Appropriations.

1460. Also, petition of sundry citizens of Elmira, N. Y., favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

1461. Also, petition of joint legislative board of the four railroad brotherhoods of the State of New York, opposing the Cummins-Esch railroad bill and favoring two-year extension Government-control bill; to the Committee on Interstate and Foreign Commerce.

1462. By Mr. MURPHY: Memorial of 35 citizens of Columbiana County, Ohio, protesting against the passage of legislation having to do with compulsory military training; to the Committee on Military Affairs.

1463. By Mr. NELSON of Wisconsin: Petition of Milwaukee Chamber of Commerce, opposing the Gronna bill terminating wheat guaranty and Grain Corporation; to the Committee on Agriculture.

1464. Also, petition of Paul J. Stern, of Milwaukee, Wis., requesting vote against Gronna bill terminating Grain Corporation; to the Committee on Agriculture.

1465. By Mr. O'CONNELL: Petition of the Jamaica Board of Trade, opposing the Esch-Cummins railroad bills, etc.; to the Committee on Interstate and Foreign Commerce.

1466. Also, petition of Adolph Lewisohn, New York City, urging a reduction in taxes on excess profits and incomes; to the Committee on Ways and Means.

1467. By Mr. ROWAN: Petition of citizens of Brooklyn and Long Island, N. Y., relative to certain legislation now pending; to the Committee on Education.

1468. Also, petition of the Board of Trade of the City of Chicago, Ill., and Lester W. Bond, of New York City, relative to the railroad situation; to the Committee on Interstate and Foreign Commerce.

1469. Also, petition of national headquarters, Private Soldiers' and Sailors' Legion of the United States of America, indorsing House bill 10373; to the Committee on Military Affairs.

1470. Also, petition of the Jamaica Board of Trade against certain provisions in the Esch-Cummins railroad bills; to the Committee on Interstate and Foreign Commerce.

1471. Also, petition of citizens of Yonkers, N. Y., relative to the League of Nations; to the Committee on Foreign Affairs.

1472. Also, petition of the College of the City of New York, Post No. 717, relative to Senate bill 3792; to the Committee on Military Affairs.

1473. Also, petition of the J. H. Williams Co., of Brooklyn, N. Y., relative to certain legislation; to the Committee on Coinage, Weights, and Measures.

1474. Also, petition of the Federal Highway Council, of Washington, relative to certain legislation; to the Committee on the Post Office and Post Roads.

1475. Also, petition of the Ward Baking Co., per George S. Ward, president, relative to certain legislation; to the Committee on Agriculture.

1476. By Mr. TINKHAM: Petition of Paul Revere Branch, Friends of Irish Freedom, demanding that the Republic of Ireland be recognized by the Government of the United States; to the Committee on Foreign Affairs.

1477. By Mr. WOODYARD: Petition of Amalgamated Sheet Metal Workers' International Alliance, of Huntington, W. Va., opposing the Sterling-Graham antisedition bills; to the Committee on the Judiciary.

SENATE.

WEDNESDAY, *February 11, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pause a moment to worship Thee. With our very best intellect, with our hearts' highest aspirations, with our life's devotion we worship Thee. We pray that Thou wilt look upon us as we face the responsibilities of another day. Guide us so that our work may be to the praise and honor and glory of Thy name. Through Jesus Christ, our Lord. For Christ's sake. Amen.

On request of Mr. SMOOT, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

ENROLLED BILL SIGNED.

The VICE PRESIDENT announced his signature to the enrolled bill (H. R. 11368) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921, which had previously been signed by the Speaker of the House of Representatives.

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS (S. DOC. NO 215).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War, submitting supplemental estimates of appropriations in the sum of $238,500 required by the National Home for Disabled Volunteer Soldiers for the fiscal year 1920, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

TREATY OF PEACE WITH GERMANY.

Mr. LODGE. I present certain proposed amendments to the reservations in the reported resolution of ratification of the treaty of peace with Germany simply that they may be printed and lie on the table and that they may also be printed in the RECORD.

The VICE PRESIDENT. It will be so ordered.

The proposed amendments are as follows:

RESERVATION NO. 1.

[Omit the part in brackets and insert the part printed in italic.]

Amendment proposed by Mr. LODGE to the reservations to the treaty of peace with Germany, viz: Amend reservation No. 1 so that it will read as follows:

1. The United States so understands and construes article 1 that in case of notice of withdrawal from the League of Nations, as provided in said article, the United States shall be the sole judge as to whether all its international obligations and all its obligations under the said covenant have been fulfilled, and notice of withdrawal by the United States may be given by [a concurrent resolution of the] *the President or by* Congress [of the United States] *alone whenever a majority of both Houses may deem it necessary.*

RESERVATION NO. 4.

[Omit the part in brackets and insert the part printed in italic.]

Amendment proposed by Mr. LODGE to the reservations to the treaty of peace with Germany, viz: Amend reservation No. 4 so that it will read as follows:

4. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, tariff, *internal* commerce, the suppression of traffic in women and children and in opium and other dangerous drugs [and all other domestic questions] are solely within the jurisdiction of the United States and are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or the assembly of the League of Nations, or any agency thereof, or to the decision or recommendation of any other power.

RESERVATION NO. 6.

[Omit the part in brackets.]

Amendment proposed by Mr. LODGE to the reservations to the treaty of peace with Germany, viz: Amend reservation No. 6 so that it will read as follows:

6. The United States withholds its assent to articles 156, 157, and 158, and reserves full liberty of action with respect to any controversy which may arise under said articles [between the Republic of China and the Empire of Japan].

RESERVATION NO. 7.

[Omit the part in brackets and insert the part printed in italic.]

Amendment proposed by Mr. LODGE to the reservations to the treaty of peace with Germany, viz: Strike out all of reservation No. 7 and substitute the following:

[7. The Congress of the United States will provide by law for the appointment of the representatives of the United States in the assembly and the council of the League of Nations, and may in its discretion provide for the participation of the United States in any commission, committee, tribunal, court, council, or conference, or in the selection of any members thereof, and for the appointment of members of said commissions, committees, tribunals, courts, councils, or conferences, or any other representatives under the treaty of peace, or in carrying out its provisions; and until such participation and appointment have been so provided for and the powers and duties of such representatives have been defined by law, no person shall represent the United States under either said League of Nations or the treaty of peace with Germany, or be authorized to perform any act for or on behalf of the United States thereunder; and no citizen of the United States shall be selected or appointed as a member of said commissions, committees, tribunals, courts, councils, or conferences except with the approval of the Senate of the United States.]

No person is or shall be authorized to represent the United States, nor shall any citizen of the United States be eligible, as a member of any body or agency established or authorized by said treaty of peace with Germany, except pursuant to an act of the Congress of the United States providing for his appointment and defining his powers and duties.

RESERVATION NO. 9.

[Omit the part in brackets and insert the part printed in italic.]

Amendment proposed by Mr. LODGE to the reservations to the treaty of peace with Germany, viz: Amend reservation No. 9 so that it will read as follows:

9. The United States shall not be obligated to contribute to any expenses of the League of Nations, [or] *except the office force and expenses* of the secretariat, or of any commission, or committee, or conference, or other agency, organized under the League of Nations or under the treaty, or for the purpose of carrying out the treaty provisions, unless and until an appropriation of funds available for such expenses shall have been made by the Congress of the United States.

RESERVATION NO. 10.

[Omit the part in brackets and insert the part printed in italic.]

Amendment proposed by Mr. LODGE to the reservations to the treaty of peace with Germany, viz: Strike out all of reservation No. 10 and substitute the following:

10. [If the United States shall at any time adopt any plan for the limitation of armaments proposed by the council of the League of Nations under the provisions of article 8, it reserves the right to increase such armaments without the consent of the council whenever the United States is threatened with invasion or engaged in war.]

No plan for the limitation of armaments proposed by the council of the League of Nations under the provisions of article 8 shall be held as binding the United States until the same shall have been accepted by Congress.

RESERVATION NO. 11.

[Omit the part in brackets.]

Amendment proposed by Mr. LODGE to the reservations to the treaty of peace with Germany, viz: Amend reservation No. 11 so that it will read as follows:

11. The United States reserves the right to permit, in its discretion, the nationals of a covenant-breaking State, as defined in article 16 of the covenant of the League of Nations, residing within the United States [or in countries other than that violating said article 16,] to continue their commercial, financial, and personal relations with the nationals of the United States.

RESERVATION NO. 14.

[Omit the part in brackets and insert the part printed in italic.]

Amendment proposed by Mr. LODGE to the reservations to the treaty of peace with Germany, viz: Amend reservation No. 14 so that it will read as follows:

[14. The] *Until part 1, being the covenant of the League of Nations, shall be so amended as to provide that the United States shall be entitled to cast a number of votes equal to that which any member of the league and its self-governing dominions, colonies, or parts of empire, in the aggregate shall be entitled to cast, the* United States assumes no obligation to be bound, *except in cases where Congress has previously given its consent,* by any election, decision, report, or finding of the council or assembly in which any member of the league and its self governing dominions, colonies, or parts of empire, in the aggregate have cast more than one vote.

The United States [and] assumes no obligation to be bound by any decision, report, or finding of the council or assembly arising out of any dispute between the United States and any member of the league if such member, or any self-governing dominion, colony, empire, or part of empire united with it politically has voted.

RESOLVING CLAUSE.

[Omit the part in brackets and insert the part printed in italic.]

Amendment proposed by Mr. LODGE to the reservations to the treaty of peace with Germany, viz: Amend the resolving clause to read as follows:

Resolved (*two-thirds of the Senators present concurring therein*), That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted [by an exchange of notes as a part and a condition of this resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan] *as a part and a condition of this resolution of ratification by the allied and associated powers and a failure on the part of the allied and associated powers to make objection to said reservations and understandings prior to the deposit of ratification by the United States shall be taken as a full and final acceptance of such reservations and understandings by said powers.*

PETITIONS AND MEMORIALS.

Mr. STERLING. I present a number of telegrams and letters protesting against the bill of the Senator from North Dakota [Mr. GRONNA] terminating the wheat guaranty. As the bill has been reported, I ask that they lie on the table and be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

FEDERAL RESERVE BOARD,
OFFICE OF THE GOVERNOR,
Washington, February 9, 1920.

MY DEAR SENATOR: I inclose for your information copy of a telegram received to-day from Mr. John H. Rich, chairman of the board of directors of the Federal Reserve Bank of Minneapolis. The bill to which Mr. Rich refers has not been brought to the attention of the Federal Reserve Board, and I am unable to advise you as to the views of the board in the matter, but believe that you will be interested in learning the views of the officers of the Federal Reserve Bank of Minneapolis.

Very truly, yours,

W. P. G. HARDING, *Governor.*

Hon. THOMAS STERLING,
United States Senate.

MINNEAPOLIS, *February 9, 1920.*

HARDING, *Washington:*

Press reports indicate that Senate committee has favorably reported the Gronna bill terminating the wheat guaranty and appropriation, making it effective upon its passage. The committee has apparently acted without sufficient investigation of the disastrous effects which this bank feels will certainly follow. Senator GRONNA stated that in his opinion wheat would sell higher without the guaranty, and therefore appropriation and administrative organization is not now required. Course of wheat prices since his statement have been diametrically opposed to his judgment. We can not agree with his views. Termination of guaranty would be a substantial repudiation of national pledge, which still has four months to run. Previous telegrams with reference to car situation outlined in detail the hazardous position of the farmers having grain to market and the grain and milling interests. Continuance of guaranty until June 1 can do no harm, and its withdrawal might and probably would seriously disrupt entire financial situation in this district. All present contracts and commitments were based on guaranty, and inability of farmers, grain and flour dealers to liquidate is not because of unwillingness on their part, but because of inability of railroads to move grain and flour products. Feel sure that board's views upon this exceedingly important matter will have great weight in Senate, and that its influence will contribute materially toward avoiding a dangerous financial situation. Gov. Young and directors within reach agree and concur in these views.

RICH, *Federal Reserve Agent.*

SIOUX FALLS, S. DAK., *February 9, 1920.*

Hon. THOMAS STERLING,
United States Senate, Washington, D. C.:

We believe termination of Government wheat guaranty will have disastrous results and urge you to defeat passage of Gronna bill.

FARMERS' GRAIN DEALERS ASSOCIATION OF SOUTH DAKOTA.
CHAS. H. EYLER, *Secretary.*

GROTON, S. DAK., *February 9, 1920.*

Senator THOMAS STERLING,
Washington, D. C.:

We hereby protest the action of the Senate Agricultural Committee in reporting favorably on the Gronna bill terminating the wheat guaranty and appropriation as a repudiation of the Government's sacred obligation and as doing not only a direct blow to the grain and milling interests, who have pledged their good faith and capital upon the Government's guaranty, but is a menace to all business of the country. Before this measure is enacted into law we respectfully request that a full hearing be given to the grain and milling interests, who are vitally affected by this bill.

GROTON MILLING CO.
FERNERY FARMERS' COOPERATIVE ELEVATOR CO.
BROWN COUNTY BANKING CO.
FIRST NATIONAL BANK OF GROTON, S. DAK.
L. B. GEISLER ELEVATOR.
FARMERS' STATE BANK OF GROTON, S. DAK.
GROTON FARMERS' ELEVATOR CO.

NEW ULM, MINN., *February 9, 1920.*

Hon. THOMAS R. STERLING,
United States Senate, Washington, D. C.:

We urge you to do all within your power to prevent enactment of Gronna bill terminating wheat guaranty, which would be repudiation of Government's agreement. Would leave the milling and grain interests of the country exposed to great uncertainties and hazard. Might readily result in paralyzing trade, causing enormous damage to the whole country.

EAGLE ROLLER MILL CO.

MINNEAPOLIS, MINN., *February 7, 1920.*

Hon. THOMAS STERLING,
United States Senate, Washington, D. C.:

The following message has just been forwarded to Senator GRONNA: "We urgently request your assistance in securing the hearing mentioned. The press reports the Senate Agricultural Committee favorably reporting your bill terminating, on passage, the wheat guaranty and the appropriation making it effective. The committee apparently acted without investigation of the disastrous effects which would certainly follow. On the very day your bill reached the Senate the collapse of the wheat price, even in the Minneapolis market, carried certain grade within 5 cents of the Government guaranteed basis. The withdrawal of the underlying assurance of Government readiness to purchase at the guaranteed price might produce a further decline below the guaranty, and this termination would be a substantial repudiation of a national pledge still running for four months, while 200,000,000 bushels of wheat is still on the farms and 200,000,000 bushels more in the hands of farmers' elevator companies, independent dealers, and terminal elevator operators and others. In addition, there are large stocks of flour on hand. The producers, grain dealers, and millers have relied upon the assurance of the Government buying to the end of the pledge, June 1. The banking interests have financed the purchase of this wheat, also largely relying upon the Government guaranty. With all the security possible the marketing machinery is exposed to great uncertainty and hazards, as illustrated in the collapse of the overseas exchange, suspending export trade even in foodstuffs. We urgently request that before further action is taken the Senate Committee on Agriculture grant a hearing to the representatives of farmer organizations, farmer elevator associations, grain dealers' associations, and affected interests."

THE CHAMBER OF COMMERCE OF MINNEAPOLIS,
By WILLIAM DALRYMPLE, *President,*
JOHN G. MCHUGH, *Secretary.*

Mr. CURTIS. I present a large number of letters and telegrams from citizens in different parts of the State of Kansas remonstrating against what is known as the Gronna wheat guaranty legislation. The bill has been reported from the committee and is on the calendar, and I move that the letters and telegrams lie on the table.

The motion was agreed to.

Mr. PHELAN presented a memorial of the National Association of Commissioners and Departments of Agriculture, remonstrating against the repeal of the tax-exemption features as applied to land banks, which was referred to the Committee on Banking and Currency.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. SMOOT. Mr. President, I present the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to Senate bill 2775 to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

The VICE PRESIDENT. Does the Senator move that it be taken up?

Mr. SMOOT. I ask that it be taken up.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Secretary will read the report.

The Assistant Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the title to the bill and agree to the same.

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the matter proposed by the House amendment insert the following:

"That deposits of coal, phosphate, sodium, oil, oil shale, or gas, and lands containing such deposits owned by the United States, including those in national forests, but excluding lands acquired under the act known as the Appalachian Forest act, approved March 1, 1911 (36 Stat., p. 961), and those in national parks, and in lands withdrawn or reserved for military or naval uses or purposes, except as hereinafter provided, shall be subject to disposition in the form and manner provided by this act to citizens of the United States, or to any association of such persons, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, and in the case of coal, oil, oil shale, or gas, to municipalities: *Provided*, That the United States reserves the right to extract helium from all gas produced from lands permitted, leased, or otherwise granted under the provisions of this act, under such rules and regulations as shall be prescribed by the Secretary of the Interior: *Provided further*, That in the extraction of helium from gas produced from such lands, it shall be so extracted as to cause no substantial delay in the delivery of gas produced from the well to the purchaser thereof: *And provided further*, That citizens of another country, the laws, customs, or regulations of which, deny similar or like privileges to citizens or corporations of this country, shall not by stock ownership, stock holding, or stock control, own any interest in any lease acquired under the provisions of this act.

"COAL.

"SEC. 2. That the Secretary of the Interior is authorized to, and upon the completion of any qualified applicant shall, divide any of the coal lands or the deposits of coal, classified and unclassified, owned by the United States, outside of the Territory of Alaska, into leasing tracts of 40 acres each, or multiples thereof, and in such form as, in the opinion of the Secretary of the Interior, will permit the most economical mining of the coal in such tracts, but in no case exceeding 2,560 acres in any one leasing tract, and thereafter the Secretary of the Interior shall, in his discretion, upon the request of any qualified applicant or on his own motion, from time to time, offer such lands or deposits of coal for leasing, and shall award leases thereon by competitive bidding or by such other methods as he may by general regulations adopt, to any qualified applicant: *Provided*, That the Secretary is hereby authorized, in awarding leases for coal lands heretofore improved and occupied or claimed in good faith, to consider and recognize equitable rights of such occupants or claimants: *Provided further*, That where prospecting or exploratory work is necessary to determine the existence or workability of coal deposits in any unclaimed, undeveloped area, the Secretary of the Interior may issue, to applicants qualified under this act, prospecting permits for a term of two years, for not exceeding 2,560 acres; and if within said period of two years thereafter, the permittee shows to the Secretary that the land contains coal in commercial quantities, the permittee shall be entitled to a lease under this act for all or part of the land in his permit: *And provided further*, That no lease of coal under this act shall be approved or issued until after notice of the proposed lease, or offering for lease, has been given for 30 days in a newspaper of general circulation in the county in which the lands or deposits are situated: *And provided further*, That no company or corporation operating a common carrier railroad shall be given or hold a permit or lease under the provisions of this act for any coal deposits except for its own use for railroad purposes; and such limitations of use shall be expressed in all permits and leases issued to such companies or corporations, and no such company or corporation shall receive or hold more than one permit or lease for each 200 miles of its railroad line within the State in which said property is situated, exclusive of spurs or switches and exclusive of branch lines built to connect the leased coal with the railroad, and also exclusive of parts of the railroad operated mainly by power produced otherwise than by steam: *And provided further*, That nothing herein shall preclude such a railroad of less than 200 miles in length from securing and holding one permit or lease hereunder.

"SEC. 3. That any person, association, or corporation holding a lease of coal lands or coal deposits under this act may, with the approval of the Secretary of the Interior, upon a finding by him that it will be for the advantage of the lessee and the United States, secure modifications of his or its original lease by including additional coal lands or coal deposits contiguous to those embraced in such lease, but in no event shall the total area embraced in such modified lease exceed in the aggregate 2,560 acres.

"SEC. 4. That upon satisfactory showing by any lessee to the Secretary of the Interior that all of the workable deposits of coal within a tract covered by his or its lease will be exhausted, worked out, or removed within three years thereafter, the Secretary of the Interior may, within his discretion, lease to such lessee an additional tract of land or coal deposits, which, including the coal area remaining in the existing lease, shall not exceed 2,560 acres through the same procedure and under the same conditions as in case of an original lease.

"SEC. 5. That if, in the judgment of the Secretary of the Interior, the public interest will be subserved thereby, lessees holding under lease areas not exceeding the maximum permitted under this act may consolidate their leases through the surrender of the original leases and the inclusion of such areas in a new lease of not to exceed 2,560 acres of contiguous lands.

"SEC. 6. That where coal or phosphate lands aggregating 2,560 acres and subject to lease hereunder do not exist as contiguous areas, the Secretary of the Interior is authorized, if, in his opinion the interests of the public and of the lessee will be thereby subserved, to embrace in a single lease noncontiguous tracts which can be operated as a single mine or unit.

"SEC. 7. That for the privilege of mining or extracting the coal in the lands covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed in advance of offering the same, and which shall not be less than 5 cents per ton of 2,000 pounds, due and payable at the end of each third month succeeding that of the extraction of the coal from the mine, and an annual rental, payable at the date of such lease and annually thereafter, on the lands or coal deposits covered by such lease, at such rate as may be fixed by the Secretary of the Interior prior to offering the same, which shall not be less than 25 cents per acre for the first year thereafter, not less than 50 cents per acre for the second, third, fourth, and fifth years, respectively, and not less than $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of diligent development and continued operation of the mine or mines, except when such operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior may determine, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the Secretary of the Interior may, if in his judgment the public interest will be subserved thereby, in lieu of the provision herein contained requiring continuous operation of the mine or mines, provide in the lease for the payment of an annual advance royalty upon a minimum number of tons of coal, which in no case shall aggregate less than the amount of rentals herein provided for: *Provided further*, That the Secretary of the Interior may permit suspension of operation under such lease for not to exceed six months at any one time when market conditions are such that the lease can not be operated except at a loss.

"SEC. 8. That in order to provide for the supply of strictly local domestic needs for fuel, the Secretary of the Interior may, under such rules and regulations as he may prescribe in advance, issue limited licenses or permits to individuals or associations of individuals to prospect for, mine, and take for their use but not for sale, coal from the public lands without payment of royalty for the coal mined or the land occupied, on such conditions not inconsistent with this act as in his opinion will safeguard the public interests: *Provided*, That this privilege shall not extend to any corporations: *Provided further*, That in the case of municipal corporations the Secretary of the Interior may issue such limited license or permit, for not to exceed 320 acres for a municipality of less than 100,000 population, and not to exceed 1,280 acres for a municipality of not less than 100,000 and not more than 150,000 population; and not to exceed 2,560 acres for a municipality of 150,000 population or more, the land to be selected within the State wherein the municipal applicant may be located, upon condition that such municipal corporation will mine the coal therein under proper conditions and dispose of the same without profit to residents of such municipality for household use: *And provided further*, That the acquisition or holding of a lease under the preceding sections of this act shall be no bar to the holding of such tract or operation of such mine under said limited license.

"PHOSPHATES.

"SEC. 9. That the Secretary of the Interior is hereby authorized to lease to any applicant qualified under this act any lands belonging to the United States containing deposits of phosphates, under such restrictions and upon such terms as are herein specified, through advertisment, competitive bidding, or such other methods as the Secretary of the Interior may by general regulation adopt.

"SEC. 10. That each lease shall be for not to exceed 2,560 acres of land to be described by the legal subdivisions of the public land surveys, if surveyed; if unsurveyed, to be surveyed by the Government at the expense of the applicant for lease, in accordance with rules and regulations prescribed by the Secretary of the Interior and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such survey; deposits made to cover expense of surveys shall be deemed appropriated for that purpose; and any excess deposits shall be repaid to the person, association, or corporation making such deposits or their legal representatives: *Provided*, That the land embraced in any one lease shall be in compact form, the length of which shall not exceed two and one-half times its width.

"SEC. 11. That for the privilege of mining or extracting the phosphates or phosphate rock covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed by the Secretary of the Interior in advance of offering the same, which shall be not less than 2 per cent of the gross value of the output of phosphates or phosphate rock at the mine, due and payable at the end of each third month succeeding that of the sale or other disposition of the phosphates or phosphate rock, and an annual rental payable at the date of such lease and annually thereafter on the area covered by such lease at such rate as may be fixed by the Secretary of the Interior prior to offering the lease, which shall be not less than 25 cents per acre for the first year thereafter, 50 cents per acre for the second, third, fourth, and fifth years, respectively, and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of a minimum annual production, except when operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions shall be made as the Secretary of the Interior shall determine unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the Secretary of the Interior may permit suspension of operation under such lease for not exceeding 12 months at any one time when market conditions are such that the lease can not be operated except at a loss.

"SEC. 12. That any qualified applicant to whom the Secretary of the Interior may grant a lease to develop and extract phosphates, or phosphate rock, under the provisions of this act shall have the right to use so much of the surface of unappropriated and unentered lands, not exceeding 40 acres, as may be determined by the Secretary of the Interior to be necessary for the proper prospecting for or development, extraction, treatment, and removal of such mineral deposits.

"OIL AND GAS.

"SEC. 13. That the Secretary of the Interior is hereby authorized, under such necessary and proper rules and regulations as he may prescribe, to grant to any applicant qualified under this act a prospecting permit, which shall give the exclusive right, for a period not exceeding two years, to prospect for oil or gas upon not to exceed 2,560 acres of land wherein such deposits belong to the United States and are not within any known geological structure of a producing oil or gas field upon condition that the permittee shall begin drilling operations within six months from the date of the permit, and shall, within one year from and after the date of permit, drill one or more wells for oil or gas to a depth of not less than 500 feet each, unless valuable deposits of oil or gas shall be sooner discovered, and shall, within two years from date of the permit, drill for oil or gas to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered. The Secretary of the Interior may, if he shall find that the permittee has been unable with the exercise of diligence to test the land in the time granted by the permit, extend any such permit for such time, not exceeding two years, and upon such conditions as he shall prescribe. Whether the lands sought in any such application and permit are surveyed or unsurveyed the applicant shall, prior to filing his application for permit, locate such lands in a reasonably compact form and according to the legal subdivisions of the public land surveys if the land be surveyed; and in an approximately square or rectangular tract if the land be an unsurveyed tract, the length of which shall not exceed two and one-half times its width, and if he shall cause to be erected upon the land for which a permit is sought a monument not less than 4 feet high, at some conspicuous place thereon, and shall post a notice in writing on or near said monument, stating that an application for permit will be made within 30 days after date of posting said notice, the name of the applicant, the date of the notice, and such a general description of the land to be covered by such permit by reference to courses and distances from such monument and such other natural objects and permanent monuments as will reasonably identify the land, stating the amount thereof in acres, he shall during the period of 30 days following such marking and posting, be entitled to a preference right over others to a permit for the land so identified. The applicant shall, within 90 days after receiving a permit, mark each of the corners of the tract described in the permit upon the ground with substantial monuments, so that the boundaries can be readily traced on the ground, and shall post in a conspicuous

place upon the lands a notice that such permit has been granted and a description of the lands covered thereby: *Provided*, That in the Territory of Alaska prospecting permits not more than five in number may be granted to any qualified applicant for periods not exceeding four years, actual drilling operations shall begin within two years from date of permit, and oil and gas wells shall be drilled to a depth of not less than 500 feet, unless valuable deposits of oil or gas shall be sooner discovered, within three years from date of the permit and to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered, within four years from date of permit: *Provided further*, That in said Territory the applicant shall have a preference right over others to a permit for land identified by temporary monuments and notice posted on or near the same for six months following such marking and posting, and upon receiving a permit he shall mark the corners of the tract described in the permit upon the ground with substantial monuments within one year after receiving such permit.

"SEC. 14. That upon establishing to the satisfaction of the Secretary of the Interior that valuable deposits of oil or gas have been discovered within the limits of the land embraced in any permit, the permittee shall be entitled to a lease for one-fourth of the land embraced in the prospecting permit: *Provided*, That the permittee shall be granted a lease for as much as 160 acres of said lands, if there be that number of acres within the permit. The area, to be selected by the permittee, shall be in compact form and, if surveyed, to be described by the legal subdivisions of the public-land surveys, if unsurveyed, to be surveyed by the Government at the expense of the applicant for lease in accordance with rules and regulations to be prescribed by the Secretary of the Interior and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such surveys; deposits made to cover expense of surveys shall be deemed appropriated for that purpose, and any excess deposits may be repaid to the person or persons making such deposit or their legal representatives. Such leases shall be for a term of 20 years upon a royalty of 5 per cent in amount or value of the production and the annual payment in advance of a rental of $1 per acre, the rental paid for any one year to be credited against the royalties as they accrue for that year, with the right of renewal as prescribed in section 17 hereof. The permittee shall also be entitled to a preference right to a lease for the remainder of the land in his prospecting permit at a royalty of not less than 12½ per cent in amount or value of the production, and under such other conditions as are fixed for oil or gas leases in this act, the royalty to be determined by competitive bidding or fixed by such other method as the Secretary may by regulations prescribe: *Provided*, That the Secretary shall have the right to reject any or all bids.

"SEC. 15. That until the permittee shall apply for lease to the one-quarter of the permit area heretofore provided for he shall pay to the United States 20 per cent of the gross value of all oil or gas secured by him from the lands embraced within his permit and sold or otherwise disposed of or held by him for sale or other disposition.

"SEC. 16. That all permits and leases of lands containing oil or gas, made or issued under the provisions of this act, shall be subject to the condition that no wells shall be drilled within 200 feet of any of the outer boundaries of the lands so permitted or leased, unless the adjoining lands have been patented or the title thereto otherwise vested in private owners, and to the further condition that the permittee or lessee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil or gas developed in the land, or the entrance of water through wells driven by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits. Violations of the provisions of this section shall constitute grounds for the forfeiture of the permit or lease, to be enforced through appropriate proceedings in courts of competent jurisdiction.

"SEC. 17. That all unappropriated deposits of oil or gas situated within the known geologic structure of a producing oil or gas field and the unentered lands containing the same, not subject to prefereatial lease, may be leased by the Secretary of the Interior to the highest responsible bidder by competitive bidding under general regulations to qualified applicants in areas not exceeding 640 acres and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned upon the payment by the lessee of such bonus as may be accepted and of such royalty as may be fixed in the lease, which shall not be less than 12½ per cent in amount or value of the production, and the payment in advance of a rental of not less than $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year. Leases shall be for a period of 20 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods. Whenever the average daily production of any oil well shall not exceed 10 barrels per day, the Secretary of the Interior is authorized to reduce the royalty on future production when in his judgment the wells can not be successfully operated upon the royalty fixed in the lease. The provisions of this paragraph shall apply to all oil and gas leases made under this act.

"SEC. 18. That upon relinquishment to the United States, filed in the General Land Office within six months after the approval of this act, of all right, title, and interest claimed and possessed prior to July 3, 1910, and continuously since by the claimant or his predecessor in interest under the preexisting placer mining law to any oil or gas bearing land upon which there has been drilled one or more oil or gas wells to discovery embraced in the Executive order of withdrawal issued September 27, 1909, and not within any naval petroleum reserve, and upon payment as royalty to the United States of an amount equal to the value at the time of production of one-eighth of all the oil or gas already produced except oil or gas used for production purposes on the claim, or unavoidably lost, from such land, the claimant, or his successor, if in possession of such land, undisputed by any other claimant prior to July 1, 1919, shall be entitled to a lease thereon from the United States for a period of 20 years, at a royalty of not less than 12½ per cent of all the oil or gas produced except oil or gas used for production purposes on the claim, or unavoidably lost: *Provided*, That not more than one-half of the area, but in no case to exceed 3,200 acres, within the geologic oil or gas structure of a producing oil or gas field shall be leased to any one claimant under the provision of this section when the area of such geologic oil structure exceeds 640 acres. Any claimant or his successor, subject to this limitation, shall, however, have the right to select and receive the lease as in this section provided for that portion of his claim or claims equal to, but not in excess of, said one-half of the area of such geologic oil structure, but not more than 3,200 acres.

"All such leases shall be made and the amount of royalty to be paid for oil and gas produced, except oil or gas used for production purposes on the claim, or unavoidably lost, after the execution of such lease shall be fixed by the Secretary of the Interior under appropriate rules and regulations: *Provided, however*, That as to all like claims situate within any naval petroleum reserve the producing wells thereon only shall be leased, together with an area of land sufficient for the operation thereof, upon the terms and payment of royalties for past and future production as herein provided for in the leasing of claims. No wells shall be drilled in the land subject to this provision within 660 feet of any such leased well without the consent of the lessee: *Provided, however*, That the President may, in his discretion, lease the remainder or any part of any such claim upon which such wells have been drilled, and in the event of such leasing said claimant or his successor shall have a preference right to such lease: *And provided further*, That he may permit the drilling of additional wells by the claimant or his successor within the limited area of 660 feet theretofore provided for upon such terms and conditions as he may prescribe.

"No claimant for a lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud, or who has not acted honestly and in good faith, shall be entitled to any of the benefits of this section.

"Upon the delivery and acceptance of the lease, as in this section provided, all suits brought by the Government affecting such lands may be settled and adjusted in accordance herewith and all moneys impounded in such suits or under the act entitled 'An act to amend an act entitled "An act to protect the locators in good faith of oil and gas lands who shall have effected an actual discovery of oil or gas on the public lands of the United States, or their successors in interest," approved March 2, 1911,' approved August 25, 1914 (38 Stat. L., p. 708), shall be paid over to the parties entitled thereto. In case of conflicting claimants for leases under this section, the Secretary of the Interior is authorized to grant leases to one or more of them as shall be deemed just. All leases hereunder shall inure to the benefit of the claimant and all persons claiming through or under him by lease, contract, or otherwise, as their interests may appear, subject, however, to the same limitation as to area and acreage as is provided for claimant in this section: *Pro-*

vided, That no claimant acquiring any interest in such lands since September 1, 1919, from a claimant on or since said date claiming or holding more than the maximum allowed claimant under this section shall secure a lease thereon or any interest therein, but the inhibition of this proviso shall not apply to an exchange of any interest in such lands made prior to the 1st day of January, 1920, which did not increase or reduce the area or acreage held or claimed in excess of said maximum by either party to the exchange: *Provided further*, That no lease or leases under this section shall be granted, nor shall any interest therein, inure to any person, association, or corporation for a greater aggregate area or acreage than the maximum in this section provided for.

"SEC. 18a. That whenever the validity of any gas or petroleum placer claim under preexisting law to land embraced in the Executive order of withdrawal issued September 27, 1909, has been or may hereafter be drawn in question on behalf of the United States in any departmental or judicial proceedings, the President is hereby authorized at any time within 12 months after the approval of this act to direct the compromise and settlement of any such controversy upon such terms and conditions as may be agreed upon, to be carried out by an exchange or division of land or division of the proceeds of operation.

"SEC. 19. That any person who on October 1, 1919, was a bona fide occupant or claimant of oil or gas lands under a claim initiated while such lands were not withdrawn from oil or gas location and entry, and who had previously performed all acts under then existing laws necessary to valid locations thereof except to make discovery, and upon which discovery had not been made prior to the passage of this act, and who has performed work or expended on or for the benefit of such locations an amount equal in the aggregate of $250 for each location if application therefor shall be made within six months from the passage of this act shall be entitled to prospecting permits thereon upon the same terms and conditions, and limitations as to acreage, as other permits provided for in this act, or where any such person has heretofore made such discovery, he shall be entitled to a lease thereon under such terms as the Secretary of the Interior may prescribe unless otherwise provided for in section 18 hereof: *Provided*, That where such prospecting permit is granted upon land within any known geologic structure of a producing oil or gas field, the royalty to be fixed in any lease thereafter granted thereon or any portion thereof shall be not less than 12½ per cent of all the oil or gas produced except oil or gas used for production purposes on the claim, or unavoidably lost: *Provided, however*, That the provisions of this section shall not apply to lands reserved for the use of the Navy: *Provided, however*, That no claimant for a permit or lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud, or who has not acted honestly and in good faith, shall be entitled to any of the benefits of this section.

"All permits or leases hereunder shall inure to the benefit of the claimant and all persons claiming through or under him by lease, contract, or otherwise, as their interests may appear.

"SEC. 20. In the case of lands bona fide entered as agricultural, and not withdrawn or classified as mineral at the time of entry, but not including lands claimed under any railroad grant, the entryman or patentee, or assigns, where assignment was made prior to January 1, 1918, if the entry has been patented with the mineral right reserved, shall be entitled to a preference right to a permit and to a lease, as herein provided, in case of discovery; and within an area not greater than a township such entryman and patentees, or assigns holding restricted patents may combine their holdings, not to exceed 2,560 acres for the purpose of making joint application. Leases executed under this section and embracing only lands so entered shall provide for the payment of a royalty of not less than 12½ per cent as to such areas within the permit as may not be included within the discovery lease to which the permittee is entitled under section 14 hereof.

"OIL SHALE.

"SEC. 21. That the Secretary of the Interior is hereby authorized to lease to any person or corporation qualified under this act any deposits of oil shale belonging to the United States and the surface of so much of the public lands containing such deposits, or land adjacent thereto, as may be required for the extraction and reduction of the leased minerals, under such rules and regulations, not inconsistent with this act, as he may prescribe; that no lease hereunder shall exceed 5,120 acres of land, to be described by the legal subdivisions of the public-land surveys, or if unsurveyed, to be surveyed by the United States, at the expense of the applicant, in accordance with regulations to be prescribed by the Secretary of the Interior. Leases may be for indeterminate periods, upon such conditions as may be imposed by the Secretary of the Interior, including covenants relative to methods of mining, prevention of waste, and productive development. For the privilege of mining, extracting, and disposing of the oil or other minerals covered by a lease under this section the lessee shall pay to the United States such royalties as shall be specified in the lease and an annual rental, payable at the beginning of each year, at the rate of 50 cents per acre per annum, for the lands included in the lease, the rental paid for any one year to be credited against the royalties accruing for that year; such royalties to be subject to readjustment at the end of each 20-year period by the Secretary of the Interior: *Provided*, That for the purpose of encouraging the production of petroleum products from shales the Secretary may, in his discretion, waive the payment of any royalty and rental during the first five years of any lease: *Provided*, That any person having a valid claim to such minerals under existing laws on January 1, 1919, shall, upon the relinquishment of such claim, be entitled to a lease under the provisions of this section for such area of the land relinquished as shall not exceed the maximum area authorized by this section to be leased to an individual or corporation: *Provided, however*, That no claimant for a lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud, or who has not acted honestly and in good faith, shall be entitled to any of the benefits of this section: *Provided further*, That not more than one lease shall be granted under this section to any one person, association, or corporation.

"ALASKA OIL PROVISO.

"SEC. 22. That any bona fide occupant or claimant of oil or gas bearing lands in the Territory of Alaska, who, or whose predecessors in interest, prior to withdrawal had complied otherwise with the requirements of the mining laws, but had made no discovery of oil or gas in wells and who prior to withdrawal had made substantial improvements for the discovery of oil or gas on or for each location or had prior to the passage of this act expended not less than $250 in improvements on or for each location shall be entitled, upon relinquishment or surrender to the United States within one year from the date of this act, or within six months after final denial or withdrawal of application for patent, to a prospecting permit or permits, lease or leases, under this act covering such lands, not exceeding five permits or leases in number and not exceeding an aggregate of 1,280 acres in each: *Provided*, That leases in Alaska under this act whether as a result of prospecting permits or otherwise shall be upon such rental and royalties as shall be fixed by the Secretary of the Interior and specified in the lease, and be subject to readjustment at the end of each 20-year period of the lease: *Provided further*, That for the purpose of encouraging the production of petroleum products in Alaska the Secretary may, in his discretion, waive the payment of any rental or royalty not exceeding the first five years of any lease.

"No claimant for a lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud, or who has not acted honestly and in good faith, shall be entitled to any of the benefits of this section.

"SODIUM.

"SEC. 23. That the Secretary of the Interior is hereby authorized and directed, under such rules and regulations as he may prescribe, to grant to any qualified applicant a prospecting permit which shall give the exclusive right to prospect for chlorides, sulphates, carbonates, borates, silicates, or nitrates of sodium dissolved in and soluble in water, and accumulated by concentration, in lands belonging to the United States for a period of not exceeding two years: *Provided*, That the area to be included in such a permit shall be not exceeding 2,560 acres of land in reasonably compact form: *Provided further*, That the provisions of this section shall not apply to lands in San Bernardino County, Calif.

"SEC. 24. That upon showing to the satisfaction of the Secretary of the Interior that valuable deposits of one of the substances enumerated in section 23 hereof has been discovered by the permittee within the area covered by his permit and that such land is chiefly valuable therefor the permittee shall be entitled to a lease for one-half of the land embraced in the prospecting permit, at a royalty of not less than one-eighth of the amount or value of the production, to be taken and described by legal subdivisions of the public-land surveys, or if the land be not surveyed by survey executed at the cost of the permittee in accordance with rules and regulations to be prescribed by the Secretary of the Interior. The permittee shall also have the preference right to lease the remainder of the lands embraced within the limits of his permit at a royalty of not less than one-eighth of the amount or value of the production to be fixed by the Secretary of the Interior. Lands known to contain such valuable deposits as are enumerated in section 23 hereof and

not covered by permits or leases, except such lands as are situated in said county of San Bernardino, shall be held subject to lease, and may be leased by the Secretary of the Interior, through advertisement, competitive bidding, or such other methods as he may by general regulations adopt, and in such areas as he shall fix, not exceeding 2,560 acres; all leases to be conditioned upon the payment by the lessee of such royalty of not less than one-eighth of the amount or value of the production as may be fixed in the lease, and the payment in advance of a rental of 50 cents per acre for the first calendar year or fraction thereof and $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited on the royalty for that year. Leases may be for indeterminate periods, subject to readjustment at the end of each 20-year period, upon such conditions not inconsistent herewith as may be incorporated in each lease or prescribed in general regulation theretofore issued by the Secretary of the Interior, including covenants relative to mining methods, waste, period of preliminary development, and minimum production, and a lessee under this section may be lessee of the remaining lands in his permit.

"SEC. 25. That in addition to areas of such mineral land which may be included in any such prospecting permits or leases, the Secretary of the Interior, in his discretion, may grant to a permittee or lessee of lands containing sodium deposits, and subject to the payment of an annual rental of not less than 25 cents per acre, the exclusive right to use, during the life of the permit or lease, a tract of unoccupied nonmineral public land, not exceeding 40 acres in area, for camp sites, refining works, and other purposes connected with and necessary to the proper developments and use of the deposits covered by the permit or lease.

"GENERAL PROVISIONS APPLICABLE TO COAL, PHOSPHATE, SODIUM, OIL, OIL SHALE, AND GAS LEASES.

"SEC. 26. That the Secretary of the Interior shall reserve and may exercise the authority to cancel any prospecting permit upon failure by the permittee to exercise due diligence in the prosecution of the prospecting work in accordance with the terms and conditions stated in the permit, and shall insert in every such permit issued under the provisions of this act appropriate provisions for its cancellation by him.

"SEC. 27. That no person, association, or corporation, except as herein provided, shall take or hold more than one coal, phosphate, or sodium lease during the life of such lease in any one State; no person, association, or corporation shall take or hold, at one time, more than three oil or gas leases granted hereunder in any one State, and not more than one lease within the geologic structure of the same producing oil or gas field; no corporation shall hold any interest as a stockholder of another corporation in more than such number of leases; and no person or corporation shall take or hold any interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof, which, together with the area embraced in any direct holding of a lease under this act, or which, together with any other interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof, for any kind of mineral leased hereunder, exceeds in the aggregate an amount equivalent to the maximum number of acres of the respective kinds of minerals allowed to any one lessee under this act. Any interests held in violation of this act shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States district court for the district in which the property, or some part thereof, is located, except that any ownership or interest forbidden in this act which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition: *Provided*, That nothing herein contained shall be construed to limit sections 18, 18a, 19, and 22 or to prevent any number of lessees under the provisions of this act from combining their several interests so far as may be necessary for the purposes of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipe line or lines of railroads to be operated and used by them jointly in the transportation of oil from their several wells, or from the wells of other lessees under this act, or the transportation of coal: *Provided further*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same: *And provided further*, That if any of the lands or deposits leased under the provisions of this act shall be subleased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form part of, or are in any wise controlled by any combination in the form of an unlawful trust, with consent of lessee, or form the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, phosphate, oil, oil shale, gas, or sodium entered into by the lessee, or any agreement or understanding, written, verbal, or otherwise to which such lessee shall be a party, of which his or its output is to be or become the subject, to control the price or prices thereof or of any holding of such lands by any individual, partnership, association, corporation, or control, in excess of the amounts of lands provided in this act, the lease thereof shall be forfeited by appropriate court proceedings.

"SEC. 28. That rights of way through the public lands, including the forest reserves, of the United States are hereby granted for pipe-line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications provided in section 1 of this act, to the extent of the ground occupied by the said pipe line and 25 feet on each side of the same under such regulations as to survey, location, application, and use as may be prescribed by the Secretary of the Interior, and upon the express condition that such pipe lines shall be constructed, operated, and maintained as common carriers: *Provided*, That the Government shall in express terms reserve and shall provide in every lease of oil lands hereunder that the lessee, assignee, or beneficiary, if owner, or operator or owner of a controlling interest in any pipe line or of any company operating the same which may be operated accessible to the oil derived from lands under such lease, shall at reasonable rates and without discrimination accept and convey the oil of the Government or of any citizen or company, not the owner of any pipe line, operating a lease or purchasing gas or oil under the provisions of this act: *Provided further*, That no right of way shall hereafter be granted over said lands for the transportation of oil or natural gas except under and subject to the provisions, limitations, and conditions of this section. Failure to comply with the provisions of this section or the regulations prescribed by the Secretary of the Interior shall be ground for forfeiture of the grant by the United States district court for the district in which the property, or some part thereof, is located in an appropriate proceeding.

"SEC. 29. That any permit, lease, occupation, or use permitted under this act shall reserve to the Secretary of the Interior the right to permit upon such terms as he may determine to be just, for joint or several use, such easements or rights of way, including easements in tunnels upon, through, or in the lands leased, occupied, or used as may be necessary or appropriate to the working of the same, or of other lands containing the deposits described in this act, and the treatment and shipment of the products thereof by or under authority of the Government, its lessees or permittees, and for other public purposes: *Provided*, That said Secretary, in his discretion, in making any lease under this act, may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for the use of the lessee in extracting and removing the deposits therein: *Provided further*, That if such reservation is made it shall be so determined before the offering of such lease: *And provided further*, That the said Secretary, during the life of the lease, is authorized to issue such permits for easements herein provided to be reserved.

"SEC. 30. That no lease issued under the authority of this act shall be assigned or sublet, except with the consent of the Secretary of the Interior. The lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease, and upon acceptance thereof be thereby relieved of all future obligations under said lease, and may with like consent surrender any legal subdivision of the area included within the lease. Each lease shall contain provisions for the purpose of insuring the exercise of reasonable diligence, skill, and care in the operation of said property; a provision that such rules for the safety and welfare of the miners and for the prevention of undue waste as may be prescribed by said Secretary shall be observed, including a restriction of the workday to not exceeding eight hours in any one day for underground workers except in cases of emergency; provisions prohibiting the employment of any boy under the age of 16 or the employment of any girl or woman, without regard to age, in any mine below the surface; provisions securing the workmen complete freedom of purchase; provision requiring the payment of wages at least twice a month in lawful money of the United States, and providing proper rules and regulations to insure the fair and just weighing or measurement of the coal mined by each miner, and such other provisions as he may deem necessary to insure the sale

of the production of such leased lands to the United States and to the public at reasonable prices, for the protection of the interests of the United States, for the prevention of monopoly, and for the safeguarding of the public welfare: *Provided*, That none of such provisions shall be in conflict with the laws of the State in which the leased property is situated.

"SEC. 31. That any lease issued under the provisions of this act may be forfeited and canceled by an appropriate proceeding in the United States district court for the district in which the property, or some part thereof, is located whenever the lessee fails to comply with any of the provisions of this act, of the lease, or of the general regulations promulgated under this act and in force at the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes or for remedies for breach of specified conditions thereof.

"SEC. 32. That the Secretary of the Interior is authorized to prescribe necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act, also to fix and determine the boundary lines of any structure, or oil or gas field, for the purposes of this act: *Provided*, That nothing in this act shall be construed or held to affect the rights of the States or other local authority to exercise any rights which they may have, including the right to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee of the United States.

"SEC. 33. That all statements, representations, or reports required by the Secretary of the Interior under this act shall be upon oath, unless otherwise specified by him, and in such form and upon such blanks as the Secretary of the Interior may require.

"SEC. 34. That the provisions of this act shall also apply to all deposits of coal, phosphate, sodium, oil, oil shale, or gas in the lands of the United States, which lands may have been or may be disposed of under laws reserving to the United States such deposits, with the right to prospect for, mine, and remove the same, subject to such conditions as are or may hereafter be provided by such laws reserving such deposits.

"SEC. 35. That 10 per cent of all money received from sales, bonuses, royalties, and rentals under the provisions of this act, excepting those from Alaska, shall be paid into the Treasury of the United States and credited to miscellaneous receipts; for past production 70 per cent, and for future production 52½ per cent of the amounts derived from such bonuses, royalties, and rentals shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress, known as the reclamation act, approved June 17, 1902, and for past production 20 per cent, and for future production 37½ per cent of the amounts derived from such bonuses, royalties, and rentals shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State within the boundaries of which the leased lands or deposits are or were located, said moneys to be used by such State or subdivisions thereof for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State may direct: *Provided*, That all moneys which may accrue to the United States under the provisions of this act from lands within the naval petroleum reserves shall be deposited in the Treasury as 'Miscellaneous receipts.'

"SEC. 36. That all royalty accruing to the United States under any oil or gas lease or permit under this act on demand of the Secretary of the Interior shall be paid in oil or gas.

"Upon granting any oil or gas lease under this act, and from time to time thereafter during said lease, the Secretary of the Interior shall, except whenever in his judgment it is desirable to retain the same for the use of the United States, offer for sale for such period as he may determine, upon notice and advertisement on sealed bids or at public auction, all royalty oil and gas accruing or reserved to the United States under such lease. Such advertisement and sale shall reserve to the Secretary of the Interior the right to reject all bids whenever within his judgment the interest of the United States demands; and in cases where no satisfactory bid is received or where the accepted bidder fails to complete the purchase, or where the Secretary of the Interior shall determine that it is unwise in the public interest to accept the offer of the highest bidder, the Secretary of the Interior, within his discretion, may readvertise such royalty for sale, or sell at private sale at not less than the market price for such period, or accept the value thereof from the lessee: *Provided, however*, That pending the making of a permanent contract for the sale of any royalty, oil or gas as herein provided, the Secretary of the Interior may sell the current product at private sale, at not less than the market price: *And provided further*, That any royalty, oil, or gas may be sold at not less than the market price at private sale to any department or agency of the United States.

"SEC. 37. That the deposits of coal, phosphate, sodium, oil, oil shale, and gas, herein referred to, in lands valuable for such minerals, including lands and deposits described in the joint resolution entitled 'Joint resolution authorizing the Secretary of the Interior to permit the continuation of coal mining operations on certain lands in Wyoming,' approved August 1, 1912 (37 Stat. L., p. 1346), shall be subject to disposition only in the form and manner provided in this act, except as to valid claims existent at date of the passage of this act and thereafter maintained in compliance with the laws under which initiated, which claims may be perfected under such laws, including discovery.

"SEC. 38. That, until otherwise provided, the Secretary of the Interior shall be authorized to prescribe fees and commissions to be paid registers and receivers of United States land offices on account of business transacted under the provisions of this act."

And the House agree to the same.

REED SMOOT,
I. L. LENROOT,
H. L. MYERS,
KEY PITTMAN,
Managers on the part of the Senate.

N. J. SINNOTT,
ADDISON T. SMITH,
J. A. ELSTON,
EDWARD T. TAYLOR,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

IMPROVEMENT OF ROUGE RIVER, MICH.

Mr. WARREN, from the Committee on Appropriations, to which was referred Senate resolution 279, submitted by Mr. SHERMAN on the 13th ultimo, directing the Committee on Appropriations to investigate and report to the Senate concerning the subject of the improvement of Rouge River, Mich., and the connection of Henry Ford therewith, asked to be discharged from its further consideration and that it be referred to the Committee on Commerce, which was agreed to.

WHITE RIVER BRIDGE, ARKANSAS.

Mr. KIRBY. Senate bill 3371, authorizing Gordon N. Peay, jr., his heirs and assigns, to construct, maintain, and operate a toll bridge and approaches thereto across the White River, was passed by the House with amendments. The Senate disagreed to the amendments and requested a conference, and it was granted. The conferees were appointed on the part of the Senate and have concluded that the House amendments should be agreed to. In order to avoid making a report to each House of Congress and obtaining action thereon, I move that the Senate recede from its disagreement to the amendments of the House and agree to the same.

The motion was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 3898) authorizing the Klamath Tribe of Indians to submit claims to the Court of Claims; to the Committee on Indian Affairs.

By Mr. McCUMBER:

A bill (S. 3899) to appropriate $5,000,000 for the purchase of seed grain and feed for live stock, to be supplied to farmers and stockmen in the drought-stricken areas of the United States, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture; to the Committee on Agriculture and Forestry.

By Mr. McNARY:

A bill (S. 3900) authorizing the adjustment of the boundaries of the Ochoco National Forest, in the State of Oregon, and for other purposes; to the Committee on Public Lands.

A bill (S. 3901) for the allotment of lands on the Klamath Indian Reservation, in the State of Oregon, among the members of the allied tribes occupying the said reservation and composed of the Klamath and Modoc Tribes and the Yahooskin Bands of Piute Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. OVERMAN:
A bill (S. 3902) granting a pension to Joseph R. Owens (with accompanying papers); to the Committee on Pensions.
By Mr. FRELINGHUYSEN:
A bill (S. 3903) to amend an act entitled "An act to provide revenue, and for other purposes," approved February 24, 1919; to the Committee on Finance.

PAY OF ARMY, NAVY, MARINE CORPS, ETC.

Mr. PAGE. Mr. President, I want to crave the indulgence of the Senate for about five minutes; I think not more. I wish to bring to the attention of the Senate certain bills with reference to the pay of the personnel of the Army and Navy. The status of those bills I will state very briefly.

In the House a bill was introduced by Mr. KELLEY of Michigan providing relief for a part of the enlisted personnel of the Navy. That bill went to the House and was passed by a practically unanimous vote. I think there were only 10 votes in opposition out of between 300 and 400 votes cast.

The bill came to the Senate and was referred to the Committee on Naval Affairs. About the same time a bill was brought up by the Senator from New York [Mr. WADSWORTH] in regard to the pay of the personnel not only of the enlisted men of the Navy but the entire personnel, commissioned and enlisted, of the Army, the Navy, the Marine Corps, the Coast and Geodetic Survey, and the Public Health Service. I believe that bill was unanimously reported to the Senate, and it passed, as I recall it, without any objection.

I believe if there is any bill before Congress to-day that demands early consideration it is a bill which pertains to the pay of the personnel of the boys who are doing our fighting for us. If Senators could be where I have been for the last two weeks and heard the appeal from the boys who are really suffering because of their needs for food and raiment, they would agree with me, I am sure, that something ought to be done and that something ought to be done now.

In view of this situation I ask the unanimous consent of the Senate to take up the bill (H. R. 11927) to increase the efficiency of the personnel of the Navy and Coast Guard through the temporary provision of bonuses or increased compensation. The bill comes before us from the Committee on Naval Affairs amended by striking out all after the enacting clause and inserting without the dotting of an "i" or the crossing of a "t" the Wadsworth bill. We believe there is no other way by which this legislation can be taken care of except in conference, and it is for that purpose that the Committee on Naval Affairs have thought it wise to request this action.

The VICE PRESIDENT. Is there objection to the request of the Senator from Vermont?

Mr. GRONNA. Reserving the right to object, I wish the Senator would state briefly the provisions of the bill. We have so many military and naval bills that it is difficult for one who is not a member of either of the committees to know what they are.

Mr. PAGE. The status of the bills which are before us now practically are the Navy bill introduced by Representative KELLEY of Michigan, and the Army bill introduced by the Senator from New York [Mr. WADSWORTH]. The Navy bill proposes to increase the pay of the personnel of the enlisted men of the Navy, not including a few of the apprentice seamen. It does not in any way touch the Army. It does not in any way touch the commissioned personnel of the Navy. It simply refers to a part of the enlisted men of the Navy.

The bill introduced by the Senator from New York provides for a general increase of the Army, the Navy, the Coast and Geodetic Survey, the Coast Guard, and the Public Health Service. I do not wish to be understood at this time as particularly advocating all those features of the Wadsworth bill which we have before us, but rather that we should take such action as will bring the matter into a conference committee, that we may there thrash out the differences and try to get some bill and get that bill at the earliest possible moment.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11927) to increase the efficiency of the personnel of the Navy and Coast Guard through the temporary provision of bonuses or increased compensation, which had been reported from the Committee on Naval Affairs with an amendment, to strike out all after the enacting clause and to insert:

That the base pay of all officers of the Army, Navy, Marine Corps, Coast Guard, and Public Health Service, contract surgeons, warrant officers, Army field clerks, and field clerks Quartermaster Corps be, and the same is hereby, increased 10 per cent per annum; and the pay of all enlisted men and of members of the female Nurse Corps of the Army and Navy is hereby increased 20 per cent: *Provided*, That such increase shall not apply to enlisted men whose initial pay, if it has already been permanently increased since April 6, 1917, is now less than $33 per month.

SEC. 2. That the provisions of the act of May 11, 1908, the act of May 13, 1908, the act of May 12, 1902, and the act of August 14, 1912, as respectively specifically limit to $5,000, $4,500, and $4,000, the pay of colonel, lieutenant colonel, and major in the Army and Marine Corps; and captain, commander, and lieutenant commander in the Navy; and captain commandant, senior captain, and captain in the Coast Guard; and assistant surgeon general, senior surgeon, and surgeon in the Public Health Service are hereby repealed: *Provided*, That the base pay of all chief petty officers while holding active appointment shall be $99 per month, and those holding permanent appointment shall be $126 per month: *Provided further*, That commissioned officers, warrant officers, and petty officers and other enlisted men of the Coast Guard shall receive the same pay and allowances and bonuses as are now, or may hereafter be, prescribed for corresponding grades or ratings and length of service in the Navy, and the grades and ratings of warrant officers, chief petty officers, petty officers, and other enlisted persons in the Coast Guard shall be the same as in the Navy, in so far as the duties of the Coast Guard may require, with the continuance, in the Coast Guard, of the grade of surfman, whose base pay shall be $70 per month: *And provided further*, That the senior district superintendent, the three district superintendents next in order of seniority, the four district superintendents next below these three in order of seniority, and the junior five district superintendents shall have the rank, pay, and allowances of captain, first lieutenant, second lieutenant, and third lieutenant in the Coast Guard, respectively.

SEC. 3. That all officers, contract surgeons serving full time, warrant officers, Army field clerks, and field clerks Quartermaster Corps, and members of the female Nurse Corps of the Army and Navy, shall, at all times be entitled to the number of rations per diem, or commutation thereof, that equal the number of rooms now authorized by law or existing regulations as quarters for the rank or rating of such officers, or other persons above specified. All noncommissioned officers of the Army and Marine Corps of grade of color sergeant and above as fixed by existing Army Regulations, and all chief petty officers of the Navy and Coast Guard shall be entitled to one ration or commutation therefor in addition to that to which they are now entitled; and the Secretary of War, the Secretary of the Navy, and the Secretary of the Treasury may, by regulations, authorize the issuance of a further additional ration or payment of commutation therefor to such noncommissioned officers and chief petty officers above mentioned, of the forces under their respective departments, as they may deem proper. The commutation value shall be determined by the President on July 1 of each fiscal year, and for the current fiscal year the value shall be computed on the basis of 55 cents per ration.

SEC. 4. That the compensation of all officers and enlisted men on the retired list shall hereafter be computed on the pay established by this act, and on all allowances provided for officers and enlisted men of corresponding rank and rating on the active list: *Provided*, That nothing herein contained shall operate to reduce the pay or allowance of any officer or enlisted man now on the active or retired list.

SEC. 5. That in lieu of compensation now prescribed by law, commissioned officers of the Coast and Geodetic Survey shall receive the same pay and allowances as are now or may hereafter be prescribed for officers of the Navy with whom they hold relative rank as prescribed in the act of May 22, 1917, entitled "An act to temporarily increase the commissioned and warrant and enlisted strength of the Navy and Marine Corps, and for other purposes," including longevity, which shall be based on the total service in the Coast and Geodetic Survey, Army, and Navy; and all laws relating to the retirement of commissioned officers of the Navy shall hereafter apply to commissioned officers of the Coast and Geodetic Survey.

SEC. 6. That hereafter when any officer, enlisted man, or other person named in this act is ordered to make a permanent change of station, the United States shall furnish transportation in kind from funds appropriated for the transportation of the Army, the Navy, the Coast Guard, and the Public Health Service to his new station for the wife, children, and dependent parents of such officer, enlisted man, or other person: *Provided*, That if the cost of such transportation exceeds that for transportation from the old to the new station the excess cost shall be paid to the United States by the officer, enlisted man, or other person concerned.

SEC. 7. That the rights and benefits prescribed under the act of April 16, 1918, granting commutation of quarters, heat, and light during the present emergency to officers of the Army on duty in the field are hereby continued and made effective after the termination of the present emergency, and shall hereafter apply equally to officers of the Navy, Marine Corps, Coast Guard, and Public Health Service: *Provided*, That such rights and benefits as are prescribed for officers will apply equally for enlisted men now entitled by regulations to quarters or to commutation therefor.

SEC. 8. That there is hereby appropriated out of any money in the Treasury not otherwise appropriated such sums as may be necessary to carry out the provisions of this act during the current fiscal year under the several appropriations respectively chargeable.

Mr. PAGE. The substitute is the same as the bill which passed the Senate the other day.

Mr. KING. Mr. President, I should like to ask the Senator from Vermont upon what theory the officials of the Public Health Service are placed in the same category as officers of the Army and Navy, and why we should increase their compensation 30 per cent? If we increase their compensation 30 per cent, I see no reason why all other officials of the Government should not be similarly treated.

Mr. PAGE. Because the Army, the Navy, the Marine Corps, the Coast and Geodetic Survey, and the Public Health Service are all regarded as a part of the Army or Navy, and whether their pay should be increased or not is a matter which, with the aid of the Senator from Utah, who is a member of the Committee on Naval Affairs, we hope to pass upon in a deliberate way and reach some conclusion, not necessarily to give any of these additional pay but rather to get the matter into con-

ference, in the only way we can get it there fully, and that is by substituting the Army pay bill for the bill which passed the House.

Mr. KING. The explanation just submitted by my distinguished friend fails to convince me of the wisdom or propriety of retaining the provision giving Public Health Service officers the same increase that is given to the officers of the Army. Assurances were given by the Senator from New York, as I recall, when his bill was before us, that the compensation of the officers of the Army and Navy is substantially the same now as that fixed many years ago. It was stated that many officers of the Army and Navy were resigning because of the inadequate pay which they were receiving, and that it was imperative that something be done in order to retain sufficient officers for the Army and the Navy.

Responding to arguments and requests of the Committee on Military Affairs, a bill was passed a few days ago which is practically the same as the one just reported by the Naval Committee. Let me say in passing that I voted against the bill, because I felt that it was unwise to grant so large an increase in the compensation of the beneficiaries named in the bill. I did not approve of an increase of 30 per cent in the compensation of officers, and believe that our action in passing the bill was a mistake. I know of no reason why the Public Health Service should be singled out from the hundreds of thousands of civilian employees of the Government for an increase of this magnitude.

I understand there are between 3,000 and 4,000 doctors in the Public Health Service; there may be more. I know the ambitions of that organization are unbounded, and there are being brought into the service as many employees as Congress will make appropriations for; and I am informed that the personnel has been increased without authority of law and appeals made to Congress to cover the expenditures involved in general deficiency appropriation bills.

Conceding for the moment that it was proper to increase the pay and allowances of the officers of the Army and Navy, there is no reason that I can see why the compensation of the employees in the Public Health Service should be increased. Their compensation was not fixed upon the same basis. The Public Health Service organization is the creature of recent years, and its swollen proportions, as we now behold them, have been attained within a few years. As I understand, many employees in the Public Health Service are paid out of lump-sum appropriations and not by statute. I think it is indefensible to give to the officials of that organization the same increase that it is proposed to give to the officers of the Army and Navy, whose compensation was fixed many years ago, and upon a basis very different from that employed in determining the compensation allowed officers in the Health Service.

Mr. NELSON. Will the Senator yield?

Mr. KING. I yield to the Senator.

Mr. NELSON. We passed the other day what is called the Wadsworth bill. That increased the pay of the officers in the Army, the Navy, the Coast Guard, and the Public Health Service, and it increased the pay of the enlisted men in the Army but made no provision for the enlisted men in the Navy. It is the purpose of this legislation, as I understand the Senator from Vermont, to give an opening for an increase to the enlisted men of the Navy as well as the enlisted men of the Army. Am I not correct?

Mr. PAGE. I think the Senator is not correct.

Mr. NELSON. Is not that the whole purpose of this bill?

Mr. PAGE. I think the Senator is not correct, for the Navy bill does not take into account the apprentice seamen. For reasons which were explained the other day in the Senate when the bill of the Senator from New York was under discussion, that has not been taken into account.

Mr. NELSON. But it takes in seamen in general?

Mr. PAGE. Yes, sir.

Mr. NELSON. All the enlisted seamen are taken in, except the apprentice seamen?

Mr. PAGE. Yes, sir.

Mr. NELSON. And it is the purpose to give them the same pay as the enlisted men of the Army?

Mr. PAGE. Yes, sir.

Mr. NELSON. That is my understanding.

Mr. KING. The Senator from Minnesota does not appreciate the objection and criticism which I was urging against this bill.

Mr. NELSON. I want to say to the Senator from Utah that we have already passed the bill increasing the pay of all of these officers. That bill was called the Wadsworth bill.

Mr. KING. I appreciate that fact.

Mr. NELSON. The pending bill is only for the purpose of correcting a defect in the Wadsworth bill. That bill not only provided an increase of compensation for all of the officers, but also provided an increase of compensation for enlisted men in the Army. However, it made no provision for the enlisted personnel of the Navy. The whole purpose of this bill is to provide for the enlisted men of the Navy as we provided for the enlisted men of the Army. The bill covers all but apprentice seamen; it does not propose any change whatever of the Wadsworth bill as to the officers of the Army or Navy, the Coast Guard, or the Public Health Service.

Mr. KING. Mr. President, I am afraid that the criticism which I am making is not fully understood by Senators. I am inquiring of the Senator from Vermont what reason there is for including in the Wadsworth bill and in this bill provisions for increased compensation for the employees of the Public Health Service?

I have insisted that the reasons which might justify an increase in the pay and allowances of officers of the Army and the Navy would not justify an increase in the compensation of employees of the Public Health Service; that one of the arguments urged for an increase in the salaries of the officers was that they were fixed many years ago, and, with but few exceptions, there had been no increase; that many of the officers now, because of the high cost of living and the inadequate compensation which they are paid, were resigning, so that the service of the Government in the Navy and in the Army was suffering materially.

I believe there should be some increase in the salaries of the officers of the Army and the Navy; but I do not believe that it should be a 31 per cent increase. I think the Wadsworth bill was wrong in making such an increase. I voted against it, as I shall vote against this bill now. But I am inquiring of the Senator from Vermont why it is necessary to duplicate the wrong which was committed in the Wadsworth bill by inserting in the pending bill a provision to give to the Public Health Service this tremendous increase.

I have stated that no reasons have been submitted warranting this course, and the dissimilarity in the service is so great, and the conditions under which the Army and Navy service developed are so variant from those which produced the Public Health Service, that it is absurd to claim any relationship or any such integration as to require similar treatment in the matter of fixing salaries and compensation.

Mr. PAGE. Mr. President, I desire to ask the Senator from Utah a question. Can he see any better way to reach a proper adjustment of all these matters than to pass these two bills into conference, where, better than anywhere else, we may take up each individual item which the Senator has suggested and decide as to what should be done in order to make a perfect bill? We all understand that, so far as the other House is concerned, they probably will not consent to the passage of some of the items referred to by the Senator from Utah, but when the matter gets into conference we shall then have an opportunity to pass upon those items as best we may. The bill will then come back into the Senate, where the opportunity to amend may be had by the Senator as well as now.

Mr. KING. Mr. President, I think the Senator from Vermont is in error in stating that when the bill comes back from the conference to the Senate that opportunity will then be given us to amend as now. We know that there is not one chance in a hundred after the conferees have agreed upon a measure and it is brought back to this body to secure a rejection of the conference report. Separate items can not be attacked. We take the bill and the report in their entirety. We must accept or reject. We do not amend.

Mr. PAGE. If I may interrupt the Senator there, is it not true that this matter has been thrashed out and that when the Wadsworth bill was finally passed there was no objection heard, so far as I remember? The Senator from Utah may have made an objection, but if he made an objection I rather think that was the only objection which was then made. The matter has been thrashed out by the whole Senate and by practically unanimous vote the Wadsworth bill was passed. All we now seek to do is to bring the Wadsworth bill into conference so the Senate and the House may get together and do what they believe is just and right. I think we ought to take it there now, because in no other way are we going to get as good a bill as we shall get from a conference.

Mr. KING. Will the Senator permit me to interrupt him?

Mr. PAGE. Certainly.

Mr. KING. Who will be the conferees on the bill representing the Senate? Will they be selected from the Naval Committee or from the Committee on Military Affairs? Which bill will be in conference? Will the bill that is now before us be the one which will be in conference or will it be the so-called Wadsworth bill?

Mr PAGE. The bill before us will ultimately be the bill in conference. The Senator asks me who will be the conferees on the bill on the part of the Senate. I suppose the conferees will be appointed by the Vice President.

Mr. KING. The Senator knows—at least, I fancy he knows—whether they will be named from the Military Affairs Committee or from the Naval Affairs Committee.

Mr. PAGE. If I could have my views about the matter adopted, I would have the chairman of the Committee on Military Affairs, the Senator from New York [Mr. WADSWORTH], and the Senator from Oregon [Mr. CHAMBERLAIN] appointed as conferees on the part of the Military Affairs Committee, and three Senators appointed from the Naval Affairs Committee. I have not conversed with members of the Committee on Naval Affairs of the Senate about that, but I shall do so. However, the conference committee will be a good committee, I will say to the Senator from Utah; I have no doubt about that.

Mr. KING. Whoever are appointed from the Senate, of course, they will be a satisfactory committee; I raise no question about that; but I was wondering which committee would take charge of the matter—the Military Affairs Committee or the Naval Affairs Committee.

Mr. PAGE. I have only expressed my opinion that if I were to decide about the matter I should, because of the fact that it is a composite measure, have a committee of conference made up of members of both the Military Affairs Committee and the Naval Affairs Committee.

Mr. KING. Mr. President, the opinion of the Senator from Vermont [Mr. PAGE] is entitled to great weight, but I am not converted by the argument which he has made. I think it is improper to include the Public Health Service officials in this bill, which is essentially one dealing with the Army and the Navy and with salaries fixed many years ago. The reason for increasing the compensation of the officials of that service does not rest upon the same basis as the reason for increasing the compensation of the officials of the Army or the Navy. I think we ought to amend this bill by striking this provision out. If it goes to conference, the conferees having the whole subject before them, if they deemed it proper, could reinsert the provision.

Mr. PAGE. But having come before the Senate and received practically a unanimous vote of the Senate, is it not better now to let it go to conference and take the chance of getting a good bill out of conference than to amend it here at this time?

Mr. HARRISON. Will the Senator from Utah yield to me?

Mr. KING. I yield.

Mr. HARRISON. Do I understand, if unanimous consent is granted, that the Senator from Vermont is objecting to the consideration of any amendments that may be proposed?

Mr. PAGE. I beg pardon; I did not catch the Senator's question.

Mr. HARRISON. If unanimous consent is granted to substitute the Wadsworth bill for what is known as the Kelley bill, that came over from the other House, the Senate has got to consider any amendments that might be offered. Is not that true?

Mr. PAGE. No unanimous consent has been given to do anything except to take up the bill for consideration now.

Mr. HARRISON. Then the Senator from Utah could move to strike out the provision, could he not?

Mr. PAGE. I know of no reason why that could not be done.

Mr. HARRISON. I expect to offer an amendment to increase the pay of the nurses of the Army and the Navy, because I think the increase provided for them in the bill is unfair. It is only a 20 per cent increase and it should be more, in my opinion.

Mr. PAGE. Does the Senator from Mississippi see any way in which we can reach a better conclusion or reach it in a better way than to send the bill to conference, and then, when the bill comes back, bring up the matter to which he refers?

Mr. HARRISON. I think it is very wise to substitute the Wadsworth bill for the Kelley bill, but I also think the measure ought to be considered here again. I do not think it will take very long to consider it; but when it goes to conference and a conference report is agreed on, then we shall have to vote the conference up or vote it down, and there will be no opportunity for any amendment at that time.

Mr. PAGE. I do not desire to debate the matter any further. I have said all I care to say.

Mr. KING. Mr. President, I move to amend the amendment of the committee, on line 23, page 5, by striking out the words "and Public Health Service."

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Utah to the amendment reported by the committee.

The amendment to the amendment was rejected.

Mr. HARRISON. I offer an amendment to the amendment, which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The READING CLERK. On page 6, line 2, of the amendment proposed by the committee, it is proposed to strike out the words "and of members of the Female Nurse Corps" and insert, in line 1, page 6, after the word "annum," "the pay of members of the Female Nurse Corps of the Army and Navy is hereby increased 31 per cent."

Mr. HARRISON. Mr. President, I would have offered an amendment to increase the pay of the enlisted personnel from 20 per cent to 31 per cent and to strike out the proviso if it were not for the fact that when the Wadsworth bill was before the Senate for consideration the Senate passed upon that proposition on several roll calls and decided that they did not desire to increase the percentage. For that reason I have not offered an amendment carrying out my views on that proposition. I believe that the enlisted personnel should have an increase such as is provided for the officers in this bill, and I believe that the officers were entitled to the increase provided.

There was no consideration, when the Wadsworth bill was before the Senate, of an increase for the nurses in the Army and Navy. It has been shown that they are now getting about $60 a month. If they were engaged in private work they would be getting probably $5 a day, or at least $125 a month. It seems to me that the pay of the nurses of the Army and Navy is grossly inadequate, and that we should increase their pay more than is provided by the bill, which is 20 per cent. The amendment that I have offered touches only the proposed increase of pay for the nurses of the Army and the Navy. It puts the increase provided for them on a par with the increase provided for the officers of the Army and Navy, to wit, 31 per cent. It seems to me that it is just and fair that the nurses of the Army and the Navy, who are now being inadequately paid, who did not receive the large increase referred to by the proponents of this legislation, which was granted to the enlisted personnel some years ago, should be provided for in this bill. I hope that there will be no opposition to the amendment which I have proposed.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Mississippi.

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. In his absence I withhold my vote. If permitted to vote, I should vote "yea."

Mr. JONES of Washington (when his name was called). The Senator from Virginia [Mr. SWANSON] is necessarily absent, on account of the illness of his wife. I have promised to take care of him by pair during that time. Not knowing how he would vote, I do not feel at liberty to vote; but if I were at liberty I should vote "yea."

Mr. GRONNA (when Mr. LA FOLLETTE's name was called). I am requested to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent because of illness. I ask that this announcement stand for the day.

Mr. McKELLAR (when his name was called). I have a pair with the Senator from Missouri [Mr. SPENCER]. I transfer that pair to the Senator from Kentucky [Mr. STANLEY] and will vote. I vote "yea."

Mr. STERLING (when his name was called). I have a pair with the Senator from South Carolina [Mr. SMITH]. In his absence I withhold my vote.

Mr. WILLIAMS (when his name was called). Transferring my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the senior Senator from Alabama [Mr. BANKHEAD], I vote "nay."

The roll call was concluded.

Mr. UNDERWOOD (after having voted in the affirmative). I desire to transfer my standing pair with the junior Senator from Ohio [Mr. HARDING] to the Senator from Arizona [Mr. SMITH] and allow my vote to stand. I desire to announce that the Senator from Arizona is absent on account of business of the Senate.

Mr. JONES of Washington. I understand I can transfer my pair to my colleague [Mr. POINDEXTER]. I do so, and vote "yea."

Mr. PHIPPS. I have a pair with the junior Senator from South Carolina [Mr. DIAL]. In his absence I withhold my vote.

Mr. BALL. I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. In his absence I withhold my vote.

Mr. GLASS (after having voted in the negative). I transfer my pair with the Senator from Illinois [Mr. SHERMAN] to the

Senator from Tennessee [Mr. SHIELDS] and allow my vote to stand.

Mr. CURTIS. I wish to announce the absence of my colleague [Mr. CAPPER] on official business.

I wish also to announce the absence of the Senator from Iowa [Mr. KENYON], the Senator from New Jersey [Mr. EDGE], and the Senator from Louisiana [Mr. GAY] on business of the Senate.

I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from Michigan [Mr. NEWBERRY] with the Senator from Missouri [Mr. REED];

The Senator from Missouri [Mr. SPENCER] with the Senator from Tennessee [Mr. MCKELLAR]; and

The Senator from Rhode Island [Mr. COLT] with the Senator from Florida [Mr. TRAMMELL].

Mr. GERRY. The Senator from Virginia [Mr. SWANSON] and the Senator from Tennessee [Mr. SHIELDS] are detained from the Senate by illness in their families.

The senior Senator from South Carolina [Mr. SMITH], the junior Senator from South Carolina [Mr. DIAL], and the Senator from Florida [Mr. FLETCHER] are absent on account of illness.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Oklahoma [Mr. GORE], the Senator from Arkansas [Mr. ROBINSON], the Senator from Kentucky [Mr. STANLEY], and the Senator from Wyoming [Mr. KENDRICK] are detained on official business.

The result was announced—yeas 33, nays 23, as follows:

YEAS—33.

Ashurst	Harrison	Overman	Trammell
Calder	Henderson	Phelan	Underwood
Culberson	Hitchcock	Pittman	Walsh, Mass.
Cummins	Johnson, S. Dak.	Pomerene	Walsh, Mont.
Curtis	Jones, N. Mex.	Ransdell	Watson
Elkins	Jones, Wash.	Sheppard	Wolcott
France	Keyes	Simmons	
Gerry	McKellar	Sutherland	
Harris	Nugent	Townsend	

NAYS—23.

Beckham	Gronna	McCumber	Smith, Md.
Brandegee	Hale	Myers	Thomas
Chamberlain	Kellogg	Nelson	Wadsworth
Dillingham	King	New	Warren
Frelinghuysen	Lodge	Page	Williams
Glass	McCormick	Smith, Ga.	

NOT VOTING—40.

Ball	Gay	McLean	Robinson
Bankhead	Gore	McNary	Sherman
Borah	Harding	Moses	Shields
Capper	Johnson, Calif.	Newberry	Smith, Ariz.
Colt	Kendrick	Norris	Smith, S. C.
Dial	Kenyon	Owen	Smoot
Edge	Kirby	Penrose	Spencer
Fall	Knox	Phipps	Stanley
Fernald	La Follette	Poindexter	Sterling
Fletcher	Lenroot	Reed	Swanson

So Mr. HARRISON's amendment was agreed to.

The VICE PRESIDENT. Is there any further amendment to be proposed to the amendment? If not, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to increase the efficiency of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service."

Mr. PAGE. I move that the Senate request a conference with the House of Representatives on the bill and amendment, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. PAGE, Mr. WADSWORTH, Mr. POINDEXTER, Mr. CHAMBERLAIN, and Mr. SMITH of Maryland conferees on the part of the Senate.

CAR SHORTAGE.

The VICE PRESIDENT. Is there any further morning business?

Mr. GRONNA. I call up Senate resolution 302, which went over under the rule on day before yesterday.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a preceding day, which will be stated.

The Reading Clerk read Senate resolution 302, submitted by Mr. GRONNA on the 9th instant, as follows:

Resolved, That the Senate instruct the Committee on Agriculture and Forestry to investigate the alleged lack of supply and failure to supply an adequate number of stock cars and cars for transporting grain and other farm products during the period of Government operation of railroads and the charges of willful interference by certain officials of the Railroad Administration with the successful operation of the railroads by the Government and to report the findings to the Senate as soon as possible.

Mr. KING. Mr. President, when the Senator from North Dakota submitted that resolution, a couple of days ago, I objected to its consideration unless he would move to amend it by referring the resolution to the appropriate committee, namely, the Committee on Interstate Commerce. I stated then that I should vote for the resolution if it were appropriately referred. The Senator did not see fit to accept the suggestion or to have the resolution referred to the appropriate committee. I now move to strike out, on line 2, the words "Agriculture and Forestry" and to insert "Interstate Commerce."

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On line 2 of the resolution it is proposed to strike out "Agriculture and Forestry" and in lieu thereof to insert "Interstate Commerce," so that if amended it will read:

Resolved, That the Senate instruct the Committee on Interstate Commerce to investigate—

And so forth.

Mr. WILLIAMS. Mr. President, I wish to ask a question for information. This will involve some expense from the contingent fund of the Senate. Has the resolution been referred to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. GRONNA. I will say to the Senator that I do not think it will involve any additional expense; at least, it will involve only a very small expense.

Mr. WILLIAMS. Mr. President, the rules of the Senate provide for just two things that can not be done even by unanimous consent of the Senate, and one of those two things is expending a single dollar out of the contingent fund of the Senate in an investigation unless previously the Committee to Audit and Control the Contingent Expenses of the Senate has recommended the expenditure; so I suggest to the Senator that he amend his resolution so that it may go first to the Committee to Audit and Control the Contingent Expenses of the Senate, and then may go afterwards to whatever is the appropriate committee.

The reason for this rather queer rule is this: The House has a Committee on Accounts. The Senate has a Committee to Audit and Control the Contingent Expenses of the Senate. A law was passed which required that all expenditures from either the House fund or the Senate fund must be approved by the respective bodies; and that law can not be overcome even by a unanimous-consent agreement in the Senate or in the House.

Mr. GRONNA. Mr. President, I assure the Senator from Mississippi that I do not want to violate any law; but when I say that there will be very little expense, I mean, of course, that the only expense there can possibly be will be the printing of the hearings.

Mr. WILLIAMS. I beg to call the Senator's attention to the fact that even if it involved only the expenditure of 50 cents from the contingent fund of the Senate, according to the law there must be a hearing by the Committee to Audit and Control the Contingent Expenses of the Senate, and a favorable report.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. GRONNA. Certainly.

Mr. SMOOT. I want to call the attention of the Senator from Mississippi to the fact that the Committee on Agriculture and Forestry has already been authorized by the Senate to hold hearings during this session of Congress, and therefore there is no necessity for this resolution to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. WILLIAMS. Did the Committee to Audit and Control the Contingent Expenses of the Senate act upon this resolution?

Mr. SMOOT. No; but the resolution that they did act upon authorized the Committee on Agriculture and Forestry to hold hearings, and the expense of those hearings was provided for in the usual form.

Mr. WILLIAMS. Does any of it come out of the contingent fund?

Mr. SMOOT. It all comes out of the contingent fund. It is so authorized.

Mr. WILLIAMS. Then the rule is very plain.

Mr. SMOOT. I know the rule is very plain, and I know that no unanimous-consent agreement can pass a resolution that asks for money out of the contingent fund without its being referred to the Committee to Audit and Control the Contingent Expenses of the Senate. If the resolution to which I have referred had not been already referred to the Committee to

Audit and Control the Contingent Expenses of the Senate at this session of Congress, and that committee had not authorized the necessary expenditure for hearings before the Committee on Agriculture and Forestry during this session of Congress, then the Senator from Mississippi would be absolutely right.

Mr. WILLIAMS. But I asked the Senator a moment ago whether the resolution to which he called attention—the former resolution—had been referred to the committee——

The VICE PRESIDENT. May the Chair make an inquiry? What is the use of this resolution if the committee has already been authorized to hold these hearings?

Mr. WILLIAMS. I was not discussing that subject. The point I was trying to get at was this: I want to know whether this general resolution, under which the power was granted, has been referred to the Committee to Audit and Control the Contingent Expenses of the Senate and has been acted upon by them. If it has not been, evidently doing another wrong thing contrary to law can not excuse having already done a thing contrary to law.

Mr. SMOOT. The practice of the Senate has always been for each of the committees to introduce a resolution at the beginning of the session of Congress authorizing it to hold hearings during that session. There is a regular form for that purpose. Take the Committee on Finance. The Committee on Finance has had such a resolution passed.

We hold hearings during the whole session, upon any question that is referred to the committee, without coming back for an authorization for every hearing; and so it is with this committee. I think there is no necessity for this resolution, because I think the Committee on Agriculture and Forestry already has the authority to investigate this very thing.

Mr. WILLIAMS. Mr. President, the Senator, if I understand him, is right, and perhaps if I understand him better I am wrong; but while it has been the rule to come in and get the authorization of the Senate for this, that, or the other committee to hold hearings, and to pay for them out of the contingent fund of the Senate, it has also been the requirement of law that in every such case that authorization must be submitted to the Committee to Audit and Control the Contingent Expenses of the Senate. Take the Finance Committee, for example. I happen to know that a resolution for that committee was submitted to the Committee to Audit and Control the Contingent Expenses of the Senate, and was approved by that committee; and every other one of these resolutions must be approved by that committee in this body or by the Committee on Accounts in the House under a law which admits not even of a unanimous-consent agreement in either separate body setting it aside. Now, the question I wanted to ask the Senator was whether the resolution to which he refers did go to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. SMOOT. The original resolution, authorizing the Committee on Agriculture and Forestry to hold hearings during this session of Congress, went to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. GRONNA. And was approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SMOOT. And was passed by the Senate.

Mr. WILLIAMS. Then, Mr. President, if that be the fact—and of course if the Senator states it, I take it for granted that it is; I have not served upon that committee at this session—then, of course, minor resolutions involving the same general idea of investigation, and only directing their course, would be controlled by the original resolution.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Iowa?

Mr. GRONNA. Yes; I yield to the Senator.

Mr. CUMMINS. I understand that the Senator from Utah has presented an amendment the effect of which would be to send this resolution to the Committee on Interstate Commerce. Speaking for that committee, I desire to make a statement.

There is a car shortage in the United States, a very serious shortage in equipment of that character. The shortage has been long known, for it is of long standing. The Interstate Commerce Committee has investigated the subject many times; in fact, it has been in continuous investigation of the subject for more than two years, and it knows all that there is to be known with regard to the matter.

When the railways of the United States passed into the hands of the Government there was then inadequate car equipment, and at short intervals during the years before there was a car shortage, so that the commerce of the country could not be moved with promptitude and efficiency. It is pretty well known that in order to maintain the car equipment as it existed at the time the Government took possession, it was necessary to supply 100,000 cars each year, and that simply to maintain the existing facilities. Even that addition each year would not provide for the growing commerce of the country. During the two years of Federal control, for reasons which I need not particularize, the Government has not furnished the 100,000 cars each year necessary to maintain the then standard of equipment, and naturally and inevitably we are now suffering from even a greater car shortage than we were when the Government took possession.

These are facts which are perfectly well known and the details of which have been developed before the Interstate Commerce Commission many times, and with all due deference to the Senator from Utah [Mr. KING], I desire to say that nothing could be accomplished by referring the resolution to the Committee on Interstate Commerce.

Mr. OVERMAN. There is one line in the resolution about which I should like to ask a question to obtain information. I do not know whether the Senator from Iowa has read the resolution or not. It speaks of "charges of willful interference by certain officials of the Railroad Administration with the successful operation of the railroads by the Government." Have those charges ever been investigated by the Committee on Interstate Commerce?

Mr. CUMMINS. That subject, too, has been now and then exploited before the Interstate Commerce Committee, but, personally, I do not think that that is true. There may have been an employee here and there, a few employees, who have desired to discredit Government operation by infidelity or inefficiency, but I do not think that any such practice has been general or prevalent enough to be really worth while investigating.

However, I am not speaking against the passage of the resolution or its reference to the Committee on Agriculture and Forestry. All that I say is that it would simply involve the Committee on Interstate Commerce in further labor without any result. I know there is a car shortage, and the committee knows about what the car shortage is, and we are doing everything in our power in the construction of a new railroad bill to put the railways of the country in a position so that they may supply themselves with the cars that are absolutely necessary in order properly to do the business of the country. I hope, if the resolution passes at all, that it will be referred to the Committee on Agriculture and Forestry rather than to the Committee on Interstate Commerce, because we can not aid the Senate in any further investigation of that question.

Mr. KING. Will the Senator yield?

Mr. CUMMINS. I am occupying the time of the Senator from North Dakota.

Mr. KING. Will the Senator from North Dakota yield while I ask a question of the Senator from Iowa?

Mr. GRONNA. Certainly.

Mr. KING. As I understand the position of the Senator from Iowa it is that the matters to which reference is made in the resolution have been fully investigated by the Committee on Interstate Commerce.

Mr. CUMMINS. I do not say that the allegations or charge sometimes made, that there have been certain officials or employees of the railroads or of the Railroad Administration who have sought to discredit Government operation by inefficiency and inattentive work, have been fully investigated by the Committee on Interstate Commerce, although we have often heard suggestions of that kind as hearings have progressed. But I know nothing about it and the committee knows nothing about it. So I do not think it would care to investigate the subject, because I do not believe there is any real foundation for the charge.

However, so far as car shortage is concerned, that has been under continuous investigation by the Interstate Commerce Committee for three or four years, and all that can be said about it is that it is a fact. We have not enough cars, and the sooner we put the railway companies in position to supply themselves with the necessary cars the sooner the great injury which the western country is suffering will be repaired, and it can not be repaired until additional equipment can be secured.

Mr. KING. May I ask one further question? The Senator concedes, does he not, that if an investigation of the charge so serious in character as that contained in the latter portion of the resolution is necessary, namely, the charge that there has been a willful interference by certain officials of the Railroad Administration with the successful operation of the railroads by the Government, that the investigation under the rules of the Senate ought to be made by the Committee on Interstate Commerce?

Mr. CUMMINS. It may be that that is true, but the railways are about to be returned to their owners, and I am in-

finitely more interested in the preparation and passage of a bill that will enable their owners to operate them successfully than I am in investigating a charge that during the last two years there has been some inefficiency or some intentional effort on the part of employees to discredit Government operation.

Mr. KING. I agree with the Senator in his laudable purpose to present legislation to the Senate that will deal with this important question, but I am also interested in seeing that the committees of the Senate are properly respected and that they are not deprived of jurisdiction which under the rules has been given to them.

Mr. GRONNA. Mr. President——

Mr. KING. I thank the Senator from North Dakota for yielding.

Mr. GRONNA. I yield to the Senator from Utah for a question, but I did not yield to him for a lecture.

Mr. KING. The Senator may construe it as a question or a lecture, just as he pleases.

Mr. GRONNA. May I say to the Senator from Utah that I am going to read from a report of an actual transaction, and I think I can convince the Senator from Utah that it is the duty of the committee of which I have the honor to be chairman to examine into the matter? I would be the last man on earth to interfere with the business of the Committee on Interstate Commerce. There is not a Member of the Senate whom I respect more highly than the Senator from Iowa [Mr. CUMMINS], and I certainly would not ask any privilege or take from him or from his committee any work which properly belongs to it.

Mr. CUMMINS. I wish the Senator from North Dakota to understand that, so far as I am concerned, I would not regard it as any invasion of the province of the Committee on Interstate Commerce or any disrespect to me personally if the resolution went to the Committee on Agriculture and Forestry.

Mr. GRONNA. I am sure of that, Mr. President, and I wish to thank the Senator from Iowa for the statement which he has made and the information which he has given to me and the other Members of the Senate. The Senator always makes a statement so clear that no one can misunderstand him.

Mr. HARRISON. Will the Senator from North Dakota before he proceeds allow me to ask a question of the Senator from Iowa along the line that has just been discussed?

Mr. GRONNA. Certainly.

Mr. HARRISON. The Senator from Iowa is so well posted on this subject that I know he can give the information I desire. It was intimated to me this morning in a letter I received from Mississippi that we have a bad situation down there touching car shortage, and I want to know what the Senator thinks about the suggestion. My correspondent inquires of me as follows:

> Do you suppose that as the time approaches for the return of the railroads to the owners that lines which own cars and have a good supply of cars on their tracks are holding them, as far as possible, for their own use instead of following orders which have been issued with the idea of having an equitable distribution of equipment?

Mr. CUMMINS. I have no information on that subject. I have oftentimes been called into conference with the Director General with regard to the distribution of cars in the country, and I have always found him to be exceedingly anxious to get cars to the point at which they were most needed. Whether within the last few days, or since the President issued his proclamation indicating a return of the railroads on the 1st of March, the present Government employees, who will shortly be probably railway employees, are trying to hold their cars in particular localities, I do not know.

Mr. HARRISON. Then there may be something in that suggestion?

Mr. CUMMINS. I have no information upon that point at all.

Mr. STERLING. Mr. President, when I examined the resolution of the Senator from North Dakota I thought its scope ought to be broadened a little. In the complaints which I have heard in regard to car shortage it has been attributed not to actual interference on the part of the officials of the Railroad Administration, but to the willful neglect of those officials or of the employees themselves. I should like to suggest an amendment to the Senator from North Dakota. After the word "Government," in the eighth line of the resolution, insert the words "or of the willful neglect of any of the officials or employees of the Railroad Administration in the performance of their duties in the operation of the railroads."

Mr. GRONNA. I have no objection whatever to the proposed amendment.

Mr. STERLING. I move that amendment.

Mr. GRONNA. I shall be very glad to accept it.

The VICE PRESIDENT. The resolution will be so modified.

Mr. GRONNA. Mr. President, if I may have the attention of the Senator from Iowa I desire, at least, to try to show the reason why I am asking that the resolution should go to the Committee on Agriculture and Forestry. I desire to read a paragraph from a letter from the Vandusen Harrington Co. They are one of the largest grain corporations of the country and are very reliable people. The letter is addressed to the Farmers' Grain Co., of a certain place in my State, under date of February 6, 1920. I shall read only one paragraph:

> The receipts of wheat here to-day were 162 cars. The early demand was a little better than yesterday, but later in the session the demand slowed up quite a little. This was on account of an order issued by the Railroad Administration that mills here would not be allowed to reload cars with flour from which they had unloaded wheat.

Mr. President, even a farmer ought to know that a ruling of that sort is wrong. Everybody knows or ought to know that cars ought to be hauled both ways loaded. A law was passed the 4th of last March, as an amendment to the food law, which expires by limitation on the 1st day of June, providing for funds to make good the guarantee of the price of wheat. I am not explaining this as fully as perhaps I should, but I do not wish to take any more of the time of the Senate than is absolutely necessary. I believe I am free to say that an effort has been made to force whatever grain there is left upon the farms and in the bins or in the elevators of the country into the market at one time. If the millers are not allowed to ship out their flour but simply to fill their elevators with wheat, where is the farmers' market going to be? If there is no market for wheat, prices must of necessity be reduced. It is an effort to obtain the small amount of grain there is left upon the farms and what may be stored in the country elevators at as low a price as possible.

Those are among the things I want to investigate. It is alleged, and I have the original letters, which show that a conspiracy of this sort is going on. I do not say who is responsible for it, but the Committee on Agriculture has the right and it is its duty to make an investigation of the whole matter.

Mr. CUMMINS. I have no information in regard to any particular order that may have been issued by the Railroad Administration upon the subject suggested by the Senator from North Dakota. I simply wish to reaffirm that so far as the general car shortage of the country is concerned there is no use referring any resolution to the Committee on Interstate Commerce, because it is not only known to that committee but it is known to everybody, and an investigation would simply be an accumulating of evidence that is not only already conclusive but admitted everywhere. I wish to repeat that so far as referring the matter to the Committee on Agriculture and Forestry is concerned, I have no objection whatever.

Mr. GRONNA. I thank the Senator from Iowa.

Mr. CUMMINS. If the subject ought to be investigated, I hope it will go to the Committee on Agriculture and Forestry.

Mr. WILLIAMS. May I inquire if the hearings before the Committee on Interstate Commerce have been published?

Mr. CUMMINS. Yes; published and republished.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. GRONNA. I yield to the Senator from Mississippi.

Mr. HARRISON. We have a great car shortage in the lumber industry in my section. The figures show that we are getting less cars than any other section of the country. I might say that day before yesterday the officials of the Railroad Administration told me that they were bringing back empty cars from my section to carry them into the grain section, not allowing us even to use the cars down there that go loaded with stuff. They make them go back empty.

I hope the Senator will not object to including in his resolution an investigation of coal and lumber products, because it is a very serious situation with us, and if we are going to investigate the proposition from one viewpoint we ought to investigate it from every viewpoint. I shall offer an amendment to that effect.

Mr. WILLIAMS. If the Senator will permit me, in addition to what my colleague has said——

Mr. GRONNA. I yield to the Senator.

Mr. WILLIAMS. I have received communications lately, notably one which came yesterday, in which I was informed that two lumber companies in southern Mississippi were compelled to close down because they could get no cars for the shipment of their product; that they have their yards full and meanwhile are not selling and could not pay their labor until they could sell something and negotiate their bills of lading and drafts.

If the Senator will pardon me just a moment, because I do not want to take up time unnecessarily, I think that when the forefathers established this body they intended it to be mainly a body for the enactment of legislation, but here lately the body has become mainly one for making investigations of various

sorts by committees, most of which investigations are taken down in shorthand and published and are never read by anybody except the man who offered the original resolution to have the investigation made and some few people in trade or in commerce in sympathy with the purpose.

We can render a lot better service if we quit the business of investigating every failure which has occurred, most of which failures occur because they were necessary in an absolutely novel and untried situation, where human industry as previously organized and human ability as previously trained could not cope with the situation.

Mr. GRONNA. The Senator from Mississippi, of course, has a right to his own opinion; but if the Senator will give me his attention for just a moment I will say to him that the hearings which have been held before the Committee on Agriculture and Forestry are read. I remember that the hearings on the packing bill, which had been very extensive, were printed, and I had to ask for a reprint of those hearings three times. Requests from the Senator's own State and throughout the entire United States have come to my office. Of course, the hearings belong to the public, and we have been glad to send them out. But I am not going to discuss that. I wish to say just a word further and then I shall not delay the Senate any longer.

Mr. WILLIAMS. Before the Senator leaves that point I wish to say that, of course, my quota of the hearings have been put at my disposal. I have not had more than two demands for any of them, and I shall be very glad to give the Senator from North Dakota my quota.

Mr. GRONNA. The committee will be very much obliged to the Senator if he will do that. I only want to say this and then I shall close: We passed a resolution day before yesterday directing the Committee on Banking and Currency to investigate the question of alleged charges that the Federal reserve banks refused to make any further loan or to extend loans to farmers and elevator men upon grain securities. That resolution went to the Committee on Banking and Currency; and, while I know that the statement made by the two Senators from Mississippi is absolutely true and that there is a shortage of cars, yet let me say to the Senators that there is a different situation with reference to wheat. The price of wheat has been greatly reduced during the last two weeks. The last report I had was that during this week the price was reduced 70 cents a bushel. With reference to the commodity of which the Senator from Mississippi speaks—lumber—I am a small dealer in lumber, and I know the prices of lumber, and I know that common, ordinary dimensions are commanding $49 a thousand; common, ordinary drop siding has gone to $77 a thousand—300 per cent higher than the price before the war—and the prices are still going up; there seems to be no danger that they are going down.

It is different with the article of wheat, which is a food product. Spring is coming on. Are we going to discourage the spring-wheat farmer so that he will not plant the wheat which he ought to plant in order to supply us with food? It seems to me that is an entirely different question.

Mr. HARRISON. Will the Senator yield?

Mr. GRONNA. Yes, sir.

Mr. HARRISON. I sympathize with the Senator from North Dakota in the wheat situation; I think the wheat should be removed from his section as quickly as it can possibly be done. But, touching lumber, when we can not get the cars to the plants the plants are closed down, men are thrown out of employment, and children go hungry. That is the situation down there.

Mr. GRONNA. I am not a manufacturer of lumber, but I have seen lumber camps. As a rule, lumber industries have good credit; there is always plenty of land upon which to stack lumber; it does not deteriorate, but it improves, and the freight thereon is thereby lessened. The lumber will keep, though it may cost the manufacturers a few cents more of interest. There is no substantial loss to that industry by a short delay. But as the Senator perhaps knows as well as I do, there might be ruination to hundreds and thousands of farmers and grain dealers throughout the country if the existing situation is not met. It is for that reason that I have introduced the resolution.

Mr. KELLOGG. Mr. President, I should like the attention of the Senate for a few moments on the resolution of the Senator from North Dakota [Mr. GRONNA]. I am not going to oppose the resolution. I do not care who investigates this matter if an investigation is desired, but I wish to say that the Interstate Commerce Committee has investigated the whole subject repeatedly. For the past year we have had information from all sources on this subject, and I should like to take the time of the Senate for a few moments to explain just what the car shortage is and the cause of it.

In 1918, when the railroads were taken over, the Interstate Commerce Committee began an investigation relative to the legislation then recommended by the President, and this subject was looked into at that time. At the beginning of January, in 1919, the Interstate Commerce Committee again commenced the investigation with a view to legislation ultimately returning the roads. The questions of car shortage, the condition of the railroads, and facilities to enable them to handle the commerce of the country, have been fully and carefully investigated. Briefly, it appears that from 1907 to 1916, according to the report of the Interstate Commerce Commission and the testimony of the commissioners, there was not a shortage of cars. During those years there was a surplus of cars, except, perhaps, for a very few months, once or twice, when there was a rush of business. The years 1913, 1914, and 1915 were poor years in railroad business in this country and the consequence was that there was a surplus of cars. Then came the tremendous increase of business which followed our entry into the war, and, of course, naturally there was a shortage of cars.

It appears, as stated by the chairman of the committee, that it requires about 100,000 new freight cars a year to keep the equipment up to standard, since there are a hundred thousand cars a year which wear out entirely. So if the roads purchase 100,000 cars a year they will simply keep their equipment up to standard, and will not keep up with the increase of business. I now send to the desk, and ask that it be made a part of my remarks, a statement showing the purchase of cars by the railroads for five years before the Government took them over.

The VICE PRESIDENT. In the absence of objection, the statement will be printed in the RECORD.

The statement is as follows:

Freight cars.

	Added.	Retired.
1913	162,670	96,825
1914	150,813	96,985
1915	86,012	90,347
1916	88,254	109,996
1917	117,208	[1] 62,250
Total	604,857	456,403
Average	120,991	91,281
Net addition per year	29,700	

[1] Estimated.

Mr. KELLOGG. It appears that the average purchase of cars by the railroads for the five years was, in round figures, 120,000 cars a year; that the retirements were slightly under 100,000 cars a year, or 91,281 cars, leaving a surplus or an increase of substantially 30,000 cars a year to meet the increase of business. Those figures are for the five years before the war. Undoubtedly the increase in the number of cars was not great enough, but, considering the condition of the business, it was perhaps all that the railroads could be expected would purchase. Then, as I have said, came the tremendous increase of business during the war. Business increased 50 per cent in this country over 1915. For two years and two months the Government has purchased only 100,000 cars. Of course, when the railroads were taken over by the Government the railroads were prohibited from buying cars; their business was taken out of their hands. The 100,000 cars have been less than half that were necessary to take care of the ordinary replacements; in other words, there has been a decrease in the number of cars of at least 100,000. Then what cars have been in service have been overworked and have not been maintained as they should have been. I am not blaming anybody for it; it is a condition which has occurred on account of the war. Of course, what the Government should have done when it took over the roads was to have said to every railroad, "Get all the cars you can have manufactured at once." Instead of that, the Railroad Administration spent five months trying to standardize cars and locomotives and to start a general system of centralization and standardization. They lost five months. Material went up, shops got busy, and they never got the cars. That is the real fact of the matter.

There is now a car shortage, and I am afraid there is going to be a greater shortage, because the railroads are going back into private ownership, not earning money enough now to pay their operating expenses and the interest on their bonds, lacking $60,000,000 a year. Of course, it will be difficult under any law to get the credit and the cars in time to save the commerce of the country. The Senator from North Dakota knows that in

our section of the country, with, I think, less than half a crop, the country elevators are full of grain, and I doubt in many places if a farmer can sell his grain on account of inability to move that grain to the terminals.

Mr. STERLING. Mr. President, will the Senator permit a question?

The PRESIDING OFFICER (Mr. FRELINGHUYSEN in the chair). Does the Senator from Minnesota yield to the Senator from South Dakota?

Mr. KELLOGG. I yield.

Mr. STERLING. I wonder if the Interstate Commerce Committee has investigated the charges of the willful delay on the part of railroad employees and trainmen in the movement of trains, and whether or not that is not responsible to some extent at least for the shortage of cars?

Mr. KELLOGG. No, Mr. President, I do not think it is responsible for the shortage of cars. We have had hearings before the Interstate Commerce Committee during the last year. Committees of employees, merchants' associations, and everybody else who desired have been heard, and occasionally the charge has been made that the railroad employees were trying to discredit Government ownership, but there has never been any testimony to substantiate such a charge.

Mr. STERLING. Mr. President, the charge has been made, not that the employees as a rule were seeking to discredit Government control and operation of the roads, but, rather, that they felt sure of their positions and pay and that they could do as they pleased while the roads were under Government control.

Mr. KELLOGG. That is a different proposition. I do not think the Railroad Administration or the officers working under them for the Government have willfully failed to perform their duty. I do think that the great central, cumbersome organization in Washington, trying to operate 260,000 miles of railroad, is impossible and inefficient; and it could not be otherwise, with all due respect to the ability and integrity of the men who were trying to perform the task. The fewer bureaus we have trying to run the business of this country, the better we will be off. But that these gentlemen have been willfully disregarding their duties, I have not the slightest idea.

Mr. President, I know something about the grain situation of the Northwest and the coal situation and the lumber situation, because as a member of the Committee on Interstate Commerce I have received complaints from all parts of the country about the failure to furnish cars and concerning the shortage of cars. It is true, as the Senator from North Dakota has said, that there was a very great car shortage preventing the movement of grain from the country elevators to the terminals and to the mills, and also affecting the movement of flour from the mills to the markets. The Senator from North Dakota; my colleague, the senior Senator from Minnesota [Mr. NELSON]; and others have received many messages from the elevator lines and farmers' elevators and associations in the country begging for cars, and from mills in Duluth, Minneapolis, and other places throughout the Northwest urging that they be given cars for the movement of their manufactured product or they would have to stop. The Federal Reserve Board took action and urged that cars be supplied, and we all urged it in every way possible. The Railroad Administration finally did send a man to Chicago to supervise distribution, and a priority order became effective for 10 days in supplying cars for the movement of grain.

Now there is a dispute as to whether those cars should have been sent to the terminals to move away the flour—I will ask the Senator from North Dakota if I am correct——

Mr. GRONNA. Yes.

Mr. KELLOGG. Or whether they should have been sent into the country to move the grain away from the line elevators, which were choked with grain. Mr. Barnes, I believe, thinks that the Railroad Administration made a mistake; but I do not know the facts.

Mr. HARRISON. Mr. President, if the Senator will yield, certainly if they were sent there to be on the ground they must have done what they could. They have not done as much for any other section of the country, so far as I know.

Mr. KELLOGG. Oh, yes; they have sent special agents to many sections of the country to investigate, to give directions, and so forth. I know that occurred in Oklahoma, and I think the Senator from North Dakota will bear me out that it has occurred in many places in the West.

Mr. HARRISON. It gives me a cue. Perhaps we may be able to get one sent down our way.

Mr. KELLOGG. That is a good suggestion for the Senator to follow.

Mr. HARRISON. I thank the Senator.

Mr. KELLOGG. All of which illustrates that it is a mistake to attempt to run the railroads in the way they have been run. A man here in Washington can not know the necessities of the communities all over the country, and, without in the slightest degree impugning their motives or disparaging their efforts, for they have probably done the best they could——

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Tennessee?

Mr. KELLOGG. I yield.

Mr. McKELLAR. I am inclined to think that the Senator from Minnesota is entirely correct about that. I have in mind a situation that has developed within the last two or three days at Memphis, Tenn., where, under a ruling as to empty cars being sent to the grain districts, a number of cars have been ordered to those districts, the result being that business is actually paralyzed at Memphis, which is a large distributing point. The business men there, judging from the telegrams coming to me, are almost in a panic about it. It is true that the Railroad Administration has assured me that the order will be modified in such a way that it will not stop business down there; but it shows that the Senator from Minnesota is entirely correct; that this matter can not be handled from Washington, but that local conditions in the various sections of the country must be considered in handling it.

Mr. KELLOGG. Mr. President, there is another reason which I think the Senator from North Dakota has suggested. There are 150,000,000 or 175,000,000 bushels of wheat in this country which must be sold—am I correct in the amount, I will ask the Senator from North Dakota?

Mr. GRONNA. About 150,000,000 bushels.

Mr. KELLOGG. If that is sold it has to be moved when it is needed, or we will find the Government at the end of four months with the wheat on its hands, and Europe unable to take it and pay for it. I am not sure Europe can pay for it anyhow, owing to the condition of foreign exchange.

I am not saying what I have said to oppose any investigation by any committee which wishes to investigate the subject, but I think the Interstate Commerce Committee has given pretty careful study to the matter of car shortage and has about all the information available.

Mr. HARRISON. Mr. President, I understand unanimous consent has been granted to consider this resolution.

The PRESIDING OFFICER. Yes; and the resolution is under consideration.

Mr. HARRISON. I desire to offer an amendment.

The PRESIDING OFFICER. The amendment of the Senator from Utah [Mr. KING] is pending.

Mr. HARRISON. I ask that that amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On line 2 of the printed resolution it is proposed to strike out "Agriculture and Forestry" and in lieu thereof to insert "Interstate Commerce."

Mr. HARRISON. May I ask the Senator from Utah if he will not allow us to perfect the resolution before the motion is put to change the committee which shall have jurisdiction of the investigation?

Mr. KING. My amendment is in the interest of perfecting the resolution, but I am perfectly willing to withdraw it temporarily for the purpose of permitting the Senator from Mississippi to offer his amendment.

Mr. HARRISON. The reason I make the suggestion is——

Mr. STERLING. Mr. President, if the Senator from Mississippi will permit me, I sent to the desk a while ago an amendment which I desire to offer, and I should like to have that amendment read.

Mr. HARRISON. I have no desire to try to displace anyone. I made the suggestion to the Senator from Utah because I want to include some other products, and it may be that there will be a greater reason for a change of the committee proposed in the resolution if my amendment should be adopted than there is now.

The PRESIDING OFFICER. The Senator from Utah temporarily withdraws his amendment. The amendment of the Senator from South Dakota is now before the Senate. The Secretary will state the amendment.

The ASSISTANT SECRETARY. In line 8, after the word "Government," it is proposed to insert a comma and the words "or of the willful neglect of any of the officers or employees of the Railroad Administration in the performance of their duties in the operation of the railroads."

Mr. KING. Mr. President, I should like to inquire of the Senator from South Dakota if it is his purpose by the sweeping amendment just suggested to provide for an investigation of every employee of the Railroad Administration and of the

alleged neglect or delinquency of every employee, regardless of his position?

Mr STERLING. That is hardly the purpose of the proposed amendment. I suppose that would be in the discretion of the committee to which the matter is referred. They could go as far as they deemed practicable in that line; but my thought in offering the amendment was that we were really reaching the real evil, that it is a case rather of neglect—perhaps willful neglect—on the part of the officials and employees of the railroads, rather than their active interference with the operation of the roads; and I think the resolution should be broadened so as to cover cases of willful neglect on the part of either of these employees.

Mr. KING. I shall not oppose the amendment, although I think it is too sweeping; but the amendment offered by the Senator from South Dakota, if adopted, emphasizes the propriety of referring this resolution to the proper and appropriate committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota.

The amendment was agreed to.

Mr. HARRISON. Mr. President, I move to amend the resolution on line 4, after the word "products," by inserting "coal, lumber, and other products."

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Mississippi.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, I offer an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to insert after the word "railroads," in line 5, the following:

The recent order of the Director General directing empty cars to the grain districts, the reasons therefor, the interference with normal business caused thereby in other districts where cars are now, and report full information in regard thereto.

Mr. McKELLAR. Mr. President, I do not know whether there is any widespread trouble in regard to this matter or not. There has been a great deal of confusion in my own home town, and if there has been confusion in other places in the country I think it well that the committee should look into that also. For that reason, while not criticizing in any way what has been done, because I am not sufficiently well acquainted with it to know what was done, out of an abundance of caution it seems to me that that might be looked into also.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee.

The amendment was agreed to.

Mr. KING. Mr. President, I now renew the motion submitted a few moments ago, and which I temporally withdrew, to strike out the words "Agriculture and Forestry" and insert "Interstate Commerce."

After listening to the observations submitted by the chairman of the Committee on Interstate Commerce [Mr. CUMMINS] and the statements made by the Senator from Minnesota [Mr. KELLOGG] respecting the investigations which have been made and the information elicited by those investigations, it is quite apparent that this resolution calls for a work of supererogation. There is no necessity whatever for duplicating work which has already been performed, and ably performed.

I do not think there is a committee in this body that has been more diligent in the discharge of its duties than the Committee on Interstate Commerce. It has been practically in continuous session for years investigating transportation problems in all of their variations, not only rail transportation problems but the problems incident to water transportation, and since we entered the war the committee has been in constant session, and every aspect of the transportation problem has received consideration.

Particularly has it been necessary that that be done, because of the action of the United States in taking over the railroad system of the country and because it was apparent that with the termination of the war provision must be made for the restoration of the railroads to their owners. The Interstate Commerce Committee has accumulated a vast amount of data concerning the operation of the railroads, the number and character of cars, and locomotives. Indeed, every phase of the railroad question has been investigated. A very full investigation was made by the committee of the House as well as the committee of the Senate, and in that investigation it became necessary to examine into the very questions that are involved in this resolution. They have been investigated, and the information which the Senator desires is available, if he cares to examine the reports of the hearings before the Interstate Commerce Committees.

As I remember the observations made by the Senator, I think his inquiry should relate to the grain elevator companies, the grain warehouses, and the millers of the country rather than to the railroads. The Senator contends that there is or has been a conspiracy for the purpose of forcing down the price of wheat. That may be true; and I want to say here and now that the farmer has not been duly considered by the American people in connection with postwar problems. There have been unwarranted attacks made upon the farmers and most erroneous statements have been made as to the profits made by them. The agriculturists have for decades borne heavy burdens, and legislation has often discriminated against them. We may soon awaken to a realization of the fact that the farmers are not producing what the country needs, first, because of the shortage of labor, and, secondly, because of a failure to get an adequate return for their investment and for the efforts which they are compelled to make. We are talking constantly about labor, but we forget the long hours of service performed by the agriculturists and the heavy burdens of toil borne upon their bowed forms. So my sympathies are entirely with the Senator from North Dakota, and I shall do anything within my power, if there has been a conspiracy to injure the farmer, to aid him in determining who the culprits are and in bringing them before the bar of justice.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. KING. I yield.

Mr. GRONNA. I hope the Senator from Utah will not think that I have intended to reflect upon the membership of the Interstate Commerce Committee, and I said so a few moments ago. I know that the members of that committee rank among the ablest men in the Senate. I simply wanted my resolution to apply to the industry of which the committee of which I happen to be chairman has jurisdiction. It seems, however, that additional honors have been thrust upon the committee, which I do not want the Senator to lay up against me or against the members of my committee.

Mr. KING. Mr. President, of course, I acquit the Senator from North Dakota of any desire to invade, directly or indirectly, the province of any other committee, or to reflect upon the personnel of any committee of the Senate; and yet my good friend will pardon me if I suggest to him now—and I do it with the kindliest feelings—that I think his resolution in its present form is ill-timed. I think there is no necessity for it, and I further think that if there is any necessity for the investigation, with the accumulated evidence which the Committee on Interstate Commerce has—because it has touched some phases, if not all phases, of the question—it could, with very little additional investigation, supply the Senate with all of the information which is desired, and if this resolution is passed in this form there will be unnecessary duplication. I have followed the action of the Committee on Interstate Commerce, though I am not a member of it, and have read, I think, every word of the testimony that has been given in the House and in the Senate for the past two or three years. I have appreciated the tremendous importance of the transportation problem. Though not a member of the committee, I felt that it was my duty, as a Member of the Senate, to acquaint myself so far as I had the opportunity with the ramifications of a problem that so vitally affects the welfare and the prosperity of the American people. So I can say, with some little knowledge of the subject, that the committee of the House and the committee of the Senate on interstate commerce have given a great deal of attention to the question of car shortage and the problems of transportation; and if this resolution shall be passed and the Committee on Agriculture and Forestry are empowered to go into this subject, they will be duplicating the work of two committees, one of the House and one of the Senate, and traversing very largely ground which has already been fully exploited. Therefore I say that there is no necessity for the passage of this resolution; but, if there is any necessity, it ought to go to the committee that is charged with the responsibility of making these investigations. If the Senator seeks to have his committee investigate the alleged efforts to improperly reduce the price of wheat made by grain elevator corporations or grain warehouses or millers, I shall support his efforts.

As I was saying, however, Mr. President, the gravamen of the charge of the Senator seems to be a conspiracy upon the part of brokers and dealers in wheat, and some of these terminal elevators.

Mr. GRONNA. Mr. President, I hope the Senator will not say that I charged the brokers or dealers in wheat with a conspiracy. I did not use those words.

Mr. KING. No; the Senator did not use those words, and yet I got the idea from the statement made by the Senator

that there was a conspiracy for the purpose of forcing down the price of wheat. The Senator referred to the warehouses, elevators, and millers, as I understood, in connection with the charge which he made; and I deduced from the statement which he made that some of the vendors of wheat, the brokers, the middlemen, those who intervened between the farmer and the ultimate consumer, were parties, directly or indirectly, to this conspiracy. But be that as it may, acquitting the brokers of any delinquency in this respect, the gravamen of the charge of the Senator is that there has been a conspiracy to force down unduly the price of wheat. Now, if the elevators have been conspiring for the purpose of forcing down the price of wheat, I think, perhaps, the Committee on Agriculture and Forestry would have authority to make the investigation, without coming to the Senate for additional power. But, Mr. President, this resolution goes farther than an investigation of the shortage of cars. Let me call attention to its language. It instructs the committee—

to investigate the alleged lack of supply and failure to supply an adequate number of stock cars and cars for transporting grain and other farm products during the period of Government operation of railroads, and the charges of willful interference by certain officials of the Railroad Administration with the successful operation of the railroads by the Government.

Then follows the amendment submitted by the Senator from South Dakota [Mr. STERLING], which increases the work of the committee, and they are to report their findings to the Senate as soon as possible. That means a full and complete investigation of the control of the entire railroad situation by the Government.

Mr. President, conceding that the Senator is right, that the Committee on Agriculture and Forestry could investigate the shortage of cars because that shortage affects wheat, clearly there is no power in the Agricultural Committee, and we ought not to give the committee the authority, to investigate generally the conduct of the Government in the operation of railroads. That is a subject so clearly within the jurisdiction of the Committee on Interstate Commerce that no one could contend otherwise. I might not object to the Committee on Agriculture and Forestry investigating the shortage of cars, as that shortage affected the transportation of wheat, and yet clearly that comes under the cognizance of the Committee on Interstate Commerce, but I do object to conferring upon that committee the authority to investigate the entire subject of the control and operation of the railroads by the Government during the past two years. It seems to me that the Senator ought to consent to the elimination of those words from this resolution. They are not at all germane to the subject which he had in mind and are not logically connected with the complaints which he urged as the basis for the introduction of this resolution.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. KING. I yield.

Mr. GRONNA. I want to assure the Senator that so far as I am personally concerned I do not intend to go into the phases which have already been investigated. Of course, it is for the committee to decide how far they shall go; but there are new matters, I will say to the Senator, which ought to be gone into, and I do not believe that the Committee on Interstate Commerce would ever object to it; at least, the chairman of the committee has so stated.

Mr. HARRISON. May I suggest that it is only 3 minutes of 2? Can we not vote on the resolution before the morning hour is closed?

Mr. KING. Of course, we can vote if we want to vote and if no Senator has any further observations to make and no further amendment to offer. I have the floor, and I have not quite concluded my observations.

Mr. President, there is one other point which I want to make. Within a few days it is quite likely that the railroads will be returned to their owners. If not, they ought to be. As I understand, the conferees have agreed upon a measure which will be reported within a day or two to the House and to the Senate. If the measure as reported by the conferees shall be enacted into law, then within a very few days the railroads will go back to their owners. Long before any investigation which the committee could make has been concluded the railroads, in all human probability, will be out of the hands of the Government and back in the hands of their owners, so that the work which we are by the resolution assigning to the Committee on Agriculture and Forestry will all be for naught. They will be investigating, if they continue the investigation, something that is of no importance and that can bring no results.

It seems to me that it is a very futile thing to pass the resolution, and certainly if we do pass it we ought to respect the organizations of the Senate. What are committees for? Why do we have a Committee on Military Affairs, a Committee on Naval Affairs, a Committee on Agriculture and Forestry? We have the Committee on Agriculture and Forestry to consider matters relating to the important questions connected with agriculture and forestry. That committee may also, by authority of the Senate, inquire into matters pertaining to agriculture and forestry. It would be a transgression of our rules and an invasion of the rights of that committee if we were to take away from it the investigation of matters that properly come within its jurisdiction.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 1699.

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ball	Harris	McKellar	Smoot
Borah	Harrison	McNary	Sterling
Brandegee	Henderson	Myers	Sutherland
Calder	Johnson, S. Dak.	Nelson	Thomas
Chamberlain	Jones, N. Mex.	New	Townsend
Colt	Jones, Wash.	Nugent	Trammell
Curtis	Kendrick	Overman	Underwood
Dillingham	Keyes	Page	Wadsworth
Fernald	King	Phelan	Walsh, Mass.
France	Kirby	Phipps	Walsh, Mont.
Frelinghuysen	Knox	Pittman	Williams
Glass	Lenroot	Pomerene	Wolcott
Gronna	McCormick	Sheppard	
Hale	McCumber	Smith, Md.	

Mr. MCKELLAR. I wish to announce that the senior Senator from South Carolina [Mr. SMITH] and the junior Senator from South Carolina [Mr. DIAL] are detained from the Senate by illness.

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Fifty-four Senators have answered to their names. A quorum is present.

[Mr. SMOOT addressed the Senate. See Appendix.]

Mr. MYERS. I renew my suggestion of the absence of a quorum.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ball	Hale	McNary	Robinson
Calder	Harris	Myers	Sheppard
Chamberlain	Jones, N. Mex.	Nelson	Smoot
Colt	Jones, Wash.	New	Sterling
Curtis	Kellogg	Norris	Sutherland
Fernald	Kendrick	Nugent	Thomas
Fletcher	Kirby	Overman	Townsend
Frelinghuysen	Knox	Page	Walsh, Mont.
Gerry	Lodge	Phipps	Watson
Glass	McCormick	Pomerene	Williams
Gronna	McKellar	Ransdell	

Mr. GERRY. The Senator from California [Mr. PHELAN], the Senator from Maryland [Mr. SMITH], the Senator from Nevada [Mr. PITTMAN], the Senator from Florida [Mr. TRAMMELL], and the Senator from Delaware [Mr. WOLCOTT] are detained on official business.

The PRESIDING OFFICER. Forty-three Senators having answered to their names, a quorum is not present. The Secretary will call the names of absent Senators.

The Reading Clerk called the names of absent Senators, and Mr. LENROOT and Mr. WARREN answered to their names when called.

Mr. FRANCE and Mr. DILLINGHAM entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. There is not a quorum present. What is the pleasure of the Senate?

Mr. STERLING. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. MCLEAN, Mr. HENDERSON, and Mr. KING entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty Senators having answered to their names, a quorum is present.

UNIVERSAL MILITARY TRAINING.

Mr. McKELLAR. Mr. President, I desire to occupy merely a few moments of the time of the Senate. I will be very brief in the statement which I desire to make.

On day before yesterday the Senator from New York [Mr. WADSWORTH] stated that the overhead charges for training a man for four months would be less than for training him a whole year, "because for that work we use the Regular Army officers who are already on the roll." I stated to the Senator from New York then that he was mistaken in that statement, because his bill provides for an immense increase in the Army officers, in some cases going as high as 300 per cent. I promised to furnish the figures in reference to the matter, and I now give them.

According to the latest Army List and Directory issued by the War Department, the total number of officers of all grades permanently authorized by existing law for the entire Army, exclusive of all temporary or emergency officers, is 11,734. The pending bill proposes to increase that number to 18,025, an increase of 54 per cent. This includes medical officers, chaplains, and professors. Excluding these, the increase proposed for all other officers is from 9,630 to 15,316, or 59 per cent.

Extravagant as this total increase is, it is found to be quite modest when compared with the increases proposed for the higher individual grades. These increases for all grades are as follows: Major generals of the line, increased from 7 to 20—186 per cent; major generals of the staff, from 11 to 12—10 per cent; all major generals, from 19 to 32—68 per cent; brigadier generals, line, from 34 to 50—47 per cent; brigadier generals, staff, from 2 to 11—450 per cent; all brigadier generals, from 37 to 61—65 per cent; colonels, from 278 to 609—119 per cent; lieutenant colonels, from 287 to 685—138 per cent; majors, from 781 to 2,283—192 per cent; captains, from 2,969 to 4,566—45 per cent; first lieutenants, from 3,024 to 4,339—43 per cent; second lieutenants, from 2,234 to 2,740—22 per cent. The total increase proposed for all medical officers is from 1,905 to 2,457—29 per cent; for all chaplains, from 194 to 245—26 per cent.

The highest increase that we have in any one grade is even larger than I stated on day before yesterday, being 450 per cent in the case of brigadier generals on the staff.

Another remarkable thing about the bill as reported by the majority is that while the general increase in officers provided for in the bill is 59 per cent, the general increase of men over those authorized by the national defense act of 1916 is 17 per cent. Thus, it is seen that the statement I made that the overhead expenses must be vastly increased because of universal military training is proved beyond the peradventure of a doubt by the provisions of the Senator's own bill.

But this is not all. Again, I quote from the Senator's own act, section 45:

> Reserve officers may be appointed and commissioned in grades from second lieutenant to major general, inclusive, and may be assigned to any duty without regard to age, except that the laws and regulations concerning the relation between age and retirement which apply to officers of the permanent personnel in active service shall also apply to reserve officers.

And it is further provided that all those officers, from second lieutenant to colonel, may be appointed by the President alone, and only brigadier generals and major generals have to be approved by the Senate.

Certain figures were brought in by the distinguished author of the bill to show that this bill would only cost the first year, I think, $143,000,000, and the second year $94,000,000 or maybe the third year $94,000,000. How can any accurate estimate be made under a blanket section of the kind just read which gives the President—which means, in actual practice, the Chief of Staff—the right to increase at will, without any limit except the blue sky above us, the number of officers put on the reserve list and assigned to active duty with pay wherever the Army sees fit? And all those officers, mind you, from second lieutenant to colonel, do not have to have confirmation by the Senate at all. We are asked to authorize their appointment without regard to confirmation by the Senate. The Senate does not have to confirm the appointment of anyone except brigadier generals and major generals, under the provisions of this bill. Why, it is just absolutely impossible for any man to present figures from the War Department or anywhere else as to the cost of such a bill as that, and I wanted to call the attention of the Senate to it in this connection.

Under this provision the department might appoint 100,000 officers, and nobody can say them nay; and when you put on the reserve list of the Army for annual mobilization as many as 5,000,000 or 10,000,000 young men of this country you are going to have need for perhaps the 100,000 officers that can be provided for in this bill, and more. This would mean a cost of $400,000,000 for this item alone. We can not afford to adopt any such provision as this, and it is in line with many other provisions of this remarkable bill.

I want to call attention now to section 47 of the bill:

> Assignment of officers to temporary rank: The President, in the Army at large, and Army and Corps commanders within their respective commands, are authorized to assign officers to any temporary rank appropriate to any assignment to tactical units or other organizations or to Army, Army corps, or division staffs. Such officers, in time of peace, shall receive the pay and allowances of their respective permanent grades, except that an officer assigned to duty requiring him to be mounted shall be entitled to the allowances appropriate to such duty in the temporary grade then held by him.

That is a small limitation when it comes to assignments, too.

> *Provided*, That in time of war officers assigned to temporary rank shall receive the pay and allowances of such rank: *Provided further*, That in time of war the President, by and with the advice and consent of the Senate, may appoint to the temporary rank of lieutenant general and general such officers as may be necessary for appropriate assignments during such emergency, and officers so appointed shall receive the pay and allowances of their temporary grades.

Why should we authorize beforehand the appointment of lieutenant generals and generals? I think the Senate ought to pass upon these matters when they come up, and that no man ought to be appointed full general in the Army of the United States without the approval of Congress. We have kept our hands on it in the past, and it has worked well. Why should we change our policy now?

But perhaps the most remarkable provision of this whole bill, Senators, is the last paragraph of section 45, which is as follows:

> To the extent provided for from time to time by specific appropriation, persons specially qualified in educational, scientific, sanitary, hygienic, professional, technical matters, including transportation, production, and finance, may be appointed by the President alone, under such regulations as may be prescribed, to cooperate with and assist the General Staff or one or more of the services. The President shall have power to fix their compensation, not exceeding the pay and allowances of a colonel, and prescribe their functions and duties, which may be regular, periodic, or occasional.

Does the Senate realize what power is conveyed in that simple provision? Again, there is no limit. How can any Army officer, whatever his gifts in mathematics may be, figure beforehand what will be the cost of such a provision as that? The only limitation upon it is that the compensation shall be the pay of a colonel; and his duties may be regular, they may be periodic, or they may be occasional. They may be very occasional, and yet he will receive a colonel's pay; and the Chief of Staff by that provision is given the right to build up a civilian institution that no power in this country may overcome. Why, it is a power that Congress never ought to permit any department to have. By the way, I will repeat a statement that was more or less famous in my State a number of years ago. I quoted it once before: "Such a power is a power that no good Chief of Staff ought to want and that no bad Chief of Staff ought to have." I am not referring to the present Chief of Staff, either, because he is a man for whom I entertain the highest respect and esteem, and in whom I have great confidence.

I was very much interested day before yesterday in the figures put in the RECORD by the Senator from New York [Mr. WADSWORTH]. He accused me of not putting in all the items of cost. He said that I had left out the militia, and the National Guard provision was so involved that I had left out the National Guard of the various States. I do not know how it could be accounted for under the terms of his bill, and I do not think anybody else can find out accurately. But there were no figures in the Senator's estimate, brought down from the finance department, in reference to the two sections that I have just read. They may cost the Government $100,000,000 a year each, or much less or much more, but there is no record here for them, and nobody can tell how many men a Chief of Staff would want—civilians, technicians, experts, transportation men, men learned in production, whatever that means. That will take them all in, if they want to put them in—just such a civilian organization as they deemed necessary to carry anything through. Such is the power, and no man can estimate the cost thereof.

Again, the Senator's figures apparently do not take in the cost of section 80, under which it is provided—think of this!—that retired officers may be assigned to duty with active-service pay and allowances as professors of military science and tactics, assistant professors of military science and tactics, and military instructors at educational institutions. Now, all these provisions were put in this bill for some purpose. They cost money, and if we pass them we must realize just what they mean.

So far as I am concerned, I am not willing to vote for any such provision. I see that the Senator from Utah [Mr. SMOOT]

is interested in this matter. I know he is interested, because he does not believe in these lump-sum appropriations or blanket authority to spend money at will; and yet, if we pass this bill, I say to him and to the other Members of the Senate, we pledge future Congresses to appropriate just so much money as it will take to carry out these provisions. Again I quotingly say, "Only the sky is the limit."

One other matter, and I believe I am through, because I do not want to detain the Senate.

I want to read articles 173 and 177 of the proposed treaty with Germany. Mind you, as I explained the other day, and as we all know, we went to war to crush out German militarism, and our boys did it, and here is what has been provided in the treaty of peace:

ART. 173. Universal compulsory military service shall be abolished in Germany.

The German Army may only be constituted and recruited by means of voluntary enlistment.

And, again, in article 177:

Educational establishments, the universities, societies of discharged soldiers, shooting or touring clubs, and, generally speaking, associations of every description, whatever be the age of their members, must not occupy themselves with any military matters.

In particular they will be forbidden to instruct or exercise their members, or to allow them to be instructed or exercised, in the profession or use of arms.

The world has been struggling in a deathlike grip with German militarism for nearly five years, and American boys, without previous universal military training, crushed out that system, and American statesmen put in the wise provision that universal military training should not be established in Germany again; and yet a year has hardly passed in our own free country when it is proposed to establish here a militarism seven times as expensive and of much larger proportions than ever militarism was had in Germany! If it is a bad thing for Germany to have universal military training now—and we say so in our treaty—how does it happen that it is a good thing for free America to have it now? I can not believe that it can be seriously urged in this body or in any other body that we should adopt this system which we crushed in Germany and which we provided in the treaty of peace that she should never reestablish. Americans are just as good as Germans and much better. Why should we not protect them as we protect the Germans?

One other matter and I am through.

I noticed in yesterday morning's paper that a statement was made that the American Legion was in favor of the Wadsworth universal military training bill. We all have the greatest respect for that organization. Now, it seems that organization had a representative meeting of some kind in Indianapolis, and I will read from the Associated Press dispatch as reported in the Washington Post, and we will see what that situation really is. I made the statement the other day, and I think it is true, that while probably a majority of the officers—I do not even know that—may be in favor of conscription in time of peace in this country, I did not believe that a majority of these boys who had fought in Europe believed in that doctrine. There must be some little doubt about it in the minds of the officers of the legion, for here is what they say. With the headline, it reads as follows:

LEGION TO SUPPORT UNIVERSAL TRAINING—MODIFICATIONS IN THE WADSWORTH BILL FAVORED—DEMOCRATIC CAUCUS NOTIFIED.

INDIANAPOLIS, *February 9.*

The Wadsworth Army reorganization bill, carrying a provision for universal military training, will be supported by the American Legion, with modifications, it was announced this evening at the close of a conference of State commanders of the legion from all parts of the country. After an all-day discussion of the bill National Commander Franklin D'Olier was authorized to appoint a committee to cooperate with the legion's legislative committee and present the suggestions of the conference to Congress.

During the session a telegram was sent to the chairman of the caucus of Democratic Members of the House of Representatives, in Washington, announcing the legion's support of the bill, and this telegram was supplemented by several messages from State commanders to Representatives of their respective States who were attending the caucus.

These provisions, classed as modifications, include elimination of control of the Military Establishment by any exclusive military organization or caste, provision for a thorough house cleaning of inefficient officers and methods, preservation of the National Guard, democratization of the General Staff, and insurance of a military system based on democratic and American principles of obligation and opportunity for all.

Oh, what a change has come over the dreams of the officers of this splendid organization. They are not as strong now for the Wadsworth bill.

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. McKELLAR. In just a moment. It must be that they, too, have learned that that thing which was sufficient to make this great country of ours go into a foreign war, to send our boys 3,000 miles across the seas to crush Germany, was a thing that we would not want willingly to reincarnate on our own shores as soon as the war was over.

I will finish reading the article, and then I will yield to the Senator from New York:

Another change recommended would provide that an appointee to the United States Military Academy must first have served his initial training period of four months, three years in the National Guard, or one year in the Regular Army.

Thomas W. Miller, chairman of the legislative committee of the legion, took issue with Representative MONDELL'S statement in the House recently that the training system provided for in the Wadsworth bill would cost $1,000,000,000, and declared that operation of the system under the bill would actually cost but $645,000,000, including the cost of maintaining the Regular Army.

Mr. President, I bring these three or four facts before the Senate at this time because I deem them of importance, because of the fact that it has been claimed that the bill will not cost the amount that I believe it will cost. I wanted the Senate to have the percentages of increase in the Regular Establishment—54 per cent for the officers of the Regular Establishment, as provided for by the bill, and 450 per cent increase for brigadier generals of the staff. Of course it is going to take an increase in the Regular Establishment. I had stated it would be 300 per cent in the highest case, but my figures were too low. When you come to gather together and organize the great number of young men that will be organized under the provisions of the bill, we will have a larger body of officers than we formerly had in our entire Army when the war with Germany came on.

I now yield to the Senator from New York.

Mr. WADSWORTH. I desire merely to interject a brief observation. The Senator has referred to the action of the American Legion. It may be proper for me to state that the American Legion first indorsed at its national convention in Minneapolis the principles set forth in the bill which the Senator has been discussing, and that that convention was made up of a very large number of both former officers and former enlisted men. The subcommittee conducted quite lengthy hearings with the committee of the American Legion appointed at that national convention, and a description of that convention is contained in the subcommittee hearings as printed and which are available to any Senator. It might be well to state that a large proportion of the delegates to that convention were former enlisted men and not by any means predominantly officers.

The Senator from Tennessee, in reading the newspaper dispatch a moment ago, mentioned the fact that a committee of the legion had met at Indianapolis the other day and indorsed the bill with certain modifications. It also may be of interest to him and to other Senators for me to say that before the bill was finally whipped into shape the committee of the legion sat for many hours with the subcommittee, and all the modifications mentioned in the dispatch were put in the bill.

Mr. McKELLAR. If that was done to the satisfaction of the committee—and I am assuming that is correct—how does it happen that this body at Indianapolis passed resolutions providing for the reservations which they knew were already in the Senator's bill?

Mr. WADSWORTH. The committee that met in Indianapolis was different in personnel. I am inclined to believe that the newspaper dispatch is inaccurate in stating that they asked for further modifications.

Mr. McKELLAR. I do not vouch for the accuracy of the statement, of course, though the Associated Press is usually very accurate.

Mr. WADSWORTH. No member of the subcommittee has heard of further modifications being proposed by the American Legion. But it is a fact that after many hours of conference with members of the committee appointed by the National American Legion provisions for the democratization of the General Staff have been inserted in the bill. I shall not discuss them now. Suffice it to say that no such democratic proposal has ever been made in any kind of military legislation in any country on earth. Also provisions adequately guaranteeing the existence and maintenance of the National Guard upon a status more independent and more secure than they have ever occupied before were put into the bill at the request of the committee of the legion. The provision for limiting nominees to the West Point Military Academy to those men who have taken training is in the bill now. That is another modification.

On the matter of central control, which was another one of the modifications mentioned by the Senator in reading the newspaper dispatch, it will be found upon reading the bill that the control of the training is decentralized from Washington to a remarkable degree. That provision was also put in at the earnest request of the committee of the legion and also at the earnest request, I may say, of a large number of former citizen officers who are veterans of the recent war.

CIVIL SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. NORRIS. Mr. President, if we have settled the Army, I will return to the bill before the Senate. I desire to say that I approach the subject with a great deal of reluctance because I can not bring myself, under all the circumstances now existing, to vote for the pending bill. I am and for several years have been in favor of retirement legislation, and therefore I realize that I run the risk of being misunderstood in the attitude which I shall take now on the bill.

Ever since I have been in Congress there has been agitation on this subject. A few years after I came to Congress, in a moderate way and in the limited time that I had, I commenced to study the various propositions for civil retirement. I began the study at a time when I was opposed to any such legislation. I have changed my views on it principally because I finally reached the conclusion that such legislation would in the end bring efficiency and even economy to the Government service. I am in favor of legislation of the kind principally upon that ground.

As a fundamental proposition I do not believe that any civil employee of the Government is entitled to a pension, and yet I think there are other reasons besides the one I have mentioned why such legislation ought to be enacted. To quite a degree it will bring justice to a great many employees of the Government who are, to some extent at least, denied it under existing conditions. It is easy to say that when a person in the employ of the Government gets old he should be discharged. It is an entirely different proposition to enforce that kind of a law. Questions of humanity have always interfered with the enforcement of that kind of a law and always will. Regardless of whether the employee has properly used his money and cared for his income in order to have a competence when he becomes old and incapacitated for further work, no official has the heart to turn him out in his old age, knowing that he would become a public charge. Of course, they would not all become public charges, but many of them would.

They are suffered to remain on the rolls when as a matter of fact they are not earning the salary that the Government pays. The fact that they are there interferes with what I believe to be the right of other employees who are competent and denies them the promotion and the advancement which under ordinary circumstances they would receive. The fact that employees are denied this promotion will, either consciously or unconsciously, interfere even with their competency.

So on the whole it seems to me that in the long run the Government that provides a proper retirement law for civil-service employees not only does justice to worthy employees, but as a matter of fact in the end saves money for the taxpayers and makes the Government more efficient.

We are, however, Mr. President, it seems to me, confronted with a condition that should cause us all to hesitate. We are paying now on our national debt an amount of interest greater than was the entire expense of the Government five years ago. It has been necessary, and will be absolutely necessary, that we should increase the salaries of a great many employees of the Government—practically all of them—on account of the high cost of living. We are trying now to avoid the issuing of another lot of bonds by the Government. We are all fearful that we may be driven to that desperate remedy yet, and we are fearful of what the consequences will be if we are.

There never was a time in the history of our Government when economy in all lines and in all branches was as necessary as it is now. Patriotic people, regardless of their position in life, if they will give the subject careful and honest thought, must reach the conclusion that whatever may be the demand and the clamor upon Congress, Congress will not do its duty unless it cuts appropriations to the bone. The extravagance of war always breeds extravagance in civil life. Incompetency and corruption in public affairs always have their effect in business and in private affairs. We are dumfounded when we scratch almost anywhere, any department of the Government, to find the incompetency and the corruption that exist in the expenditure of public funds. This extravagance is almost like a disease, and, to use a common expression, "everybody is doing it." It is true, although the people may be unconscious of it. We here in the Senate and in the House realize it more fully than other people because upon us is directed the fire from all quarters, from all States, from all communities, from all kinds of organizations and men, demanding the expenditure of public money.

I confess, Mr. President, that I feel discouraged when I realize what our duty is and how difficult it is going to be to perform it and to perform it properly. The other day I had seven or eight applications in one mail from my State, from business men's organizations, commercial clubs, good-roads associations, communities that wanted public buildings. As far as I remember now, in that list of seven I think there was, at most, not more than one proposition involved in it that under ordinary circumstances I would not have been in favor of. I happened to know something about it. There was none of them, however, that could not be postponed. I answered each one of them. I declined in each case to support the proposition, giving as my reason the substance of what I am saying now.

We are driven to search everything for the purpose of getting something to tax to meet the ordinary expenses of the Government. We are going to be crowded further, and the time will come, although it may be when we are gone—this very fever may engulf all of us and put us out of public life—when the people have been paying these exorbitant taxes for a while, that all patriotic people will realize that the public official who stands and turns his face against this extravagance and this public expenditure of money even for good things will be the real patriot.

The bill, if enacted into law, is going to cost a great deal of money. It seeks to do a worthy thing. In my judgment we ought not to consider it now. It can wait. I know it has waited. A great many other things have waited that will still have to wait longer, because it is going to be a physical impossibility to have all of the good things that we would all like to see done under ordinary conditions. Under present conditions it is impossible; it can not be done.

The people who would benefit by the legislation must bear their share of the burden, although it may be hard. It is one of the various items of expenditures in themselves small as compared with the size of our country. It is a trifle; all say that it does not amount to much; but, as Macaulay said, "Trifles make perfection, and perfection is no trifle." Our Government in the main, as far as its expenditures are concerned, is made up of trifles. We must begin with the trifles to cut down. We must cut everywhere. I know that we have passed bills which, in my judgment, were extravagant and against which I voted but which I would be in favor of under ordinary circumstances. However, it seems to me that we ought to form a resolution that no public money shall now be used for anything that is not absolutely necessary to keep the Government going or to preserve its honor.

We are going to be called upon to pay in various ways large sums of money to the returning soldiers. As between giving a pension to a soldier and to a civil employee, while I might want to give each one of them a pension, if I have not money enough to pension them both I will select the soldier, however worthy the case of the civil employee may be. To a great extent the employment of the civil employees has been voluntary; the persons were selected from various applicants, and those who did not get an appointment envied the ones who did. I know that is poor consolation, Mr. President, but it is something. The one who did not get the appointment stands no show to be retired to private life, but he does have to help to pay the taxes. We have reached the point now where practically everybody, rich and poor, is taxed almost to distraction. Unless we commence to halt on the little things as well as on the big things—it is more important, I admit, to halt on the big ones—the little things will be used as precedents to get money for bigger things. So it seems to me there is only one way, and that is to stop at the beginning, as nearly as we can.

The surprising thing to me is that the demands for large expenditures of public funds come from leading business men in the community. It is not a popular thing to oppose an appropriation. It used to be considered sometimes that almost the only ability required of a candidate for Congress was success in securing large appropriations of the public funds. Some sentiment of that kind yet exists, and men who are honest in asking for some particular appropriation are going to be peeved if they do not get it. They will, perhaps, be influential; they will be strong politically, socially, and financially. The civil-service employees represent an army of people, and all of those people, Mr. President, are patriots. I am not questioning the honesty of any of those who are making these demands; in the main these things are asked by honest men; but if they are honest and fair and Congress says to them, "We can not even get the money to carry all these projects forward"—and they know it can not be done if they will give it a moment's thought—they are going to say in their own hearts that Congress is right. But right or wrong in their estimation, Mr. President, it is our

duty, it seems to me, to put on the soft pedal, to stop it, and to stop it now.

This bill, it is true, if we wanted to take one particular course, might operate for several years without costing any money; but it can not do that unless we borrow the money to make the payments. It is just as bad business to borrow money to provide for employees a retirement fund as it is to borrow money to pay any other expense of Government. The people of the country, when they once understand, will not excuse Congress, if, in order to meet the expenses of the Government, and those expenses are in any way extravagant, money is borrowed in order to do so. When we borrow money to pay the running expenses of the Government, eventually we must not only pay back the money which we borrow, but we must pay interest on it; and we are back to the circle increasing the cost of living and increasing taxation upon everybody.

Mr. President, it does seem to me that, regardless of what the consequences may be, the Congress of the United States can not perform its duty properly unless it cuts down appropriations. The Senator from Tennessee [Mr. MCKELLAR], who preceded me, referred to another bill, an Army bill, that provides for universal military training. That bill would cost more money than would this bill; but, regardless of what any individual Senator's opinion may be on the abstract proposition of universal military training, it seems to me he ought to turn his back to it now. Under present financial conditions it is one of the big things that we ought not to do. We should be inconsistent, it seems to me, if we refuse to pass the bill for the retirement of the Government employees and then pass a universal military training bill. It is another place where we ought to put on the soft pedal; it is another place where we ought to stop. The man who is in favor of universal military training, and who conscientiously believes in it, ought to join now in calling a halt, for no man wants to put the Government of the United States in a position where it will approach bankruptcy. That bill alone would not do it; this bill alone would not do it; but that bill and this bill and a hundred other bills like them would do it.

It is no answer for Senators favoring one of these bills to say, "This particular bill will not hurt; we can get along with this." The very fact that we pass one such bill is going to be used as an argument to pass every other one. We shall not be faced with many of these demands if we start out with the proposition that there is going to be no show in this Congress for anything of that kind.

I am not going to argue now on the general proposition, under ordinary conditions, of universal military training; I shall have to be convinced before I favor it under any circumstances; but, Mr. President, believing as I do about the general financial condition of our country, and, indeed, of the world at large, if I favored it, I should feel that I was not doing my patriotic duty should I support the proposition now. I presume I should feel the same way next year.

We are going to be several years in getting on our feet, in a financial sense. All kinds of expenses in every department of Government ought to be cut down as much as possible, and wherever an opportunity serves, wherever under any fair construction we can get along without an expenditure, we ought to eliminate it entirely.

Mr. SMOOT. Will the Senator yield, Mr. President?

The PRESIDING OFFICER (Mr. MYERS in the chair). Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. I yield to the Senator.

Mr. SMOOT. Is it not a fact that the Government of the United States is nothing more nor less than an aggregation of individuals?

Mr. NORRIS. That is true.

Mr. SMOOT. What would any sane man do, taking his income into consideration, if he were running behind at the same rate as the Government of the United States is doing to-day? In my opinion there is only one thing he would do. He would call a halt, and wherever an expense in his household could be eliminated he would eliminate it. We are but the guardians of the people, and we are responsible for the appropriation of their money. Is it not the duty of every Senator and of every Representative to say that there shall not be one cent of money appropriated that is not absolutely necessary?

Mr. NORRIS. I think so, and that is what I have been trying to say; but the Senator from Utah realizes, as does every other Senator, that what he suggests is a very difficult thing to do and that we shall fail in doing it completely; there is not any question about that. Even if we start out with the same resolution we shall not always agree, and a great many things will slip by. However, we ought to approach the ideal just as nearly as we can; I am particularly anxious to convince the Senate that there is only one way to do so, and that is to stop every expenditure that can be stopped if there be any possible way of getting along without it.

If it were left to me to provide for the levying of taxes, it seems to me that, without any particular hardship, I could draft a law that would bring in enough taxes to pay even the enormous expenses that are being incurred; but, Mr. President, I realize that I am not going to have my way. If I had my way, I would enact a law at once that would provide for a progressive inheritance tax, leaving a considerable portion of an inheritance, $50,000 or $75,000 or something of that kind, entirely exempt from any taxation, but after that advancing the rate rapidly until I took as high as 75 per cent of the largest inheritances. Such a law would bring an enormous amount of money into the Treasury. I presume a great many Senators would say that it was almost revolutionary, and yet, in my judgment, such a tax is the easiest and the most just tax that can be levied. I know from past experience that I can not secure the enactment of such a law; I am not going to be able to do so; the Government is not going to be able to get the money that easily; and so I am particularly interested in seeing that the expenditures are cut down so that what money we do have will be sufficient to meet the demands upon us and may be raised without any more hardship than is possible. We are going to find that practically impossible, Mr. President; we are going to be compelled to levy taxes that none of us like, that under ordinary conditions we would not support and would not vote for, just because we must have the money, and to get the money we have got to go where the money is; people have got to sacrifice, and when the paying time comes we are going to hear the other song.

We ought to be able to say to the people, "We are not doing what you want us to do now in the expenditure of money, but you are going to get the benefit of it when it comes to paying your taxes." They will see the point. The American people are fair when they understand a question, and they do not want anything but what is fair and what is honest; and, after all, down in their hearts, they expect Congress to cut down the appropriations to the very bone. They expect that, Mr. President, more than they have ever demanded it in the history of the country; and while a large portion of our people will be disappointed if that program is carried out, because they will not get what they can demonstrate is just, the fact is, unless we run the risk of bankrupting our Government, we can not provide for everything, even when the demand is just and fair.

Mr. TOWNSEND. Mr. President, I had not expected to say anything on this bill, and I am not now going to discuss its provisions, but the remarks of the Senator from Nebraska have caused me to review again the general reasons I have for favoring this kind of legislation. I am very certain that I am not looking at it at this time from the standpoint solely of the benefit to the employees. Indeed, if that were the only or chief reason for its passage at this time I could agree with the Senator that duty to the country would compel my opposition. I have favored it, however, because I thought it was a good financial thing for the Government to do, and if a policy is good for the Government financially, measured by results to the Treasury, it seems to me that it would be poor economy to withhold spending the money necessary to adopt it.

The Committee on Post Offices and Post Roads is almost constantly besieged by employees demanding increased salaries. That is true, I presume, of many other committees. Such demands in many cases are most appealing, for they are based upon real present needs; but their salaries and wages have been increased within the year, and I have felt that other employees could do as I do—sacrifice and economize for our common Government. I have said to the various employees who have asked me for an increase of pay at this time that it could not be granted them, not even though I know the Post Office Department is losing men and women from its service because private employment can pay them much more than can the Government, and be it said to their credit that the representatives of these employees have almost without exception recognized the condition of the Treasury and will await the time when relief can be granted them. I do not think that the Government will ever be in a position where it can compete with private or corporate interests which are engaged in business for big profit; but I have urged that there were certain compensating attractions attached to employment in the Government service which, I hoped, would supply it with sufficient help under ordinary conditions.

I have urged the fact that retirement for faithful employees was inevitable and that I was in favor of enacting into law a bill to that effect. Every man and woman worth while contemplates his future, and present sacrifice is justified if it promises a desirable future. I believe that a proper retirement law would retain people in the Government service at a lower wage in emergency, such as the one we are now passing through.

than could be done without such a law. So I think it would be economy on the part of the Government to pass a retirement bill at this time, if by so doing we conserve the money in the Treasury of the United States, and thus, possibly, make it unnecessary to increase taxation for larger salaries.

The fact that we fail to appropriate a certain sum of money to-day, which, if appropriated, must be met by taxation, does not mean that it is done in the interest of economy. It may be a paper economy; it may show on the record that we have withheld appropriating money and thus saved it; but, I repeat, if it can be shown, as I think it can be frequently, that the very withholding of it has been an extravagance, because it has induced the spending of more money than otherwise would have been expended, then I think we ought to act, and without hesitation, although I agree very largely with what the Senator from Nebraska has said, and no one feels the situation more, I think, than I do as chairman of a committee which is besieged on every side by demands for appropriations, all supported, more or less, by very strong logic and reasoning.

In looking at these demands for appropriations, however, I have tried to bear in mind what I have said: Is it economy for the Government to appropriate the money?

Take a man who is pressed financially in his private business; that is, he is very much in debt. He is engaged in a business that requires money, and he says, "I am so deeply in debt that I will not borrow any more money, even though I have the opportunity to make money by borrowing it." Sometimes that is the shortest and quickest road to ruin—simply to refrain from borrowing money and investing it in a line of business that will bring returns and place the borrower upon his feet again. This is an imperfect illustration but it may make my point clear. Of course, the business question now is, Will the appropriation truly conserve the Treasury or deplete it without compensating return?

I had not expected to say even this much, but I have been greatly disturbed over the question of our finances, and in the presence of such tremendous demands for appropriations I have been trying to settle the matter, so far as I am concerned, not solely nor very largely by the benefits which may come to individuals or to special communities or concerns, but by what will be the result upon the general welfare of the country, which must be conserved and promoted in hard times and in the midst of stress of circumstances just the same as when we are prosperous and our taxes are low. Indeed, it will be our investments as well as our withholdings that may make for real economy. Our Government must be conducted properly. In this financial crisis good business methods should be employed. I am advocating retirement because I believe it is such a method. At a time when people who have grown old and are now useless, or practically so, in the service, and who, Senators admit, can not be discharged, is it not wise to place them on the retired list at a comparatively nominal price and fill their places by people who render a return for what they receive? Is it not wise to offer this future reward rather than increase the present pay roll? It is my belief that this bill will if enacted create a balance in favor of the Treasury.

Mr. STERLING. Mr. President, I shall not take the time at this late hour to reply at length to the arguments on the other side, and especially the argument of the Senator from Utah [Mr. SMOOT]. I shall, however, at the first opportunity after to-day attempt, at least, to reply to his argument, especially that part of it relating to the cost to the Government of the system provided for by the pending bill.

I desire, however, to refer just briefly to the statement made by the Senator from Nebraska [Mr. NORRIS]. He has not assailed the principles of the bill, but his argument against the bill is based on the ground that it will entail upon the Government a burden which, considering the times and the burdens aside from anything like this, the taxpayers of the country will have to bear.

Mr. President, if I thought this bill meant an appropriation of millions of dollars now by the Government, I do not think I would be found here supporting it. I do not think it means that; but, on the other hand, I think it means economy and a saving to the Government from the very outset.

In proof of that I want to call attention briefly to the statement made by the head of the Bureau of Efficiency in his report of 1912. It is from the book entitled "Retirement of Superannuated Civil-Service Employees." Beginning on page 181, he says as follows:

> As noted on page 13, an effort was made a few years ago by the Civil Service Commission and the National Civil Service Reform League to determine what loss the Government was then sustaining through superannuation. Schedules were prepared and sent out to the various departments, and from the returns made on these schedules it was found that the loss in the District of Columbia amounted to approximately $400,000 a year. Assuming that employees at various ages possessed the same degree of efficiency in the District of Columbia and elsewhere, it was found, by applying the percentages obtained for the District to the employees elsewhere, that the Government was sustaining an annual loss in the District and elsewhere of $1,200,000. This estimate was made in 1906, when the service was considerably smaller than it is now, in 1911, and, of course, much smaller than it will be in future years. It is obvious that unless a retirement system is adopted the actual number of superannuated employees in the service must increase with the growth of the service. It is obvious also that unless the growth of the service continues at no less rate hereafter than it has in the past, the proportion of superannuated to active employees must also increase. That the service is likely to continue to grow may be assumed without argument, but that it will continue to grow at the rapid rate of the past 30 years is debatable.

I think we will now agree that it has continued to grow at a more rapid rate than was anticipated by the author of this statement.

> The present superannuated employees represent the residue of the active service of 30 or 40 years ago. The superannuated employees 30 or 40 years hence will represent the residue of the present active service. Thirty or forty years ago the service was composed of not more than 30,000 employees. To-day the classified service is composed of about 200,000 individuals.

What is it now? Two hundred thousand individuals in 1911, when this was written; 300,000 is the estimate to-day; 300,000 is the number upon which we make our estimates as to the cost to the Government now of this system.

> If the residue of 30,000 employees of 30 or 40 years ago is now costing the Government $1,200,000 annually, then the cost of superannuation 30 years hence may fairly be estimated to be as 30,000 is to 200,000, or nearly seven times as great as at present. This estimate is, of course, based on the assumption that the rate of separation from the service by resignation and death will continue the same, which would seem to be a fair assumption, and perhaps more than fair, since commercial opportunities outside of the service are likely to be no greater than they have been in the past, and therefore to attract away no greater proportion of the service, and the rate of mortality at the ages up to about 70 years is known to be steadily decreasing. On this basis the cost of superannuation 30 or 40 years hence would be approximately $8,000,000 annually, or more than twice the maximum amount required to be appropriated in any one year for back services under the Perkins bill.

That was a bill, I think, pending in the Senate at that time. So the Senator can see from this statement what superannuation costs the Government each and every year, or, if not in figures exactly, the tremendous amount that it costs the Government each and every year without a retirement system; and this is corroborated by what is stated by Mr. Beach in his letter to Dr. Mosher, of the Reclassification Commission. I do not know whether or not the Senator from Nebraska was present the other day when I made the statement as to Mr. Beach's present position, which is that of statistical accountant of the Pension Bureau. He is detailed by the Secretary of the Interior to aid in the work of the Reclassification Commission. He calls attention to conditions in the District of Columbia, and says:

> Taking the lowest average as a basis for calculation, and assuming that all who are eligible will retire at once, we find that the expenditure on account of annuities during the first year would equal $1,830,000.

That is, $610, which is the average annuity, multiplied by 3,000, the number of those in the employ of the Government in the District of Columbia who will retire, making a total of $1,830,000.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from South Dakota yield to the Senator from Ohio?

Mr. STERLING. I yield to the Senator.

Mr. POMERENE. A moment ago the Senator read from an article written by Dr. Brown in 1911 or 1912.

Mr. STERLING. The report is dated 1912, but the figures in the body of the article refer to 1911.

Mr. POMERENE. Very well. Of course, he was discussing, in a general way, the subject of superannuation.

Mr. STERLING. Certainly.

Mr. POMERENE. He did not, of course, have in mind the pending bill.

Mr. STERLING. Certainly not.

Mr. POMERENE. And the pending bill, of course, seeks to retire the employees at the ages of 60, 62, and 65. He was at that time, I think—I am not entirely clear about this—discussing the retirement of employees at the age of 70, was he not?

Mr. STERLING. He may have had that in mind, and perhaps it is a fair inference that he had that in mind from the concluding statement in the matter that I read, in which he says:

> This estimate is, of course, based on the assumption that the rate of separation from the service by resignation and death will continue the same, which would seem to be a fair assumption, and perhaps more than fair, since commercial opportunities outside of the service are likely to be no greater than they have been in the past, and, therefore, to attract away no greater proportion of the service, and the rate of mortality at the ages up to about 70 years is known to be steadily decreasing.

I think it is a fair inference that he referred to 70 as the retirement age.

Mr. POMERENE. I think so; and I do not think there are very many of us who would care to be classed among superannuates when we get to be 60 years old. I would not have very long to serve if that were the case.

Mr. STERLING. No; and there are not many, now, if the Senator will simply be fair in regard to that proposition——

Mr. POMERENE. I want to be.

Mr. STERLING. In the first place, it is a very limited number, as compared with the whole service, that are subject to retirement at 60 years of age, and even then they are not subject to retirement, if they show efficiency, for four years after they are 60 years of age.

Mr. POMERENE. Oh, I know that is true; there are such provisions.

Mr. STERLING. Let us have all of the facts before the Senate.

Mr. POMERENE. I want to have them, too; but when I think of retiring them below 70 years of age, at 62 and 65, and so forth, I remember that if that were the test probably two-thirds of the members of the Supreme Court would be regarded as superannuates, and I would not want to say how many Senators would have to be retired.

Mr. NORRIS. There would not be a quorum left, probably.

Mr. POMERENE. No; there would not be a quorum left, I am quite sure.

Mr. NORRIS. Mr. President, before the Senator leaves those figures and goes to something else, I want to ask him about what he read from Mr. Brown, and I want to compare Mr. Brown's conclusions and Mr. Beach's conclusions with the present bill.

If I understood the Senator correctly, he deduces from what Mr. Brown said in the 1912 report that the loss by superannuation now would be somewhere in the neighborhood of $8,000,000 a year.

Mr. STERLING. Oh, no; 30 or 40 years from the date of this report. It was $1,200,000 in 1906, when the estimate was first made.

Mr. NORRIS. I thought the Senator himself drew the conclusion that I have stated.

Mr. STERLING. Oh, no; I read the language here.

Mr. NORRIS. Now, let me ask the Senator about Mr. Beach's figures. He takes his figures from this bill, and therefore I suppose he can tell just exactly, based on the exact figures, the number of those that would be retired under this bill if it were passed now. Is not that correct?

Mr. STERLING. No; he simply refers to the probable retirements in the District of Columbia, and confines his figures to that.

Mr. NORRIS. Can the Senator give the number of employees that would be retired if this bill were enacted now?

Mr. STERLING. There probably would be about 3,000 retired in the District of Columbia. The estimate varies all the way from 6,500 up to 9,000. Mr. McCoy thinks there may be, probably, a retirement of 9,000. The estimate he makes is 6,500.

Mr. NORRIS. The loss now could not exceed the salary that is paid to those who would be retired; and, in fact, I do not see how it could be that much, because it is conceded that they do perform some work.

Mr. STERLING. Yes.

Mr. NORRIS. So, assuming that those who would be retired are 50 per cent efficient now—it seems to me that is the figure that was given the other day, though I may be wrong about that, but, of course, it is only an assumption—assuming that they are 50 per cent efficient now, we can tell just exactly what the loss would be by subtracting that from their salaries.

Mr. STERLING. I referred to that the other day, and if the Senator will permit me, at another time I will refer to the same proposition again. But the Senator from Nebraska made his argument on the ground of economy. I am calling attention now to what the saving to the Government will be right here in the District of Columbia under the estimate of Mr. Beach.

Mr. NORRIS. I understand; but I do not see how the saving could exceed 50 per cent. It could not, because to get what the actual saving would be next year you would have to take the employees who would be retired under the bill and the salary which they draw and deduct that from what they would get——

Mr. STERLING. In annuities.

Mr. NORRIS. In annuities, and also what it would cost to do the work which they are now doing, whatever it may be. The balance would be the loss to the Government.

Mr. STERLING. Mr. Beach gives the figures in regard to that. Of course the number of replacements made is more or less speculative. They could not determine it exactly, but I think Mr. Beach's figures are very conservative in that regard.

Mr. TOWNSEND. May I ask the Senator from South Dakota if it is not true that a great many people are now being carried on the rolls and paid a salary whose places would not necessarily have to be filled by new employees?

Mr. STERLING. That was the testimony before the committee by different heads of departments. Mr. Beach in this estimate thinks that only 25 per cent of those who will be retired here in the District will have to be replaced.

Mr. TOWNSEND. Then the entire saving to the Government in such cases would be what the Government pays out in annuities upon retirement deducted from the salary those men are now paid. That would be a saving if no one takes their place.

Mr. NORRIS. If they did not do any work.

Mr. TOWNSEND. If they did not do any work, or if their work is done by some one else now in the service.

Mr. NORRIS. Without costing anything additional. That is true.

Mr. STERLING. On this basis, the aggregate salary of 3,000 employees 65 years of age and over would amount to $3,780,000. That is on a basis of $1,260, which is probably the average salary paid now. Should there be no replacements of retired employees, there would be a clear saving to the Government of $1,950,000 during the first year, which amount represents the difference between the aggregate compensation and the aggregate annuities for 3,000 employees. Then, allowing that the new entrants will receive the same average salary that is paid to retired employees, the expenditure on this account will amount to $945,000, still leaving a net saving to the Government during the first year of $1,462,500.

That is a matter of computation, and I think it is an answer, and a pretty complete answer, to the Senator from Nebraska in regard to the economy that it will be to the Government. It shows that there will be this actual saving to the Government, and it will warrant the enactment of a law providing for a system that will mean that much of a saving.

Mr. NORRIS. Assuming that to be true, if the Senator will permit an interruption, speaking purely now in a financial sense, the Government would still be out the difference between what the Senator calls the savings and the amount of money which it would cost to carry on this system.

Mr. STERLING. What would that be?

Mr. NORRIS. It would be something over $4,000,000, as I remember the figures now. I do not have them before me. The Senator from Utah [Mr. SMOOT] gave this afternoon what it would cost the first year.

Mr. STERLING. If the Senator will permit me, if there is a saving of $1,462,000 in the District of Columbia, what will it be the country over? If you take the country over and all the civil-service employees, there will be a saving that will more than pay the expense to the Government.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from North Dakota?

Mr. STERLING. I yield to the Senator.

EXECUTIVE SESSION.

Mr. McCUMBER. It is now 5 o'clock, and I should like to have a brief executive session. Will not the Senator from South Dakota be willing to suspend now?

Mr. STERLING. Very well.

Mr. McCUMBER. If that is satisfactory, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 12, 1920, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 11, 1920.

INTERSTATE COMMERCE COMMISSION.

Henry C. Stuart, of Virginia, to be a member of the Interstate Commerce Commission for the term expiring December 31, 1925.

UNITED STATES SHIPPING BOARD.

Louis Titus, of California, to be a member of the United States Shipping Board, vice Robinson, resigned.

POSTMASTERS.

ALABAMA.

John M. Parrish to be postmaster at Clanton, Ala., in place of J. E. Robinson, deceased.

Walter Morgan to be postmaster at Woodward, Ala., in place of J. H. Leonard, resigned.

ALASKA.

Amy Howell to be postmaster at Petersburg, Alaska, in place of J. C. Allen, resigned.

ARIZONA.

Mattie J. Howell to be postmaster at Wickenburg, Ariz., in place of Bertha M. Rees, resigned.

ARKANSAS.

Robert H. Clark to be postmaster at Bald Knob, Ark., in place of M. G. Clark, resigned.

Kate E. Harrison to be postmaster at Plumerville, Ark., in place of H. A. Jones, resigned.

CALIFORNIA.

William Gilford to be postmaster at Oilfields, Calif., in place of E. F. Orwig, resigned.

Catherine E. Ortega to be postmaster at Sonora, Calif., in place of A. J. Jones, resigned.

Alice T. Scanlon to be postmaster at Colfax, Calif., in place of A. T. Durnin. Name changed by marriage.

CONNECTICUT.

William S. Meany to be postmaster at Greenwich, Conn., in place of W. S. Meany. Incumbent's commission expired February 15, 1919.

FLORIDA.

William J. Forbes to be postmaster at Pensacola, Fla., in place of B. S. Hancock. Incumbent's commission expired October 21, 1918.

Herman B. Walker to be postmaster at Miami, Fla., in place of F. M. Brown, resigned.

Edward O. Sawyers to be postmaster at Zolfo Springs, Fla., in place of E. B. Langford, deceased.

James A. Haiston to be postmaster at Cocoa, Fla., in place of J. A. Haiston. Incumbent's commission expired January 18, 1920.

Albert E. Lounds to be postmaster at Crescent City, Fla., in place of A. E. Lounds. Incumbent's commission expired January 11, 1920.

Edward L. Powe to be postmaster at De Land, Fla., in place of E. L. Powe. Incumbent's commission expired February 7, 1920.

Charles F. Hopkins to be postmaster at St. Augustine, Fla., in place of C. F. Hopkins. Incumbent's commission expired January 11, 1920.

Philip M. Elder to be postmaster at Sanford, Fla., in place of P. M. Elder. Incumbent's commission expired January 27, 1920.

GEORGIA.

Sarah K. Scovill to be postmaster at Oglethorpe, Ga., in place of Fannie T. Elmore, resigned.

Raymond W. Clancy to be postmaster at Darien, Ga., in place of T. K. Dunham, resigned.

George D. Rucker to be postmaster at Alpharetta, Ga., in place of G. D. Rucker. Incumbent's commission expired January 11, 1920.

ILLINOIS.

John F. Bushmeyer to be postmaster at Colchester, Ill., in place of J. F. Bushmeyer. Incumbent's commission expired January 10, 1920.

Louis W. Richter to be postmaster at Melrose Park, Ill., in place of L. W. Richter. Incumbent's commission expired January 10, 1920.

Robert Sherrard to be postmaster at Oak Park, Ill., in place of R. Sherrard. Incumbent's commission expired January 10, 1920.

IOWA.

Mae Dougherty to be postmaster at Sanborn, Iowa, in place of E. L. Helmer, resigned.

Frank E. Wood to be postmaster at Shellrock, Iowa, in place of H. N. Stevenson, resigned.

Wallace F. L. Merrill to be postmaster at Hazelton, Iowa, in place of W. F. L. Merrill. Office became presidental July 1, 1919.

KANSAS.

Siegfried Kuraner to be postmaster at Fort Leavenworth, Kans., in place of Siegfried Kuraner. Incumbent's commission expired May 18, 1918.

Anna M. Bryan to be postmaster at Mullinville, Kans., in place of Abraham Peters, resigned.

Frederick D. Lamb to be postmaster at Manhattan, Kans., in place of J. M. Winter, resigned.

Robert J. Rowe to be postmaster at Ogden, Kans., in place of F. A. Stephens, removed.

KENTUCKY.

Owen Daugherty to be postmaster at Caneyville, Ky., in place of O. Daugherty. Office became presidential July 1, 1919.

LOUISIANA.

Cyrus E. Roberts to be postmaster at Merryville, La., in place of James C. Parker, resigned.

Neal D. Womble to be postmaster at Winnsboro, La., in place of Thomas Siddon, declined.

MASSACHUSETTS.

Raymond H. Gould to be postmaster at Millers Falls, Mass., in place of John S. Powers, removed.

Anna E. C. Barrett to be postmaster at Siasconset, Mass., in place of A. E. C. Barrett. Office became presidential October 1, 1919.

MINNESOTA.

Mary I. McGuire to be postmaster at Norwood, Minn., in place of J. E. Sweeney, resigned.

MISSISSIPPI.

Maggie E. Sullivan to be postmaster at Meadville, Miss., in place of Foster H. Round, resigned.

Henry H. Hunter to be postmaster at Macon, Miss., in place of A. C. Fant, resigned.

MISSOURI.

Fred H. Cordner to be postmaster at Auxvasse, Mo., in place of M. Gertrude Brown, resigned.

MONTANA.

Walter V. Grimes to be postmaster at Dillon, Mont., in place of Eugene L. Poindexter, removed.

Hattie E. Fest to be postmaster at Polson, Mont., in place of L. Blanche Dawson, resigned.

NEBRASKA.

Herbert O. Paine to be postmaster at Cook, Nebr., in place of H. O. Paine. Incumbent's commission expired February 20, 1919.

NEW HAMPSHIRE.

Joseph P. Conner to be postmaster at Portsmouth, N. H., in place of J. M. Dowd, resigned.

John E. Sullivan to be postmaster at Somersworth, N. H., in place of J. E. Sullivan. Incumbent's commission expired January 5, 1920.

NEW JERSEY.

Anna W. L. Cowie to be postmaster at Cedar Grove, N. J., in place of Arthur M. Cowie, deceased.

Thomas B. Thompson to be postmaster at Elwood, N. J., in place of Harry E. Kehler, removed. Office became presidential July 1, 1919.

Mabel E. Tomlin to be postmaster at Sewell, N. J., in place of Frank C. Tomlin, deceased.

Clara Mark to be postmaster at South River, N. J., in place of Joseph Mark, deceased.

NEW YORK.

Raymond A. Heckroth to be postmaster at Oakfield, N. Y., in place of J. R. Davis, resigned.

William J. Powers to be postmaster at Pittsford, N. Y., in place of G. H. Miller, declined.

James F. Haggerty to be postmaster at St. Johnsville, N. Y., in place of C. G. Brown, removed.

Eugene J. Hanratta to be postmaster at Watervliet, N. Y., in place of E. J. Hanratta. Incumbent's commission expired January 28, 1920.

NORTH CAROLINA.

Jesse W. Wood to be postmaster at Littleton, N. C., in place of Elijah B. Perry, jr., resigned.

James L. Bivens to be postmaster at Marshville, N. C., in place of Luther E. Huggins, resigned.

Rosabelle L. Chestnutt to be postmaster at Snow Hill, N. C., in place of Frank A. Moseley, resigned.

Lillian D. Williams to be postmaster at Stantonsburg, N. C., in place of Charles S. Whitley, resigned.

Rufus R. Clark to be postmaster at Statesville, N. C., in place of Robert V. Brawley, resigned.

NORTH DAKOTA.

Paul M. Bell to be postmaster at Elgin, N. Dak., in place of W. S. Murray, removed.

Jacob H. Isaak to be postmaster at Goldenvalley, N. Dak., in place of W. T. Campbell, resigned.

John E. Young to be postmaster at Marion, N. Dak., in place of Harriet A. Deyoe, resigned.

Hugh Roan to be postmaster at Portal, N. Dak., in place of Jeannette Gamble, deceased.

Edith Ericson to be postmaster at Underwood, N. Dak., in place of M. L. McCullen, resigned.

OHIO.

Frank H. Shaw to be postmaster at Germantown, Ohio, in place of H. H. Maxson, declined.

Alfred L. Richar to be postmaster at Niles, Ohio, in place of J. P. Stewart, deceased.

Orrin L. Gessley to be postmaster at Circleville, Ohio, in place of P. A. Walling, removed.

Joel C. Clore to be postmaster at Cincinnati, Ohio, in place of J. C. Clore. Incumbent's commission expired January 17, 1920.

Patrick J. Dunn to be postmaster at Strasburg, Ohio, in place of P. J. Dunn. Incumbent's commission expired January 18, 1920.

OKLAHOMA.

Clarence D. Hall to be postmaster at Carnegie, Okla., in place of J. H. Cunningham, resigned.

Louie Garland to be postmaster at Fort Gibson, Okla., in place of R. M. Monntcastle, resigned.

Minnie Davis to be postmaster at Hastings, Okla., in place of J. R. Reynolds, resigned.

Clifton J. Owens to be postmaster at Mill Creek, Okla., in place of J. F. Garner, removed.

Henry C. DeMunbrun to be postmaster at Oilton, Okla., in place of C. M. Murdoch, resigned.

Samuel A. Walker to be postmaster at Rocky, Okla., in place of W. W. Long, resigned.

Mary L. Whaley to be postmaster at Eldorado, Okla., in place of L. T. Tucker, removed.

Byron I. Skinner to be postmaster at Kiefer, Okla., in place of Maud Riley, resigned.

Otis B. Weaver to be postmaster at Shawnee, Okla., in place of O. B. Weaver. Incumbent's commission expired January 5, 1920.

John M. Dollarhide to be postmaster at Wright City (late Wright), Okla., in place of J. M. Dollarhide. Change name of office.

OREGON.

Margaret C. Jones to be postmaster at Ione, Oreg., in place of Joe Mason, resigned. Office became presidential April 1, 1918.

Robert Urquhart to be postmaster at Moro, Oreg., in place of J. M. Parry, resigned.

PENNSYLVANIA.

Herald H. Spaide to be postmaster at Ashland, Pa., in place of J. A. Stief. Incumbent's commission expired June 26, 1918.

Alice Irene Oliver to be postmaster at Blair Station, Pa., in place of Charles McBride, removed.

Ira S. Price to be postmaster at Canadensis, Pa., in place of E. I. Price, resigned. Office became presidential October 1, 1917.

William M. Carter to be postmaster at Punxsutawney, Pa., in place of W. M. Carter. Incumbent's commission expired December 17, 1919.

RHODE ISLAND.

Howard F. Briggs, jr., to be postmaster at Saunderstown, R. I., in place of W. M. Thompson. Office became presidential October 1, 1918.

SOUTH CAROLINA.

Howard A. Littlejohn to be postmaster at Belton, S. C., in place of W. C. Clinkscales, resigned.

Cecil S. Rice to be postmaster at Denmark, S. C., in place of C. S. Rice. Incumbent's commission expired January 25, 1920.

Edgar E. Poag to be postmaster at Rock Hill, S. C., in place of V. B. McFadden, resigned.

TEXAS.

Ralph L. Buell to be postmaster at Pharr, Tex., in place of W. E. Cage, resigned.

Joe C. Hawks to be postmaster at Lancaster, Tex., in place of Maud Strain, resigned.

William F. Lancaster to be postmaster at Bowie, Tex., in place of W. F. Lancaster. Incumbent's commission expired January 17, 1920.

Daniel F. Largent to be postmaster at Bridgeport, Tex., in place of D. F. Largent. Incumbent's commission expired February 15, 1919.

Ira S. Koon to be postmaster at Hallsville, Tex., in place of I. S. Koon. Office became presidential October 1, 1919.

Charles R. Hart to be postmaster at Montague, Tex., in place of C. R. Hart. Office became presidential October 1, 1919.

Amos E. Duffy to be postmaster at Matagorda, Tex., in place of A. E. Duffy. Office became presidential October 1, 1919.

Edward Howard to be postmaster at Wichita Falls, Tex., in place of E. Howard. Incumbent's commission expired January 5, 1920.

VERMONT.

James S. Brownell to be postmaster at Woodstock, Vt., in place of E. P. Gobie. Incumbent's commission expired May 27, 1918.

WASHINGTON.

Mae Hamilton to be postmaster at Fort Flagler, Wash., in place of Mae Cook. Name changed by marriage.

WEST VIRGINIA.

Michael E. Ginther to be postmaster at Ravenswood, W. Va., in place of Margaret McGugin, resigned.

Samuel C. Young to be postmaster at Charles Town, W. Va., in place of S. C. Young. Incumbent's commission expired January 10, 1920.

Aileen J. Calfee to be postmaster at Eckman, W. Va., in place of A. J. Calfee. Office became presidential July 1, 1919.

Nona P. Johnston to be postmaster at Filbert, W. Va., in place of N. P. Johnston. Office became presidential October 1, 1919.

WYOMING.

Flossie A. Speckman to be postmaster at Glenrock, Wyo., in place of Edith S. Morgan, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 11, 1920.

ASSISTANT TREASURER OF THE UNITED STATES.

John Brooke Evans to be assistant treasurer of the United States at Philadelphia, Pa.

DIRECTOR WAR FINANCE CORPORATION.

Franklin W. M. Cutcheon to be director of the War Finance Corporation.

APPRAISER OF MERCHANDISE.

John J. Gallagher to be appraiser of merchandise, customs collection district No. 12.

ASSISTANT SOLICITOR, DEPARTMENT OF COMMERCE.

James J. O'Hara to be assistant solicitor of the Department of Commerce.

UNITED STATES COAST AND GEODETIC SURVEY.

Ray Longfellow Schoppe to be hydrographic and geodetic engineer.

Albert Mathias Weber to be junior hydrographic and geodetic engineer.

Robert Francis Anthony Studds to be aid.

PROMOTIONS IN THE ARMY.

INFANTRY.

To be colonels.

William P. Jackson.
Matthias Crowley.
John J. Bradley.
Douglas Settle.

To be lieutenant colonels.

William B. Cochran.
Harry F. Rethers.
Herschel Tupes.

To be majors.

Ode C. Nichols.
Kirwin T. Smith.
William W. Bessell.

To be captains.

Harris M. Melasky.
Sidney H. Young.
John C. Whitcomb.
Charles D. Lewis.
Paul H. Brown.
William S. Eley.
Paul W. York.
Ferdinand G. von Kummer, jr.
Joseph P. Sullivan.
Asa P. Pope.

CAVALRY ARM.

To be lieutenant colonel.

Joseph S. Herron.

FIELD ARTILLERY ARM.

To be lieutenant colonel.

Fred C. Doyle.

QUARTERMASTER CORPS.

To be colonel.

Frank H. Lawton.

SIGNAL CORPS.

To be lieutenant colonel.

Arthur S. Cowan.

PROVISIONAL APPOINTMENTS IN THE ARMY.

CAVALRY ARM.

To be second lieutenant.

Ross Ernest Larson.

To be first lieutenants.

Ross E. Larson.
Marcellus L. Stockton, jr.

POSTMASTERS.

ALABAMA.

Charles H. Ramey, Akron.
Margie Gardner, Aliceville.
William H. Briley, Ariton.
Robert M. Rawls, Athens.
James W. Horn, Brantley.
John L. Dickinson, Brundidge.
Edward R. White, Center.
Robert M. Crump, Collinsville.
George R. McElroy, Cuba.
Charles R. Osborne, Eclectic.
John J. Dunlap, Eutaw.
William V. Jacoway, Fort Payne.
Myrtle I. Williamson, Gurley.
Harry C. Howze, Marion.
George B. Pickens, Moundville.
Leroy Q. Box, Oneonta.
Arthur L. Moore, New Market.
William K. Cooper, Northport.
William T. Hogan, Phoenix.
Zula L. Davis, Prichard.
Samuel D. Wren, Red Bay.
John W. Owen, Red Level.
William B. Reeder, Rogersville.
J. Richard Coleman, Sheffield.
Clyde Oldshue, Sulligent.
Roxie King, Townly.
Roy E. Blackburn, jr., Uniontown.
Rufus L. Adcock, Wedowee.
William A. Daniel, Wilsonville.
Rodolphus F. Wheeler, Winfield.

ARIZONA.

Loran D. Park, Casa Grande.
Jesse M. Foster, jr., Clemenceau (late Verde).
Eliel T. Miner, Humboldt.
Thomas A. Feeney, Miami.
Selim J. Michelson, Phoenix.
James A. Pitts, Seligman.
Harry C. Lowdermilk, Willcox.
Charles E. Hand, Winkelman.

CALIFORNIA.

Jane M. Powell, Angel Island.
Raymond P. O'Connor, Atascadero.
George M. Belles, Azusa.
William B. Higgins, Baypoint.
William D. Parker, Biggs.
Nora J. Street, Cedarville.
Frank T. Hawes, Centerville.
Virginia H. Rice, Cottonwood.
Charles W. Arrasmith, Courtland.
Charles M. Grist, Covelo.
Ewing W. Shumaker, Cucamonga.
Katherine H. McLernon, Culver City.
Hope Lockridge, Delano.
Frederick M. Brooke, Dinuba.
Samuel T. Mason, Durham.
Fred Huckle, East San Pedro.
Carrie I. Pfau, Fairfield.
Twonnette Parker, Fairoaks.
John A. Ellis, Geyserville.
Lawrence H. Murray, Hamilton City.
John E. King, Hemet.
Davis C. Earhart, Hornbrook.
Nettie Fansel, Independence.
Samuel W. Green, Isleton.
Charles B. Randall, Kerman.
George W. Hunt, McCloud.
Earl Stacy, McFarland.
August A. Heeser, Mendocino.
Aurelia H. Reinhardt, Mills College.
Joseph J. Rosborough, Oakland.
Harold K. Rankin, Ocean Beach.
Wilbert G. Stewart, Perris.
Mamie L. Royce, Pittsburg.
George C. Murphy, Porterville.
Ephriam P. Higgins, San Gabriel.
Anna McMichael, San Juan Bautista.
Manuel S. Trigueiro, San Miguel.
Charles J. Adair, San Pedro.
Edwin H. Shoemaker, Sausalito.
Lucille F. Merrill, Sisson.
Joseph C. Reilly, Trona.
Mary S. Rutherford, Truckee.
Julius C. Barthel, Venice.
Edward B. Bradley, Walnut Creek.
George W. Wentner, Weed.
William E. Taylor, Westwood.
Albert G. Griffith, Wheatland.
Joseph S. Todd, Whittier.
Floyd E. Kidd, Williams.
M. Elizabeth Woods, Wilmington.

GEORGIA.

Herman C. Overstreet, Sylvania.

KENTUCKY.

James B. Yates, Cave City.
John H. Myers, Crofton.
Ottis Conyers, Dry Ridge.
Henry C. Hurst, Jackson.
Rorar J. Bondurant, Lynch Mines.
Gustave H. Block, McRoberts.
John M. Sims, Mount Olivet.
Martin L. Price, jr., Van Lear.

LOUISIANA.

Green H. Wilcox, Bogalusa.
Joseph C. Umbarger, Cedar Grove.
Milton E. Kidd, Choudrant.
Phillip B. Allbritton, Clarks.
Bishop M. Hulse, Delhi.
Mentor E. Beaugh, Eunice.
Marion H. Page, Fullerton.
Edward A. Drouin, Mansura.
William M. Hathorn, Melville.
Sylvester J. Folse, Patterson.
Daniel Crowe, Vivian.
Nannie H. Rogillio, Water Proof.
Felix L. Le Blanc, Westlake.
Keary E. Ham, Wilson.

MAINE.

Harry A. Greenwood, Ashland.
Owen J. Toussaint, East Millinocket.
Eugene W. Vaughan, Greenville.
Charles C. McLaughlin, Harmony.
Forrest G. Coffin, Harrington.
Edward A. Webber, Hartland.
Harry J. White, Jonesport.
Natt R. Hubbard, Kittery.
Thomas Quinn, Millinocket.
Winfield L. Ames, North Haven.
Harry S. Bates, Phillips.
Emily E. Pynes, Sangerville.
Hiram W. Ricker, South Poland.
Elmer E. Harris, Springvale.
Edwards A. Matthews, Union.
Frederic R. Young, Wilton.
Parker B. Stinson, Wiscasset.

NEW YORK.

George P. Forbes, Larchmont.

OREGON.

Wilbur H. Hudson, Bend.
William A. Morand, Boring.
David S. Young, Dufur.
William D. Hardesty, Freewater.
Jason T. Anderson, Harrisburg.
Thomas A. Reavis, Hood River.
Leona C. Ady, Merrill.
Orrin A. Kirby, Myrtle Creek.
John J. Cooke, Oregon City.
William I. Smith, Redmond.
Andrew J. Flynn, Sheridan.
John H. Brooks, Silverton.
Aria Head, Waldport.

PENNSYLVANIA.

Ralph E. Spangler, Boswell.
John R. Jenks, Cornwells Heights.
John F. Schreck, Ephrata.

John P. Rodger, Hooversville.
John B. Vough, Markleton.
Russell R. Souser, Rockwood.
David J. Moore, Windber.

TENNESSEE.

G. W. Steagall, Tullahoma.

WASHINGTON.

Rudolph R. Staub, Bremerton.
Porter L. Breakiron, Cosmopolis.
Andrew J. Grant, Harrington.
Elmer Thackston, Ione.
Robert P. Hoskyn, Oroville.
Horton S. Huntington, Prosser.
Clydia E. Kennedy, Snoqualmie Falls.
Lawrence B. Bryan, Toppenish.

WEST VIRGINIA.

John W. Bailey, Berwind.
Julius A. de Gruyter, Charleston.
Buren Stephenson, Clay.
Walter L. Morris, Elkhorn.
Clyde S. Holt, Fairmont.
John H. S. Barlow, Grafton.
Losee O. Hodges, Hurricane.
Philip H. Keys, Keyser.
Griffith T. Smith, Point Pleasant.
Robert L. McKinley, Reedy.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 11, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father of all that we hold sacred, we thank Thee that the authorities have been moved to place on exhibition, the original documents—The Declaration of Independence, The Constitution of the United States of America, The Emancipation Proclamation and other precious instruments—for the benefit of the public, especially our school-teachers and their pupils; since to look upon them and read anew of them will arouse greater reverence for the men who framed them, a greater appreciation of American institutions and inspire larger, purer, nobler patriotism in the hearts of our people. In the name of the Master of truth, righteousness and holy patriotism. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERSONAL EXPLANATION.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. SINNOTT. Mr. Speaker, on page 18 of the conference report on the oil-leasing bill is the following reference to an amendment:

On page 55, line 9, after the word "thereon," insert the word "only."

Then follows this explanation:

This word was omitted by a mistake from the engrossed copy of the House bill.

In so far as this statement may be considered a reflection upon the engrossing clerk, it is an error on my part. The word was not omitted from the engrossed copy of the bill because of any mistake on the part of the engrossing clerk. The mistake occurred either in reporting the bill to the House or in the printing of the bill. I make this explanation to save the clerk from any criticism.

CALENDAR WEDNESDAY.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to dispense with the business in order on Calendar Wednesday.

The SPEAKER. The gentleman asks unanimous consent to dispense with the business of Calendar Wednesday. Is there objection?

There was no objection.

AGRICULTURAL APPROPRIATIONS.

Mr. GARNER. Before the gentleman from Iowa moves to go into the Committee of the Whole for the further consideration of the Agricultural appropriation bill, will he yield for a question?

Mr. HAUGEN. Yes.

Mr. GARNER. Does the gentleman contemplate getting a rule for the purpose of inserting in the bill certain amendments that have been stricken out on points of order?

Mr. HAUGEN. I have made such a request of the Committee on Rules.

Mr. GARNER. Has the gentleman prepared his rule and introduced it for the purpose of having it reported?

Mr. HAUGEN. My understanding is that it is not necessary to do that, but that the committee will report the rule.

On motion of Mr. HAUGEN, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill, H. R. 12272, with Mr. WALSH in the chair.

Mr. SMITH of Idaho. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Idaho: On page 46, after line 13, insert:

"For experiments and investigations of range conditions within the national forests or elsewhere on the public range, and of methods for improving the range by reseeding, regulation of grazing, and other regulations, $35,000."

Mr. MANN of Illinois. I reserve a point of order on that amendment.

Mr. SMITH of Idaho. Mr. Chairman, this item has been carried in the Agricultural appropriation bill since 1907, and under it a great deal of inspection work has been undertaken and completed, as is evidenced by certain reports which have been made each year. One of these reports has reference to the increased cattle production on the southwestern ranges. Another report is on range preservation and its relation to erosion control of western grazing lands; another is on eradicating the tall larkspur, a poisonous weed, on cattle ranges in the national forests; another is on the soap weed as an emergency feed for cattle on the southwestern ranges, the introduction of a new feed for cattle; another is on the production of goats on the far western ranges; another is on the range management of the national forests.

These reports have been widely circulated among those who are grazing their stock on the national forests.

I understand that when this bill was under consideration by the Committee on Agriculture officials from the department were called before the committee, who urged the continuation of the appropriation.

In the Book of Estimates $25,000 additional was recommended by the Secretary of Agriculture, but because of the desire to keep down appropriations those in charge of the Forest Service agreed that if they could have the present appropriation of $35,000 continued they would be satisfied.

Now, under the investigations conducted under this appropriation during the last 10 years the number of cattle on forest reserves has been increased by 1,000,000 head, and the revenues to the department, because of this increased number of cattle that have been taken care of, have been increased about $750,000 annually.

These investigations have covered only a few of the public-land States, and it is desired to continue these investigations in other States where there are national forests. It is of the greatest importance that this appropriation should be continued, because of the splendid work that has been accomplished by these experts, and the benefits which have accrued to the cattle industry as a result of their work.

I am also advised that the subcommittee having this matter in charge recommended the continuation of this appropriation, and that it was voted out in the full committee, a number of Members voting who had not heard the arguments advanced by the forest officials as to the reasons this work should be continued. I trust, therefore, that my amendment to restore the item will prevail.

Mr. MANN of Illinois. So far as I am concerned, I withdraw the point of order.

The CHAIRMAN. The gentleman from Illinois withdraws his reservation of the point of order. Does the gentleman from Iowa [Mr. HAUGEN] desire to discuss this amendment?

Mr. HAUGEN. Mr. Chairman, the purpose of the proposed amendment is evidently to aid in the handling of the stock. This proposition was discussed before the committee during the hearings on the bill. On pages 110–111 of the hearings on the Forest Service, Mr. Jardine, in charge of the work, testified as follows:

Mr. JARDINE. This item covers the handling of cattle, handling of sheep, natural revegetation, artificial reseeding, water development, effect of grazing upon timber growth and watersheds, eradication of poisonous plants, and other problems incident to the regulation of grazing. In the handling of sheep, I personally was assigned to construct an animal-proof fence 100 miles from the railroad in some of the roughest country in America, where the methods of handling sheep were distinctive to the range. I was assigned to investigate the possibility of applying a paddock or pasture system of management similar to what is applied in Australia. I lived with those sheep from 4 o'clock in the morning until night for four summers, studying their natural habits when allowed their freedom under fence and what would be the result of interfering with them by herders and of not interfering with them in the way of range-carrying capacity, growth of sheep, losses of sheep, and injury to the range.

Mr. MCLAUGHLIN of Michigan. How did you interfere?

Mr. JARDINE. The custom was to have 1,600 to 2,500 head of sheep with one herder and two to six dogs. They were constantly rounding them up in a jam and spreading them out. This running and massing would trample out a great deal of the vegetation; sometimes 50 per cent of the vegetation was wasted in this way. The sheep were driven each day to and from a central bedding ground; they were driven 4 or 5 miles from the bedding ground to feed and back to camp. The result was just the same as it is when there are too many cattle collected together at one watering place; they kill the vegetation from the watering place out. In some instances the range was denuded for one-quarter to one-half mile around the bedding ground.

Mr. TINCHER. You mean that they kill out the grass?

Mr. JARDINE. They not only kill out the grass but the trees, the small trees, and bring on erosion, which fills up the reservoirs below.

The CHAIRMAN. What is your remedy?

Mr. JARDINE. The remedy was this: That, instead of bedding those sheep at one place for 10 or 15 days at a time, we said that it was practicable to move them about over the range; that the sheep can be bedded wherever night overtakes them; and, instead of close-herding the sheep, the herders can keep out around them so that the sheep graze in open formation and minimize waste of forage by trampling. The herder can put four days' provisions on a burro and go out with the sheep. The herder gets up in the morning, makes himself a cup of coffee, and starts out with the sheep. About 9 o'clock they stop for rest. He will have a keg of water and some food on the burro. He will unpack the burro and fix his breakfast, and does his day's work. Probably about 3 o'clock the sheep start feeding again and graze until dark.

The CHAIRMAN. How about watering the sheep?

Mr. JARDINE. We have records of sheep going from the time they were lambs until they were marketed in Omaha without any water except the moisture in the vegetation—the dew, fog, and rains—with no places to drink from. It is not necessary to drive the sheep up and down steep hills every day to water, but they can work out and around and come naturally to water—that is, circle around from the water and back.

Mr. MCLAUGHLIN of Michigan. In some cases they raise cattle in that way, and the cattle grow to maturity and make fine beef without ever having had a drink of water.

Mr. JARDINE. The amount of drinking water necessary depends very largely upon the character of vegetation, the altitude, the temperature, and the way the sheep are handled.

The CHAIRMAN. Do the sheep do so well without water as they do with it?

Mr. JARDINE. Not unless the vegetation is very succulent and the atmosphere is cool, or there is a good deal of fog or rain.

Mr. HAUGEN. I am reading from the hearings on the Forest Service. It would seem that the gentleman should not now ask $35,000 more for the work indicated by Mr. Jardine, after having opposed an increase of the fees for grazing, which are only 72 cents a head for cattle. He is unwilling to increase these fees, yet he is willing to have us turn over the grazing, timber, and water privileges as well and take nearly $5,000,000 out of the Treasury in addition to the total receipts. It would seem that he can not now consistently ask us to give $35,000 more for this very work.

I insert in the RECORD tables submitted by the department:

Expenditures of the Forest Service during the fiscal year ending June 30, 1919.

Regular expenditures from annual appropriation:	
Field expenses connected with the national forests	$4,801,794.67
General expenses connected with the Washington office	472,403.22
Research and recording of results	388,023.68
Total	5,662,221.57
Emergency fire expenditures, derived in 1919 from the national security and defense fund	650,000.00
Cooperative contributions for work on national forests, including protection improvements, and brush burning	522,840.05
Cooperation with States in fire protection outside the national forests	99,921.13
Cooperative contributions from Army and Navy for military research in wood	372,233.81
Construction of roads, from the 10 per cent fund (total available, $350,533.75)	279,055.63
Construction of roads, section 8, Federal-aid road act and Post Office appropriation act (total available, $4,000,000)	548,764.80
Amount paid to States representing 25 per cent of gross receipts	1,069,886.88
Special apportionment for Arizona and New Mexico for school lands within national forests	78,687.32
Total expenditures	9,285,611.19
Total receipts	4,358,414.86
Deficit	4,927,196.33

Year-long rates for grazing on the national forests, season of 1919.

State.	Cattle.	Horses.	Sheep and goats.	Swine.
Alabama	$1.50	$2.00	$0.45	$0.90
Arizona	1.00	1.25	.25	.75
Arkansas	.80	1.00	.20	.60
California	1.00 to 1.40	1.25 to 1.75	.25 to .35	.75 to 1.05
Colorado	1.00	1.25	.25	.75
Florida	.80	1.00	.20	.60
Georgia	1.50	1.87	.37½	1.12½
Idaho	.80 to 1.20	1.00 to 1.50	.20 to .30	.60 to .90
Michigan	1.00	1.25	.25	.75
Montana	.80 to 1.20	1.00 to 1.50	.20 to .30	.60 to .90
Nebraska	1.50	2.00	.45	.90
Nevada	1.00 to 1.20	1.25 to 1.50	.25 to .30	.75 to .90
New Hampshire	1.50	2.00	.45	.90
New Mexico	1.00	1.25	.25	.75
North Carolina	1.50	2.00	.45	.90
Oklahoma	1.50	1.87	1.12½	.37½
Oregon	1.00 to 1.20	1.25 to 1.50	.25 to .30	.75 to .90
South Dakota	1.00	1.25	.25	.75
Tennessee	1.50	2.00	.45	.90
Utah	1.00 to 1.20	1.25 to 1.50	.25 to .30	.75 to .90
Virginia	1.50	2.00	.45	.90
Washington	1.00 to 1.20	1.25 to 1.50	.25 to .30	.75 to .90
Wyoming	1.00 to 1.20	1.25 to 1.50	.25 to .30	.75 to .90

Grazing permits issued and number of stock grazed.

State	Cattle, horses, and swine				Sheep and goats		
	Permits issued.	Number of stock grazed.			Permits issued.	Number of stock grazed.	
		Cattle.	Horses.	Swine.		Sheep.	Goats.
Alabama	2	59					
Arizona	1,570	360,011	6,509	637	160	364,853	6,604
Arkansas	452	4,591	80	494	15	49	239
California	3,021	208,683	7,019	3,324	551	606,526	13,286
Colorado	4,455	380,460	9,503		872	1,044,208	1,322
Florida	23	787		6			
Georgia	48	440	14	15	3	23	
Idaho	4,213	190,608	13,794		1,093	1,758,877	
Michigan					2	91	
Montana	2,865	170,674	16,524		521	835,224	134
Nebraska	54	12,757	713				
Nevada	502	77,432	4,320		109	390,753	
New Hampshire	15	758	12				
New Mexico	2,020	174,979	5,309	467	576	440,302	39,051
North Carolina	186	1,157	52	56	5	82	
Oklahoma	57	3,304	294				
Oregon	2,478	162,004	10,066	88	537	753,418	52
South Dakota	786	38,185	3,184		8	12,200	
Tennessee	47	431			5	75	
Utah	7,249	172,246	9,914	67	1,641	811,510	110
Virginia	273	2,614	15		1	6	
Washington	1,031	30,743	2,318		196	236,307	
Wyoming	1,181	143,204	3,611		329	680,670	
Total	32,528	2,135,527	93,251	5,154	6,624	7,935,174	60,784

STATEMENT OF MR. A. F. POTTER, ASSOCIATE FORESTER, FOREST SERVICE, DEPARTMENT OF AGRICULTURE.

Mr. Chairman, the average rate for cattle grazing this year is $1.20 a head for the entire year. Where the grazing is for only a few months the rate is one-tenth of the annual rate per month. The average period during which cattle have been on the forests this year is six months, so that the average amount collected is 72 cents per head.

The sheep rate is 25 per cent of the cattle rate. The average period the sheep have been on is about four months, so that the average fee collected for sheep grazing is about 12 cents per head.

We charge 25 per cent more for horses than for cattle, and the time that they are on the forest is about the same as for cattle, so that the average rate collected for horses would be about 90 cents per head.

The number of swine is very small.

Public lands in Western States on which no fee is at present charged for grazing.

State.	Area vacant or unreserved and unappropriated.	Amount suitable for inclusion in grazing districts.	Approximate number cattle or equivalent in other stock grazed.
	Acres.	*Acres.*	
Arizona	[1] 20,714,785	10,000,000	250,000
California	[1] 20,239,977	3,000,000	100,000
Colorado	9,547,978	6,000,000	200,000
Idaho	10,688,608	6,000,000	200,000
Montana	7,133,594	2,500,000	100,000
Nevada	55,117,940	45,000,000	1,200,000
New Mexico	18,785,723	10,000,000	300,000
Oregon	14,161,101	8,000,000	320,000
Utah	31,321,987	20,000,000	600,000
Washington	1,177,801	500,000	20,000
Wyoming	22,387,979	4,000,000	130,000
	211,277,473	115,000,000	[2] 3,420,000

[1] Approximately 15,000,000 acres desert of practically no grazing value.
[2] Figures are for grazing during entire year and would be increased proportionately if range were used only portion of year.

Classification of grazing permits by grades, season of 1919, in the forest reserve.

Cattle, horses, and swine.			Sheep and goats.		
Grades (number of stock).	Number of permits.	Number of stock.	Grades (number of stock).	Number of permits.	Number of stock.
1 to 40	21,181	353,634	1 to 1,000	3,815	1,452,429
41 to 100	6,625	442,873	1,001 to 2,500	2,114	3,233,131
101 to 200	2,590	377,483	2,501 to 4,000	382	1,223,760
Over 200	2,132	1,059,942	Over 4,000	313	2,086,643
Total	32,528	2,233,932	Total	6,624	7,995,963

What is the situation? In the first place, many of the national forest reserves furnish the best pasture in the country. Cattle shipped from them often top the market. A 2-year-old steer gains from three to four hundred pounds a season on good pasture. Recently high-grade range cattle have been selling for from twelve to twenty dollars a hundred pounds, bringing, in many instances, $72 a head, which shows a ratio of 1 to 100 when comparing the fees paid for the grazing with the price the cattle bring. As stated by the gentleman from Kansas, the fee paid for grazing in other sections of the country is $14 per head. Gentlemen, the fee paid for the grazing on the forest reserves is about equal to the cost of salting cattle in other sections of the country. Even with this situation, after turning over 155,000,000 acres of forest reserves with grazing, timber, and water-power privileges, and $4,927,196 for the forests in addition to all receipts from the forest, you now ask us to add another $35,000 for this work.

If my amendment increasing the grazing fees 300 per cent had been inserted in the bill the grazing fee for cattle would have been increased from 72 cents to $2.16 per head. This would increase the receipts from grazing from $2,600,000 to $7,800,000, and if the amendment requiring a fee for grazing on the unappropriated, unreserved public lands had been agreed to there could be added to that a fee for the 3,420,000 cattle the public domain is capable of grazing, or $7,387,200, a total of $15,187,200, an increase of approximately $12,587,200, which would, according to the law, be apportioned 45 per cent, or $5,664,240, for schools, roads, trails, and so forth, and 55 per cent, or $6,922,960, into the Federal Treasury. Now, when another bond issue is staring us in the face and Government bonds are selling below 90 cents on the dollar, the $6,922,960 is indeed needed to replenish the Federal Treasury. Instead of giving the $5,664,240 to those holding permits, as, for instance, the 313 averaging over 6,666 head each, it might be well to pay it to the States for schools, roads, trails, and so forth, and relieve the taxpayers of that burden.

The Government has been very generous with the people out in that country.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. SMITH of Idaho. This amendment has no reference whatever to the fees for grazing cattle on the public domain. We are not discussing that subject. This is to increase the number of cattle which can be taken care of on the reserves.

Mr. HAUGEN. The amendment deals with the matter of handling stock. It is largely a herding proposition. Under it the department would employ people at high salaries to herd cattle and sheep.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. HAUGEN. I prefer to finish my statement first. The Government has been very generous in the past. When the time comes when we can get enough revenue from the national forests from the grazing, timber, and water privileges combined to make the service self-supporting, consideration can be given to the proposed appropriation, but until that time and under the present conditions it should be deferred.

Mr. TAYLOR of Colorado. Mr. Chairman, I move to strike out the last two words. Let me say to my friend from Iowa [Mr. HAUGEN], the chairman of the committee, that when Mr. Gifford Pinchot came around through the Western States some 15 years ago advocating the establishment of national forest reserves, he assured us that they would soon be self-supporting and at very small, if any, expense to the stockmen; all they needed was a few dollars to give them a start. As I recollect, Congress appropriated about $400,000 to begin with. The next year they wanted a million, as I recollect it, and a year after that they wanted some two millions, and the amount has been climbing up nearly every year since until I understand from your statement it is now costing over $9,000,000 a year to conduct the Forest Service. It will probably keep going on up as long as you permit them to keep on building up more bureaus and departments here and adding thousands more of employees with increasing salaries. You expect our people, the farmers and stockmen of the West, to foot the bills. I am not attacking the forest reserves, but we did not ask for them. We certainly never asked your committee or Congress to build up this great forest-reserve empire of nearly 200,000,000 acres to provide salaries and jobs for an army of people. Now, you say the Government is losing $4,000,000 a year on these forest reserves, and yet you want to, and are now trying to, put 300,000,000 acres more of the public domain, all the public lands, into the forest reserves, which as a matter of fact if you did would cost the Government at that rate about $25,000,000 a year to administer. If your amendment should carry, all of the public domain would be under the Department of Agriculture with the increased cost. There certainly would be no economy in that, and moreover it would practically forever stop all homestead settlements and every other kind of settlement and development of the public domain.

Last year you appropriated $35,000 for inspecting the grasses and grazing conditions on the forest reserves. There are many poisonous weeds, loco, and other conditions that kill cattle and sheep. The Forest Service sent out experts to test these matters and experiment and provide ways of eradicating those poisonous weeds and grasses which kill the cattle and sheep. I understand they did considerable good. It is a scientific matter. They asked you to raise it this year from $35,000 to $60,000, but you cut it all out. I think that is one expenditure you ought to allow to its amount that it was last year and cut out a lot of others.

Mr. HAUGEN. The gentleman objects to salaries; this item carries $20,000 for salaries.

Mr. TAYLOR of Colorado. Yes; that is the trouble with it. Nearly all this $9,000,000 expenditure is in salaries. Instead of asking for more revenue, to make up for this $4,000,000 deficit, why do not you begin at this end of the line by economizing here in Washington instead of trying to put it onto the stockmen out there who are grazing their stock on the forest reserves? Why do not you cut out a thousand or two clerks here in Washington and reduce expenses? Then you can consistently talk about saving something out there.

Mr. HAUGEN. If the gentleman will agree to the amendment offered yesterday, that would add $15,000,000 to the receipts.

Mr. TAYLOR of Colorado. Yes; you would add $15,000,000 more burdens on the ranchmen, the farmers, and stockmen of the West who use the forest reserves, and 90 per cent of all that money would be consumed in salaries of useless Federal employees. Never on earth will any western man agree to anything of that kind. Let me say to you and to the House that it seems very strange that none of us Members who represent these forest reserves can ever get on your committee. There seems to be somehow an insidious influence from somewhere that prevents this House from putting a western man on the Committee on Agriculture. On your entire committee of 21 Members you have only one man that comes from any of the forest-reserve States. I do not call Arkansas a forest-reserve or public-land State.

Mr. HAUGEN. Mr. RIDDICK.

Mr. TAYLOR of Colorado. Yes; Mr. RIDDICK is the only one; and I understand he is your publicity man on your Republican national campaign committee, and that he is down at your headquarters attending to business of that kind. At least he is not on the floor of the House helping to protect the interests of his State. I know his constituents are not in favor of having the grazing fees on the forest reserves raised 300 per cent or of having all the public land in Montana put into a forest reserve.

I do not mean to cast any reflection upon Mr. RIDDICK, but I simply call attention to the fact, since you mention him by name, that he is the only Representative from the western public land forest reserve States on the Agricultural Committee. I tried for a year or more, when I first came to Congress, to get on the Agricultural Committee, but our good friend Uncle JOE, who was at that time the czar of the House, would not let me get on it. [Laughter.] As a matter of fact, it has always seemed as though you would not permit a man who comes from a public-land State and personally knows something about the practical use of the forest reserves to get on that committee.

A committee composed as your Agricultural Committee is can not possibly legislate fairly or intelligently for the 165,000,000 acres of forest reserves. The members have no constituents or interests or personal knowledge of the actual use or changing conditions on these reserves or the welfare of the people using

them. You must and do get practically all of your information not only second hand but from these Government employees here in Washington. You never see or hear from the hundreds of small ranchmen or farmers. You may hear from the big stockmen, but I doubt if you ever hear from the little fellow who runs a few cattle on the reserve.

Yet you nonresidents have the assurance to legislate here for all of our Western States and 165,000,000 acres of forest reserves that you never saw, and tell us western Members how we ought to run them and how much our constituents ought to pay for grazing cattle and sheep on them. Why do you not consult the people who have built up that country and who are paying for all these Federal jobs?

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. FESS. Referring to Mr. RIDDICK, does the gentleman know that he got the Agriculture Committee to unanimously indorse a $2,000,000 loan to the West?

Mr TAYLOR of Colorado. No; I never heard of that, and if that amount of money was ever allowed to go West I think I would have heard of it.

Mr. FESS. Evidently not.

Mr. TAYLOR of Colorado. If he did he must have got it from the Republican steering committee by virtue of his publicity work, but he had better be here helping us to protect our States against a $15,000,000 annual tax for grazing purposes.

Mr. FESS. He got it from the Committee on Agriculture.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. TAYLOR of Colorado. Mr. Chairman, I ask unanimous consent to be permitted to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. As a matter of fact, I have no objection to the present management of the forest reserves in Colorado. I am not complaining about them at all. And I would like if possible to have some systematic regulation of the grazing upon the public lands outside of the forest reserves, but I do object to this Agricultural Committee that does not know anything personally about our forest reserve conditions out there all the time trying to reach out and enlarge their jurisdiction. They would like to not only control our grazing and timber but also our water rights, our irrigation, and water power, and now they are making a desperate attempt to just arbitrarily hold us up for an increase of 300 per cent in our grazing fees without even giving a living soul in the West any notice or chance to be heard or to protest, which would not only be an outrage but would almost bankrupt many of them; but not satisfied with that, this committee is now trying at one fell swoop to make a wholesale grab of all the rest of the 300,000,000 acres of the public domain and put it into the forest reserves, and put a tax on us western people, as the chairman says, of $15,000,000 a year for eating the grass off of it. Let me tell you what the effect of that avaricious and infamous proposition would be.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Colorado. No; I can not. I only have a minute. We have a law now authorizing homestead entries within the forest reserves. But the way the Forest Service and the Department of Agriculture allow the operation of that law makes it just about as easy for a settler to get a homestead within a forest reserve as it would be for a camel to get through the eye of a needle. Those forest reserves are hermetically sealed up as crown lands for a Federal pasture for all time, and if you, now or ever, put all of the rest of our other 300,000,000 acres of the open public domain into the forest reserves it will be good-by to all homestead settlers for all time to come in the United States. It would simply put an absolute quietus on any further public-land settlements and development of every kind. One-quarter of one section of that public land in cultivation and with a home and family on it is worth more to our State and to our country than a whole township of 23,000 acres in a forest reserve, producing a revenue of one-eighth of 1 cent an acre to the forest-reserve fund. It is because we want settlers, because we want homes, because we want to build up the West that I most emphatically protest against this infamous stab at our western development, which would be accomplished by putting all our public lands into the forest reserves and turning them over to the big cattlemen. I know you do not realize it, but in practical reality you are trying to legislate in the interest of the Beef Trust and committing a damnable outrage against every Western State.

Mr. HAUGEN. Oh, talk about the Beef Trust——

Mr. TAYLOR of Colorado. You are trying to convert the Western States into a Federal cow pasture and force the ranchmen and stockmen to pay this $9,000,000 revenue to keep up its Forest Service, and increase the fees every year.

Mr. HAUGEN. May I have one minute to explain this Beef Trust proposition?

Mr. TAYLOR of Colorado. I say the gentleman does not know it. He has never heard but one side of this matter, but he is trying to legislate in a way that will only benefit the Beef Trust, the very large cattlemen, and provide more jobs for more Government clerks at the expense of the pioneers who have made the West what it is to-day.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. McLAUGHLIN of Michigan rose.

Mr. HAUGEN. Mr. Chairman, the gentleman from Colorado assumes——

The CHAIRMAN. The Chair will recognize the gentleman from Michigan [Mr. McLAUGHLIN], a member of the committee, the chairman of the committee having been already recognized.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, the gentleman from Colorado [Mr. TAYLOR] says that no representative from these great States of the West has been permitted to serve on the Committee on Agriculture. It occurs to me that the attitude they now show is full justification for the action of those who have influenced the make up of committees in the past, and I express the opinion that until the gentlemen change their spots they ought not to be on the Committee on Agriculture or have anything to do with the forest lands. [Applause.] Before the Forest Service was organized and before these immense areas of immense value were taken over and administered as they are now they were open to homestead entry, and were purchased by anyone who had money to buy them. They were being taken up rapidly and acquired by large private interests. To-day gentlemen of the West resent the present policy because we are trying to save some of our much-needed timber and trying to get at least enough money out of the lands to pay for protecting them. If those laws were repealed and the lands put back subject to purchase and entry, they would very soon be bought in large areas and held for speculative purposes; inside of 48 hours large private interests would own nearly all of the timber of the country.

Mr. VAILE. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. VAILE. We are willing to save the timber. Are you not willing to save the grass? That is the purpose of this amendment.

Mr. McLAUGHLIN of Michigan. You are willing to save the timber. I wish those who are speaking in that way now had previous to this time shown a disposition to save something out there rather than support a policy the effect of which is to enable those who wish to do so to despoil the public domain.

Mr. EVANS of Nevada. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. EVANS of Nevada. Mr. Chairman, just to be good-natured, I want to tell the gentleman that there are forest reserves in Nevada without a single tree in them.

Mr. McLAUGHLIN of Michigan. Oh, this is not the first time we have heard that story. These forests were set aside, in the last period, somewhat hastily. There had been a successful effort in Congress on the part of Members who wished to break down the Forest Service and to make it impossible for the Government ever to take charge of any further forest areas. They had secured the passage of a law to the effect that after a certain date, fixed in the law, no further lands should be added to or set aside as forest reservations, except by express act of Congress. President Roosevelt, then in power, took advantage of the time which remained and somewhat hastily issued proclamations describing, in quite general terms, certain large areas and placing them in the forest reserves; there was not time properly and correctly to determine the boundaries. The result was that some areas not entirely suitable for forests were, and to a limited extent still are, included within the forest reserves. Realizing that difficulty the Congress enacted a law, and it is now operating satisfactorily, to have the areas included in the national forests surveyed so that there may be accurate boundaries; and, further, so that lands found to be more suitable for agriculture than for forestry might be eliminated. Every year this bill carries money for those surveys and for examination to determine the different kinds of land, and every year large areas are set aside and opened to homestead entry. Since this new policy was inaugurated of eliminating from the forest lands the lands more suitable for agriculture than for forestry, millions of acres have been settled and thousands of homesteaders have taken up land and are out there now.

Gentlemen resent the regulation of these forests. They wish opportunity for their people to purchase them and hold them in private ownership. They wish to have restored the opportunity timber barons and large stockmen enjoyed, and of which they took full advantage, to despoil the national domain or to enjoy its benefits without cost to themselves. They resent the interference——

Mr. TAYLOR of Colorado. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Not now. I trust the gentleman will have plenty of time, and that I may have opportunity to reply. These gentlemen resent the interference of the Government with the unrestricted use of grazing lands by their people, and they wish to permit entry into the forests so that timber may be taken as any one may wish to take it, regardless of the value of property so taken or of the effect on the forests.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. McLAUGHLIN of Michigan. They have resented from the first the just demand of the Government that a reasonable sum should be paid for grazing the public lands. And to-day they resist a change of policy when, as clearly shown, the average charge is only 72 cents per head per year, when outside of the national forests, and on land entirely similar, the charges are from $4 to $10 per head per year. Gentlemen yesterday spent the entire day objecting to the very worthy effort on the part of the Committee on Agriculture to change that policy so that the forests might be made to yield a reasonable amount.

Now, we are censured severely and accused of trying to get additional land into the national forests. There has been no such effort, but from time to time for several years—and those who have been here and paid attention to affairs will bear me out—whenever the people in the western country find there is land that is valueless to them and they have no use for it, they come in with a bill to attach it to a national forest and thereby impose upon the Federal Government the duty and expense of taking care of it. Unanimous-consent day has become public-lands day, and the calendar is loaded down almost every week with bills of just that kind, to give some land now owned by the States to the Federal Government. And I venture to say that investigation will show it is some land the States do not want. They wish to escape the responsibility of taking care of it, and they ask to have it put into a national forest, so that the Federal Government must assume the expense of caring for it.

Now, as to the lands we suggest should be put under the care of the Forest Service, there are, as the gentleman from Colorado [Mr. TAYLOR] says, two or three hundred millions of open areas suitable for grazing, now in charge of the Interior Department, but as to none of which does the department exercise any control whatever. It is grazed without charge, and it is being ruined for that very reason. No attention is paid as to when the stock shall be permitted to go on the land; no restriction as to the length of time the land shall be grazed; no limitation of the number of head of stock that shall be grazed. There is absolute disregard of the interests of the Government and of the Federal Treasury, and there is serious and almost irreparable damage to the lands. And, as I said yesterday in interrupting the gentleman from Missouri [Mr. RUBEY], because of that careless use and inexcusable neglect of these open grazing lands many of them have practically been destroyed for grazing or for any purpose. Worse than that, lands denuded of vegetation of all kinds are overflowed by streams, and there has been destruction by erosion.

Streams, diverted from their natural courses, have caused all kinds of destruction. And there are bills pending here to-day, introduced, I understand, by gentlemen from those States where that destruction has taken place, asking for appropriations of millions of dollars from the Federal Treasury for the purpose of constructing reservoirs and dams so as to restrain the waters in an effort to prevent further injury to the land. There would have been no damage in the first place if the grazing of these lands had been properly supervised by the Forest Service.

Mr. HAYDEN. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Now, all that is suggested and all that is involved in the committee amendment is that these open Government lands shall be placed under the care of the Forest Service, so that they may be protected and so that there may be some revenue arising from their use. There is no suggestion that an acre of it be withdrawn from homestead entry or from any other legitimate use. Every matter of control except as to grazing is to remain in the Secretary of the Interior.

It is said that the forest administration is inimical to the interests of settlers out there. No one who looks over the regulations issued by the Forest Service and who knows anything about their enforcement will say they are not in the interest of the actual settler. Actual settlers are permitted to take timber without cost up to a reasonable limit.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for three minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. McLAUGHLIN of Michigan. They get timber in a certain amount without cost; they get grazing for their own animals without cost. They are protected against the encroachment of those who bring large herds of cattle or sheep or other animals to the grazing areas. The constant and consistent effort of the Forest Service is to encourage and protect the settlers. So the cry set up here in behalf of the settlers comes from those who do not know or who make no effort to give the House real information.

I had occasion to say a day or two ago when this bill was under consideration that we did not receive as much help as we should have had from the heads of the bureaus as to where reductions of estimates could be made; but the Chief of the Forest Service did us valuable aid, as he suggested here and there where cuts could safely be made. And the elimination of the item the gentleman from Idaho is talking about was made at the suggestion and with the entire approval of the Chief of the Forest Service.

Mr. SMITH of Idaho. I wish to say that the Chief Forester talked to me this morning and said absolutely that he had never made such a recommendation and that he must have been misunderstood. He did say that the additional $25,000 which was estimated for might well be dropped without injuring the service. There is nothing in the hearings to show that any person connected with the Forestry Service thinks it is an unimportant item and should not be in the bill.

Mr. McLAUGHLIN of Michigan. Nothing the Chief of the Forest Service said that I am talking of now appears in the hearings at all. And I will say to the House that many, if not all, of the amounts in this bill recommended by the committee for the Forest Service were fixed after conference with the Chief of the Forest Service, and I understand the action of the committee in every instance has his approval. I do not know what he may have said privately to the gentleman from Idaho [Mr. SMITH], although, knowing the Chief of the Forestry Service as well as I do and respecting him as highly as I do, I do not understand how he could have made statements so contrary to each other as the remarks of the gentleman from Idaho would indicate.

Mr. TINCHER and Mr. MADDEN rose.

The CHAIRMAN. The gentleman from Kansas [Mr. TINCHER], a member of the committee, is recognized.

Mr. TINCHER. Mr. Chairman, this is an old story. It is a question of eliminating a few Government employees, and of course those here with whom they live and reside are opposing it.

Now, let us see. There was a good deal of talk yesterday about the permits. There are 313 permits issued to cattlemen, who are objecting here through their local Representatives to any raise in the price, and these cattlemen control, on an average, 6,666 acres apiece. This amendment is to furnish a man to look over each of their ranges. And the argument now, and the only argument to this item, is that it will enable them to look around and see if there is not some weed that is not conducive to the good health of the stock of the man who is paying the enormous sum of 72 cents a season for pasturing his cattle. I want to answer the gentleman from Colorado [Mr. TAYLOR], who is usually consistent in his economy program, but who to-day is called upon to defend the useless expense of Government money because some of the employees that would be affected by dropping this appropriation live in his great State. He feels called upon to criticize our colleague upon the committee, the only man from the forest reserves who is on the committee.

I want to say to the gentleman that I am too gallant to criticize Mr. RIDDICK's predecessors. I do not want to criticize anybody at all. But I want to say to the gentleman that if that estimable lady who preceded him worked like Mr. RIDDICK works in this Congress, she deserves the commendation of the gentleman from Colorado, and if the gentleman from Colorado came over here and associated with us a little more and lived with

us a little on this side he would have the pleasure of meeting that distinguished gentleman who serves on this committee. If the gentleman from Colorado came before the committee he would find CARL RIDDICK there every day, diligently serving the interests of his constituents.

You gentlemen criticize us for not having many Members from that section on the Committee on Agriculture, and then you criticize the Members that we have. Do you want the gentleman from Montana to be so narrow and so little that he will misrepresent the interests of the American public by begging for more employees in the national forests, where they are unnecessary, or would you rather have him be the big man that he is and have him refuse to stultify himself by asking for appropriations that are not needed? I wish we had more Representatives like CARL RIDDICK, and I wish my friend from Colorado would affiliate with us more, and rub elbows with us, and know us better, and appreciate us more. [Applause.]

Mr. SNELL. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. SNELL. While I am in sympathy with what the gentleman is saying, I think the time has come to close general debate on this bill. I think from this time on we should confine ourselves to a strict five-minute discussion under the rules. And from this time on I am going to make the point of order when gentlemen do not discuss the measure before the House.

The CHAIRMAN. The Chair sustains the point of order.

Mr. WINGO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. What is the substance of the pending amendment? Is it a forest reserve?

Mr. TINCHER. It is a proposition to add $35,000 to the appropriation.

The CHAIRMAN. All time has expired on the paragraph.

Mr. WINGO. I submit to the Chair that the gentleman from Kansas [Mr. TINCHER] is confining himself more closely to the text than usual, and I do not think the gentleman from New York should object. [Laughter.]

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

Mr. MADDEN rose.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 25 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this paragraph and all amendments thereto close in 25 minutes. Is there objection?

There was no objection.

Mr. FRENCH. Mr. Chairman, do I have the floor then?

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] is recognized.

Mr. WINGO. If nobody wants the floor I will take it.

The CHAIRMAN. The gentleman from Illinois was recognized before the request was made to limit debate.

Mr. MADDEN. I will yield to the gentleman from Idaho [Mr. FRENCH].

The CHAIRMAN. The gentleman from Idaho is recognized for five minutes.

Mr. FRENCH. Mr. Chairman, I shall confine my remarks to the proposed amendment offered by my colleague [Mr. SMITH]. He has ably presented the reasons why it should pass, and I shall be brief.

The amendment proposes an item of $35,000 for experiments and investigations of range conditions within the national forests or elsewhere on the public range, looking to their improvement, reseeding, and experiments as to grazing and other matters that will be helpful in extending the availability of these forest reserves for range purposes. Under the leadership of the chairman of the Committee on Agriculture, the gentleman from Iowa [Mr. HAUGEN], and the gentleman from Kansas [Mr. TINCHER], and other men from the great agricultural States, we are accustomed to seeing vast appropriations made for the encouragement of agriculture in those States. I think the chairman of the Committee on Agriculture will bear me out in my statement that the efforts of the United States Government and of the State of Iowa have cost the people of that State and the country vast sums of money, but they are responsible for the production of one or two bushels more of corn per acre in Iowa than would have been produced had it not been for the work of the Department of Agriculture. Why aid the corn belt of Iowa and not the grazing region of the farther West? It is unquestionably true that the great State of Kansas is producing millions of agricultural products more than it would produce by reason of the expenditure of money by the Department of Agriculture in helping the people of that State to better means of production. Why help the farmers of Kansas to raise more wheat, more corn, more hogs, and deny aid to the West? We propose here $35,000 to carry on within the great forest area of our western country a similar work to that done in Iowa and Kansas.

In 1906 the receipts from grazing on agricultural lands within the forest reserves amounted to $513,000. Bear that figure in mind, because it is important and it was the first year that a grazing fee was charged. Beginning with the year 1911, annually we have made appropriations for the development of better grazing conditions on the forest areas. From 1906 to 1916 the grazing fees increased annually until $1,210,214 was the amount received in 1916, and last year the grazing fees amounted to $2,609,169 from the same areas, more largely stocked, that had yielded a little more than half a million dollars about 13 years ago. Now, this is due chiefly to increased grazing fees and more stock, but to some extent to improved range. Here is an investment of $35,000 that will add greatly to the income of the Government through the grazing of the forest lands.

Some one said to me yesterday that it was impossible to seed the land within forest areas without cultivating, without harrowing and plowing. I want to say that I am something of a pioneer in that forest country. I have lived there almost all my life, from a small boy of 7 years. I have helped to clear a great many acres of that country was covered with timber that 25 years ago was so worthless that we would cut it down and burn it in order to permit the land occupied by it to be utilized for agricultural purposes. It would take some time after we would cut the timber off before the land would be very valuable, but we did not need to plow and harrow those lands in order to seed them in grasses. In the wintertime, on the snow, I myself have gone out and seeded timothy or other grass seed through the forest region where we had cut the timber off, or where the timber was sparse, or where forest fires had swept through, and in a few years I have seen those areas that formerly were not greatly serviceable for grazing purposes literally growing vast yields of timothy, constituting the finest forage pastures in that section of country.

But in seeding forest areas is only one of the ways this fund will be applied. It will be used to test out grasses, to see what kinds will serve best in a given area. It will be used for eradicating poisonous plants. It will be used for improving the range in the same general way that appropriations handled by the Agriculture Department are used to improve farm conditions in Kansas and Iowa and Michigan.

Oh, but gentlemen say that the forest reserves are not self-sustaining. Granted they are not, the fact remains that the sum of $2,609,169 was received last year from grazing permits, while only $1,526,188 was received from timber. The total receipts were $4,358,414.86. The total cost of administering the forest area for the last fiscal year was $9,285,611.19. This includes about $825,000 for road building, more than $372,000 for research work, and more than $1,000,000 for forest-fire fighting and improvements on forest reserves. It also includes $1,148,574.20 that was the State's share in the division of receipts.

From the foregoing statement it will be seen at once that the excess of expenditure over receipts was less than $5,000,000 and not $7,000,000, as some one said a little while ago. It will also be seen that the grazing fees contribute about three-fifths of the total receipts. And this statement is not said in criticism. Some of the timber on the forest areas will not be used within a hundred years. Trees that are now being cut were many of them growing when Columbus discovered America. It would not be good policy to scuttle the forests, though we could increase the revenues thereby for the next few years. More than that, it is wisdom to protect our forests. Success or failure will be measured not by a year or by a few years but by the results of a policy extending over generations.

Gentlemen, you expend thousands to fight the boll weevil. You spend thousands to aid tobacco culture. You are generous in appropriations to meet pests that infest orchards, diseases that prey upon swine, and for experiments that are leading to larger crops and better crops in our more populous States. Why not apply the same policy to the forest reserves? The item that we are asking be included in the bill is small, but from it the return to the Government may be manyfold.

Mr. RAKER. Mr. Chairman and gentlemen of the committee, I am disappointed that my distinguished friend from Michigan [Mr. MCLAUGHLIN] should take the attitude that he does in regard to the West and the people of the West. It is unfortunate, I say with all due respect, that the gentleman does not understand the West or its conditions. To convince you of

that fact I am going to read from page 111 of the hearings. This is a statement by the gentleman from Michigan [Mr. McLAUGHLIN], who has criticized us people of the West. This is his language:

Mr. McLAUGHLIN of Michigan. In some cases they raise cattle in that way, and the cattle grow to maturity and make fine beef without ever having had a drink of water.

[Laughter.]

Mr. McLAUGHLIN of Michigan. I repeat that it is absolutely true.

Mr. RAKER. It is evident from that statement in the hearings, repeated by the gentleman now, that he does not understand conditions in the West.

Now, in regard to the cost here and the explanation made about the $4,000,000 of appropriations. These lands were withdrawn for the purpose of protecting the timber in the first instance. That was all right. The gentleman forgets that before the reserves were made his eastern friends passed a law authorizing the lieu-land scrip by which practically the greater part of the valuable timber lands in the West were taken by eastern private capitalists. This amendment here is for the purpose of improving land of the Government that does not have any timber upon it, that is in the forest reserves, and that ought to be protected, and you ought to give the men who pay for the pasturage some reasonable consideration and return for the money that they pay.

The department justifies this expenditure and asks for $60,000 instead of $35,000. The hearings, commencing with page 109, show that the department asks the entire $60,000 instead of the $35,000 which the gentleman from Idaho [Mr. SMITH] desires. In that estimate they say:

There is an increase in the above item of $25,000. The object of these investigations is to find out how the national forest ranges can be made more productive and utilized more efficiently. The demand for grazing privileges from small farmers, ranchers, and homesteaders grows steadily and rapidly. The result has been to develop many new difficulties and problems, which urgently demand an increased appropriation for their solution. This fund has been increased only $10,000 since 1914. The increase now asked for is imperative if the ranges are to be handled in the best interest of the public, without impairment of productivity on the one hand or loss of full use on the other, through the working out of the most intensive and scientific methods of management.

Further, it was said yesterday, and it was a fact, that the Government is now receiving $1,000,000 profit from the grazing privileges. When the gentleman speaks about getting this grazing privilege for 60, 80, or 90 cents a year per head for the grazing on the forest lands he does not speak about the territory in the West, because that is not a fact. If a man got pasture for the year around he would pay more. There is no place where you have to pay seven, eight, or nine dollars for pasturage for 15, 30, or 45 days, and that is the average time of grazing on a great deal of this forest land.

We want assistance in this work. We want proper development of it. We want the Government to give some return for the money that is expended, and they will get it by improving the ranges instead of by tying them up, as the gentleman seems to desire in this particular matter. This is not a question of salaries, which the gentleman from Kansas speaks of. These men are out on the range. They are spending money legitimately in planting new grasses and sowing new seed to develop the range, land which before it was in a forest reserve, before man was there, never had a spear of grass upon it; but by the ingenuity of the American people and of the western men, and their experience accepted by the Department of Agriculture, they have made these areas good grazing lands. [Applause.]

Mr. VAILE. Mr. Chairman, I wish the gentleman from Michigan [Mr. McLAUGHLIN] could get out our way occasionally, come "out where the West begins," because then he would not feel quite so resentful. It would broaden his point of view as to the kind of people who are living out there. He says we can not change our spots. Well, I confess I feel a degree of satisfaction in the color of my own hide; but it is, after all, the same color as that of my distinguished friend. It is the American color, and if the gentleman would come out and see us occasionally he would see that America does not stop at the shores of the Great Lakes. It goes at least to the Pacific. I have the advantage of seeing a little more of the United States every time I come to the Capitol than my friend sees. I hope we shall adjourn in time for the gentleman to come out and go fishing in Estes Park or over on the White River.

Spots, indeed! The only spots that bother my friend are those which obscure his own vision.

But I regret to hear the gentleman stand up here and belittle the West and deplore the lack of care of our forest reserves and our public lands, because I regret not only his point of view but his logic, for in the next breath he objects to spending $35,000 for the care of an asset which, according to the figures before you, produced last year $2,609,000 in grazing fees. It shows the utter fallacy of his position. Is that economy? He talks about saving timber. Why, bless your souls, we are glad to save the timber where it exists. Like other gentlemen who have spoken here, I can show you a whole lot of land in forest reserves which has not a stick of timber. Let us save the grass. That is at least a part—and I can assure you it is a very large part—of the forest reserves, which the gentleman is so solicitous about. We can use that grass out there, even if you gentlemen in Maryland and Virginia can not use it. But much of the range has to be reseeded. They say it is a great waste to spend $35,000 for that.

One curious thing impressed me in this argument, and I want you to see if my observation is not correct—that is, that the objections to this expenditure do not come mainly from the East or from the South. With the exception of the gentleman from Michigan and a few others, most of the Members who object come from those States which until yesterday were public-land States, but where there is not now an acre of public land left. The objections come from those States where all of the land was recently derived from the Government, but where it is all now in private ownership, from those States where there is no land the title to which will remain permanently in the hands of the Government. The reason is this: Down here in New York, Massachusetts, and Pennsylvania they are interested in getting beef, but in the States which are not public-land States, but which have just recently emerged from that condition, they are interested in raising beef and selling it to you, and if you will scratch deep enough you will find that the fact is that they do not want competitors in the business of raising beef.

When a gentleman is gullible enough to believe stories about cattle being raised to full-grown beef animals without ever having had a drink of water, of course he can easily persuade himself that the West is unfair. He could probably also persuade himself that beef animals could be raised without any feed, unlike the famous cow which was just learning to eat sawdust instead of bran when very contrarily she up and died, so that the experiment could not be completed. I can not believe all the people in Michigan would swallow such a tale, even if they had never seen a cactus plant. I am sure, however, the gentleman from Kansas is under no such illusion. His constituents sell beef. So do mine. But they eat it, too, and I am addressing this argument to those who eat it.

Now, are the people of the United States interested in increasing the meat supply? Are they interested in preserving a national asset, which the gentleman from Michigan speaks so eloquently about, or are they interested in preserving the special economic advantages of the people of a particular community? I am a little tired of hearing this talk about the great demands of the people in the public-land States and about the demands of the West and the exceeding generosity of the rest of the country to the West.

Mr. SNELL. Will the gentleman yield?

Mr. VAILE. I can not yield just now.

The CHAIRMAN. The gentleman declines to yield.

Mr. VAILE. In my State 36 per cent of the entire acreage is held by the Federal Government. In the whole 12 of the public-land States the average is 43 per cent. There is a large part of that which will never be vested in private ownership, but every acre of land held in Federal ownership is improved by the taxpayers adjoining it, both by the development of their own property, putting it under cultivation and placing buildings and other improvements on it, and by the general development of the country through the use of their funds for the building of roads, schools, and other public purposes.

You do not object to an appropriation for fighting the boll weevil or an appropriation to prevent hog cholera. Such expenditures are for the general benefit of the country, and they help us all, because they decrease loss and increase production. The same argument applies to increasing and preserving our natural forage and eliminating poisonous weeds. It ought to interest the people who eat beef. But the argument has another angle to it when you apply it to the grass. The Government does not sell the pork or cotton which it appropriates money to save. It does sell the grass. The profit derived from the protection of pork and cotton is simply the welfare which comes from the general country. The benefit derived from the grass is the same, but it includes also a profit paid directly in cash into the pocket of Uncle Sam. And we therefore ask Congress merely to protect a Federal asset. Furthermore, is not the customer entitled to get a good article? But when the Government actually sells the thing itself—that is, that grazing privilege—then suddenly there seems to be a great objection to an appropriation for the benefit of the quality of the

thing which we ourselves sell and which will increase our sales of it and the productivity resulting from such sales.

I fail to see either the fairness or the logic of that kind of a position. All we ask, gentlemen, is fairness, equity, and justice in this thing, but in doing it we are asking you to preserve from waste the very asset which you so eloquently and strongly urge should be preserved. [Applause.]

Mr. RUBEY. Mr. Chairman, I am in favor of retaining this item in the bill. I want to state my reasons for it. I am opposed to the position taken by gentlemen of the West in regard to the rates for the grazing privilege. I believe we are going to find some way somehow, to raise the rates and make them just and equitable. They ought to be double what they are now. The Secretary of Agriculture has absolute authority to double the rates any time he wants to. He now has the opinion of Congress to some extent in the views we have expressed in debate.

This paragraph here was recommended by the subcommittee for $35,000, and after a conference with Mr. Graves. Now, I want to state in this connection that the gentleman from Michigan [Mr. McLAUGHLIN] has called attention to the fact that Mr. Graves came before our committee, and that he was the only gentleman from the Agricultural Department who made suggestions as to where reductions might be made. It is only fair to the chiefs of the other bureaus to say that Mr. Graves was the only gentleman called before the subcommittee and the only one who had an opportunity to make suggestions as to reductions; the others only came before the committee at the general hearings of the committee.

Now, this paragraph provides "for experiments and investigations of range conditions within the national forests or elsewhere on the public range, and of methods for improving the range by reseeding, regulation of grazing, and other regulations."

On the floor of the House yesterday I urged upon Congress the wisdom of opening the public lands to grazing, and I gave as a part of my argument that the Government ought to take the whole of the public lands and preserve and protect them. We ought to preserve and protect the lands on the forest reserves. This is the only paragraph in this bill, the only one making appropriations, which will enable the Secretary of Agriculture to protect grazing lands in the national forests. With this $35,000—they asked for $60,000, but the subcommittee gave them $35,000, the same amount as last year—the Chief of the Bureau of Forestry through his employees can protect the grazing lands from erosion, can regulate grazing, and things of that sort, which will keep up, preserve, and improve the grazing lands in the national forests.

For these reasons I believe that we ought to keep the paragraph in the bill; it has been in the bill for a number of years. [Applause.]

Mr. McLAUGHLIN of Michigan. Mr. Chairman, let me call the attention of the House to just what this item is. It is:

For experiments and investigations of range conditions within the national forests or elsewhere on the public range, and of methods for improving the range by reseeding, regulation of grazing, and other regulations.

It is for experimentation and investigation. That work has been carried on for about 10 years, always with a more or less liberal amount of money, almost in every instance the amount which the Chief of the Forestry Service has asked. How long are investigations and experiments necessary to advise the service as to methods of improving the range to be carried on? It seems to me we ought to get through with these investigations pretty soon, that this is the time to save a little money where it can very well be saved. I urge all those who know what this item is and those who wish to exercise economy and feel the responsibility of so doing to oppose the motion to reinstate this unnecessary item.

A remark of mine, made in committee and appearing in the RECORD, was read by the gentleman from California, Judge RAKER, to the effect that cattle are sometimes raised without having drinking water supplied to them. As I said to the gentleman from California, I repeat that statement and insist that it is true. Two years ago in November a number of Members of the House and of the Senate went to the Hawaiian Islands, and among them were the gentleman from Nebraska [Mr. REAVIS] and the gentleman from Minnesota [Mr. Lundeen]. They enjoyed an intimate acquaintance with a gentleman by the name of Hines, who was a State senator in the Territorial legislature and owned a large ranch where he raised and fattened cattle for the market. He invited these gentlemen to visit him; they gladly accepted, and spent Saturday and Sunday in his beautiful home.

When they returned to our party I remember distinctly what they said. Mr. REAVIS, in particular, was very much surprised. He said he saw beef cattle, as nice as he had ever seen, as fit for market as he had ever seen in his State of Nebraska, and they had never had a drink of water. The owner told him he believed if a pail of water were placed before one of his cattle it would not know what to do with it; that the cattle live on grasses and cactus which are so covered with and so full of moisture that water for drinking is not needed; that these feeds are, so to speak, both food and drink to the animals.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. RAKER. I want to get back to the point——

Mr. McLAUGHLIN of Michigan. The gentleman rose for a question; what is the question?

Mr. RAKER. The question is this: If any——

Mr. McLAUGHLIN of Michigan. If it is a speech, I do not care to listen, I have not the time. If it is a question, I will listen and try to answer it.

Mr. RAKER. Is it not a fact that in a number of forest reserves in northern California, by virtue of seeding and reseeding and benefiting the range, they have doubled and quadrupled the revenue they have received from those forests?

Mr. McLAUGHLIN of Michigan. That is true, but they have not doubled or quadrupled the grazing rates, which are only a fraction of what ought to be paid. Gentlemen like the gentleman from California wish the Congress to spend all kinds of money improving the range or in making investigations of methods by which it may be improved, and then they would advise their people to refuse to pay reasonable rates for grazing the stock, and they oppose all attempts of the Congress to require or permit the Secretary to pursue a policy by which reasonable rates may be collected. When in the committee I made the remark to which I have referred I was not speaking of cattle on our forest ranges. I know that they must have water. Many times members of the Committee on Agriculture give out a great deal of information, much of it new and strange to those outside of the committee. That is characteristic of the Committee on Agriculture. I am not surprised that the gentleman from California did not know the truth of what I said. I repeat that there are cattle which are grown from birth to full maturity and kept in splendid condition without drinking water. I trust the amendment will not prevail, because the money is unnecessary.

The CHAIRMAN. The gentleman's time has expired. All time has expired. The question is on the amendment offered by the gentleman from Idaho, which the Clerk will again report.

The Clerk again reported the amendment.

The question was taken; and on a division (demanded by Mr. SMITH of Idaho) there were—ayes 53, noes 51.

Mr. HAUGEN. Mr. Chairman, I demand tellers.

Tellers were ordered; and Mr. SMITH of Idaho and Mr. HAUGEN were appointed to act as tellers.

The committee divided; and the tellers reported—ayes 61, noes 57.

So the amendment was agreed to.

By unanimous consent, leave was granted to extend their remarks in the RECORD on the pending bill to Mr. LONERGAN, Mr. TAYLOR of Colorado, Mr. RAKER, and Mr. VAILE.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. RICKETTS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Richmond, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 11960) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. LODGE, Mr. MCCUMBER, and Mr. HITCHCOCK as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

The message also announced that the Senate had passed the bill (S. 2692) to amend section 24 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, in which the concurrence of the House of Representatives was requested.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For the purchase of tree seed, cones, and nursery stock, for seeding and tree planting within national forests, and for experiments and investigations necessary for such seeding and tree planting, $120,640.

Mr. BLANTON. Mr. Chairman, I make the point of order on the paragraph from lines 14 to 17, that there is no law authorizing the purchase of tree seeds and cones and nursery stock for seeding and tree planting in the national forests. It is new legislation. I presume this is to seed and plant and tree these barren prairies and barren hills that have been referred to here to-day by some gentleman.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. MANN of Illinois. Does not the gentleman think that the maintenance of forests might require the raising of young trees and the sowing of seed for that purpose?

Mr. BLANTON. I will state to the gentleman from Illinois that my idea of this Forest Service is that the United States Government wanted to protect its timber and forest lands, that is, land upon which there is growing a forest of trees, not that the Government should set apart in the Forest Service barren prairies and hills upon which there is no growing timber whatever, and then undertake by planting trees, cones, and seed to grow a forest. That is not my idea of the Forest Service. It has been stated here by several Members that within these forest reserves that have been set apart by the Government there are thousands of acres barren, with nothing growing on them. Is that situation within the gentleman's idea?

Mr. MANN of Illinois. It is a forest reservation. Of course, there is a great deal of land within the national forests and outside of the national forests, for that matter, which is absolutely worthless for anything except the raising of trees.

Mr. BLANTON. Does not the gentleman from Illinois believe that we have plenty of forest lands upon which there is now growing plenty of fine timber sufficient for forestry needs rather than having to spend $120,000 every year to buy the trees and plants and seeds and cones to grow and raise so-called forests?

Mr. MANN of Illinois. Here is the situation: A very severe forest fire may sweep through a forest and practically destroy all of the growing timber upon land that is useless and worthless for anything except the growing of trees. If some trees were left, they would reseed that land, but where there is such a destructive forest fire, it may be very easy and very profitable for the Government to collect some pine cones and seed and scatter them through this area and build up a forest upon the land worthless otherwise, and at a very small expense, so far as the particular piece of ground is concerned.

Mr. BLANTON. I will state to the gentleman from Illinois that likely he has already forgotten more than I will ever know about the Forestry Service and therefore I am willing to take his judgment on this question. I want to ask him if he believes it to be a wise policy on the part of this Government, taking into consideration all of the forest reserves upon which there is now growing fine timber, if a certain forest were destroyed by fire, to attempt to reseed and recone and retree any such land? Is that the gentleman's judgment?

Mr. MANN of Illinois. I have given as much study to the subject of forestry as almost any other subject I have ever taken up. I have no hesitation in saying at all, while there may be cases where money is improvidently expended and will be under this or any other item—it is always the case—that I think it is very important for the National Forest Service to have the right and the money within reasonable limits to reforest or reseed areas of land which would be worthless for any other purpose in the world, but very valuable for growing forests.

Mr. BLANTON. With a deficit of $3,000,000,000 staring us in the face, does not the gentleman from Illinois think he could wait a few more years before reconing land?

Mr. MONTAGUE. Would the gentleman from Texas permit me to ask the gentleman from Illinois a question?

Mr. BLANTON. If I have the floor. I made the point of order. I yield the floor to the gentleman.

Mr. MONTAGUE. The inquiry which I wish to propound to the gentleman from Illinois is this: Putting it in common terms, is not the annual death rate of our forests about 15,000,000,000 to 20,000,000,000 feet more than the birth rate; and if so, is not that a very serious condition that we must deal with in some practical way?

Mr. MANN of Illinois. I could not answer the question, but I can say this, that we are up against a very serious situation in the United States now in reference to the manufacture and supply of newsprint paper. Newsprint paper is made exclusively from forest products, from two kinds of trees, but in the main from one kind of tree, the spruce, of which they have very large forests in Canada and used to have very large forests in the United States, most of which probably have been cut over. But there are still considerable forests in the East and quite large forests in the far West and on the Alaskan coast and islands. Print paper is now so high in price it is driving many country newspapers out of existence. Paper, when I made the investigation which I did a few years ago for the House, that cost $2 a hundred is now selling for, in many cases, $10 a hundred. And it is absolutely impossible to get a sufficient supply. Unless we try to maintain our forests the same situation will arise before long as to lumber. The trouble with the print paper now is, partly, that they have not facilities for manufacturing a great supply, and, partly, they have not the pulp wood that they can get at reasonable prices as it is imported from Canada, and that can not always be done. I do not think there is anything more important, I will say to the members of the committee, than to maintain as far as we can the forests and then use them as they are needed.

Mr. MONTAGUE. May I ask the question in more general terms? Is it not a fact that our yearly forest growth is far less than the yearly consumption of timber?

Mr. MANN of Illinois. That is undoubtedly true.

Mr. McLAUGHLIN of Michigan. About one-third of the loss.

Mr. MONTAGUE. I have been told by a very practical and able manufacturer of wooden wares in my own State that the death rate—I will use that term—of forestry is from fifteen to twenty billion feet a year more than the birth rate. If that be true, it is a situation that the statesmanship of America should consider.

Mr. BLANTON. So far as the point raised by the gentleman from Virginia about our losing so much of the forestry lands every year is concerned—that is, the timber lost either by the trees dying or by fires——

Mr. MANN of Illinois. The gentleman means the cutting of timber, not trees dying.

Mr. BLANTON. We can stop the cutting of timber. But I am speaking about the destruction of trees by fire. I call the gentleman's attention to the fact that for 25 years—to give him something that I know of personally—I have been hunting on big ranches, one hunt every year, and have found that the timber, although the fires sweep it every once in a while, I do not believe, has changed in volume at all in 25 years. It has the same amount of timber. Some trees die and some are destroyed when the fire sweeps it, but others are growing all the time. There is just as much timber on such ranches to-day as there was 25 years ago, and there will be as much on these ranches 25 years from now as there is at present.

Mr. MANN of Illinois. I have no doubt that happens. But frequently, in the case of a thick forest, all the timber is destroyed. I have seen not only the trees in the forest destroyed but whole areas of the ground burned for a number of feet down. That is not always the case, but frequently all the trees are burned.

I have seen great areas of forest land in Minnesota and Michigan where you saw nothing but the tall, black trees standing there, dead, extending for miles, with nothing to reseed them. Of course, it is up to the lumbermen or forest owners to do it then. But where the Government owns them it seems to me we ought to reseed where it is necessary.

Mr. TAYLOR of Colorado. I wanted to ask the gentleman from Illinois if he could give the House any definite information as to what success the Forest Service has had heretofore in this so-called reforestation? Whether or not the large sums of money heretofore appropriated and expended in that line have been wisely or beneficially expended, or if we have any results sufficient to warrant or justify the further appropriation of money for that purpose? And in this connection I want to call his attention to the fact, which he doubtless knows, that the growth of trees depends a great deal not only on the kind of trees but especially upon the climate and altitude. In the Rocky Mountain region, at an altitude of from 7,000 to 11,000 feet, it requires some 300 or 400 years to grow a tree big enough for a saw log, and I have often wondered whether or not it is advisable for us to wait that long.

Mr. MANN of Illinois. I have no doubt that more or less of the money has been improvidently expended. I can not give the detailed information the gentleman has asked for, although I have always read the reports made by the Forestry Service in reference to such matters and have formed the impression that, in the main, the work they have been doing on these lines was very proper work for the Government.

Mr. TAYLOR of Colorado. That is what I wanted to know, if you or this committee has any definite data or authentic, concrete facts from actual experience that are sufficient to justify this expenditure.

Mr. MANN of Illinois. I will be frank with the gentleman and say that they do not have any trees now 400 years old that they raised from seed.

Mr. TAYLOR of Colorado. If they are doing any good with this money, I am, of course, in favor of tree reforestation wherever practical. But my thought was that the Government ought to spend the money in places where and in such a way that the trees will grow and where they will get substantial results rather than spend it where the trees will not grow.

Mr. MANN of Illinois. Certainly. Everybody will agree with the gentleman on that.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] makes the point of order on the paragraph.

Mr. ANDERSON. Will the Chairman permit me a few observations on the point of order?

The CHAIRMAN. Yes; the Chair will hear the gentleman.

Mr. ANDERSON. Mr. Chairman, it seems to me it is clear that the Congress has the right to appropriate for the preservation of the Government's property. These national forests are the property of the Government. One of the ways by which this property is destroyed and its value lessened is by erosion, where forests are cut off or burned off by forest fires, and one of the ways by which this property is preserved from that erosion is by planting new forests upon the land. It seems to me clearly that Congress has the right to appropriate for the preservation of the property of the Government. That is all this does.

Mr. BLANTON. Mr. Chairman, I call the attention of the Chair to the exact reading of this article—

> For the purchase of tree seeds, cones, and nursery stock, for seeding and tree planting within national forests, and for experiments and investigations necessary for such seeding and tree planting.

There is absolutely no law whatever for it. There has been no provision in any appropriation bill heretofore indicating that such appropriations shall be permanent law every year, and I submit to the Chair that this is wholly unauthorized by law. If it is necessary, a law can be provided through the proper committee, and not force us to bring it in as a rider on an appropriation bill as now proposed.

Mr. MANN of Illinois. Mr. Chairman, after all, the argument of the gentleman from Texas [Mr. BLANTON], it seems to me, would go to everything connected with the Forest Service, to the purchase of a spade or a hoe, or anything else in connection with the Forest Service. We have the national forests; we make appropriations for the maintenance of the national forests. Now, if we have the authority to appropriate for the maintenance of the forests at all, then we have got authority to appropriate for specific things necessary in order to maintain the forests. Of course, if we have no authority at all to maintain the forests, then we have no authority to make an appropriation either for their maintenance generally or specifically. These things are necessary for the maintenance of the forests.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] makes a point of order on the language contained in lines 14 to 17, inclusive, on page 46. The purpose of this item is "for the purchase of tree seed, cones, and nursery stock, for seeding and tree planting within national forests, and for experiments and investigations necessary for such seeding and tree planting." From such examination as the Chair has been able to make the Chair finds that the Bureau of Forestry was formerly within the jurisdiction of the Department of the Interior, and that the matter of the maintenance and upkeeping of the national forests was left to the Secretary of the Interior through the Bureau of Forestry in that department. Subsequently the Bureau of Forestry was transferred to the Department of Agriculture. Formerly when under the Interior Department the purchase of seeds and seedlings was made from appropriations out of the Patent Office funds, for the purchase of seeds, cuttings, and so forth, through the Commissioner of Patents, and subsequently that fund was reimbursed. The item seems to be for the purpose of maintaining and keeping up the national forests. In the opinion of the Chair the language of the item brings it within the organic law, so to speak, of the Forestry Service as originally established. Plainly it is for maintaining and keeping up the property of the Government included within the national forests, and the Chair is of opinion that it is a proper item and a proper expenditure to make under authority of existing law, and therefore overrules the point of order.

Mr. KING. Mr. Chairman, I move to strike out the figures in line 17.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Amendment offered by Mr. KING: Page 46, line 17, strike out "$120,640."

Mr. KING. Mr. Chairman, I offer this amendment with the expectation of probably withdrawing it, but for the purpose of making such observations as I may make pertinent and material to the amendment, because if this $120,640 is saved to the Government it may be used for bringing back some of the bodies of our dead soldiers from France. I had occasion awhile ago to make some comments on the real reason——

Mr. BLANTON. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I notice that the gentleman from New York [Mr. SNELL] is here, as he always is, and I want to remind him of his statement to the House this morning, directing his attention to the speech out of order now being made by the gentleman from Illinois [Mr. KING].

The CHAIRMAN. The gentleman from Texas did not state the point of order.

Mr. BLANTON. The point of order was that the argument now being made by the gentleman from Illinois is against the position taken this morning by the gentleman from New York [Mr. SNELL].

The CHAIRMAN. The Chair overrules the point of order.

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman from Illinois is not speaking on the bill.

The CHAIRMAN. The gentleman has moved to eliminate the amount appropriated under the item and has not yet proceeded far enough for the Chair to tell whether he is speaking strictly to his motion or not.

Mr. BLANTON. He is discussing the bringing back of the bodies of dead American soldiers from France. I agree with that contention of his, but I think we ought to go on with the consideration of the Agricultural bill.

The CHAIRMAN. The Chair will state to the gentleman from Texas that the attention of the Chair was momentarily diverted and he had not been paying strict attention to the remarks of the gentleman from Illinois, so that as yet the Chair is unable to state whether the gentleman is confining himself to his motion or not.

Mr. KING. My amendment is for the purpose of saving this amount of money, that it might be used for the object I have designated. I stated a few days ago my belief that one of the real purposes of not bringing back the bodies of our dead soldiers from France is——

Mr. BLANTON. Mr. Chairman, I renew the point of order.

Mr. KING. Does the Chair desire to hear argument on the point of order?

The CHAIRMAN. The gentleman from Illinois is in order thus far.

Mr. KING. I hope, Mr. Chairman, this will not be taken out of my limited time.

The reason was that there was a thrifty contingent of French gentlemen who desired to utilize the fact of the existence of the American cemeteries in France to cause American people—the fathers and mothers of the dead soldiers—to visit France; to require them, as a matter of fact, if they wanted to visit the graves of their sons, to visit France, and therefore spend their money in that country.

Mr. BLANTON. Mr. Chairman, I renew the point of order, although I applaud the gentleman's speech. It is, however, now out of order, I submit.

Mr. KING. The gentleman is attempting to cut this out of the RECORD.

The CHAIRMAN. The Chair thinks that the gentleman's remarks now are clearly a discussion of matters that are not pertinent to the elimination of this item, if the gentleman from Texas insists upon the point of order.

Mr. KING. The reason why I want to strike out the figures is to save that amount of money to this Government, an amount of money which could be used for the purposes I have suggested, thus saving money to the Government. I have the right to make the motion, and I have the right to urge any reason I desire to induce the House to cut out this appropriation.

Mr. BLANTON. What was the Chair's ruling as to whether or not he sustained the point of order on the question whether bringing home the bodies of dead American soldiers from France was pertinent to the Agricultural bill?

The CHAIRMAN. The Chair did not make a ruling just along that line. The Chair ruled that the remarks of the gentleman from Illinois had proceeded to such an extent that in the opinion of the Chair he was not discussing the motion to eliminate the $120,640 from this item at the particular point

where the point of order was lodged, and the Chair sustained the point of order at that time. But the Chair thinks the statement made by the gentleman from Illinois subsequent to the point of order being sustained was within the rules and in order. The Chair will state that the gentleman from Illinois is within his rights in giving as his reason why this appropriation should not be made the facts upon which he bases his remarks.

Mr. BLANTON. I am with the gentleman on his contention of returning our dead soldiers from France.

Mr. KING. But you are against the proposition. I want to say to the gentleman that I would be ashamed of myself if I stood on this floor and talked on immaterial matters as much as the gentleman from Texas has done.

In support of the statement which I have just made, prior to the interruption of the gentleman from Texas, I read from a newspaper report as follows:

French hotels prepare for summer tourists.

Mr. BLANTON. Mr. Chairman, is the Chair going to let the gentleman pursue out of order that line of argument?

The CHAIRMAN. The Chair thinks that is not in order under the amendment which the gentleman has offered.

Mr. KING. I appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Illinois appeals from the decision of the Chair on the point of order. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The question being taken, the Chairman announced that the ayes appeared to have it.

Mr. KING. Mr. Chairman, I make the point of no quorum present.

The CHAIRMAN. The gentleman makes the point of no quorum. The Chair will count. [After counting.] One hundred and fourteen Members are present, a quorum. The question is on the amendment offered by the gentleman from Illinois [Mr. KING].

Mr. CANDLER. Mr. Chairman, I rise in opposition to the motion to strike out that $120,000, because I think it is very important for the purpose for which it is intended.

Mr. KING. I withdraw the amendment.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. CANDLER. I move to strike out the last word.

Mr. KING. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. KING. There is no last word.

The CHAIRMAN. The Chair thinks that the pro forma amendment refers to the last word of the paragraph. The gentleman from Mississippi [Mr. CANDLER] is recognized.

Mr. CANDLER. Mr. Chairman, this provision in the bill appropriating $120,640 is certainly an important provision, as suggested by the gentleman from Illinois [Mr. MANN] a short time ago. He referred to the fact that conditions might arise by reason of fire causing the destruction of timber, grass, and things of that kind that would make it very necessary to do the work specially provided for in this paragraph. When destruction comes and damages occur it must be repaired, and it takes considerable money to do it, as the national forests are very large.

In this connection I want to call attention to the fact that last year there were in the national forests of the United States 6,250 fires; 32 per cent of them were caused by lightning, 20 per cent by campers, 20 per cent by railroads, 3½ per cent were incendiary, 4½ per cent were caused by brush burning, 2 per cent by logging, and the causes of the others were unknown. So you see it is very important that this identical work provided for in this particular appropriation should be done. I was surprised when I learned that 32 per cent of the fires in forest reserves in the United States are caused by lightning, but nevertheless they come from that source, which it is impossible for any human effort to prevent. Therefore I believe that this appropriation is absolutely necessary, and the motion which the gentleman from Illinois [Mr. KING] made a few moments ago to strike out the sum herein appropriated should not have been made and ought not to be sustained.

The Clerk read as follows:

For silvicultural, dendrological, and other experiments and investigations independently or in cooperation with other branches of the Federal Government, with States and with individuals, to determine the best methods for the conservative management of forests and forest lands, $35,000.

Mr. HERNANDEZ. Mr. Chairman, I move to strike out the last word. I desire to make a few observations in connection with the national forests. There has been a good deal of discussion in connection with the Forest Service.

When the Federal Government installed its system of national forests out in the public-land States, it was done in accordance with a law passed by Congress, not at the behest of the people of the States where these forests were located, but on the recommendation of a certain gentleman who wanted to install a system of conservation. I am in sympathy with the spirit of conservation of our national resources. I believe our timber should be conserved. I believe it should be saved to a certain degree; but Mr. Chairman and gentlemen, we have gone conservation mad on this proposition. Like other businesses in which the Government has embarked, this service is top heavy. They are spending more money than they ought to spend in conserving these national resources. They employ more people than they ought to employ. [Applause.] The idea of conserving our timber and all these things is right. It is a good idea, but whenever you go to leasing these lands, then you drive the settlers away from those States. When this system of issuing permits for grazing purposes in the national forests was installed, it was said that it was going to be in the interest of the small stockmen. What has been the result? The result has been that the large cattle owners and sheep owners are the ones who are asking for these additions to the national forests. It does not encourage the settling of those lands in any way. The homestead forest act of 1906 is almost a dead letter today. I know that by experience. I live within the Carson National Forest in New Mexico. I own several hundred acres of land within that forest and outside of it. They talk about the expense. Nobody out there asks that those expenses be incurred. We are perfectly willing to take the public domain and manage it ourselves without running in debt.

If you want to get rid of that expense, you can do it very easily. If these public lands are a liability to the Government, and they have been a liability so far, turn them over to the respective States and we will handle them.

Gentlemen talk about conservation of this, that, and the other, but those of us that live within these forests feel that we are paying a reasonable fee for the privilege that we get for grazing now, and to arbitrarily raise those fees at this time would be an injustice. I, in behalf of my constituents, feel constrained to enter my earnest protest against it. Furthermore, Mr. Chairman, we are trying to devise ways and means to lower the high cost of living all along the line and have been trying to curb profiteering by enacting such legislation as will serve that purpose, and here the Committee on Agriculture and the Forestry Bureau are engaging in the very thing we are trying to stop. The proposition to raise arbitrarily the grazing fees at this time, regardless of the agreements or understandings that exist between the bureau and the national forest, strikes me like a clear case of an effort to profiteer on the part of the Government, alleging that commercial rates for grazing on private lands are higher than those by the bureau. If we want to lighten the burdens of those that raise beef and mutton and the by-products of the industry of stock raising we certainly do not want to make the charges for the privileges of grazing treble of what they now are. These people have to meet Federal, State, and other taxes. The expenses of running and managing their business have doubled the last three years, and while prices for their products have increased that increase certainly does not justify an unreasonable charge for grazing. A leasing system of the unentered and unoccupied public lands at this time would, in my judgment, have a tendency to retard the growth of several of the public-land States; it would have a tendency to create a system of landlordship under our Government whereby the small stockmen would be compelled to go out of business, and those that are able to pay would monopolize the industry.

If we want to assist in developing and settling unentered public domain we certainly must not embark on any such a system at this time. Whilst a good deal of the land is arid in character, experiences in other sections of the country demonstrate that there are a good many people that are willing to go into these lands of the country, into the hardship of pioneering thereon, by developing water and otherwise improving the lands. If we want these States to grow and become prosperous Commonwealths we must not do anything here to retard that very essential progress.

I have just received the following telegram from the New Mexico Cattle and Horse Growers' Association, a representative body of men engaged in the industry of cattle and horse growing, and from the New Mexico Wool Growers' Association, representing 2,000,000 or 3,000,000 cattle and sheep, respectively, in that State, a number of whom now graze their flocks and

herds within the national forests in that State, and which telegram reads as follows:

ALBUQUERQUE, N. MEX., *February 11, 1920.*

Hon. B. C. HERNANDEZ,
United States Representative, Washington, D. C.:

Agricultural appropriation bill now before House provides for revision of charge for grazing on national forests at least every five years, commencing 1921, upon basis of commercial rates charged upon lands similar character. Taking into account advantages and disadvantages of respective areas this would mean immediate reappraisal instead of waiting until expiration of present five-year period in 1924, and would result in largest increase in grazing charges on national forests until 1924, on ground that present conditions are abnormal and would not furnish a fair basis, and we solicit your assistance and cooperation.

NEW MEXICO CATTLE AND HORSE GROWERS' ASSOCIATION.
NEW MEXICO WOOL GROWERS' ASSOCIATION.

Since the Department of Agriculture embarked upon and adopted the policy now prevailing in regard to the management of the national forests we are aware of the fact that they have been unable to make this a paying system. This dream did not come true or materialize according to the theories of the promoters thereof. At the time the system was adopted the statement was made that inside of four or five years it would be a source of revenue to the Government, but instead of that it has been running in debt and a deficit has marked the administration thereof. The stockmen living in and using the forests for the purpose of grazing certainly are doing their share in trying to pay the running expenses of the forests. People living near these forests are cooperating with the bureau in conserving the natural resources thereof. We help to fight and keep down forest fires. If it were not for the settler and stockmen I doubt very much if the force now employed by the bureau would be able to take care of that situation. If the Congress of the United States is desirous of encouraging homeseekers to go into these States, where there is still room for them, we certainly must not discourage them by throwing obstacles in their way. If we want to encourage the woolgrowing and cattle-raising industries we must not put additional burdens upon those engaged in these industries who have to contend with weather conditions, predatory animals, and other handicaps. The States of Kansas, Nebraska, Iowa, and Illinois are the indirect beneficiaries of the efforts of the sheep and cattle men farther west. Within these rich Commonwealths the farmer raises the corn, the hay, and other forage to fatten the cattle and sheep which get to the market. We of the far Western States can not take care of all the stock that we raise and make it ready for the market, therefore when we sell a steer or a lamb at 8 or 10 cents per pound gross the feeder can put on additional weight by feeding the stock and making it ready for the market, reaping thereby a profit.

The stock-growing industry in the far West is not in the ascendancy, is not as prosperous as one would like to believe, and I certainly regret to hear gentlemen on the floor of the House make the statement that we of the far Western States must pay a reasonable grazing fee when we feel that we are doing that now, taking into consideration conditions surrounding us. Furthermore, in my State, for instance, stockmen, through their various organizations, are cooperating with the Bureau of Biology in the extermination of predatory animals; the State, through its cattle and sheep sanitary boards, is cooperating by contributing our funds to this most excellent piece of work. This bureau is doing, in our opinion, the most beneficial work in connection with the Department of Agriculture in the public-land States of any bureau of the Government. They are saving, I dare say, in the State of New Mexico alone $10,000,000 to the stockmen. Before this work was undertaken and carried on in this scientific and practical manner in which it is now carried on, in my experience as a sheepman 15 years ago, the sheepmen of my section of the State of New Mexico were losing 5 per cent of their herds from predatory animals, or 20,000 head of sheep a year in four or five counties, or over a quarter of a million dollars. That loss is practically eliminated by the splendid work of this bureau.

Mr. Chairman, whilst we ranchmen and stockmen are not trained scientists we are practical people; we do not indulge in impossible Utopias in connection with the management of our business. What we know about stock raising we know from practical experience; what we know about ranch and weather conditions we have learned through experience. What the Department of Agriculture ought to do, if I may venture to make the suggestion, is to get busy and sell more matured timber within the national forests. This is one way of getting more revenue. Expend less money in making experiments which do not get very far. Let us get away from the wrong impression, or, rather, disillusion our minds from the idea that all the area within these national forests is a paradise. I dare say that 50 per cent of it is not of the character contemplated by the act creating national forests. That would be another way of reducing the running expenses of this bureau in connection with the supervising and management of this bureau. Eliminate all these areas that are not forest in character; and if you must, at this time or in the future, demand that unentered and unappropriated public lands be subdivided into grazing areas, give the people that use these grazing areas an opportunity to be heard on the subject; but by no means throw any obstacles around these lands so as to prevent them being taken up under the homestead laws now in force.

Some gentlemen make the impossible comparison between lands in Iowa, Illinois, or Kansas, or other States, where the rainfall is three times, perhaps more, than it is in these Western States, when, as a matter of fact, it should not be indulged in; where you can keep, perhaps, one sheep in an acre of pasture all the year around, or perhaps you could keep a cow on 2 or 3 acres, while in New Mexico, Arizona, or Colorado it would take from 5 to 20 acres to keep a sheep or a cow.

Therefore, gentlemen, let us be reasonable; let us be just in dealing with this very important subject. We are all in favor of conservation; it is one of those dreams in which, before they come through, the engineers, or rather the initiators thereof, must look at conditions as they are and develop these dreams in an orderly manner and not try to put into execution a system that has taken centuries, perhaps, in other countries to develop. We have enough timber and fuel in 10 of our so-called public-land States and the national forests thereof to supply fuel and lumber to this country for centuries.

The Clerk read as follows:

For estimating and appraising timber and other resources on the national forests preliminary to disposal by sale or to the issue of occupancy permits, and for emergency expenses incident to their sale or use, $105,000.

Mr. HAUGEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 47, line 2, strike out the figures $105,000 and insert in lieu thereof $80,000.

Mr. HAUGEN. Mr. Chairman, I desire to say that in reporting the $105,000, $35,000 of that was for the purpose of making appraisals of the grazing privileges. We have struck that out, and so we want to give the same amount that we gave last year.

Mr. RUBEY. If the gentleman will permit, I want to say that I have an amendment which I think will cover the grazing matter. It will provide that $25,000 shall be made available for the purpose of appraising these lands, and to my mind that will be considered in order.

Mr. HAUGEN. The gentleman knows that I am in accord with his suggestion, but I thought that we had discussed the matter so long——

Mr. HAYDEN. Mr. Chairman, I take it by offering the amendment the gentleman from Iowa concedes that there will be nothing in the bill in relation to the appraisals.

Mr. HAUGEN. Mr. Chairman, I will withdraw my amendment for the present.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. RUBEY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 47, line 2, after the semicolon, insert the following:
Provided, That $25,000 may be used by the Secretary of Agriculture for the purpose of ascertaining the appraised value of pasturage upon the national forests, which appraised value when determined may, in the discretion of the Secretary of Agriculture, be made the basis of the charge for grazing permits upon such forests.

Mr. HAYDEN. Mr. Chairman, I make the point of order that this amendment seeks to limit the authority which the Secretary of Agriculture now has with respect to the regulation of grazing upon the national forests. The amendment provides that $25,000 may be used to ascertain the appraised value of pasturage on the national forests. An appropriation for that purpose is probably in order. But the remainder of the paragraph, as I heard it read, states that when an appraisal is made the Secretary of Agriculture shall be bound by the values thus determined in fixing the grazing fees. Such a provision is legislation on an appropriation bill and in contravention of the rules of the House.

Mr. RUBEY. Mr. Chairman, this paragraph provides for estimating and appraising timber and other resources on the national forests preliminary to disposal by sale or to the issuance of occupancy permits, and for emergency expenses incident to their sale or use.

Now, the object of this legislation which has been carried in the appropriation bill for a number of years is to enable the

Secretary of Agriculture to make appraisals of timber, for instance, before he disposes of that timber, and also to enable him and authorize him to make appraisals for grazing privileges. That is one of the objects of this paragraph—to enable the Secretary of Agriculture to make appraisals for grazing privileges. That is a part of it. We have increased the appropriation $25,000. The committee when it increased the appropriation had in mind the fact that they wished to give additional money in order to enable the Secretary of Agriculture to make an appraisal of the grazing land in the national forests. I say that this $25,000 may be used by the Secretary of Agriculture—it is not mandatory—for the purpose of ascertaining the appraised value of grazing upon the national forests. I do not think there can be any objection to that. Now, as to the remainder of the amendment, "which appraised value, when determined, may in the discretion of the Secretary of Agriculture be made the basis of the charge for grazing permits upon such forests." We are not taking anything away from the authority of the Secretary of Agriculture, we are simply expressing the will of Congress, the desire of Congress, as to what shall be done. It is simply an expression by Congress of its ideas along this particular line. We do not take anything away from the Secretary that he already has. So I do not think there is any chance on earth for my amendment to be held out of order.

Mr. HAYDEN. Mr. Chairman, may I direct the Chair's attention to this fact, that although the language used is "may in the discretion of the Secretary," the gentleman from Missouri asserts that he is seeking an expression of the will of Congress as to what the Secretary of Agriculture shall do. Congress can not express its will in any such manner without interfering with the discretion which the Secretary now possesses. If the contention of the gentleman from Missouri is correct, this is but another subterfuge to accomplish by indirection that which the Chair has repeatedly held is not in order.

The CHAIRMAN. The gentleman from Missouri [Mr. RUBEY] offers an amendment to the pending paragraph by adding after the $105,000 appropriated for that item a proviso that $25,000 may be used by the Secretary of Agriculture "for the purpose of ascertaining the appraised value of pasturage on the national forest, which appraised value when determined may, in the discretion of the Secretary of Agriculture, be made the basis of charge for grazing permits on such forests."

The gentleman from Arizona [Mr. HAYDEN] makes the point of order that this is legislation and a change of existing law. The Chair thinks upon examination of this amendment that the sum set apart is not required to be used by the Secretary of Agriculture for the purpose suggested; and, furthermore, that if the Secretary of Agriculture does use the sum which is made available for that purpose, he is not bound to use the appraised value which is ascertained as the basis of a charge for grazing permits on forests. It seems to the Chair that this amendment is so phrased as not to change or modify the discretion resting in the Secretary of Agriculture by existing law, but simply permits the Secretary, if he so finds, to expend this money, and then within the discretion already given him by the law to make use of it in the manner which the amendment suggests.

Mr. HAYDEN. Will the Chair permit a suggestion?

The CHAIRMAN. Yes.

Mr. HAYDEN. If there is no existing law to authorize an appropriation of this character to be made, the amendment is not authorized, and therefore would be subject to the point of order. The Secretary must either be authorized by existing law to make such appraisals or the amendment changes the present law. In either event it is legislation on an appropriation bill.

The CHAIRMAN. It is offered to the very paragraph in the bill providing an appropriation for an appraisal.

Mr. HAYDEN. I had not observed that there was anything in the paragraph providing for appraisals.

The CHAIRMAN. The paragraph reads—

> For estimating and appraising timber and other resources on the national forests preliminary to disposal by sale or to the issuance of grazing permits.

The Chair thinks that this is one of the resources to which occupancy permits apply, and while the Chair has in mind the various rulings that he made upon this subject when the various items were under consideration yesterday, the Chair can not say that this in any way hampers the discretion which the Secretary of Agriculture has under existing law, because under the language in which this amendment is phrased it may be ignored by the Secretary of Agriculture entirely; it is a permissive discretion.

Mr. TAYLOR of Colorado. Mr. Chairman, would the Chair permit the suggestion that it is giving him discretion that he has not at the present time.

The CHAIRMAN. The Chair thinks not. The Chair thinks the Secretary is authorized now to exercise discretion that is being sought in this amendment, and is within the existing discretion vested in that official.

Mr. TAYLOR of Colorado. If it were true, I do not think these gentlemen would be so desperately strenuous in trying to get this kind of a provision in this bill which will authorize the doubling or the trebling of the grazing fees.

The CHAIRMAN. The Chair overrules the point of order. The question is on the amendment offered by the gentleman from Missouri.

Mr. HAYDEN. Mr. Chairman, this amendment, according to the ruling of the Chair, imposes no obligation of any kind upon the Secretary of Agriculture to raise the rates for grazing on the national forests. It is to be distinctly understood that its adoption can not be construed as even implying that Congress desires an increase in such fees, and that the Secretary is entirely free to exercise his own discretion as heretofore. It is only upon that basis that the amendment could have been held to be in order. An additional $25,000 is given to the Secretary with which to appraise the grazing resources of the national forests in the same manner as such appraisals have formerly been made and with no binding direction as to the use to be made of the appraisals.

I have such confidence in the Secretary of Agriculture that I am sure he will not, as was proposed by this committee, violate any agreement that has been made with the stockmen of the national forests, by immediately increasing the grazing rates where any person now possesses a five-year permit. That was my chief objection to the proviso on page 35 of this bill as reported by the Committee on Agriculture. In the face of a declaration by the Secretary of Agriculture that he had established a policy of issuing five-year permits, and in spite of statements made to the committee by Mr. A. F. Potter, the Assistant Forester, that to change such permits would be unfair and unjust, the committee nevertheless sought by its original proposal to double the grazing fees on the forest reserves in 1921 without waiting for the existing five-year permits to expire. If the Secretary of Agriculture acts in good faith, as I am sure he will, with the stock raisers on the national forests, and proceeds with an appraisal made in the same manner as he has done in the past, and then ascertains that upon the expiration of the existing permits the permittees should pay higher grazing fees, after a full and free conference with them, no one can have any objection if there is a reasonable and justifiable increase in the rates for grazing on the national forests.

I want to particularly direct the attention of the committee to Mr. Potter's testimony on this question, appearing on page 63 of the hearings. He said:

> It is not contemplated that there will be any change in the base rate up or down between now and 1923.

Again he says:

> We are trying to stabilize range conditions and do not believe the fees should be readjusted on the basis of the present abnormal conditions.

Mr. Potter concluded his remarks before the committee by stating:

> We are now protecting 30,000 small owners in the use of the range needed for the maintenance of their homes and giving them a preference in renewal of permits. * * * We have felt that stopping damage to the forests, improving conditions on the watersheds, bringing about orderly use of the ranges, and protecting settlers in establishing their homes was of more importance to the Nation than the number of dollars collected in fees, and I believe that this should continue to be our ideal.

If that is the ideal of the Forest Service—and I am sure that the assistant forester correctly expressed it—if those in authority propose to do justice to the stockmen, to see that none but fair and reasonable grazing rates are imposed, based upon an appraisal of the value of the pasturage or by whatever other method the Secretary of Agriculture may determine, no one from the West will have any objection. But the West does object to ill-considered action by a committee of this House or by Congress, taken without any opportunity for the interested stockmen to be heard, whereby it is sought to make a radical change in existing conditions for the sole reason that apparently some additional money may be raised from cattle and sheep raisers who, it is reported, are prospering. It does not give the Members of this House a right to violate existing agreements with those who have grazing permits on the national forests, simply because Congress has the power to do so under the law.

If I were the owner of grazing land which one of you gentlemen has been leasing from me for 50 cents a head on a year-to-year basis, and in view of the increase in the value of the live stock I determined in the year 1919 to charge you $1 a head, but it was agreed that the increase in the rate to double the former amount would be made on the condition that you should have a five-year lease, I, as a private owner of grazing land, would not be allowed under the law to violate that agreement and demand a further increase in rates during the life of the lease. Neither should the Congress be permitted to do so simply because it has the arbitrary power, and it is for that reason that I have made points of order, which have been sustained, against every proposal to raise the grazing fees on the national forests. Even if the amendment proposed by the gentleman from Missouri [Mr. RUBEY] should be adopted, I feel confident that justice will be done to the stockmen of the forest reserves, because the Forest Service and the stock raisers will have opportunity to confer. There will be a hearing and an understanding before final action is taken. That is another reason why I felt constrained, on behalf of my constituents, to take the position I have in opposition to the hasty enactment of such drastic legislation. I believe they have a moral and an equitable right to graze their flocks and herds on the forest reserves during the entire term of the five-year permits that have been issued without any raise in rates. It was, therefore, my duty to oppose any legislation affecting the rates of grazing on the national forests in every parliamentary way. I am sure that the Secretary of Agriculture will not take the passage of this particular amendment by this House either as an excuse or as a direction to him to violate or change the grazing permits that are now in existence.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. ANDERSON. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON to the amendment offered by Mr. RUBEY: After the figures "$25,000," in the first line of the amendment, strike out "may" and insert "shall," and in the next to the last line, strike out the words "may in the discretion of the Secretary of Agriculture" and insert in lieu thereof the word "shall."

Mr. HAYDEN. Mr. Chairman, I make the point of order that this is clearly interfering with the discretion of the Secretary of Agriculture by changing the word "may" to the word "shall." Certainly it can not under the guise of an amendment to an amendment be held in order to now proceed to change existing law.

The CHAIRMAN. Does the gentleman from Minnesota [Mr. ANDERSON] desire to discuss the point of order?

Mr. ANDERSON. Mr. Chairman, I have not examined the precedents, but it is my impression that an amendment to strike out language in an amendment which is in order and insert other language is always in order. This is a simple motion to strike out and insert. It is germane to the pending amendment, and it strikes me that it is in order, the Chair having held the language of the original amendment to be in order.

The CHAIRMAN. The Chair sustains the point of order. The question is on the amendment.

Mr. TAYLOR of Colorado. Mr. Chairman, I rise in opposition to this amendment. I want to call attention, further, to what the gentleman from Arizona [Mr. HAYDEN] has well said. The fact is that the farmers, ranchmen, big and little cattlemen, have a thousand hardships and adverse handicaps against them that the farmers and stockmen of the East and Middle West do not have. The cattlemen throughout the West very largely use borrowed money. A large per cent of the funds on which the cattlemen are running their cattle on the forest reserves in the West to-day is borrowed. They borrow that money on the strength of the extent and character of range they have and on the terms of the permits they have and the amount which they have to pay for feed. About a year or so ago the Forest Service notified the users of its forest reserves that instead of an annual permit they would raise the grazing fees 100 per cent and give the ranchmen a five-year permit, which they very generally did. Now, it is absolutely a violation of all sense of decency and fairness to those men to say to them that Congress repudiates that agreement and proposes to raise their fees 300 per cent beginning on the 1st day of July and without any hearing or notice. How will those people feel about that kind of a deal by Congress?

That is the effect of this provision, and that is exactly what this committee is trying to do, and what it has been desperately trying to do for three days. It is the most unconscionable and brazen action I have ever witnessed in this House. We have enough trouble without this. With our frightfully high freight rates and outrageously poor car service; our predatory wild animals, always destroying cattle; our poison weeds in the forest reserves; our short grazing season; our arid country and short and most awfully poor range, and often long distances to water; our long winters and high-priced feed and innumerable other obstacles; and I submit it is absolutely outrageous when the Forest Service has recently doubled the grazing fees and given those thousands of people five-year permits to force them to stand up and deliver a 300 per cent raise or get off the forest reserve and go out of business. The effect of this, instead of increasing the fees, will put a great and ruinous hardship upon a lot of small, struggling homesteaders. I absolutely know that you gentlemen on the Agricultural Committee would not attempt this thing or try to put unwarranted hardships upon the people out there who are trying to develop that country and who have to have a few cattle in order to make a living if you personally understood the injustice and the effect of it. It will hurt the little fellow much more than the big one. I do not know, but I am afraid that your committee has been influenced too much by the representatives of the large cattlemen, and that you have not had before you the little fellows.

The gentleman from Chicago and the gentleman from near Kansas City talk about paying $12 a year for pasturage. They get about twenty-four times as much pasture as the forest reserve furnishes, and they get it on less than one twenty-fourth of the territory that our cattle have to travel over, and when their stock is fat they pay no freight and have no shrinkage in getting them to market. You would not have opposed the amendment of the gentleman from Idaho [Mr. SMITH] as viciously as you did if you had known the condition. I heard a man say yesterday that he had lost 70 head of beef steers last year by a poison weed, and yet you try to prevent a little item of that kind, beneficial as it is. These repeated amendments offered by the chairman of the committee, Mr. HAUGEN, and by the ranking member, Mr. MCLAUGHLIN of Michigan, who shows his knowledge of cattle raising by repeatedly saying that cattle do not need any water and that they can be raised and fattened and marketed without ever having a drink of water, are a direct stab to the development of the western country. I represent some 10,000,000 acres of forest reserves, as well as a great many cattlemen; in fact, I belong to two cattlemen's associations myself; so I know them and their interests, and I am appealing for the welfare and the development of that western country when I say that I believe you are attempting to do a great injustice by trying to inject something here that will either force the Secretary of Agriculture to violate his plain agreement with the people who use the forest reserve or to refuse to pay attention to what you are wrongfully putting in this bill now if you adopt any of these amendments to revise these grazing fees.

Mr. YOUNG of Texas. Mr. Chairman, I move to strike out the last word.

So far as I am personally concerned, I would not advocate a thing going into this bill that would be unjust to the people in the West. What have we here? The Government owns these millions of acres of the public domain. It is costing this Government millions of dollars annually to maintain these forest reserves, out of the tax money of the people.

I have not any Government forests in my State, but I well know, Mr. Chairman, the history of that great State. When she came into the Federation of States, Texas, then being a republic, as a condition precedent retained her public domain. For many, many years that domain was in the open; in fact, it was so until the days of the manufacture of barbed wire. The pasturage was in common. And I remember that when people who own these lands began to fence up their own holdings, that those who had theretofore had free right to the range of their stock on these lands thought that some of their rights were being taken away from them. A bad spirit developed, and they even cut the fences of the people who had fenced their own lands. The public lands were leased by the State to stockmen, for which they were charged a compensation. So much for that State.

Now, these national acres of public forest belong to this Government. We have these grazing lands. I undertake to say that it is not right for the people of the United States that we take a Government asset, the forests that we have, and lease those forests for pasturage purposes at less than their real value as pasturage. And that is all we are seeking to do here. Those who have charge and who administer these forests tell us that under the present system we are not getting for these forest lands what we should get, and that we ought to have a different system and recommend the system that we are now seeking to enact by which some two to three million

dollars additional may be collected for the benefit of the Treasury.

Now, to whom are you doing an injustice? If the stockman had not been paying what this pasturage is worth, what right has he to complain if the Government insists that he shall pay it? We have a business system by which we can get what this pasturage is worth, and that is all this is. Then, as to the public lands, why should we make a present of the acreage of those lands to the private owners of cattle? That is the other proposition we tried to get in here. Why should not the Government have the right and the authority to lease these lands for pasturage purposes and charge the value of these lands for that purpose? Is that an injustice to the people of the West? That is common honesty; that is all it is. It is common honesty to the balance of the citizenship of the Nation who are paying to keep up these forest reserves.

Mr. MADDEN. Will the gentleman yield?

Mr. YOUNG of Texas. I will.

Mr. MADDEN. How much is the deficit in the Forest Service now?

Mr. YOUNG of Texas. Several millions of dollars a year.

Mr. MADDEN. I am asking for information only. If that is true, is there any reason in the world why we should not put the public domain, which is now under the jurisdiction of the Interior Department, under the jurisdiction of the Agricultural Department for leasing purposes, in order that the Government itself may recoup the losses that are being sustained by the conduct of the Forest Service?

Mr. YOUNG of Texas. There is no reason, and that is the fight I am making and that is the fight that the Committee on Agriculture is making, that these lands should bring in revenue. These people are fattening their stock for the purpose of shipping them to the market and profiting by the transaction, and why should not they pay for these leases just as the stockmen in Texas pay for the lease privilege on public lands in Texas?

Mr. MADDEN. What are the recommendations that have been made?

Mr. YOUNG of Texas. It is stated that this is going to hurt the little fellow. It is not. Provision is included in this law for the little farmer; provision is made that his stock shall be grazed free of charge.

Mr. BLANTON. Mr. Chairman, will my colleague yield?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman from Texas may have his time extended for one minute more. I want to ask him a question.

Mr. KING. I object.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the debate on the pending paragraph and all amendments thereto be closed in 10 minutes, 5 minutes to be allotted to gentlemen who wish to speak for the proposition and 5 minutes to those against it.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on the pending paragraph and all amendments thereto be closed in 10 minutes, 5 to be used by the gentlemen speaking for the proposition and 5 to be used by the gentlemen speaking against it. Is there objection?

Mr. KING. Reserving the right to object, I would like to have sufficient time to conclude the remarks that I tried to make this morning when the gentleman from Texas [Mr. BLANTON] insisted on interrupting me.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN rose.

The CHAIRMAN. Is the gentleman from Illinois in favor of or opposed to the amendment?

Mr. MADDEN. I am in favor of the amendment.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MADDEN. Mr. Chairman, I can not understand, for the life of me, why it is that any person on the floor of this House would object to the Government of the United States recouping itself for losses in any Government activity. Here we propose to increase the charge for grazing. Up to now we have been getting 72 cents per annum. I undertake to say, without fear of successful contradiction, that it will cost you $12 per annum in any part of the State I live in for the same purpose. If the people of my section of the country are compelled to pay $12, what justification can there be for men in other sections of the country demanding that the Government shall feed their cattle for less than 72 cents per annum?

We are losing $7,000,000 a year, I understand, on the Forest Service, and we have 300,000,000 acres of land in the public domain on which the men who own cattle are permitted to graze them free. Why should we not turn that land over to the jurisdiction of the Department of Agriculture, so that they may be able to increase the revenues of the Forest Service?

Mr. SMITH of Idaho. Mr. Chairman, may I ask the gentleman a question?

The CHAIRMAN. Does the gentleman yield?

Mr. MADDEN. Not now.

The CHAIRMAN. The gentleman declines to yield.

Mr. MADDEN. If there is any man on the floor of the House—I do not care what section of the Nation he comes from—who can justify the argument in favor of robbing the Treasury of the United States in order to fatten the treasury of some private individual, I would like to get his name.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLANTON. I want to say to the gentleman what I wanted the gentleman from Texas [Mr. YOUNG] to say a moment ago, that we have Texas cattlemen in Texas who graze some of these forest lands, and you will not find one but is willing to pay the highest maximum, top-notch price for the grass that he grazes. He is perfectly willing to pay more for it if the Government asks it.

Mr. MADDEN. There is no reason why the Government should not ask it, and there is no reason in the world why any Member of this House should stand in the way of legislation permitting the Government to do that. I regret to see men on the floor of the House coming from certain sections of the country putting every obstacle within their power in the way of the Government getting all the revenue it is entitled to from this and every other source. They are first in favor of every extravagant appropriation that will place men on the Government pay roll without any duties to perform and then they are opposed to the imposition of a charge on the part of the Government to reimburse the Government for the expenditure made as the result of the appropriations. That is consistency. That is patriotism. That is western chivalry. These are the men who want to be on the Committee on Agriculture. They now control the Committee on Public Lands and they dictate the policy of that class of legislation in the House. They say that other Members of Congress from other sections of the Nation ought not to have anything to say about it. Who pays the bills? Do they or do we? There are only five States in the Union that pay the great bulk of the expenses of the Federal Government, and one of these States is the one from which I come. Massachusetts and New York and Ohio and Pennsylvania and Illinois pay about 72 per cent of all the bills that are incurred by the Government. And yet these men that come from the States where they pay nothing to speak of presume to say that the expenses shall be increased and the revenues diminished where it affects them and their constituents. But the time has come when those who come from the sections of the Nation that pay the bills ought to be here in force, first to prevent extravagant appropriations, and, second, to prevent these men from blocking the way to the collection of revenue that is not only justified but reasonable. And so I say that this Committee on Agriculture deserves the credit which ought to come from the recommendations made for an increase in the cost of this pasturage and at least to place the cost to those who use it at one-tenth of the cost to the people in other sections of the Nation. [Applause.]

Mr. HAYDEN rose.

The CHAIRMAN. Is the gentleman from Arizona opposed to the amendment?

Mr. HAYDEN. I am.

The CHAIRMAN. The gentleman from Arizona is recognized.

Mr. HAYDEN. Mr. Chairman, the gentleman from Illinois [Mr. MADDEN] complains that there are Members who have public land in their districts on the Committee on the Public Lands, and that Members from States where there are forest reserves would like to have representation on the Committee on Agriculture. I shall be glad to make an agreement with the gentleman that when all Members who have navy yards in their districts are removed from the Committee on Naval Affairs; that when all Members who have military cantonments or posts in their districts are removed from the Committee on Military Affairs; and that when all Members of Congress who have rivers or harbors in their districts which need improvement are removed from the Committee on Rivers and Harbors, then all the western Members will resign from the Committee on the Public

Lands and will no longer seek the representation which has been denied them on the Committee on Agriculture. [Applause.]

Mr. MADDEN. I would be very glad to make that kind of a contract with the gentleman. I do not believe he would be willing to accept that kind of a contract when made. But I am ready now, for one, to see that any man who has a navy yard in his district shall be removed from the Committee on Naval Affairs and any man who has a military post in his district shall be removed from the Committee on Military Affairs if every Member from a far Western State is removed from the Committee on the Public Lands.

Mr. HAYDEN. Will the gentleman go one step further with me and agree that no Member who has a large post office in his district, like Chicago, for instance, shall be a member of the Committee on the Post Office and Post Roads? [Laughter.]

Mr. POU. And the manufacturing districts ought not to be represented on the Ways and Means Committee. [Laughter.]

Mr. MADDEN. Yes; I will agree to that proposition, too, and let somebody who comes from a crossroads corners and who knows nothing about the industrial conditions of American life undertake to run the great enterprises of the Government.

Mr. HAYDEN. That is exactly the point. The gentleman and I now agree. In spite of what the gentleman first said, he thinks the same as I do; that, after all, better legislation will be enacted if the committees that prepare it are composed of Members who have some personal knowledge of the subject matter. At last we are in accord.

The gentleman from Illinois, however, made another argument to the effect that the public domain should be used as an asset of the Government. That policy was followed in the beginning and an effort was made to obtain large sums of money from the sale of the public lands in what now comprises the States of Ohio, Indiana, and Illinois, in order to pay the public debt occasioned by the Revolutionary War. That policy was demonstrated to be a complete failure, and Congress, with belated wisdom, finally passed the homestead law, which gave the public lands to settlers without money and without price. The homestead law is now recognized to be the most beneficent act ever passed by any Congress of the United States; but, according to the logic of the gentleman from Illinois, it should never have been placed upon the statute books. Let me remind the gentleman that it has been decided by the Supreme Court that under the Constitution the Federal Government holds the public lands in trust, and that Congress has no power except to dispose of such lands. The decision to which I have referred has been modified, but there is still good reason to urge that it was never contemplated by the authors of the Constitution that perpetual reservations would be created.

Gentlemen have repeatedly said that the Forest Service is costing the Government about $4,000,000 more each year than its total receipts. Now, what is the primary purpose of a forest reserve? It is to preserve the timber, not alone for this generation but for future generations, and many millions of dollars worth of valuable timber is thus being conserved. But evidently it is the thought of the Committee on Agriculture that because it has developed since the establishment of the national forests that an income could be derived from the grazing privilege, the cattlemen, the sheepmen, and the goat raisers who happen to graze their stock upon the forest reserves should be required to pay in enough money to meet the entire expense of a national policy of forest conservation. The stock raisers get no benefit from the timber. It is not held in public ownership for them. It is conserved for the benefit of the whole country; yet under the policy here proposed a serious attempt is being made to obtain enough from the grazing fees to meet all the expenses of the care and maintenance of the national forests. I have repeatedly pointed out that the cost of administering the grazing branch of the Forest Service is about $1,500,000 a year, and that the receipts from grazing fees last year were $2,600,000, so that so far as grazing is concerned the Government now makes a profit of over $1,000,000 a year out of the stock growers. It is now boldly proposed to obtain enough money from the few people who graze live stock on the forest reserves to pay for the general policy of conservation which has been adopted and carried on for the benefit of the whole people of the United States. Is it fair to place such a burden upon them?

Mr. TAYLOR of Colorado. Is there any more logic or honesty or fairness in charging up to the grazing the entire care of the public timber than there is in charging up to the city of Chicago the entire expense of the extermination of the boll weevil?

Mr. HAYDEN. Certainly not.

Mr. TAYLOR of Colorado. They have no right to charge that entire expense up to the stock raisers on the western ranges.

Mr. HAYDEN. There is no question about the soundness of the argument of the gentleman from Colorado.

In conclusion, Mr. Chairman, I ask permission to insert in the RECORD two telegrams that I have received from representative stockmen of the State of Arizona. The first is from the vice president of the National Wool Growers' Association and the second is from the president of the Arizona Cattle Growers' Association:

PHOENIX, ARIZ., *February 9, 1920.*

CARL HAYDEN,
Washington, D. C.:

At this time, when the stockmen have been asked to produce their commodity as cheaply as possible, and are doing so in spite of the tremendous increase in operating expenses, the stockmen having permits on the several national forests in Arizona think this is unjust and are absolutely opposed to the proviso you quote in Agriculture appropriation bill, and we ask you to use your utmost efforts to defeat the proposed measure.

HUGH E. CAMPBELL.

—

PHOENIX, ARIZ., *February 6, 1920.*

Hon. CARL HAYDEN,
Washington, D. C.:

As to Agriculture appropriation bill, we seriously object to the provision whereby grazing fees on forest reserves might be increased over present charges. First, there is a general understanding among our cattlemen, based upon hearings had at Cheyenne, Wyo., in 1918, and Secretary Houston's letter of November 23, 1918, to Secretary Tomlinson that grazing charges for five years from 1919 on those holding five-year permits would not be increased; second, everything we use in our industry has doubled, trebled, and in many instances quadrupled in cost in the last three years, while we are not getting for our cattle scarcely any increase in price. In fact, range cattle are about the only thing in the food line that has not soared, yet our expenses have. The situation is that the range live-stock industry will be given a serious setback if our grazing costs are to be increased.

ARIZONA CATTLE GROWERS' ASSOCIATION,
CHAS. P. MULLEN, *President.*

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. RUBEY. Do I understand that all time has expired?

The CHAIRMAN. The 10 minutes fixed by unanimous consent have expired.

Mr. RUBEY. I thought I had five minutes coming to me to speak about my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. RUBEY], which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RUBEY: Page 47, line 2, after the semicolon insert the following:

"*Provided*, That $25,000 may be used by the Secretary of Agriculture for the purpose of ascertaining the appraised value of pasturage upon the national forests, which appraised value when determined may, in the discretion of the Secretary of Agriculture, be made the basis of the charge for grazing permits upon such forests."

The question being taken, on a division (demanded by Mr. TAYLOR of Colorado) there were—ayes 60, noes 6.

Accordingly the amendment was agreed to.

Mr. MANN of Illinois. I understood the amendment to be to insert after the semicolon. I ask unanimous consent that the semicolon be changed to a colon.

The CHAIRMAN. Without objection, the punctuation will be changed, the semicolon being made a colon.

There was no objection.

The Clerk read as follows:

For the construction and maintenance of roads, trails, bridges, fire lanes, telephone lines, cabins, fences, and other improvements necessary for the proper and economical administration, protection, and development of the national forests, $400,000: *Provided*, That not to exceed $50,000 may be expended for the construction and maintenance of boundary and range division fences, counting corrals, stock driveways and bridges, the development of stock watering places, and the eradication of poisonous plants on the national forests: *Provided further*, That hereafter no part of any funds appropriated for the Forest Service shall be used to pay the transportation or traveling expenses of any forest officer or agent, except he be traveling on business directly connected with the Forest Service and in furtherance of the works, aims, and objects specified and authorized by law: *And provided also*, That hereafter no part of any funds appropriated for the Forest Service shall be paid or used for the purpose of paying for, in whole or in part, the preparation or publication of any newspaper or magazine article, but this shall not prevent the giving out to all persons, without discrimination, including newspaper and magazine writers and publishers, of any facts or official information of value to the public.

Mr. BLANTON. I make a point of order against the paragraph, that part of it is new legislation unauthorized by law.

Mr. HAUGEN. The word "hereafter" is new legislation. The object is to make it permanent law so that it will be unnecessary to carry the paragraph in the bill.

The CHAIRMAN. The Chair sustains the point of order against the paragraph.

Mr. McLAUGHLIN of Michigan. Will the gentleman reserve his point of order? The word "hereafter" is subject to

the point of order, but I think when the gentleman from Texas hears the explanation of it he will not object to it.

The CHAIRMAN. The Chair has sustained the point of order.

Mr. HAUGEN. I reoffer the paragraph with the word "hereafter" stricken out.

The CHAIRMAN. The gentleman from Iowa offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HAUGEN: Page 47, after line 6, insert: "For the construction and maintenance of roads, trails, bridges, fire lanes, telephone lines, cabins, fences, and other improvements necessary for the proper and economical administration, protection, and development of the national forests, $400,000: *Provided*, That not to exceed $50,000 may be expended for the construction and maintenance of boundary and range division fences, counting corrals, stock driveways and bridges, the development of stock watering places, and the eradication of poisonous plants on the national forests: *Provided further*, That no part of any funds appropriated for the Forest Service shall be used to pay the transportation or traveling expenses of any forest officer or agent except he be traveling on business directly connected with the Forest Service and in furtherance of the works, aims, and objects specified and authorized by law: *And provided also*, That no part of any funds appropriated for the Forest Service shall be paid or used for the purpose of paying for, in whole or in part, the preparation or publication of any newspaper or magazine article, but this shall not prevent the giving out to all persons, without discrimination, including newspapers and magazine writers and publishers, of any facts or official information of value to the public."

Mr. BLANTON. Mr. Chairman, I wish to ask the chairman of the committee the reason for the increase in this amount to $400,000.

Mr. HAUGEN. There is no increase. There is a decrease of $50,000 under the current year and $150,000 under the estimates of the Secretary. The appropriation for the current year carries $450,000 for this purpose.

Mr. BLANTON. But there are some items in here which are increased. Does the gentleman think some of these items are proper?

Mr. HAUGEN. They have been carried in the item for a number of years.

Mr. BLANTON. Has the chairman of the committee investigated the necessity and propriety of carrying all the items in this paragraph?

Mr. HAUGEN. Yes. The word "hereafter" was inserted in the provisos prohibiting the use of funds for payment of traveling expenses except on official business and the preparation or publication of newspaper articles in order to make the provisos permanent legislation, so as to save the expense of printing this paragraph in the bill each year.

These provisos have been carried in the bill for a number of years. Unless the word "hereafter" is inserted they will have to be carried in the bill every year. They were first inserted a number of years ago, I believe, at the suggestion of the gentleman from Wyoming [Mr. MONDELL].

Mr. BLANTON. The chairman of the committee does not catch my point. For instance, in these forests there are a number of weeds and vegetable growths that sometimes are hurtful to cattle and live stock. Now, there has been put into this paragraph, in the interest of the live-stock men and at their special instance, for their special benefit alone, a provision that the Government shall spend a large sum of money every year to destroy certain weeds and vegetation that they do not want their stock to eat. Why, on every ranch in every State in the Union there are just such weeds, but the cattlemen do not attempt to destroy them on their own ranches; they let the stock take their chances, let the small per cent that eats them eat them and be damaged. Why should the Government spend thousands of dollars every year to make the grazing in these forests of millions of acres an absolute place of safety, so that there shall be no loss to the stockmen? I think it is a useless appropriation.

Mr. HAUGEN. I think it is a very wise policy.

Mr. BLANTON. Are we running the forests of the United States in the interests alone of the cattlemen?

Mr. HAUGEN. We have discussed at length the policy of the committee in reference to grazing fees and have called attention to the increase of revenue which would result from the committee's action. If adopted, we could afford to spend more money to improve the forests.

Mr. BLANTON. In order to make less than a million dollars profit we have spent something like a million and a half dollars out of grazing revenues to collect it. Does the gentleman think that is good business policy?

Mr. HAUGEN. The gentleman knows my stand on the proposition. We spend over $4,000,000 in excess of the revenue.

Mr. BLANTON. Yes, but not to collect the grazing tolls; we spend a million and a half to collect the million dollars profit on grazing tolls. Now we are asked to spend $400,000 more incidentally for the benefit of the pasturage for cattle and live stock.

Mr. HAUGEN. If the grazing fees were increased, the service would be self-sustaining. The only other way to make the service self-sustaining is to cut down expenses.

Mr. ANDERSON. Mr. Chairman, I offer an amendment to the amendment of the gentleman from Iowa.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. ANDERSON to the amendment of Mr. HAUGEN: Page 47, line 21, after the word "pay," insert "for the construction or maintenance of roads, trails, bridges, fences, and other improvements in any national forest unless the fees charged for grazing permits are less than the appraised value of such grazing as determined by the Secretary of Agriculture or."

Mr. HAYDEN. Mr. Chairman, I must insist that the gentleman is offering an amendment in the nature of a limitation which changes the discretion now lodged by law in the Secretary of Agriculture.

The gentleman's amendment provides that no part of any funds appropriated for the Forest Service shall be used on any forest where the grazing fees are less than the appraised value thereof as fixed by the Secretary of Agriculture. That is obviously an attempt to compel the Secretary of Agriculture to make such an appraisal. The Chair has repeatedly ruled all such amendments to be out of order. The persistence of the gentleman from Minnesota in offering and reoffering the same amendment is worthy of a better cause.

Mr. SNELL. Mr. Chairman, I would like to be heard on the point of order. I want to call the Chair's attention to this fact: I have noticed carefully the previous rulings of the Chair on these matters, and the Chair has ruled similar amendments out of order on the ground that they were a limitation on the discretion of the Secretary of Agriculture as fixed by existing law, and therefore not in order unless in some way they were a limitation on the expenditure. Now, the Chair will see from the wording of the amendment that this does not place any limitation on the discretion of the Secretary of Agriculture, for it is based on findings made by the Secretary himself and has no effect unless he does make this investigation; but, on the other hand, it is purely a limitation of expenditure as provided for under paragraph 825 of the rules, which says:

The practice of the House has established that the language of the limitation provides that no part of the appropriation under consideration shall be used for a certain designated purpose.

In this connection, I call the attention of the Chair to Hinds' Precedents, section 3918, which is a precedent exactly on all fours with the one we are considering at the present time. They were considering in the House an appropriation of one and one-half million dollars to defray the expenses of collecting revenue from customs. There was offered as an amendment "that no part of the sum herein appropriated shall be used for the payment of expenses of customs fees where the expenses of said office are in excess of the revenue receipts therefor."

That is exactly the same kind of a limitation that the amendment of the gentleman from Minnesota proposes. Mr. Tawney made the point of order against the amendment. The Chairman held that "it is apparent that the amendment proposed is a limitation on the appropriation and not obnoxious to the rule, and therefore the Chair overrules the point of order."

I maintain that is exactly the same question that we have in this amendment, and that it is purely in order under the rules of the House.

The CHAIRMAN. Will the gentleman permit an inquiry?

Mr. SNELL. Certainly.

The CHAIRMAN. In order for the appropriation to be available at any place where the Secretary is charging a grazing fee, would it not necessitate him charging the specific fee fixed in this amendment?

Mr. SNELL. It is left entirely to his discretion. The value is fixed by the Secretary of Agriculture, so that it is not placing any limitation on his discretion.

The CHAIRMAN. It would require him to appraise the value.

Mr. SNELL. In the other amendment he was permitted to do it.

The CHAIRMAN. It requires him to appraise the value of the grazing before he can use this appropriation in any particular form.

Mr. SNELL. It does not necessarily say that he must do it. I maintain that is exactly the same kind of an amendment that was admitted under the precedent which I have quoted.

The CHAIRMAN. The Chair would direct the attention of the gentleman from New York to this language in the amendment—

Where the fees charged for grazing permits are less than the appraised value of such grazing, as determined by the Secretary of Agriculture—

and would ask the gentleman if that does not require the Secretary of Agriculture to do something which under the discretion he now has by general law he is not required to do?

Mr. SNELL. He may not determine that, but if he should determine it——

The CHAIRMAN. Then the gentleman admits that in order for this appropriation to be available the Secretary of Agriculture must do something that he is now not required to do.

Mr. SNELL. Not necessarily. He may not necessarily do this, but if he does determine it, he should fix the prices accordingly.

Mr. ANDERSON. Mr. Chairman, the language of the proviso in the bill as originally reported by the committee was subject to a point of order. That point of order was made and the language went out. I presume that the opinion of the Chair on that matter was based on the word "hereafter," but if the Chair was of the opinion that the proviso as it is now in the bill is of itself legislation, I assume it would be in order to amend the proviso by any germane amendment. Basing the opinion on the rulings of the Chair as already made, it might very well be claimed, I think, that the proviso now in the bill is legislation and subject to the point of order; and if it is legislation, then it clearly is in order to amend it by a germane amendment.

The CHAIRMAN. The Chair thinks the language in the bill is clearly a limitation which does not run counter to the discretion of the Secretary of Agriculture, as has been determined in the matter of fixing fees, but that the amendment proposed falls within the same category that the other amendments fell that were offered by the gentleman from Minnesota and the gentleman from Iowa yesterday. The same principle is involved. The Chair thinks that this necessarily infringes upon the discretion of the Secretary of Agriculture, as vested in him by existing law, and therefore the Chair sustains the point of order. The question is on the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

To enable the Secretary of Agriculture more effectively to carry out the provisions of the act of March 1, 1911 (36 Stat., p. 961), entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," $21,770 of the moneys appropriated therein, or for carrying out its purposes, shall be available for the employment of agents, title attorneys, clerks, assistants, and other labor, and for the purchase of supplies and equipment required for the purpose of said act in the city of Washington.

Mr. MANN of Illinois. Mr. Chairman, I reserve the point of order. This is the item in reference to the new national forests in New Hampshire and North Carolina and other States. The total amount of the money authorized to be appropriated for the purpose stated in the paragraph has been appropriated, if I recall correctly. There was a request this year, I think, for an appropriation of several million dollars to continue the work of buying these so-called cut-over lands.

Mr. HAUGEN. Congress appropriated $600,000 for the current year to be expended under the Weeks Act. We have no estimate or supplemental estimate for appropriations to be thus expended for this year. The item referred to here, on which the gentleman reserves a point of order, carries no increase in the appropriation, but merely provides that this sum, $21,770, of the money already appropriated under the Weeks Act, may be available for the administration of the Weeks Act within the city of Washington. The sum has already been appropriated; it is just to say where and for what it is to be expended.

Mr. MANN of Illinois. It may be that there was no supplementary estimate——

Mr. HAUGEN. There are a number of bills pending before the committee proposing further expenditure under the Weeks Act.

Mr. MANN of Illinois. If it was not in a supplementary estimate, then it was in the report from the commission having charge of it, because I have read it.

Mr. HAUGEN. Yes.

Mr. MANN of Illinois. They want a lot more money over that which was originally authorized and also which was subsequently authorized to keep on making purchases down there. I do not know whether they ought to have it or not, although I do not think this is a very good time to give it to them. What I want to get at is whether this $21,770 for the employment of agents and attorneys in Washington is in connection with acquiring future titles to lands for which no appropriation has yet been made.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. McLAUGHLIN of Michigan. In answer to the question asked by the gentleman from Illinois, I would say that the money carried in this bill is for administration in connection with the Weeks law, the law that has been referred to, providing for the purchase of land in the Appalachian Mountains, a part of it for taking care of business that has accumulated and a part for carrying on business as it will arise. The gentleman is not quite correct in saying that all of the money that has been appropriated has been used.

Mr. MANN of Illinois. I did not say that. I said all that was authorized had been appropriated.

Mr. McLAUGHLIN of Michigan. All that was authorized by law or carried by the law as originally passed has been used, and other money has since been appropriated, including the $600,000 carried in the bill passed a year ago. The Chief of the Forest Service reports that, including the $600,000, there was on the 1st day of July, 1919, $1,000,000 in the fund available for the purchase of land. That money, I presume, will be used from time to time and some administration will be necessary in connection with its use.

Mr. MANN of Illinois. I have no objection to authorizing proper administration for the lands which have been or will be acquired under the appropriations heretofore made. I do not believe myself that it is desirable just at the present time, in the condition of the Public Treasury, to authorize the purchase of a lot of additional land down there to the extent of several million dollars. Much of this land, which it was originally said would cost only $1.50 or $2 or $3 an acre, has been purchased at a cost of $8 or $10 an acre, and land values have gone up quite a good deal because of the purchases made by the Government. I do not think it would hurt the Government to wait a few days or a year or two, and I am quite sure it would benefit the Public Treasury to wait a little while before we make additional appropriations.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, the Committee on Agriculture is entirely in accord with the gentleman from Illinois [Mr. MANN]. Last year there was a strong demand upon the committee for an appropriation for the purchase of additional land under the Weeks law.

The committee refused to recommend such an appropriation to the House. The demand was later made upon the committee of the Senate; that committee yielded and the Senate passed the bill carrying $1,000,000. The conferees had considerable trouble in composing their differences, and finally there was a compromise on $600,000. That was carried in the last bill. There is no money carried in this bill, as those who have read it will see. That is because the committee feels just as the gentleman from Illinois [Mr. MANN] has expressed himself, that money ought not to be used now for that purpose. There is serious question of the wisdom of appropriating money and authorizing purchase of land for this purpose at any time, as some doubted the wisdom of the enactment of the Weeks law. But the majority of Congress felt that money ought to be so used; the law was passed, money was appropriated, and it has been used. As the gentleman from Illinois says also, at the time the law was passed we were told that prices of land we proposed to acquire were $1, $2, or $3 an acre, but prices much higher have been paid. As I remember the report, the average amount paid per acre is about $6. There are two very distinguished Members of the House who are members of the commission, and I understand the work of purchasing land or recommending the purchase of it has been largely if not entirely done by the House Members, the gentleman from Georgia [Mr. LEE], the ranking Democratic member of the Committee on Agriculture, and the gentleman from Oregon [Mr. HAWLEY], now a member of the Committee on Ways and Means. Those gentlemen have given a great deal of time to the work, and I believe they have rendered very valuable service to the Government—that is, providing the work should have been undertaken in the first place.

Mr. MANN of Illinois. I very decidedly agree with the remarks of the gentleman from Michigan, especially in reference to

the two members of the commission, and also in other respects. I withdraw the point of order, Mr. Chairman.

Mr. BLANTON. Mr. Chairman, I make the point of order that it is new legislation and unauthorized by law.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, on the point of order I will say that the Weeks law provides that lands purchased shall be a part of the forest reserves of the country and shall be administered by the Secretary of Agriculture, as he administers other forest reserves. This money is for administration in connection with those reserves.

The CHAIRMAN. Will the gentleman permit an inquiry?

Mr. McLAUGHLIN of Michigan. Yes.

The CHAIRMAN. Does the law referred to in the paragraph authorize the employment of agents, title attorneys, clerks, assistants, and other labor?

Mr. McLAUGHLIN of Michigan. I do not remember the precise provisions of the law, but it authorizes the purchase of land, and it was absolutely necessary—always is when land is purchased—to have some one look carefully to the title and to prepare papers. Attorneys have always been employed to examine titles and to make investigations and do other work such as attorneys connected with the purchase and sale of land always make and perform.

Mr. BLANTON. Mr. Chairman, I ask the gentleman from Michigan, if this authority was in the law, then why cumber this bill with surplusage? This paragraph is either authorized or unauthorized. If it is authorized already then this provision has no business in the bill. If it is unauthorized then certainly it is new legislation. The present law does not provide that $21,770 of the former appropriation is appropriated and made available for the employment of agents, title attorneys, clerks, assistants, and other labor for the purchase of supplies and equipment required, and so on. That is new legislation, or the most of it is.

Mr. McLAUGHLIN of Michigan. On the 1st day of July, 1919, as I stated to the House, there was $1,000,000 in the fund available for the purchase of land. The commission, of course, has a right to spend that money, and, in all probability, it will spend a part of it. It is also true that many sales are pending and that many transactions are not closed. They must receive the proper attention of the commission and the department, and a portion of that attention can be given properly only by attorneys and clerks, and so on, capable of doing the work. It follows necessarily, it seems to me, an appropriation of this kind should be made in order properly to carry out the law and perform the duties imposed by the law.

Mr. MANN of Illinois. Mr. Chairman, I think the only point—and I would like to get the attention of the gentleman from Texas [Mr. BLANTON]—in this proposition is whether they can employ these people in the city of Washington. I do not think there is any doubt about the authority to employ all this class of employees to make the purchase of supplies, and so forth, outside of the District of Columbia.

Mr. BLANTON. Will the gentleman yield?

Mr. MANN of Illinois. Certainly.

Mr. BLANTON. Then this provision is seeking to give them some privilege that they have not got under the present law?

Mr. MANN of Illinois. I think myself it is subject to a point of order.

Mr. ANDERSON. Will the gentleman yield?

Mr. MANN of Illinois. I will.

Mr. ANDERSON. I just wanted to call attention to one thing in the law, so that the gentleman would have it in mind. Section 8 of the act provides that the Secretary of Agriculture shall do everything to secure a safe title to the lands acquired under the act.

Mr. MANN of Illinois. They have a provision of law, but I can not quote it, but it is very familiar with gentlemen who watch the appropriations, that the appropriation can not be expended in the District of Columbia, the lump-sum appropriation, for the employment of clerical help, unless it is specifically authorized in the appropriation. And it is a very common thing, as all gentlemen will know who watch appropriation bills, that where you provide for the employment of help it is specified as to whether it is to be used inside or outside of the District of Columbia. That is a practical proposition. That is what I want to call to the attention of the gentleman from Texas. They have the authority to employ all these people, they have the authority to do all these things, but now they have to pay help outside of the District of Columbia, and in many cases we find—and I presume that is the case here—in connection with their office work that much of this work can be done by officials now in the department. I hope they are winding up these purchases down here.

Much of this work can be done here at a less expense, partly with the officials who are now here, than it can be done if it is to be done up in New Hampshire or down in North Carolina. Different departments have absolutely established new offices in Baltimore. One department of the Government established a new office in Chicago, which I hope will be brought down here. It costs a good deal more there than it does here.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. BLANTON. Has the gentleman ever heard of there being any economical coordination here in the work of any of the departments in Washington for 50 years?

Mr. MANN of Illinois. Oh, yes; I have heard of lots of it.

Mr. BLANTON. There is not any of it.

Mr. MANN of Illinois. There is not as much as many of us would like, but there is a good deal. Most of the officials in most of the departments are very careful about these things. They want everything if we give it to them, but when we give it to them they are very careful about the expenditure of money in the main. I hope this service will be wound up. I think it can be done more cheaply here than elsewhere. I hope the gentleman will withdraw the point of order.

Mr. BLANTON. Mr. Chairman, I yield to the superior judgment of the gentleman from Illinois [Mr. MANN], and I withdraw it.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

Salaries, Bureau of Chemistry: One chemist, who shall be chief of bureau, $5,000; 1 chief clerk, $2,500; 1 administrative assistant, $2,500; 3 executive clerks, at $2,000 each; 12 clerks, class 4; 14 clerks, class 3; 3 clerks, at $1,440 each; 22 clerks, class 2; 1 clerk, $1,300; 75 clerks, class 1; 1 clerk, $1,100; 13 clerks, at $1,020 each; 15 clerks, at $1,000 each; 1 machine operator, $1,100; 2 machine operators, at $1,000 each; 1 clerk, $960; 10 clerks, at $900 each; 2 food and drug inspectors, at $2,500 each; 2 food and drug inspectors, at $2,250 each; 1 food and drug inspector, $2,120; 15 food and drug inspectors, at $2,000 each; 15 food and drug inspectors, at $1,800 each; 1 food and drug inspector, $1,620; 13 food and drug inspectors, at $1,600 each; 2 food and drug inspectors, at $1,400 each; 4 laboratory helpers, at $1,200 each; 1 laboratory helper, $1,020; 5 laboratory helpers, at $1,000 each; 4 laboratory helpers, at $960 each; 3 laboratory helpers, at $900 each; 8 laboratory helpers at $840 each; 2 laboratory helpers, at $780 each; 1 laborer, $780; 26 laboratory helpers or laborers, at $720 each; 2 laboratory helpers or laborers, at $660 each; 27 laboratory helpers or laborers, at $600 each; 1 laboratory assistant, $1,200; 1 toolmaker, $1,200; 4 samplers, at $1,200 each; 1 janitor, $1,020; 1 mechanic, $1,800; 2 mechanics, at $1,400 each; 1 mechanic, $1,200; 1 mechanic, $1,020; 1 mechanic, $1,000; 1 mechanic, $960; 1 mechanic, $900; 2 student assistants, at $300 each; 2 messengers, at $840 each; 1 skilled laborer, $1,050; 1 skilled laborer, $900; 1 skilled laborer, $840; 1 messenger boy, $720; 7 messenger boys, at $600 each; 3 messenger boys, at $540 each; 6 messenger boys, at $480 each; 3 messenger boys, at $420 each; 2 messenger boys, at $360 each; 7 laborers, at $480 each; 13 charwomen, at $240 each; in all, $426,190.

Mr. BLANTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 50, line 1, strike out "two messengers, at $840 each," and on line 3, after the sum "$840," strike out that portion of said line 3 down to and including the word "seven" and insert in lieu thereof the word "four," and on line 4, after the first "each," strike out the balance of line 4 and all of line 5 and that portion of line 6 down to, but not including, the word "seven."

Mr. BLANTON. Mr. Chairman, I am of the opinion that anyone who is really in favor of economy in governmental affairs, in order to do his full duty with respect to that subject, must do everything within his power to bring about retrenchment. We must not leave one stone unturned in trying to bring about economy. Unless a Member goes to that extent he has not performed his full duty.

I am trying to perform my full duty in this respect. If there is a want of economy in this bill, I want the responsibility to be not on my shoulders, but on the shoulders of the Committee of the Whole, where it will be if there is a want of economy in the bill when it is passed.

The other day, when I called attention to the enormous messenger service that is in this bill—743 messengers for one department, 76 watchmen for the Secretary's office alone, for one little building down here—I asked that the number of messengers be decreased. The gentleman from Wyoming [Mr. MONDELL] in his speech on that amendment admitted that there are too many employees. He admitted that there are too many clerks. He admitted that there are too many watchmen. He admitted that there are too many messengers.

The gentleman from Michigan [Mr. McLAUGHLIN], a member of this committee, said that there were too many messengers

and too many clerks down here, and that one of the heads of bureaus they had before the committee told them that there were lots of incompetents whom they would like to get rid of, and when asked why they did not get rid of them he answered, "It is because they are in the civil service, and can not be gotten rid of without making complaint and charges against them and having a trial, and we do not want to take that responsibility." And it is left right there.

The gentleman from Illinois [Mr. MANN], one of the most distinguished statesmen this Congress has ever had, admitted that they are so thick—"that messengers are so thick down here in all the departments that they are falling over each other." The gentleman from Iowa [Mr. HAUGEN], the chairman of this committee, admitted in his speech that there are too many. The gentleman from Illinois [Mr. MADDEN] admitted that there are too many. The gentleman from Illinois [Mr. MADDEN] said that there are 40,000 useless, idle clerks too many here in the city of Washington.

Mr. MADDEN. And I repeat it.

Mr. BLANTON. And he repeats it. Then, my God Almighty, if there are 40,000 of them too many, why not get rid of them?

Mr. KING. Mr. Chairman, I make the point of order that the gentleman from Texas is using profane language on the floor of the House, contrary to the rules of the House. He is the last man on earth who ought to call on Him.

Mr. BLANTON. Mr. Chairman, I deny that I was using profane language. What I said was used earnestly and reverently.

Mr. KING. It is getting to be a regular practice on the part of the gentleman. In every one of his speeches he uses profane language.

The CHAIRMAN. The Chair can not hear the gentleman from Illinois.

Mr. KING. Mr. Chairman, I ask that the gentleman's words, "God Almighty," be taken down.

The CHAIRMAN. The gentleman from Illinois asks that the gentleman's words be taken down.

Mr. KING. Let him go to the cloakroom when he wishes to use that kind of language.

Mr. BLANTON. Mr. Chairman——

The CHAIRMAN. The gentleman from Texas will suspend.

Mr. BLANTON. I should like to have the Chair rule on the point of order.

The CHAIRMAN. The Chair can not hear the gentleman from Texas pending the demand of the gentleman from Illinois. The Chair desires to ask the gentleman from Illinois if he predicates his demand that the words be taken down upon the ground that they are a violation of the rules of the House?

Mr. KING. I think they are; but in deference to the suggestions of a number of very distinguished colleagues I withdraw the demand.

The CHAIRMAN. The gentleman withdraws the demand. The Chair expresses the opinion, however, in view of the request of the gentleman from Texas, that the language of the gentleman from Texas would not constitute profanity, but the Chair expresses no opinion as to whether they are unparliamentary or not.

Mr. BLANTON. Gentlemen and colleagues, in the frame of mind in which I find myself just now I can not do otherwise than to exclaim, in the words of a very common west Texas expression, "Well, I'll be damned." I am here backing up what the gentleman from Illinois [Mr. MADDEN] says when he states that there are 40,000 too many employees in the departments here in Washington, and we are trying to send them home and save millions of dollars for the people. Yet we are to be hamstrung now by another gentleman from Illinois [Mr. KING], who is seeking to undo and prevent what Mr. MADDEN and I are trying to do in behalf of all the people of the country.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection?

Mr. KING. I shall object.

The CHAIRMAN. The gentleman from Illinois objects. The question is on the amendment offered by the gentleman from Texas [Mr. BLANTON].

Mr. McLAUGHLIN of Michigan. Mr. Chairman, just a word in answer to what the gentleman from Texas [Mr. BLANTON] has said. It is true that the bill provides for the employment of a large number of employees called messengers, but, as has been explained before, terms used do not always properly describe the work done. The committee might insist that words be used which more accurately describe the work, but we have rarely gone to that extent; and I will say, too, that it is not easy for members of the committee to determine for the head of a bureau just how many of these humbler employees he needs. We have very large confidence in the chiefs, and we have thought it incumbent on us to leave to them the question of determining how many of these lower-priced places there should be.

The gentleman from Texas [Mr. BLANTON] is very much mistaken in another respect. He says a large number of messengers, giving the number, are employed in one building. Evidently he does not know very much about the activities of the Department of Agriculture or how they are carried on. Over in the southwestern part of the city there is a village, or I had better say, a city of buildings, large and small, occupied by the numerous branches of the Department of Agriculture, and I tell him what he evidently does not know, that during this fiscal year the Government is paying $177,616 for the rent of buildings scattered all over the District, and all rented buildings, as well as Government-owned buildings, are used by the department. There are about 40 rented buildings of one kind and another in the District of Columbia occupied by the Department of Agriculture, so that when the gentleman speaks about a large number of watchmen being employed in one office or in one building he evidently does not know how or where the department does its work.

Mr. BLANTON. Will the gentleman yield right there?

Mr. McLAUGHLIN of Michigan. I will.

Mr. BLANTON. I will ask the gentleman what is meant by "Office of the Secretary"? Under that head it says, "76 watchmen." That is one building, is it not?

Mr. McLAUGHLIN of Michigan. No; it is not one building. The office of the Secretary is not a place at all; it is a branch, like a bureau, of the department. It is not the one little room the Secretary occupies on the first floor of the red brick building over there. That is not what is called the "Office of the Secretary," nor what we are dealing with here. The expression "Office of the Secretary" is used to include a number of activities or departmental affairs that are more or less directly under the charge of the Secretary, and they cover a large number of very important matters.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. HUSTED. Has the chief of the Bureau of Chemistry stated that he needs all of the employees provided for in this paragraph?

The CHAIRMAN. The time of the gentleman from Michigan has expired. The question is on the amendment offered by the gentleman from Texas.

Mr. MOORE of Virginia. Mr. Chairman, I rise to oppose the amendment.

During the consideration of this bill a great deal has been said about conditions and methods obtaining in the departments, and there has been no small amount of very severe criticism. The other day the gentleman from Wyoming [Mr. MONDELL] adverted to the situation which he assumed to exist, criticizing it freely, and yet he seemed to confess an inability to deal with it. Now, why should inability be admitted? In case the conditions and methods are as described, why should not there be an investigation and an effort to find and apply corrections? If the concurrent resolution had been passed, to which I alluded last week, Senate resolution 3, introduced by Senator CUMMINS as early as May 29, such an investigation, I take it for granted, would now be in progress, and we would be enabled to determine whether the criticisms are well founded or not, and, if well founded, what action should be taken. But with reference to this matter, repeating what I said last Friday, there is an utter failure to attempt anything comprehensive in considering the evils which are charged to exist. Why should that be? Why should we content ourselves with talking and doing nothing, and making no attempt to do anything? In times past methods and conditions in the departments have been criticized, and Congress, whether under Republican control or under Democratic control, has aimed to go forward and act and not remain in the state of masterly, or, perhaps I may say, unmasterly, inactivity such as marks the conduct of business in Congress now. Commissions and committees have been organized at intervals, and every one of them has accomplished some result: The Cockrell Committee in 1887, which was a Senate committee; the Dockery-Cockrell Committee in 1893, which was a joint committee; the Keep Commission appointed by President Roosevelt in 1905; the Taft Commission on Economy and Efficiency appointed

by the President in 1910; and in 1913 the United States Bureau of Efficiency, but possessing, as I understand, very limited functions.

Now I propose to introduce a resolution providing for the appointment of a general legislative committee, made up of Senators and Representatives, to take under consideration the methods and conditions in the departments and try to devise, if that should be found necessary in the light of the ascertained facts, some organized plan for the improvement of administrative work. [Applause.]

Many theories of administrative reform are being propounded and urged. They include, for instance, the budget system; but we are not getting anywhere with the budget system. When we passed the budget bill through the House we only touched two features of the system. We did not deal with that feature which is so essential, according to experienced men, of concentrating the appropriation work in the hands of one committee. Able men are writing books on administrative reform. Within a few hours I have had occasion to look over the work by Mr. G. A. Webber, with a preface by Mr. W. F. Willoughby, and I think Mr. Willoughby is right in the conclusion at which he seems to have arrived, that a legislative committee is preferable to any outside commission.

So I say that I shall soon take the liberty of introducing a resolution. It may not amount to anything, it may not get us anywhere, but it will be an expression of the opinion of one Member of this body in favor of reckoning in a practical manner with criticisms and determining whether there should be changes in departmental conditions and methods, and, if so, what the changes should be. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 3, noes 33.

So the amendment was rejected.

Mr. FESS. Mr. Chairman, I move to strike out the last word. Gentlemen of the committee, I was more than ordinarily interested in the remarks of our colleague from Virginia [Mr. MOORE] a moment ago, and, as is usual in his case, he spoke to the point, with much conviction in his utterance and with great respect from everyone who listened to him.

I received in the mail this morning an editorial from the New York Times. I do not know how much basis of fact this editorial has, but it is in line with the remarks of the gentleman from Virginia and contains some suggestions worthy of our observation. I read:

> A resolution introduced into and approved by the Chamber of Commerce of the State of New York instructs the executive committee of that body to urge Senators and Representatives in Congress from this part of the country to inquire into the number of civil employees now in the service of the Federal Government at Washington. The purpose of the inquiry is commendable for two reasons: First, if it ascertains and reports that a large number of these employees are superfluous, it will recommend that the number be decreased, thereby effecting a notable and needed economy in Federal expenditures; second, the release of these officeholders from their superfluous and unproductive employment will add so many needed workers to productive pursuits.

We all agree with these two conclusions, but here are the alleged facts, which I am not sure are true:

> The introducer of the resolution said that before the war there were 500,000 of these civil employees in the Government service. In the course of the war their number rose to 1,500,000. Since the armistice was signed there has been a reduction of some 650,000. There are still about 850,000—350,000 more than were deemed sufficient before the war. If these figures are correct—and it is a matter of common observation and knowledge that Washington swarms with supernumerary Federal employees—here are at least 350,000 persons who ought to be dropped from the Government pay roll and set to work in private enterprises. The investigation proposed ought to be made. Here is a sure means of saving, of lessening taxation, and enlarging production. We particularly recommend it to the Republicans.

I am sure that one of the most difficult problems that we are battling with is the disassociating from the pay roll people who came to us under stress of war. I am exceedingly anxious to know whether these figures are accurate or not. Three hundred and fifty thousand more than is necessary!

Mr. MADDEN. Will the gentleman yield?

Mr. FESS. Yes.

Mr. MADDEN. I think the figures as to the number of people in the Government service before the war are substantially correct. I think the number of people employed on the civil pay roll during the war is probably underestimated by 500,000.

Mr. FESS. Then I think that the gentleman from Illinois would join in the desire to get at all of these facts, and if it is true that when a department or bureau built up under the war is discontinued many of the employees are transferred to other departments of the Government instead of being dropped, as has been charged here, we ought to get at that thing.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. FESS. I will.

Mr. MOORE of Virginia. I hope the gentleman will understand that I am not supposing facts. I am one of those who do not undertake to know the facts in advance of a careful investigation. What I would like to ascertain from my distinguished friend from Ohio is whether he will vote for such a proposition as I have proposed, not only to get the facts as to employees but as to the methods we hear so much about.

Mr. FESS. I certainly will vote for any measure looking to a consummation of those propositions.

Mr. MOORE of Virginia. Then I hope that if we do that we will advance the Republican Party along the line which it ought to have performed heretofore. [Laughter on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FESS. I ask for two minutes to answer the gentleman.

The CHAIRMAN. The gentleman from Ohio asks that his time be extended two minutes. Is there objection?

There was no objection.

Mr. FESS. My friend from Virginia can not get away from the illusion that whatever happens in the Government that ought not to be must be attributed to mismanagement on the part of the Republican Congress. I dislike to think that a man with his level head, which everybody recognizes, would draw such a conclusion as that.

Here is our trouble, and my friend knows it: These employees are not under Congress, and this editorial, written to discredit the Congress of the United States for not compelling executive departments to do their duties, is ill advised.

Mr. NOLAN. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. NOLAN. Does not the gentleman think that we have the power under the Holman rule to authorize the Committee on Appropriations to make a comprehensive survey of these departments? In other words, to pick out competent men——

Mr. FESS. I would say to my friend that without reference to the Holman rule we as the Congress have authority to start such an investigation, without questioning the parliamentary situation.

Mr. NOLAN. Would it not be better to have an investigation made by the Committee on Appropriations, so that it would not be a contest of wits between the members of the Appropriations Committee and the heads of these departments, and then when we are called upon to pass an appropriation bill providing salaries for these employees we could vote intelligently upon it and they could legislate intelligently upon it?

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. FESS. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FESS. The suggestion of my friend from California [Mr. NOLAN] would lead to a very delicate and difficult situation—if we should proceed from the Committee on Appropriations—and it arises out of this fact: The Committee on Appropriations will carve down the estimates. They can not do it horizontally. They try to find what the necessity is and where the estimates can be reduced, and then, though they make the reduction, I am afraid that the departments will go right on, just as if the allowance had been made without the reduction, and later on will come in with a deficiency appropriation, and the first thing we know we will have made a splendid reduction in the original passage of the bill, but will ultimately vote the very thing on the country, under the form of a deficiency, which we thought to eliminate. The difficulty is to get at the real facts in these departments, and if there is any method by which, through an investigation, we can do it I say let us do it, because all the world knows that if you once attach people to the Government pay roll it takes an earthquake to remove them. I am in sympathy with what the gentleman from Virginia [Mr. MOORE] says. [Applause.]

Mr. NOLAN. Mr. Chairman, I offered the suggestion to the gentleman from Ohio for this reason: We have here to-day in Washington probably three times as many employees as we had prior to the war. I am going to be frank with you. I made a suggestion to the present Speaker of the House shortly after the Republican Congress was elected in 1918. At that time he had not announced his candidacy for the Speakership. He was the prospective chairman of the Committee on Appropriations. I thought that inasmuch as the Republicans were going to take

over the responsibility of appropriating money for the Government they ought at least to find some method of carving down appropriations in a systematic and intelligent way. I thought that the best method would be to get men who would make a common-sense survey of these departments. This was a short time after the armistice was signed, and if we did that then these men and women who held these positions would know that at least on the 1st of the following July no appropriations would be made by the next Congress for continuing them in positions where they could not render adequate service to the Government.

I have this in mind. I think it is a contest of wits between the executive heads, the heads of these bureaus, and the appropriating committees of Congress. The departments and the heads of the various bureaus want to expand, they want to get as many men and women on the pay roll as possible and make themselves as important as they possibly can. You can not sit in the Committee on Appropriations room and legislate intelligently upon this subject. There ought to be a survey made. Even under a budget system the Congress of the United States or the Appropriations Committee or the budget committee ought to have a little organization of men, competent, intelligent, with common sense, who could go from time to time to the departments and investigate. We ought not to depend upon the executive departments; we ought not to depend on any agency between the legislative branch and the executive branch to advise us. Your committee that is charged with the making of these appropriations ought to have this information at first hand, so that when these men come up here and ask for appropriations for any sort of expenditure, whether clerical help or anything else, they would have the facts and it would not be guesswork. That is what it is largely to-day, and it has been in times gone by. The appropriating committees ought to have an agency to investigate in an intelligent manner, so that they would be in a position to do what Dr. FESS is fearful they would do, namely, create the opportunity for a deficiency. Where there are statutory positions, simply slash and hold them to it. They do not create deficiencies when it comes to statutory positions. Most of your deficiencies are created through lump-sum appropriations and through the opportunity to manipulate appropriations and transfer and use one sum for this, that, or the other purpose. The law does not permit it, and if it be done, then we should not sanction it by the passage of a deficiency appropriation. The Appropriations Committee of this House, to my notion, without any great legislative authority or any grant of power, has sufficient authority in its hands to-day under the rules of the House to make these investigations in an intelligent and thorough manner. [Applause.]

Mr. HAUGEN. Mr. Chairman, the gentleman from Virginia [Mr. MOORE] seems to think that we have not an adequate budget system here. The gentleman from California [Mr. NOLAN] states that the committee ought to make investigations and that no investigations are made. If you will turn to the report you will find that the bureau estimates for this appropriation were $42,098,238. The bureau estimates went to the Secretary of Agriculture. The Secretary scrutinized every item and then transmitted the estimates to Congress calling for $37,672,857, a considerable cut. The committee spent over a month in investigating the estimates. We examined and cross-examined every bureau chief; and, as I say, we spent over a month on the hearings. We gave not only 8 hours a day to the work, but often 12.

Mr. NOLAN. Mr. Chairman, my suggestion is that outside of the investigations the gentleman has made he should have authority, if the committee does not have it now under rules of the House, to send men into the Department of Agriculture, or any other appropriating committee into any other department, to make a thorough investigation; and if I had my way about it you would have that little force of men at your disposal throughout the year.

Mr. HAUGEN. We have authority now. We worked, as I said, not only 8 hours a day, but 12 hours and more. We worked from early morning until late at night. We have done our duty; we have done the best we could.

Mr. NOLAN. The gentleman seems to misunderstand my suggestion. My suggestion is that your committee has authority to employ help to make a thorough investigation in dealing with the heads of these bureaus; if not, it is a simple matter to get the authority even through a rider on an appropriation bill.

Mr. HAUGEN. As I said, the department's estimate was $37,672,857. The committee reports $30,542,034, a cut of over $7,000,000 below the department's estimate, and more than $11,000,000 below the bureau estimates—a reduction of $3,359,727 below the appropriations for the current fiscal year. As you know, much of the appropriations carried in this bill is for salaries. It goes without saying that with the reductions made the department will have to lay off a number of the employees in the department. The $3,359,727 reduction under the appropriation for the current year means less salaries and less employees. The Department of Agriculture had during the war around 25,000 employees. It now has less, about 20,000. So this criticism lodged against the various departments does not lie against the Department of Agriculture. The Committee on Agriculture did its duty. It has cut the appropriation and the number of employees as suggested. The House has seen fit to increase the appropriation, and in that way the number of employees. That, of course, is up to the House.

Mr. JACOWAY. Will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. JACOWAY. I do not recall from the gentleman's remark how much of this appropriation goes into salaries. Can the gentleman state how much?

Mr. HAUGEN. A large portion of it. It is practically all used for salaries, traveling expenses, hotel bills, and cars. The principal portion of it is for salaries.

Mr. GREEN of Iowa. How many employees were there before the war?

Mr. HAUGEN. There were about 16,000 in the department before the war. During the war the number was increased to about 25,000. The number is now about 20,000.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last two words.

The suggestion made by the gentleman from Virginia as to the bill he proposes has certain merits in it, and I will be glad to support it if such a proposition comes before the House. But it does not reach the real solution of the difficulties which we are in. The real reason for the increase of these employees over what we had before the war and over that which we had some 10 years back is because the Government has taken upon itself so many different varieties of work and so enormously extended its functions. As long as we have a Railroad Administration, a Fuel Administration, a food-control administration, a Shipping Board, and a number of other departments that have been entered into by the Government since the war, or in recent years, so long will we have this vast number of employees. And the first thing we need to do is to get rid of some of these superfluous departments and not have the Government embark upon all sorts of enterprises that might be carried by private enterprise, and which would be better carried on by private individuals. The reason of the great increase in the number of employees in the Agricultural Department is not because they have added many to the messengers. The number of messengers may have been increased by a dozen or 15 or 20 in the last few years. There have been no great additions there, as I understand. It is because the Agricultural Department is continually expanding and taking on additional work, assuming functions in a great many cases which, I think, would be a great deal better done by the States, and, I know, very much more cheaply done if they were carried on by the States. There is no question about that.

I see my friend agrees. He has in mind, possibly, the national forests, and I am very much inclined to think that they might be administered better—and, I know, very much cheaper—by the States.

Mr. EVANS of Nevada. Better and cheaper.

Mr. GREEN of Iowa. But whether that be so or not, the difficulty lies right here, with the continual expansion of these departments. Instead of that, we ought to be cutting them down, seeing that they do not overlap, and stopping this continual duplication by different departments of the same kind of work. We have a Bureau of Chemistry in the Agricultural Department and we have other departments working on chemistry. That is only one instance of duplication. There are many others. If we could stop this duplication we would greatly reduce the number of employees.

Mr. MADDEN. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. MADDEN. I understand the Agricultural Department and eight different bureaus publish different cookbooks, and in other departments they publish different cookbooks, making 21 in all.

Mr. GREEN of Iowa. There is where we would make a great saving, both in employees and expense, if we should stop this duplication going on, caused by each department trying to expand more and more and overlapping the lines that belong to another. That is what we need to seek. We need a com-

mission to investigate, to determine where the work should be done and which department should do it.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

Mr. KITCHIN. Mr. Chairman, I renew the pro forma amendment, and I ask unanimous consent to be permitted to proceed out of order for five minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to proceed out of order for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Chairman, I have read very carefully the article in this morning's Washington Post entitled "Attack of Daniels answered by Sims. * * * Sims upheld by Senator GLASS."

Mr. Chairman, it so happened I was present when Senator GLASS and Representative BYRNES testified. I heard every word of the testimony of each gentleman. In justice to Mr. BYRNES and Senator GLASS I feel it is my duty to denounce this article with reference to their testimony as a willful, deliberate, shameless, venomous, malicious, incorrigible perversion of the truth and facts.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from North Carolina yield to the gentleman from Kentucky?

Mr. KITCHIN. Not now.

Mr. THOMAS. I just wanted to ask the gentleman if he had forgotten anything? [Laughter.]

Mr. KITCHIN. I invite any Member of this House, any gentleman in the United States, to take this article and the printed testimony of Mr. GLASS and Mr. BYRNES and read them side by side, and I am confident that every impulse of truth within him will join me in this righteous condemnation and denunciation.

Instead of Mr. GLASS contradicting Mr. BYRNES in several instances, as this paper would have the public believe, instead of his "upholding Admiral Sims" in any of the statements of Admiral Sims, Mr. GLASS corroborated every statement that Mr. BYRNES made upon this floor in his speech some time ago, every statement and fact that Mr. BYRNES testified to before this naval investigating committee, every one; and in not one instance did he "uphold" Admiral Sims in any of his statements. In my judgment he was more emphatic in his contradiction of the admiral's statement than was Mr. BYRNES. Neither contradicted the other. Both contradicted flatly Admiral Sims.

I have looked through other papers just to see if there was any other perverter of truth, any other deliberate falsifier—to see if any other correspondent willfully misrepresented the testimony of Mr. BYRNES and Senator GLASS—and have failed to find one. I read carefully the article in the New York World relative to their testimony and the articles in the New York Sun, in the New York Times, in the Philadelphia North American, in the Philadelphia Public Ledger, in the Baltimore Sun, and in the Baltimore American, and not one correspondent of these papers sustains in the least the statements in the Washington Post, but every single one of them states that GLASS and BYRNES flatly contradicted Sims, which they did. Every single one of them declares that BYRNES and GLASS corroborated each other; that is, GLASS confirmed the statements of BYRNES. In three of these newspapers the correspondents agreed with me, that Mr. GLASS went further in contradiction of Admiral Sims than did Mr. BYRNES.

Mr. GARNER. Who wrote this piece?

Mr. KITCHIN. I do not know. The article purports to be written by "Albert W. Fox."

Let me further say that this article is characteristic of the entire policy of the Washington Post, editorially and otherwise. It seems incapable of stating a fact or telling the truth.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For investigation and experiment in the utilization, for coloring purposes, of raw materials grown or produced in the United States, in cooperation with such persons, associations, or corporations as may be found necessary, including repairs, alterations, improvements, or additions to a building on the Arlington Experimental Farm, $68,260.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word, to get some information on this item.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last word.

Mr. LONGWORTH. Mr. Chairman, the gentleman from Iowa [Mr. HAUGEN] referred to the item for last year. I ask for information about this item. In the first place, I would like to know to what extent, if any, this is a duplication of work in the Bureau of Mines, under the chemistry department of the Bureau of Mines?

Mr. HAUGEN. Have you reference to the Bureau of Standards or to the Bureau of Mines?

Mr. LONGWORTH. To the Bureau of Mines as well as to the Bureau of Standards. The chief chemist of the Bureau of Mines carries on in his office a good deal of investigation as to coal-tar products and their relation to dyes, and so forth. Does this duplicate that to any extent, or am I correctly informed that this applies mainly to vegetable coloring matters used in food?

Mr. HAUGEN. No; it does not only apply to such coloring matters. I asked that question of the Chief of the Bureau of Chemistry. He stated that they are mostly coal-tar dyes, but that they do go beyond that. When I asked him the question, I had in mind the point raised by the gentleman a year ago. I remember the statement was made at that time that they confined their activities to certain dyes. I find that the bureau goes beyond coal-tar dyes.

I also asked the Chief of the Bureau of Chemistry if there was any duplication of this work in other departments or bureaus of the Government. The answer was that if there was duplication it was not the fault of the Bureau of Chemistry but the fault of other bureaus.

Mr. LONGWORTH. Is the committee pretty well convinced that this is a valuable work?

Mr. HAUGEN. The committee cut the appropriation $31,020, as that amount is being used for the construction of buildings during the current year and will be completed by the end of the current fiscal year.

Mr. McLAUGHLIN of Michigan. That was because of the fact that of the appropriation last year $31,000 was used for buildings.

Mr. LONGWORTH. How much of this appropriation is to be used for buildings?

Mr. McLAUGHLIN of Michigan. Nothing. That amount having been appropriated last year, and having been used, it is not necessary to appropriate it this year.

Mr. LONGWORTH. But you have in your paragraph "alterations and repairs to buildings and additions."

Mr. McLAUGHLIN of Michigan. That does not provide for new construction.

Mr. LONGWORTH. The committee, on the whole, is satisfied that this is valuable work and that this amount, which is still pretty large, is well worth the spending?

Mr. McLAUGHLIN of Michigan. It is a scientific investigable matter, and it is difficult for the Committee on Agriculture to determine. The gentleman from Ohio will remember that these matters have been up before. I remember very distinctly when another bill, carrying an appropriation for the Bureau of Standards, was up the statement was made by some member of the Committee on Agriculture that an item providing for similar work was carried in the Agricultural appropriation bill and that the latter one should not be carried. But gentlemen quite prominent on the floor said that there was enough work for both departments and that if either of them accomplished anything the result would be worth all that both of them might possibly spend.

I will say this, that before this work was undertaken there was a conference between the Chief of the Bureau of Standards and the Chief of the Bureau of Chemistry, and there was a conference between the heads of the two departments in which those activities are carried on, and it was agreed between them that the Bureau of Chemistry of the Department of Agriculture should ask for the money, and, having it, should carry on the work.

I think I am right in saying that that is where the matter rested. It was to be done by the Bureau of Chemistry of the Department of Agriculture. But a little later some one, in his enthusiasm and ardent desire to have this work begun and carried on, and thinking that the Bureau of Standards was the proper place to have it carried on, inserted in one of the other bills—I do not remember which one; the sundry civil, I think—a provision to enable the Bureau of Standards to carry it on, and refused to listen to some of us who said the work was in the hands of the Bureau of Chemistry.

Mr. LONGWORTH. Does the gentleman recall the amount that was appropriated?

Mr. McLAUGHLIN of Michigan. I think it was about $50,000 for the Bureau of Standards.

Mr. LONGWORTH. Necessarily there would be some duplication.

Mr. McLAUGHLIN of Michigan. Perhaps there is some duplication.

Mr. LONGWORTH. It seems to me this is a very large item, and unless the committee are properly satisfied that it is worth it, I would be inclined to offer an amendment to reduce the amount somewhat.

Mr. McLAUGHLIN of Michigan. In regard to this, as in regard to other highly scientific and investigational matters, it is difficult for the Committee on Agriculture to determine whether or not the money is needed or whether or not the work done by the expenditure of the money is satisfactory. We all know that wonderful results have followed experiments and scientific investigations. Sometimes the most helpful and satisfactory results have been reached when there was the least promise. Splendid results have been found in the most unpromising field, and when scientific gentlemen in whom we have confidence come before us and ask for appropriations to enable them to carry on work, we are loth to refuse them, as we hesitate to criticize the work they are doing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out the last word. I appreciate the desire of the gentleman from Ohio and others to be informed in reference to this chemical work, and I send to the Clerk's desk and ask the Clerk to read in my time a brief memorandum in reference to some of the work of this bureau.

I ask the Clerk to read what is marked.

The Clerk read as follows:

Work upon photosensitizing dyes was begun at the instigation of the War Department. The three important sensitizing dyes, pinacyanol, pinaverdol, and dicyanin, have been prepared and made available.

The new method developed in the bureau for the production of phthalic anhydrid by catalytic air oxidation is in successful commercial use, and cooperation was begun with another manufacturer during the year. Certain theoretical laboratory investigations remain to be completed before a final report of the whole investigation can be published.

From cymene a new photographic developer has been produced and the process published. Studies upon the chlorination of cymene are in progress. A report upon the preparation of 2-chlor-5-6-dinitro-cymene is ready for the printer.

Mr. LONGWORTH. That makes it entirely clear to me, Mr. Chairman. [Laughter.]

Mr. MANN of Illinois. I have not yielded the floor.

Mr. LAYTON. I desire to offer a motion for the relief of the reading clerk. [Laughter.]

The CHAIRMAN. The reading clerk does not seem to be at all distressed. The Clerk will proceed.

The Clerk read as follows:

The laboratory and plant studies on the production of isopropyl alcohol and its oxidation to acetone, undertaken for the Bureau of Aircraft Production, have been completed. It seems probable that the process will prove of commercial value.

Mr. MANN of Illinois. I hope that satisfies my friend from Ohio. I yield the floor.

Mr. CONNALLY. I ask unanimous consent that the gentleman from Illinois be permitted to revise his remarks. [Laughter.]

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the gentleman from Illinois be permitted to revise his remarks.

Mr. MANN of Illinois. I do not need the permission of the gentleman. I am perfectly familiar with these terms and can even translate them so that possibly, though not probably, the gentleman from Texas will understand them.

The CHAIRMAN. Is there objection to the request?

There was no objection.

Mr. GREEN of Iowa. Mr. Chairman, I had already seen what the gentleman from Illinois has had read, but I intend to comment on it in a more serious way. It shows abundantly, as I think, that the operations of this chemical department are not at all necessary, and it is very doubtful whether they are useful in any kind of a way. They are operating largely for the benefit of the War Department instead of the Agricultural Department, and they are operating with reference to matters as to which it seems to me there is no need of their making these experiments. There are firms, and also individuals, that are carrying on in a far more extensive way experiments with these coal-tar dyes than it is possible for the Agricultural Department to do, and they are carrying them on without expense to the Government. A great corporation has been created, with a large amount of capital—I think half a million dollars—for the special purpose of making experiments in this line. The dye users of this country are contributing for that purpose, and none of these dye makers or users have asked that this bureau carry on any such investigations as it is now conducting. We have not only got this particular appropriation, but as the gentleman from Ohio noted a few moments ago, we have another appropriation, or at least had one last year in another bill, for another bureau that is carrying on very similar investigations.

Of course, this amount is not very large. It is in a field where if they do discover anything it may be useful, if for nothing else, for the advancement of science.

Mr. CANDLER. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. CANDLER. I think the gentleman must be mistaken in stating that there is some other chemical laboratory in some other department doing the same kind of work that is being done in this laboratory.

Mr. GREEN of Iowa. I do not mean exactly the same.

Mr. CANDLER. Because this is confined to agricultural matters and subjects connected with the Department of Agriculture.

Mr. GREEN of Iowa. I hope my friend will pardon me. He is entirely in error in saying this is confined to agricultural matters.

Mr. CANDLER. It is confined to the investigation of questions that arise in the Agricultural Department.

Mr. GREEN of Iowa. The development of photographic plates and the use of certain chemicals in that connection is not a matter connected with agriculture.

Mr. CANDLER. They use photographic plates in the work of the Agricultural Department.

Mr. GREEN of Iowa. Of course, the ordinary kind; but this is for war materials.

Mr. LONGWORTH. It relates to all materials grown or used in the United States, whether vegetable or otherwise.

Mr. GREEN of Iowa. The gentleman is correct. It is not confined to the products of the soil. The amount is not very large. The committee has gone over it, and as I do not know how much will be necessary to be used in connection with agricultural products I shall not move to reduce it, although I think it ought to be reduced. The Agricultural Department ought to have nothing to do with coal-tar dyes.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

For the investigation and development of methods for the manufacture of table sirup and of methods for the manufacture of sweet sirups by the utilization of new agricultural sources, $15,000.

Mr. CRISP. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRISP: Page 51, line 22, after the figures "$15,000," insert: "*Provided*, That $7,500 of said amount may be used for investigation and experimenting in the production of sirups, sugar, starch, dextrine, and other commercial products from the sweet potato."

Mr. HAUGEN. Mr. Chairman, it was intended that $7,500 should be used for that purpose, and it is so stated in the report. But if the gentleman prefers to have it incorporated in the bill we have no objection.

Mr. CRISP. The committee kindly gave it at my request, and I did not offer the amendment until I had conferred with the gentleman from Iowa.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. CRISP].

The amendment was agreed to.

The Clerk read as follows:

For enabling the Secretary of Agriculture to carry into effect the provisions of the act of June 30, 1906, entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes"; to cooperate with associations and scientific societies in the revision of the United States Pharmacopœia and development of methods of analysis, and for investigating the character of the chemical and physical tests which are applied to American food products in foreign countries, and for inspecting the same before shipment when desired by the shippers or owners of these products intended for countries where chemical and physical tests are required before the said products are allowed to be sold therein, $579,361.

Mr. HAUGEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HAUGEN: Page 52, line 13, after the semicolon, insert: "*Provided*, That not more than $4,280 shall be used for travel outside of the United States."

Mr. HAUGEN. The committee has combined two items in this one paragraph. One item previously appropriated $4,280, and contained authority for travel outside of the United States. The other item appropriated around $600,000. So as not to make this larger amount available for travel outside of the United States the insertion of the proviso making only the $4,280 available for such traveling expenses, has been suggested. It seemed proper that the proviso should be inserted.

Mr. YOUNG of Texas. Is it the same amount that we have carried heretofore for that purpose?

Mr. HAUGEN. The proviso that not more than the amount previously carried in the smaller item—that is, $4,280—shall be used for traveling expenses outside of the United States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

Mr. TILSON. Mr. Chairman, I move to strike out the last word. I wish to ask the gentleman in charge of the bill in regard to this investigation of the character of the chemical and physical tests which are applied to American food products in foreign countries. What is being done under this paragraph? It seems to be new language in the bill, but, as I understand, it is for work that has been heretofore carried on by the Bureau of Chemistry.

Mr. HAUGEN. The work is in connection with the export and sale in foreign countries of various of our food products.

Mr. TILSON. Are not the examinations and tests paid for by the individuals who have the work done; that is, by the business men who transact business in foreign countries?

Mr. HAUGEN. Yes; but that money paid for the inspection and examination is not available for this work. It is covered into the Treasury.

Mr. TILSON. This is work that is being paid for by those who do the business, as I understand the situation.

Mr. HAUGEN. The testimony before the committee shows that prior to five or six years ago, when this item was inserted, the work was done without charge. It seemed that the exporter ought to pay the cost of the examinations, and at present he is charged as nearly as can be estimated for the examination and for furnishing of a certificate. The money is covered into the Treasury, so does not become available for expenditure on this work.

Mr. TILSON. That is my understanding. The work has been increased, more investigations have been made from time to time, and ought to increase with the increase of foreign trade. There will be more work to be done, but the committee is cutting down the appropriation which may be used for the purpose, and this in the face of the fact that the work is self-supporting. It seems to me that wherever there is a self-supporting activity of the Government it ought to be encouraged.

Mr. GREEN of Iowa. If it is self-supporting, how will this injure the work?

Mr. TILSON. Because there is nothing in the nature of a revolving fund. The more work that is done the more it takes out of the appropriation. If it were so that the business could go on and the money received go back into the appropriation so that it could be used over again, the gentleman would be right; but, as a matter of fact, the money received becomes miscellaneous receipts and is covered back into the Treasury. In view of this state of facts, I wonder if the appropriation is sufficiently large.

Mr. HAUGEN. I will say to the gentleman that there is a transfer of $15,140 to the statutory roll; besides, there is a considerable cut in this appropriation. The committee thought that this amount would be sufficient.

The Clerk read as follows:

For the investigation of soils, in cooperation with other branches of the Department of Agriculture, other departments of the Government, State agricultural experiment stations, and other State institutions, and for indicating upon maps and plats, by coloring or otherwise, the results of such investigations, $178,900.

Mr. BLANTON. Mr. Chairman, I move to strike out the sum of "$178,900."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 56, line 11, after the word "investigations," strike out the figures "$178,900."

Mr. BLANTON. Mr. Chairman, if we could strike this $178,900 out of the bill and save it, we could reduce the taxes of the people that much. That is what is apparently in the minds of everyone, to cut down appropriations and save taxes. I would be with the gentleman from Virginia [Mr. MOORE] in his suggestion a while ago that we have this investigation, if the investigation would amount to anything after we had it. It would mean only additional expense with nothing accomplished. The question is how to save this money. We could save it if we could get rid of the 40,000 useless, idle employees in this city who, as everyone agrees, ought to be sent home, yet we take no steps to send them home. We could get rid of them if we would just pass a simple little law giving the heads of the departments the authority to discharge them. We would not have to have any investigation, because after we had the investigation it would be just as impossible for the heads of the departments to get rid of them as it is now. If we would pass a law authorizing the heads of the departments, civil service or no civil service, to discharge every incompetent and inefficient employee in their discretion, we would meet the situation as it should be met. Until we pass such a law, the civil service protects them. The gentleman from Michigan called attention to the fact that as it is now we have here inefficient and incompetent employees in this department; that the heads of the department told him that they were incompetent, but they could not get rid of them under the civil-service law without filing charges and going through a trial, which they would not do. If that is the civil-service law, the thing to do is to change the law and give these heads of departments the right to discharge, in their discretion, whenever there is an incompetent or an inefficient employee. What is there to keep Congress from passing a law of that kind and other needed laws? We could save not only this sum but we could save over $100,000,000 this year if we took action of that kind. What is to keep us from taking it?

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. BLANTON. Yes; if the gentleman can tell us what is keeping us from enacting such a law, if the gentleman will be honest and tell us.

Mr. GREEN of Iowa. I will tell the gentleman what I honestly believe.

Mr. BLANTON. What is it?

Mr. GREEN of Iowa. The situation we had before this law was enacted and various departments were turned into political bureaus——

Mr. BLANTON. Oh, I can not yield for that. Here is what is keeping us: We are afraid to do it. We are afraid to pass a law of that kind. The gentleman knows it.

Mr. KING. Mr. Chairman, I make the point of order that the gentleman is not speaking to his amendment.

Mr. BLANTON. My amendment is to save this item of $178,900. I moved to strike that sum of $178,900 out, and am trying to save it. It may be that I can save it, if the gentleman from Illinois [Mr. KING] would let me get the matter before my friend from Iowa [Mr. GREEN], as, perhaps, he would help me.

Mr. KING. Mr. Chairman, another point of order. The gentleman is not discussing the point of order. He is speaking about Congress being afraid of something.

The CHAIRMAN. The Chair thinks that while in a general way the gentleman from Texas was discussing the amendment, yet that the latter part of his remarks goes somewhat beyond the scope of the amendment. The gentleman will proceed in order.

Mr. BLANTON. Mr. Chairman, here is the gentleman from Michigan [Mr. MCLAUGHLIN], a member of this committee, who admits that he tried to save these sums of money; that he asked the head of the department what was the matter, why he had to appropriate so much for so many employees, and that the head of the department told him that he had many incompetents. He was asked why he did not get rid of them, and he said that he could not do it. When asked why he could not do it, he replied that he could not without making charges against them and having a trial, and that it was embarrassing to him to make complaints and charges against employees and having a trial, and that that was what he had to do under the law, and which he would not do. The gentleman from Michigan said that because of that fact his committee just blindly allowed every one of these items of thousands of dollars and millions of dollars asked for in this bill, embracing 76 watchmen for the Secretary's office and 743 messengers for the department, and we stop right there.

The CHAIRMAN. Does the gentleman yield to the gentleman from Michigan [Mr. MCLAUGHLIN]?

Mr. BLANTON. I can not yield just now.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. That is what we are up against. Mr. Chairman, I ask unanimous consent to withdraw my pro forma amendment.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

The Clerk read as follows:

For the investigation and demonstration within the United States to determine the best method of obtaining potash on a commercial scale, $192,900: *Provided*, That the product obtained from such experimentation may be sold at a price to be determined by the Secretary of Agriculture, and the amount obtained from the sale thereof shall be covered into the Treasury as miscellaneous receipts.

Mr. BLACK. Mr. Chairman, I make the point of order that this is an appropriation that is not authorized by existing law.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. HAUGEN. It is authorized by the same authority granted for other appropriations under the organic act in the interest of agriculture to promote agriculture.

Mr. RUBEY. I desire to submit a further point, and that is that this is a continuing appropriation. It was made first in the year 1917. It is money appropriated, and it is an investment out there, and all of it will be lost unless we continue this appropriation.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard further?

Mr. HAUGEN. No; except to call the attention of the Chair to the fact that under the organic act it is the duty of the department to acquire and diffuse among the people of the United States useful information on subjects connected with agriculture, in the most general and comprehensive sense of the word, and this is clearly in the interest of agriculture. These are experiments in the development of potash, and the appropriation has been carried for some years.

Mr. GREEN of Iowa. I suppose it is unnecessary for me to say to the Chair that potash is one of the most important chemical elements connected with agriculture.

Mr. HAUGEN. It is being used in fertilizers.

Mr. GREEN of Iowa. Yes.

Mr. BLACK. Mr. Chairman, the history of the appropriation carried in the present item is that it was first included in the Agricultural appropriation bill for the year 1917, and under that appropriation of $175,000 a plant was built out on the Pacific coast at Summerland, Calif., for the purpose of harvesting giant kelp, which grows in the sea, and experimenting with it with a view of making commercial potash. The item was continued in the appropriation bill for 1918 and also in the bill for 1919. I made no point of order against it then because it was an experiment growing out of the necessities of the war, but in reply to the argument of the gentleman from Iowa [Mr. HAUGEN] that an item of this kind would be authorized under the organic act, I wish to direct the attention of the Chair to the language of the organic act creating the Department of Agriculture. It reads:

There shall be at the seat of government a Department of Agriculture, the general design and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture, in the most general and comprehensive sense of the word, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

While it is true that potash is an important element in the manufacture of commercial fertilizers, it has many other uses. I do not think that the organic act creating the Department of Agriculture would be sufficient to authorize an appropriation to carry on an experimental manufacturing plant and authorize the Secretary of Agriculture to dispose of the products of that plant in a commercial way. The gentleman from Missouri [Mr. RUBEY] argues that it would be entitled to come under that exception to the rule which permits an appropriation bill to continue a public work, but I do not regard this as coming within that classification. The plant out there is a completed plant. It was built with the appropriations that have been heretofore authorized by Congress, and it would be merely continuing the operation of the plant and would not be the continuance of a public work. If we had a plant out there in the process of building and which was not completed, I concede it would probably come within that classification.

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. RUBEY. The purpose for which the investigation was made has not yet been completed. It is in process of completion and one more year will complete the work, and complete the demonstration for which the plant was established.

Mr. BLACK. In reply to that I call the gentleman's attention to the fact that when this item was up for consideration in the appropriation bill of 1919 I endeavored to have it stricken from the bill and the same argument was then made very forcibly by the gentleman from Minnesota [Mr. ANDERSON] that it would only take one more year to complete the experiment, and then it would be through. That year has gone by, and we have the committee again reporting it and imploring Congress to continue it for still another year, and I dare say that if we do continue it then when the next appropriation bill comes around the representatives of the department will be before the gentleman's committee urging that for some reason or other the experiment be continued for another year, and so it will be, on and on, until Congress finally cuts it off. I realize that this is not arguing the point of order, and I just want to submit to the Chair one more observation and then I shall not argue the point further.

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. RUBEY. The last appropriation made will not expire until next July, and by the time next July runs around it is estimated that $100,000 will be turned into the Treasury from this plant, which will come within $27,000 of returning as much as the appropriation calls for.

Mr. BLACK. I will not reply to that observation by giving the facts as I understand them to be, because it would be an argument upon the merits of the proposition, and I take it that the Chair does not care to hear about the merits of the proposition, but only with reference to the point of order which is pending.

In the last appropriation bill was carried an item of the following nature:

For experiments in the manufacture of rare chemicals for use in chemical research, including investigation of domestic sources of supply, $10,000; and the Secretary of Agriculture may furnish upon application samples of rare chemicals to investigators for research work and charge for the same a price to cover the cost thereof, such price to be determined and established by the Secretary.

And so on. Now, to that provision authorizing the Secretary of Agriculture to make these chemical experiments the gentleman from Massachusetts [Mr. WALSH], who now occupies the chair, made a point of order, and after some little argument the Chair said:

The point of order is sustained, and the Clerk will read.

That is found on page 528 of the CONGRESSIONAL RECORD for June 2, 1919.

It occurs to me that the two propositions would probably rest upon the same ground, and unless the organic act is broad enough to cover the one it would not be broad enough to cover the other.

Mr. ANDERSON. Mr. Chairman, the gentleman from Texas correctly states the history of this item, but he has not read the language under which the work covered by this item was originally authorized. The Agricultural appropriation act for the fiscal year 1917 contains this language:

For the investigation and demonstration within the United States, to determine the best methods of obtaining potash on a commercial scale—

Now, I ask the attention of the Chair to this language—

Including the establishment and equipment of such plant or plants as may be necessary therefor, $175,000.

Now, there is specific language in this act authorizing the establishment of this plant. It has been established. It is in operation. It has been, for three or four years, since the original appropriation was made, the object of a continuing appropriation, and I want to direct the attention of the Chair to the fact that the language of the rule does not limit the appropriation to public works. But the language of the rule is:

No appropriation shall be reported in any general appropriation bill or be in order as an amendment thereto for any expenditure not previously authorized by law.

Now, of course, the establishment of this station was authorized by law in the appropriation act of 1917.

Unless in continuation of appropriations for such public work and objects as are already in progress.

Now, here is a plant in operation, an object of appropriation in progress. This appropriation is not only within the rule, but it is within the reason of the rule.

It would be unfortunate, indeed, if Congress, having begun a public work, a continuing public work, through an item in an appropriation bill which was not in order at the time it was offered, could not thereafter by an item in an appropriation bill continue that improvement to its completion.

Now, this proposition contemplated originally not a long-continuing experiment such as many of the experiments in the Department of Agriculture are. Many of the experiments in the Department of Agriculture continue indefinitely; you might

say they are never concluded, but this object was one which it was expected would be definitely concluded eventually; that is, that we would determine the precise question for which this plant was erected. That object has not been determined, and until it is determined this work is, and the object of this appropriation is, a continuing object in the sense of the rule. And I want to emphasize to the Chair again that where an item has come into a bill, which was out of order in the first instance, that Congress ought not to be precluded thereafter, by someone raising a point of order, from continuing the work originally authorized. And that is all that this does.

The CHAIRMAN. The gentleman from Texas [Mr. BLACK] makes the point of order upon the paragraph beginning in line 16 and ending in line 22, as follows:

For investigation and demonstration within the United States to determine the best method of obtaining potash on a commercial scale, $192,900.

The Chair finds that in the agricultural appropriation act approved August 11, 1916, chapter 313, of 39th Statutes, page 465, an item similar in form was carried, with the additional language:

Including the establishment and equipment of such plant or plants as may be necessary therefor.

The gentleman from Minnesota [Mr. ANDERSON] contends that this investigation and demonstration, a plant having already been established, is the continuation of a public work. The Chair does not think that the continuation of an investigation such as this, a scientific investigation by a department, constitutes such a work in progress as may be denominated a continuation of a public work. In order that the rule should apply, something more tangible than an investigation in a plant or establishment should be shown in the authorization under which the appropriation is sought.

The gentleman from Texas [Mr. BLACK] bases his claim that this is not a proper matter for investigation and demonstration within the organic law under which the Department of Agriculture operates. Something has been said in discussing the point of order as to the purpose of the authorization of this investigation and demonstration as carried in the language of the item. But upon an inspection of the language appropriating this $192,900 for determining the best method of obtaining potash on a commercial scale and authorizing its sale at a price to be determined by the Secretary of Agriculture, the Chair is inclined to believe it goes somewhat beyond the scope of the organic law and thinks it is not such work as may properly be said to be authorized by the organic law, and therefore sustains the point of order.

Mr. ANDERSON. Mr. Chairman, I offer an amendment as a new paragraph.

The CHAIRMAN. The gentleman from Minnesota offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON as a new paragraph: After line 15, on page 56, insert:
"For the completion, operation, and maintenance of the Government kelp plant at Summerville, Calif., $192,900."

Mr. ANDERSON. Mr. Chairman, I do not desire to argue the matter. The amendment which I have offered covers the item for the kelp plant against which the gentleman from Texas made the point of order. The work has been in progress there for some time. There is every reason to expect that during the next fiscal year this plant will be so successfully operated that it will pay the entire cost of its operation and maintenance and a part of the original cost of the building and the equipment. The experiment has been a very interesting and a very profitable one from the standpoint of the industry and the standpoint of the Government. We are manufacturing at this kelp plant a character of charcoal which sells for a very high price, and it is expected that this charcoal, together with the by-products, including iodine, will be sufficient, without the production of any potash at all, to pay the cost of the operation of the plant.

Mr. LONGWORTH. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. LONGWORTH. I have been informed that the Government experiments in the making of potash from kelp have been a great success in Japan. Has the gentleman any information about that?

Mr. ANDERSON. I am not familiar with the particular experiment over there.

Mr. LONGWORTH. They have been practically continued along the same lines as ours, but have proven a commercial success, as I understand.

Mr. ANDERSON. I think there is no question in the world but that with the experimentation now going on they will demonstrate the commercial feasibility of the production of potash in combination with the by-products which result and its production on a commercial scale under normal conditions.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield? Will there not be some other products produced from this plant?

Mr. ANDERSON. Yes; but the question of the point of order was with reference to the concluding proposition.

Mr. CANDLER. If the gentleman will permit, in answer to the question propounded by the gentleman from Ohio [Mr. LONGWORTH], I may say that the testimony in committee showed that it was the belief that that could be done.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANDLER. Mr. Chairman, I move to strike out the last two or three words in order to finish my statement.

The CHAIRMAN. The gentleman from Mississippi [Mr. CANDLER] moves to strike out the last two or three words.

Mr. CANDLER. In response to the inquiry of the gentleman from Ohio [Mr. LONGWORTH] the testimony before the committee showed that it was believed and it is entirely probable that this next year the proceeds of this enterprise will pay the expenses, and therefore it becomes self-supporting.

Mr. BLACK. Mr. Chairman, I rise to oppose the amendment.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BLACK. Mr. Chairman, I contend that whether we look at the origin of this item as an experiment, or look at it as a business enterprise, in either event it ought to be discontinued; and I believe that if any Member will take the trouble to read the hearings on the item he will agree with me.

Now, what is the situation? Let us go back into the history of the experiment. At the time the World War broke out we were getting our potash supply from Germany, and getting it at a cost of about 6 cents a unit; a unit is 20 pounds, and that made it cost about $60 a ton. When the war broke out that supply was absolutely shut off, and the price went up hurriedly by leaps and bounds to $400 or $500 a ton, and there was a great scarcity. The Committee on Agriculture, responding to the needs of the country, brought in an appropriation, included in its regular bill for 1917, authorizing the Department of Agriculture to erect out on the California coast a plant to harvest kelp, a great seaweed, and reduce it into potash. That appropriation was $175,000. It was not entirely expended, and was continued and made available for 1918. Then for 1919 $127,600 more was appropriated, and the appropriation for the present fiscal year is $127,600. That makes a total expenditure of $430,200 in this enterprise. And the committee is now wanting $192,900 more.

Now, how much potash have they made and sold? The gentlemen say it is going to be a self-supporting proposition. When they had the hearings on this very identical proposition and when the facts showed that the bigger part of $430,000 had been spent, a question was asked, on page 24 of the hearings, of Mr. Whitney, the Chief, I believe, of the Bureau of Soils, and he said:

Mr. WHITNEY. I would like to say a word of commendation here. During this period of experimentation, when we have had to devise everything, all kinds of apparatus, have had to test them and rebuild them, we have actually sold during this period approximately $80,000 worth of potash.

And remember that has been sold at a price ranging all the way from $450 a ton down to $200 a ton, and despite the abnormal price prevailing, and despite the expenditure of the bigger part of $430,000, they have sold only $80,000 worth of potash. I am not criticizing that result, except to emphasize that this is strictly an experiment, and having now continued it for four years we have lost enough on it and should stop.

Now, gentlemen will argue that if we continue this experiment for another year the Department of Agriculture will put the business on a self-sustaining basis. Let us analyze that claim. It is stated in the report of the committee that 150 units of potash will be produced in a day. That will be 3,000 pounds of potash per day or 1½ tons, or 450 tons for the whole year of 300 working days. Now, how much have they got to get for that 450 tons of potash if they put the plant on a self-sustaining basis? They will have to get at least $400 a ton to put it on a self-supporting basis, unless you take up the by-products that they talk about. Of course, everybody knows it is absurd to talk about getting $400 per ton for potash, now that the war is over.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. GREEN of Iowa. Of course, they will not get anything like $400 a ton. That is evident enough.

Mr. BLACK. Certainly.

Mr. GREEN of Iowa. But they do claim that they will get quite a large amount out of these by-products.

Mr. BLACK. Yes. They will claim that; but according to their statement they have not done it thus far. They talk about this experiment being put on a self-sustaining basis by reason of the fact that they will sell carbon. They say they will make charcoal out of the kelp.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLACK. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BLACK. Now, I want to pay a little attention to the statement about by-products. Those in charge of this experiment admit that they can not put it on a self-sustaining basis by the production of potash. They admit that they will produce only 450 tons next year. Hitherto they have not produced that much, and I do not feel at all assured that they will do it next year, but they say they will produce charcoal from kelp, and that with the charcoal they will put it on a self-sustaining basis. They seem to be putting the charcoal ahead of the potash now. According to the testimony of Mr. Turrentine—

The output of the plant in this material—

Speaking of charcoal—

is yet small, but we have every assurance that the apparatus now being installed will yield this in large quantities.

That is in the future. Predictions are always easy to make and usually department heads are not overconservative in making them.

All of the kelp plants owned by private industries suspended immediately when the war was over, because they knew that they could not harvest a great seaweed, composed of 90 per cent water, gather it by submarine machinery, haul it into a boat, transport it to a factory and produce only 30 pounds of potash from a ton of seaweed, and compete successfully with the great natural deposits of potash in Alsace-Lorraine and Strassburg, deposited there by nature during thousands of years of development. That is a proposition that I think is self-evident on its face. It is just as reasonable to suppose that you can go out here and cut down our forests and reduce them to charcoal and compete with the great coal mines of the country for fuel as it is to suppose that you can go out into the Pacific Ocean and harvest kelp growing in 40 feet of water and which is itself 90 per cent water, convey it to a plant and reduce it to potash, and do all of this in successful competition on a commercial basis. What we have done has been wisely done, I am willing to take for granted, but after we have shown that potash can be made from kelp it seems to me that we have accomplished the purpose of our experiment and we are without excuse to continue it further.

The small amount of potash produced by this plant is of but little consequence as a commercial proposition, because prior to the war the country used at least 200,000 tons of potash, and could have used profitably 400,000 tons, and this plant is only making the small amount of 450 tons a year. What does that amount to in comparison with the great amount used.

Mr. GREEN of Iowa. I think the gentleman has inadvertently understated the consumption. It is very much greater than the gentleman stated.

Mr. GARNER. That only strengthens the gentleman's argument.

Mr. BLACK. That only strengthens my argument. I said it was at least 200,000 tons prior to the war, and I meant that to apply to agricultural uses.

Now, what I want to say before my time is up is that I have no objection to the Department of Agriculture making an investigation for other sources of supply of potash in the United States. We have had in the bill for the last 8 or 10 years an item appropriating $36,840 for that purpose, and we have it in the bill to-day. I have made no objection to that, but since 1915—I did not go back further than that—we have already spent $235,000 for that purpose. It is a continuing appropriation, and I have no special objection to it, but I do protest against further experiments of the kind carried in this item after we have already demonstrated the results.

Mr. HAUGEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

Mr. BLANTON. I think the present hard-working crew deserves another shift, and I make the point of no quorum present.

Mr. HAUGEN. I hope the gentleman will withhold that until we finish this bureau.

The CHAIRMAN. The gentleman from Texas makes the point of no quorum present. The Chair will count. [After counting.] Fifty-one Members present, not a quorum.

Mr. HAUGEN. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the Agricultural appropriation bill, H. R. 12272, had come to no resolution thereon.

HOUSE BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 11368. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 5665. An act for the relief of Carlow Avellina;

H. R. 3620. An act to authorize the Commissioner of Navigation to change the names of vessels;

H. R. 683. An act for the relief of William E. Johnson; and

H. R. 396. An act to authorize the payment of certain amounts for damages sustained by prairie fire on the Rosebud Indian Reservation in South Dakota.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 154. Joint resolution authorizing the Secretary of War, in his discretion, to turn over to the State of Kansas emergency hospital equipment to be used temporarily in emergency hospitals to be established in the State, and for other purposes.

MILITARY ACADEMY APPROPRIATIONS.

Mr. KAHN. Mr. Speaker, by direction of the Committee on Military Affairs, I desire to report the bill making appropriations for the Military Academy for the fiscal year 1921.

Mr. BLANTON. I reserve all points of order on the bill.

Mr. KAHN. I submit that the ranking minority member of the committee [Mr. DENT] is on the floor, and I think he should be recognized to reserve all points of order on this bill.

Mr. BLANTON. I think any Member of the House has the right to reserve points of order on a bill.

The SPEAKER. The proper time to reserve points of order is after the bill has been reported. The Clerk will report the bill by title.

The Clerk reported the title of the bill (H. R. 12467) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921.

Mr. BLANTON. Now, I yield to the gentleman from Alabama [Mr. DENT].

Mr. DENT. I reserve all points of order on the bill.

The bill was referred to the Committee of the Whole House on the state of the Union and, with the accompanying report, ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. ROSE, for two days, on account of official business.

LEAVE TO EXTEND REMARKS.

By unanimous consent, leave was granted—

To Mr. NELSON of Wisconsin to revise and extend remarks on the item of the forest products laboratory in the agricultural appropriation bill.

To Mr. JOHN W. RAINEY to revise and extend remarks on the Diplomatic and Consular appropriation bill.

To Mr. KING to extend remarks in the RECORD in favor of returning the bodies of our dead soldiers from France.

To Mr. HAUGEN to revise and extend remarks on the subject of grazing fees.

ADJOURNMENT.

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until Thursday, February 12, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a supplemental estimate of appropriation required by the Coast Guard for the fiscal year 1921, additional to the amount heretofore estimated for (H. Doc. No. 646); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Board of Commissioners of the District of Columbia, submitting an alternative estimate of appropriation required by the District of Columbia for salaries of the fire department, fiscal year 1921 (H. Doc. No. 647); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of Labor, transmitting estimate for a deficiency appropriation for expenses of regulating immigration, 1920; to the Committee on Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. KAHN, from the Committee on Military Affairs, to which was referred the bill (H. R. 12467) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes, reported the same without amendment, accompanied by a report (No. 620), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KELLY of Pennsylvania, from the Committee on Claims, to which was referred the bill (H. R. 6198) authorizing payment of compensation to Swanhild Sims for personal injuries reported the same with an amendment, accompanied by a report (No. 618); which said bill and report were referred to the Private Calendar.

Mr. VAILE, from the Committee on Immigration and Naturalization, to which was referred the joint resolution of the Senate (S. J. Res. 134) to readmit Augusta Louise de Haven-Alten to the status and privileges of a citizen of the United States, reported the same with amendments, accompanied by a report (No. 619); which said joint resolution and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 12453) granting a pension to Susie Dixon; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 12455) granting a pension to Sarah J. Stapleton; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 12454) granting an increase of pension to Elyza Settles; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HUDSPETH: A bill (H. R. 12458) to establish an additional fish-cultural station in the State of Texas; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 12459) to establish an additional fish-cultural station in the State of Texas; to the Committee on the Merchant Marine and Fisheries.

By Mr. PETERS: A bill (H. R. 12460) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Maine into the Union; to the Committee on Coinage, Weights, and Measures.

By Mr. VINSON: A bill (H. R. 12461) authorizing the Secretary of War to donate one machine gun to the city of Warrenton, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 12462) to provide a preliminary survey of the Savannah River at Augusta, Ga., with the view to the control of its floods; to the Committee on Flood Control.

Also, a bill (H. R. 12463) providing for the survey of the Savannah River below Augusta, Ga.; to the Committee on Rivers and Harbors.

By Mr. KELLEY of Michigan: A bill (H. R. 12464) to provide for the relief of members of the United States Naval Reserve Force who were given temporary appointments in the Regular Navy prior to July 1, 1918; to the Committee on Naval Affairs.

By Mr. ELLSWORTH: A bill (H. R. 12465) to defray the expenses of litigation and proceedings instituted by direction of the general council of the Chippewa Indians of Minnesota; to the Committee on Indian Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 12466) authorizing the granting of certain irrigation easements in the Yellowstone National Park, and for other purposes; to the Committee on the Public Lands.

By Mr. KAHN: A bill (H. R. 12467) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. SMITH of Illinois: Joint resolution (H. J. Res. 289) serving notice to Great Britain to cancel and abrogate a certain treaty, dated January 11, 1909, relating to the boundary waters and questions arising along the boundary of Canada and the United States; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 12468) granting an increase of pension to James S. Henry; to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 12469) to authorize the award of a medal of honor to Chief Gunner Robert Edward Cox, United States Navy; to the Committee on Naval Affairs.

By Mr. EMERSON: A bill (H. R. 12470) for the relief of Frederick G. Barker; to the Committee on Claims.

By Mr. EVANS of Nebraska: A bill (H. R. 12471) for the relief of Andrew Spence; to the Committee on Claims.

By Mr. FESS: A bill (H. R. 12472) granting a pension to Earl W. Maitland; to the Committee on Pensions.

By Mr. FOCHT: A bill (H. R. 12473) granting an increase of pension to Jessie Wiggins Conn; to the Committee on Pensions.

By Mr. HULINGS: A bill (H. R. 12474) granting a pension to Mary E. Clark; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 12475) granting an increase of pension to Morgan J. Treadway; to the Committee on Pensions.

By Mr. MOON: A bill (H. R. 12476) granting an increase of pension to Scott Thompson; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 12477) for the relief of James W. Creighton; to the Committee on Claims.

By Mr. WARD: A bill (H. R. 12478) for the relief of Lieut. Col. Henry C. Davis; to the Committee on Naval Affairs.

By Mr. WELTY: A bill (H. R. 12479) granting a pension to Jennie Nix; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1478. By the SPEAKER: Petition of taxpayers of the counties of Washington and Fayette, in the State of Idaho, relative to better roads, etc.; to the Committee on the Post Office and Post Roads.

1479. Also, petition of the Kenilworth Citizens' Association, of the District of Columbia, indorsing the proposed merger of electric railways; to the Committee on the District of Columbia.

1480. By Mr. ANTHONY: Petition of citizens of Leavenworth, Kans., indorsing House bill 3149; to the Committee on Reform in the Civil Service.

1481. By Mr. BABKA: Petition of citizens of Cleveland, Ohio, indorsing the Lehlbach-Sterling bill; to the Committee on Reform in the Civil Service.

1482. By Mr. BUTLER: Petition of citizens of Pennsylvania, indorsing the Sims bill, House bill 262; to the Committee on Interstate and Foreign Commerce.

1483. By Mr. COLE: Petition of citizens of Cleveland and Galion, Ohio, indorsing House bill 3149 and Senate bill 1699; to the Committee on Reform in the Civil Service.

1484. By Mr. CULLEN: Petition of Jamaica Board of Trade, opposing the passage of the Cummins and Esch railroad bills in their present form; to the Committee on Interstate and Foreign Commerce.

1485. By Mr. HULINGS: Petition of the United Parlor, Native Sons of the Golden West, of San Francisco, Calif., relative to certain legislation; to the Committee on Immigration and Naturalization.

1486. By Mr. KELLEY of Michigan: Petition of J. E. Beal, pastor, and 31 other members of Methodist Episcopal Church, of Holt, Mich., favoring legislation to prohibit interstate transmission of race-gambling information; to the Committee on Interstate and Foreign Commerce.

1487. By Mr. MAHER: Petition of Jamaica Board of Trade, opposing the passage of the Cummins and Esch railroad bills in their present form; to the Committee on Interstate and Foreign Commerce.

1488. By Mr. O'CONNELL: Petition of the United Parlor, Native Sons of the Golden West, of San Francisco, Calif., relative to certain legislation; to the Committee on Immigration and Naturalization.

1489. Also, petition of the Religious Society of Friends, of Brooklyn, N. Y., opposing universal military training; to the Committee on Military Affairs.

1490. By Mr. SANFORD: Petition of citizens of Troy and Watervliet, N. Y., relative to the Irish situation; to the Committee on Foreign Affairs.

1491. By Mr. SCHALL: Petition of the Aero Club, University of Minnesota, favoring Senate bill 3348, etc.; to the Committee on Military Affairs.

1492. Also, petition of the Trades and Labor Assembly, the Nonpartisan League, and farmers' organizations of St. Paul, Minn., opposing the Esch-Cummins railroad bills, etc.; to the Committee on Interstate and Foreign Commerce.

1493. Also, petition of the Minneapolis City Council, relative to certain legislation; to the Committee on Ways and Means.

1494. Also, petition of the Minneapolis Trades and Labor Assembly, relative to the Army stores; to the Committee on Military Affairs.

1495. By Mr. TEMPLE: Petition protesting against the enactment of the Sterling-Graham sedition bill by Union No. 219, International Molders' Union, Rochester; Local No. 405, International Molders' Union, Ellwood City; Chartiers Valley Central Labor Union, Canonsburg; and United Trades Council, West Brownsville, all in the State of Pennsylvania; to the Committee on the Judiciary.

SENATE.

THURSDAY, *February 12, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, this is a sacred day in our national calendar. We are reminded again of that great beacon light of our national history who recorded himself as conscious of being the agent of the Divine and who said, "I am conscious at every moment that all I am, that all I have, it subject to the control of a higher power." We bless Thee that he was able through Thy grace and power to see the light and to follow the light in the preservation of our great Nation. Now we pray Thee to give us the spirit of the fathers that we may do well and faithfully the duties of this day and all the days that are before us, and lead onward and upward in the paths of progress and righteousness and peace. For Thy name's sake. Amen.

On request of Mr. CURTIS and by unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

REGULATION OF IMMIGRATION (S. DOC. NO. 217).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Labor, transmitting, pursuant to law, estimate of deficiency appropriations for "Expenses of regulation of immigration, 1920," which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

CIVIL SERVICE RETIREMENT.

Mr. STERLING. Mr. President, I send to the desk an amendment intended to be proposed to the pending bill, Senate bill 1699. I ask that it may be read and printed. It is short.

The VICE PRESIDENT. The Secretary will read.

The Reading Clerk read as follows:

Add as a new section, to be numbered section 16, the following (section 16 of the bill to be numbered section 17):

"The Commissioner of Pensions, with the approval of the Secretary of the Interior, is hereby authorized and directed to select three actuaries, one of whom shall be the Government actuary, to be known as the board of actuaries, whose duty it shall be to annually report upon the actual operations of this act with authority to recommend to the Commissioner of Pensions such changes as in its judgment may be deemed necessary to maintain the system upon a sound financial basis. It shall be the duty of the Commissioner of Pensions to submit with his annual report to Congress the recommendations of the board of actuaries. It shall be the duty of the board of actuaries to make a valuation of the 'civil-service retirement and disability fund' at the end of the first year following the passage of this act and at intervals of every five years thereafter, or oftener, if deemed necessary by the Commissioner of Pensions. The compensation of the members of the board of actuaries, exclusive of the Government actuary, shall be fixed by the Commissioner of Pensions with the approval of the Secretary of the Interior."

The VICE PRESIDENT. The amendment will lie on the table and be printed.

ABRAHAM LINCOLN'S BIRTHDAY.

Mr. LODGE. Mr. President, the Senator from New Hampshire [Mr. KEYES] has in his possession one of the two existing copies of the Gettysburg address, written throughout in Mr. Lincoln's own hand. I ask the unanimous consent of the Senate that Senator KEYES, on this anniversary of Lincoln's birth, may read the Gettysburg address from the original manuscript in Mr. Lincoln's hand.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Senator from New Hampshire.

Mr. KEYES. It so happens, Mr. President, that I am fortunate enough to possess and to have here to-day the manuscript of President Lincoln's famous Gettysburg address, and I shall be very glad, indeed, to comply with the suggestion of the Senator from Massachusetts [Mr. LODGE].

It may be of interest to the Senate to know a little of the history of this manuscript. It was given by President Lincoln to Edward Everett, and he presented it, together with the manuscript of his own address, also delivered at Gettysburg, at the consecration of the National Cemetery on the 19th of November, 1863, to Mrs. Hamilton Fish, who was then president of the executive committee of the ladies having charge at the fair in aid of the sanitary commission held in New York in March, 1864, to be disposed of for the benefit of our soldiers of the Civil War. These two manuscripts were purchased at this fair by an uncle of mine and have been in my family ever since.

I will now read, Mr. President, from the Lincoln manuscript:

"Four score and seven years ago our fathers brought forth upon this continent, a new Nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

"Now we are engaged in a great civil war, testing whether that Nation, or any nation so conceived, and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives, that that Nation might live. It is altogether fitting and proper that we should do this.

"But, in a larger sense, we can not dedicate—we can not consecrate—we can not hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us, the living, rather, to be dedicated here to the unfinished work which they who fought here, have, thus far, so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they here gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this Nation, under God, shall have a new birth of freedom—and that, government of the people, by the people, for the people, shall not perish from the earth."

[A facsimile of the original manuscript, together with a letter explaining its authenticity, will be found on the following pages.]

Mr. LODGE. Mr. President, as a further mark of respect to the memory of Abraham Lincoln I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 13, 1920, at 12 o'clock meridian.

Four score and seven years ago our fathers brought forth upon this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived, and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives, that that nation might live. It is altogether fitting and proper that we should do this.

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ISHAM & LINCOLN
HONORE BUILDINGS
CHICAGO

16 DEC 1920

Miss Nellie V. Keyes
5 Commercial Wharf
Boston
Mass.

ISHAM & LINCOLN
HONORE BUILDINGS
CHICAGO

My dear Miss Keyes:

Mrs. Ida M. Tarbell has sent me your letter of the 14th inst. in which you request a copy of the address made by Mr. Lincoln at Gettysburg, and also a copy of the letter written by Mr. Lincoln to Mrs. Bixby of Boston, Massachusetts.

I am pleased to say that I have a collection in lithographic copy called "Autograph Leaves of the Continental Congress" in which is contained a copy of the Gettysburg Address in the handwriting of Mr. Lincoln. I do not know of any other autographic copy of the Gettysburg Address in existence.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 12, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, Father of all souls, out of whose substance proceedeth all that is wise and strong, pure and holy, we lift up our hearts in gratitude to Thee for the great men whom Thou hast raised up to be the bearers of truth, love, leadership, in the affairs of men.

To-day we would sing with all true Americans songs of praises to Thee for our beloved Lincoln—a man of God, called of God to be the savior of his country in its darkest hour; pure in his conceptions, strong in his convictions, firm in his purposes, great in his goodness, good in his greatness, the paragon of American citizenship; who bore in his heart the sorrows of a Nation and laid down his life that it might live. But he lives. His country lives. May his life, character, and achievements inspire us to follow his illustrious example. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on legislation pertaining to soldiers' uniforms.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD on soldiers' uniforms. Is there objection?

There was no objection.

Mr. ECHOLS. Mr. Speaker, I ask unanimous consent to have printed in the RECORD an address by my colleague, Mr. GOODYKOONTZ, of West Virginia, on Abraham Lincoln, delivered Sunday, February 8, 1920.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to print in the RECORD an address by his colleague [Mr. GOODYKOONTZ] on Abraham Lincoln. Is there objection?

There was no objection.

Mr. SHERWOOD. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER. The gentleman from Ohio makes the point that no quorum is present. Evidently there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed, the Sergeant at Arms was directed to notify absent Members, the Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Donovan	Kennedy, R. I.	Robinson, N. C.
Anthony	Dooling	Kiess	Rodenberg
Ashbrook	Dunbar	Knutson	Rose
Baer	Dyer	Kraus	Rowan
Bee	Eagan	Kreider	Rucker
Blackmon	Elliott	Langley	Sanford
Boies	Ellsworth	Larsen	Saunders, Va.
Booher	Esch	Lehlbach	Scully
Britten	Evans, Nebr.	Little	Sears
Brooks, Pa.	Ferris	Luce	Sisson
Browne	Fess	McArthur	Slemp
Browning	Fields	McClintic	Smith, Ill.
Buchanan	Focht	McCulloch	Smith, N. Y.
Burke	Fuller, Mass.	McDuffie	Snyder
Butler	Gallagher	McFadden	Strong, Pa.
Caldwell	Garrett	McGlennon	Sullivan
Campbell, Kans.	Goldfogle	McKenzie	Swope
Campbell, Pa.	Goodall	McLaughlin, Nebr.	Tague
Cantrill	Gould	MacCrate	Temple
Caraway	Graham, Pa.	MacGregor	Thompson
Carew	Greene, Vt.	Maher	Tilson
Casey	Hamill	Mann, S. C.	Towner
Clark, Mo.	Hamilton	Mansfield	Treadway
Cole	Heflin	Neely	Venable
Connally	Houghton	Newton, Minn.	Vestal
Costello	Howard	Newton, Mo.	Watkins
Crago	Hull, Iowa	Nolan	Weaver
Cramton	Husted	O'Connell	Webster
Crowther	Johnson, Wash.	O'Connor	Whaley
Cullen	Johnston, N. Y.	Parker	White, Kans.
Curry, Calif.	Jones, Pa.	Phelan	Williams
Dallinger	Jones, Tex.	Porter	Wilson, La.
Davey	Juul	Rainey, Ala.	Wilson, Pa.
Dempsey	Kearns	Rainey, H. T.	Wood, Ind.
Denison	Kelley, Mich.	Reavis	Woodyard
Dent	Kendall	Reed, N. Y.	Yates
Dickinson, Iowa	Kennedy, Iowa	Riordan	

The SPEAKER. Two hundred and eighty-one Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. Under the special order of to-day President Lincoln's Gettysburg address will be read by the gentleman from Illinois [Mr. CANNON]. [Applause.]

Mr. CANNON read the Gettysburg address, as follows:

LINCOLN'S GETTYSBURG ADDRESS.

(November 19, 1863.)

"Four score and seven years ago our fathers brought forth on this continent a new Nation, conceived in liberty and dedicated to the proposition that all men are created equal.

"Now we are engaged in a great civil war, testing whether that Nation, or any nation so conceived, and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives, that that Nation might live. It is altogether fitting and proper that we should do this.

"But, in a larger sense, we can not dedicate—we can not consecrate—we can not hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us, the living, rather, to be dedicated here to the unfinished work which they who fought here, have, thus far, so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they here gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this Nation, under God, shall have a new birth of freedom—and that, government of the people, by the people, for the people, shall not perish from the earth."

[Applause.]

The SPEAKER. By special order the gentleman from Washington [Mr. WEBSTER] was authorized to address the House for 30 minutes.

Mr. HADLEY. Mr. Speaker, Judge WEBSTER is unable to be present on account of illness. I ask unanimous consent to print in the RECORD the address which he would have made if he had been present. I also ask unanimous consent that he be excused for the day.

The SPEAKER. The gentleman from Washington asks unanimous consent to print in the RECORD the address by his colleague, Judge WEBSTER, and also that he be excused for the day. Is there objection?

There was no objection.

The SPEAKER. By special order the gentleman from Wisconsin [Mr. MONAHAN] is authorized to address the House for 30 minutes. [Applause.]

Mr. MONAHAN of Wisconsin. Mr. Speaker, the life of Abraham Lincoln reads like a romance, yet we know it is true.

He was born in a log cabin in Kentucky 111 years ago to-day, a building not like the comfortable houses of to-day, but a small, illy constructed affair, with no floor save the earth, no ceiling, only one room, no glass windows, but one door, and a fireplace with an outside chimney, and here he lived until he was 7 years of age, when his parents moved to Indiana.

They were the pioneers in that virgin forest. The month was October, and winter was approaching. They did not have time to erect a cabin. They built a camp. A hole 14 feet long was dug on a sidehill facing the south. Logs were cut for the east and west ends. The earth was made to serve for the north side, while the south side remained absolutely open. There was no floor, stove, fireplace, or windows. The fire was built and the cooking done in front of the open south side, and here the family lived for an entire year before better quarters could be provided. A year later, when Lincoln was but 9 years old, his mother, Nancy Hanks Lincoln, died. This was a blow that nearly crushed him. Between Lincoln and his father there was but little in common and no bond of sympathy.

From his father he inherited that great physical strength and endurance so essential in pioneer life, but nothing else. It was from his mother that he inherited that mystical mind, that lofty soul, that patience and judgment, that was to distinguish him above all men, and when he returned from her fresh grave his child face wore a veil of melancholy that never left it.

There was no clergyman present at the funeral of this modern Mary, and several years afterward young Lincoln contrived to have a funeral discourse commemorative of the merits and humble and unobtrusive virtues preached by an itinerant preacher, in memory of the mother of one charged with a mission akin to the divine.

The following year the father married a widow by the name of Sallie Bush and brought her with three children, two daughters

and a son, to his desolate home, and the coming of this noble woman in all probability gave Lincoln to the ages.

She loved him from the first as if he were her own child. She developed his inherited ability and taught him many of the practical things of life. She brought cleanliness and order to the home, established a family altar, and made it possible for Lincoln to learn to read and write by sending him to school for four months.

And to-day, when all the civilized world is paying homage to the memory of one of the greatest of the race, can we not in spirit place a wreath of love upon the humble graves of Nancy Hanks Lincoln, who gave him birth and transmitted to him those qualities of mind, heart, and soul which made him great, and to Sallie Bush Lincoln, who developed those inherited qualities, taught him the practical side of life, and made it possible for him to become what he was? [Applause.]

When Lincoln was 17 years old his only sister died, and another great sorrow veiled his soul; and in his anguish he cried out again and again, "What have I to live for now?" Indeed, his suffering was so intense that his rude neighbors not only wondered at it but feared he might take his own life.

They did not know that of the few cords that bound him to life one snapped at the bedside of a dying mother; another broke by the newly made grave in the solemn forest; but still another was held by destiny and was to save him for the great work of the future.

He was now 17 years old; and Henry C. Whitney, in his Life and Works of Lincoln, thus describes him:

> At the age of 17 he was six and a third feet high, his feet and hands were unsually large, and his legs and arms disproportionately long; his head was small and phrenologically defective; his body very diminutive for one of his height. His walk was awkward, his gestures still more so; his skin was of a dirty, yellowish brown, and shriveled and baggy, even at that age. He was attired in buckskin pants, which failed to conceal his blue shin bones; his shirt was of a fabric known to pioneer, and to no other life, as linsey-woolsey; and in winter he was clad in what is known as a warmus; and, finally, a coonskin cap, homemade, and moccasins, also homemade, protected and decorated, respectively, his upper and nether extremities. He was bizarre looking even in that primitive community.

In the spring of 1830 the Lincoln family left Indiana and moved to Macon County, Ill., and here for a time the future emancipator did all kinds of work incident to pioneer life. He split rails, cleared land, kept store, and made several trips down the Mississippi on flatboats to New Orleans. But during all this time, whenever the opportunity presented, he was reading good books and studying, and, in addition to the work above referred to, he became a captain in the Black Hawk War, a surveyor, and later postmaster at New Salem, and here he began the study of the law, was finally admitted to the bar in 1837, and began the practice of his chosen profession. In 1834 he was elected to the State legislature, serving in all three terms. In 1846 he was elected to Congress, served one term, and refused to stand for a reelection. During all this time Lincoln showed no marked ability. As an attorney he was not well grounded in the principles of the law, nor was he a well-read lawyer. He tried his cases more upon the principles of right and wrong than by the code of practice, and, because of his known honesty and his strength with the jury, won a majority of his cases. There was nothing brilliant in his record as a State legislator, and he himself always contended that his one term in Congress was a failure.

The hour for the great crisis had not yet come. It was still several years away, and the evolution of this plain, awkward child of the frontier into the great leader he became was not complete, and his statesmanship was still in a chrysalis state.

He took an active part in political discussions and gradually came to be regarded as one of the strong men of Illinois, and slowly but surely was laying the foundation for future usefulness, but neither he nor his friends ever dreamed of the heights to which he would attain. Like Rome, Lincoln was not made in a day.

From 1849, when his term in Congress ended, to 1854, Lincoln had apparently retired from public life, but with the repeal of the Missouri Compromise and the opening of the campaign by Stephen A. Douglas in a great speech at Springfield, on October 3, Lincoln was unanimously chosen to answer it, which he did on the following day, speaking for three hours and making one of the greatest efforts of his life, Douglas himself declaring he had heard nothing like it in the Senate. This speech first brought Lincoln into public notice, and two years later, at the Republican national convention, he received 110 votes for Vice President.

In 1858 he was nominated by his party for United States Senator against Stephen A. Douglas, and immediately challenged his opponent to a series of joint debates.

Douglas was one of the greatest platform orators of his generation, the idol of his party, and the author of the Missouri Compromise measure, and his friends looked for an easy triumph, but Lincoln proved more than his equal, and at Freeport trapped Douglas into an admission that, while it won for him the Senatorship, lost him the Presidency. Lincoln, on the other hand, lost the Senatorship and won the Presidency, for in 1860 he was nominated at Chicago and in the following November elected, receiving 180 votes in the Electoral College against 72 for Breckenridge, 39 for Bell, and 12 for Douglas, and on the following 4th of March was duly inaugurated, and in a few days later the Civil War had begun.

To-day we are commemorating the birth of a man, and this is not a fitting time or place to enter into the details of that mighty struggle. History has recorded how, answering to the call and following the guidance of the great Lincoln, the hosts of freedom fought, bled, suffered, and died, and how mothers, wives, sisters, and sweethearts gave of their all, and with tearful eyes, on bended knees, prayed to God while the armies fought—how, after four long years of bloodshed and carnage, the Nation was saved, the Union made indissoluble, the flag rendered stainless, slavery abolished, and for the first time in the history of the race the brotherhood of man was virtually written into law. [Applause.]

History also tells us how in the moment of stupendous victory, enveloped in the halo of radiant success, the bullet of an assassin ended the life of the mighty leader; how the paeans of victory were changed to wails of sorrow; how his body was carried back to Springfield, where much of his life was spent, where his old neighbors and friends lived, back to the rolling prairies of the State of his adoption, to be buried in the soil he loved so well.

A few days ago I stood in front of the old Ford Theater in Washington, the building in which Lincoln was shot, then walked around to the rear and saw the door through which Booth escaped, and the spot where he mounted his horse and galloped away into the darkness was pointed out.

Across the street is the house in which Lincoln died, now a national museum filled with Lincoln relics. There were pieces of timber from the cabin in which he was born, from the log house in Indiana. There were axes and mauls he had used and rails he had split, the clothes he had worn, the office desk he had used, and the cheap furniture of his home. There were public documents and private letters he had written, and hundreds of articles of interest which Capt. O. H. Oldroyd had for more than 50 years been collecting. The room in which he died has been kept as nearly as possible as it was on the night of the tragedy.

This room was in a cheap boarding house and occupied at the time by a private soldier. It was about 10 feet wide by 16 long. It had but one window, the floor was uncarpeted, and the ceiling so low that I could reach it with my uplifted hand. And here, amidst these squalid surroundings, in this dingy room, the great soul left the weary body, and for the first time Abraham Lincoln found peace and rest. The man of sorrows, who knew and felt grief, who trod the wine press alone, who had led a great and progressive people successfully through the mightiest struggle in the annals of the race, who had written in letters of living light in the blue done of heaven, where all mankind could read, the words "Union," "Freedom," and "Progress," now belonged to the ages. [Applause.]

The world still wonders what there was in this crude, awkward child of the frontier that made him the commanding figure in the greatest epochal conflict of the race.

Born in poverty and destitution, with nothing to awaken or stimulate ambition, better things, or higher conditions, he was ambitious. He attended school but four months, yet some of his productions, notably his second inaugural address and Gettysburg speech, are classics.

The Gettysburg address you have heard read this morning so beautifully, so expressively, by one who lives not in Danville, not in Illinois, but in the hearts of every man, woman, and child in the United States. Uncle JOE CANNON. [Applause.]

With but a limited acquaintance outside of Illinois he won the Presidency from the greatest and best of his party, and after his inauguration there was not a member of his Cabinet who did not consider himself a bigger man than he, until they, according to Col Watterson, "one by one measured mental swords with him and were brought to their intellectual knees never to rise again."

Wherein, then, did Lincoln's greatness lie?

A brief review of the man and his work may aid in answering this question. Lincoln was an intense student, not only of books but of men and conditions, and as day by day he absorbed knowledge, which his great memory retained, he became in time a very learned man, though never a scholarly one.

He was always true to his higher self and courageously stood for what he believed to be right. There was nothing of the trimmer or demagogue in his makeup.

He was honest with his fellow men, true to his friends, and ingratitude had no part in his mental makeup; hence when he made friends he always kept them, and because of his honesty the people trusted him.

He acted upon judgment, not impulse, and the hysterical and ultra never appealed to him. During the Civil War often his most bitter assailants were not the men in arms against the Government, not even the "copperhead" element in the North, but the abolition extremists. His patience was as great as his judgment was sound, and Lincoln the Man always waited for the Place and the Hour. He was a genius of common sense; his judgment of men was marvelous, and his trained mind went straight to the heart of all questions, great or small, as from day to day he grandly arose to meet new conditions and unexpected obstacles. These are some of the reasons why Lincoln was superlatively great during the war and was able to accomplish all that was done.

Because of his honesty the people trusted him; because of loyalty to friends and principles they loved him; and because of his judgment, tact, and patience they sustained him.

Historic man waited 4,000 years for the coming of Lincoln. Such a character never lived before, and the world may never see his like again. He was created for a purpose; he was a man with a mission; and, with his work done, his mission accomplished, he was by a loving Father kissed from scenes of bloodshed and strife to eternal rest and happiness. May we not believe that a fond mother was waiting to wipe the stamp of melancholy from his tired face, and that to-day a happy and reunited family are smiling somewhere among the stars as they look down upon this and similar scenes?

His life will ever be an inspiration for better deeds, higher aspirations, and loftier purposes.

None can read of his life and works without being made a better man or woman. The pathetic story of his early life and constant struggles with poverty and destitution will fill the heart of man with deeper sympathy for the poor and needy. His successful struggles, under constant adversity, to better his condition will be a beacon light that will guide many a storm-buffeted boy or girl into the harbor of success. His loyalty to friends and principle, his rugged honesty, and the sweetness of a private life as pure as an angel's dream will make for purer homes, better citizenship, warmer and more lasting friendships until time shall be no more, while his unselfish patriotism and devotion to his country and humanity will forever stand as a guide for future generations.

Had the Nation in 1861 been guided by the voice and wisdom of Lincoln, emancipation would have come without pecuniary loss to the slaveholder nor would the country have been torn by the horrors of civil war.

Had Lincoln been permitted to live, I believe there would have been no carpet-bag government in the South [applause], and many of the so-called reconstruction laws would never have been placed upon our statute books. In his death the North lost its safest counselor, the South its best and truest friend. [Applause.]

In this hour when hysteria and emotionalism are attempting to dethrone judgment and reason and plunge the race into chaos and ruin, could Lincoln act and speak he would say:

"The pages of American history are resplendent with the names and records of great and honest men, among whom we can point to a Washington, a Jefferson, a Jackson, a Webster, a Douglas, a Tilden, a Blaine, a Thurman, and a McKinley.

"Each of these men in his day and generation fought the good fight, kept the faith, and finished the course; and, because judgment, not hysteria, was the guiding star of each, they lived respected, died regretted, and the fruits of their labor have come as a heritage to us. [Applause.]

"Take men of this class as a guide for yourself and children, rather than these modern political Jeremiahs, swashbucklers, and civilization destroyers, who to-day are bounding from one platform to another, preaching the doctrine of class hatred, suspicion, doubt, and disaster, and raising new political issues every day. [Applause.]

"Have faith in your fellow man and keep faith with him. [Applause.] The destiny of the race leads ever onward and upward; and, from the beginning of history, it has grandly kept step to the music of its mission.

"There are more honest men in the world to-day than there were yesterday. There will be more to-morrow than there are to-day." [Applause.]

He would point to the great highway of life, along which earth's millions are marching to a higher plane of existence.

He would ask you to leave the sensational press to be consumed in the fires of hatred and passion their hysteria has lighted, the Bolshevist to suffocate and decay in the filth of his own making, and the demagogue and agitator to gnaw at the fleshless bones of monsters their wicked fancies or diseased imaginations have created.

He would point to the past and its lessons, where judgment has always finally prevailed and truth ever triumphed; and then he would point to the future, where the beacon light of hope eternally shines, and in the name of justice, honesty, progress, and liberty bid us look up and march on.

He would urge that equity and fairness be made the controlling forces to guide the race and that no class should be permitted to harass or destroy the commercial prosperity or social life of 100,000,000 people who are outside the ranks of greedy capital and organized labor. [Applause.] He would say that the Ship of State must be manned by crews who are loyal to the organic laws and government founded and transmitted by the mighty Washington; that she must be kept away from the rocks that wreck and waves that overwhelm.

He would command that she immediately leave the slough of unrest fed by the poisonous waters of greed, graft, and isms and once again sail out into the boundless, bounding ocean of Americanism, and as the tides of Justice once again clasp her keel and the breezes of Progress fill her sails as she slowly moves out to sea to continue her journey to her final port—Destiny—may we not believe that in words of love, admonition, and hope as a parting *bon voyage* and "God bless you," he would say:

Fear not each sudden sound and shock,
'Tis of the wave and not the rock;
'Tis but the flapping of the sail,
And not a rent made by the gale!
In spite of rock and tempest's roar,
In spite of false lights on the shore,
Sail on, nor fear to breast the sea!
Our hearts, our hopes, are all with thee,
Our hearts, our hopes, our prayers, our tears,
Our faith triumphant o'er our fears,
Are all with thee, are all with thee!

Mr. Speaker, this Nation will never die nor the sun of Americanism grow dim so long as our people cherish the name and are guided by the teachings and example of the sweetest, greatest, grandest character in human history—Abraham Lincoln. [Applause.]

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to address the House for three minutes in order that I may read some quotations from Lincoln and present some comments thereon.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. TINKHAM. Mr. Speaker, Lincoln was one of America's greatest patriots and philosophers, one of the incarnate spirits of our civilization.

With profound verity he said:

If we would supplant the opinions of our fathers in any case we should do so upon evidence so conclusive and arguments so clear that even their great authority, fairly considered and weighed, can not stand.

Is the evidence so conclusive and are the arguments so clear that America should join a foreign alliance that the admonition of Lincoln and of our statesmen through 150 years to avoid foreign entangling alliances should be abandoned?

Lincoln said:

Reason—cold, calculating, unempassioned reason—must furnish all the material for our future safety and defense.

Can reason—cold, calculating, and unempassioned reason—tell America that her destiny, her liberty, her life, is safer in the hands of aliens than in her own possession?

Lincoln also said:

Accustomed to trample upon the rights of others, you have lost the genius of your own independence and become fit subjects of the first cunning tyrant who arises among you.

The proposed covenant of a League of Nations, with or without reservations, is wholly and completely nothing other than a political alliance, an armed international and imperialistic alliance, of the five great nations which have won the war for the domination of the world and the peoples therein.

If America joins this "unholy alliance," America will then become accustomed to trample upon the rights of others and must of necessity lose the genius of her independence and become a part of tyranny. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Richmond, one of its clerks, announced that the Senate had passed with amendment the bill (H. R. 11927) to increase the efficiency of the personnel

of the Navy and Coast Guard through the temporary provision of bonuses or increased compensation, had requested a conference with the House of Representatives on the bill and amendment, and had appointed Mr. PAGE, Mr. WADSWORTH, Mr. POINDEXTER, Mr. CHAMBERLAIN, and Mr. SMITH of Maryland as the conferees on the part of the Senate.

The message also announced that the Senate had receded from its disagreement to the amendments of the House of Representatives to the bill (S. 3371) authorizing Gordon N. Peay, jr., his heirs and assigns, to construct, maintain, and operate a toll bridge and approaches thereto across the White River, and agreed to the same.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 10746. An act to authorize the incorporated town of Wrangell, Alaska, to issue bonds for the construction, enlargement, and equipment of schools, the acquisition and construction of a water-supply system, the construction of a sewer system, the construction of a city dock and floating dock, and to levy and collect a special tax therefor.

LEAVE OF ABSENCE.

Leave of absence was granted as follows:

To Mr. EVANS of Nebraska, for to-day, on account of death in the family.

To Mr. BEE, for to-day, on account of important business.

To Mr. ASHBROOK, for two days, on account of official business.

To Mr. DENISON, for to-day, on account of illness.

AGRICULTURAL APPROPRIATION BILL.

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12272, the Agricultural appropriation bill, with Mr. WALSH in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the committee rose yesterday there was an amendment pending offered by the gentleman from Minnesota. The chairman of the committee had risen to offer an amendment, but it had not been offered. The gentleman from Minnesota is recognized.

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent to modify my amendment by changing the word "Summerville" to "Summerland." I took the language as it appeared in the Book of Estimates, and I am informed this morning that the name of the place where this plant is located is Summerland and not Summerville.

The CHAIRMAN. The Clerk will report the amendment as proposed to be modified.

The Clerk read as follows:

Page 56, after line 15, insert: "For the completion, operation, and maintenance of the Government kelp plant at Summerland, Calif., $192,000."

The CHAIRMAN. Is there objection to the modification?

There was no objection.

Mr. CANDLER. Mr. Chairman, I am heartily in favor of the amendment offered by the gentleman from Minnesota [Mr. ANDERSON] to continue this kelp experimental work in California. It was begun as an experiment, but I believe that the developments which have followed as a result of these experiments thoroughly justify the expenditure made and certainly justify the continuance of the work which has been begun. During the experimental period there was sold $80,000 worth of the products of the enterprise, and the money was turned into the Treasury of the United States. That much of the money already expended has been returned to the United States Treasury. During the experimental period the largest expenses were incurred. At the present time the plant is getting upon a paying basis, and, if continued during another year, unquestionably instead of being an expense to the Government it appears at least that it is quite probable that it will become a source of revenue, and we will be able to continue to return additional sums of money to the Treasury, and that is very desirable.

The question was asked yesterday as to whether it is paying at the present time. To this I desire to address my attention now. It is stated in the hearings, if gentlemen will examine them—and I desire to quote from them—that it is upon a paying basis. The Chief of the Bureau of Soils was asked whether it was upon a paying basis, and he stated that it is. On page 24 of part 9 of the hearings the following occurs:

Mr. CANDLER. I notice in the note here it says it is estimated that $101,000 will be realized from the sale of products at this plant for the current fiscal year. For the fiscal year 1921 it is believed that the receipts will more than cover all expenditures, including the heavy overhead now entailed by a large force of chemists and construction and repair men.

Mr. WHITNEY. That means that we are now on a production basis, but during the time when we were experimenting the expense, of course, was heavier.

On page 28, I quote again:

Mr. CANDLER. You pay the expenses with the by-products, and your potash is largely profit?

Mr. TURRENTINE. Yes.

Mr. CANDLER. Whatever you get out of potash is profit?

Mr. TURRENTINE. Yes.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. CANDLER. Yes.

Mr. BLACK. The gentleman says that they are on a paying basis by marketing their by-products. Will the gentleman give us any information as to how much of this kelp charcoal is actually sold?

Mr. CANDLER. They have not sold a great deal up to the present time. Just exactly the amount sold up to the present time I am not able to inform the gentleman, but the estimates for the coming year are that they will sell, on the basis of 300 days' operation, 150 units per day of potash, at $2 a unit, $90,000; and 1 ton of carbon per day, at $300 per ton, $90,000; 20 pounds of iodine per day, at $4 per pound, $24,000; and 1,600 pounds of sulphate of ammonia per day, at $4 per hundredweight, $19,000, making a total of $223,000 they expect to make within the coming year; and if this expectation is realized it will pay expenses and pay a profit of $30,000 over the amount of the appropriation now asked for next year.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CANDLER. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANDLER. On page 26 of the hearings Mr. Turrentine, in charge of this work, stated as a résumé of the situation as follows:

(1) Results to date show definitely that the successful outcome of experiments is assured, that by-products will be developed which will more than carry the production cost of potash. This will enable kelp potash, then, to come into the market, where freight rates are not prohibitive, in competition with potash from any other source.

(2) With a successful outcome assured, it would be unwise to discontinue the work and lose the credit which is bound to accrue to the Government through the successful prosecution of a problem undertaken in the face of so much criticism and one advertised so widely by its opponents as illogical and uneconomical.

(3) Its continuation from now on will be at a very slight and decreasing expense to the public, the proceeds from this year's production probably being about enough to equal expenditures and those from next year's operation probably more than equaling expenditures. That the enterprise will be self-sustaining within a short period seems assured.

These facts, shown by those who know the facts and who are in charge of this work, demonstrate that the result of the operations this year is to bring this plant up to a self-sustaining basis, and that it is expected and confidently believed that during the next year it will be upon a profitable basis. It would certainly be unwise to discontinue the operation at the present time and withdraw appropriations from it. When we went into it, it was merely an experiment. Nobody knew what the result would be, but as the work has progressed from time to time it has been discovered that from the by-products the expenses of the enterprise will be paid and that the real purpose, the production of potash, for which it was originally established, will be a success, and the revenues derived from the sale of potash will be a profit. That being true, the business having gotten to that point where it is emerging at least to a position where it will be a paying and continually increasing profit-making enterprise, certainly, after having paid the expenses of the experiment, when we have the opportunity to get some of the money back, and possibly all of it, into the Treasury of the United States, it would be the height of folly, as stated by Mr. Turrentine, the gentleman in charge, to discontinue it now. Therefore I hope the amendment offered by the gentleman from Minnesota will prevail and that this appropriation will be continued and that this work will be permitted to go on. If that be done, the result which we expect will undoubtedly come and the Government will get from this enterprise not only a profit itself, but the people of the United States will get a product which is very much needed at the present time, and we will be able to put this enterprise on a commercial basis, where we can compete with producers from other countries, which would certainly be very beneficial to our own country. [Applause.]

Mr. STRONG of Kansas. If the products can be made at a profit, as the gentleman says, why does not individual enterprise go into the business? Why should the Government go into it?

Mr. CANDLER. The Government went into it, as I said, at the outset, as a mere matter of experiment, because individual enterprise at that time did not feel inclined to do so. One of the objects of this experimental work is to demonstrate that the business can be made profitable and thereby encourage private enterprise to enter it and utilize the practically inexhaustible supply of kelp available. Private enterprise did undertake to manufacture potash from kelp but did not undertake to manufacture the by-products, but simply to make potash, and therefore they did not succeed. We hope to inspire and encourage them to again undertake the business by showing them by the experiments the Government has made and will make that by utilizing the by-products the business can be made profitable from a commercial standpoint.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. STRONG of Kansas. Mr. Chairman, I ask unanimous consent that the gentleman have two minutes more.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the gentleman from Mississippi may proceed for two additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. STRONG of Kansas. If the Government has now proven the fact that this potash can be made at a profit, why should not the Government get out of the business and let individual enterprise do it?

Mr. CANDLER. This is not intended to be a permanent enterprise, but it certainly would be unwise, when we have gone to the expense which we have in the experimental stage, to immediately, on arriving at the point where it is demonstrated it is upon a paying basis, to discontinue further work when we have an opportunity to get some of the money that the Government has spent restored to the Treasury of the United States. Certainly we ought to have an opportunity to do that. And then the development as to these by-products is not complete. The experiments as to certain work have not been completed, and with the continuance of it we will be able to demonstrate more assuredly to the public that it can be successfully carried on, and can be made a commercial success and thereby invite private enterprise to engage in it.

Mr. STRONG of Kansas. Does the gentleman believe the Government will get back this year the amount of the appropriation herein suggested, of $192,000?

Mr. CANDLER. It is not expected the Government will get it back this year, but it is expected that it will get it back next year, with a profit besides. This $192,000 is an appropriation for 1921 and not for 1920, and during 1921 we expect to pay all expenses and make a profit in the operation of this business.

Mr. STRONG of Kansas. How much of this $192,000 will go into buildings?

Mr. CANDLER. None of it will go into buildings.

Mr. STRONG of Kansas. It looks to me that if we keep putting $192,000——

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. HAUGEN and Mr. JACOWAY rose.

The CHAIRMAN. The Chair will recognize the gentleman from Arkansas [Mr. JACOWAY].

Mr. JACOWAY. Mr. Chairman, I want to concur in all that has been said by the gentleman from Mississippi [Mr. CANDLER]. On yesterday and to-day there has been some discussion of what the testimony in regard to this item shows. Only those portions of the testimony before the committee have been referred to. I may also add that part of the testimony most convincing has been adduced, and to this feature I desire to direct the committee's attention. On account of my limited time, it would be foolish for me to attempt to go into all the testimony. From the interest the committee has exhibited in the matter, both on yesterday and to-day, I am going to trespass upon the House for a brief period, but long enough to present the salient facts relating to this item. When the question was put to Mr. Turrentine, who appeared before the committee and who has this matter in charge, as to whether or not reducing potash from kelp was a success, he did not say, "I believe it will be a success," or that "It is hoped it will be a success," but in an affirmative way he said, "It is a success," and could be made a profitable venture on the part of the Government. I want to say, further, that a few years ago, when this item was first brought before the Agricultural Committee, I had very little confidence in the undertaking. But from the résumé of the testimony as adduced before the committee and further personal investigations, I think that every Member of this House will be driven to the conclusion that to strike down this proposition at the present time would not be short of disastrous and doing permanently a great injustice to the farmers of this country, who must have fertilizers, as well as many others.

Mr. BLACK. Will the gentleman yield?

Mr. JACOWAY. In just a minute. I do not want to be discourteous to the distinguished gentleman from Texas [Mr. BLACK], for there is no one in this Chamber I regard more highly. He is at all times courteous. I know him to be honest, and his services in this body demonstrates his fitness to ably and well represent the great district that sends him here.

Now, in the further testimony that was brought out before the committee Dr. Turrentine indulged in what he called a résumé relative to this item, and, in my judgment, it is conclusive. Mr. Turrentine said:

(1) Results to date show definitely that the successful outcome of experiments is assured, that by-products will be developed which will more than carry the production cost of potash. This will enable kelp potash, then, to come into the market, where freight rates are not prohibitive, in competition with potash from any other source.

(2) With a successful outcome assured, it would be unwise to discontinue the work and lose the credit which is bound to accrue to the Government through the successful prosecution of a problem undertaken in the face of so much criticism and one advertised so widely by its opponents as illogical and uneconomical.

(3) Its continuation from now on will be at a very slight and decreasing expense to the public, the proceeds from this year's production probably being about enough to equal expenditures and those from next year's operation probably more than equaling expenditures. That the enterprise will be self-sustaining within a short period seems assured.

Mr. ANDERSON. You say you have sold this year $22,000 worth?

Mr. TURRENTINE. Yes.

Mr. ANDERSON. You expect to increase the sales sufficiently in the next six months of the fiscal year to make up the entire cost of your operations for the year?

Mr. TURRENTINE. We have sold only small amounts of carbon up to this time. From now on we expect to be selling carbon in larger quantities, and carbon is worth more than potash.

(4) It should be borne in mind, that at the completion of the work, with the results anticipated, the plant will be on a profitable basis and could be put on the market as a going concern earning a profit, and would yield a price accordingly. If it is sold before all the facts are demonstrated, it would have to be sold as junk, and as such would yield only about a third of what it would yield otherwise. If sold as a going concern, however, it would yield not less than $100,000. It is easy to see, therefore, that if we keep going until the work is completed, the net profit to the Government will be greater than if the work were discontinued at the end of the present year.

(5) Since it has been demonstrated that not less than 500,000 tons per annum of raw kelp are available in the vicinity of Summerland, it is to be assumed that when it is demonstrated what profits are obtainable from the treatment of kelp by the process developed here, plants will be established sufficient in capacity to utilize the raw material available. We may, with confidence, therefore, look forward to the establishment ultimately of an industry in this part of the State of California which will yield the products obtainable from this quantity of kelp and of an annual value of over $7,000,000. This estimate does not take into consideration the equally large industry which may be founded additionally on the kelps of Puget Sound and Alaska. The profit to the public, therefore, from the successful outcome of these experiments seems to be beyond question, and certainly would seem to justify a continuation of the slight net expense to the public now being incurred in this work.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JACOWAY. Mr. Chairman, I ask unanimous consent for five minutes longer.

Mr. HAUGEN. Mr. Chairman, I desire to ascertain if we can agree upon time for closing debate.

Mr. BLACK. The proponents of this amendment have taken a good deal of time for discussion. I would like to have 10 minutes.

Mr. CANDLER. The gentleman had 10 minutes upon that yesterday.

Mr. BLACK. We did not get to it yesterday and gentlemen were not here, and I would like 10 minutes in which to present the facts from the testimony from Mr. Turrentine, from which the gentleman quotes.

Mr. JACOWAY. I am quoting from his testimony.

Mr. BLACK. I will quote some, too.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the debate upon this close in 28 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate upon the pending amendment and amendments thereto close in 28 minutes. Is there objection?

Mr. STRONG of Kansas. Mr. Chairman, reserving the right to object, I would like to offer an amendment, and I would like to have five minutes.

Mr. HAUGEN. Then I will ask that the debate close in 35 minutes. I modify my request to that extent.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate upon the pending amendment and amendments thereto close in 35 minutes. Is there objection?

Mr. JACOWAY. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

Mr. HAUGEN. The time is divided as indicated.

Mr. JACOWAY. My request for five minutes for additional time was not acted on. I ask for five minutes now.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas [Mr. JACOWAY]?

Mr. HAUGEN. In addition to the 35 minutes?

Mr. BLANTON. Mr. Chairman, under the agreement there would be two minutes not allotted.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Reserving the right to object, I am asking the Chair, on a point of order, if, after the debate has been agreed upon, it is in order to open it up again with other agreements? The committee agreed on 35 minutes under which, according to the private understanding as to time, the gentleman from Arkansas could have two minutes.

The CHAIRMAN. The time has not yet been fixed.

Mr. MANN of Illinois. The gentleman from Arkansas asked for more time before this agreement was made.

The CHAIRMAN. Yes. The Chair failed inadvertently to put the request of the gentleman from Arkansas before he submitted the request of the gentleman from Iowa [Mr. HAUGEN]. The Chair feels that it should be put before the time of debate is closed. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The gentleman from Iowa [Mr. HAUGEN] now asks that all debate on the pending paragraph and amendments thereto close in 35 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Arkansas [Mr. JACOWAY] is recognized for five additional minutes.

Mr. JACOWAY. Mr. Chairman, I believe that the State of Arkansas is less interested in this item than any other State of the Union, unless it is the State of Texas, but we are legislating for the good of the entire country and not certain sections. If I may be permitted to speak personally, I trust that my action on the committee has been such that I have looked to what is for the good of the entire country. The testimony in this case shows that we can enter upon this program confidently, and that we can appropriate this money, and that we can produce potash and compete with the countries of the earth in the production of that potash. Reading further from the testimony, Mr. Turrentine says:

Mr. TURRENTINE. By way of résumé:

(1) Results to date show definitely that the successful outcome of experiments is assured, that by-products will be developed which will more than carry the production cost of potash. This will enable kelp potash, then, to come into the market, where freight rates are not prohibitive, in competition with potash from any other source.

(2) With a successful outcome assured, it would be unwise to discontinue the work and lose the credit which is bound to accrue to the Government through the successful prosecution of a problem undertaken in the face of so much criticism and one advertised so widely by its opponents as illogical and uneconomical.

(3) Its continuation from now on will be at a very slight and decreasing expense to the public, the proceeds from this year's production probably being about enough to equal expenditures and those from next year's operation probably more than equaling expenditures. That the enterprise will be self-sustaining within a short period seems assured.

Mr. ANDERSON. You say you have sold this year $22,000 worth?

Mr. TURRENTINE. Yes.

Mr. ANDERSON. You expect to increase the sales sufficiently in the next six months of the fiscal year to make up the entire cost of your operations for the year?

Mr. TURRENTINE. We have sold only small amounts of carbon up to this time. From now on we expect to be selling carbon in larger quantities, and carbon is worth more than potash.

(4) It should be borne in mind that at the completion of the work, with the results anticipated, the plant will be on a profitable basis and could be put on the market as a going concern earning a profit, and would yield a price accordingly. If it is sold before all the facts are demonstrated it would have to be sold as junk, and as such would yield only about a third of what it would yield otherwise. If sold as a going concern, however, it would yield not less than $100,000.

It is easy to see, therefore, that if we keep going until the work is completed, the net profit to the Government will be greater than if the work were discontinued at the end of the present year.

(5) Since it has been demonstrated that not less than 500,000 tons per annum of raw kelp are available in the vicinity of Summerland, it is to be assumed that when it is demonstrated what profits are obtainable from the treatment of kelp by the process developed here plants will be established sufficient in capacity to utilize the raw material available. We may with confidence, therefore, look forward to the establishment ultimately of an industry in this part of the State of California which will yield the products obtainable from this quantity of kelp and of an annual value of over $7,000,000. This estimate does not take into consideration the equally large industry which may be founded additionally on the kelps of Puget Sound and Alaska. The profit to the public, therefore, from the successful outcome of these experiments seems to be beyond question, and certainly would seem to justify a continuation of the slight net expense to the public now being incurred in this work.

Mr. HUTCHINSON. Doctor, you spoke about the prospects of the future. Kelp is grown along the coast, isn't it?

Mr. TURRENTINE. Yes, sir.

Mr. HUTCHINSON. About how deep in the water?

Mr. TURRENTINE. Kelp grows in about 40 feet of water, but it grows to a length of 150 feet. It grows up to the surface and then it is held up in the water and lies on the surface in large, tangled masses.

Mr. HUTCHINSON. You mean it grows from the shore out to 40 feet of water?

Mr. TURRENTINE. No; it grows on the water in 40 feet of water.

Mr. HUTCHINSON. It grows where the water is 10 feet deep, does it?

Mr. TURRENTINE. A little of it grows in 10 feet of water, but the tide, you see, would uncover it.

Mr. HUTCHINSON. How far out in the ocean does it grow?

Mr. TURRENTINE. It varies from half a mile to 3 miles. The position of the kelp is determined by the bottom of the ocean. Where you have rocks, a rocky bottom, or bowlders, something for the kelp to fasten to, you will find it growing; otherwise you do not.

Mr. HUTCHINSON. How deep is the deepest part where it grows? Is it over 40 feet?

Mr. TURRENTINE. Yes; considerably over 40 feet. Kelp has been observed under water 100 feet deep.

Mr. HUTCHINSON. And you think it is unlimited?

Mr. TURRENTINE. No; it is not unlimited; but it is inexhaustible in the sense that it grows right back after you cut it.

Mr. HUTCHINSON. If you cut it down, how long does it take before it grows up again?

Mr. TURRENTINE. We expect a crop every three months; four harvest seasons.

Mr. HUTCHINSON. Haven't the fertilizer manufacturers now abandoned their manufactories out there?

Mr. TURRENTINE. Yes; the Government plant is the only one running.

Mr. HUTCHINSON. That is what I thought. In other words, you can't compete with German potash now, can you? You say you are selling it at $3?

Mr. TURRENTINE. Yes.

Mr. HUTCHINSON. And we are buying German potash for $1.80.

Mr. TURRENTINE. Are we?

Mr. HUTCHINSON. I bought a lot of it.

Mr. TURRENTINE. We got $2.75 for our product all last fall. I haven't any doubt at all but that we can compete with Germany.

Mr. HUTCHINSON. You have no doubt about it?

Mr. TURRENTINE. No.

Mr. HUTCHINSON. Not when it gets down to 70 cents a unit?

Mr. TURRENTINE. I don't think it will ever go to 70 cents.

Mr. HUTCHINSON. Do you suppose you can compete at $1?

Mr. TURRENTINE. Yes.

Mr. HUTCHINSON. You think you can?

Mr. TURRENTINE. Yes; figuring it as I have indicated here in this statement, our production cost is now $1; that is, $1 laid down in the market for potash.

Mr. MCLAUGHLIN of Michigan. $1 in California?

Mr. TURRENTINE. No; in Baltimore.

Mr. MCLAUGHLIN of Michigan. You can lay it down in Baltimore for $1?

Mr. TURRENTINE. Yes; figuring it the way we have—figuring the cost of production on the by-products.

Mr. CANDLER. You pay the expenses with the by-products and your potash is largely profit?

Mr. TURRENTINE. Yes.

Mr. CANDLER. Whatever you get out of that is profit?

Mr. TURRENTINE. Yes.

Mr. MCLAUGHLIN of Michigan. What is the freight from your factory to Baltimore?

Mr. TURRENTINE. $15 a ton in carload lots.

Mr. HARRISON. Doctor, the commercial plants on the coast, I understood, were erected under war conditions and they had a special object in view, namely, to secure products which were urgently needed for war purposes.

Mr. TURRENTINE. Yes.

The CHAIRMAN. How many tons of kelp does it take to produce a unit of potash?

Mr. TURRENTINE. A ton of kelp will produce a unit and a half.

The CHAIRMAN. One ton of kelp will?

Mr. TURRENTINE. Yes.

Mr. HUTCHINSON. How many units does a ton of kelp run?

Mr. TURRENTINE. One and a half on the wet basis.

The CHAIRMAN. A unit is 20 pounds?

Mr. TURRENTINE. Yes, sir.

Mr. CANDLER. You cut it and gather it on the surface of the water?

Mr. TURRENTINE. Yes, sir.

Mr. CANDLER. You don't cut it below the water?

Mr. TURRENTINE. We cut it about 5 or 6 feet below the surface of the water.

Mr. CANDLER. And then it grows out, and you cut it four times a year?

Mr. TURRENTINE. Yes, sir.

Mr. CANDLER. Cutting doesn't injure the plant at all? It comes right back?

Mr. TURRENTINE. Yes, sir.

Mr. HUTCHINSON. After you prepare this potash, what does it run?

Mr. TURRENTINE. Fifty-five per cent K_2O.

Mr. HUTCHINSON. That is actual potash?

Mr. TURRENTINE. Yes, sir.

Mr. BLACK. What page is that on?

Mr. JACOWAY. Page 28.

I hold in my hand, Mr. Chairman, a reprint from the Journal of Industrial and Engineering Chemistry, volume 11, No. 9, page 864, of an article on "Potash from kelp: The experimental plant of the United States Department of Agriculture—A preliminary paper." From it I read:

SUMMARY.

I. The experimental kelp-potash plant of the United States Department of Agriculture, designed for the determination of the best methods of processing kelp for the extraction of potash salts and the simultaneous recovery of other valuable products, was erected during the summer of 1917 and put into operation in the early fall of that year.

II. One hundred tons of raw kelp per day are subjected to a process involving drying, destructive distillation, lixiviation, evaporation, and fractional crystallization for the preparation of high-grade potassium chloride.

III. The by-products, kelp oils, creosote, pitch, ammonia, bleaching carbons, salt, and iodine are yielded in commercial quantities by this process. The main problem now in hand is their commercialization.

It is confidently believed that they will be made to yield sufficient revenue to enable the main product, potash salts, to be marketed successfully in competition with potash from foreign sources.

IV. Complete operating cost data are being tabulated covering the various details of manufacture. These, together with full specifications and designs, will be made available for the use of the interested public.

V. The results obtained to date indicate that it will be possible to establish on kelp as the basic raw material a new American chemical industry of considerable size and of importance and usefulness to the Nation.

I have not the time just now to go into detail as to what all this writer's observations are in regard to this matter, but those are his conclusions after his detailed statement and argument, showing the cost of potash and the need for it. It should appeal to every member of the committee.

In other words, Mr. Chairman, trained chemical experts, after years of study and research, with a trained eye, say to this House that this is a most worthy project. They further say that potash can be produced in the United States so that we can compete with the potash produced in other countries and thereby meet a long-felt want and need. The urgent need of potash in this country causes me to believe beyond cavil that this item ought to go into the bill, and that the motion of the gentleman should prevail.

Mr. BLACK. Will the gentleman yield?

Mr. JACOWAY. I yield to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Chairman, I wanted to ask the gentleman if he had figured out how much potash would be produced if you harvest the entire amount of kelp there in the Pacific Ocean near this plant?

Mr. JACOWAY. I have not stated it, but I have stated the argument of those who have gone with great care and pains into the matter.

Mr. BLACK. The estimate is for 7,500 pounds, as against a need of 500 tons.

Mr. JACOWAY. If we can get 7,500 pounds of potash in this country, and the average of that 7,500 pounds costs the Government nothing, then all the argument of the gentleman falls to the ground, because every man knows the needs of potash, and to indulge in argument in support of this suggestion would be a useless waste of time. I confidently hope the motion of the gentleman from Minnesota will prevail and this important item retained in the bill.

Mr. CANNON. Mr. Chairman, I have been called from the Hall for the remainder of the day, and therefore I would be very glad to be recognized now; otherwise I would yield to the gentleman from Texas [Mr. BLACK].

Mr. Chairman, I live in Illinois, in the best farming portion of the United States, so far as the production of wheat and corn and various other farm products is concerned, except cotton. We used to say in Illinois, when I went there in 1858, that we could raise corn on that soil for a thousand years without it giving way. They did it for a quarter of century, and then the soil began to give away. Now, we alternate with clover, and we are doing that to-day; but the soil is not producing as it once did, and the result is that the different grades of soil there in that State, and I believe throughout the country generally, are being tested to see what should most profitably be used to supply the place of that which has disappeared through improvident farming.

We have a big country. When the war began I had letters by the score from people who wrote me, "For God's sake, see if we can not get some potash from Germany." Well, we were not at war with Germany for some time, but it was impossible to get the potash from Germany, and the result was that the price went soaring for whatever it could be got at.

Now, it was said—and I only refer to it casually, in passing, not to arouse anybody's criticism—that when we put a tariff on tin plate in the McKinley bill that was passed in what was called the first Reed Congress, it would be impossible to establish the tin-plate industry in this country. It was attacked, and it was said, "You can never produce tin plate in this country." But it went on, and we now supply our own market with tin plate, and export it, and that has been done for years. I only mention that to show that this expenditure for the production of potash and by-products of the same, while it is $192,000, is negligible when you consider that we require potash in this country not by the 100,000 tons, or the 200,000 tons, or the 300,000 tons, or the 400,000 tons, but more, and that the use of it will increase rather than decrease. For one, without discussing further the conditions, I shall vote for this amendment.

Mr. BLACK. Mr. Chairman, I do not profess to be any more in favor of economy than the members of this Committee on Agriculture. Nor do I concede that they are any more interested in the welfare of agriculture than I am. But my decision in this matter is controlled by reading the hearings on this particular item for this year, and also the same item in the bill of last year. Many speeches are being made in the House saying that we favor economy. A few days ago the gentleman from Mississippi [Mr. CANDLER], who appealed to us so eloquently to-day, made a very able speech in the House, and in that speech he said:

Now, let me say, in conclusion, that I am in favor of economy. My whole record in Congress will prove that I am always for economy. I am opposed, in private and public life, to waste and extravagance. I will join you, my fellow Members, in eliminating all unnecessary appropriations wherever they may be found. I believe no more money should be spent than is necessary to secure good and efficient administration of governmental affairs. I can not state my position too strongly on that subject. I do not, however, believe in false or unnecessary economy being practiced on the farmer or the agricultural interests of America. The appropriations are small considering the great business involved. I do not believe any appropriations we make for other purposes bring anything like the beneficial returns as do those made for agriculture. Therefore do not let us be extravagant at any time, but—

Oh, Mr. Chairman, the trouble is with that word "but." We get up here and make speeches for economy, but when we come to these different items we put in a "but." It reminds me of the story that I read in McGuffey's Fifth Reader, I believe it was, when I was a boy. A good mother and father had six children, and a rich uncle decided that the couple had too many to care for, and that he could profitably care for one of the children himself. So he asked the good parents to give him one, and they finally consented, and that night as all the children lay asleep the good mother and father went around to see which one they would give away. They came to the eldest, who was a girl and her mother's pride, and said "No, no; we can not let you have her." They went down the line, and finally came to Dick, the wayward boy, and they said, "No; it would never do to let him go." Finally they came down to the baby and looked into his dimpled cheeks and innocent face, and the mother said, "No, no, John; we can not let the baby go." And so none of the children went, and it is the same way in the House of Representatives. We come to consider these appropriations and say, "No, no; we can not drop this one." We go to the next one and say, "No, no; it will never do to let this one go out." And it winds up by our making the appropriations asked for, and then coming here on the floor of the House and hurling invectives at the department heads for spending the very money that we ourselves have appropriated. [Applause.]

Now, gentlemen, during the war we could go home to our people and say that the war was on and we did not know how much money would be needed, and so we had no alternative, but to appropriate it, but I tell you the people are not going to be satisfied with that explanation any more. [Applause.] They are going to call us to account and lay some of the responsibility where it belongs, and they ought to do it.

Now, what about this item under search here? I gave you the figures yesterday and the amount that has already been appropriated for this experiment—$175,000 in 1917; nothing in the year 1918, because the same appropriation was made available; in 1919, $127,600; and in 1920, 127,600, making an aggregate of $430,200 for this experiment. These gentlemen of the committee say that Mr. Turrentine now says that the department has put the experiment on a paying basis. Well, I will admit that he estimates and predicts that for next year they will have it on a paying basis, but I have watched these department heads, and I find that in a good many cases it is a good deal easier for them to estimate and predict what they are going to do than to tell what they have done. Now, let us see what they have done.

Mr. HUDSPETH. Will my colleague yield now?

Mr. BLACK. In a moment I will yield. Let us see what they have done according to the testimony of Mr. Turrentine, found in the report from which these gentlemen have read. He shows that for the year 1918 they sold a total amount of products, including potash, iodine, carbon, and all by-products, $29,149. In the fiscal year 1919 they sold in potash, iodine, carbon, and all the by-products, $29,147. They have sold for the fiscal year 1920, July to November, inclusive, $22,415, making a total of only $80,712.06 against a total expenditure of $430,000. That is what they have done.

Mr. HUDSPETH. Will the gentleman yield?

Mr. BLACK. I yield to my colleague.

Mr. HUDSPETH. Do I understand my colleague to be willing to abandon this project at this time and lose this $220,000 in view of the statement of the gentleman from Arkansas [Mr. JACOWAY] that Mr. Turrentine says now that this is on a paying basis?

Mr. BLACK. I am glad the gentleman has asked me that question, and I want to ask him one. Let me read what Mr. Turrentine says. Then I want to ask the gentleman a question. Mr. Turrentine says if you continue this experiment you will

make a success of it and be able to sell the plant for $100,000. I want to ask the gentleman if he is willing to vote an appropriation of $193,200 in order to enable them to sell the plant for $100,000?

Mr. HUDSPETH. I will answer the gentleman by saying that in view of the statement of my friend from Arkansas [Mr. JACOWAY] that a great benefit will come from this experiment to the farmers of this country, I am willing to do that.

Mr. BLACK. All right. Now I will answer the gentleman there.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. BLACK. I want to answer my colleague first. That is a fair inquiry. Let us see what benefit will result to the farmer if the experiment is an entire success. I will answer that by reading from the testimony of Dr. Turrentine himself. Here is what he says, on page 27 of the hearings:

Since it has been demonstrated that not less than 500,000 tons per annum of raw kelp are available in the vicinity of Summerland, it is to be assumed that when it is demonstrated what profits are obtainable from the treatment of kelp by the process developed here plants will be established sufficient in capacity to utilize the raw material available.

Mr. JACOWAY. Will the gentleman yield?

Mr. BLACK. Just wait until I finish my statement. According to their estimates there are only 500,000 tons of kelp in the Pacific Ocean near Summerland.

Mr. JACOWAY. Oh, no.

Mr. BLACK. Wait until I get through. According to the testimony of Dr. Turrentine they get only 30 pounds of potash out of a ton of kelp. Therefore if they harvest all of the 500,000 tons, you will have only 1,500,000 pounds of potash, or 7,500 tons, as a maximum production; and what good will that do the farmer, when before the war they were consuming more than 200,000 tons a year?

Mr. JACOWAY. Will the gentleman yield?

Mr. BLACK. Yes; I will yield.

Mr. JACOWAY. I want to ask the gentleman from Texas this question: If we can produce potash so that we can compete with every other country in the world and, in addition to that, if we can produce potash—I care not whether 7,500 tons or 75,000 tons—and the overhead charges will produce that much potash without any cost to the taxpayers of this country, then would he strike this item out of the bill?

Mr. BLACK. What I contend is that no such successful production can be made from kelp. I will read from Dr. Turrentine's testimony. I read from page 22.

Mr. JACOWAY. Read from page 32.

Mr. BLACK. Here is what he says:

In reporting upon experiments down to date in their present form they would not carry conviction anywhere and would only reflect discredit upon our organization.

That is what Dr. Turrentine says. He says in their present form their experiments would not carry conviction anywhere, and therefore they want to continue it at the expense of the Government for another year, making five years of continuance of these experiments. Now, I am not opposed to developing potash; on the contrary, I am in favor of it. We have a provision in the bill that has been carried for 10 years, I think, appropriating $36,000 a year to be expended for that purpose, and we have developed some practical sources of potash; and these sources include Searles Lake in California, the alkali lakes in Nebraska, and the reduction of cement and blast-furnace dust in some of our factories. I do not know how much of this development is traceable to the appropriations of Congress. Really, I think that the only one of these sources which will prove economically feasible is the production of potash from cement and blast-furnace dust by what is known as the Cottrell method. If I had time I would discuss that method at some length, but I can not do so now.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. STRONG of Kansas. Mr. Chairman, I am not opposed to appropriating money out of the Government Treasury to help any experiment that will bring benefit to any part of the country, but it seems to me that after we have gone on for four or five years appropriating hundreds of thousands of dollars for experimental purposes it ought to get on some sound basis so that it can support itself. [Applause.]

Year before last we appropriated over $120,000, and last year we appropriated over $120,000 to help these experimental propositions. Now they come in here and ask for $192,000. It seems to me that after spending all of these hundreds of thousands of dollars they ought to have demonstrated to somebody that this proposition was a success so that some private business enterprise could take hold of it. I am not in favor of the Government going into all manner of business enterprises. It seems to me that it is time the Government should regulate its own affairs and act as a government and keep out of private business and let the people conduct the private business of the country.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. STRONG of Kansas. I will.

Mr. SAUNDERS of Virginia. I gather from what the gentleman says that he would abandon this experiment?

Mr. STRONG of Kansas. I have not said so.

Mr. SAUNDERS of Virginia. Would he abandon it?

Mr. STRONG of Kansas. I do not know as we ought to abandon it, but I do not think that we ought to go on every year increasing the appropriation.

Mr. SAUNDERS of Virginia. We experiment with the boll weevil.

Mr. STRONG of Kansas. Yes.

Mr. SAUNDERS of Virginia. And they keep marching on, and nobody proposes to abandon it.

Mr. STRONG of Kansas. And so the argument is that these experiments will keep marching on, and next year they will want $400,000 or more.

Mr. SAUNDERS of Virginia. No; the amount appropriated is within the discretion of Congress.

Mr. STRONG of Kansas. Mr. Chairman, I have an amendment that I would like to have read in my time for information.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Kansas.

The Clerk read as follows:

Amendment to the amendment: Strike out the figures "$192,900" and insert in lieu thereof "$92,900."

Mr. STRONG of Kansas. Mr. Chairman, it seems to me that after we have appropriated so many hundred thousand dollars for these experiments we should have reached a stage where it would prove a success or begin to cut down the appropriations, and I suggest an appropriation of $92,900 ought to do some good and enable them to reach a conclusion whether the industry is to be a success. I think here is a good chance to save $100,000.

Mr. RUBEY. Will the gentleman yield?

Mr. STRONG of Kansas. Certainly.

Mr. RUBEY. I would say that the amendment would be acceptable if we could use the money obtained for the sale of the product, but that money is turned into the Treasury.

Mr. STRONG of Kansas. Have they sold any yet?

Mr. RUBEY. Yes; this year, $100,000.

Mr. STRONG of Kansas. How much did they spend?

Mr. RUBEY. In the start they expended $430,000. They have turned in $80,000, and they are going to be prepared to turn in $100,000—within $27,000 of this year's appropriation.

Mr. STRONG of Kansas. They have spent over $400,000 in these experiments; now, would you be willing to take the profits, without any appropriation, to go on with the experiment?

Mr. RUBEY. No; because they have to have new machinery to develop the by-products, and the by-products are going to pay for the experiment.

Mr. STRONG of Kansas. I do not wish to oppose any appropriation for experimental purposes as long as there is hope of the development of processes which will permit of successful manufacture of potash and its by-products in this country, but it does seem to me that with the large appropriation made during the last four years that we should have reached a point where private enterprise would be warranted in taking hold of the business or the Government should cease spending such great sums of money; and I do hope that this will be the last year that Congress will be asked to appropriate money for this proposition.

Mr. MANN of Illinois. Mr. Chairman, a few years ago a combination was in existence in Germany, where the only known potash mines of the world are located, controlling the price at which potash was sold. That combination was to end at 12 o'clock on a certain night. Promptly, within a few minutes after 12 o'clock on that night, representatives from the various American industries obtained the signatures to new contracts from special mine owners for the sale of potash to them on terms named in the contracts. Immediately thereafter the German Government interfered and required, in effect at least, the cancellation of those contracts, and absolutely undertook to determine the price at which potash could be sold by the German mine owners to the world. That matter startled everybody interested in the use of potash throughout the world, and especially startled those in this country who were buying immense quantities for use in the manufacture of fertilizer.

The German Government had shown by its action that it would undertake to require the potash mine owners of Ger-

many to charge all that the trade would carry for potash. While Germany had control of the potash by producing it, it proposed to make the world pay for it. I do not say this in criticism of Germany, that was their right. It was then at that time, and in consequence of that attitude, that the Congress of the United States made two appropriations for the purpose of trying to discover potash on American soil. One of the appropriations went to the Agricultural Department through the Committee on Agriculture, carried in the Agricultural appropriation bill, to permit the Department of Agriculture to see whether they could not find some method of producing this potash. The other appropriation went to the Interior Department to see whether that department could not find potash in existence upon the public domain or elsewhere in the United States. Both experiments or investigations in a way have succeeded. They have discovered, or through them there has been discovered, a large number of old salt lakes in Nebraska and elsewhere, from which potash is now being produced—not very cheaply, but a considerable quantity was produced during the war—probably not as cheaply as potash can be bought from Germany, because, in the end, the German Government and the German mine owners will undersell the men who are producing potash from these salt lakes. The Agricultural Department discovered giant kelp, a form of seaweed growing along the Pacific coast, which might very cheaply be cut, dried, burned, and the residue reduced to potash and other salts.

If we abandon the effort to produce this potash under American methods, we absolutely turn all of our industries that depend upon potash over to the tender mercy of the German Government. I am not in favor of making it possible that we shall not be able to obtain potash except at the price and by the will of the German Government.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. I have only a second left and I do not yield.

Mr. BLACK. I just wanted to say that the gentleman's statement is incorrect, and that Chile furnishes the largest sources of supply.

Mr. MANN of Illinois. I am sorry that the gentleman persists when one's time is short in using it up. This experiment has not fully developed a commercial basis of potash production, but if it shall cost millions of dollars in the end and will develop that we can produce potash in America for commercial use, for making into fertilizer for use on the farms, it will be worth more to the Government than a hundred million dollars spent on an Army or a Navy. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, I was at first opposed to the proposition contained in the amendment offered by the gentleman from Nebraska, but on further and careful consideration I have concluded that it ought to be adopted. I am not, however, so sanguine as the gentleman from Mississippi and the gentleman from Nebraska about this plant paying its expenses or anything like it. On the contrary, I do not believe that it will. I think that if the gentlemen from the Department of Agriculture, the experts who testified, had thought it would pay expenses, instead of asking for a sum around $190,000 they would have asked for a revolving fund of about $25,000 or $35,000, which would have carried the project along.

The Tariff Commission has made a report upon the potash situation of the United States. It reports that in its judgment this proposition to make potash from kelp will not be commercially successful, but that is a mere opinion, and they do not advance it very positively. There are great opportunities in this line. It seems to me that it is really worth taking the chance, even if it does cost something in the end and we finally find that after all it is not practicable.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. No; I have only five minutes. I hope the gentleman will pardon me; he has taken already 25 minutes on this subject and I only have 5. As I have said, we are opening the doors to possibilities that are almost unlimited. It is said that Japan has already made a success of producing potash from kelp. I can not say how that is, but here is a chance, and if it does prove finally commercially successful, as these experts believe it will, it will be one of the greatest things for agriculture and commerce of the United States that has ever been discovered. Before the war we imported about 1,000,000 pounds of potash salts annually at a cost of about $15,000,000. At the present high price of the product that would have cost us probably from forty to fifty million dollars. All this money went out of the country. We were then at the mercy of the German potash producers. As the gentleman from Illinois [Mr. MANN] has well said, they have attempted in the past to absolutely control this industry, to crush out all industries.

Mr. BLACK. Mr. Chairman, will the gentleman yield for just one brief question?

Mr. GREEN of Iowa. I trust my friend will pardon me, for I can not possibly finish what I want to say in the time that I have. I think I know what the gentleman has in mind. I perfectly understand that a large portion of the potash deposits which Germany formerly owned are in Alsace-Lorraine, which now belongs to France, but gentlemen who have investigated the situation and testified before my committee say that there are equally large deposits within the soil left in the German boundaries, and they will be used in an attempt to crush out our American industries. The potash users of the South have acted in a way which seems to me very much contrary to their own best interests. When efforts have been made in this House or in the Committee on Ways and Means to put a tariff on potash that would sustain the American industries in this line they have always been opposed and they were opposed last year in the hearings before the Committee on Ways and Means, and I think possibly might be opposed now by gentlemen from the South. If they had not opposed efforts of that kind they would not now be paying as high prices for potash as they are. When they could obtain no protection the potash manufacturers of Utah and Nebraska shut down their factories. One of the largest plants lying idle took fire and was burned. The scarcity of shipping operated against imports and prices have gone skyward.

Mr. YOUNG of Texas. Did not the eastern people along the shore also oppose it?

Mr. GREEN of Iowa. They did, and I think they are seeing their mistake now, as I hope gentlemen from the South will.

If a reasonable protection had been afforded to the American producers of potash it would not be so scarce now. Moreover, all our manufacturers ask is a chance to get established, and then they will produce potash at half its present price. Meantime, although the war is over, there is still a scarcity of potash and we are not using half the amount as a fertilizer that might be beneficially used. For this reason I hope the amendment will prevail.

Mr. RUBEY. Mr. Chairman, I believe I have five minutes left.

The CHAIRMAN. Yes.

Mr. RUBEY. I shall take one minute of that and yield the remainder to my colleague, the chairman of the committee. I take the one minute to say that I have investigated this matter from end to end. I have heard every bit of the testimony, I have gone into it in detail, I am absolutely satisfied that the kelp plant is going to be a success and therefore I want to urge that this project be continued for another year.

Mr. HAUGEN. Mr. Chairman, I offer the following amendment to come immediately after the Anderson amendment.

The CHAIRMAN. The Chair would state that already there are two amendments pending.

Mr. HAUGEN. Then let it be read for information.

The CHAIRMAN. The Clerk will read the amendment for information.

The Clerk read as follows:

Amendment by Mr. HAUGEN: After the Anderson amendment insert:

"*Provided*, That the product obtained from such experimentation may be sold at a price to be determined by the Secretary of Agriculture and the amount obtained from the sale thereof shall be covered into the Treasury as miscellaneous receipts."

Mr. HAUGEN. Mr. Chairman, I take it there can be no objection to the amendment. It simply provides a way of disposing of the products of the plant. I heartily concur in what has been said by the gentleman from Missouri [Mr. RUBEY] and others. Now that we have carried on the experiment for a number of years it seems wise to continue it for another year at least. Inasmuch as there is a prospect of $223,000 being turned into the Treasury as a result of one more year of operation, I believe the work should be continued. I believe that the $192,000 will be expended to good advantage.

Mr. STRONG of Kansas. Does the gentleman believe as much as $200,000 will be derived from this experiment this year?

Mr. HAUGEN. About $223,000, I understand, is likely to be derived from the sale of the potash and by-products during the year for which we are appropriating.

Mr. STRONG of Kansas. Does the gentleman believe it is a good business proposition for Congress to appropriate $192,000 at this time?

Mr. HAUGEN. After the first appropriation had been made the Secretary appeared before the committee. He was somewhat in doubt at that time as to the advisability of expending money further for this work. After investigating the matter

he made an earnest request to the committee to make appropriations for the experiment to be carried on. If the gentleman will turn to the hearings held this year he will find that much encouragement for success is given. We all appreciate the importance of potash and fertilizer materials, especially at this time. I believe that we should do everything to encourage their production.

Mr. STRONG of Kansas. If the chairman thinks they need $192,000, I will withdraw my amendment.

Mr. HAUGEN. We would not have reported that amount if we had not thought it necessary.

Mr. STRONG of Kansas. Well, Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman from Kansas [Mr. STRONG] asks unanimous consent to withdraw his amendment. Is there objection?

Mr. BLANTON. Reserving the right to object, I wanted to ask the statesman from Kansas if the effort he has made here in behalf of economy is going to drop away into lip effort only?

Mr. STRONG of Kansas. I am glad to say to the gentleman from Texas that if this money is not needed I would like to cut down the appropriation, but if they need it and it will result in the successful experiment and produce quantities of potash, as has been stated on the floor here, I do not wish to stand in the way of it.

Mr. BLANTON. I dislike to see such a splendid effort go up in smoke.

The CHAIRMAN. The question is on the request of the gentleman from Kansas.

Mr. KINKAID. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Nebraska rise?

Mr. KINKAID. Mr. Chairman, on its face it would appear to be laudable and statesmanlike to appropriate money, as the pending Agricultural appropriation bill provides, to the end that a potash industry be developed in the United States, but I very respectfully propound the question, Why ascertain how to derive potash from the kelp plant, as the section provides, if we are not going to actually develop and preserve, against ruthless foreign competition, a potash industry when found feasible so to do? I regard this as a very pertinent question in view of the existing situation, which is that we already, as a result of the war, have developed a domestic potash industry, yet young, but exceedingly promising, barring only the menace of ruthless and ruinous competition by importations from Germany of potash produced by low-priced labor. Why continue this experimentation for deriving potash from kelp in face of the fact that the Sixty-fifth Congress, after listening to the presentations and strong appeals made by the producers of potash from Nebraska and California saline lakes—specifically, the Ways and Means Committee—reached the conclusion, though with evident reluctance, that no protection could be afforded or the industry be otherwise safeguarded, at least for the time being? It was then expected that Germany would soon resume making importations of potash into the United States in quantities equal to the entire demand of our domestic consumers, and that this foreign potash would be delivered at the places of consumption at prices so low as to render it impossible for American producers to compete. But the expectations or estimates of the amount of importations of foreign potash were not and have not yet been fully realized, with the result that there has been a shortness of the supply of potash for American consumption, including what has been produced in America with what has been imported from Germany.

The status has been, and at present is, that potash is being sold at a somewhat higher price, and that cotton raisers in the South and potato raisers in localities where potash is required are having to pay higher prices for the potash they consume than would have been the case had legislation been passed by the Sixty-fifth Congress securing to domestic producers the preference over foreign producers in the American market to the extent of the domestic production, as provided by the bill introduced by the gentleman from Michigan [Mr. FORDNEY], as chairman of the Ways and Means Committee, the bill embodying the license plan. If this license scheme had been granted or American producers had been otherwise safeguarded, contracts could have been secured by fertilizer companies with our own producers for all the potash produced in America at not exceeding $2.50 per unit, and this would naturally have fixed the price of imported potash at as low a figure, and thus a great saving to our American consumers would have been secured.

Nebraska and California potash producers, who earnestly appealed for Government assistance in some form for the short period of two years, were given no encouragement whatever by the Congress, with the result that there was a total suspension of the production of potash in the United States, following the armistice, for several months, and this condition would have continued to this time except for the failure of importations to be made from Germany to the extent that had been estimated—perhaps actually contracted for in America. But, perceiving that a domestic demand existed for a larger amount of potash than was coming from abroad, several of the larger potash plants in Nebraska courageously and commendably resumed operations late last summer, and have since continued in operation at their full capacities. One of the largest plants, which during the suspension of work had burned down, has since been rebuilt, and is likely now in operation.

These Nebraska plants are, very fortunately for consumers, supplying a greater part of the potash that is to be used as fertilizers for the coming season. If these plants were not producing and supplying the market as they are, the consumers, left at the mercy of German and other foreign producers, would be obliged to pay a yet higher price than now prevails, possibly 100 per cent higher. This fact demonstrates the wisdom, if not the expediency, of giving governmental encouragement to the young American industry, at least until it shall have been developed to a degree of efficiency to enable it to compete with the notorious foreign potash monopoly. Just how long the American producers may be able, without the fostering policy of the Government, to compete with foreign importations depends upon the conditions which may exist and operate in Germany, including labor conditions there, railway transportation to the seas, thence ocean rates to America. If the importations of potash from Germany should continue to be limited, as up to the present time since the signing of the armistice, for two more years, some of our leading producers feel confident that by a further development and improvement of the economies of their production in the interim, American manufacturers would then be able to compete successfully with the importers of German potash, and they are probably right about this, so long as the nefarious and ruinous practice of dumping should not be employed by the foreign monopoly.

But as was conclusively proven to the Ways and Means Committee at the hearings had in the last Congress, the German producers through their duly authorized agents had more than once warned would-be producers of potash in America that their undertakings would be driven to the wall by dumping German-produced potash onto the American market at a normal price until American production would be extinguished. This ought to make conclusive the expediency of protecting the American industry against foreign competition, first, until the industry may be placed upon a thoroughly commercial basis and thereafter against illegitimate foreign competition by the practice of the dumping policy. What is necessary is to be for America first. [Applause.]

Mr. EVANS of Nevada. Mr. Chairman, much has been said about our annual expense, steadily increasing from less than seventy-five millions in 1860 to twenty-five billions last year. For many years we have heard that our boys were getting soft; war proved them sound. Whatever the war did cost we had to spend it. Nobody complains, because it was worth the money. We won the war on credit and by economizing, to sustain the boys who with their physical condition and self-reliance were certain to win. We won the war because we had the resources, which came from a scientific change of raw material into finished product. Our expenses have grown to maintain bureaus. Maybe the bureaus are a good investment; maybe scientific methods furnished by the bureaus produced five times their cost. Knowledge beats bullhead luck 99 to 1. Maybe bureaus brought information which to-day places us in front. Debt is evidence of sound business judgment. Men owning a shipbuilding plant worth $200,000 should go in debt to produce a ship worth half a million. Merchants are wise to buy on credit goods which can be sold at profit. Farmers with growing pastures should mortgage land to buy young cattle, which grow each year into greater security and wealth. Our business is done upon 10 per cent cash and 90 per cent credit and confidence.

Who can say how much the Bureau of Agriculture has developed our resources? Maybe enough with added production to win the war. If that be true, this bureau was cheap at any cost. There are many bureaus of only lesser importance, so it is the duty of men in Congress to have complete knowledge that bureaus are conducted honestly and money wisely spent. Our national progress has been beyond example, owing to partial development of untold raw resources.

It is our duty to know, so far as can be known, to what extent this bureau has contributed to that wonderful advance.

Practical knowledge has a certain habit of turning liabilities into assets, installing economies of operation with increased production. Let us carefully examine before we condemn bureaus, for they may be the mainspring of knowledge which causes rapid progress. Experiments are costly in time, money, and labor. Our war debts are owed to ourselves, the payment of which will place huge sums in circulation, benefiting all workers.

The CHAIRMAN. Is there objection to the withdrawal of the amendment offered by the gentleman from Kansas [Mr. STRONG]? [After a pause.] The Chair hears none. The gentleman from Iowa [Mr. HAUGEN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment to the amendment offered by Mr. ANDERSON: After the ANDERSON amendment insert the following:

"*Provided*, That the product obtained from such experimentation may be sold at a price to be determined by the Secretary of Agriculture, and the amount obtained from the sale thereof be covered into the Treasury as miscellaneous receipts."

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota as amended by the amendment of the gentleman from Iowa.

Mr. BLACK. Mr. Chairman, I ask that it be reported.

The CHAIRMAN. The Clerk will again report the amendment to the amendment, offered by the gentleman from Minnesota.

The amendment was again reported.

The CHAIRMAN. The question is on the amendment as amended.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. ANDERSON. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 37, noes 5.

So the amendment was agreed to.

The Clerk read as follows:

Salaries, Bureau of Entomology: One entomologist, who shall be chief of bureau, $5,000; 1 chief clerk and executive assistant, $2,250; 1 administrative assistant, $2,250; 1 editor, $2,250; 1 financial clerk, $1,800; 5 clerks, class 4; 10 clerks, class 3; 18 clerks, class 2; 25 clerks, class 1; 8 clerks, at $1,000 each; 1 insect delineator, $1,600; 2 insect delineators, at $1,400 each; 2 entomological draftsmen, at $1,400 each; 1 entomological draftsman, $1,080; 1 photographer, $1,200; 1 entomological preparator, $1,000; 4 entomological preparators, at $840 each; 8 entomological preparators, at $720 each; 1 laborer, $1,080; 2 messengers or laborers, at $900 each; 1 messenger or laborer, $840; 3 messengers or laborers, at $720 each; 6 messenger boys, at $480 each; 1 laborer, $540; 1 laborer, $480; 2 charwomen, at $480 each; 3 charwomen, at $240 each; in all, $132,810.

Mr. BLANTON. Mr. Chairman, I move to strike out on line 20 the sum of $132,810.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BLANTON: Page 57, line 20, strike out "$132,810."

Mr. BLANTON. Mr. Chairman, in this amount, under this head, 12 messengers are provided for. On account of the numerous other messengers in this bill I claim that these are not needed. In order that the question may not be misunderstood, I want to show exactly how many we have in this agricultural bill. In this one bill, for one department of government, we have, in the Secretary's office, 70 messengers; Farm Management office, 5 messengers; Weather Bureau, 166 messengers, on page 7, an unlimited number; Bureau of Animal Industry, 80 messengers; Bureau of Plant Industry, 167 messengers; Forest Service, 49 messengers; Bureau of Chemistry, 24 messengers; Bureau of Soils, 4 messengers; Bureau of Entomology, 12 messengers; Bureau of Biological Survey, 4 messengers; Accounts and Disbursements, 2 messengers; Division of Publications, 51 messengers; Bureau of Crop Estimates, 8 messengers; department library, 5 messengers; States Relations Service, 26 messengers; Bureau of Public Roads, 21 messengers; Bureau of Markets, 53 messengers; enforcement of insecticide act, 3 messengers; Federal Horticultural Board, 4 messengers; in all, in this one bill, 754 messengers.

Now, Mr. Chairman, the distinguished gentleman from Michigan [Mr. MCLAUGHLIN], a member of this committee, yesterday claimed that the 76 watchmen in the Secretary's office alone meant watchmen for all of the buildings in this department. I want to call his attention to the fact that that is not the case. Turn over here to page 6, under another bureau, and in addition to these 76 watchmen you will find 4 more watchmen provided for. Turn to page 34, under another bureau, and you will find 4 more watchmen provided for.

I want to say that if this is economy we are never going to be able to convince our people at home of that fact. I want to say that in the Department of Agriculture they do not need these 754 messengers. I want to say that they could get along with half of that number. And I hope before this committee quits, before they stop with his bill, I hope before they bring it to a vote, that the chairman will bring in an amendment—because that is the only way on earth we are ever going to change it—I hope the chairman will bring in an amendment cutting these 754 messengers down to at least 300, and then we would have about 200 too many.

I wish my friend from Massachusetts [Mr. PAIGE] would tell this committee what he knows about the number of useless employees down here in these departments. I wish he would tell the chairman, because he comes from the majority side of the House, and possibly the chairman of the Committee on Agriculture would act on his suggestion.

I know that if this good Republican, Mr. PAIGE, should get up here and tell you what he knows as to what one of the bureau chiefs has told him, maybe the chairman would bring in an amendment cutting these 754 messengers down to possibly two or three hundred. Mr. PAIGE may do it, too, because he is not afraid. He is one of the few men in this House who is not afraid. I hope he will take the floor in a few minutes and move to strike out a word or two words in some item and take the opportunity to tell you what he knows about it. He will tell you some facts that will astound you. They will not astound the gentleman from Illinois [Mr. MANN], because he knows. They will not astound the gentleman from Illinois [Mr. MADDEN], because he knows, and he has been trying to help me cut down the extravagance out of this bill. But we have not gotten a bit of assistance from this great Committee on Agriculture.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HAUGEN. Mr. Chairman, I desire to submit a copy of a letter from the Secretary of Agriculture, addressed to the gentleman from Texas [Mr. BLANTON]. I think that will explain the situation.

Mr. BLANTON. Mr. Chairman, I ask in that connection, without taking up the time of the House to do it, to put into the RECORD in connection with that letter my reply to it.

Mr. HAUGEN. I have no objection to that. I think we can dispose of it more quickly in that way.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. Without objection, the Clerk will read the document submitted by the gentleman from Iowa.

The Clerk read as follows:

THE SECRETARY OF AGRICULTURE,
Washington, February 11, 1920.

DEAR MR. HAUGEN: I am sending you herewith for your information a copy of a letter which the Secretary has just written to Representative BLANTON, with reference to certain statements made by him as to the number of messengers employed in the Department of Agriculture.

Very truly, yours,

F. R. HARRISON,
Assistant to the Secretary.

HON. G. N. HAUGEN,
Chairman Committee on Agriculture, House of Representatives.

FEBRUARY 11, 1920.

HON. THOMAS L. BLANTON,
House of Representatives.

DEAR MR. BLANTON: In the debate on the Agricultural appropriation bill for 1921 in the House of Representatives, Friday, February 6, I note your reference to the number of messengers employed in this department. You report a total of 743, which, in your opinion, is excessive. On page 2582 of the RECORD for February 6 you refer to "these hundreds of messengers who absolutely clog up every corridor of that department, so that it is hardly possible for a Member of Congress to pass." I can draw from your remarks only the inference that you believe this department to have 743 messengers in the city of Washington.

I wish to call your attention to certain facts in this connection, which throw an entirely different light on the matter. An analysis of the pending Agricultural appropriation bill indicates that 754 places, classified under the following titles, are provided: "Messengers," "Messengers or laborers," and "Messenger boys."

I invite your particular attention to the class "Messengers or laborers," which you appear to have included in your count of messengers. This classification is not accidental but is intentional, the obvious advantage being that it gives a certain flexibility in filling places with either messengers or laborers, as vacancies occur and the necessities of the work require. Of the 754 places in question 255 are in the field, leaving 499 located in Washington. Of this 499 a total of 194 are laborers, leaving 305 places in the bill for employees actually assigned to the work of messengers in the city of Washington. Nearly all of these employees, when not engaged in carrying messages, perform other simple but necessary tasks, such as the opening of mail, inclosing mail for dispatch, operating duplicating machines, and the like. If messengers were not employed on these minor operations, clerical help would have to be employed at higher salaries to do the work.

With special reference to the office of the Secretary, the pending bill shows 40 places as messengers or laborers and 30 as messenger boys. Of the 40 places as messenger or laborer 39 are occupied by laborers and 1 by a messenger. Some of the 39 laborers are used for cleaning the halls and toilets of seven buildings, including the Administration Building, and in addition perform other labor as may be required, such

as moving furniture and supplies, weighing ice, helping to load and unload trucks, and the like. Others are assigned to laboring work in the mechanical shops. Twenty messenger boys and 1 messenger, a total of 21 employees, are doing the messenger work for the offices of the Secretary, Assistant Secretary, chief clerk, solicitor, appointment clerk, mechanical superintendent, and 6 other branches of the immediate office of the Secretary. Several branches of the Secretary's office are not located in the Administration Building, and the messenger service performed by the 21 employees mentioned above is not only from office to office within the Administration Building, but also from and to five other buildings, some of them at a considerable distance from the office of the Secretary.

It is important also, I think, to remind you that the Department of Agriculture occupies 42 separate buildings or parts of buildings in the city of Washington. Of these, 11, owned by the Government, are located on the Government's reservation between Twelfth and Fourteenth Streets, B Street north, and B Street south, in the Mall. The Public Buildings Commission has recently assigned to the Department of Agriculture portions of the Government-owned buildings known as Unit C, in Henry Park, and the old Council of National Defense Building at Eighteenth and D Streets NW, and part of 1418 Pennsylvania Avenue NW. In addition, the department occupies as offices and laboratories 18 rented buildings and for storage purposes 9 rented buildings. These various locations are widely scattered, and some of them, such as the seed warehouse at 339 Pennsylvania Avenue NW.; the Weather Bureau, at Twenty-fourth and M Streets NW., which is more than a mile from the Administration Building; the Forest Service, at 930 F Street NW.; the Bureau of Public Roads at 515 Fourteenth Street NW.; the Busch Building, at 710 E Street NW.; and the Homer Building, at Thirteenth and F Streets NW., are located at considerable distances from the Administration Building, in the Mall. This necessarily requires a considerable force of messengers for the carrying of communications from and to the Administration Building and between branches of the same bureau located in several separated buildings. Without an adequate messenger service the work of the department would be seriously delayed. Even to storage buildings it is frequently necessary to send messengers or laborers to procure supplies, handle incoming or outgoing freight, rearrange the contents of the building, etc.

In the RECORD of February 7, pages 2610 and 2616, I note your comment upon the item for watchmen under the office of the Secretary. This force is not maintained for guarding the office of the Secretary alone. It guards the Administration Building, in which the office of the Secretary is located, and 21 other buildings occupied by the department. All of the 42 buildings mentioned above are not watched by this force, as the quarters in Unit C and in the Council of National Defense buildings are guarded by the War Department watchmen stationed in those buildings. In some cases also one watchman is assigned during the night to two buildings. Storage buildings occupied by the department are not regular stations of the watch force, but as a rule they are visited during the night by the lieutenants of the watch. The force of 73 men is divided into three shifts of eight hours each and guards the Government's property night and day every day in the year. For administrative purposes the entire force is carried on the roll of the Secretary's office, but it guards the 21 buildings referred to above as well as the Administration Building. In all, 70 stations are covered by the three shifts of watchmen. During the day, when the buildings are occupied by the regular force of employees, fewer watchmen are maintained. There are 15 men on the day shift, 28 on the first night shift, and 27 on the second night shift. The entire force is directed and supervised by the chief clerk and the assistant chief clerk of the department; the assistant chief clerk of the department is also captain of the watch, and there is one lieutenant for each shift. For purposes of discipline and administration it is obviously wise to have the force of watchmen under one control, and this is the reason why the 73 watchmen and 3 lieutenants, to whom you refer, are carried in the bill under the office of the Secretary. The only other alternative would be to divide the item up in the appropriation bill among the various bureaus. In this there would be no advantage whatever, and the obvious disadvantage would be the greater difficulty in the control of the force.

Very truly, yours, E. T. MEREDITH, *Secretary.*

During the reading of the above the time of Mr. HAUGEN was extended five minutes.

Following is the letter submitted by Mr. BLANTON:

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., February 12, 1920.

Hon. E. T. MEREDITH,
Secretary of Agriculture, Washington, D. C.

MY DEAR MR. SECRETARY: I have your favor of the 11th instant, just received, wherein you mention my speech against allowing 743 messengers for your department and 76 watchmen for your office, and I note that you seem to take exception to my assertion "that messengers clog up your corridors until it is hardly possible for us to pass."

You, however, admit that you have in your department not 743 messengers, as asserted by me, but 754 messengers, whatever other services they may perform.

If you will carefully inspect the present Agricultural appropriation bill, H. R. 12272, which we are now considering, you will find that these messengers are allotted to the following bureaus and offices in your department, to wit:

Secretary's office	70
Weather Bureau	166
Farm Management office	5
Bureau of Animal Industry	80
Bureau of Plant Industry	167
Forest Service	49
Bureau of Chemistry	24
Bureau of Soils	4
Bureau of Entomology	12
Bureau of Biological Survey	4
Accounts and Disbursements	2
Division of Publications	51
Bureau of Crop Estimates	8
Department library	5
States Relation Service	26
Bureau of Public Roads	21
Bureau of Markets	53
Enforcement of insecticide act	3
Federal Horticultural Board	4
	754

You say that some of these 754 messengers do work as laborers and in clerical capacities. If this is true, then it forces me to the other conclusion, that of the thousands of clerks and laborers allowed your department in other parts of the bill, we have given you many more than necessary.

Now, on page 6 of the bill, under the head of "Office of the Secretary," you are given 1 lieutenant of the watch, 2 assistant lieutenants of the watch, and 73 watchmen. You seem to indicate that no other watchmen are allowed your department. You will note on page 6 that 4 additional watchmen are given you, and again on page 34 of the bill that 4 more additional watchmen are given your department.

You will also notice on page 7 of the bill that an unlimited number of messengers are allowed you, so that in addition to the 754 messengers actually specified in the bill you have authority to employ an unlimited number in addition.

I noted with much gratification your assertion in the press at the time you assumed this office that you were going to retrench, but I must say that I am disappointed in this bill, as little is found therein. It appropriates for your department alone $30,540,034 for the coming fiscal year. If the farmers of this country received 100 per cent value for all of such money expended I would be willing to double or even treble this appropriation; but I feel sure that you will agree with me that, after all, the farmers and agriculturists of the United States are benefited very little by these enormous annual appropriations in their behalf.

In addition to the 754 messengers allowed you, and the 76 watchmen given your office, and the other watchmen allowed your department, if the farmers and stockmen of the United States only knew how many additional thousands of messengers and watchmen there are on the Government pay roll, given the many other departments here in Washington, they would feel almost inclined to abolish the Agricultural Department and many other departments.

Besides the salaries drawn by each of them, they all get a bonus of $240 additional each year.

Now, Mr. Secretary, note the following excerpts from speeches of other Congressmen made on my various amendments to cut down this messenger service in your department:

Mr. MONDELL said:

"It is no doubt true there are too many. Those of us who visit these departments believe there is an unnecessary number of clerks and probably an unnecessary number of messengers in many of them."

Then Mr. MANN of Illinois, the great leader on that side of the House, said:

"Now, I am inclined to agree very largely with some of the suggestions made by the gentleman from TEXAS. I have no doubt there are too many messengers in the Agricultural Department and in every other department of the Government. The Committee on Agriculture has more important duties to perform than finding out what each one of the 700 messengers in the department is doing. I am inclined to think that it would not hurt anybody in the end if we very materially reduced the number of messengers, who are now so thick that they fall over each other in every department." [Applause.]

You will note that he received applause.

This is what Mr. MCLAUGHLIN of Michigan, a member of the Committee on Agriculture, said:

"There are too many employees. [Applause.] Why does the bill still provide for too many? Because the Committee on Agriculture was unable to get assistance or suggestions from heads of bureaus as to where cuts could properly be made in the bill, cuts that the majority of the committee said were necessary. * * * We could not eliminate the excess; we could not tell which clerk, which watchman, which messenger should be refused, and we received no suggestion from anyone connected with the department as to which of them could be eliminated. * * * And another thing that makes the number of employees in that department larger than it ought to be is that every one of them is under civil service, and time after time the heads of the bureau, in answer to inquiries, have told us that there are clerks and other employees on the rolls who are incompetent. We asked why incompetents are not dismissed, and the answer was that they are under civil service; that if one is to be gotten rid of there must be charges and a trial, so the bureau hesitates, and that is one of the reasons they do not proceed against anyone."

Now, from Mr. MADDEN, the majority sage on departmental affairs, I will read what he says on pagese 2611 and 2612 of the RECORD:

"I think that it will be admitted by every man here that if there ever was a time when we should pare to the bone that time is now. It is conceded by every impartial observer that in all the branches of the Government service in the District of Columbia we have more than 40,000 people who are not needed, but you can not get the cooperation of any man in the Government service to eliminate them from the pay roll. * * * And I am perfectly willing to enter upon a campaign now to assist in the elimination of every unnecessary employee.

"Mr. BLANTON. Then vote for my amendment.

"Mr. MADDEN. I will. I intend to vote for the gentleman's amendment. * * * We had about 30,000 people on the pay roll in Washington when the war came on, and to-day we have 110,000. Does anyone believe that 110,000 clerks are needed here in these days of peace? Not at all."

Now, let us see what was said by Mr. HAUGEN, the chairman of this committee. Here is what he says on page 2612 of the RECORD:

"It was suggested to a representative of the department that he might indicate what cuts could best be made in the bill. He indicated that he would like to accommodate the committee, but I inferred that it would be embarrassing to him to suggest a cut in one bureau and not in another. * * * The committee can not go to the departments to find out how many messengers they must employ and how many they need. We must take their word for it. * * * We may have more messengers here than we ought to have, and I think they have more in the departments than they ought to have."

Now, let us see what Mr. TILSON, the expert parliamentarian from Connecticut, says about this matter on page 2613 of the RECORD:

"Contrary to what has been done in most other cases, this particular item has been increased and the number of employees as well in a considerable number of instances. This item in 1918 carried $418,000 plus; in 1919 it carried $440,000 plus; in 1920, the current law, it carries $491,000 plus, a jump of $50,000; and now in this bill there is another jump of over $35,000 in this one item. If we ever intend to get back to normal, to anything like where we were before the war, it is necessary not only to not increase but to cut wherever possible."

You will note, Mr. Secretary, that Mr. MANN, the former Republican minority leader, and one of the greatest statesmen who has ever served in the House, said "that the messengers are so thick that they fall over each other in every department."

You will also note that Mr. MCLAUGHLIN, a member of the committee, said that one of your bureau chiefs admitted that there are incompetent employees in your department, but that no one would assume the responsibility of discharging them.

I am hopeful, Mr. Secretary, that you will see that at least the incompetent and inefficient ones are discharged. Note the following from my speech yesterday:

"The gentleman from Illinois [Mr. MADDEN] said that there are 40,000 useless, idle clerks too many here in the city of Washington.

"Mr. MADDEN. And I repeat it.

"Mr. BLANTON. And he repeats it."

In conclusion, Mr. Secretary, let me remind you that our Government is now facing a deficit of over $3,000,000,000, and somebody must lead a determined fight for economy and retrenchment, an economy that is more than a mere lip economy, but an economy that is real and that will sure enough retrench, so that the taxes of the people may be lowered rather than raised. I am ready to cooperate with you in every way possible.

With kindest wishes, I am

Very sincerely and cordially, yours,

THOMAS L. BLANTON.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For investigations of insects affecting cereal and forage crops, including a special investigation of the Hessian fly and the chinch bug, $145,660.

Mr. RUBEY. Mr. Chairman, at this time I desire to offer a new paragraph.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RUBEY: Page 58, after line 17, insert a new paragraph, as follows:

"To enable the Secretary of Agriculture to meet the emergency caused by the establishment of the European corn borer in Massachusetts, New York, and other States, and to provide means for the control and prevention of spread of this insect in these States or elsewhere in the United States, in cooperation with the State or States concerned, including rent outside of the District of Columbia, employment of labor in the city of Washington and elsewhere, and all other necessary expenses, $500,000: *Provided*, That of this sum $250,000 shall be immediately available."

Mr. BLANTON. Mr. Chairman, I make a point of order against it as being new legislation unauthorized by law.

The CHAIRMAN. Does the gentleman from Missouri [Mr. RUBEY] desire to discuss the point of order?

Mr. RUBEY. Does the gentleman from Texas desire to make the point of order or to reserve it?

Mr. BLANTON. I will ask the gentleman from Missouri if the committee considered this matter?

Mr. MCLAUGHLIN of Michigan. Regular order, Mr. Chairman.

Mr. BLANTON. I make the point of order.

Mr. RUBEY. Mr. Chairman, I concede the point of order with reference to the proviso, which makes part of the sum available, but not the other.

The CHAIRMAN. The Chair sustains the point of order.

Mr. RUBEY. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Missouri offers another amendment, which the Clerk will report.

The Clerk read as follows:

Page 58, after line 17, insert a new paragraph, as follows:

"To enable the Secretary of Agriculture to meet the emergency caused by the establishment of the European corn borer in Massachusetts, New York, and other States, and to provide means for the control and prevention of spread of this insect in the States or elsewhere in the United States, in cooperation with the State or States concerned, including rent outside of the District of Columbia, employment of labor in the city of Washington and elsewhere, and all other necessary expenses, $300,000."

Mr. BLANTON. Mr. Chairman, I make the point of order on that on the ground that the amendment is new legislation unauthorized by law, and it is not germane to the paragraph following which it is offered, which provides, between lines 15 and 17, for investigations of insects affecting cereal and forage plants and special investigations of the Hessian fly.

The CHAIRMAN. Does the gentleman contend that the corn borer is not an insect?

Mr. BLANTON. From the manner in which the amendment is drawn, the Chair will note in connection with this paragraph that it is not germane.

The CHAIRMAN. What is the further point of order that the gentleman makes?

Mr. BLANTON. That it is new legislation and not authorized by law.

The CHAIRMAN. Does the gentleman from Missouri desire to discuss the point of order?

Mr. RUBEY. I do not think the paragraph is subject to a point of order. It certainly can not be subject to a point of order because it appears at this point in the bill. This is the Bureau of Entomology, that deals with this subject entirely, and this amendment would be in order, so far as germaneness is concerned, at any point during the consideration of this particular bureau. In addition to that I desire to say that this item appeared in the last appropriation bill. I have asked to insert the paragraph in identically the same language that it was carried in the last appropriation bill and at the same place in the bill in which it was carried.

Under the general clause establishing the Department of Agriculture, if we can not appropriate for a pest of this kind, which bids fair to destroy the entire corn crop of the country, then I think it will be very difficult for us to legislate on any question. I do not concede the point of order. I do not think the language which I have offered is subject to a point of order.

Mr. BLANTON. Mr. Chairman, that was offered as an amendment from the floor last year and did not come from the Agricultural Committee. It was not in the nature of legislation, but merely an amendment carried on an appropriation bill.

Mr. MANN of Illinois. Mr. Chairman, I do not think it can be contended successfully that this amendment is not in order because it is offered in this place in the bill. It is a provision for the expenditure of money under the Bureau of Entomology and would be in order, so far as the location is concerned, at any place in the bill relating to the Bureau of Entomology, following the first paragraph, which defines the general scope of the work.

It is not legislation, as the gentleman from Texas contends. It is an appropriation, and, of course, must be authorized by law in order to overcome the point of order.

I have not before me the organic act establishing the Department of Agriculture. My impression is that it is broad enough to authorize investigations of insects injurious to agriculture. If this amendment is held out of order, then the next paragraph, providing for the investigation of insects affecting southern field crops, including insects affecting cotton, tobacco, rice, sugar cane, and so forth, is also out of order, and the succeeding paragraph, for the investigation of insects infesting truck crops, including insects affecting the potato, sugar beet, cabbage, onion, and so forth, would also be out of order.

Now, I am under the impression—and it is only an impression at this time—that it has been held heretofore by Chairmen that under the organic act it is within the power of Congress, as authorized by law, to make appropriations for the investigation of insects injurious to agriculture.

Mr. BLANTON. I make the further point of order that it is introducing a new subject. The Committee on Agriculture have rights that individual Members of the House have not in bringing in appropriation bills. That was called to the attention of the House the other day by the gentleman from Connecticut [Mr. TILSON] in citing a decision by Mr. Speaker Carlisle.

For instance, the Committee on Agriculture have the right to bring in various subjects that a Member on the floor could not offer in the way of an amendment, because when they bring in the Agricultural appropriation bill it is notice to each Member of the House what items are to be taken up and considered by the House of Representatives in the Committee of the Whole House on the state of the Union with respect to this appropriation bill. Members are not put on notice as to other items of $300,000 or $500,000, such as were just offered by the gentleman from Missouri [Mr. RUBEY], that the committee has not recommended. Now, if the Committee on Agriculture after consideration of this item had recommended it, I would not have made the point of order against it.

Mr. RUBEY. Will the gentleman yield?

Mr. BLANTON. In a moment. The only reason I make this point of order is because this item did not come from the Agricultural Committee. It did not come from the committee last year, but was offered on the floor by way of amendment. I made a point of order against it at that time, but upon the urgent request of the gentleman who offered it I withdrew the point of order. But now another year has passed. The Agricultural Committee again failed to bring it in. Why have they failed?

Mr. MANN of Illinois. That is a matter as to the merits of the amendment.

Mr. RUBEY. Will the gentleman yield?

Mr. BLANTON. The gentleman from Illinois [Mr. MANN] has the floor. The only reason I make the point of order is because the Agricultural Committee, in framing this bill, after allowing a proper hearing on matters in the bill, did not see fit to put in this item of $300,000.

Mr. MANN of Illinois. That is a matter affecting the merits and not addressed to the point of order. Now, my friend from Texas says it is not in order to introduce new subject matter. After all this is a question of bugs, and it is not within the power of the Committee on Agriculture, by naming specific bugs, to exclude Congress from the right to name other bugs if they want to. The subject matter is bugs and the investigation of bugs. We have the right not only to investigate the chinch bug which destroys corn, but also the corn borer which destroys corn. It is just naming a new kind of bug.

Mr. YOUNG of Texas. Will the gentleman yield?

The CHAIRMAN. The Chair is ready to rule. The gentleman from Texas [Mr. BLANTON] makes the point of order to the amendment offered by the gentleman from Missouri [Mr. RUBEY]—

To enable the Secretary of Agriculture to meet the emergency caused by the establishment of the European corn borer in Massachusetts, New York, and other States, and to provide means for the control and spread of this insect in these States or elsewhere in the United States, in cooperation with the State or States concerned, including rent outside of the District of Columbia, and the Department of Labor in the city of Washington and elsewhere, and all other necessary expenses, $300,000.

The Chair overrules the point of order that the point is not germane to the particular paragraph or place in the bill which it follows.

With reference to the point of order that the amendment introduces legislation unauthorized by law, the Chair finds that the organic act establishing the Department of Agriculture provides that there shall be a Department of Agriculture to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture, in the most general and most comprehensive sense of that word; and further, that the Secretary of Agriculture is to procure and preserve all information concerning agriculture which he can obtain by means of books and correspondence and by practical and useful experiments, an accurate record of which shall be kept in his office, by the collection of statistics and by any other appropriate means within his power; and then it provides for the collection of valuable seeds and plants.

It will be noticed that with reference to this authority very broad and general language is used, and apparently the intention was in providing for this department to permit a wide latitude in whatever action might be taken either by Congress or by the head of the department. This amendment is offered to a place in the bill having to do with the Bureau of Entomology, which is for the investigation of insects affecting vegetation. In the view of the Chair the amendment proposes to meet an emergency and to provide for investigation and to provide a means of control and prevention of an insect which is destroying an agricultural crop; and the Chair is inclined to rule that it is in order to offer the amendment and that it does not violate the rule against new legislation or the introduction of a new subject. The Chair overrules the point of order.

Mr. RUBEY. Mr. Chairman, if I may I would like to have the attention of the House on this particular item for just a few moments. I want to explain the situation so that the House will thoroughly understand why this provision was not included in the Agricultural appropriation bill.

We made an appropriation for this work of $250,000 in the last Agricultural appropriation bill. The Committee on Agriculture had hearings last month on this particular subject. It was not included in the estimates this year for the reason that there was pending before the Committee on Appropriations of the House a special supplemental estimate sent in through the Treasury Department. The Committee on Appropriations along last summer, in the first deficiency bill which it brought in, failed to include this item. Now, what happened? Another estimate was sent to the House of Representatives. I hold a copy in my hand. That was dated December 15, 1919. When this deficiency appropriation came in the usual way, through the Secretary of the Treasury, it reached the Speaker's desk and was referred to the Committee on Appropriations. It was referred to the Committee on Appropriations for the reason that it contained a provision which made the money, $500,000, immediately available, and was therefore in the nature of a deficiency. So this supplemental estimate came from the Secretary of Agriculture in the regular way and was sent to the Appropriations Committee and did not come to the Agricultural Committee. That is the reason it is not included in this appropriation bill.

Now, this is a proposition that is on a par with a number of other appropriations that have been made. The corn of this country is one of the greatest and most important crops of the country. Take Missouri, my own State, and the adjoining States of Illinois, Kansas, Iowa, Nebraska, and so forth. We raise 50 per cent of the corn raised in the world. The State of Illinois alone raises one-tenth of all the corn raised in the world. Here is a pest that came into this country and we are trying to stop it before it gets to the great corn belt. This appropriation is on a par with two other appropriations that we have made in recent years.

A few years ago we went into the State of Florida, where we had the citrus canker, and it was feared that it would destroy the citrus industry in Florida and other Southern States. We appropriated half a million dollars for that. We have cleaned up that pest down there in Florida.

In the southern part of Texas there came in the pink boll worm, and we all feared that would destroy the cotton crop of the South. Immediately we made an appropriation, went down there, and cleaned up the pink boll worm.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. RUBEY. I ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RUBEY. Now, here is a worm that came in before we established a quarantine. The quarantine was established, I believe, in 1912. If we had established a quarantine 10 or 15 years sooner, we would not have had to contend with this corn borer. It is supposed to have been brought in here from Hungary by the importation of broom corn. We made an appropriation last summer and they have been working with that money. The State of Massachusetts has appropriated $100,000 and the State of New York has appropriated $100,000. Their legislatures are in session now and they will cooperate with us, and the United States Government and these States can probably stop the corn borer where it is now and keep it from spreading out and growing into the corn belt throughout the Central West. For that reason I offer this amendment. I do not think it will be opposed by any member of the committee. We are all for it. We did not put it into the bill because, as I have explained, the matter was pending before the Appropriations Committee on a deficiency bill about the time that we reported this bill to the House, and therefore they waited for the Appropriations Committee to take action.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. RUBEY. Certainly.

Mr. MANN of Illinois. The deficiency bill, of course, could not cover the same space of time supposed to be covered by this bill. Why was no estimate sent to the Committee on Agriculture—because the department did not know enough to do it?

Mr. RUBEY. No; if the gentleman will read the estimates and the hearings on the bill and the letter from the Secretary of Agriculture, he will see that it is all set forth there. The Chief of the Bureau of Entomology discussed this item in the committee hearings. The estimates had been sent to the Appropriations Committee and it was stated that if the amount was not allowed by the Appropriations Committee they would send in supplemental estimates.

In this table of estimates the statement is made that this matter is pending before the Appropriations Committee.

Mr. MANN of Illinois. That shows the absolute lack of knowledge in the Agricultural Department in making estimates.

Mr. RUBEY. No; that was the first estimate sent in in July. This came up before the 1st of December.

Mr. MANN of Illinois. The Appropriations Committee only has jurisdiction over deficiencies for this fiscal year.

Mr. RUBEY. The statement is made in the Book of Estimates that the first deficiency bill has passed both Houses and that it included no additional funds for the corn borer and that the department will therefore submit a further supplemental estimate. The Secretary of Agriculture sent this estimate through the Secretary of the Treasury on the 15th of December, and thought that it would go to the Committee on Agriculture, but it did not go to the Committee on Agriculture, because it had in it a proposition for immediate use of the money, and so it went to the Committee on Appropriations. As I say, the Secretary of Agriculture thought it would go to the Committee on Agriculture.

Mr. MANN of Illinois. I hope the Department of Agriculture will have somebody over there, with its 40 or 50 solicitors and law clerks, who knows that an estimate for the next fiscal year relating to agriculture does not go to the Committee on Appropriations and that the estimate for deficiencies does not go to the Committee on Agriculture. It seems to me it was a stupid performance on the part of the Department of Agriculture. Can not they get along with less than $300,000?

Mr. RUBEY. I do not think it is possible. There is an outbreak in Massachusetts, two in New York covering 800 square miles, one outbreak in the southern part of New Hampshire, and two, I think, in the northwestern part of Pennsylvania.

Mr. MANN of Illinois. And I believe there is an outbreak in New Jersey.

Mr. RUBEY. Not only that, but it is necessary for them to watch carefully the territory in the immediate vicinity where these shipments of broom corn were made a few years ago.

Mr. MANN of Illinois. I am in sympathy with the gentleman's amendment with a proper amount. My State has recently issued a quarantine against bringing goods from Massachusetts or New York on account of the corn borer, and other Western States will probably do the same thing. Somebody has got to investigate the corn borer, because we do not want it out West.

Mr. HAUGEN. Mr. Chairman, the gentleman has referred to the note in the Book of Estimates. The note states that the estimates for the control of the European corn borer have been omitted, and, further, that the estimates will be submitted later. There is no question that the proposition has merit, but the question now is, Are we going to legislate in the regular manner? The estimates submitted to Congress by the Secretary were referred to another committee—the Appropriations Committee. That committee is taking care of this proposition as far as the current year is concerned. When that committee has disposed of the proposition, the department states that it will submit an estimate in the regular way to our committee. This committee will then give the department's estimates consideration. The committee has always been fair in this matter. As gentlemen will remember, last year the department estimated $25,000. The committee gave $250,000. The gentleman from Missouri [Mr. RUBEY] asks $300,000 in his amendment. The department estimates $500,000 for the remainder of the current fiscal year, which estimate was referred to the Committee on Appropriations. State officials and entomologists ask $2,000,000. Are we going to be governed by these guesses and suggestions, or are we going to rely on the experts who have investigated the matter and await the department's estimates so that we can act intelligently in the matter? It is true there is some criticism as to the work that has been done, but I am not going to point it out here, for it is unnecessary. After the department's estimates have been properly received and after the matter has been given proper consideration, the committee will report the sum which it thinks will be necessary to effectively carry out the work for next year.

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. RUBEY. When will we have another opportunity? Not before we get another appropriation bill, and the borer is at work all over the country now.

Mr. HAUGEN. At the rate that we are going on this bill we will have ample opportunity to take up the matter with the department and still insert it in this bill. At this rate we will probably be here for a week longer. The department can surely submit an estimate in that time.

Mr. RUBEY. We have the estimate here that went to the Committee on Appropriations in regular form.

Mr. HAUGEN. It has been customary for our committee to act on estimates submitted to our committee and not to other committees. It is suggested that we ignore the department, the other committee to which the estimates were sent, and make an appropriation without estimates from the department or an agreement by the committee. What are estimates for, if not for advice and information? It is possible that $500,000 will be needed, possibly $300,000 will be sufficient, or $2,000,000 may be required, as suggested by many. It is too important a matter and involves too much to justify our appropriating here in the dark, especially when the matter is pending before another committee, which is fully as competent to deal with it as this committee.

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. RUBEY. Let me ask the gentleman this, and I think it will be fair: Suppose we ask unanimous consent that this item may be passed over, to be returned to later.

Mr. HAUGEN. I am perfectly willing to do that. It is far too important a matter to guess at.

Mr. RUBEY. So that we can take the matter up and confer with the Secretary of Agriculture and before the bill is completed return to it, so that we may be able to agree on what we should do.

Mr. HAUGEN. I concur with the gentleman. This is an important item. The people of my State are as much interested in it as the people of any State. It is too important to proceed with in the dark. We should have the benefit of the judgment of those who have investigated the matter. It can just as well be brought up in the regular manner.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. CARTER. Did the department submit any estimate at all to the Committee on Agriculture?

Mr. HAUGEN. The department did not.

Mr. CARTER. This estimate submitted to the Committee on Appropriations was submitted for the current year?

Mr. HAUGEN. Yes. It is to supply a deficiency, which emphasizes my contention that the matter should be given proper consideration and not be hastily disposed of by guess. We must provide a sufficient amount. That estimate to take care of the deficiency during the current year went to the Committee on Appropriations, and very properly so.

Mr. CARTER. Has there been no estimate submitted for the next fiscal year?

Mr. HAUGEN. No. The department stated when the regular estimates were submitted that it would submit estimates later when the Appropriations Committee had disposed of the estimates pending before it. So far all the estimates for the corn borer propose to make the money immediately available, and naturally and properly have been referred to the Appropriations Committee.

Mr. RUBEY. Mr. Chairman, I desire to submit a request for unanimous consent.

Mr. GOOD. Mr. Chairman, I desire to be recognized for five minutes on this item.

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Missouri?

Mr. GOOD. I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa has the floor.

Mr. HAUGEN. Then I ask unanimous consent that this matter may be passed over, with the privilege of returning to it later after the committee has had an opportunity to confer with the department and secure an estimate.

Mr. GOOD. I desire to speak on this item.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the matter may be returned to later. Is there objection?

Mr. GOOD. Reserving the right to object, I desire to address the committee on this item for a few minutes.

The CHAIRMAN. Is there objection?

Mr. GOOD. I object.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. HAUGEN] has expired. All time has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to proceed for five minutes on this item.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, in the last session, as I recall, an estimate for a deficiency of $250,000 was submitted for the eradication of the European corn borer, and the Committee on Appropriations heard the Department of Agriculture very extensively on this subject. During the present session of Congress an estimate for $500,000 was submitted, and the department appeared before the committee again, and we heard them, although at that time they said the condition had not changed since the time they appeared before us theretofore.

Gentlemen ought to get the matter straight in their minds with regard to this so-called European corn borer. It is an insect that has affected not only corn in those localities where it has been discovered, but it affects practically all vegetable growth. It is found in weeds, in the timber; it is found in the vegetation in the back yards, corn and oats in the field; and we had before us the pictures of Federal employees working in a 50-foot back yard pulling up tomato vines and everything of that kind and destroying them. It is not contended—and nobody appeared before any committee or will appear before any committee and contend—that we can exterminate this pest, no matter what the appropriation. The methods followed, I think, to a practical man, have been so foolish that there is not a man here who would attempt it and spend his own money in that way.

What are they doing with the money appropriated? They are going out into the cornfields and taking the farmers' corn and shredding it and steaming it. They are going out into the farmers' cornfields and raking up the cornstalks for the farmers and burning them. They are cutting the weeds and burning them that he should cut and burn. They are simply wasting the money.

Mr. RUBEY. Will the gentleman yield right there?

Mr. GOOD. Yes.

Mr. RUBEY. I read in the hearings, and I have read them thoroughly, where you asked a gentleman if that would not be the proper method, and he said it would not be.

Mr. GOOD. Yes; but that is how they are actually spending the money and the department practically concedes there is

nothing that can be done to exterminate this pest. It does not believe there ought to be a dollar of money expended in the way they are expending it, but justify their estimate on the theory that it will satisfy popular clamor when money is available for such purpose. That in view of the power to regulate, it does believe there ought to be some quarantine regulation with regard to sending seed corn to the West from infected areas, and I think that has occurred. Now, so far as the spread of the bore is concerned, this same broom corn went out into the Middle West and into the Mississippi Valley in shipments from the East, but so far the department has not found a single case of corn borer west of western New York. So far, they have found it only in sweet corn, practically, and in garden vegetation, oats, and weeds. And the method that has been employed with the money already appropriated, according to the unanimous opinion of the subcommittee on deficiencies, was an entire waste. They had pictures there of Federal employees, five or six of them, in a little 50-foot back yard, leaning on their hoe handles and fork handles, drawing Federal money, attempting to clean up some one's back yard. Such waste of public money would be comical if it was not such a tragedy. It did not impress the committee. And I will say to the gentleman that a majority of that committee come from corn-growing States, vitally interested in this matter, and it was the opinion of this committee that every dollar expended for exterminating this pest would be wasted.

Mr. RUBEY. May I ask the gentleman when that picture was taken?

Mr. GOOD. I think it was taken last fall.

Mr. RUBEY. The appropriation went into effect last July. The State of Massachusetts appropriated $100,000, and instead of putting their own State men in control of it they put it under the control of the Secretary of Agriculture, who sent his men down there to do the work under the Massachusetts men.

Mr. GOOD. If the gentleman will read the hearings he will find that they certainly do not commend themselves to the good judgment of the gentleman from Missouri or the good judgment of other Members of this House. It was the unanimous opinion of the committee, and I think it was the opinion of the men that came before the committee, that they could not exterminate this pest, and practically the only thing that was urged was some money for the quarantine. We felt that the appropriations carried in the Agricultural bill were sufficient to enforce all the quarantine law with regard to seed corn that was being shipped between the States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr Chairman, I ask unanimous consent for two minutes more.

Mr. SAUNDERS of Virginia. I object, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. RUBEY].

Mr. RUBEY. Mr. Chairman, I desire to submit the unanimous-consent request, in order to give the chairman of the committee and myself and other members of the committee an opportunity to confer with the Department of Agriculture. I ask unanimous consent that the amendment may be passed over, with the privilege of returning to it before we complete the bill.

Mr. HAUGEN. Not that the amendment be passed, but with the privilege of returning to it later. Withdraw the amendment and ask the privilege of returning to it.

Mr. RUBEY. Just let the amendment be considered as pending.

Mr. HAUGEN. Then, let us vote on the amendment and dispose of it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. RUBEY].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. RUBEY. Division, Mr. Chairman.

The committee divided; and there were—ayes 35, noes 26.

Mr. HAUGEN. Mr. Chairman, I ask for tellers.

Tellers were ordered; and Mr. HAUGEN and Mr. RUBEY took their places as tellers.

The committee again divided; and there were—ayes 55, noes 28.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For investigations of insects affecting southern field crops, including insects affecting cotton, tobacco, rice, sugar cane, etc., and the cigarette beetle and Argentine ant, $125,000, of which sum $25,000 shall be immediately available.

Mr. THOMAS. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. THOMAS: In the place of the figures "$125,000" in line 21 on page 58, insert, "$140,000," and after the word "available" in line 22, insert the following: "Of said sum $67,000 shall be immediately available, $42,000 of which shall be used for investigation and work in connection with the control of insects and worms injurious to tobacco."

Mr. CANNON. Mr. Chairman, I reserve a point of order on the amendment.

Mr. THOMAS. Mr. Chairman, there is an appropriation in this bill of $125,000 for the investigation of insects affecting southern field crops, among which are included insects affecting tobacco, and of this sum $25,000 shall be immediately available. This amendment simply increases the amount of the appropriation, and increases the amount which shall be immediately available. I think the amendment is in order. I think it is in order to offer an amendment to increase the appropriation, because I have observed many amendments of this kind have been offered in various bills and usually the sky is the limit if the person offering the amendment can get it through. I think that this amendment is perfectly germane. If the gentleman from Illinois desires to make the point of order, he can do it, and the Chair can pass upon it. I understood that he made it and did not reserve it.

Mr. CANNON. I will make it now.

Mr. THOMAS. All right; let the Chair pass upon it.

The CHAIRMAN. Does the gentleman from Illinois make the point of order?

Mr. CANNON. Let the amendment be read again.

Mr. THOMAS. Mr. Chairman, heretofore about $27,000 has been appropriated for an investigation of tobacco insects that affect growing tobacco, particularly what the Department of Agriculture calls the "tobacco hornworm." But when I used to pull worms off tobacco we called them just plain old-fashioned "green tobacco worms."

I notice in this bill, gentlemen, that about $189,000 is proposed to be appropriated for the destruction of the barberry bush. I can tell you how to destroy barberry bush without the appropriation of a single cent. That is to take a hoe and cut them down and burn them and keep that up until you have eradicated them. That is the only way to kill bushes. [Laughter.] I have tried it many a time on sassafras and persimmon sprouts. [Laughter.] It is the most effective thing in the world.

Gentlemen, I ask in this amendment an appropriation of only $42,000, an increase of $15,000, for the purpose of conducting investigations to eradicate the tobacco hornworm. Investigations along this line have been made for the last several years by the Department of Agriculture, and that department has discovered a remedy which, if applied to the plant, will kill the worm, and that is arsenate of lead. The department proposes to obtain 9 square miles in Todd County, Ky., and Montgomery County, Tenn., in the largest tobacco-raising region in the world, for the purpose of conducting experiments to see if it can not get rid entirely of the tobacco worm.

There is not another agricultural product that is taxed by the Federal Government, so far as I am informed; and tobacco, which is raised almost exclusively by the farmers of this country, for the fiscal year ending June 30, 1919, paid into the Federal Treasury over $206,000,000. And yet we are asking only the modest sum of $42,000 to conduct this experiment, which, if successful, will save a great deal of farm labor in this country. And in view of the fact that barberry bushes get $189,000, I think this House ought to appropriate the sum asked for the benefit of the farmers who raise tobacco, which is the third largest money crop, I believe, in the United States, and which pays to the Federal Government the only revenue paid by any agricultural product. I think you ought to be willing to donate this small sum of $42,000, even if you have to take it off the $189,000 that goes to barberry bushes. [Applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent to proceed for five minutes additional.

The CHAIRMAN (Mr. MANN of Illinois). The gentleman from Kentucky asks unanimous consent to proceed for five minutes additional. Is there objection?

There was no objection.

Mr. THOMAS. Raising tobacco, gentlemen, is the hardest of all farm work. After it is planted, or set out, as we call it, and it grows up a little, then comes worm time, and that is a mighty bad time on tobacco, and farmers have to pick the worms off by hand. In order to raise a crop of tobacco, you

have got to worm every plant of that tobacco every week in order to preserve it from the ravages of the worm. Tobacco is topped at various heights, running from 10 to 16 leaves, and when you worm tobacco you have got to go down the row and take it leaf by leaf to pick the worms off of it; and the worms are not on top of the leaf, gentlemen. Some of you, I suspect, especially those who live in the frozen North, do not know that. [Laughter.] The worm stays on the underside of the leaf, and you have got to raise the leaf up and look under it, and sometimes you will probably see a dozen little tobacco worms on one leaf, and you must pick them all off and mash and kill them between your fingers. [Laughter.] By the time you come out of a tobacco patch on Saturday night, after worming tobacco, having on the suit of clothes, of course, that you have worn all the week, you have got so much tobacco gum on you that your folks hardly know you when you go home. [Laughter.]

Now, gentlemen, this appropriation was asked for by Dr. Howard, who is Chief of the Bureau of Entomology, Department of Agriculture. Here is a memorandum that I have from him, sent to me by Mr. W. D. Hunter, the head of the Southern Field Crop Section, in which he says:

Memorandum for Dr. Howard.

It is recommended that an estimate be submitted for an increase of $15,000 in the funds provided for tobacco-insect investigations during the coming fiscal year.

For some years the investigation of tobacco insects has been conducted under an allotment of $27,000. With the increased amounts which must be paid for salaries, livery, and other necessary expenses the amount now available is not sufficient to conduct properly the work which should be undertaken in the interest of the tobacco industry. The investigation has reached a stage which requires more intensive and extensive experiments. A remedy for the tobacco hornworm has been discovered, but the most economical application of that remedy can only be determined by a series of farm experiments sufficiently wide and separated to give an average of conditions. One of the most important problems which now requires attention is the number of dosages which fit in best with general operations on the farm—that is, can labor not otherwise occupied be used to destroy the tobacco hornworm by hand economically at any stage instead of applying an insecticide? Another question requiring attention is whether the amount of poison applied should be only sufficient to kill the worms upon the tobacco at the time or strong enough to keep the tobacco free of worms for a considerable period. If it is feasible to apply sufficient quantities to protect the tobacco for some time the requirements for Burley, one-sucker, and broad-leaf tobaccos must be determined. There are also questions relating to dusting machinery which need to be investigated. It is likely that great improvements in the present machinery can be made as the result of further investigation.

In order to intensify the work along the lines indicated an increase of at least $15,000 in the funds available is absolutely necessary.

Yours, very truly,

W. D. HUNTER.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. THOMAS. I ask unanimous consent that I may have five minutes more. I do not occupy much of the time of the House, gentlemen.

Mr. HAUGEN. I ask that the gentleman be given five minutes.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Kentucky may proceed for five minutes. Is there objection?

There was no objection.

Mr. THOMAS. I have a communication here from a gentleman in Todd County—James S. Linebaugh, a large tobacco grower—right adjacent to the Tennessee line and to the district of the gentleman from Tennessee [Mr. BYRNS]. The writer says:

We are very anxious for Prof. A. C. Morgan, who is in charge of the tobacco-insect work in this section, to run an experiment, having a certain area in Todd County, Ky., and Montgomery County, Tenn., under the department's supervision, to determine the fact whether or not the tobacco worm can be exterminated.

These experiments will require a great deal of work, as you will see from a short outline of the work, as follows:

Prof. Morgan proposes to take charge of an area of about 3 miles square, containing about 9 square miles, the tobacco on these farms to be sprayed with arsenate of lead, as is usually done; then the department to take charge and destroy all abandoned plant beds; to destroy all suckers after the tobacco is cut, or to poison same, so that no worms will be allowed to mature and infest that area the following year.

I believe the experiment will be of great benefit to the tobacco growers.

Dr. Howard recommended to the Secretary of Agriculture that an increase of $15,000 be made.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. THOMAS. Yes.

Mr. BYRNS of Tennessee. Inasmuch as the Government has already spent a good deal of money for the purpose of developing arsenate of lead to destroy the tobacco worm, does not the gentleman think that as a matter of good business and ordinary common sense this Government ought to provide for a proper and practical demontration in behalf of the farmer?

Mr. THOMAS. Yes. At Clarksville, Tenn., about 12 or 13 miles from the Kentucky line, there is a laboratory which has been there for several years in charge of Prof. Morgan, of the Agricultural Department. It was erected there for the purpose of making these investigations, and they have proceeded far enough to find a remedy that will absolutely destroy the worm on the tobacco plant. Now they want to experiment further so as to find a remedy that will entirely eradicate the tobacco worm.

In that part of the country work in tobacco takes more time during the year than all the other crops on the farm, and if this remedy can be found it will be a great thing for the general production of the country in other farm products, because it will enable great numbers of farm hands who have devoted their time almost exclusively during the summer season to the getting of the worms off the tobacco plants to devote their time to other farm work and will enable farmers to raise greater amounts of corn, wheat, and other kinds of farm products. I trust the gentlemen who vote against this amendment will be compelled to chew barberry root and smoke barberry leaves in place of tobacco. [Applause.]

The Republican Party demanded with crocodile tears of patriotism that Mr. Wilson return to this country and call into immediate session the "onliest" Congress, so it could at once pass much-needed legislation to reduce the high cost of living, and yet it has been in session many months and the cost of living has steadily increased, and the profiteer, as he always does under Republican control, has waxed fat and insolent. The most this House has done in an alleged effort to reduce the high cost of living is to repeal the tax on ice cream and soda water, cut to the quick the Agricultural appropriation bill, which is a bill in the interest of farmers, and pass an outrageous appropriation for the eradication of the barberry bush, claimed to be an infant of lusty growth that causes rust on wheat, though few, if any, wheat farmers have ever heard that it would do so. Many grain fields were within a few rods of the alleged infected barberry bushes and the wheat was not infected with rust.

The sanitary wisdom of those working for barberry bushes and an appropriation is wonderful, and is fully appreciated by this Congress in the donation of about $189,000 to eradicate an imaginary evil, while at the same time the appropriation for eradicating hog cholera was reduced $100,000.

This Republican Congress opposes an increase of $15,000 for the eradication of the tobacco hornworn. This appropriation at present is only $27,000, and tobacco is one of the largest money crops raised in the United States and is the only agricultural product that pays any revenue tax to the Government. For the fiscal year ending June 30, 1919, the revenue collected by the Government from tobacco products was over $206,000,000. The money value of the tobacco crop, as estimated by the Department of Agriculture, for 1918 was $402,264,000 and $542,547,000 in 1919, but the Republican Party opposes a slight increase in the appropriation to lighten the labor of the toilers in the tobacco fields, while it cheerfully appropriated $5,777,842 for looking after national forests, situated chiefly in the North and West. This Congress also appropriated $52,330 for classification and exchange of bugs and other insects. I presume that sum was for paying "boot" in swapping bugs with our allies.

The Weather Bureau also came in for an appropriation of $1,879,010. I do not know what the $10 is for, but I do know most people have no more faith in the weather prognostications of that bureau than they have in the groundhog, and in addition there are scores who believe that most any old farmer can give that bureau six and the go and beat it as a weather predictor.

But why enumerate? A volume would not record the legislative sins of the Republican Party. Word has been handed around that expenses must be cut so that party can make a record for economy this Congress. This Congress will pass the Esch-Cummins railroad bill. That bill will saddle on the taxpayers a debt of $2,000,000,000 or more in the way of railroad subsidy. They make the specious plea and untrue allegation that it is for the purpose of repealing an alleged Government ownership law under which they affirm the railroads are operated. There is no such law and never has been. There has been and now is Government operation, but not ownership. Regardless of the Esch-Cummins bill the railroads under the law and the proclamation of the President will be returned to the private owners the 1st of March, and the bugaboo of Government ownership is a scarecrow erected by those who are making a raid on the Treasury in the interest of the railroads to frighten the timid.

The Esch-Cummins bill violates the Constitution in at least two particulars; that is, it seeks to fix wages, which is a matter of contract between the parties; and it takes private property for public purposes without compensation; and so the railroads will grow fatter than ever on the taxes wrung from the people.

I say the bill will pass. The corridors of the Capitol have been thronged with the mightiest railroad lobby that has been seen

in this city in many years—poor widows and orphans, children I presume who are holders of railroad securities, though all of them, I have noticed, are silk or other costly "hatted" persons wearing fine coats and "pants" and most of them diamond breast plates.

The bill will pass. The Republican campaign committee needs campaign funds, and many of the leaders of that party are old adepts at frying the fat out of corporations. Many Republicans will hang back, as they are opposed to the bill, and a few may vote against it, but the Republican House steering committee will get busy, and the gentleman from Wyoming [Mr. MONDELL], the ringmaster of the entire aggregation, will crack the party lash and make the hides of the recalcitrants pop like new hogskin saddles, and they will fall over one another when voting time comes to rush into the Republican fold. So why should the Republican Party care anything about a farmer or an agricultural bill when they can cut the agricultural appropriations in the interest of economy and thereby be enabled to appropriate more to the railroads and Wall Street holders of securities.

The next day after the conference report of the committee on the Esch-Cummins bill was made to the House railroad securities advanced rapidly in Wall Street, and experts estimate that stock gamblers cleared a billion and a quarter dollars in a single day on railroad securities.

Wyoming, the State of the gentleman, Mr. MONDELL, is essentially a Republican cattle-raising State. We are told that there is a herd of 10,000 elk now facing starvation in Jackson's Hole, in that State, and the Bureau of Biological Survey has been buying hay at a cost of more than $60 per ton to feed them, notwithstanding which there is danger that the herd will perish. Several years ago a winter range was set apart in Teton Forest reserve for this herd of elk, but cattle has been permitted to graze there in the early summer and their use of the reserve has left nothing for the elk. The range has been practically destroyed owing to overstocking with cattle, and a jack rabbit would starve where 10,000 elk were supposed to subsist. In the past few years the number of cattle has trebled, while the number of elk has greatly decreased. Cattlemen pay 50 cents for each adult beef animal pastured on this range, and the gentleman from Wyoming [Mr. MONDELL] insists that the Government make an appropriation to pay $60 per ton for hay to feed the elk while cattlemen who rule Wyoming politically shall pay only 50 cents a head for cattle eating the grass that by law was set apart for the elk. Some more Republican economy.

It may be that Republican Senators and Representatives are prophets not without honor in Wyoming as well as Washington.

The trouble with the gentleman from Wyoming [Mr. MONDELL] and his steering committee is they have lost their rudder as well as their rabbit's foot and are dashing toward the rocks. They are now beset by many legislative political ills—such as compulsory military training, as to which they have suddenly developed a serious case of cold feet until after the election—which even that eminent leader and political physician of the Congressional campaign committee [Dr. FESS] is unable to diagnose and properly prescribe for.

In fact the entire aggregation is in the condition of the crying baby. They want to do something, but do not know just what except as to one thing, and that is to assist Wall Street and the holders of railroad securities all they possibly can.

"John," said an anxious mother to her little son, "what is the matter with baby?" "I don't know what to do with him," replied John, "he's dug a hole in the ground and wants to bring it into the house."

Mr. MONDELL and his steering committee have dug many holes and would like to bring them into the house away from the public sight, but do not know just how to go about it. This increased tobacco appropriation should be passed. There are Republicans who are patriotic enough to vote for it. It is solely in the interest of the farmer and the toiler in the tobacco fields.

There is a class of city fiction writers employed by daily papers whose vision is narrow and limited, whose gray matter is thin, and who believe that the farmer was foreordained to raise food for them at and below cost, but if something is not done to get people back on farms and at work instead of loafing around cities and demanding that the Government support them this same class of people will feel an emptiness of stomach and the gnawing of hunger at the place where their food used to be.

The farmer should first of all have legislative encouragement. He is the Atlas on whose shoulders rests the entire burden of food production. He is the bed rock of the productive world and never strikes. He rises with the dawn and ceases from work in crop season only when darkness falls. Without his labor food production would fail, famine would stalk abroad in the land, and this Republic would cease to be even a memory. [Applause.]

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

Mr. CANNON. Mr. Chairman, were points of order reserved on this bill?

Mr. HAUGEN. Yes.

Mr. CANNON. Mr. Chairman, this bill is for the coming fiscal year and not for this fiscal year. The Committee on Appropriations would have jurisdiction. I do not think I need amplify what I call attention to now. The point of order runs to the "immediately available" part of the bill as reported and then as it is stated in the amendment, too.

Mr. BYRNS of Tennessee. I submit, Mr. Chairman, that the point of order to the bill itself comes too late, and certainly this amendment is in order.

The CHAIRMAN. The gentleman from Illinois [Mr. CANNON] makes a point of order to the amendment offered by the gentleman from Kentucky [Mr. THOMAS] on the ground that it amends a provision of the bill which makes a part of the sum immediately available. The Chair would state that if the point of order had been made to the language of the paragraph as read it would have been subject to a point of order, and the point of order would have been sustained. But the Chair thinks that, no point of order having been made to the language of the paragraph, it is in order to amend it by a germane amendment. The Chair thinks the amendment offered by the gentleman from Kentucky is germane to the provisions of the paragraph and not subject to a point of order.

Mr. CANNON. That is to say, you can by amendment make the whole of the $125,000 immediately available?

The CHAIRMAN. No point of order having been made to the language of the bill as reported, yes.

Mr. CANNON. You could make it a billion dollars, written in here by way of amendment, and it would not be subject to a point of order because of the $25,000 in the bill as reported?

The CHAIRMAN. That is true. The Chair is compelled to overrule the point of order.

Mr. CANNON. I am not sure but that the Chair is right.

Mr. SAUNDERS of Virginia. Mr. Chairman, representing as I do a tobacco district, and with a full realization of the importance of this subject, I wish to corroborate all that the gentleman from Kentucky [Mr. THOMAS] has said in relation to tobacco worms, as the bane of the tobacco planter. The worming of tobacco is one of the most tedious, laborious, and dirty jobs on the farm. From the time that the worms first appear, down to the time that the tobacco is cut, they are always with the tobacco grower, though more abundant at two periods in the growth of the crop than at other times. Even when the farmer has cut his tobacco and hung it in the barn he finds as soon as heat is applied that the barn floor is littered with great worms that have been overlooked by the pickers.

We are all keen on the subject of economy, but I do not think there is any economy in cutting off or reducing investigations which have such potentialities as these investigations of subjects related to agriculture that are authorized by this bill. What would be the condition of the Irish-potato industry to-day if the potato raisers had not learned to treat the potato bug by the application of paris green to the growing plants? The effort has been made by the Agricultural Department to discover some method equally as efficient for the destruction of the tobacco worm as Paris green has proved to be for the destruction of the potato bug. Two or three insecticides have been tried out by the department in these experiments. They have experimented with Paris green and with arsenate of lead, and as a result of these experiments have ascertained that perhaps arsenate of lead in dry form is the most effective insecticide for the destruction of tobacco worms.

What is now needed, as suggested by the gentleman from Kentucky [Mr. THOMAS], is the ascertainment of the proper frequency of application and the discovery of an efficient, foolproof machine for dusting the plants with this powder. If some method of destroying tobacco worms by poisoning, as efficient as the destruction of the potato bug by Paris green, is perfected and put into use, it will be difficult to appraise the importance of this discovery in the conservation of labor on the tobacco farms.

The department believes that the progress already made is sufficiently encouraging to justify it in asking for an increase in this appropriation. As I have said, if only they can work out what they have in mind to do, namely, an approved device for applying the powdered arsenate, and the proper frequency of application, then they will have solved a problem of the very greatest importance to the tobacco raisers and the tobacco consumers, as well as to the general public. Such a discovery

put into universal use would free a very great amount of labor for more productive work.

That is the situation, Mr. Chairman; and the amount that is asked for, having in mind the value of this crop, is very small. The objection that a completely satisfactory result has not already been secured, if offered as a reason why we should abandon this experiment, is wholly illogical.

As I said in a recent colloquy with a gentleman on this floor, the destruction caused by the cotton-boll weevil in the South has been enormous. The department has been working for years to find some method of exterminating or controlling the boll weevil. So far they have not afforded a complete solution. Indeed, they have not discovered any method of substantially combating this pest.

This destructive insect is marching on, gaining ground every year. But bearing in mind his destructiveness, bearing in mind what it will mean to this country and to the world should the scientific inquirers now at work devise some method of effectually dealing with this mischief, do the members of this committee consider that it would be wise policy to abandon our efforts to combat this menace to one of the most important crops in the field of agriculture?

Some years ago the peach and apple orchards of this country were ravaged by a bug that was brought into the United States from China. Science for a time was unable to afford a remedy, and in my State and other States whenever orchards became infested with this bug, under advice from the experts these orchards were cut down and burned. But the efforts to discover an effective remedy for this imported pest were not relaxed. Finally the appropriate treatment was afforded in the lime-sulphur spray and this particular mischief is now under control. If the task of working out a remedy for this trouble had been abandoned as hopeless, orchard values in the United States would have been reduced to an extent running into hundreds of millions of dollars.

Mr. HAUGEN. Mr. Chairman, I am familiar with the ravages of the tobacco worm. The department estimated that $8,000 would be required. Does the gentleman think that it is necessary to increase the amount by $15,000 when the department estimates an increase of $8,000?

Mr. SAUNDERS of Virginia. I will not suggest that you increase anything over what the department has asked for in this connection.

Mr. HAUGEN. The department estimated $8,000. This item, as a whole, carries an increase of $24,600 over the appropriation for the current year.

Mr. SAUNDERS of Virginia. I did not gather that from the statement read by the gentleman from Kentucky [Mr. THOMAS].

Mr. BYRNS of Tennessee. Mr. Chairman and gentlemen of the committee, the gentleman from Kentucky [Mr. THOMAS] and the gentleman from Virginia [Mr. SAUNDERS] have very fully discussed this amendment, which is of very great importance, particularly to tobacco growers. As the gentleman from Kentucky stated, some years ago the Department of Agriculture established an experimental station at Clarksville, Tenn., in the district that I have the honor to represent, for the purpose of investigation and experiment as to the most effective method for the destruction of the tobacco worm. Prior to that time the farmers had commenced to use Paris green to destroy the worm. But it was found to be of very uncertain value, because when applied it often burned and destroyed a portion of the plant, and it was difficult to apply it in the proper proportion and at the proper time so as to destroy the worm and not injure the plant.

Realizing this, Congress made an appropriation, and the Department of Agriculture thought it of sufficient importance to establish this experimental station. After some years of investigation Prof. Morgan has discovered a remedy which, if properly applied, will absolutely do the work and which will not injure the tobacco plant; that is arsenate of lead, to which gentlemen have referred. The department has discovered this remedy. Congress has appropriated from time to time each year a few thousand dollars to enable the remedy to be discovered. All we want and all the department wants is an opportunity to demonstrate to tobacco growers that this is a practical remedy and show them how it should be applied. It seems to me that when you take into consideration the value of the crop, and what it means to the tobacco grower, that $15,000 which is required is a very small sum indeed. It would seem to be very poor business for Congress to make an appropriation to find a remedy and then after discovering it fail to make a demonstration to show how it should be applied and how to best realize the results desired. I hope in view of these facts that the committee will see fit to adopt the amendment offered by the gentleman from Kentucky.

Mr. HAUGEN. I desire to say that the appropriation for the current year is $100,400, and the committee reports in this bill $125,000, which is an increase of $24,600. The department has asked for $8,000 for this purpose, and we have allowed that amount estimated by the department.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. BYRNS of Tennessee. I want to ask the gentleman this question. I understood that those in charge of this work asked for a greater sum, and insisted that the sum of $8,000 would by no means be sufficient to carry on demonstration work. The gentleman from Kentucky read a letter from Dr. Hunter, who is in charge of the work, who stated that $15,000 was necessary. If they are expected to demonstrate the usefulness of this remedy, they ought to have sufficient money with which to do it.

Mr. HAUGEN. I have not had my attention called to it. Is that a supplemental estimate?

Mr. THOMAS. I read from a letter from Dr. Hunter.

Mr. HAUGEN. I was out of the Chamber at the time and did not hear the gentleman's letter read.

Mr. THOMAS. He said that $15,000 was necessary. That is the statement of Dr. W. D. Hunter.

Mr. HAUGEN. The usual way is to submit the estimates through the Secretary. I had no knowledge of it myself. I do not question the gentleman's statement. The fact remains that the committee has recommended an increase of $24,600.

Mr. THOMAS. Mr. Chairman, I wish to modify my amendment.

The CHAIRMAN (Mr. MANN of Illinois). The gentleman from Kentucky asks leave to modify his amendment in the manner which the Clerk will report.

The Clerk read as follows:

Page 56, line 21, after the word "and," strike out the balance of the paragraph and insert in lieu thereof: "$140,000, of which sum $67,000 shall be immediately available, $42,000 of which shall be used for investigation and work in connection with the control of insects and worms injurious to tobacco."

Mr. HAUGEN. I reserve a point of order on that.

The CHAIRMAN. The Chair will call the attention of the gentleman from Iowa to the fact that the Chairman has ruled that the amendment is in order. Is there objection to the request of the gentleman from Kentucky to modify his amendment?

Mr. HAUGEN. I shall have to object, as I understand it increases the amount.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, an appropriation for these lines of work has been carried for a number of years. Last year there was an increase over the previous year of about $10,000, bringing it up to $100,400. This year the committee recommends that it be further increased to $125,000. That will be a growth in less than 10 years from $50,000, at which figure it was carried for some time, to $125,000. It would seem to the committee that that will provide for reasonable extension of the work.

I have no objection. I have never heard any objection raised in the Committee on Agriculture to all kinds of experiments and investigations nor to a reasonable amount of demonstration. I realize that they are the important duties of the department; but there is, I believe, ground for criticism of the department going out and doing a lot of manual labor in connection with its demonstrations. The demonstrations the gentleman speaks of will involve the performance of a great deal of labor. Evidently the investigations have been concluded, experiments have been successful, and the department has determined that a certain remedy which it has worked out and tried out, if properly applied, will be effective.

Mr. THOMAS. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. THOMAS. Under this paragraph did not the department ask for $178,000?

Mr. McLAUGHLIN of Michigan. That is true.

Mr. THOMAS. And the committee cut it down to $125,000?

Mr. McLAUGHLIN of Michigan. That is true.

Mr. THOMAS. And you have cut the tobacco appropriation in that proportion?

Mr. McLAUGHLIN of Michigan. No; we have not cut the tobacco appropriation; the total of the appropriation for all lines of work is increased $25,000 over last year, $75,000 over about five years ago. The entire amount or any part of it can be used in such lines of work as the department wishes to carry out.

Now, I wish to submit a word in regard to some lines of work the department does. I repeat I think the department ought to experiment, investigate to the limit, in order to find causes of trouble and remedies for it if possible, and to a certain extent demonstrate the proper manner of applying the remedies; but

it seems to me the extent to which the department has gone and is inclined to go in some of its demonstrations is not wise or proper. I might particularize and give instances and examples of the manner and extent of this bureau's far-reaching work, extending, I mean, to the doing of an immense amount of physical labor in carrying its demonstrations to the people, but I do not wish to say anything by way of seriously reflecting on the officers of the bureau. It is one of the great bureaus of the department, a highly scientific bureau, and I have confidence in its officials and appreciate it may be presumptuous of me to be very critical. I shall confine myself to making a protest—I have expressed myself before quite vigorously to the same effect—and say that demonstration involving large physical labor can not be expected of this scientific bureau, nor should it be permitted even if the bureau people wish to do it.

Take some of this work that is to be done and proposed in Kentucky. This infestation has been prevalent in that State a long time; tobacco is one of their great crops, but I have not learned that the Legislature of the State of Kentucky has ever appropriated a dollar to assist in this kind of work. It had done nothing for its own people. They come to the Federal Government, perhaps properly so, to have these experiments and investigations made. The department has determined a remedy and how to apply it. It requires simply physical labor. Are you going to employ men, as were employed to go around with scissors cutting weeds in an attempt to exterminate the corn borer, or as you employed 500 men to go out and cut brush to destroy and prevent the spread of gypsy moths and brown-tail moths? Are you going to hire men to go out into the tobacco fields and apply the remedy, easy of application, one that the department has worked out? In my humble judgment we are carrying these paternalistic policies to a ridiculous extent. It seems to me that in this particular matter we have appropriated money enough, and if the people themselves will help a little, supply a little money and be willing to do some of their own work, it will not be necessary for the Federal Government to appropriate so much. The appropriation was increased in 1919 from $89,400 to $100,400. This year it is to be $125,000 if the recommendation of the Committee on Agriculture is approved by the House. It seems to me that that increase is enough, and every dollar of it, if the department so determines, is available for the particular work in which gentlemen from Kentucky seem to be so much interested. I trust the increase involved in the amendment of the gentleman from Kentucky will not be agreed to.

Mr. SNELL. Mr. Chairman, I offer an amendment to the amendment to strike out the figures "$140,000" and insert in lieu thereof the figures "$100,400," and to strike out "$67,000" and insert in lieu thereof the figures "$25,000.'"

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend the amendment offered by Mr. THOMAS by striking out "$140,000" and inserting in lieu thereof "$100,400," and striking out the figures "$67,000" and inserting in lieu thereof the figures "$25,000."

Mr. SNELL. Mr. Chairman, everyone on the floor of this House is talking about economy, but he wants that economy to apply to some one else rather than himself. I do not want to cut down appropriations so that it will cripple any department of the Government. I want them to have enough money to go along and function and do what is reasonably expected of them. Last year for this service we appropriated $100,400. There is no reason in the world why there should be any more money for this service this year than last. If we are going to practice economy in this House, which we talk so much about, I think now is the time to show whether the Members of the House want the economy or not. It certainly will not cripple the work if we give them the same amount of money that they had last year, and that is what is provided for in my amendment. I hope it will be adopted.

Mr. WILSON of Louisiana rose.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate upon this amendment and all amendments thereto be now closed.

Mr. WILSON of Louisiana. Mr. Chairman, I rise in opposition to the amendment.

Mr. HAUGEN. Then I move that debate on this amendment and all amendments thereto now close.

The CHAIRMAN. The gentleman from Iowa moves that debate upon the pending amendment and all amendments thereto now close.

The question was taken; and on a division (demanded by Mr. WILSON of Louisiana), there were—ayes 65, noes 18.

So the motion was agreed to.

Mr. KINCHELOE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KINCHELOE. Inasmuch as there was objection made to the modification proposed by my colleague [Mr. THOMAS], if the substance of that modification were in the way of a substitute would it be in order?

The CHAIRMAN. That would be in order. The question now is on the amendment of the gentleman from New York to the amendment of the gentleman from Kentucky.

Mr. BEGG. Mr. Chairman, if there is no objection, I would like to have the amendment reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from Kentucky [Mr. THOMAS] and the amendment to the amendment offered by the gentleman from New York [Mr. SNELL].

There being no objection, the Clerk again reported the Thomas amendment and the Snell amendment to the Thomas amendment.

The CHAIRMAN. The Chair would like to call the attention of the gentleman from Iowa to the objection to the modification of the amendment of the gentleman from Kentucky [Mr. THOMAS]. Of course, it is not the duty of the Chair to do so. The amendment of the gentleman from Kentucky is to insert after the language "of which sum $25,000 shall be immediately available" a provision making $67,000 immediately available. If the gentleman from Kentucky wishes to modify his amendment, therefore, it will strike out the language "of which sum $25,000 shall be immediately available" in the bill.

Mr. HAUGEN. Then nothing will be immediately available.

The CHAIRMAN. It would not duplicate the item.

Mr. HAUGEN. That is all right.

The CHAIRMAN. Does the gentleman from Iowa wish to object to the modification?

Mr. HAUGEN. No. I withdraw my objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky for the modification of his amendment? [After a pause.] The Chair hears none. The Clerk will now report the amendment of the gentleman from Kentucky as modified, and then the amendment to that amendment offered by the gentleman from New York.

The Clerk read as follows:

Modified amendment by Mr. THOMAS: Page 58, line 21, after the word "ant," strike out the balance of the paragraph and insert: "$140,000, of which sum $67,000 shall be immediately available, $42,000 of which shall be used for investigations and work in connection with the control of insects and worms injurious to tobacco."

Amendment to the amendment offered by Mr. SNELL: Strike out "$140,000" and insert in lieu thereof "$100,400," and strike out "$67,000" and insert in lieu thereof "$25,000."

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. SNELL].

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. THOMAS. Division, Mr. Chairman.

The committee divided; and there were—ayes 64, noes 62.

Mr. RUBEY. Mr. Chairman, I ask for tellers.

Tellers were ordered, and Mr. SNELL and Mr. THOMAS took their places as tellers.

The committee again divided; and the tellers reported—ayes 79, noes 69.

So the amendment to the amendment was agreed to.

The CHAIRMAN (Mr. WALSH). The question is on agreeing to the amendment as amended.

Mr. MANN of Illinois. Mr. Chairman, I ask unanimous consent for two minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for two minutes. Is there objection?

Mr. BEGG. Reserving the right to object, may I inquire of the gentleman——

Mr. MANN of Illinois. No. The gentleman can do as he pleases.

The CHAIRMAN. Is there objection?

Mr. BEGG. Mr. Chairman, debate was closed on this proposition. If the gentleman is going to debate it, I would be inclined to object. If it is on any other subject, I will not object.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN of Illinois. Mr. Chairman, the amendment that was just agreed to, to the amendment of the gentleman from Kentucky [Mr. THOMAS], strikes out $67,000 and inserts $25,000, and then leaves in $42,000 without being changed. Now, what the gentleman in charge of the bill wants to do about it I do not know, but it will not make sense if the amendment should be agreed to.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Kentucky [Mr. THOMAS] as amended by the amendment of the gentleman from New York [Mr. SNELL].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. SNELL. Division, Mr. Chairman.

The committee divided; and there were—ayes 62, noes 64.

So the amendment was rejected.

Mr. SNELL. Mr. Chairman, I offer the following amendment, that in line 21, page 58, in place of the figures "$125,000" insert "$101,000," and cut out the balance of that section down to and including line 22.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SNELL: Page 58, line 21, strike out "$125,000" and insert in lieu thereof "$101,000," and strike out the remainder of the paragraph.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SNELL].

Mr. WILSON of Louisiana. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The Chair understood that debate was closed on the paragraph and all amendments thereto.

Mr. WILSON of Louisiana. I understood the debate was closed——

The CHAIRMAN. The Chair understood, although not occupying the chair at the time, that the debate was closed by motion on the paragraph and all amendments thereto. If the Chair is misinformed, he will ask the gentleman from Iowa [Mr. HAUGEN] to correct him.

Mr. HAUGEN. The debate was closed. I made the motion, and it was carried.

Mr. WILSON of Louisiana. I understood it was on the Thomas amendment.

Mr. HAUGEN. And all amendments thereto.

Mr. WILSON of Louisiana. Mr. Chairman, this is a very important item. I have not occupied any of the time of the committee, and I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to proceed for five minutes. Is there objection?

Mr. LAYTON. I object, Mr. Chairman.

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. SNELL].

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. RUBEY. Division, Mr. Chairman.

The committee divided; and there were—ayes 77, noes 60.

So the amendment was agreed to.

The Clerk read as follows:

For investigations of insects affecting forests, $40,000.

Mr. BANKHEAD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Alabama moves to strike out the last word.

Mr. BANKHEAD. Mr. Chairman, I have made this motion for the purpose of calling to the attention of the committee a rather sensational story that has appeared in to-day's issue of the Washington Times and, I am informed, other papers, and which has also been called to the attention of the Members of Congress by telegrams received from the city editor of the New York American, with reference to the proposed sale by the Shipping Board to foreign interests of the German passenger vessels which became our prize as the result of the war.

Mr. BLANTON. Mr. Chairman, I am forced to make the point of order that the gentleman is speaking out of order and not speaking on the Agricultural appropriation bill.

The CHAIRMAN. The gentleman from Texas makes the point of order that the gentleman from Alabama is not discussing the amendment.

Mr. BLANTON. We have a great deal more of this bill to consider.

The CHAIRMAN. The Chair will be compelled to sustain the point of order.

Mr. KINCHELOE. Mr. Chairman, inasmuch as this is of great interest to the whole country, there ought to be some statement made about it. I ask unanimous consent that the gentleman from Alabama may proceed for five minutes out of order.

Mr. BLANTON. Let him extend his remarks.

The CHAIRMAN. The gentleman from Kentucky [Mr. KINCHELOE] asks unanimous consent that the gentleman from Alabama [Mr. BANKHEAD] may proceed for five minutes out of order. Is there objection?

Mr. BLANTON. Reserving the right to object, Mr. Chairman, we have a great deal more of this Agricultural bill to consider. I shall not object to the gentleman extending his remarks.

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. The regular order is demanded.

Mr. THOMAS. Mr. Chairman, I move that the gentleman from Alabama [Mr. BANKHEAD] be allowed to proceed for 10 minutes.

The CHAIRMAN. The Chair does not think that is in order.

Mr. SMALL. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from North Carolina moves to strike out the last two words.

Mr. SMALL. Mr. Chairman, when we should reach the section of the bill concerning the Bureau of Biological Survey I had desired to submit some remarks, but as it is apparent that we shall not reach that part of the bill this afternoon and not before to-morrow, and I shall not be able to be in the Chamber to-morrow, I ask unanimous consent to proceed for five minutes on that part of the bill.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to proceed for five minutes on a subsequent paragraph of the bill at this time. Is there objection?

Mr. CLARK of Florida. Reserving the right to object, Mr. Chairman—and I do not want to object—I will not be here to-morrow either, and I am very anxious to offer an amendment to the next section of the bill.

Mr. SMALL. I do not expect to ask for any extension of time, only for five minutes.

The CHAIRMAN. Is there objection?

Mr. CLARK of Florida. I will not object to that, but I will object to anybody else.

The CHAIRMAN. The gentleman from North Carolina is recognized for five minutes.

[Mr. SMALL addressed the committee. See Appendix.]

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. SMALL. Mr. Chairman, I shall not ask for further time, but I do ask for leave to revise and extend my remarks.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the debate on the pending paragraph and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the debate on the pending paragraph and all amendments thereto be now closed. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For investigations of insects affecting truck crops, including insects affecting the potato, sugar beet, cabbage, onion, tomato, beans, peas, etc., and insects affecting stored products, $110,000.

By unanimous consent, Mr. EVANS of Montana and Mr. SMITH of Idaho obtained leave to revise and extend their remarks.

Mr. CLARK of Florida. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Florida offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CLARK of Florida: Page 59, line 3, after the word "products" strike out the figures "$110,000" and insert in lieu thereof the figures "$131,760."

Mr. CLARK of Florida. Mr. Chairman, last year this bill carried for this purpose $134,960. The estimates for this year are $131,760. I would like to have the attention of the chairman of the committee for a moment.

Mr. HAUGEN. The gentleman has my undivided attention.

Mr. CLARK of Florida. I understood the chairman of the committee to say a while ago, in debating an amendment offered here, that the committee and the House ought to stand by the estimates of the department. I now appeal to the chairman of this committee to stand by his own proposition. I agreed with him fully in his remarks on that subject, and I hope my friend will be perfectly and absolutely consistent, as he generally is, and vote with me for this amendment, because this is the exact estimate of the department. I would like to know upon what theory the committee have cut out this amount of $21,000.

Mr. HAUGEN. I regret that the Committee of the Whole did not follow my suggestion that the estimates made by the department be used as a guide in determining the amount of these appropriations.

The Committee on Agriculture have given careful consideration to every estimate made by the department and have not gone beyond those estimates, but the Committee of the Whole have gone beyond them. On this item, as on all the other items, we think we have been very liberal in the amounts which we have reported to the House.

Mr. CLARK of Florida. I want the gentleman to stand by his statement that he is going to be governed by the experts in the department. I call attention to a telegram which I have received from the head of the plant bureau in my State. Something has been said about the appropriation for citrus canker in Florida. I want to say that the State of Florida matched dollar for dollar with the Federal Government in the eradication of citrus canker. This insect is destroying the sweet-potato industry in a number of States. The State of Florida is appropriating money along with the General Government to deal with this insect, which threatens to destroy this great food product. I undertake to say that there was not a scintilla of evidence before the committee to justify them in cutting down this estimate of the department $21,760. The amount asked by the department for the coming year for this purpose was $3,200 below the amount carried by the bill last year.

Mr. Chairman, my friend from Iowa [Mr. HAUGEN] insisted before this committee a few moments ago that we had no other means of knowledge except what the experts said, and in his testimony before the committee Dr. Howard insisted upon this full amount. Yet the committee, who admit that they are not experts and that they know nothing about the needs of this proposition except as they get it from the department, have cut down the estimate of the department by $21,760. I would like to know from the chairman of the committee upon what theory they did it and what evidence was before them that warranted their action in thus seriously injuring the great food crops of sweet potatoes, sugar beets, cabbage, and so forth?

I ask that this telegram may be read, Mr. Chairman.

The CHAIRMAN. Without objection, the telegram will be read in the gentleman's time.

The Clerk read as follows:

GAINESVILLE, FLA., *February 11, 1920.*

Hon. FRANK CLARK,
House Office Building, Washington, D. C.:

House Agricultural Committee has cut item for food truck inspection investigation, Bureau of Entomology, twenty-one thousand below Secretary of Agriculture request, which was same as amount appropriated last year. Unless restored to original amount requested by Secretary, department will be unable to continue cooperating with us eradicating sweet-potato weevil. Several thousand already expended from State and Federal fund will be lost. Eradicating work very successful. Please try to get amount restored. Letter follows.

WILMON NEWELL.

Mr. CLARK of Florida. I want to say that this is no time to be cutting down appropriations for the increase of food products, in my opinion. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, in reply to the gentleman's question, I desire to say that a situation created by the gentleman and his colleagues on that side has made it necessary to reduce the estimates.

I ask unanimous consent that the debate on this paragraph and all amendments thereto be closed.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the debate on this paragraph and all amendments thereto be closed. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. CLARK].

The question being taken, on a division (demanded by Mr. CLARK of Florida) there were—ayes 36, noes 70.

Accordingly the amendment was rejected.

The Clerk read as follows:

Total for Bureau of Biological Survey, $782,170.

Mr. SAUNDERS of Virginia. Mr. Chairman, I think I will have to reserve a point of order on all this legislation that the Clerk has been reading.

The CHAIRMAN. The Clerk has concluded the reading of the paragraphs to which the gentleman refers and has gone beyond them.

Mr. HAUGEN. It is too late to make the point of order.

Mr. SAUNDERS of Virginia. I was sitting here following the reading, and the Clerk seemed to be reading it all as one paragraph.

The CHAIRMAN. The Clerk has read three paragraphs beyond the point to which the gentleman refers.

Mr. SAUNDERS of Virginia. I do not raise any parliamentary question about it. I was simply waiting for the Clerk to get to a stopping point.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DIVISION OF ACCOUNTS AND DISBURSEMENTS.

Salaries, Division of Accounts and Disbursements: One chief of division and disbursing clerk, $4,000; 1 supervising auditor, $2,250; 1 cashier and chief clerk, $2,250; 1 deputy disbursing clerk, $2,000; 1 accountant and bookkeeper, $2,000; 2 clerks, class 4; 4 clerks, class 3; 6 clerks, class 2; 10 clerks, class 1; 4 clerks, at $1,000 each; 1 messenger, $720; 1 messenger boy, $600.

Mr. HAUGEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HAUGEN: Page 65, line 7, strike out "10 clerks, class 1," and insert "12 clerks, class 1."

Mr. HAUGEN. Mr. Chairman, this is an increase of two clerks, class 1, for the Division of Accounts. The expenditures for the Department of Agriculture this year are around $140,000,000. I believe the chief of this division is entitled to the two additional clerks. The committee did not authorize this amendment, but I believe the members of the committee are agreeable to this increase. I am informed that the clerks are urgently needed. However, I desire to state that this amendment does not come as a request from anyone connected with the department nor is this action known to anyone in the department.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. HAUGEN].

The amendment was agreed to.

The Clerk read as follows:

Salaries and employment of labor in the city of Washington and elsewhere, supplies, telegraph and telephone service, freight and express charges, and all other necessary miscellaneous administrative expenses, $25,480.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee whether this amount is a reduction of the amount heretofore carried for this purpose; and if so, to what extent.

Mr. HAUGEN. There is no reduction under the current year in the paragraph just read. The committee recommends in the first paragraph new language, which will permit the crop estimating to be carried on in cooperation with the States Relations Service. In that way it will be possible to utilize the county agents in making the estimates. The committee believes that it will improve the service. It is the thought of the committee that the county agents are well equipped and qualified to furnish the information, and that the estimating will be better conducted in that way than heretofore.

Mr. SAUNDERS of Virginia. How much does this reduce the appropriation that we have heretofore had?

Mr. MOORE of Virginia. I will tell the gentleman. It was $48,246 as compared with the appropriation for the current year, and $644,926 as compared with the estimates of the department.

Mr. SAUNDERS of Virginia. Mr. Chairman, I want to have something to say on this line, and I will yield the floor for the present and let the information be given, and then I will ask for recognition.

Mr. HAUGEN. Mr. Chairman, the appropriation for the current year for the paragraph just read—that is, for expenses in Washington—is the same as is carried in this bill, but for field expenses the appropriation for the current year is $216,562, a total for the two of $242,042. The estimates for the two paragraphs was $793,043. The committee reports $25,480 for expenses in Washington and $168,076 for expenses in the field, a total of $193,556 for the two paragraphs, which is a reduction of $48,486 under the current year and $599,487 under the estimates.

Mr. BLANTON. Mr. Chairman, I think we ought to have a new shift, and I make the point of no quorum.

The CHAIRMAN. The gentleman from Texas makes the point of no quorum. The Chair will count. [After counting.] Eighty-seven Members present, not a quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Butler	Cole	Dunbar
Ashbrook	Caldwell	Cooper	Dunn
Barkley	Campbell, Kans.	Costello	Dyer
Bee	Campbell, Pa.	Crago	Elliott
Benson	Cannon	Cramton	Ellsworth
Blackmon	Cantrill	Crowther	Ferris
Bland, Ind.	Caraway	Cullen	Fess
Bland, Mo.	Carew	Dallinger	Fisher
Bland, Va.	Carss	Darrow	Focht
Boies	Casey	Davey	Frear
Booher	Clark, Fla.	Dempsey	Freeman
Bowers	Clark, Mo.	Dewalt	Fuller, Ill.
Britten	Classon	Donovan	Fuller, Mass.
Brumbaugh	Cleary	Dooling	Gallagher
Burke	Coady	Doremus	Garrett

Godwin	Kitchin	O'Connell	Stedman
Goldfogle	Knutson	O'Connor	Steele
Goodall	Kreider	Oldfield	Stephens, Miss.
Gould	Langley	Olney	Stiness
Graham, Pa.	Lanham	Overstreet	Strong, Pa.
Greene, Vt.	Larsen	Padgett	Sullivan
Hamill	Lehlbach	Pell	Swope
Hamilton	Little	Peters	Tague
Hardy, Tex.	Luce	Pou	Thompson
Heflin	Luhring	Rainey, Ala.	Tilson
Hersey	McArthur	Rainey, Ill.	Towner
Hicks	McCulloch	Randall, Calif.	Treadway
Hill	McFadden	Reavis	Vare
Holland	McGlennon	Reed, N. Y.	Vestal
Houghton	McLaughlin, Nebr.	Riddick	Voigt
Hulings	MacCrate	Rodenberg	Watkins
Hull, Tenn.	MacGregor	Rose	Weaver
Husted	Magee	Rowan	Webster
Johnson, Miss.	Maher	Rucker	Whaley
Johnson, Wash.	Mann, Ill.	Sanders, N. Y.	White, Kans.
Johnston, N. Y.	Mann, S. C.	Sanford	Wilson, Ill.
Jones, Pa.	Mansfield	Scully	Wilson, Pa.
Juul	Martin	Sears	Winslow
Kahn	Montague	Sells	Woodyard
Kelley, Mich.	Mudd	Shreve	Yates
Kendall	Neely	Sims	Zihlman
Kennedy, Iowa	Newton, Minn.	Slemp	
Kennedy, R. I.	Newton, Mo.	Small	
Kiess	Nicholls, S. C.	Snyder	

The committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill H. R. 12272, had found itself without a quorum; that he had caused the roll to be called; that 255 Members, a quorum, answered to their names, and he handed in the list of the absentees.

The committee resumed its session.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate upon the pending paragraph and all amendments thereto be now closed. Is there objection?

Mr. SAUNDERS of Virginia. Mr. Chairman, reserving the right to object——

Mr. RUBEY. Mr. Chairman, I object.

Mr. SAUNDERS of Virginia. I want to offer an amendment, in good faith.

Mr. HAUGEN. How much time does the gentleman desire?

Mr. SAUNDERS of Virginia. Five minutes.

Mr. YOUNG of Texas. Mr. Chairman, I want to have five minutes.

Mr. RUBEY. I want five minutes.

Mr. HAUGEN. Then I move that all debate upon this paragraph and all amendments thereto close in 10 minutes. The gentleman from Missouri——

Mr. RUBEY. Mr. Chairman, do I understand that the gentleman is seeking to close debate upon this important proposition in 10 minutes?

Mr. HAUGEN. I propose that we are going to pass this bill, if there is any show of doing so. We have fooled away a whole day as it is.

Mr. RUBEY. I am glad to cooperate with the gentleman in passing the bill.

Mr. HAUGEN. Mr. Chairman, I move that all debate upon the paragraph and all amendments thereto close in 10 minutes.

Mr. RUBEY. Mr. Chairman, I move to amend the motion, that debate upon the paragraph close in 30 minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate close in 10 minutes and the gentleman from Missouri moves an amendment that all debate close in 30 minutes. The question is on agreeing to the amendment offered by the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. RUBEY) there were—ayes 57, noes 108.

Mr. RUBEY. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chair appointed Mr. HAUGEN and Mr. RUBEY to act as tellers.

The committee again divided; and the tellers reported—ayes 54, noes 109.

So the amendment was rejected.

The CHAIRMAN. The question is on the motion of the gentleman from Iowa to close debate in 10 minutes.

Mr. RUBEY. Mr. Chairman, I move to amend the motion by making it 25 minutes.

Mr. BEGG. Mr. Chairman, I make the point of order that, having just gotten through voting on an amendment to close debate in 30 minutes, the amendment of the gentleman now to close debate in 25 minutes is dilatory.

The CHAIRMAN. The Chair overrules the point of order. The question is on the amendment to close debate in 25 minutes.

The question was taken; and on a division (demanded by Mr. RUBEY) there were—ayes 33, noes 81.

Mr. RUBEY. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed Mr. HAUGEN and Mr. RUBEY to act as tellers.

The committee again divided; and the tellers reported—ayes 40, noes 82.

So the amendment was rejected.

The CHAIRMAN. The question is on the motion of the gentleman from Iowa to close debate in 10 minutes.

Mr. ANDERSON. Mr. Chairman, I move to amend that by closing debate now.

Mr. RUBEY. Mr. Chairman, this is an important matter, and I move that the committee do now rise.

The CHAIRMAN. The question is on the motion of the gentleman from Missouri that the committee do now rise.

The question was taken; and on a division (demanded by Mr. RUBEY) there were—ayes 44, noes 83.

Mr. RUBEY. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed Mr. HAUGEN and Mr. RUBEY to act as tellers.

The committee again divided; and the tellers reported—ayes 33, noes 81.

So the motion to rise was rejected.

The CHAIRMAN. The question now is on the amendment of the gentleman from Minnesota that debate on the paragraph and all amendments thereto be now closed.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move a substitute for the original motion, that debate upon this paragraph and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from Virginia offers a motion by way of substitute that debate close in 15 minutes. The question is on the substitute.

Mr. GREEN of Iowa. Mr. Chairman, I make the point of order that that is, in effect, an amendment in the third degree.

Mr. SAUNDERS of Virginia. Not at all——

The CHAIRMAN. The Chair is ready to rule. The original motion provides for closing debate in 10 minutes, and the amendment to that motion provides for closing debate immediately. There can be a motion offered by way of a substitute to the original motion, which the gentleman has done. The question is on closing debate in 15 minutes.

The question was taken; and on a division (demanded by Mr. RUBEY) there were—ayes 31, noes 87.

Mr. RUBEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. HAUGEN and Mr. RUBEY to act as tellers.

The committee again divided; and the tellers reported—ayes 35, noes 83.

So the substitute was rejected.

Mr. RUBEY. Mr. Chairman, a point of order——

The CHAIRMAN. The gentleman will state it.

Mr. RUBEY. Mr. Chairman, this proposition has not been debated at all, and therefore it is not in order to move to close debate.

The CHAIRMAN. The point of order comes too late. The question is on the amendment of the gentleman from Minnesota that debate be now closed.

The question was taken; and on a division (demanded by Mr. BLANTON and Mr. RUBEY) there were—ayes 76, noes 41.

Mr. RUBEY. Mr. Chairman, I very respectfully ask for tellers.

Tellers were ordered, and Mr. HAUGEN and Mr. RUBEY took their places as tellers.

The committee again divided; and the tellers reported—ayes 88, noes 32.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. BLANTON. Division, Mr. Chairman.

The committee proceeded to divide.

Mr. ANDERSON. Mr. Chairman, I ask for tellers.

Tellers were ordered; and Mr. ANDERSON and Mr. RUBEY took their places as tellers.

The committee divided; and the tellers reported—ayes 81, noes 32.

So the amendment was agreed to.

The CHAIRMAN. The debate has terminated on the paragraph and amendments thereto.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Virginia moves that the committee do now rise.

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. BLANTON. Mr. Chairman, I demand a division.

Mr. ANDERSON. Mr. Chairman, I ask for tellers.

Tellers were ordered, and Mr. ANDERSON and Mr. SAUNDERS of Virginia took their places as tellers.

The committee divided; and there were—ayes 30, noes 90.

So the committee refused to rise.

Mr. RUBEY. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

Mr. RUBEY. On page 68, line 25, I move to amend by striking out "$25,480" and inserting "$30,000."

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to amend that amendment.

The CHAIRMAN. The gentleman will wait until the amendment is reported. The gentleman from Missouri [Mr. RUBEY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. RUBEY: Page 68, line 21, strike out "$25,480" and insert in lieu thereof "$30,000."

Mr. SNELL. Mr. Chairman, I offer an amendment as a substitute to strike out "$30,000" and substitute "$20,000."

The CHAIRMAN. The gentleman from New York offers an amendment in the way of a substitute, which the Clerk will report.

The Clerk read as follows:

Substitute for Mr. RUBEY's amendment: Strike out "$30,000" and insert in lieu thereof "$20,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that that is an amendment in the third degree.

The CHAIRMAN. The Chair overrules the point of order.

Mr. SAUNDERS of Virginia. Mr. Chairman, I wish to offer an amendment to the amendment of the gentleman from Missouri [Mr. RUBEY], and make it "$40,000."

Mr. GOOD. Mr. Chairman, I make a point of order that that is an amendment in the third degree.

Mr. SAUNDERS of Virginia. There is only one amendment pending. The gentleman from New York did not offer it as an amendment but offered it as a substitute.

The CHAIRMAN. The gentleman from Virginia offers an amendment to the amendment of the gentleman from Missouri [Mr. RUBEY], which the Clerk will report.

The Clerk read as follows:

Amendment to the amendment offered by Mr. RUBEY: Strike out "$30,000" and insert in lieu thereof "$40,000."

Mr. GOOD. Mr. Chairman, I make a point of order that that is an amendment in the third degree.

Mr. SAUNDERS of Virginia. Mr. Chairman, the manual provides that there can be an amendment, and an amendment to the amendment, and a substitute. I offer an amendment to the amendment and the gentleman from New York [Mr. SNELL] offers a substitute.

The CHAIRMAN. The Chair overrules the point of order. The question is on the substitute offered by the gentleman from New York [Mr. SNELL].

Mr. SAUNDERS of Virginia. The vote would first come on the amendment to the amendment, because the amendment to the amendment is a perfection of the original proposition, and then the vote would come on the substitute.

The CHAIRMAN. The Chair stands corrected. The question is on the amendment to the amendment offered by the gentleman from Virginia [Mr. SAUNDERS].

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. RUBEY. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 27, noes 76.

Mr. RUBEY. Mr. Chairman, I ask for tellers.

The CHAIRMAN. The gentleman from Missouri demands tellers. All in favor of taking this vote by tellers will rise and stand until counted. [After counting.] Nineteen gentlemen have risen, not a sufficient number, and tellers are refused.

The question is on the amendment of the gentleman from New York [Mr. SNELL].

Mr. MOORE of Virginia. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Virginia rise?

Mr. MOORE of Virginia. I would like to be counted.

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman is too late.

Mr. RUBEY. Mr. Chairman, there were 25 gentlemen standing here.

The CHAIRMAN. There were less than 25 gentlemen standing when the Chair counted. Gentlemen pop up and sit down and pop up and sit down. The Chair would state that the rule is that gentlemen should rise on the demand for tellers and remain standing until counted. The Chair does not count gentlemen that rise and immediately sit down.

Mr. SAUNDERS of Virginia. The Chair is entirely right in that ruling, but in view of the situation——

Mr. GOOD. Mr. Chairman, I demand the regular order.

Mr. SAUNDERS of Virginia. I am addressing the Chair on a question of order. I will let the Chair attend to these gentlemen according to the regular order. The ruling of the Chair is entirely right in respect to the matter of the gentlemen just rising, but, in view of the situation, will not the Chair repeat that call for tellers?

The CHAIRMAN. If the demand is questioned——

Mr. SAUNDERS of Virginia. I do not question it.

The CHAIRMAN. The Chair will repeat the call. Those who are in favor of taking the vote by tellers will rise and be counted. [After counting.] Twenty-eight gentlemen, a sufficient number, have arisen, and tellers are ordered. The gentleman from New York [Mr. SNELL] and the gentleman from Missouri [Mr. RUBEY] will take their places as tellers. The question is on the amendment to the amendment.

The committee divided; and the tellers reported—ayes 28, noes 86.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on agreeing to the substitute.

Mr. RUBEY. Mr. Chairman, I would like to have it reported.

Mr. ANDERSON. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. Objection is made. The question is on agreeing to the substitute.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. RUBEY. Mr. Chairman, I ask for a division.

The CHAIRMAN. The gentleman from Missouri asks for a division.

Mr. ANDERSON. Tellers, Mr. Chairman.

The CHAIRMAN. Tellers are demanded.

Tellers were ordered; and the Chairman appointed Mr. SNELL and Mr. RUBEY to act as tellers.

The CHAIRMAN. The question is on agreeing to the substitute.

The committee again divided; and the tellers reported—ayes 84, noes 21.

So the substitute was agreed to.

Mr. RUBEY. Mr. Chairman, I move that the committee do now rise. It is a quarter after 6.

The CHAIRMAN. The gentleman from Missouri moves that the committee do now rise.

Mr. ANDERSON. Mr. Chairman, I make the point of order that that motion is dilatory. There has been no debate and no business has been transacted.

Mr. BLANTON. Mr. Chairman, we have had three amendments passed upon.

The CHAIRMAN. The Chair thinks that as to the motion of the gentleman from Missouri, while it has been made heretofore, there have been several votes and amendments acted upon or proposed amendments acted upon since the motion was last made, and the Chair would hardly be inclined to hold that the motion at this stage is dilatory. The gentleman from Missouri moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. RUBEY. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

Mr. DOWELL. Mr. Chairman, I ask for tellers.

Tellers were ordered; and the Chairman appointed Mr. DOWELL and Mr. RUBEY to act as tellers.

The CHAIRMAN. The question is on the motion of the gentleman from Missouri [Mr. RUBEY] that the committee do now rise.

The committee again divided; and the tellers reported—ayes 19, noes 92.

So the committee declined to rise.

The CHAIRMAN. The question is on the amendment as amended by the substitute.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. RUBEY. A division, Mr. Chairman.
The CHAIRMAN. A division is demanded.
Mr. SNELL. I ask for tellers, Mr. Chairman.
The CHAIRMAN. Tellers are demanded. The Chair will count all gentlemen standing. [After counting.] Not a sufficient number. Tellers are refused. The question is on agreeing to the amendment as amended by the substitute.
The committee divided; and there were—ayes 83, noes 16.
Mr. RUBEY. I ask for tellers.
The CHAIRMAN. Tellers have just been refused.
Mr. BLANTON. Mr. Chairman, I make the point of no quorum.
The CHAIRMAN. The Chair will count. [After counting.] Ninety-nine Members are present. The Chair is also present. A quorum is present. [Applause.] The Clerk will read.
Mr. MOORE of Virginia. Mr. Chairman, I offer an amendment.
The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.
The Clerk read as follows:
Amendment offered by Mr. MOORE of Virginia: Page 69, line 5——
The CHAIRMAN. That paragraph has not yet been reached.
Mr. MOORE of Virginia. Then I will ask that my amendment be read when we reach that point.
The CHAIRMAN. The Clerk will read.
The Clerk read as follows:
Total for Bureau of Crop Estimates, $322,856.
The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.
Mr. HAUGEN. Mr. Chairman, pending that I move that the committee do now rise.
The CHAIRMAN. The gentleman from Iowa moves that the committee do now rise. The question is on agreeing to that motion.
The motion was agreed to.
Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, had come to no resolution thereon.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:
S. 2692. An act to amend section 24 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:
S. 3371. An act authorizing Gordon N. Peay, jr., his heirs and assigns, to construct, maintain, and operate a bridge and approaches thereto across the White River; and
S. 2775. An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:
To Mr. GOLDFOGLE, indefinitely, on account of illness.
To Mr. MARTIN, for one day, on account of illness.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. PORTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 11960, the Diplomatic and Consular appropriation bill, disagree to the Senate amendments, and agree to the conference asked for by the Senate.
Mr. BLANTON. Mr. Speaker, I make a point of order. I think that we ought to have a quorum. I make the point of order that there is no quorum present.
The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count.

ADJOURNMENT.

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.
The motion was agreed to; accordingly (at 6 o'clock and 24 minutes p. m.) the House adjourned until to-morrow, Friday, February 13, 1920, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,
Mr. GREENE of Vermont, from the Committee on Military Affairs, to which was referred the bill (H. R. 12162) authorizing a per diem allowance for officers on recruiting duty, reported the same with an amendment, accompanied by a report (No. 626), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,
Mr. BABKA, from the Committee on Claims, to which was referred the bill (H. R. 10598) to provide for the payment to the First National Bank of Sharon, Pa., for certificate of indebtedness of the United States, No. 3240, for $10,000, which has been lost, reported the same with amendment, accompanied by a report (No. 627); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:
Mr. FOCHT, from the Committee on War Claims, to which was referred the bill (H. R. 2814) for the relief of the legal representatives of the estate of Alphonse Desmare, deceased, and others, reported the same adversely, accompanied by a report (No. 621); which said bill and report were laid on the table.
He also, from the same committee, to which was referred the bill (H. R. 3214) for the relief of the legal representatives of Lapene and Ferré, reported the same adversely, accompanied by a report (No. 622); which said bill and report were laid on the table.
He also, from the same committee, to which was referred the bill (H. R. 6722) for the relief of Julius Zanone, reported the same adversely, accompanied by a report (No. 623); which said bill and report were laid on the table.
He also, from the same committee, to which was referred the bill (H. R. 8921) for the relief of Lena R. McCauley, reported the same adversely, accompanied by a report (No. 624); which said bill and report were laid on the table.
He also, from the same committee, to which was referred the bill (H. R. 11594) for the relief of John M. Higgins, reported the same adversely, accompanied by a report (No. 625); which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 6102) granting a pension to Charles M. Walker, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:
By Mr. HARRELD: A bill (H. R. 12480) to prevent the theft of motor vehicles by establishing a Federal motor-registration bureau in the Department of Justice, with the registrars in each State for the purpose of certifying to all transfers of motor vehicles or conveyances used for traffic or travel by air, land, or water, and to prevent the sale or transfer of such vehicles until a certificate of ownership has been procured from such Federal motor registrar and prescribing certain penalties; to the Committee on the Judiciary.
By Mr. SANDERS of New York: A bill (H. R. 12481) to provide for the erection of a monument to Robert Morris, at Batavia, Genesee County, N. Y.; to the Committee on the Library.
By Mr. OSBORNE (by request): A bill (H. R. 12482) to preserve historical documents, records, and relics, relating to the history of the United States, that are or may come into possession of the Government of the United States; to the Committee on Public Buildings and Grounds.
Also, a bill (H. R. 12483) to provide for the establishment and maintenance of a forest experiment station in cooperation with the University of California; to the Committee on Agriculture.
Also, a bill (H. R. 12484) legalizing conveyances made by the Southern Pacific Railroad Co.; to the Committee on the Public Lands.

By Mr. JOHNSON of Mississippi: A bill (H. R. 12485) providing for the purchase of a site and the erection of a post-office building thereon at Magee, Simpson County, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. STEELE: A bill (H. R. 12486) authorizing the several district courts of the United States to appoint official stenographers and prescribing their duties and compensation; to the Committee on the Judiciary.

By Mr. STEAGALL: A bill (H. R. 12487) to suspend all immigration to the United States until January 1, 1930; to the Committee on Immigration and Naturalization.

By Mr. SABATH: A bill (H. R. 12488) to provide employment, homes, and additional bonuses for those who served with the military and naval forces of the United States during the war between the United States and Germany and her allies through the reclamation, acquisition, and development of lands and building of homes, to be known as the national soldier settlement home and bonus act; to the Committee on the Public Lands.

By Mr. GRIGSBY: A bill (H. R. 12489) to amend an act entitled "An act to authorize the incorporated town of Petersburg, Alaska, to issue bonds in any sum, not exceeding $75,000, for the purpose of constructing and installing a municipal electric light and power plant, and for the construction of a public-school building"; to the Committee on the Territories.

By Mr. BROWNE: Joint resolution (H. J. Res. 290) requiring the Attorney General of the United States to appeal the cases of the United States v. The Southern Pacific Co. et al., decided in the district court of the United States for the district of California, August 28, 1919; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS of Pennsylvania: A bill (H. R. 12490) for the relief of George W. Cook; to the Committee on Military Affairs.

By Mr. DONOVAN: A bill (H. R. 12491) granting a pension to Anna Gottwald; to the Committee on Invalid Pensions.

By Mr. HERNANDEZ: A bill (H. R. 12492) for the relief of the widow and heirs of Francisco Vigil, deceased; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 12493) granting an increase of pension to John Salyer; to the Committee on Pensions.

By Mr. MASON: A bill (H. R. 12494) for the relief of Charles Emmet Smith; to the Committee on Claims.

By Mr. MOON: A bill (H. R. 12495) for the relief of Lieut. John Sagendorf; to the Committee on Claims.

Also, a bill (H. R. 12496) granting a pension to Joseph Clyde Shadden; to the Committee on Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 12497) granting a pension to Anna Heston; to the Committee on Pensions.

By Mr. MOORE of Virginia: A bill (H. R. 12498) for the relief of Ella V. Gordon; to the Committee on Claims.

By Mr. PURNELL: A bill (H. R. 12499) granting a pension to Mont Graham; to the Committee on Pensions.

By Mr. STEENERSON: A bill (H. R. 12500) authorizing the President to reinstate Conrad Ludwig Lein as a lieutenant in the United States Navy; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1496. By the SPEAKER: Petition of the Sons of the Revolution of the District of Columbia, relative to certain legislation; to the Committee on the Judiciary.

1497. By Mr. BRIGGS: Petition of Maj. R. A. Weatherford, United States Army General Hospital No. 20, Prescott, Ariz., indorsing House bill 10835; to the Committee on Military Affairs.

1498. Also, petition of the National Association of Manufacturers, urging certain legislation, etc.; to the Committee on Patents.

1499. Also, petition of the Chamber of Commerce of the city of Pittsburgh, opposing certain legislation regarding the metric system, etc.; to the Committee on Coinage, Weights, and Measures.

1500. Also, petition of temporary and National Guard officers of the Walter Reed Hospital, of Washington, D. C., urging the passage of House bill 10835, etc.; to the Committee on Military Affairs.

1501. Also, petition of George L. Bohns, in behalf of the Spanish-American War Veterans and the National Tuberculosis Association, relative to certain legislation; to the Committee on Military Affairs.

1502. Also, petition of Dr. F. B. Brewer, of Gainesville, Tex., urging the passage of the Stevenson bill, etc.; to the Committee on Military Affairs.

1503. By Mr. ESCH: Petition of the Jamaica Board of Trade, opposing the passage of the Cummins and Esch railroad bills in their present form; to the Committee on Interstate and Foreign Commerce.

1504. By Mr. FULLER of Illinois: Petition of Federal Highway Council, concerning Federal aid for good roads; to the Committee on Roads.

1505. Also, petition of the Illinois Sand & Gravel Producers' Association, relative to railroad legislation; to the Committee on Interstate and Foreign Commerce.

1506. Also, petition of the Universal Elevated Railway Co., concerning the pending railroad bills; to the Committee on Interstate and Foreign Commerce.

1507. By Mr. GARD: Petition of C. E. Carter and others, residents of Oxford, Ohio, protesting against the passage of pending sedition bill; to the Committee on the Judiciary.

1508. By Mr. GRIFFIN: Petition of the Melrose Post, No. 75, of the American Legion of New York City, relative to legislation regarding the income tax for former service men and women; to the Committee on Ways and Means.

1509. Also, petition of the Nylic Post, American Legion, No. 503, New York City, relative to certain legislation for those who served in the war, etc.; to the Committee on Military Affairs.

1510. By Mr. KEARNS: Petition of members of the Methodist Episcopal Church of Sardinia, Ohio, urging the passage of House bill 262; to the Committee on Interstate and Foreign Commerce.

1511. By Mr. KINKAID: Petition of A. G. Dilts and 17 other residents of Omaha, Nebr., favoring the retirement of civil-service employees; to the Committee on Reform in the Civil Service.

1512. Also, resolution adopted by the Douglas County Board of Commissioners, Omaha, Nebr., in favor of increased pay for officers in the Army and Navy; to the Committee on Military Affairs.

1513. Also, petition of Roy H. McConnell and 15 other residents of Ravenna, Nebr., expressing opposition to universal military training; to the Committee on Military Affairs.

1514. By Mr. LESHER: Petition of sundry citizens of Milton, Pa., favoring passage of House bill 112 for the parole of Federal prisoners; to the Committee on the Judiciary.

1515. By Mr. MAJOR: Petition of the Rev. Asling, of Higginsville, Mo., for House bill 262, etc.; to the Committee on Interstate and Foreign Commerce.

1516. By Mr. MOON: Papers to accompany House bill 12476, granting an increase of pension to Scott Thompson; to the Committee on Invalid Pensions.

1517. By Mr. MORIN: Petition of the Haller Baking Co., of Pittsburgh, Pa., opposing the Gronna bill regarding wheat, etc.; to the Committee on Agriculture.

1518. By Mr. NELSON of Wisconsin: Petition of the Lincoln Club, of Douglas County, Wis., protesting against the proposed appropriations before Congress; to the Committee on Appropriations.

1519. By Mr. O'CONNELL: Petition of the National Tuberculosis Association of New York, relative to the increase in pay for the personnel of the United States Public Health Service, etc.; to the Committee on Military Affairs.

1520. Also, petition of Keller Mechanical Engraving Co., of Brooklyn, N. Y., favoring House bill 11984, the Nolan Patent Office bill; to the Committee on Patents.

1521. By Mr. ROWAN: Petition of Rotary Club, New York City, favoring legislation to increase salaries in the United States Customs Service; to the Committee on Appropriations.

1522. Also, petition of the Nylic Post, American Legion, of New York City, relative to legislation now pending regarding the welfare of the soldiers of the late war, etc.; to the Committee on Military Affairs.

1523. Also, petition of the International Paper Co., of New York City, relative to the Underwood resolution, etc.; to the Committee on Foreign Affairs.

1524. Also, petition of the Religious Society of Friends, of Brooklyn, N. Y., relative to certain legislation now pending; to the Committee on Military Affairs.

1525. Also, petition of 135,000 members of the American Legion, relative to military training, etc.; to the Committee on Military Affairs.

1526. Also, petition of 60,000 members of the American Legion, of New York County, relative to the passage of the military training bill; to the Committee on Military Affairs.

1527. Also, petition of the United Parlor, Native Sons of the Golden West, of San Francisco, Calif., relative to certain legislation; to the Committee on Immigration and Naturalization.

1528. By Mr. SAUNDERS of Virginia: Petition of sundry citizens of the United States, against the universal military training, etc.; to the Committee on Military Affairs.

1529. By Mr. SUMMERS of Washington: Petition of Trout Lake Development Association, signed by C. A. Pearson, president; A. G. Belshims, secretary; Christian Guler, J. E. Reynolds, and C. H. Pearson, committee, opposing establishment of national park in Mount Adams district, Columbia National Forest; to the Committee on Agriculture.

1530. By Mr. TIMBERLAKE: Petition of the William G. Stratton Post, No. 59, of Ouray, Colo., relative to certain legislation for the protection of the Government, etc.; to the Committee on Immigration and Naturalization.

SENATE.

FRIDAY, *February 13, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, by a thousand tokens Thou hast shown that we are children of Thy care. Thou hast put at our command the mighty forces of this great Nation, greater forces than Thou hast ever committed into the hands of any organized society. We pray that in the use of the forces that Thou hast put at our command we may have a due regard for Thy glory and for the purpose of God in all government. Save us from the temptation of great riches and of great power. Keep us humbly following Thee, that we may accomplish Thy purpose in us as a Nation. For Christ's sake. Amen.

On request of Mr. BRANDEGEE, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

INDIAN DEPREDATION CLAIM (S. DOC. NO. 220).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Assistant Attorney General, submitting a judgment rendered by the Court of Claims in favor of claimant in an Indian depredation case in the sum of $1,115, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

EINAR BOYDLER (S. DOC. NO. 219).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a judgment rendered by the Court of Claims amounting to $262.36 in favor of Einar Boydler, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

REPORT OF COMPTROLLER OF THE CURRENCY.

The VICE PRESIDENT laid before the Senate the annual report of the Comptroller of the Currency for the fiscal year ended October 31, 1919, which was referred to the Committee on Finance.

EPIDEMIC OF INFLUENZA IN ALASKA (S. DOC. NO. 221).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior, submitting a supplementary estimate of appropriation in the sum of $80,072.85 to reimburse the Territory of Alaska for expenditures made in behalf of natives of Alaska during the epidemic of influenza, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

CONTINGENT EXPENSES—DEPARTMENT OF JUSTICE (S. DOC. NO. 218).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Acting Attorney General, submitting supplementary estimates of appropriations in the sum of $15,000 required for contingent expenses of the Department of Justice for the fiscal year 1920, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

CLAIMS ALLOWED (S. DOC. NO. 222).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, schedules of claims amounting to $187,011.33 allowed by the several accounting officers of the Treasury Department under appropriations, the balances of which have been exhausted or carried to the surplus fund, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 2775. An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain;

S. 3371. An act authorizing Gordon N. Peay, jr., his heirs and assigns, to construct, maintain, and operate a bridge and approaches thereto across the White River;

H. R. 396. An act to authorize the payment of certain amounts for damages sustained by prairie fire on the Rosebud Indian Reservation in South Dakota;

H. R. 683. An act for the relief of William E. Johnson;

H. R. 3620. An act to authorize the Commissioner of Navigation to change the names of vessels;

H. R. 5665. An act for the relief of Carlow Avellina;

H. R. 10746. An act to authorize the incorporated town of Wrangell, Alaska, to issue bonds for the construction, enlargement, and equipment of schools, and acquisition and construction of a water-supply system, the construction of a sewer system, the construction of a city dock and floating dock, and to levy and collect a special tax therefor; and

S. J. Res. 154. Joint resolution authorizing the Secretary of War, in his discretion, to turn over to the State of Kansas emergency hospital equipment, to be used temporarily in emergency hospitals to be established in the State, and for other purposes.

TREATY OF PEACE WITH GERMANY.

Mr. BRANDEGEE. Mr. President, I ask that an article by Frank H. Simonds on the peace treaty with Germany may be inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The article referred to is as follows:

[From the New York Tribune, Jan. 25, 1920.]

PEACE HAS BEEN DECLARED IN A FAR FROM PEACEFUL EUROPE—MISTAKES HAVE BEEN MADE THAT APPEAR CERTAIN TO RESULT IN FUTURE CONFLICTS—GERMANY SEES A CHANCE TO TURN HER APPARENT DEFEAT INTO A REAL VICTORY.

[By Frank H. Simonds.]

"The actual putting into operation of the peace of Paris, to combine the several agreements of Versailles, St. Germain, and Neuilly under the name they will doubtless bear henceforth, and the date of the application of the terms of peace, January 10, 1920, mark one of the great historic moments of modern history. If one seek parallels they will be found only in the settlements of Westphalia, in 1648; of Utrecht, in 1712, and of Vienna, in 1815.

"In each case a new Europe emerged from a colossal struggle, and it is not less clear that a new Europe has emerged, however shadowy in form as yet, from the World War, which officially ends with the first month of 1920. Now, in the examination of this new Europe, it is essential first of all to compare the present situation with that of the Continent at the moment when the recent war broke out, that is, on August 1, 1914.

"At that date Europe was divided approximately evenly between two great groups of States, which were themselves nations with long traditions and well-defined policies. France, Russia, and Great Britain confronted Germany, Austria, and Italy. But the adherence of the British to the Franco-Russian group was more or less subject to a national, or at least a parliamentary referendum, before war could be declared, while the association of Italy with the Austro-German group was based on a positive alliance, but only for defense.

HOW IT CAME ABOUT.

"This grouping of powers had resulted from the rapid rise of Germany to continental domination in the years between 1870 and 1914—that is, between the Franco-Prussian War and the World War. The association of France, Britain, and Russia was due to the conflict between German purposes and the policies of the three nations. In annexing Alsace-Lorraine in 1871 Germany had made a permanent enemy of France; in joining Austria in barring Russian pathway through the Balkans to Constantinople Germany had driven Russia into the opposing camp, while the challenge to Britain on the sea had led the British to their historic course of intervention on the Continent, as the French under Louis XV and Napoleon had provoked similar intermixture.

"By contrast Austria, despite her defeats of 1866, had been drawn into the German orbit by fear of Russia and by the ever-growing menace of Pan-Slavism, acting upon her own Slavic millions. Italy had been maneuvered into a similar relation by the cleverness of Bismarck in making use of French occupation of Tunis in 1881, which closed to Italy a promised land of colonial expansion and Mediterranean power.

"In the early years of the Triple Alliance, when it was faced by the Franco-Russian Alliance, which was manifestly peaceful in character, the groupings of powers had contributed to the preservation of peace. But more and more the Germans perceived that while their own rise and development had been more rapid than the Russian, their future was still dubious, if Russia remained united and was able to draw to her vast camp the small Slav races of Austria and the Balkans.

A SERIES OF CLASHES.

"In the years from 1905 to 1914, a full decade, therefore, we had a series of incidents, clashes between alliances; in Morocco, over Bosnia and in the Balkans, which resulted most unfavorably to the Triple Alliance, brought Britain into line with France and Russia, weakened Italy's adherence to the Triple Alliance, and compromised the existence of Austria. By 1913, at the end of the second Balkan war, the Germans saw clearly that unless a successful war could change the situation in their favor, Austria would be destroyed, the states arising on the ruins would be hostile to Germany, and Germany would be barred by the British on the seas and by the Russians on land, and would in the next half century sink to the rank of a second-class State, as contrasted with Britain, Russia, and the United States. In that situation Germany risked the World War, believing that for the moment military superiority was hers and victory would enable her to erect her own system in Europe and destroy the Slavic menace by dividing the Slavs and provoking in Russia a revolution which would put Russia out of the world game for many years to come.

GERMANY'S MISCALCULATIONS.

"Germany's calculations, correct in the main, were upset by a misunderstanding of British policy at the outset and by the entrance of the United States in the final phase. Owing to these two circumstances, coupled with an underestimate of the fighting capacity of France, Germany lost the war, although she did achieve the ruin of Russia and came within an ace of winning the struggle before the United States arrived.

"But in the first weeks of 1918, when the Germans believed that they had won the war, the treaty of Brest-Litovsk, followed by the treaty of Bucharest, clearly indicated what the German policy was, and created in fact that Mitteleuropa, that coalition of States and races of Central Europe under German domination which was always in the German mind from the beginning. The design was to continue and increase the servitude of the Slav races of the east and south to the German and Hungarian minorities, occupy Poland, and administer the Baltic provinces.

"No such comprehensive or well-reasoned policy marked allied councils. The wholly vague formula of liberating enslaved races, with very little regard for historic, strategic, or economic considerations, served for the opponents of Germany during the long years when they were steadily forced to contemplate the possibility of losing the war outright, and the swiftness of the decision in the end surprised them without a statesmanlike solution.

POSITIVE RESULTS.

"The result has been that the Paris conference has proved wholly incapable of creating an order or a system on the ruins of a system undeniably wrecked by the war. So far as the British are concerned, they have effectively disposed of the German challenge on the water, both from the naval and the commercial sides. The German war fleet and the German merchant marine have disappeared; on the commercial and colonial sides the victory has been more complete than those won over Spain, Holland, or France in past centuries.

"As to the French, they have regained Alsace-Lorraine, temporarily, at least, escaped from the practical terrorization and paralysis of their national life by German menace, have better military frontiers, have a disarmed Germany before them, occupy the Rhine for the present, and the coal regions of the Saar may conceivably pass to them in perpetuity, while for 15 years at least any German attack will begin far within German territories and encounter the Rhine as a barrier. By contrast, both the French and the British have paid a terrible price for victory, the French vastly in excess of the British, and both will have a long struggle to regain national health.

ITALY'S GAINS.

"Italy, on her side, has regained her unredeemed territory, established herself at last on the crests of the Alps at the Brenner Pass, and achieved, with allied aid, the destruction of her former Austrian oppressor. She, like France and Britain, has acquired certain colonial lands, but wholly inferior even to those gained by France. She has, morever, quarreled with her French, British, and American allies or associates, with the Jugo-Slavs, and with the Greeks, while her effort to occupy a portion of Asia Minor has brought her into conflict with the Turks and her mandate for Albania promises future expensive military operations.

"The significant fact is that the natural alliance between Britain, France, and Italy, the logical successor of the old Triple Entente, which might guarantee the peace of Paris, has not yet arrived, may not arrive, as a consequence of Italian resentment at Franco-British policies, while the presence of the United States as a guarantor of such an alliance—that is, of the situation created by the peace of Paris—is now hardly to be expected.

"Turning now to the center of Europe, we see that the Allies have endeavored to make good their promises of liberating the subject nationalities, but in doing this they have been guided by narrow and academic formulæ rather than by economic, political, or strategic facts. They have accepted the destruction of Austria-Hungary, but they have not sought or achieved any stable equilibrium in its place. They have drawn boundary lines across the center of Europe, striving faithfully to follow ethnographic circumstances, but ignoring economic facts, thus condemning regions and peoples newly liberated from tyranny to misery, famine, extinction, if these boundaries are maintained.

"In neglecting the economic considerations they have been not less careless of the political. They have failed to prevent the clash between the Italian and the Jugo-Slav, the Serb and the Roumanian, the Pole and the Czech. Thus, instead of a new system of States mutually friendly and all associated with the western liberators in a virtual alliance to preserve the system created at Paris, instead of several States each possessing the necessary resources for a viable State, they have assisted at the erection of a crazy quilt of mutually hostile States on the foundations of the old Hapsburg Empire, several of them doomed to perish for economic reasons, several of them bitterly hostile to their liberators and ready to make terms with the old enemy.

POLAND AND ROUMANIA.

"Particularly in the matter of Poland and Roumania, each now become a State of considerable proportions, each with an area as great as Italy—Poland with a population of 30,000,000, Roumania with 17,000,000—the western nations have dealt with incredible stupidity, seeking to compel these two States to conform to academic ideas of ethnographic frontiers, usually incorrectly described. Thus, instead of having in the East and at the Russian boundaries two States capable of real development, the western allies have sacrificed Poland to Germany and alienated Roumania by seeking to deny Roumanian lands because of fear of ultimate Russian resentment.

"In the new Europe which we see at the present hour, then, the situation is this: France and Great Britain are unquestionably bound together by a community of interests and dangers which insure joint action for a long time. With them Belgium must be reckoned for obvious reasons. But Italian adherence to this Anglo-French bloc is far from certain. Looking eastward, Poland and Roumania, natural members of the western alliance, have been weakened, and, in the case of Roumania, alienated. In case of Bolshevist attack upon Poland the Allies have so wrought that Poland may be unable to resist the attack, while Roumania is bound to consult her own interests rather than act in conformity with western powers, which have consistently sacrificed her rights to Russian ambitions. As for the group of States on old Hungarian territory, Hungary and Austria are definitely hostile and necessarily driven to a future German alliance; Czechoslovakia is isolated and at odds with Poland; Jugoslavia is involved in fatally compromising disputes with Italy and with Roumania. Bulgaria, too, is forever hostile, while Greece has been sacrificed to this permanently hostile Bulgaria.

"Now, it is fairly plain that if Britain, France, Italy, Poland, Roumania, Jugoslavia, Czechoslovakia, Belgium, and Greece could be united in a common policy of defense of European order and stability, the alliance thus constituted would be adequate to defeat any German or Russian assault, to prevent the development of a Russo-German alliance.

GERMAN'S CAPITAL CREDIT SUGGESTION.

"It is patent that if such a group of nations had the United States as a moral and economic, if not a military, partner, some real system might be evolved, even Austria and Hungary might

ultimately be drawn into a Danubian federation, rather than into a German combination, thus abolishing the economic impossibility of the present situation. But unhappily just this firm association has been prevented, perhaps permanently, by the progress of events in Paris and the unhappy effort to make peace without regard to historical, economic, or political facts, and solely with regard for academic principles abroad and domestic political circumstances at home.

THE OTHER PICTURE.

"Turning now to the other side of the picture we see, as against an Anglo-French alliance, still struggling to expand itself into a European system, two enormous facts, the one German and the other Russian, and both necessarily and so far as the future can be read, permanently hostile to the western combination. Germany has been conquered, but neither permanently crushed nor yet conciliated. Conciliation was at all times impossible, unless the French and Belgians were to be made the victims of German outrages and condemned to perish in a vain effort to restore German depredations without German indemnities. Permanent weakening was possible only so far as the Allies were able to create a new Europe which would be sufficiently strong to make a renewal of German assault impossible.

"I would not be understood as arguing that more territory should have been taken from the Germans, save in certain details on the Polish side. Germany probably would have been able in the future to retake such territory, and the creation of new Alsace-Lorraine would mean only poisoning anew the system of Europe. What I do mean is that if Poland had been properly assured of her Baltic exit and of her eastern frontiers, if Roumania and Jugoslavia had been sufficiently strengthened, saved from an empty quarrel over the Banat, if some form of friendly federation had been built upon the ruins of Austria-Hungary, the German would have found himself unable, with hope of victory, to undertake anew the battle for continental domination, and might have followed peaceful policies and become with time a good European.

"As it is, the German now looks out upon the east, with a Poland whose sea gate is reached through a corridor German cannon can close, whose single port of Danzig is only in part his own, whose eastern frontiers are open to Bolshevist attack, whose Ukrainian and Czech neighbors are hostile. Looking southward he sees a Middle Europe turned into chaos, Austria beckoning him to come as a master, Hungary equally sure to invite deliverance, economic and political, and Bulgaria totally unreconciled and still capable of useful aid if the old struggle is resumed.

"Beyond Bulgaria he perceives a Turkish and Mahometan world eruption. Whatever he may think of the vitality of Pan-Turanian dreams, he sees that millions of Turks, Tartars, Kurds, Turcomans, Arabs, Egyptians, all the way from the Ægean and the Nile to the frontiers of Afghanistan, and even beyond them in India, are restless or even fighting against his old allies, menacing Egypt and India, threatening Syria, where the French are; menacing Mesopotamia, where the British rule.

AND THE BOLSHEVISTS.

"Finally he discovers the great Russian Bolshevist wave rolling outward in all directions, marching toward the Pacific, the frontiers of India, the highlands of Asia Minor, sweeping down to the Black Sea, and making some sort of common policy with the Mahometan millions for attack upon Egypt and upon India. And he can equally clearly see that for these Russian Bolshevists, quite as much as for himself, the extinction of Poland is a matter of immediate importance.

"Now, the German has to make a great decision for the future. Will he accept his defeat, will he pay the price of losing the last war, expressed in money and in power, or will he seek to avoid the payment of this price by associating himself with the Bolshevist and the Mahometan? Will he become a 'good European', accept defeat as did the French after Napoleon fell, associate himself with his conquerors, permanently acknowledging British naval supremacy and commercial domination, or will he seek by a new combination to reopen the old battle, to escape the consequences of defeat, and renew his struggle for world hegemony, following European supremacy?

"It does not seem to me the answer is difficult to discover. No nation in all history would accept the fall Germany has suffered in the last five years as an end to national ambitions unless all chance of victory for the future, if the contest were reopened, should be eliminated. And the German can look at contemporary Europe and see possibilities of future success on all sides. He may choose an active or a passive rôle for the present, immediate or ultimate association with Russia, but in the meantime Russia works for him by assailing Britain in Egypt and in India, and in menacing Poland, the extinction of which must be his own first concern.

A NEW ALLIANCE SURE.

"Almost infallibly the new alliance in Europe, which will challenge whatever survives of the association of powers which won the last war, will be a Russo-German group. Almost equally certain this group will enlist the Mahometan bloc, which extends from Cairo to Kaoul. Such an alliance will have an enormous population, incalculable resources in men, materials, and supplies, and will be beyond the reach of sea power. It could only be checked if all the rest of the civilized world stood firm against it. But would it?

"Looking at Europe to-day, the German perceives that Italy is hardly to be counted upon by his old enemies; he perceives that Roumania has been practically lost by Anglo-American policies. He may exaggerate the weakness which has overtaken France as a result of the war, but the weakness is unmistakable. He may place too great value upon the present reaction in America against further European action, but the reaction is an unmistakable fact.

"But what is important to note is this circumstance: If you and I were Germans, who believed in 1914 that our country was called upon to fulfill a great world mission, if we thought in the well-known German manner then, would we now, when we were faced with a future which promised national decadence, if we accepted it, a long period of foreign occupation and an enormous payment to foreign Governments, a permanent abdication as one of the great world nations, resign our old vision and settle down to what lies ahead?

THE CURE.

"The answer seems to me clear. To cure Germany of her vast and evil dream we had not merely to defeat her in war, which we just barely succeeded in doing, but we had also to create a stable European system, which would be a barrier to her further efforts to realize her fond illusions. Just this the peace of Paris does not do. If German pathway was inviting in 1914, it is ten times as inviting now, whether one looks south toward Constantinople or east toward Moscow. Instead of solid barriers, Germany looks only at jerry-built States and Governments, incapable of standing unaided and lacking those guaranties from western nations which alone could insure their development into lasting edifices. A war has been lost, but to the German the opportunity has not been removed; rather it has been enhanced, in so far as Russia has been transformed from a certain enemy into a possible ally and perhaps an ultimate vassal.

"We come almost inevitably, then, to the conclusion that the Allies who won the war lost the peace. The great opportunity to erect barriers against a new German flood had disappeared. Instead we have not merely the old German menace, but the new Russian peril. If we had crushed bolshevism when the moment was favorable a year ago, Germany would have to-day looked out upon a Europe offering her no possible ally and no favorable field of exploitation; the saved Russia would have been a partner in our new system, a great force in our new Europe.

"Instead we failed and permanently alienated 125,000,000 Russians, who are to-day moving more and more clearly toward a temporary association with 75,000,000 Germans, who remain equally outside our new system, who hate us and our ideas with a hatred which is no longer to be mistaken. And in this Russo-German sea of hostile millions the little Slav and Latin States we have fashioned in the East and South are chips. They could hardly be maintained even if we sent vast armies to them now, once Russia begins in earnest or whenever Germany resumes.

SLAV AND TEUTON.

"Is it conceivable that the Slav and the Teuton will fight? In such a fight there would be salvation for the rest of the world. But the nations of the Entente are an enemy whom both detest far more than they detest each other. No; the thing seems fairly clear: In the new Europe, which begins with the present month, an alliance between the Slav and the Teuton to overthrow the settlement of the peace of Paris is almost inevitable.

"This is not to say that German armies will spring up overnight or a new German war arrive this year or next. What it does aim to assert is that the present conditions in Europe hold out so much hope to the German of ultimate realization of his old ambitions that he will not now lay them aside; rather he will cherish them and await the hour when they can be realized. He is powerless now, but his conquerors have totally failed to close his pathway, their hour is passing, their system is already threatened by deadly attack from Russia, their alliance is crumbling, America is gone, Italy patently bitter and resentful, Britain faces wasting exertions in all her far-flung Empire from Ireland to India; France, victorious, is almost bled white. The little races, newly liberated, hate each other

more than their old oppressors. In sum, the peace of Versailles, like the historic settlements of the past, only marks the end of one world-wide struggle to usher in the first act of another. In 1914 we, the western nations, had only one foe, and that was Germanism; to-day we have the old foe, but we have in addition another at least equally deadly, namely, bolshevism. Nor is it inconceivable that Germany herself, although losing the recent war, has opened a breach through which the new enemy may yet penetrate."

GOVERNMENT SCHOOLS.

Mr. McCUMBER. Mr. President, on the 9th of this month, I think it was, there was some discussion on the floor of the Senate as to who was paying the cost of schools on grounds owned by the Government and in possession of the Navy Department and also as to the operation of places of amusement upon those grounds. The Secretary of the Navy seems to have taken notice of it and has sent letters to two on three Senators in which he explains the matter. I think his letter ought to be read by the Secretary into the RECORD, and I ask that it may be read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Reading Clerk read as follows:

NAVY DEPARTMENT,
Washington, February 11, 1920.

MY DEAR SENATOR: With reference to Senate bill 3738, which abolishes the United States Housing Corporation, I desire to invite your attention to certain apparent misapprehensions on the part of the Congress in relation to the Navy Department's interest in housing projects built for it at Bremerton, Wash., at Indianhead, Md., and at South Charleston, W. Va., as noted in CONGRESSIONAL RECORD of February 9, 1920.

The projects, including the schoolhouses—should they be transferred to the Navy—will be run without expense to the Federal Government. The Navy Department will continue to operate them in the present manner. The school-teachers are paid out of funds appropriated by the State and are employed through the State officials. While there are certain moving-picture houses running in buildings thus provided at the two latter places, there is no expense whatever involved to the Federal Government thereby. These are absolutely self-sustaining in every way. The rental obtained from the houses, hotel, and dormitories in question pays for their repair and maintenance, together with the light and water furnished.

To turn these projects over to the Treasury Department involves the suggestion of leasing certain lands to that department. The lands are an integral part of the Navy's activities, such as smokeless-powder factory at Indianhead and ordnance plant at South Charleston. It appears that the most economical and advantageous way not only for the Government but for the employees is to have these projects under the direct charge of the inspectors of ordnance in command at these two stations. The schoolhouse not only takes care of people living on Government reservations but also takes care of people in the vicinity, and without these schoolhouses Indianhead and South Charleston will lapse into the situation that existed prior to the war, where it was practically impossible for an employee or officer to give his children a common-school education. The Government in these cases is doing no more than that done by any reputable private corporation.

In order that the Navy may maintain and utilize the buildings in question it must charge a sufficient rent for the same to cover the cost of maintenance and operation. This is the present practice. The Navy can not allow employees to occupy these buildings for nothing. It is thus seen that the Federal Government will not be required to pay out any sums for these buildings, but, on the contrary, there should be turned into the Treasury each year the residue from the rentals over and above that required for operating expenses.

In view of the foregoing it is to the best interests of the Government that the Navy Department operate the Housing Corporation activities at Bremerton, Wash., at Indianhead, Md., and at South Charleston, W. Va. It is desired that such a change be made in the bill in conference.

This letter will explain the situation between the Navy and the United States Housing Corporation more fully and thus clear up the points which arose on the floor of the Senate on the 9th instant. I have sent a similar letter to Senators FERNALD, SMOOT, and KING.

Very truly, yours, JOSEPHUS DANIELS,
Secretary of the Navy.

Senator PORTER J. McCUMBER,
United States Senate, Washington, D. C.

REMOVAL OF SOLDIER DEAD FROM FRANCE.

Mr. THOMAS. Mr. President, on Monday, at her request, I introduced a letter from Mrs. Griffiths relating to the problem of the transportation back to America of the dead bodies of those who lost their lives in the war. Some reflections in that letter, I am sorry to say, were made upon one Col. Kromer. I am in receipt of a short letter from a friend of that gentleman, an officer in the Army, who perhaps would not desire to have his name used. In view of Mrs. Griffiths's reflections upon Col. Kromer, I ask unanimous consent that the letter may be inserted in the RECORD.

The VICE PRESIDENT. Without the signature?

Mr. THOMAS. Without the signature.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

1735 NEW HAMPSHIRE AVENUE,
Washington, D. C., February 11.

Senator CHARLES S. THOMAS.

MY DEAR SENATOR: With reference to the letter from Mrs. Griffiths about Col. Kromer, which you had inserted in the RECORD of February 9, I am taking the liberty to request that you ask the War Department to investigate the case.

Col. Kromer is a warm personal friend of mine, having been my particular chum at West Point, and a more conscientious, hard-working, courteous man never lived. He returned from France in December and is now on duty at Fort Sam Houston, Tex. He was in this city during the month of January, and in telling me of his work in France with the graves registration service he told me the story of Mrs. Griffiths. It was quite different from that given by Mrs. Griffiths in her letter, and in publishing that letter without giving Col. Kromer a chance to reply I feel that you have done him a grave injustice.

We Army officers are quite helpless to defend ourselves from attacks in Congress, and perhaps I have no business to take up this matter with you. But, as a man, I feel I have the right to ask justice for my best friend, regardless of the fact that we are Army officers.

As to Col. Kromer's character, I should like to have you consult Mr. Sweet, Assistant Secretary Department of Commerce, who has known him since he was a boy and is mainly responsible for his being in the Army.

Very sincerely,

TREATY OF PEACE WITH GERMANY.

Mr. THOMAS. Mr. President, I desire to give notice that on Tuesday next at the close of the morning business I shall address the Senate upon some of the economic features of the German treaty.

PETITIONS AND MEMORIALS.

Mr. FLETCHER. I have received telegrams from citizens of Jacksonville, Fla., urging the adoption of universal training, which I ask to have inserted in the RECORD.

There being no objection, the telegrams were ordered to be inserted in the RECORD, as follows:

JACKSONVILLE, FLA., *February 11, 1920.*

Senator D. U. FLETCHER,
United States Senate, Washington, D. C.:

We favor universal training. Please advise our congressional Representatives.

William N. Dunham, Ernest L. Landrum, Frank Cartnel, George W. Clark, Edward S. Diver, John H. Hall, John C. Temple, A. B. Potter, Loren H. Green.

JACKSONVILLE, FLA., *February 11, 1920.*

Senator D. U. FLETCHER,
United States Senate, Washington, D. C.:

We ask congressional Representatives to vote for universal training.

John C. Burrowes, Bernard Thyson, Morgan Cress, James D. Stuart, Ellis Crenshaw, Edward S. Spencer, Henry Doig, J. N. Wilson, William E. Ross.

JACKSONVILLE, FLA., *February 11, 1920.*

Senator D. U. FLETCHER,
United States Senate, Washington, D. C.:

We urge vote for universal training by congressional Representatives.

C. J. Williams, Harry Hasson, D. M. Jones, Joshua Chase, Marcus Fagg, Clifford Payne, Waldo Cummer, Myron L. Howard, John P. Murphy, Paul Saunders.

Mr. FLETCHER presented a telegram in the nature of a memorial from Strongfellow Padgett & Co., of Jacksonville, Fla., and a memorial of the Grain Dealers' National Association, of Toledo, Ohio, remonstrating against the passage of the so-called Gronna wheat guaranty bill, which were ordered to lie on the table.

He also presented a memorial of the National League of Commission Merchants, of Washington, D. C., remonstrating against the manner in which perishable vegetables are being handled

by the American Railway Express Co., which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the Southern Cattlemen's Association, of Little Rock, Ark., remonstrating against the passage of the so-called Kendrick-Kenyon bills to regulate the packing business, which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of L. L. Hine, city clerk of Bradentown, Fla., praying for universal military training, which was ordered to lie on the table.

He also presented a telegram in the nature of a petition from the Rotary Club of Ocala, Fla., and a petition of Chase & Co., of Jacksonville, Fla., praying for the ratification of the peace treaty, which were ordered to lie on the table.

Mr. SMITH of Maryland presented a memorial of the Chamber of Commerce of Baltimore, Md., remonstrating against the passage of the so-called Gronna wheat guaranty bill, which was ordered to lie on the table.

He also presented a petition of the United Women of Maryland, Second Division, of Baltimore, Md., praying for the enactment of legislation to provide prompt and adequate means of protection for the Republic of Armenia, which was referred to the Committee on Foreign Relations.

Mr. CAPPER presented petitions of Meade Post, No. 14, Grand Army of the Republic, Department of Kansas, of Sterling; of Pap Thomas Post, No. 52, Grand Army of the Republic, Department of Kansas, of Great Bend; of Jules Williams Post, No. 155, Grand Army of the Republic, Department of Kansas, of Oskaloosa; and of McCook Post, No. 51, Grand Army of the Republic, Department of Kansas, of Iola, all in the State of Kansas, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

He also presented memorials of the Mennonite Church of Meade, of sundry citizens of Butler County, in the State of Kansas, and of sundry citizens of Mayes County, Okla., remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. TOWNSEND presented a petition of Hannah Camp, No. 23, Grand Army of the Republic, Department of Michigan, of Traverse City, Mich., praying for the enactment of legislation to pension soldiers of the War with Spain, the Philippine insurrection, and the China relief expedition, which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Grand Ledge, Mich., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented a petition of the National Farm Loan Association, of Northport, Mich., praying for the passage of the so-called Smoot land-bank bill, which was referred to the Committee on Banking and Currency.

He also presented a petition of Local Union No. 19, United Brotherhood of Carpenters and Joiners of America, of Detroit, Mich., praying for a two-year extension of Government control of railroads, which was ordered to lie on the table.

He also presented a memorial of Local Division No. 385, Order of Railway Conductors, of Ionia, Mich., and a memorial of Local Lodge No. 308, Brotherhood of Railway Clerks, of Traverse City, Mich., remonstrating against the passage of the so-called Cummins-Esch railroad bill, which was ordered to lie on the table.

He also (for Mr. NEWBERRY) presented a petition of the Civic and Commercial Association of Sault Ste. Marie, Mich., praying for the enactment of legislation providing for the establishment of a national highway system, which was referred to the Committee on Post Offices and Post Roads.

He also (for Mr. NEWBERRY) presented a memorial of Local Division No. 385, Order of Railroad Conductors, of Ionia, Mich., and a memorial of the Pere Marquette Board of Adjustment, Brotherhood of Railway Employees, of Detroit, Mich., remonstrating against the adoption of the antistrike clause in the so-called Cummins-Esch railroad bill, which were ordered to lie on the table.

LANDS IN HAWAII.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (S. 3461) to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii, reported it without amendment and submitted a report (No. 424) thereon.

INTERNATIONAL MONETARY EXCHANGE COMMISSION.

Mr. THOMAS. With the consent of the chairman of the Committee on Foreign Relations, I ask that that committee may be discharged from the further consideration of the joint resolution (S. J. Res. 19) authorizing the appointment of an international monetary exchange commission, which was referred to that committee on the day of its introduction, and that the joint resolution be referred to the Committee on Banking and Currency.

The VICE PRESIDENT. Is here objection? The Chair hears none, and it is so ordered.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 3904) to amend the revenue act of 1918 with respect to yachts and pleasure boats; to the Committee on Finance.

By Mr. PHIPPS:

A bill (S. 3905) granting a pension to Anna M. Falls (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 3906) granting a pension to Margaret I. Paulsen; and

A bill (S. 3907) granting an increase of pension to Charles E. Fuller; to the Committee on Pensions.

By Mr. NEW:

A bill (S. 3908) to amend section 1 of the act entitled "An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions," approved February 28, 1919; to the Committee on Military Affairs.

By Mr. HARRISON (for Mr. JONES of New Mexico):

A bill (S. 3909) to amend section 6 of the Federal aid road act; to the Committee on Post Offices and Post Roads.

By Mr. KING:

A joint resolution (S. J. Res. 157) prescribing the method by which the war profits and excess profits taxes imposed by title 3 of the act entitled "An act to provide revenue, and for other purposes," approved February 24, 1919, shall be computed for the calendar year 1919; to the Committee on Finance.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts:

On February 11, 1920:

S. 3327. An act granting certain rights of way and exchanges of the same across the Fort Douglas Military Reservation, in the State of Utah; and

S. 3452. An act authorizing the city of Detroit, Mich., a municipal corporation, to construct, maintain, and operate a bridge across the American channel of the Detroit River to Belle Isle.

ADDRESS BY JOHN BASSETT MOORE.

Mr. FLETCHER. Mr. President, I have here a copy of a very able address delivered by Hon. John Bassett Moore, vice president of the executive council of the International High Commission at the second Pan American Financial Conference, in the city of Washington, which I desire to have printed as a public document. Perhaps the first step toward this end is its reference to the Committee on Printing.

The VICE PRESIDENT. The address will be so referred.

TREATY OF PEACE WITH GERMANY.

Mr. HITCHCOCK. Mr. President, I ask to have printed in the RECORD a communication from the president of the Chamber of Commerce of Perth Amboy, N. J., inclosing the official vote or referendum taken on four propositions relating to the treaty by that organization.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

PERTH AMBOY CHAMBER OF COMMERCE,
Perth Amboy, N. J., February 10, 1920.

Senator HITCHCOCK,
Washington, D. C.

DEAR SENATOR: I am inclosing a copy of a referendum taken by our chamber of commerce which indicates the feeling on the League of Nations. This referendum was taken under authorization of our board of directors and conducted under the usual restrictions as to secrecy and honesty of ballot.

We have a membership which is about one-half manufacturers, one-fourth merchants, and the other fourth civic members, representing professions and trades. This was conducted so that we might have tabulated the feeling of our community as represented by its business interests. Our board of directors took no other official action.

Sincerely, yours, CHAMBER OF COMMERCE,
I. T. MADSEN, *President.*

Attest: F. E. HILTON, *Secretary.*

Official referendum taken by the Chamber of Commerce, Perth Amboy, N. J., Feb. 5, 1920, upon the League of Nations as per the four following propositions.

First proposition: I am in favor of the League of Nations as included in the peace treaty with Germany in its original form as submitted to the Senate by President Wilson	22
Second proposition: I am against the League of Nations in any form, and do not believe that it should be included in the peace treaty	22
Third proposition: I am in favor of the League of Nations with such reservations as will command the necessary two-thirds vote in the Senate to ratify same	73
Fourth proposition: I am for the League of Nations with reservations as submitted by Senator LODGE	66
Total votes cast	183
Votes in favor of League of Nations in some form	161
Votes against League of Nations in any form	22

Above is the result of a secret mail referendum vote taken by the chamber of commerce, Perth Amboy, N. J., February 5, 1920.

CHAMBER OF COMMERCE.
F. E. HILTON, *Secretary.*

QUESTIONS OF ORDER.

Mr. HARRISON. Mr. President, on June 30, 1919, I submitted a resolution to amend the rules of the Senate and it was referred to the Committee on Rules. The resolution proposed that when a point of order was to be made in the Senate it must be made at the proper time, and that the proper time was before any discussion had ensued on the merits of the controversy before the Senate. The whole object of the resolution was to save the time of the Senate. I have noticed, and other Senators have also noticed, that the Senate might discuss a proposition for two or three days upon its merit, and at the expiration of that time some Senator would raise a point of order to the proposition, and it would go out on the point of order. My proposed amendment of the rule is designed to make the same rule apply in the Senate that applies in the House; that is, if a point of order lies against a proposition, it must be made at the proper time, in order to save discussion on the merits of the proposition.

Although the Committee on Rules reported this proposition out unanimously, some question has arisen in regard to it; and I ask unanimous consent that the resolution (S. Res. 104) may be recommitted to the Committee on Rules.

The PRESIDING OFFICER (Mr. NUGENT in the chair). Without objection, it is so ordered.

SALE OF SURPLUS GOVERNMENT STORES.

Mr. RANSDELL. I present a petition signed by several hundred grocers of the city of New Orleans, La., which I ask to have referred to the Committee on Military Affairs.

The VICE PRESIDENT. It will be so referred.

Mr. RANSDELL. I wish to make a very brief statement. The petition shows that the United States Government, through the operation of its Army subsistence stores, is working a great injustice to the grocers of the country, and "we, the undersigned retail grocers of New Orleans earnestly protest against the continuance of a policy which is detrimental to the interest and welfare of the legitimate distributor of foodstuffs, besides being unfair, undemocratic, and un-American.

"The grocers are loyal citizens, contributing to the support of their country and paying, as they do, Government income taxes, city, State, and municipal taxes. During the war they very patriotically sold all of the licensed commodities at cost, in order to help win the war. These licensed commodities figured about 75 per cent of their entire stock.

"We submit that this policy of our Government is ruinous, not only to the retailer, but is reflected on the jobber, manufacturer, and producer, and its continued operation will surely cause a great upheaval of business conditions in the near future."

I will state in passing that I understand the practice is soon to be abandoned by the War Department.

Mr. BRANDEGEE. I wish to ask the Senator from Louisiana a question. Did I understand him to say that the maintenance of these retail grocery stores has been abandoned by the War Department?

Mr. RANSDELL. I did not so state. I said that I understood they were soon to be abandoned. I suppose when they get rid of the surplus stores that they have on hand they will be closed. My information is rather indefinite, I will state to the Senator, but that is the best information I have.

Mr. BRANDEGEE. I asked the question because I have had some letters from keepers of grocery stores and similar supply stores in my State complaining of the institution of these stores by the War Department. Does the Senator happen to know whether these retail grocery stores instituted by the War Department sell to everybody or confine their trade to people of the Army? Do they compete——

Mr. RANSDELL. My understanding is that they sell to anyone who wishes to buy the goods, but I really can not give the Senator any very satisfactory information. I have understood that they sell to anyone; that they are trying to get rid of the goods they have on hand.

Mr. BRANDEGEE. I was somewhat surprised when I found that the War Department was engaging in that activity. I assumed that it was to be only temporary, while they were disposing of the surplus stores that had been bought by the Government for the conduct of the war.

I will ask the chairman of the Committee on Military Affairs if he has any information about this matter. I do it because, as I said, some of my constituents are interested in the question and have displayed considerable anxiety, and I wondered if the chairman of the committee has any information from the department as to its intention in the matter.

Mr. WADSWORTH. No, Mr. President, I have no definite information. I have understood that the Government was selling these surplus stores and selling them at a certain percentage above cost. I assume that that price is lower, perhaps, than the ordinary retailer could sell the same goods for. It is a part of the effort to reduce the high cost of living, and it has been a failure.

Mr. BRANDEGEE. I supposed it was, but it is a convenience of the public, I have no doubt, to buy goods cheaper than the regular stores sell them for. The question of the wisdom of the policy may not be an unmixed one. I assume that the Government has an amount of stores on hand. It does not want to destroy them and can not keep them forever, and they should be disposed of; yet at the same time my constituents who write to me about the matter seem to feel aggrieved that they should be selected, having done their share in maintaining the expenses of the war and having subscribed to every patriotic fund that was raised for its conduct. They seem to think that it was a hardship upon them that they should now be thrown into competition, if you can call it that, because it is impossible for them to compete with the Government, which is selling at wholesale purchase prices in competition with citizens of the Government, who have to charge some profit over and above the wholesale price which they paid for the goods, and it is really a hardship upon them.

I know nothing about the intention of the department. I have no doubt the people could stand such a competition if it is for a limited time and for a limited amount, but, of course, if it is to be in any way worked into a permanent policy it would be ruinous, and it could undoubtedly be applied to every department of the Government.

Mr. RANSDELL. I merely wish to add that I know nothing in the world about the policy of the department. I assume that it is merely trying to dispose of the surplus now on hand as the result of the sudden closing of the war. I am sure the department does not intend to attempt to go into the business of retailing groceries in competition with the grocery merchants of the country.

Mr. HITCHCOCK. Mr. President, it is my information that the department has been more criticized for failure to dispose of the surplus goods than for its action in so doing. The complaint can not be based upon very serious considerations because the quantity on hand can not possibly last long enough to seriously disturb the retail market anywhere. I think the officials of the Government would be very much subject to criticism if they kept on hand goods which had been paid for by the taxpayers and for which the Government no longer had any use. On the other hand, the Government would be criticized probably also if it turned these goods over at a low price to the wholesalers and permitted them to make a profit and then to the retailers and permitted them to make a profit.

It seems to me the plan that has been adopted by the War Department is on the whole a wise one, to dispose of the goods direct to the consumers at something above the cost price to the Government. The competition which is engendered is brief, and it is the lesser of the evils involved.

My criticism of the department has been that it has been too slow in disposing of its surplus goods. We need an immediate reduction of taxation. The department has surplus goods on hand which will materially mitigate the burdens of taxation by reducing the indebtedness. As I remember a recent statement by the Secretary of the Navy, we have reduced the indebtedness of the United States something like a thousand million dollars by selling surplus goods in this country and abroad. I believe that the policy adopted by the department is subject to commendation rather than criticism, and that whatever disturbance exists will be very short lived.

SALE OF SHIPS.

Mr. BRANDEGEE. I hope the Senator did not understand me to be criticizing the department in the matter at all. I am not. I would not criticize any department or any official of

the Government upon a matter about which I knew nothing. I was asking for information simply, and stated that I had letters from some constituents of a similar nature to the petition which the Senator from Louisiana read. I hope that the department will at best give us information as to how long these sales are to continue.

I have no doubt the Government has got to dispose of its surplus war material. In some cases, I suppose, it will be done at a sacrifice. I read an article in one of the Washington newspapers last evening stating that the entire fleet of ships which had been taken from Germany was to be sold, and the article complained that they were being sacrificed, and sold at from one-half to one-third of what they were worth, and being sold to one purchaser, without any competition and upon conditions which prevented other would-be purchasers from competing. As to the truth of that I do not know.

I was surprised to read that article, Mr. President, because I had thought it was the policy of the Government to have and maintain a large Government-owned merchant marine. If that is the policy of the Government, it would seem to me to be exceedingly unwise, just as we have secured the best merchant-marine fleet in one block, as the result of the war, immediately to dispose of it to a concern which, the article to which I refer stated, was flying a foreign flag and was not altogether beyond criticism in some of its operations. To me any foreign flag is yet a foreign flag, I will say to the Senator from Washington; and the International Mercantile Marine, if that be the name of the company, was stated by this article to be a British concern, upon the vessels of which the British Government had some call to use as a part of its auxiliary naval force.

Mr. JONES of Washington. Mr. President, I did not hear the first statement made by the Senator from Connecticut, but, as I understand, he refers to some statements in a newspaper with reference to a purported alleged sale of the German ships. I will say that I called up the Shipping Board this morning to inquire in reference to this matter. I had been told that it had been stated that they were going to sell the ships and close the deal on next Monday. I could not believe that there was any truth in that. However, I called them up, and they advised me that they simply expect to open bids and receive proposals on next Monday; that after those bids are submitted and opened they, of course, expect to consider them and take into account the entire situation with reference to the ships, and then to determine whether they will accept or reject any of the bids.

Mr. KING. Will the Senator yield, Mr. President?

Mr. JONES of Washington. Yes.

Mr. KING. It has been charged in several newspapers—editorials have been written charging the same thing—that a secret arrangement, a secret contract, had been entered into between the Shipping Board and a certain corporation by which a certain number of German ships would be sold for $28,000,000. Is there any truth in that charge?

Mr. JONES of Washington. Mr. President, I do not know whether there is any truth in it or not; I do not believe there is. This administration is not of my party; the Shipping Board officials do not belong to my party; but I believe that they are honest men; I believe that they are patriotic American citizens; I believe that they are seeking to do what they think is the wise and businesslike thing to do; and until there is very convincing proof to the contrary I will not believe that they have entered into any such agreement as that which has been alluded to. I feel satisfied that they have not done so.

Mr. BORAH. Mr. President, has the Senator from Washington made special inquiry with reference to the specific matter as to whether or not those officials have had any understanding, express or implied, with this particular corporation as to the sale of those ships?

Mr. JONES of Washington. That is the first suggestion that has come to me with reference to anything of that sort. I have not gone especially into it, Mr. President, because I consider that Congress is the legislative branch of the Government; I consider the Shipping Board as a part of the administrative branch of the Government; we have invested them with certain administrative authority, and I assume that they will discharge their responsibilities in the way that they think is wisest and to the best interests of the country.

I have heard that some of these things were being contemplated, and I have made some inquiries with reference to them and as to the situation generally. They have advised me as I have stated here. They have also stated that, from the surveys they have made, it looks like it will cost fifty or sixty million dollars to put the ships in proper condition, and they say it is a proposition which they feel must be given consideration as to whether it would be wise for the Government to appropriate fifty or sixty million dollars and expend it on those ships, and then keep the ships, or whether it would be wiser to sell the ships and allow private parties to make the repairs. I think it is a matter that ought to be given very careful consideration. I think it is a matter that we ourselves could not very well decide, but that probably must be left to an administrative officer.

I have been assured by them, although I have not asked them specifically—because, as I have said, the suggestion which the Senator made has not come to me before—I have been assured through the representatives of the board that they expect to look into the matter very carefully and to take into account all the various conditions concerning it and to determine what would be the wisest thing for the Government to do.

I will say, further, that Chairman Payne, of the Shipping Board, telephoned me a short time ago asking to appear before the Committee on Commerce at 2.30 o'clock to-day to explain the situation as it is now presented to the Shipping Board. That is all the information I have with reference to the matter.

Mr. RANSDELL. Will the Senator yield for a question?

Mr. JONES of Washington. Certainly.

Mr. RANSDELL. I merely wish to ask the Senator if the Senate Committee on Commerce has not been having hearings for some time—very elaborate and comprehensive hearings—on the general question of what shall be done with our fleet of ships?

Mr. JONES of Washington. We have been having hearings with a view to determining the policy which shall be pursued in the future.

Mr. RANSDELL. And do not the committee expect to have the Shipping Board itself give its ideas as to what shall be done?

Mr. JONES of Washington. Oh, certainly.

Mr. RANSDELL. We are trying to get all the light possible on the question?

Mr. JONES of Washington. Certainly.

Mr. RANSDELL. And that would include, I take it, the disposition of the German ships as well as of others?

Mr. JONES of Washington. Oh, certainly. I had hoped that the representatives of the Shipping Board would appear first and present their suggestions, but they have asked that they might come in last. They are apparently seeking information, as we are, with reference to the determination of a general policy for the future.

Mr. RANSDELL. If the Senator will permit me, I desire to say that I indorse every word he has said about the patriotism of the Shipping Board and its attempt to do exactly what is right and proper in the premises. It is ridiculous, in my judgment, to think that they would dispose of this great fleet of German ships at any such price as the newspapers have stated, or that they would do so without first making every effort to ascertain exactly what those ships are worth and what can be secured for them in the markets of the world. I am sure there is nothing in the statement which has been made in reference to the matter.

Mr. KING. Will the Senator from Washington yield for a moment?

Mr. JONES of Washington. I yield.

Mr. KING. Since the Senator from Washington has been upon the floor I have talked over the telephone with Judge Payne, of whom, of course, no eulogy is necessary, because of his ability and his integrity. He tells me apropos of this charge that there is not a scintilla of truth in it; that it is an absolute falsehood.

Mr. JONES of Washington. I was satisfied of that.

Mr. BORAH. What is it that is an absolute falsehood?

Mr. KING. The charge that a secret agreement or any agreement has been entered into by which the German ships shall be sold for $28,000,000 to a certain organization.

Mr. ASHURST. I should like to know if it is an absolute falsehood that they are going to sell $154,000,000 worth of ships for $28,000,000? That is what they are trying to do, as I shall develop in a few moments when I can get the floor.

Mr. JONES of Washington. I am certainly glad to receive information along those lines from the other side of the Chamber. If it came from this side of the Chamber——

Mr. ASHURST. There are Senators on this side of the Chamber who state facts as they exist, without regard to whether the facts strike Republicans, Democrats, or Prohibitionists.

Mr. JONES of Washington. I am glad of it.

Mr. BORAH. May their tribe increase.

Mr. ASHURST. It will.

Mr. BORAH. Mr. President, of course the mere making of an inquiry as to the facts should not be considered as a reflection upon the patriotism or integrity of these men; but, as I view this matter, it involves a great question of policy. It is not merely a question of disposing of these particular ships, but

certainly that involves the question of what the policy of the Government is to be with reference to the building of a great merchant marine. I think if it should cost $50,000,000 or $60,000,000 to put these ships in such condition as would enable them to be operated, it might be well invested if it were done in consonance with a policy which was going to enable us to hold our part of the commerce of the world against our neighbors.

Mr. ASHURST. Mr. President, will the Senator yield to me at that point?

Mr. BORAH. Yes.

Mr. ASHURST. The ships are proposed to be sold for $28,000,000. They approximate 350,000 tons. At the price stated it amounts to $80 per ton. England offered $125 a ton for this tonnage which it is now proposed to sell for $80 a ton. It would cost $60,000,000 to bring this incomparable fleet of 30 ships that we took from the Germans to a point of recondition where they could be operated. Add $60,000,000 to the $28,000,000 and you have $88,000,000. The fleet is worth $154,000,000 at prewar prices, and it is worth $300,000,000 at present prices; yet it is proposed to be sold for $28,000,000.

I am going to say more about this subject when I get the floor in my own right. I have a few facts here which the country ought to know about; indeed, I will ask unanimous consent at this juncture to introduce a joint resolution, and I ask permission to speak for five minutes on the joint resolution.

The VICE PRESIDENT. Is there objection. The Chair hears none.

Mr. ASHURST. I will ask that the joint resolution be read, for I propose to ask unanimous consent for its present consideration.

The joint resolution (S. J. Res. 155) directing the United States Shipping Board Emergency Fleet Corporation to sell no vessels belonging to the United States except at public sale was read the first time by its title and the second time at length, as follows:

Whereas the United States Shipping Board Emergency Fleet Corporation proposes to sell on February 16, 1920, to the International Mercantile Marine Co. and its affiliated companies the following vessels taken by the United States from the Imperial German Government during the Great War, to wit: *Grosser Kurfurst (Aeolus)*, 13,108 gross tonnage; *Kaiser Wilhelm II (Agamemnon)*, 19,360 gross tonnage; *Amerika (America)*, 22,621 gross tonnage; *Kocln (Amphion)*, 7,409 gross tonnage; *Neckar (Antigone)*, 9,835 gross tonnage; *Bohemia (Artemis)*, 8,413 gross tonnage; *Rhactia (Black Arrow)*, 6,599 gross tonnage; *Prinz Eitel Friedrich (De Kalb)*, 7,797 gross tonnage; *Wittekind (Freedom)*, 5,640 gross tonnage; *Peruv (Eten)*, 8,500 gross tonnage; *George Washington (George Washington)*, 25,569 gross tonnage; *Freiderich der Grosse (Huron)*, 10,771 gross tonnage, *Vaterland (Leviathan)*, 54,281 gross tonnage; *Konig Wilhelm II (Madawaska)*, 9,409 gross tonnage; *Martha Washington (Martha Washington)*, 8,312 gross tonnage; *Barbarossa (Mercury)*, 10,983 gross tonnage; *Prinz Joachim (Moccasin)*, 4,760 gross tonnage; *Kronprinzessin Cecilie (Mount Vernon)*, 25,070 gross tonnage; *Pennsylvania (Nansemond)*, 13,332 gross tonnage; *Prinz Eitel Friedrich (Otsego)*, 4,650 gross tonnage; *Prinz Oskar (Orion)*, 6,026 gross tonnage; *Hamburg (Powhatan)*, 10,531 gross tonnage; *Princess Irene (Pocahontas)*, 10,892 gross tonnage; *Bulgaria (Philippines)*, 11,440 gross tonnage; *President Grant (President Grant)*, 18,172 gross tonnage; *Princess Alice (Princess Matioka)*, 10,891 gross tonnage; *Rhein (Susquehanna)*, 10,058 gross tonnage; *Mark (Swanne)*, 6,493 gross tonnage; *Kronprinz Wilhelm (Von Steuben)*, 15,000 gross tonnage; *Wyandotte*, 2,450 gross tonnage; and

Whereas the said United States Shipping Board Emergency Fleet Corporation apparently proposes that said vessels and all thereof shall be sold to the said International Mercantile Marine Co. and its affiliated companies for the gross sum of $28,000,000, notwithstanding the prewar valuation of said vessels was fixed at the sum of $160,000,000: Therefore be it

Resolved, etc., That neither the fleet of vessels nor any individual vessel taken by the United States from the Imperial German Government during the Great War shall be sold except to the highest bidder for cash in hand, after proposals to sell such vessels shall have been widely published for at least three months next preceding the date of sale and at a figure commensurate with their value.

During the reading of the joint resolution,

Mr. ASHURST. Mr. President, I should like to interrupt the Secretary to say that I will not ask that the names of the ships be read. The list embraces the large and expensive liners seized from Germany. One of them is the *Leviathan*, of 54,200 tons capacity, which carried 160,000 soldiers across the sea during the war. Another is the *George Washington*, which carried the President to Europe and return. I will ask that the names of the ships be included in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BRANDEGEE. Mr. President, let me ask the Senator if the list included in his joint resolution is the same list that was printed in the Washington Times last night?

Mr. ASHURST. I do not know; I presume it is.

After the reading of the joint resolution,

Mr. ASHURST. Mr. President, these ships, 30 in number, aggregate about 350,000 tons. At a price of $28,000,000 they would bring $80 a ton. I repeat that Great Britain offered $125 a ton for them, and yet they are to be sold at $80 a ton. The prewar price of these vessels was $154,000,000. I drew the resolution hurriedly, and instead of the prewar price being $160,000,000 it is $154,000,000.

What are these ships which it is proposed shall be sold on next Monday?

The *Vaterland* was rechristened the *Leviathan* after being seized by the United States. She is the biggest ship afloat, boasting 54,281 tons. When seized she was valued at $10,000,000. The Shipping Board now proposes to sell her to the International Mercantile Marine at $80 a ton, at which price she will bring about $4,300,000.

The *Kronprinzessin Cecilie* has about half the tonnage of the *Vaterland*, but is reckoned a very big ship. Her tonnage is 25,070, and at the sale price proposed by the Shipping Board she will bring only $2,005,000. She is easily worth more than twice that sum. After her seizure she was renamed the *Mount Vernon*.

The *Kaiser Wilhelm II*, Americanized as the *Agamemnon*, has a tonnage of 19,360 and a passenger-carrying capacity of 2,417. She is purely a passenger ship, having no cargo space. She is a gorgeously equipped vessel, providing every modern comfort and convenience.

The *Princess Irene*, renamed the *Pocahontas* after her capture by the United States, is small in tonnage by comparison with the *Vaterland*, being only 10,892 tons, but larger than the *Vaterland* in passenger-carrying capacity. She has accommodations for 2,384, as against 2,264 on the *Vaterland*. At the rate per ton asked by the Shipping Board she will bring only $875,000.

The *President Grant*, which naturally retained her patriotic name after her capture from the Germans, has a tonnage of 18,172, which, at $80 per ton, would put her sale price at about $1,450,000. She has the greatest passenger-carrying capacity of the fleet, accommodating 3,303. She, also, is beautifully equipped.

The *Kronprinz Wilhelm* was renamed the *Von Steuben*. Her capacity is 15,000 tons, but she carries 1,511 passengers, and is, therefore, no infant among ships. Removing the United States flag from her peak and replacing it with the British flag will net this country $1,200,000, which is little better than giving her away "at a mere fraction of her value."

The *George Washington*, like the *President Grant*, retained her name after her seizure. She was used by President Wilson and his party on their several trips to Europe during the negotiations which resulted in the League of Nations. She is 25,569 tons burden and carries 2,755 passengers. If sold at the rate per ton acceptable to the Shipping Board, she will bring a little over $2,000,000.

It is proposed now that these ships shall be sold, forsooth, because it will cost $60,000,000 to put them into a condition of efficiency where they can be used.

I ask leave at this point to have read a letter I received this morning from Judge John Barton Payne, chairman of the Shipping Board, on this subject.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The letter was read, as follows:

UNITED STATES SHIPPING BOARD,
February 12, 1920.

MY DEAR SENATOR ASHURST: Answering your inquiry re sale of the ex-German passenger ships, the reasons were principally these:

1. It is the opinion of the Shipping Board that we will probably not be able to successfully operate passenger ships with prohibition in effect in competition with foreign ships which sell liquor.

The reason why is: In December we fitted out the *Moccasin* to sail to South America. Her berths were all sold. When I announced that, in view of the policy of the Congress of the country, Government ships would not be permitted to sell liquor, one-half of the sailings were immediately canceled.

2. We advertised the ex-German ships, and for 20 were offered $20,000,000. We had a careful calculation made as to the cost of reconditioning these ships for passenger service, and this reached the sum of $57,000,000. In view of the present situation it did not seem to us that we were justified in incurring so large an expense.

3. Conditions in the shipping world are such that it is our conviction that there will never be a time when we can sell ships to better advantage than now, and since it is our conviction that the ships can be successfully operated in private ownership, we believe the sale should be made.

4. Two conditions are insisted upon by the board:

(a) That the ships shall remain under the American flag.

(b) That they are to be sailed in the routes indicated by the Shipping Board. This, we believe, will adequately protect the United States.

Very truly, yours, JOHN BARTON PAYNE,
Chairman.

Hon. HENRY F. ASHURST,
United States Senate.

Mr. ASHURST. Mr. President, I need not say that neither my remarks nor the joint resolution I have introduced constitute a reflection on the Shipping Board. It might just as well be said when I take an appeal from a nisi prius court to another tribunal that I am trying to insult the nisi prius court. If it be a reflection on the Shipping Board to ask that the ships be not sold, it might as well be said when you petition for a rehearing in the Supreme Court of the United States that you are making some reflection on that great court.

I am making no reflection on anybody. I am not even reflecting on "John Barleycorn." But, Mr. President, we talk of small leaks and we talk of inefficiency here and speak of heavy expenditures; but here is a great fleet which American genius and American courage and the fortunes of war put into our hands—350,000 tons—about to be sold at a grossly inadequate value. The great statesman, the senior Senator from Florida [Mr. FLETCHER], stood for months trying to get a few ships for the United States. He was trying to build up a merchant marine. His speeches were published throughout the United States, showing the necessity for a second line of the Navy, to wit, carriers of all kinds. His speeches convinced me. The statesmanship of his remarks and the remarks of other Senators, showing the need of a fleet to carry the commerce of our country, seemed to be convincing to all. Now, since the fortunes of war and American money and American genius have put this fleet of 350,000 tons into our hands, we are proposing to dispose of it for $28,000,000, forsooth, because we can not get a higher bid!

Mr. President, I will guarantee to the Shipping Board that if they will announce that on the 1st day of March an ocean liner will dip her prow into the water and will start for San Francisco, passing the placid blue of the Carribean, passing through the Panama Canal, and over the Pacific for 2,500 miles as she goes northward, every berth will be occupied whether there is to be any liquor on board or not. I will guarantee that American citizens in New York and throughout the whole eastern country will flock to the steamship offices by the thousand to go through the canal on that American ship to the California coast. Why, they can carry 50,000 passengers a month if they will only establish a line of ships between San Francisco and New York. But hold! such steamers plying between the East and West might reduce freight rates and passenger rates; therefore we must have no line of ships plying between San Francisco and New York, because the eight transcontinental railroad lines are going to see to it, if they can, that there is no competition by water between the Atlantic and the Pacific coasts. I wonder if that be the reason why we are to have no steamers carrying passengers and freight between our two shores?

We know, Mr. President, what the transcontinental railway companies did on the question of Panama Canal tolls. They were so influential that they induced Congress—a Democratic Congress—to violate its own pledges and go back on its promises, and require American ships to pay toll as they went through an American canal.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Ohio?

Mr. ASHURST. I will yield in just a moment. I have some figures in my mind that I want to state, and I will not yield at this time.

So, Mr. President, I want here, as a Senator and as an American citizen, to protest against any action which will dispose of this fleet. It is necessary as a second line of defense for our Navy. This fleet is necessary to serve as a part of our merchant marine. We obtained it by the fortunes of war. If we have trouble again, there will be another request for several hundred millions more to build more ships to replace these that we sell next Monday. Against that kind of statesmanship I protest. Against that kind of inefficiency I protest. I care not who may be responsible, whether he be Democrat or Republican, or whether he be high or low in official circles, it makes no difference to me.

That is all I have to say. I ask unanimous consent for the present consideration of this resolution.

Mr. POMERENE and Mr. BRANDEGEE addressed the Chair.

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Ohio?

Mr. ASHURST. Yes; I yield the floor.

Mr. POMERENE. I should like to ask the Senator a question.

Mr. ASHURST. I yield for a question, then.

Mr. POMERENE. Can the Senator from Arizona advise the Senate what, if any, notice was given by the Shipping Board of this proposed sale—in other words, what, if any, opportunity has been given for competitive bidding?

Mr. SMITH of Georgia. Mr. President——

Mr. ASHURST. If the Senator from Georgia can answer that question, I shall be glad to have him do so. I can not.

Mr. SMITH of Georgia. I have been advised that there has been no sale proposed, but that the purpose is, at the time stated, to accept competitive bids.

Mr. KING. Mr. President, if the Senator will permit me, not to accept, but to receive competitive bids.

Mr. SMITH of Georgia. To receive them, I mean.

Mr. KING. To open them.

Mr. SMITH of Georgia. To accept them in the sense of receiving them. I did not mean to close the trade, but that no trade has been made at all, and that on the day named the board intends to open the subject and take bids then, open to the world.

Mr. POMERENE. If that be true, how does the Senator account for Mr. Payne's letter, in which he says that he believes this figure of $28,000,000 is the highest sum they can get? I am glad to get information. I hope the Senator is right.

Mr. SMITH of Georgia. I do not know. I have called up the Shipping Board and asked them myself, and was told that the purpose was publicly to take bids at the time named. When is it?

Mr. ASHURST. On Monday, the 16th of this month.

Mr. POMERENE. Mr. President, surely if they are asking for bids, and expect to receive them, they must have in contemplation the acceptance of these bids. They certainly are not asking for bids purely out of a sense of amusement.

Mr. SMITH of Georgia. Oh, not at all. I did not mean that. I was simply seeking to indicate that the public had not been closed out of bidding. They claim at the Shipping Board, I know, that it is their purpose, and that they have so advertised, that at some day named the public will have the right to bid, ship by ship; but I have not the information so definitely. I am satisfied that there is such a purpose.

Mr. KING. Mr. President——

Mr. POMERENE. If the Senator will allow me to make another observation, I have some information which leads me to believe that the public in the past has not had the opportunity to bid for some of these vessels that it should have had. I think we are all more or less interested in that subject.

I should like to ask another question, if I may. Has the Commerce Committee, or any other committee of the Senate, investigated and made any report to the Senate as to whether at this particular time we should or should not dispose of these vessels?

Mr. JONES of Washington. Mr. President, I will say to the Senator that the Committee on Commerce has been holding hearings every day for a couple of weeks with a view to getting information upon which to base a recommendation to Congress as to a permanent policy.

Mr. POMERENE. Is it proposed to sell these ships before this committee shall have an opportunity to come to a conclusion and make a recommendation?

Mr. JONES of Washington. Well, Mr. President, I understand that bids have been received. The Senator heard the letter read.

Mr. ASHURST. Let me read again two paragraphs of this letter, to wit, paragraphs 2 and 3. I will omit the paragraph regarding prohibition:

(2) We advertised the ex-German ships, and for 20 were offered $20,000,000. We had a careful calculation made as to the cost of reconditioning these ships for passenger service, and this reached the sum of $57,000,000. In view of the present situation, it did not seem to us that we would be justified in incurring so large an expense.

(3) Conditions in the shipping world are such that it is our conviction that there will never be a time when we can sell ships to better advantage than now; and since it is our conviction that the ships can be successfully operated in private ownership, we believe the sale should be made.

Mr. ASHURST. Judge Payne has not said in this letter when the sale will be made. I assume, from what I have read in the dispatches, that it will be made on Monday. In fact, I talked with Mr. Payne over the telephone yesterday, but because I do not accurately remember what he said about the time of sale I will not attempt to quote it.

Mr. POMERENE. The letter seems to be based upon the theory that it is conceded that the Government ought to sell these ships. I should like to have some information on that

subject. I confess that I am just a little bit jealous of these ships. I do not want them to get out of our clutches if it is at all possible to keep them. The question of operation, whether it shall be private or public operation, is another question.

Mr. ASHURST. Mr. President, will the Senator let me interject right there that, of course, my examination is brief and hasty, and what I know about shipping could be written on a caramel wrapper, but I do know a few obvious plain things. The fleet could not be duplicated to-day for $300,000,000. Now, the Senator may be assured that I am reasonably accurate in that statement.

Mr. McKELLAR. The Senator means the one that is to be sold?

Mr. ASHURST. The one that is to be sold could not be duplicated to-day for $300,000,000.

Mr. BRANDEGEE and Mr. FLETCHER addressed the Chair.

The VICE PRESIDENT. The Senator from Connecticut.

Mr. BRANDEGEE. Mr. President, the last sentence in the letter of Judge Payne, which has just been read, is:

> We believe the sale should be made.

That states the conclusion to which the Shipping Board have come; and evidently, unless their opinion changes, they are going to sell those vessels at such price as is satisfactory to them.

The Senator from Washington [Mr. JONES] a few minutes ago, in discussing this subject, stated that in his opinion the question of the sale of these vessels was one for an administrative officer. I can not speak with authority about the provisions of the legislation which created the Shipping Board and the Emergency Fleet Corporation. It may be that that legislation authorizes the sale by the board.

Mr. JONES of Washington. It does; it authorizes the sale either by the board or the President. As the Senator knows, most of the vessels that have been built were built under our emergency appropriation that was really given to the President, and the President was authorized to sell, requisition, and all that sort of thing; so that there is authority, under the law, for the sale of the ships. That is the law as it stands to-day.

Mr. BRANDEGEE. Very well. I have assumed that it must be, because the chairman of the board states that the board has decided to sell them, and I have such a high opinion of Judge Payne as to convince me that he would not do anything that the law did not authorize him to do.

Mr. President, I have not the slightest desire to criticize the Shipping Board or the Emergency Fleet Corporation, and if I had I have not the knowledge of the facts to do it. I do not know that there is any basis for any criticism. All I know is that here is the assertion in the Washington Times of last evening, set out with considerable display and covering, I think, two pages of that paper, that it is the plan of the board to sell these ships, which certainly are a magnificent block of ships. It was stated in that paper that it was the largest and best single fleet of ships of its kind in the world and it was stated that it is the intention of the board to sell those ships. Now, in spite of the fact that under war emergency conditions we may have passed legislation which authorized the board to build, buy, and sell ships, a transaction of this magnitude, representing the acquisition of a great block of ships not in the ordinary course of business of the Shipping Board, which the legislation was passed to regulate, but as a result of the allied victory, presents to my mind at least a question that may fairly be considered a governmental question, and a governmental question of such a character as might well and not improperly be the subject of an expression of opinion by Congress, if it desires to express its views.

The board may be entirely right and events may show that it is the part of wisdom, in view of the state of the market and the condition of these vessels, to sell them if they can get a proper price, and it may be that their opinion is correct that passenger vessels, owing to our prohibition policy, can not be successfully maintained by this country in competition with the passenger vessels of other nations, although at least some of these vessels are not entirely passenger vessels, for I noticed the cargo capacity of many of them, as set forth in the Times last night, and it was tremendous. Having no information whatever in the premises, my only interest is that time should be secured, so that the Senate, through its Committee on Commerce, may investigate this matter in an orderly and thorough way and endeavor to ascertain the truth as to the intention of the board.

Of course, from the letter of Judge Payne it does not follow that the board intends to sell the vessels unless it can get a proper price for them. He does not state about that. The resolution offered by the Senator from Arizona, however, states in its preamble that whereas it is the intention of the board to sell these ships for $28,000,000 to the International Mercantile Marine Co., the board is instructed not to make a sale of any of them. That sets forth a distinct affirmative declaration of facts about which I have no knowledge, and I would like to ask the Senator whether he is sure of that preliminary statement in the preamble of the joint resolution.

Mr. ASHURST. I may be in error as to the fact that they propose to sell the ships to the International Mercantile Marine Co., but you will notice that the resolution says, "And its affiliated companies." I will concede I may be in error in that. I may be in error as to the price for which they are going to sell the ships. I concede that, and I would not consider it a reflection if I were in error as to the price, but I think the main features and substance of the joint resolution are correct in the main, that the Shipping Board is about to sell the ships for a ridiculously inadequate price and at an early date. I might have stated that in the resolution; I wish now that I had. I think we can all agree on the common ground that the ships are going to be sold at a ridiculously low price at an early date to the International Mercantile Marine Co. and its affiliated or associated companies.

Mr. BRANDEGEE. The resolution as framed appears to be a final direction to the board. I am not certain that the Senate has the right to direct the board——

Mr. ASHURST. It is a joint resolution.

Mr. BRANDEGEE. Unless Congress is prepared to modify or repeal the existing legislation. I am still not clear that we would have a right to direct a violation of the existing law, unless we intended to repeal the law. However that may be, I simply wish to express the hope that the Senate will adopt some resolution that will stay the hand of the Shipping Board until Congress can decide whether it is a question that it wants to take a hand in and determine as a governmental policy, and whether it desires to prescribe the conditions of the sale, if a sale should be agreed upon.

Mr. ASHURST. The Senator has correctly stated all that I hope to accomplish. I have no doubt 25 or 50 Senators, perhaps all other Senators, could have drawn a better resolution, and I will accept any amendment that will be efficacious to the end in view.

Mr. NORRIS. Mr. President, I wish the attention of the Senator from Arizona, because I desire to submit an amendment. The Senator's resolution provides, among other things:

> That neither the fleets of vessels nor any individual vessel taken by the United States from the Imperial German Government during the Great War shall be sold.

I want to strike out from there on and insert the following language instead:

> Until specific authority is granted therefor by Congress.

Mr. ASHURST. I accept that amendment. I have that right?

Mr. NORRIS. Yes; the Senator has that right.

Mr. ASHURST. Then I accept the amendment.

Mr. NORRIS. As the Senator's resolution reads from there on, it says, "except to the highest bidder," and so forth. It does seem to me in a question of this magnitude, involving all these various valuable ships, no action ought to be taken until specific authority is given by Congress to take it. I realize that under the existing law the President through this board has authority, unless Congress enacts a different law, to make the sale. I do not wish to be understood as criticizing anybody for taking that position. To my mind it would seem to be a wrong step to take. It might be that upon investigation Congress would want to take that step, but I doubt it very much. Notwithstanding we have that law, if Congress should pass the joint resolution which the Senator from Arizona has introduced, as it is now modified by the amendment which I have suggested, it would in effect be an amendment of the law so far as these particular ships are concerned, and they could not be sold until authority was granted for their sale.

Mr. ASHURST. May I interrupt the Senator?

Mr. NORRIS. Certainly.

Mr. ASHURST. Of course, I drew my resolution with a view to getting some action, and the resolution simply directs the Shipping Board to stay the sale. I feel certain that if Congress would pass a resolution asking that the sale be suspended for three months the Shipping Board would respect it.

Mr. NORRIS. As a matter of law, they would have to suspend the sale. They would not have any authority if the joint resolution is passed by the Senate and the House and is signed by the President; it becomes a law.

Mr. McKELLAR. Does not the Senator believe that the joint resolution ought to be amended so as to include the ships that were built as well as those that we captured from Germany?

Mr. ASHURST. That would be agreeable to me.

Mr. McKELLAR. I mean to put a limitation upon the tonnage—5,000 tons or something like that. I do not think the board ought to sell our great merchant marine without the approval of Congress.

Mr. NORRIS. I agree with the Senator.

Mr. McKELLAR. I believe it is a matter of sufficient importance for Congress to pass upon. It is one of the most important questions before the country to-day as to whether or not we are going to keep and maintain the merchant marine that we built up during the Great War. I do not think that the board ought to have the right to sell the great ships that we have built at great expense without the specific approval of Congress.

Mr. NORRIS. I agree with that sentiment entirely, although I presume Congress would have sufficient time to enact a law as to the other ships later. The emergency exists now, as I understand the Senator from Arizona, in regard to some specific ships that are named in the resolution. It is not contemplated to sell the other ships at the present time. So far as I am concerned I am willing to vote for an amendment that would apply to all ships the Government owns, but I would not want to endanger this resolution by putting in some other provision that would bring about a debate which would delay it, and probably these particular ships would be sold in the meantime.

Mr. ASHURST. If the resolution is to pass, it must pass before to-morrow night, and the more we put in it the more ground there is for objection. It is simply the ships we seized from Germany that we are trying to stop the sale of at an inadequate price. I do not consider that the question of Government ownership is at all involved. I have not touched that question. I have some definite views on that subject, but I have not touched it because we have not the time to debate it now.

Mr. LODGE. Mr. President——

Mr. NORRIS. I yield to the Senator from Massachusetts.

Mr. LODGE. I see in the newspapers that the Secretary of War made some protest against selling these German ships and expressed the hope that they might be retained, to which Judge Payne replied, calling attention to the fact that they were building ships for the purpose of transportation at Hog Island. The ships which the Shipping Board are building, as I understand it, and I think my information is correct, cost about $200 to $225 a ton. You can not run a ship profitably at that rate per ton. Every ship we build will be sold or leased at a loss, and yet we are going on building ships with the certainty of a dead loss on every one we build, at a time when we are talking about economy and retrenchment. I think the whole subject needs thorough inquiry and pretty drastic action. But this, as the Senator from Nebraska says, is an emergency case. We are selling these ships, I understand, at $80 a ton and replacing them with ships that cost $225 a ton.

Mr. ASHURST. The Senator is about correct in his figures.

Mr. NORRIS. Personally it seems to me that when we come to consider it we ought to consider whether it would not be advisable to enlarge the powers and activities of the Panama Railroad Co. that now owns some ships and leases some others. That is a corporation the stock of which is owned entirely by the Government of the United States.

It would be a very simple matter to lease these ships to a company like that, if we decide that is the right course to take, and they could be operated at whatever revenue they might bring.

I realize, or at least I believe, not being an expert, that we can not expect permanently to build ships at the present cost and operate them during the years that are to come and make a profit on them at that cost. It seems to me it would be foolish for the Government now to turn these ships over to some private company at a ridiculously low figure when, as other Senators have said, we might stand very much in need of them in the future, and would have to buy them back or build others at exorbitant prices. For the present, particularly since the committee is investigating it, we ought to ask the Shipping Board and those in charge to stay their hand, particularly as to these ships, until they can get specific authority for making the sale if it is decided later that they should make it. Personally I do not believe I would be in favor—I would have to be convinced if I did favor it—of selling the ships to anybody. But that question is not involved now; and whether we believe the Government ought to retain them, or whether we believe the Government ought to sell them, or whether we believe the Government ought to lease them either to the Panama Railroad Co. or some private corporation, or to some new governmental corporation, and have them operated by the Government—whether we have convictions on any of these various methods that might be resorted to, it seems to me that now we ought all to be united on the proposition that we can not afford to have them sold, as it is said they are about to be sold.

Mr. POMERENE. In any event, it does not appeal to the Senator from Nebraska as a good business proposition to sell these ships at $80 a ton when it costs at least $225 a ton to build new ships to take their places?

Mr. NORRIS. No, indeed.

Mr. FLETCHER. Mr. President, about this matter perhaps we had better start with an understanding of what the law is. The ships that are now under the control of the Shipping Board and being operated by the Shipping Board were built in pursuance of certain appropriation acts in connection with the shipping act. Those appropriation acts authorized the President to build ships, acquire ships, purchase ships, operate ships, and to dispose of ships. All those words, as I recall, are expressed in the act. The act goes on further to provide that the President may name certain agents to carry out and execute the law.

The President proceeded in pursuance of that authority to name the United States Shipping Board Emergency Fleet Corporation to build ships and proceeded to name as the agent for the operation of the ships the United States Shipping Board. Matters have been going on under that arrangement. The power to dispose of the ships is vested in the President in pursuance of those acts. It has seemed to me that was a mighty safe place to vest it. The authority, therefore, must come from the President to dispose of those ships or any ships. I do not know what order has been issued by the President, but certain it is, I take it, that the Shipping Board has passed certain resolutions outlining its policy, setting forth its views in connection with the handling of the ships, and has called on the President to make the order directing it to carry out that program. The President, I presume, has made that order and authorized the Shipping Board to dispose of the ships by sale under such regulations or conditions as the Shipping Board may see fit to impose. I presume that is the present status of the whole matter.

The real question is, What should be the policy of the Government with reference to these ships? Ought we to dispose of them or ought we to keep them? That involves also the general policy whether the Government ought to quit building ships entirely; that it should just go on and complete those already under contract and complete its present program and go out of the business entirely of constructing ships and repairing ships, and that sort of thing; and whether the Government should also go out of the business of owning, chartering, or operating ships and sell and dispose of all the ships which they have acquired by seizure, commandeering, purchase, construction, or otherwise. Those questions are involved in certain bills which have been introduced. The Senator from Washington [Mr. JONES] has introduced several. The Senator from Louisiana [Mr. RANSDELL] has introduced a bill. There is a bill before the committee coming from the House, and there are certain resolutions pending before the committee. The committee has been giving hearings, as the chairman of the committee, the Senator from Washington [Mr. JONES], has stated, with a view to making a report recommending what shall be the policy of the Government with reference to the building of ships, the owning, chartering, leasing, or the operation of ships, and the disposition of ships. That report we expect to produce within a reasonable time.

I will say that I introduced a resolution on June 30, 1919, Senate resolution No. 92, to this effect:

Resolved, That in the judgment of the Senate it is not advisable for the United States Shipping Board to sell at this time any of the merchant ships of the Government to foreign interests unless it be such as can not be successfully employed here.

There was a rumor then that sales were being made to anybody who might offer to buy any of the ships. The resolution went on:

Resolved further, That efficient merchant ships of the Government should not be sold at all at this time, except such ships as are undesirable for overseas trade and will bring approaching their actual cost or more, and then only with a view of replacing them with better ships and in order to properly balance the fleet.

That resolution was introduced by me in the Senate June 30, 1919, and referred to the Committee on Commerce, and it is before that committee now. I urged action and made some remarks about it at the time, and later, on October 17, which later appear in the RECORD at page 7062, there appears also a communication from the chairman of the Shipping Board and a list of the ships they had already sold, including steel vessels to the number of 26; wood and composite vessels, 20, of a dead-weight tonnage of 84,879; tugs, 5; and barges, 1. The total dead-weight tonnage of all those ships was 217,207, and $10,546,783.26 appears to have been the purchase price for those ships already sold, and some of the ships were of a tonnage of 7,462, 8,453, 9,778, 7,455, and so forth, but most of them were small vessels.

Mr. BRANDEGEE. Was not the Senator able to get any action on his resolution?

Mr. FLETCHER. No; no action has been taken, because, in the first place, my understanding has been that the Shipping Board had not decided upon the policy of disposing of the ships; that they were rather waiting for action by Congress to determine what course they should pursue. In fact, they said to us that they were open-minded about it; that they had not concluded that they ought to dispose of those ships or to cease operating the ships. They said they would leave that question to Congress to settle, and I thought matters were rather in statu quo with reference to that policy until the hearings were concluded. We have been expecting to call the Shipping Board before us, but they have asked that others should be heard first and then they will come and give their views. I have never understood that there was a definite policy determined upon by the Shipping Board.

Mr. BRANDEGEE. The Senator understands that if they sell these vessels that is the beginning of some policy?

Mr. FLETCHER. It seems to me so, and it seems to me that the only theory upon which this sort of sale can be based at all is the theory that the Shipping Board favors the Government going entirely out of the business, both the building and the operating and owning of ships. I do not agree with that policy.

Mr. BRANDEGEE. The Senator's resolution, however, only applies to sales to foreigners?

Mr. FLETCHER. The first part of it did, but the second part referred to all ships.

Mr. BRANDEGEE. May I ask the Senator, in view of his statement that the Shipping Board have never informed the Committee on Commerce of any plan of theirs or recommendation as to our policy in respect to the shipping question, does he not think it is wise for us to stay the sale of these ships, if possible, until a policy can be formulated after due consideration?

Mr. FLETCHER. I was just proceeding to say that. Last October, at the time I made those observations with reference to that resolution, I said:

> I am not in favor of disposing of any of these ships at this time, except such as are not efficient and might reasonably be disposed of in order to balance the fleet. If it was left with me, I would not sell a rowboat, especially not to any other country.

That is my position to-day.

Mr. ASHURST. I heard the Senator's able speech, and I was impressed with it at the time. I heard the Clerk read his resolution in the Senate, and I gave it a great deal of reflection. A large part of the action I have taken this morning was predicated directly upon the courageous, the timely, and the statesmanlike action of the Senator from Florida [Mr. FLETCHER] last June.

The seed he has sown has germinated, at least, and he is on the right track. I hope and know he will continue to lend his powerful and able support to the suggestion that we shall not dispose of these ships, at least until we determine what the governmental policy may be.

I will say further, if the Senator will allow me, that I am not this morning talking Government ownership; that is a wide field that might be discussed later; but we ought not to foreclose it by permitting the ships to be sold. I may or may not favor it; but we are not talking Government ownership; we are talking about having an opportunity to discuss the question.

Mr. FLETCHER. I agree with the Senator that we have not yet reached the point where we are seriously to consider the definite, fixed policy of the Government with regard to Government ownership and operation of ships. We must first establish a decent—I might say an adequate—American merchant marine. A merchant marine is not established by having a number of ships built. Those ships have got to be in use. The object should be to open the routes of trade; to put the ships through those routes and through the lanes of the sea in such a way as will meet the needs of American commerce. To do that requires a little time. We can not simply get the ships together and say we have a merchant marine. We must put them in the routes of trade and have the lines and schedules established and operated in such a way as will serve the producers, the industries, and the trade of the United States. When that is done we shall have our merchant marine established. We can then determine whether or not the Government shall dispose of its ships upon certain terms and conditions. I agree fully that the terms and conditions set forth in Judge Payne's letter should be included in every instance—first, that the ships must fly the American flag; and, second, that they must be used on the routes designated by the Shipping Board.

Mr. SMITH of Georgia. Mr. President, will the Senator from Florida yield?

Mr. FLETCHER. I yield.

Mr. SMITH of Georgia. How soon does the Senator think that the Committee on Commerce can submit to the Senate its definite views of a policy?

Mr. FLETCHER. It would be, of course, a little difficult to answer that, but I think the committee have very nearly completed the hearings. The chairman of the committee can probably tell better than I can about that, but I should not think the hearings ought to last more than a week or so longer. Probably in two weeks we may be able to conclude the hearings.

Mr. JONES of Washington. I hope that the committee will get through with the hearings next week, anyway; but I desire to say that so far as determining the policy which shall be pursued is concerned, it involves a tremendous problem. I do not think the committee probably will be able to report in a week.

Mr. FLETCHER. I should not think so. I stated we might probably finish the hearings in a couple of weeks.

Mr. SMITH of Georgia. I desire to ask the Senator from Florida one other question, and I shall also be glad to have the opinion of the Senator from Washington. In the meantime, is it the Senator's opinion that action should be taken which will prevent the sale of these ships until after the Committee on Commerce shall have reached a conclusion and Congress shall have acted?

Mr. SIMMONS. To what sale does the Senator from Georgia refer?

Mr. SMITH of Georgia. I refer to the proposed sale of these ships next week.

Mr. FLETCHER. With regard to that, my view is that it would be a serious mistake to sell those ships. I think we ought to hold them, unless there may be some of them that are in bad condition and which are not serviceable or efficient ships, for which we might get a good price and which, for certain reasons, purchasers might desire to acquire.

Mr. SMITH of Georgia. But as to the whole number of ships, the Senator is opposed to the sale?

Mr. FLETCHER. I am utterly opposed to that; I think it would be a serious mistake. I do not think five years will be too long for us to figure on as a time when we shall determine the policy of the Government as to whether or not it will permanently operate and own the ships.

Mr. POMERENE. Mr. President, the Senator from Florida has been studying this question for years and is familiar with present conditions in regard to shipbuilding up to date. In the Senator's judgment, what does it cost the Shipping Board per ton to build a new ship?

Mr. FLETCHER. Of course, to build passenger ships costs much more than to build cargo ships.

Mr. POMERENE. Certainly.

Mr. FLETCHER. It costs now from $200 to $215 a ton, perhaps a little less than that in some instances, to build cargo ships.

Mr. POMERENE. To what kind of ships does the Senator from Florida refer?

Mr. FLETCHER. To dead-weight tons and cargo ships.

Mr. POMERENE. What does it cost to build passenger ships?

Mr. FLETCHER. That would depend on the furnishings, finishings, and accommodations which are put into them. Those may be as elaborate as is desired, and it may cost as much as $400 a ton to build a passenger ship equipped in the luxurious way in which passenger ships were equipped before the war at least.

Mr. POMERENE. It would cost at least $400 a ton to duplicate the passenger ships which it is now proposed to sell for $80 per ton?

Mr. ASHURST. They are not all passenger ships.

Mr. FLETCHER. They are not all passenger ships, and they are not all new ships. In fact, most of them are from 10 to 15 years old, it may be.

The point raised by the chairman of the Shipping Board in his letter that it would cost some fifty-seven million dollars to recondition these ships as a reason why the board felt they had better dispose of them, it seems to me, is not well taken. In the first place, it ought not to cost anything approaching that amount to recondition these ships, and I believe the reconditioning of them could be done in the Government yards at a very much less figure than that. The people who put those figures before the Shipping Board were, in my judgment, making a profiteering proposal. It should not cost half that amount to put the ships in condition.

Mr. POMERENE. In any event the wisdom or unwisdom of reconditioning the ships should depend upon the policy which the Government will adopt in the future.

Mr. FLETCHER. Precisely.

Mr. RANSDELL. Will the Senator yield to me?

Mr. FLETCHER. I will.

Mr. RANSDELL. I desire to ask the Senator if these figures of $57,000,000 for reconditioning the ships are correct, does not that amount to about $160 per ton in addition to the $80 per ton for which it is proposed to sell them?

Mr. FLETCHER. I have not figured it out.

Mr. RANSDELL. I have figured it out, and it is a little over $160 per ton, which they say it would cost to recondition them. If that be true, and they should succeed in selling the ships before reconditioning them at $80 per ton, it would, in substance, be selling them for $240 per ton instead of $80, as many Senators have suggested. I am not urging the point at all, but I say if the Shipping Board is right in that respect, then it is going to cost a great deal to put these ships in shape.

Mr. FLETCHER. I see the Senator's point, and, of course, it is well taken. These ships are not in first-class condition; there has got to be some money spent on all of them, in some cases involving pretty expensive repairs. However, I am making the point, in the first place, that it ought not to cost any such sum as $57,000,000 to do that, and I do not believe it would cost that amount if the matter were properly managed. In the next place, I think even then, if the ships are put in condition, the price asked, according to the figures given, is exceedingly low. They are worth more money than that.

Mr. NELSON. Mr. President, will the Senator yield to me?

Mr. FLETCHER. I yield to the Senator from Minnesota.

Mr. NELSON. I simply desire to say that it seems to me in this discussion the fundamental questions involved are entirely overlooked. The question is whether we are to adopt a nautical Plumb plan for our shipping; the question is whether the Government is to continue to operate the ships or to turn them over into the hands of private enterprise, of American citizens, to sail under the American flag.

Now, what are the conditions? We have upward of 10,000,000 tons of shipping built or under construction, and we will have that amount of tonnage in a short time. What shall we do with all of that shipping? Shall the Government adopt a Plumb nautical plan and continue to operate those ships or shall we turn them over to private American citizens and let them operate them, as we hope to do in the future in the case of our railroads?

What are these German ships? A large share of them were passenger ships. They were remodeled during the war and made into troop ships. To make them useful again for passenger ships they must be again remodeled. Nearly all of the ships constructed by the Emergency Fleet Corporation were freight vessels and not passenger vessels.

The question now is, Shall passenger routes be established between this country and England and between ports of South America and the United States and shall our Government engage in that business? The Cunard Line and other British lines are now preparing and getting ready to build a number of passenger vessels to regain their command of the trans-Atlantic trade, as they commanded it before the war. With the exception, perhaps, of the Old American Line, we have, so far as I know, no passenger liners; we have no trans-Atlantic passenger lines at present; and the question is, Shall we enter into that field of competition and operate American passenger lines between America and the Old World and between our country and South America?

On top of that there arises the question, Shall the Government undertake this business or shall we put it into the hands of private American citizens and allow them to conduct the business? That is the question involved in this case.

I am saying nothing about the price of the vessels; I am not defending anybody; I am accusing nobody; I am simply calling attention to the fundamental question involved here, which is, Shall the Federal Government undertake to operate passenger lines across the Atlantic and to South America or shall we leave such business to private American enterprise? It is analogous, Mr. President, in many respects to the problem that has confronted the railroad committees of Congress; it is a question of whether or not we shall adopt a nautical Plumb plan.

Mr. FLETCHER. Mr. President, as I stated at the outset, the main question is, What is going to be the policy of the Government? My position is that we have not reached the point where we are in a condition to determine that policy. We do need passenger ships in connection with the cargo ships; for instance, in the trade with the South American ports of Rio Janeiro and Buenos Aires. The people of South America go to Europe because they can cross by four or five different lines in 15 days. They can sail from Rio Janeiro to Genoa or from Rio Janeiro to English ports in about 15 days on the best kind of passenger ships, and the result is they go to Europe and they trade with Europe. I do not know of a passenger line affording proper accommodations between the United States and South American ports, and the time required for the voyage is about four weeks.

We need passenger lines as well as cargo lines. The one supplements and cooperates with the other. We need to balance our fleet; we can not have an adequate merchant marine based entirely on cargo ships, but, in my judgment, we need some passenger vessels. The Shipping Board has been discussing for some time past whether or not they would build passenger ships. In fact, they are now building 26 ships for passenger business. The ships they have heretofore built are cargo vessels; and right now, when they have some passenger ships, they can put them on these routes without interfering at all with private lines. There is no need of interfering with private lines in the trans-Atlantic trade, but we do need passenger ships in connection with our cargo ships if we are going to do business with our friends, especially in South America.

Mr. ASHURST. Mr. President, will the Senator yield to me?

Mr. FLETCHER. I yield.

Mr. ASHURST. I wish to say a word to the esteemed and learned Senator from Minnesota [Mr. NELSON], who has made a very pertinent suggestion. I assure him that when I drafted the joint resolution which I have presented and when I argued for it I did not have in mind, and I do not now have in mind, any such plan as a nautical Plumb plan. Indeed, Mr. President, the Senator will remember that I distinctly stated that the question of Government ownership could not be involved here and ought not to be involved here. I assume that Senators, if any of them vote for the joint resolution, will not be committed directly or indirectly to any Government-ownership plan.

I repeat that the joint resolution does not commit anyone to a nautical Plumb plan or a Government-ownership plan; it simply stays the sale until we can determine what kind of a plan we do want. I want the Senator from Minnesota to feel assured that I am not trying by any covert means or any indirect means to commit this Congress to any nautical Plumb plan.

Mr. NELSON. I wish to say to the Senator, although I do not know who has the floor——

Mr. ASHURST. I have not.

Mr. FLETCHER. I have the floor, and I have yielded to Senators. I should like to finish as soon as I can, but I yield to the Senator from Minnesota.

Mr. NELSON. I simply wish to say to the Senator from Arizona, as supplemental to what I have heretofore said, that nearly all of the vessels the Emergency Fleet Corporation constructed during the war were freighters. The only passenger vessels we have that we could immediately put into use would be the German liners which we took during the war. They were converted into transports; they ought now to be converted into passenger vessels, and I think it urgent that they should be put into passenger lines in order that we may have American passenger lines between our country and Europe and between our country and South America. To my mind the only question is whether those passenger lines shall be operated and controlled by the Government or by private American enterprise and private American citizens.

Mr. McKELLAR. Mr. President, will the Senator from Florida yield for just a moment for a suggestion?

Mr. FLETCHER. I yield.

Mr. McKELLAR. I wish to suggest to the Senator from Arizona and to the Senate that the joint resolution be amended by striking out in the first clause the words "on February 16, 1920, to the International Mercantile Marine Co. and its affiliated companies," and then strike out the second "whereas" entirely. Then there will remain a resolution which will merely prohibit the sale of the ships until the Senate and the House of Representatives can look into the matter. All of the other questions will be irrelevant; we will have stopped the sale, and that is all that is necessary to be done now until Congress looks into the matter further. I hope the Senator from Arizona will agree to that suggestion and let the amendment be made.

Mr. ASHURST. Mr. President, if the Senator from Florida will yield——

Mr. FLETCHER. I yield.

Mr. ASHURST. Understanding I have a right to do so, I accept the amendment suggested by the Senator from Tennessee.

Mr. JONES of Washington. Mr. President, I understand this is a joint resolution.

Mr. ASHURST. It is a joint resolution.

Mr. JONES of Washington. Then it should go to a committee, of course.

Mr. ASHURST. I was going to ask unanimous consent for its present consideration.

Mr. JONES of Washington. Of a joint resolution on its introduction? Such a resolution is the same as a bill and it should

be referred to a committee. I should not consent to the passage of the joint resolution by unanimous consent, although I may not be opposed to it when it is looked into; but it is a joint resolution, similar in nature to a bill, and it is really contrary to the practice of the Senate to pass a bill upon its mere presentation.

Mr. FLETCHER. Mr. President, I have no objection to the amendment of the joint resolution, and, if it is agreed to, I am perfectly willing that it may take that shape now, and then I will proceed with a few more words with regard to the policy.

I am perfectly willing to concede that now is a splendid time to sell ships. I agree with Judge Payne fully upon that point, that if we are going to dispose of these ships speedily and with a view to getting them into private hands as soon as possible and having the Government hasten its relinquishment of all activities in connection with shipping and the establishment of a mercantile marine, perhaps it is best to do so now, because the prices are good; but why not let the Government, while the prices are so good, hold on to a very good property? The people's money went into these ships—not these particular German ships, but into the merchant marine that we have. The proceeds of Liberty bonds are invested in these ships. The people of this country own them. Now, the rates are high. We can get back some of the extra cost that we put into these ships if we will operate them aright, and the board are operating them, I think, successfully. They have made a lot of mistakes. There is no doubt about that. They have had some difficulties; but still the ships are valuable and are earning money and, of course, the price is good now; but the fact that the price happens to be good is no reason why the Government should sell the ships. In my judgment the price is going to be good for years to come.

The British lost 12,000,000 tons of shipping during the war. They have built only about 2,500,000 tons per annum. That is about all they can build. Japan can not build over 400,000 tons a year. France can not build more than 500,000 tons a year. It is going to take time to restore the world's tonnage to the point at which it was in 1914, and during this time the freight rates are going to be high, and there is going to be demand for ships, and there is going to be profit in shipping. There is no question about that. Why should the Government just at this time, with these opportunities before it and in the presence of these necessities of the country as far as our foreign commerce is concerned, relinquish absolutely and entirely its control of shipping?

Mr. President, I just want to call attention for a moment to the importance of an adequate merchant marine. Of course, it is not necessary to argue that. You may say that we are not disposing of our merchant marine when we sell the ships to American owners to be operated under our flag, and all that sort of thing. You may find, the first thing you know, that foreign shipping interests will be behind many of these transactions, and you may find after a while that only half a dozen lines will have control of our shipping, and that, as I say, foreign interests are really behind those lines. There is a danger there.

Here is a document that I had printed, No. 335, entitled "The Problem of British Shipping," by Sidney Brooks, one of the distinguished authorities of England, and I desire to call your attention to what he has said on this subject:

> It is a commonplace to remark that without the mercantile marine we could not have waged the war, much less won it. Everyone can now see that tonnage has been the basis of the whole allied effort. But we were almost criminally late in recognizing this simple, quintessential fact, and in shaping our policy accordingly. The war had been going on certainly for two years—in my own opinion, for two and a half years—before the nation and its rulers had begun to realize that we are not a continental but an insular power, drawing our life from the sea. So little was this foreseen or suspected at the beginning of the war that we took men from the shipyards by thousands and tens of thousands into the army and the munition factories, and practically shut down on the building of merchant vessels. Then gradually and protestingly we awoke to the reality of the U-boat depredations. We found that just at a time when our factories were demanding more and more material from abroad and our armies were requiring unprecedented quantities of imported foodstuffs, and our allies were asking for the loan of ships and yet more ships, and half of our total tonnage had to be diverted from commercial to military uses, the German submarines were making inroads on our depleted shipping with a success that, if it could be maintained, would eventually end in paralyzing our fighting arm. There were weeks, there were months, in 1917, when the enemy's campaign seemed so likely to triumph that one could almost name the date when Great Britain's part in the war would be over. Sir L. Cholzza Money stated in the House of Commons on the 14th of November that had our losses in the month of April, 1917, been maintained we should have been "in deadly danger" in six months and "ruined" in nine months. I wonder how many people realize that in the first nine months of last year we lost almost a sixth of the entire mercantile marine with which we began the war, and that our output of vessels for the whole year was about 240,000 tons less than our losses during a single quarter. Our strength at sea was being steadily sapped, even though the fleet remained intact and supreme.
>
> Such a paradoxical conjuncture of affairs would have seemed unimaginable before the war. But then before the war we really did not know the meaning of sea power. We thought it meant dreadnoughts, cruisers, destroyers, submarines, and so on. We did not realize that it also meant liners, trawlers, tankers, tramps, and the ordinary merchant vessel. We did not grasp that while the fleets represented the striking and protecting half of sea power the carrying and supplying half consisted of the merchant marine, and that both were equally vital to the success of our military effort.

That is the statement made by this Englishman upon this subject, which it seems to me furnishes all that need be said to show that we will be derelict in our duty, we will be recreant to our trust, if we do not see, now that the United States has at last taken its place upon the seas and has realized at last the sea power that should be ours, that never again shall we be in the position, as we were in 1914, of being dependent upon foreign ships to carry our commerce, and never again shall we be in a helpless condition in case of trouble, as this article shows we will be unless we have merchant ships as well as an aggregation of floating batteries on the seas.

Mr. SIMMONS. Mr. President, I was not in the Chamber when the resolution introduced by the Senator from Arizona [Mr. ASHURST] was read; but I understand, from a colloquy between him and the Senator from Tennessee [Mr. MCKELLAR], that the general purpose of this joint resolution is to stay the hand of the Shipping Board in the matter of the sale of these ships until the Government can settle upon some policy with reference to them.

I am heartily in favor of the joint resolution. I have listened with great interest to the presentation of this matter by the Senator from Florida [Mr. FLETCHER], and I agree with the Senator in toto in the general statement that if we are ever to have an American merchant marine, now is the time for its establishment, and its establishment through the Government, because if the Government does not give us an American merchant marine we are not likely to have one.

Mr. President, of course, in the last analysis, Congress must decide what policy shall be pursued with reference to the ships that we now have. We must determine whether we want to retain them in Government ownership or to transfer them to private ownership. We are in danger right now of having that question settled for us by the Shipping Board instead of by the Congress of the United States. The Senator from Minnesota [Mr. NELSON] had referred to the analogy between this matter and the railroad matter. There is some analogy at some points. There is at other points no analogy; but with reference to the policy of the Government with regard to railroads, we did not permit the Director General of Railroads to decide that policy for us. The Congress itself, after due consideration, will decide that question. Unless something is done right now by the Congress, before the Congress acts the Shipping Board will have decided this question for us, and our action in the matter will be of but little importance.

For some time the Shipping Board has been selling off ships, and now it is proposed by the Shipping Board to sell the 30 big ships that we acquired from the Germans, the only passenger vessels that are now a part of our fleet. The Senator from Minnesota makes a very good point when he says that we need to balance this fleet, and have some passenger-carrying ships as well as some cargo-carrying ships. Now, if these ships are permitted to be sold before we have decided upon this policy, they will have sold off every passenger ship of which the Government is now in control.

Mr. ASHURST. Mr. President, let me interrupt the Senator there. I will name just one ship that is proposed to be sold. There are others.

Mr. SIMMONS. The *Leviathan?*

Mr. ASHURST. The *Leviathan* is the largest ship, 54,000 tons. She, however, is not now equipped as a passenger ship; but listen to this:

The *Kaiser Wilhelm II*, Americanized now as the *Agamemnon*, has a tonnage of 19,360 tons and a passenger capacity of 2,400 persons. She is purely a passenger ship, having no cargo space, and she is one of the most, if not the most, gorgeously equipped vessels afloat, providing every modern comfort and convenience. That is only one of them.

Mr. SIMMONS. The Senator from Minnesota [Mr. NELSON] says that we must have passenger ships, and I think he is right about it. I think we will all agree that he is right about it. Yet we are sitting here inactive in the face of a proposition of the Shipping Board to dispose of every passenger ship that the Government now controls. The Senator says he wants the Congress to decide that question. How can the Congress decide the question as to the sale of these passenger ships if it remains silent until the passenger ships go into other hands?

Mr. ASHURST. Mr. President, will the Senator yield to me again? Take the *President Grant*, which, of course, retained her patriotic name after we took her from the Germans. She has a tonnage of 18,172 tons. She has the greatest passenger-carry-

ing capacity of the whole fleet. She accommodates 3,300 persons, is a superbly and beautifully equipped ship, and she is in the melting pot. She is to be sold with the rest. Two of them I have named. I will name some more.

Mr. SMOOT. Mr. President——

Mr. SIMMONS. Just a moment, Mr. President. If the Government shall ever part with these ships when we have decided that it is good public policy to turn them over to private ownership, the Government, I take it, would never do that without making adequate provision that they shall remain under the American flag. The Government would never do that without making adequate provision for the reconversion of those ships as auxiliary cruisers whenever the Government might have need for them for that purpose; and yet if this process of gradual disintegration of the little merchant marine that we have built up here during the war is permitted to go on, these ships will leave the Government without any binding condition with reference to whether they are hereafter to fly the American flag, and without any condition that the Government may at any time command them and see that they are at all times kept in condition to be easily converted to the uses of the Navy.

Mr. SMOOT. Mr. President, will the Senator yield? I wanted to ask the Senator from Arizona a question while he was on his feet.

Mr. SIMMONS. Certainly.

Mr. ASHURST. Will the Senator yield to me to reply?

Mr. SIMMONS. Certainly.

Mr. SMOOT. Did I understand the Senator from Arizona, in his statement this morning, to state that England had offered $125 a ton for these ships?

Mr. ASHURST. I was reliably informed—of course, I do not want to be set down as having stated an untruth—I was reliably informed by representative men who assume to have knowledge that England had offered or would offer $125 per ton for these ships. Now, I may be wrong, of course.

Mr. SMOOT. Of course, I have no doubt that they would be glad to give $125 a ton for the ships; but it did seem to me strange that America was thinking of selling ships to England, even at $125 per ton, and England was thinking of buying those ships when she can not even pay the interest upon her debts to the United States.

Mr. THOMAS. It is an English company.

Mr. ASHURST. But if she had these ships she would not only be able to pay the interest but she could soon pay the principal from the profits that these great ships would bring her. I will leave it to the Senator from Florida, who is a very great expert on the subject. She would easily be able to pay the interest from the earnings of this fleet.

Mr. SMOOT. I do not think it would be very good business sense for the United States at this time to sell 350,000 tons of shipping to England at $125 a ton, and expect payment for those ships, when England now can not, or at least does not, pay the interest upon the bonds that she already owes the United States Government.

Mr. WADSWORTH. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from New York will state it.

Mr. WADSWORTH. May I inquire if the Senator from Washington [Mr. JONES] has objected to the immediate consideration of this resolution?

Mr. JONES of Washington. I said that I should insist on its going to the committee. It is a joint resolution, not a simple resolution.

Mr. WADSWORTH. Then that constitutes an objection to the immediate consideration of the measure, does it not?

The VICE PRESIDENT. It does.

Mr. SIMMONS. Mr. President, I do not think I can be taken off the floor in this way. I have the floor. I have not yielded to the Senator for the purpose of summarily disposing of this matter.

Mr. WADSWORTH. I have not tried to take the Senator off the floor. I made a parliamentary inquiry, so that we would understand what the situation was. I merely wanted to say that there is but five minutes left of the morning hour; and as the Senate can not act on this matter to-day, or at least until it is referred to the committee, on account of the objection of the Senator from Washington, I hoped that the regular order might be resumed; but of course I do not want to take the Senator off his feet.

Mr. SIMMONS. Mr. President, I have but a few more observations to make.

I am thoroughly convinced that if we are to have, within our day and generation, an adequate merchant marine, we will have, through the instrumentality of the Government, to establish that merchant marine right now. The Government has a large number of ships compared with what it had before the war, but we have nothing like an adequate merchant marine. We have not sufficient cargo ships to entitle us to claim a position as one of the great merchant-marine powers of the world. We have not enough cargo ships of that kind, and we have no passenger ships to speak of, such as are required in a well-balanced merchant marine. When we have finished building the 10,000,000 tons that the Senator has spoken of, we will have still an inadequate merchant marine. Now, my theory is that the Government of the United States is in a capital position just at this time to complete this merchant marine. It is in a magnificent position to complete this great merchant marine, to build and commission enough cargo ships and enough passenger ships to make a well-balanced, well-rounded merchant marine, worthy of the greatest Nation upon the earth. We can do that now more economically than it can be done by private individuals, because at great cost during the war we established the great plants in which these ships are being built. We own those plants. The International Mercantile Marine, which is the concern that wants to buy these 30 German ships, is a corporation that now, I understand, operates a part of its ships under foreign flags. They are the gentlemen who want to buy these ships. Do they desire to buy any of these costly plants that the Government created during the war for the construction of ships? No. Other gentlemen have gone to the Shipping Board and have made propositions to purchase ships. Has a single one of them offered to buy any of the plants that the Government erected during the war at a cost of millions and hundreds of millions of dollars? Not one of them. Does anyone in this Chamber believe that if the Shipping Board is permitted to carry out the present policy of doling these ships out to this corporation and that corporation it will buy plants and go on building ships until it has built an adequate merchant marine to meet the requirements of this great Nation? Is there any evidence in any of these propositions, or any evidence in any of the positions now being taken by the people who want to buy the ships, that it is their purpose to complete the American merchant marine; that it is their purpose to build the great passenger ships that we need; that it is their purpose to build additional cargo ships? Have they even offered to buy any of the facilities which the Government now possesses for the construction of these ships?

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the joint resolution goes to the Committee on Commerce, and the Chair lays before the Senate the unfinished business, which is Senate bill 1699. The Senator from North Carolina has the floor.

Mr. SIMMONS. Mr. President, the purpose I have in making this argument is that if these ships are sold in the way they are now being sold by the board to private individuals, then the great plants which the Government has built are going to be junked, shipbuilding in this country is going to come to an end, many of the ships that have already been built will go under a foreign flag, and at the end we will find that with all the expenditure of money and all this talk about the establishment of an American merchant marine our merchant marine will have disappeared and we shall have none.

Under those conditions it does seem to me that the Senator from Florida [Mr. FLETCHER] has made a wise suggestion. Let us go on, Mr. President, in the construction of these ships. We have the plants, we have the equipment, we are able to build them cheaply. It is certain that we will build them if we determine upon that course, and in a short time we will have an adequate merchant marine. If we decide now to turn these ships over, we will find in a short time that we will have no merchant marine. We will be right back where we were before. The gentlemen who buy the ships will be coming here and saying we can not operate them under the American flag in competition with foreign Governments unless you give us a subsidy and put us in a condition to operate them under the American flag.

Let us go on and build up a great American merchant marine and balance it, and then when we have done that we will take this question up, just like we took up the railroad question, and we will decide whether we will operate the merchant marine by the Government or whether we will permit it under certain conditions framed, intended, and calculated to keep the merchant marine in the hands of Americans and under the American flag and subject to such subsidiary uses as the Government of the United States from time to time may require. In that way we will get a merchant marine; but, Mr. President, there is no other way. Preliminarily we may have an opportunity to decide it in case we determine that we will build no more ships; permanently in case we determine that we will build enough to complete our merchant marine. But, Mr. President, it is certain that with the policy now being pursued

by the Shipping Board, cautiously pursued, first one little sale here and then another little sale yonder, and then, getting a little bolder, a bigger sale, as now proposed, if we remain silent here it will not be long before the thing will be decided for us without any voice in the matter at all.

I think, therefore, ordinary precaution requires that the resolution offered by the Senator from Arizona [Mr. ASHURST] should be passed, and that the Shipping Board should be given to understand that they are not to dispose of any more of these ships until they have secured the consent of the Congress.

I yield to no man in my desire to establish a merchant marine in this country. I have stood upon the floor of this Chamber and advocated it for the last seven or eight years. I think it is a consummation greatly to be desired. I did not years ago believe that such an opportunity as now exists for the establishment of an adequate merchant marine would come in my day; but it has come, and it seems to me that we are about to throw overboard and disregard the opportunity which is now presented to us. It would be a crime, Mr. President, to permit these ships to go into private hands unless we are assured by contracts that are binding that shipbuilding in this country is not to stop now, that shipbuilding in this country is to go on until we have an adequate merchant marine, and when we have an adequate merchant marine under the American flag it is not by hocus-pocus to be dissipated and become in a few years a marine controlled and directed under another flag.

I trust that the joint resolution will be passed.

RETURN OF RESIDENT POLES.

Mr. WADSWORTH. Mr. President, I ask unanimous consent to introduce a joint resolution, which I am instructed to introduce by the Committee on Military Affairs, and following its presentation to report it to the Senate.

The PRESIDING OFFICER (Mr. MYERS in the chair). The joint resolution will be read at length.

The joint resolution (S. J. Res. 156) authorizing the Secretary of War to bring back on Army transports from Danzig, Poland, residents of the United States of Polish origin who were engaged in the war on the side of the allied and associated powers, was read the first time by its title and the second time at length, as follows:

Whereas there are now in concentration camps at or near Warsaw, Poland, and have been since November, 1919, upward of 12,000 residents of the United States of Polish origin, who were equipped and transported at the expense of Great Britain and France from the United States to Poland, and who were engaged in active service in behalf of the allied cause during the war; and

Whereas they are desirous of returning to their homes in this country and are without means to accomplish such repatriation: Therefore be it

Resolved, etc., That authority be, and hereby is, given to the Secretary of War to use such Army transports as may be available to bring back to the United States from Danzig, Poland, such residents of the United States of Polish origin as were engaged in the war on the side of the allied and associated powers.

Mr. WADSWORTH. I ask unanimous consent for the immediate consideration of the resolution.

The PRESIDING OFFICER. Is there objection?

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. ASHURST. Mr. President, I desire to discuss it briefly, and I am glad the Senator has asked unanimous consent for its present consideration. Of course, the joint resolution which I introduced has gone to the Committee on Commerce.

Mr. BRANDEGEE. The resolution of the Senator from New York has not been agreed to.

Mr. ASHURST. It is the pending business, but my remarks on that resolution will be an unreturning parabole. I do not expect to touch it or go near it, for I am talking about another subject.

The chairman of the committee, my distinguished friend, the Senator from Washington [Mr. JONES], objected to the present consideration of the joint resolution I introduced. That is his right. I have no criticism; he would be justified in being offended if I intended a criticism, but I want him to know what is the result of his action. Judge Payne has telephoned within the last 20 minutes to a Senator that he is going to sell the ships on Monday, February 16, as the preamble to my resolution stated. That means that should the Committee on Commerce be convened to-day and report the resolution favorably, one objection to-morrow will kill the resolution.

Mr. POMERENE. Mr. President——

Mr. ASHURST. I yield to the Senator from Ohio.

Mr. POMERENE. The Senator has just stated that these ships would be sold on Monday.

Mr. ASHURST. A Senator just told me that he talked with Mr. Payne 20 minutes ago, and Mr. Payne stated they would be sold on Monday.

Mr. POMERENE. What reason is urged for this urgency sale under the circumstances?

Mr. ASHURST. I do not know.

Mr. POMERENE. We will all be interested in knowing.

Mr. ASHURST. I hope Senators will pardon me for taking the time I did, but I felt that I ought to say a word. The result of the objection is to put it in the power of one Senator to-morrow to stop action on the joint resolution.

Mr. BRANDEGEE. May I make a suggestion to the Senator from Arizona?

Mr. ASHURST. Certainly.

Mr. BRANDEGEE. Why does not the Senator propose his resolution in the form of a Senate resolution requesting that the sale be not made until the consent of Congress is given?

Mr. ASHURST. I thank the Senator. I believe that is a wise suggestion, and I ask unanimous consent to do it when the Senator from New York has disposed of his resolution.

Mr. KING. Mr. President, I should like to ask the Senator from New York whether he thinks there is anything in the pending joint resolution that would infringe any immigration law?

Mr. WADSWORTH. No, Mr. President. These soldiers were residents of the United States. I may say to the Senator that during the war, after our participation in it commenced, representatives of the embryo Polish government came to this country, and with the permission of the Government of the United States recruited something like 12,000 men for the so-called Polish Legion. These were men of Polish origin residing in the United States. A large number of them were citizens of the United States, and quite another portion of them had taken out their first papers. The British and French Governments transported them to France; the French Government uniformed and equipped them and organized them into the Polish Legion attached to the French Army. The Polish Legion, largely made up of American citizens of Polish origin, fought with the French Army during the last year of the war, and at the time of the armistice were sent to Poland, and since then have been in the Polish Army under Gen. Haller.

Recently those men have been discharged from the Polish Army and are living in a great concentration camp outside the city of Warsaw, unable to return to the United States. The War Department is operating a transport service between the United States and Antwerp for the service of our troops on the Rhine, and the Secretary of War informs me that it will be quite easy for the transports to proceed to Danzig, load these men, and bring them back to the United States, where they went from a few years ago.

Mr. KING. It seems to me, under the explanation made by the Senator, that the joint resolution ought to be very promptly passed.

Mr. McKELLAR. May I inquire of the Senator from New York about how many of them there are now and about what will be the cost of the transportation?

Mr. WADSWORTH. The Secretary of War informed me this morning that the appropriations are ample to cover this expense. The only thing that will materially increase the cost of operating the transports is the subsistence of these men while they are being brought home. I understand that Polish-American societies will be ready to see that they reach their homes all over the United States as soon as they arrive at either New York or Boston.

Mr. McKELLAR. I understand the Senator to state that a large number of these men are already American citizens?

Mr. WADSWORTH. A large number of them are American citizens.

Mr. McKELLAR. The joint resolution ought to be passed by all means.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SALE OF SHIPS.

Mr. KIRBY. Mr. President, I want to say a few words about the joint resolution which was introduced by the Senator from Arizona [Mr. ASHURST], and I deem it proper to say them now.

This is one of the most important questions that is going to come before Congress at this or any other session. The question of transportation is one of supreme importance. We have had much difficulty about the solution of the railroad transportation question and we are seeming to have much difficulty about the

question of sea transportation. The time is quite ripe now when we ought to settle what the Government policy is going to be about the establishment of an American merchant marine.

I sent out last fall this sort of a statement to all my constituents:

An American merchant marine should also be established and maintained, and the Government should continue to build ships and to operate all constructed in carrying our coastwise and foreign commerce. No more Government-built ships adapted to such use should be sold or disposed of.

The Committee on Commerce is trying to determine now upon a recommendation for a policy to be established along this line. They have been having hearings for some time. They are almost ready to come to a conclusion about what they think the Government policy should be hereafter. Before that can be done it is proposed to sell this great fleet, and we have been selling ships that have been constructed at Government expense in Government yards. Why? Because somebody wanted to buy them and because the Shipping Board thought it was good policy to dispose of them. If we are ever to have an American merchant marine now is the time that policy must be determined upon. The Government might be induced, perhaps, to go into shipbuilding at some other time in the history of the country, but it could never be done except under an emergency. We had to build ships while the war was going on. We prepared to build these ships, we made great yards, and we are turning out Government ships, Government owned.

There is a vast difference between the railroad problem and this American merchant marine problem. We did not own the railroads; we do not own the railroads now; and the only question is whether they shall be turned back to their owners. But we have built the ships and we own the ships and we have need for an American merchant marine. That is the condition now. If we shall wait to determine a policy about what shall be done hereafter until the Shipping Board has sold all the ships we acquired from Germany and has sold the ships we built in our own yards at public expense, there will never be a question of the Government establishing an American merchant marine.

Now is the time that this matter ought to be settled and finally disposed of. We know the necessity for ships. We know that no great Government engaged in commerce can live unless it shall have sea transportation facilities. We understood that; it was impressed upon us in the Great War. We have the ships, we have the plants, we have the ability, and the ocean is free to us all and does not need any repairs. This is the time when we must determine whether we shall hereafter engage in commerce upon the sea or whether we shall take care of our own industrial conditions, as must be done even if the Government shall be required to continue in the building of ships and the operation of those already built.

When the last appropriation bill was here providing appropriation for the Shipping Board I introduced an amendment saying that hereafter no more Government-built or Government-owned ships shall be sold, but the Shipping Board shall continue to build them and they shall be operated for the benefit of the Government in carrying the coastwise and foreign commerce under regulations made by the Shipping Board. That amendment was not germane at the time and it was objected to and went out on a point of order. Because it was offered to a general appropriation bill it went out; but the question now confronts us; and if all the Government ships are disposed of before we can determine whether there shall be a policy or not, there is no use to have a policy. Now is the time to determine this question. The necessity was never greater. We are talking about compulsory military training for the Army; we are talking about the great questions of preparedness; but, Mr. President, I desire to say here and now the inevitable conflict for control and supremacy on the sea will be waged within the next 50 years. The American people want to be ready for it and the American people must have a merchant marine. There is one already established now, and it should not be disposed of.

Mr. CHAMBERLAIN obtained the floor.

Mr. STERLING. Mr. President, I ask for the regular order.

Mr. BRANDEGEE. Mr. President, if the Senator from South Dakota will yield for just a moment, I was under the impression that the Senator from Arizona [Mr. ASHURST] had reoffered his resolution.

Mr. ASHURST. I am getting it ready. It will be introduced in about a minute.

Mr. McKELLAR. Mr. President, I ask unanimous consent to introduce and to have immediate consideration for the resolution which I send to the desk.

The PRESIDING OFFICER. Let the resolution be first read. Then the Chair will ask if there is objection.

The Assistant Secretary read the resolution (S. Res. 305), as follows:

Resolved by the Senate of the United States, That the United States Shipping Board be, and it is hereby, requested to defer the selling of vessels taken over by the United States from the Imperial German Government during the war until further action by Congress.

The PRESIDING OFFICER. Is there objection to the introduction of the resolution?

Mr. JONES of Washington. As the chairman of the Shipping Board is going to appear before the Committee on Commerce in 10 minutes, I do not know what we may be in favor of, but I do not think we ought to act precipitately.

The PRESIDING OFFICER. Does the Senator from Washington object to the introduction of the resolution? That is the first question.

Mr. JONES of Washington. I object to the introduction of the resolution now.

Mr. McKELLAR. Will the Senator from Washington yield?

Mr. JONES of Washington. In just a moment. After we hear Judge Payne, then I shall not object to the introduction of the resolution and possibly its consideration.

Mr. McKELLAR. Then will the Senator allow me to introduce the resolution?

Mr. JONES of Washington. So that it may lie over?

Mr. McKELLAR. So that it may lie over until after the committee hear Judge Payne this afternoon?

Mr. JONES of Washington. Yes; that is all right.

Mr. McKELLAR. The reason I offer the resolution is that within 10 minutes I went to the telephone and called up Judge Payne, and he told me that the sale would be consummated on Monday. I asked him if he would not defer it, and he then said that he expected to be before the committee, and hoped that I would come into the committee and hear what he might have to say, but my distinct understanding of my conversation with him was that the sale was going to be consummated on Monday. My resolution merely directs that the sale be not made until further action of Congress. I think there ought to be such an expression on our part, regardless of whether or not Judge Payne is willing to consummate the sale, for we ought to control that particular situation at this time.

Mr. JONES of Washington. Mr. President, I shall not object to the introduction of the resolution and have it lie on the table, but the Senator from Utah [Mr. KING] stated on the floor of the Senate a few moments ago that he also had talked with Judge Payne over the telephone, and that Judge Payne had told him that the sale would not be concluded on Monday, but that the Shipping Board was simply to receive bids.

Mr. POMERENE. Mr. President, I desire to ask if it may be assumed that the distinguished chairman of the Commerce Committee will make some report to the Senate this afternoon as to the result of the investigation before the committee?

Mr. JONES of Washington. I will be very glad to do so, if the Senator would like to hear such a statement. Judge Payne requested the opportunity to come before the committee at 2.30 o'clock this afternoon.

Mr. POMERENE. I shall be obliged to be on the floor of the Senate this afternoon, but it does seem to me that the situation is so acute that whatever information the Senator from Washington gathers this afternoon ought to be placed at the disposal of the Senate, so that we may take some action this afternoon, if it is deemed wise so to do.

Mr. JONES of Washington. I shall be very glad to present the information to the Senate after the hearing.

The PRESIDING OFFICER. The Chair desires to conduct business in an orderly manner. Is there objection to the introduction of the resolution by the Senator from Tennessee [Mr. McKELLAR]? The Chair hears none, and the resolution is introduced. Is there objection to the immediate consideration of the resolution?

Mr. JONES of Washington. I ask that the resolution may lie on the table.

The PRESIDING OFFICER. There is objection. The request is not debatable; it may not be now discussed.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon [Mr. CHAMBERLAIN] has the floor.

Mr. LODGE. I rise to a point of order. Does not the objection to the resolution carry it over until to-morrow?

The PRESIDING OFFICER. That is the rule, as the Chair understands.

Mr. JONES of Washington. I make the objection with the understanding on my part that the resolution may be called up by unanimous consent later on in the afternoon, if the Senator from Tennessee [Mr. McKELLAR] should desire to do so.

Mr. LODGE. That is all right.

Mr. McKELLAR. Then it is understood that the objection is for the moment, and that later on I may call up the resolution?

Mr. JONES of Washington. Yes; that the Senator may submit his request at any rate.

Mr. CHAMBERLAIN. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon has been recognized.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. The Chair recognized the Senator from Oregon. Does he yield to the Senator from South Dakota?

Mr. STERLING. A moment ago I called for the regular order, which is the unfinished business.

The PRESIDING OFFICER. This is in the regular order, as the Chair understands. The Chair can not prevent Senators from talking.

Mr. STERLING. Very well; I can not take Senators from the floor, as I understand; but I should like to have the privilege of yielding to the Senator from Oregon, if the Senator is going to consume very much time.

Mr. CHAMBERLAIN. I thought I had the floor.

The PRESIDING OFFICER. The Chair has recognized the Senator from Oregon.

Mr. CHAMBERLAIN. I desire to say to the Senator from South Dakota that while we are under the regular order now, I shall be out of order in that I shall not discuss the subject that is immediately before the Senate.

Mr. STERLING. Very well.

UNIVERSAL MILITARY TRAINING.

Mr. CHAMBERLAIN. Mr. President, in December, 1915, and possibly earlier, I introduced Senate bill 1695, to provide for the military and naval training of the citizen forces of the United States. That bill was referred to the Military Affairs Committee, and on the 29th of December, 1915, shortly after its introduction, it was referred to the War Department for the suggestions and criticisms of the General Staff. The Military Affairs Committee of the Senate immediately entered upon a hearing and spent months in the consideration of the bill. On February 24, 1916, a report was prepared by the General Staff, which recommended the adoption of some of the provisions of the bill and proposed certain amendments to other provisions of it. So the subject of universal military training had a pretty extensive public hearing and was fairly discussed before the Military Affairs Committee months before the United States entered the war.

The Senate hearings provoked a general discussion of the subject by the press, the magazines, and individuals throughout the country, and the discussion finally crystallized American sentiment in favor of some sort of compulsory service that would make available the man power of the United States in any war that might thereafter threaten the United States. I think it safe to say that this bill and these discussions made possible the selective service act of May 17, 1917.

I am induced to speak briefly upon the subject now, Mr. President, because of the fact that an article appeared in the Washington Post of this morning written by one of its distinguished correspondents, which indicates that our Republican friends intend to take to the woods on universal military training as our Democratic friends in the other House did on the same subject at the very time when the President and the administration took a firm stand for some form of universal military training, and the President had appealed to the Democrats of the House not to make a party issue of the subject in the following forceful letter only a few days ago transmitted through Secretary Baker:

> I am told that a caucus of the Democratic members of the House of Representatives has been called to consider pending military legislation, and the suggestion has been made that a resolution be adopted committing the Democratic membership of the House against the policy of general military training. In the present circumstances it would seem to me unfortunate to make a party issue upon this subject, particularly since within a few months the party will assemble in convention and declare the principles upon which it deems it wise to commit itself in a national election. The present disturbed state of the world does not permit such sureness with regard to America's obligations as to allow us lightly to decide upon this great question upon purely military grounds while the demonstrated advantages to the use of the country which came from military service in the war plainly suggest that in the national interest quite apart from military considerations the moderate and carefully conducted course of military training may have the highest possible advantage.
>
> #### APPROVES GENERAL STAFF PLAN.
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> In our discussion of the subject, you will recall I gave my approval in principle to the various very moderate training projects suggested by the General Staff, and I would be very glad to have you convey to appropriate Members of the House who will attend the caucus my strong feeling against action by the caucus which will tend to interpose an arbitrary party determination to the consideration which this subject should receive from the best thought of the Members of the House, considering alike the national emergencies which may confront us and the great disciplinary and other advantages which such a system plainly promises for the young men of the country.

I can not believe that our Republican friends, most of whom have stood so long for universal military training, intend to desert the proposition at a time when there seems to be a reasonable chance for the enactment of legislation that will provide for the training of the young men of the country. The article to which I refer indicates that universal training will not be considered at this session of Congress. It indicates that leaders of the party in power have practically agreed upon a commission to examine into and report upon the feasibility and advisability of having the United States adopt a system for the universal military training of its youth. I say, Mr. President, I can not believe that that comes with any authority from our friends on the other side, who—not all, but as a rule—have from the very first, and long before America entered the war and after it entered the war, stood for some system of the training of the young men of the country which would make them realize and would make the country realize that every man owed some service to his country in return for the protection which he received from the Government whenever an emergency demanded his service.

If universal training of the young men of America between the ages of 18 or 21, or fixing the age limits as they were later fixed by the selective service law between the ages of 21 and 30, had been adopted as a policy when the bill for that purpose was first proposed in 1915, our country in all probability would not have been involved in the World War. This statement of my belief is based upon the impressions which Germany must have received from the ultra pacifists in the United States, and she thought, no doubt, (1) that our people, though unprepared for war, would not prepare for war; (2) that the United States would not in any event declare war, no matter how criminal the acts of Germany might be; (3) that if war was declared and an Army raised it could not be transported to the field of operations in time to render efficient aid to the Allies; and (4) if all of these things were accomplished the American soldier would not fight. Who is there that does not know that if 2,000,000 young men had been trained prior to April 6, 1917, when America entered the war, Germany would not have pursued the ruthless submarine warfare which eventually led us into war? Germany would not have dared pursue a policy which she must have known would inevitably drive the United States to war and to an alliance with the Entente powers. If such a policy had been in vogue when war came we could, within 24 hours, have put a trained body of men in the field and the only question in that event to be solved would have been to get them to the field of action. Germany was right when she said America was unprepared, but in each of the other three propositions mentioned she later ascertained to her sorrow that she was wrong.

America was willing to prepare; America could and did get her troops to Europe; and American troops when once arrived in Europe were not afraid to and did fight. As a matter of fact, they were decisive of the great World War.

It took us from the declaration of war until September, 1917, to raise an Army under the selective-service law sufficiently large when trained to make victory on the part of the Allies a possibility and to lay the foundation for the Army to make victory an accomplished fact. Why now abandon the policy which the selective-service law recognizes and has proven to be a practical military policy, modified, of course, to the extent of compelling the youth of our country to train for a few months in one year rather than calling them to the colors for military service for a fixed time or for a time of emergency? Are we to abandon it because there is no war or prospect of war? War is waging in Europe at the present moment and threatened in other parts of the world. It is threatening on this very continent and it is impossible to tell how soon we may be driven to war with one of our neighbors, against whose lawless methods within our borders we are now compelled to maintain an armed force. There is no way of estimating how many lives might have been saved, even if war had been a possibility, if on the 6th day of April, 1917, a million of our young men had been properly trained for military service. There is no way of estimating what a great saving there might have been in money, extravagantly spent in an emergency, and property destroyed as the result of unpreparedness. The best possible way to keep out of war is to let the world know that our civilian population is prepared to defend itself whenever necessary.

The opponents of universal military training are resting their opposition on two main arguments; one, that such training will involve excessive cost, and the other that the adoption of universal military training will commit us to a policy of militarism. It is quite possible to make a system of military training both expensive and militaristic, but, as the particular system of training proposed in the bill now on the Senate calendar is neither the one nor the other, perhaps it would be just as well to consider the main features of the military system proposed therein before condemning it on either count.

The bill proposes that the young men of the country should receive the minimum amount of training required to fit them for service in a citizen army if a great war should occur during the years of their young manhood. For each young man it proposes four months' training at a training camp and thereafter membership for five years in a local unit of the citizen army formed near his home and officered by citizen officers. During this period he will be expected to attend two additional camps with his local unit. This does not involve compulsory military service, for under the terms of the bill the organized citizen army can not be called for military service except in the event of great national emergency expressly declared by Congress. Military service in time of peace and in minor emergencies will be performed by the Regular Army and the National Guard, both of which will be composed solely of volunteers.

The total attendance required of each young man during his period of membership in the citizen army will be about 150 days, or an average of 30 days in each year. Now, as a regular soldier is supported at the expense of the Government for 12 months of the year, and as a citizen soldier, under the terms of this bill, would be at the expense of the Government only one month each year, it will follow that 12 citizen trained soldiers can be maintained for the cost of one regular soldier. This is bound to form the cheapest effective military establishment that can be devised. Under this plan we can have 1,000,000 trained young men living at their homes but prepared for war and organized under trained leaders for the cost of maintaining 80,000 regular soldiers. In other words, as the Senate bill proposes the minimum number of high-priced soldiers and the maximum number of low-priced soldiers, it necessarily involves the cheapest plan of preparedness that can be devised.

In the organization of this citizen army, the veterans of the war in each locality will be invited to enter the force voluntarily for the purpose of forming its first corps of officers and noncommissioned officers. Thereafter, as the young men of the country are trained and join the citizen army, they will receive from their older brothers the benefit of their war experience, and we will thus perpetuate as a permanent institution of national defense the great citizen army which this war created at such enormous cost. This is a proper and patriotic use of those war veterans who are willing to serve for a time in this capacity, and the citizen army plan has therefore received the indorsement of the American Legion. Opponents of universal training are opposing this plan on the ground that we can evade the whole question of preparedness by simply proposing to draft the veterans of the war in any new emergency that may arise. These brave men have done their bit and now desire to help prepare their younger brothers to meet their share of the burden of the future. They can not be expected to look with favor on a proposition that would place the whole burden of potential military service upon them for the next 10 years.

In considering the economic aspect of the problem of preparedness it should be understood that universal training for a citizen army not only proposes the cheapest effective system of national defense but that under such a system of training there will be a positive increase of public wealth—much more than sufficient to offset the entire cost of the military establishment. Under the plan proposed, illiteracy will be corrected and foreign-born young men will be given an opportunity not only to learn English but to enter into a direct association with their native-born fellow citizens. At the beginning of each man's training, pathological tendencies will be discovered and opportunities given for remedial action. With wholesome physical training and hygienic instruction, each young man will take up his life work with improved health and with a resultant expectancy of a longer useful life. He will learn how essential discipline is to all organized effort. Under the system of training, natural leaders will be discovered and their capacity for leadership will be developed as an essential characteristic of the citizen army. The system of training in this way will benefit the entire manhood of the Nation, and the effect of such improvement will be reflected in better morals, better social organization, and increased public wealth.

It has also been argued that the adoption of universal military training will involve the establishment of a militaristic system like that of Germany. Those who present this argument entirely overlook the fact that universal military training is also a characteristic of the democratic defense systems of Switzerland and Australia. If we apply universal military training to a great standing army, officered by an exclusive professional military caste, and controlled by an autocratic government, we do have a militaristic system, but if we apply it to a citizen army officered by citizen soldiers and controlled like other democratic institutions, by the people themselves, we have a democratic and not a militaristic military system. The Senate bill proposes training for just that kind of a citizen army, and as all of our great wars have been fought with an army of that kind, the bill proposes merely to adapt a traditional national institution to meet the requirements of modern war.

Those who reject universal military training on the ground of expense are rejecting the cheapest possible form of preparedness. Those who reject it on the ground of militarism are rejecting the most democratic and the least militaristic system of national preparedness that has ever been devised. Those who reject the patriotic proposal of the veterans of the war that they be allowed to give their younger brothers better preparation for future emergency are really proposing an injustice to men who have already served and done their bit. If the opponents of this bill will consider what it really proposes, if they will listen to the demands of intelligent public sentiment, they will discover that their position rests on bad military policy, bad economics, and worse politics.

The proper training of the young men of the country at some period during the ages prescribed by the bill will bring to them the following benefits:

(1) Physical and, consequently, mental development, because there can be no strong mind in a physically defective body.

(2) Discipline, very much needed in this day and generation.

(3) The inculcation of patriotism and the love of the flag.

(4) The Americanization of the different elements which compose American life.

(5) Democratization of our youth, making the rich and poor learn shoulder to shoulder to perform our country's service when needed.

(6) Vocational training, fitting the man to do the thing for which he finds himself best fitted to do.

And last, but not least, teaching the laws of hygiene and sanitation, so that the young man when he is called into service, or when engaged in peaceful pursuits, knows how to protect himself against the ravages of disease.

I had the pleasure of visiting a few days ago Camp Holabird, in Maryland, where there were from 800 to 1,000 young men, some of whom had enlisted for one year and some for longer periods of time, who are learning the mechanism and building of automobiles. They start in at the very foundation; and, when they get through with their period of enlistment, they are graduated into positions at from $40 to $60 a week, as I was assured by the officers in charge. The young men hardly get out of the Army where this training was being given under competent instructors until their services were in demand by the great automobile factories of the country. I wish Senators who oppose universal military training—and that includes vocational and industrial training and fitting young men for the duties of life—would visit that camp and see what can be accomplished by the American youth under competent instruction, while wearing the uniform of their country.

The reports from the office of the Provost Marshal General and the Surgeon General of the Army concerning the physical condition of the young men called under the selective service law disclose the fact that 21 per cent of the population subject to the provisions of the law were unfitted for military service. These were unfitted for any kind of military service. Think of that, Mr. President! Twenty-one per cent out of the whole of the Army called under the selective service law.

Among the 79 per cent who were found fit for Army life the majority were accepted for "general military service"—that is, for any form of military activity. Another part of the 79 per cent had defects disqualifying them for general military service at the time of their entry, but the defects were remediable and these young men were placed in a remediable group in the hope that their defects might be cured. The remainder of the 79 per cent consisted of men who had defects disqualifying them for general military service, these men being only fit for noncombatant service. To provide for these men the development battalion was organized—

(a) To relieve divisions, replacement organizations, and so forth, of all unfit men.

(b) To conduct intensive training with a view to developing unfit men for duty with combatant or noncombatant forces either within the United States or for service abroad.

(c) To promptly rid the service of all men who, after trial and examination, are found physically, mentally, or morally incapable of performing the duties of a soldier.

The underlying principle of the development battalion was to restore the physically disqualified men so they would be fit for general military service. From reports which are approximately correct the results obtained by the development battalions were as follows:

Total number of men trained in or transferred to or discharged from development battalions was approximately 224,717—just think of it, Mr. President—classified as follows:

(a) Venereals, 77,456 (34.4 per cent of total).

(b) Orthopedic cases, 28,823 (12.7 per cent of total).

(c) Mental conditions, 4,798 (2.1 per cent of total).

(d) Functional heart conditions, 10,917 (4.8 per cent of total).

(e) Miscellaneous physical conditions, 53,540 (23.7 per cent of total).

(f) Non-English speaking, illiterate, morally unfit, conscientious objectors, draft evaders, enemy aliens, and so forth, 33,621 (23.3 per cent of total).

Now, note this:

Of this number of men, approximately 168,583 at the time the armistice was signed had been reclaimed and assigned to some duty in the Army. In other words, these defectives, some of them with communicable diseases, were reclaimed and restored to useful life and sent back to their homes to perform the functions of normal civil life.

What an immense service to the man power of the Nation and to the physically defective who might have become derelicts but for the discipline of the Army and the efforts of the Medical Corps! No one can read the reports of the Provost Marshal General and the Surgeon General without coming to the conclusion that no one agency has done as much for the whole people of the United States as the military service and the experience of 5,000,000 young men in the cantonments, camps, and in every branch of the military service.

In order that those who may be interested in the subject may know where to find this material—and there are thousands of people who do not have access to it—I am just going to call attention to some of the official publications where the information can be obtained. The subject of universal training of our youth may be temporarily sidetracked; but when the young men of the American Legion who are in favor of this system get about among the people of this country and tell them and show to them by ocular demonstration the benefits which were received by them from a brief Army service, this country is going to take up the subject with a renewed and vital interest that will compel our friends to consider this as a part of the educational system of the United States.

Mr. KING. Mr. President, would it interrupt the line of the Senator's argument if I should ask him some questions for information?

Mr. CHAMBERLAIN. No, indeed.

Mr. KING. A day or two ago I received a letter from a very intelligent man who is deeply interested in this question. He seemed to be very much disturbed by the constant averment that the cost of universal military training would be prohibitive, particularly at the present time; and he made the inquiry as to whether there could not be some coordination between the States and the Federal Government, through the National Guard or through the organizations provided by the States, under which this military training could be obtained at less expense than had been suggested by the Military Affairs Committee.

Mr. CHAMBERLAIN. As I said in the opening, I intend to discuss this subject in detail from the standpoint of expense a little later on. I am not prepared to do it at this moment; but I will say to my friend, the Senator from Utah, that while the expense might be quite large in the inception of the organization of such a scheme, yet by a gradual process it will reduce the expense to the Government of the United States, because practically there will be no use of maintaining a large standing army in time of peace. Why maintain a standing army when upon a moment's call the citizenship of the country can be rallied around the colors, so that you will eventually eliminate entirely the expense of a regular army?

The figures upon that subject I am not quite prepared to give, but I promise the Senator that I am going to discuss it from that viewpoint, not with the hope of convincing this Congress that it should pass on any legislation dealing with the matter, but in order that the subject may not "die a-borning," as it seems to be the determined purpose of some people shall be the case.

In order that those interested in the subject may know where to find information in regard to it, I call attention to the report of the Surgeon General of the United States Army to the Secretary of War, 1919, vols. 1 and 2. They go into this whole subject. I also call attention to a bulletin printed for the use of the Senate committee on Military Affairs, entitled "Defects Found in Drafted Men. Statistical Information Compiled from the Draft Records, Showing the Physical Condition of the Men Registered and Examined in Pursuance of the Requirements of the Selective Service Act." This latter was prepared under the direction of Surg. Gen. M. W. Ireland by Dr. Albert G. Love, lieutenant colonel of the Marine Corps, and by Maj. Charles B. Davenport of the Regular Army. I challenge anybody to read this report and come to any other conclusion than that the American youth have been wholesomely improved by their service in the Army of the United States. It has called the attention of the American people to the fact that nearly one-quarter of the male population of the United States was physically defective because of some remediable disease, and nothing officially is being done to undertake to improve the physical health of the young men.

Why, Mr. President, I will say to the distinguished Senator from Utah that out in the western country, when the sheep were afflicted with scabies, and because thereof confined to the territorial limits of the State, and we could not ship them across the line, the States and the Government got busy, and were willing to spend hundreds of thousands of dollars to remove this plague in order to place our sheep in such condition that they could be taken to the market; and yet the young men of the State of my friend the Senator from Utah and from my State, afflicted with diseases that affect the whole of our national life, are permitted to travel over this country bearing the germs of disease which are imbedded in every child that is born to such men, and when we talk about undertaking to do something to reclaim and to purify the blood of the American youth we are met with the statement that it is too expensive!

Ah, Mr. President, it seems to me that when we are willing to appropriate money to eradicate the tick from the cattle in the South, scabies from the sheep in the West, and immense sums of money to cure hog cholera and other animal diseases we ought to be willing to expend some money and to enact some legislation to purify the blood of the American youth, and make them fit to live and procreate their species. It is not a very pleasant subject to dwell upon, but you know and I know that parents do not discuss these delicate questions with their children. The family physician does not discuss them with the families under his charge. We allow them to grow up in ignorance, and many of these young men who have gone into the Army learned for the first time in camp life, from the surgeon in charge and from moving pictures and other instrumentalities, the dangers which are incident to these and other diseases, which universal training and a proper education will practically eradicate from the American youth.

Another book to which I call attention is Bulletin No. 11, which is issued from the office of the Surgeon General, entitled "Physical Examination of the First Million Draft Recruits; Methods and Results," compiled under direction of the Surgeon General and dated 1919. That shows the result of the physical examination of young men from every State in the Union, and I will say to the Senate that the results of these physical examinations are simply astounding, if one will only take the trouble to read them. The great wonder to me is that with the youth of this country—young men and young women, too, if you please—growing up in ignorance of the physical structure of the human body, entirely ignorant of the social relations and obligations, and entirely ignorant of the laws of hygiene and sanitation, that they are not worse afflicted than they are now, without any instruction or regulation at home or through the family physician or anyone else. But when these young men get in the Army, the instruction and regulation are compulsory.

There is a general impression that when these young men go into the Army they learn the things that bring to them these diseases. On the contrary, they were worse when they came from civil life than they were in the Army. They were improved by their life in the Army. A major general who commanded a division at Coblenz told me that when his division went to Brest for the purpose of embarkation for home, there were only 12 men in 28,000 that were afflicted with any social disease. What better showing could there be than that? They are instructed for the first time in Army life as to the dangers incident to the diseases which they contracted before going into the Army and while they were in civil life and which are cured when they get into Army life.

Mr. President, that is all that I care to say at this time, except that I ask to have printed as a part of my remarks an article written by Col. Weston P. Chamberlain, of the Medical Corps of the Army, on the subject of "Development battalions." This article shows what the development battalions were for, the class of men who went in, the number who went in and those who went out, practically fitted for military service to their country. I also ask to have printed another article written by the same distinguished medical authority, an officer in the United States Army, on "What the World War and military training have done for the health of American men." There the whole subject is discussed at length, and I venture to say that if people will read these reports they will look at this subject from a new angle.

I ask that they be printed as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPENDIX.

DEVELOPMENT BATTALIONS.

SUBSTANDARD MEN.

The physical examinations of drafted men disclosed the fact that 21 per cent of the population subject to the provisions of the draft were physically unfitted for military service. This means not merely for combatant service, but for any kind of military service. Among the 79 per cent who were found fit for Army life, the majority were accepted for "general military service"—that is, for any form of military activity. Another part of the 79 per cent had defects disqualifying them for general service at the time, but these defects were remediable and such men were placed in a class called the "deferred remediable group," consisting of men who would be suitable for any service after their specific defects had been remedied. The remainder of the 79 per cent consisted of men who had defects disqualifying them for general service, but not sufficient in kind or degree to prevent them from serving their country in the noncombatant and less strenuous branches of the military establishment. These men were accepted for "special and limited service." In the spring of 1918 large numbers of special and limited service men, together with a considerable group of those with remediable defects, were brought into camp. The Medical Department of the Army was faced with the problem of putting these men into the best possible physical condition as promptly as possible. Great numbers were operated upon. At one time there were about 10,000 cases of hernia awaiting surgical operations. Treatment for diseased tonsils, abnormal nasal passages, pathological conditions of the teeth, and defective feet were carried out in enormous numbers of cases. Other classes of men required prolonged courses of physical training to make them fit. Patients who had been ill for a considerable period needed a "hardening" course before they were able to resume their duties. Vast numbers of men with venereal disease, contracted prior to induction, had to be placed under treatment and restricted to camp, yet were not sick enough to necessitate care in a hospital. To provide for all of the above classes of cases the "development battalion" was originated, and the supervision of the medical and surgical features of these battalions was one of the functions of the Miscellaneous Section of the Division of Sanitation.

On May 9, 1918, the War Department issued General Order No. 45, providing for the formation of one or more development battalions for the period of the existing emergency in each of the divisional camps of the National Army, the National Guard, and the Regular Army, and in other camps when directed by the Secretary of War. The function of the development battalions was laid down in G. O. 45 as follows:

"a. To relieve divisions, replacement organizations, etc., of all unfit men.

"b. To conduct intensive training with a view to developing unfit men for duty with combatant or noncombatant forces either within the United States or for service abroad.

"c. To promptly rid the service of all men who, after thorough trial and examination, are found physically, mentally, or morally incapable of performing the duties of a soldier."

On June 5, 1918, The Adjutant General issued an order forming the committee on development battalions, which was to meet with the General Staff. This committee consisted of a medical officer, a line officer, and a civilian representative. During the first two months after this committee was formed an officer of the Medical Corps of the Army represented the Surgeon General's office on this committee for purposes of liaison. On September 9, 1918, Office Order No. 84, S. G. O., transferred the medical officer on the committee from the Division of Physical Reconstruction to the Division of Sanitation, "for the purpose of assuming the duties in connection with the activities of the development battalions, the work of which is placed under the direction of the officer in charge of the Division of Sanitation."

Development battalions, up to this date, had not functioned as intended. Within a short period over a hundred thousand physically handicapped individuals had been thrown into the battalions in the various camps without adequate provisions being made, on the part of either the line or the medical officers, to handle such numbers. Development battalions became great dumping grounds where slightly sick and physically handicapped individuals were collected, together with the venereals, the morally unfit, the illiterates, the non-English speaking, the alien enemies, the draft evaders, and the conscientious objectors. Men were transferred to the development battalions more rapidly than they could be classified and discharged, so that no time was given for the inadequate personnel to carry on the real development work.

In order to correct these conditions, the Chief of the Division of Sanitation established a group of "inspector-instructors" for the purpose of improving the medical work of development battalions. These officers were to travel from camp to camp in order to straighten out the many difficulties. Camp Meade, Maryland, had organized a very efficient system in its development battalions and these inspector-instructors were given a short course of intensive training at this camp. On account of various difficulties, only three inspector-instructors were sent into the field. They visited in all twenty-seven camps.

Through the aid of the inspector-instructors, and as a result of circulars of instructions which were issued by the Committee on Development Battalions of the General Staff, about 15 camps developed very efficient systems in their development battalions before the signing of the armistice on November 11, 1918. The men were rapidly classified and transferred, or discharged, from the battalions by securing cooperation between line officers and medical officers. Physical development work was established, and was at all times supervised by the medical officers. Segregation of the venereals from the remainder of the men in the battalions was accomplished. In a number of camps there were established schools for instruction in English for the illiterates and non-English speaking, and for special training in occupations useful for the Army. Recreation, games, and other things tending to improve the morale of the men were promoted, and proved of great value.

Unfortunately, immediately after the signing of the armistice, as a result of the misinterpretation placed upon certain War Department circulars, the impression went broadcast into the camps that all men in development battalions were to be demobilized at once regardless of their physical condition. The morale went down to a very low ebb, and in most places it was impossible to continue any of the real functions prescribed for these battalions in a satisfactory manner.

While the life of the development battalions was short, these having practically ceased to exist two months after the signing of the armistice, yet the principles established by this experiment have been well worth while and will, no doubt, play an important part in the Army of the future. The underlying principle is that men who are, or who become, unfit for full military duty should be reclaimed and assigned to limited service—providing the disability is not of such a nature as to totally unfit them. This is a saving of man power which may be very essential in time of war. This practice may not be necessary in time of peace, but even then it has a humane side which should appeal to all, since, if not needed for military service, the disabled soldier may be put in condition to be of maximum benefit to himself and the community in civil life.

The following figures, which were obtained from the consolidated reports submitted by the several camps and which cover operations from the organization of the development battalions to November 13, 1918, indicate approximately the results attained by the development battalions. Some of the camps failed to submit their final report, and in a few places development battalions were not yet organized, according to War Department orders; consequently these figures are to a certain extent incomplete. It is believed, however, that they are a close approximation and that the percentages given are usable factors; if any error exists it is that these percentages are too low.

Total number of men trained in, or transferred to, or discharged from development battalions was approximately 224,717, classified as follows:

(a) Venereals	77,456	(34.4 per cent of total).
(b) Orthopedic cases	28,823	(12.7 per cent of total).
(c) Mental conditions	4,798	(2.1 per cent of total).
(d) Functional heart conditions	10,917	(4.8 per cent of total).
(e) Miscellaneous physical conditions	53,540	(23.7 per cent of total).
(f) Non-English speaking, illiterates, morally unfit, conscientious objectors, draft evaders, enemy aliens, etc	33,621	(22.3 per cent of total).

From the above total the following number were classified and transferred to service or were discharged or otherwise disposed of:

To Class A (general military service)	41,450	(16 per cent of total 224,717)
To Class C–1 (limited overseas duty)	46,054	(20 per cent of total 224,717)
To Class C–2 (limited domestic duty only)	42,530	(19 per cent of total 224,717)
Total number discharged	36,274	
Total deserted	919	
Total deaths	1,356	
	168,583	

These figures indicate that of the 168,583 men who had been transferred to development battalions and finally disposed of at the time of the armistice, about 75 per cent were reclaimed and assigned to some duty in the Army. Of course, a large portion of these were the curable venereal cases. Without development battalions the majority of the above-indicated men, except the venereals, would have been discharged for disability and lost to the military service. Had the war continued for several years the saving of man power by these organizations would have been considerable. At the date of the armistice these battalions, which were a new experiment, had just reached the point where they could function efficiently. In France the development battalion served an even more useful purpose than in this country and resulted in the salvage of many men who had broken down under the strain of military service. This was particularly the case in orthopedic conditions.

On the whole, it may be said that the induction of special and limited service men, and more particularly of the remediable defective group, in 1918 was not very satisfactory. The calling to the colors of the remediable group was soon stopped on recommendation of the Surgeon General. Had the war continued to the point where a severe strain was placed upon our man power, the use of these partially defective men would have been of the greatest value. In 1918, however, our man power was not failing, and the vital need was for speed and the promptest possible mobilization of able-bodied men. The limited-service and defective men took up space in camp that might have been filled with perfect men, and required the services of officers who could have been used elsewhere. They occupied beds in the hospitals which were needed for the vast number of acutely sick and used up the time of surgeons who could have been otherwise employed to better advantage. They proved of doubtful usefulness. Many never performed any service after months of support by the Government, and many others performed service in a more or less unsatisfactory manner. Finally, many of those who were inducted in the above groups will probably ultimately receive compensation from the Bureau of War Risk Insurance for defects aggravated by military conditions which would not have adversely affected a physically perfect man.

In any scheme of general military service the physical training and development of substandard men would be of great ultimate benefit to the Nation. Likewise the correction of physical defects and the treatment of existing diseases.

WHAT THE WORLD WAR AND MILITARY TRAINING HAVE DONE FOR THE HEALTH OF AMERICAN MEN.

[By Col. Weston P. Chamberlain, Medical Corps, U. S. Army.]

After the rapid mobilization of nearly 5,000,000 men for the military forces of the United States (Army, Navy, and Marines), the cessation of hostilities at a period in the war when the American battle

casualties had been insignificant, as compared with the losses of the other belligerent countries, offers a favorable opportunity to consider the brighter side of war and to estimate what benefits have accrued to the Nation as a whole, and to the individual soldier in particular, as a result of calling to the colors approximately one-twentieth of the entire population of the United States. These benefits are manifold, and may be partially and roughly classified as follows:

First. Improvement in physical development as a result of outdoor life, good food, regular hours, and strenuous physical training.

Second. Detection and cure of many obscure and latent pathological conditions, particularly hookworm, malaria, venereal disease, tuberculosis, bad teeth, etc.

Third. A determination, through the draft examination, of the actual physical condition of the adult male population of military age, and a consequent awakening of the Nation to the necessity for efforts directed toward limiting the possibilities for the continued evolution of physically defective citizens.

Fourth. Instruction in sanitation and personal hygiene gained through both precept and practice in camp. Some of this acquired knowledge the discharged soldier will take back to his home and transmit to his family and fellow citizens.

Fifth. Education in sex relations and in the matter of protection from the dangers attending illicit sexual indulgence. This whole subject really belongs under the preceding subhead, but is such a large and important factor that it has been given a separate heading.

Sixth. Prevention of alcoholic excess by precept and local restriction in sale. This also might be included under the fourth subhead, but it is of sufficient importance to form a chapter in itself.

Seventh. Training in discipline and the development in the soldier of a respect for authority, sadly lacking in the prewar American youth. Among those promoted to commissioned or noncommissioned grade there has been developed also the power to command and to exact obedience.

Eighth. The protection by antityphoid vaccination of 5,000,000 men against the danger of contracting typhoid fever for at least several years to come.

I will now discuss more fully some of the matters referred to in the above subheads:

First. Alertness, activity, strength, endurance, and discipline, combined with a body free from disease, are the first requisites of a soldier. These qualities are obtained largely by a scientific system of gradual and progressive physical training which is regulated to the condition of those who are to undergo it. As applied to the recruit, this physical training has a special technical value in that it does much to perfect him in the military endurance and the coordinated effort by which the soldier is enabled to bear the hardships and overcome the difficulties of warfare. The beneficial results of physical exercise during the training period are supplemented by the outdoor life, the regular hours required, the plain but simple food, the good sanitary surroundings, and the many other features which promote the development of a high type of physical manhood.

Improvement in the physical development of the young man entering the Army has been most striking. Increase in girth and chest expansion is particularly noticeable. As a sanitary inspector I have visited dozens of camps and one of my duties has been to investigate the thoroughness of the physical examination made on arrival of the men at the camp and repeated before the soldier is demobilized. At the first of these examinations the streams of naked men passing me consisted for the most part of individuals who were awkward, narrow chested, flabbily muscled, often with a stoop. Divisions which were being examined prior to discharge from the service presented, almost exclusively, bronzed, erect, broad-chested soldiers, with fine muscular development and a characteristically alert and self-confident air.

Exact statistics on this matter will some day be available, the records of the examinations at time of entrance into the service and at time of demobilization being filed together in the office of the adjutant general, where they are available for study. At present we can only give general impressions and partial estimates as to the degree of physical improvement. Col. D. C. Howard, Medical Corps, in charge of the Division of Sanitation in the office of the Surgeon General of the Army, estimates that the average gain in weight in the first year of military service is from fifteen to twenty pounds. The records of one company of National Guard troops under the semitropical conditions existing on the Mexican border in 1916 showed an average gain of 12½ pounds in nine months. Studies on this subject made by the Division of Food and Nutrition in the office of the Surgeon General, showed in one infantry company an average gain of 10 pounds per man after four months of service, and in three artillery batteries an average gain of 6.4 pounds in six months. Another study showed 2.6 pounds gain in five weeks. There is no doubt that the increase in weight in the soldier is almost entirely in muscular tissue.

On return to civil pursuits the added physical vigor of the one-time soldier should stimulate a desire for more active out-door exercise and should make for better health and a consequent higher type of citizenship.

Second. The physical examination carried out by physicians of local boards disclosed many diseased conditions, some remediable and others not. Similar results attended the examination of candidates for voluntary enlistment in the Army, Navy and Marine Corps. The examination made by the medical officers of the Army as soon as drafted men arrived at camp detected some other men with disabilities which had escaped the scrutiny of local board examiners. Such of these individuals as had physical defects or diseases, which were not disqualifying for military service, received, after entering the service, the most up-to-date treatment to cure or alleviate their defects. Among the most notable examples of this are the conditions due to hookworm infestation, malarial infection, venereal diseases, and deficient and diseased teeth.

In the first million men examined at camp, 2.8 per cent had venereal disease. In the second million 5.4 per cent were so infected, and this figure, for reasons not necessary to enter upon, probably represents approximately the percentage one may expect to meet with in civil life among men of the age period concerned (21 to 30 years). These figures include only obvious cases of syphilis, gonorrhea, and chancroid which were manifest at the moment of examination. Wasserman examinations were not made, nor microscopic examinations of smears except in special instances. Persons who had been previously infected and cured are not included in these statistics. Venereal disease, except in rare instances, was not cause for rejection. All these infected men were treated, and, where possible, cured, during their military service. Many of them, had they remained in civil life, would never have been adequately treated and cured.

An extensive survey was made to determine the presence of intestinal parasites in the Army. Over half a million soldiers received careful microscopical examinations. Among these men, mostly Southerners, 69,508 showed the presence of one or more intestinal parasites, and 56,740 of this number were infested with hookworms. The incident of hookworm infestations among men from the Southern States was 18 per cent. These men were treated during their military service and ultimately returned to their communities freed from the menace of this disabling parasite.

After entry into the service the frequent physical examinations, and the presence of medical officers who were always readily available for consultation, led to the early detection of new or latent diseases, which were at once made the subject of intensive and scientific treatment until the soldier was cured or found to be definitely unfitted for the service. The early detection and treatment of disease undoubtedly saved many men who, in civil life, would have allowed their diseases to go on untreated until it was past cure. One of the most notable examples of this point is tuberculosis of the lungs. Early diagnosis has been the rule and all soldiers with the disease have been sent to up-to-date military sanatoria, where they are treated at Government expense until they are cured or have attained the maximum improvement to be expected. At one time there were 6,300 soldiers under treatment in these sanatoria and for a long time the number averaged 5,000.

The drafted men as well as the candidates for voluntary enlistment, who were rejected for military service, had brought to their attention the fact that they were physically defective. In many instances this fact had never before been known to the individual concerned. When the disability was due to disease the thoughtful individual would naturally place himself under the care of a physician. Undoubtedly many have done this with resulting benefit to the national health.

Third. The initial selective draft of 1917 gave the first opportunity for half a century to make a physical census in this country of the male population of military age. Only a portion of the figures have thus far been analyzed, and any extensive discussion of the subject in this paper would be out of place. A partial analysis shows that out of about 2,510,000 men between 21 and 30 years of age examined by local boards, 730,000, or 29.1 per cent, were rejected on physical grounds. Many of these rejections were naturally due to diseased conditions, often previously unknown to the individual. It is sufficient to say that the completed analysis of the figures will furnish a vast store of information regarding the physical condition of our population, and will point out many lines along which sanitary effort should be directed for the betterment of our national health. The geographical distribution of these problems is clearly indicated. Among the notable differences in geographical distribution of disease may be mentioned the great prevalence of goiter in the Pacific Northwest and the enormous preponderance of venereal disease in the Southern States.

Fourth. At great effort and expense our concentration camps in this country were provided with every requisite for a high grade of sanitation. The medical officers in charge were particularly selected for their experience as sanitarians, and they were assisted by selected sanitary engineers commissioned from civil life in the Sanitary Corps. The camps were models of cleanliness. Crowding of barracks and tents was limited as much as military conditions would permit and ventilation was carefully enforced. Ample water supplies were provided, and the water was filtered or chlorinated (or both) unless its purity was above suspicion. Shower baths were ample and the supply of warm water unlimited. Excellent sewer systems were installed at once in all cantonments, and ultimately in the tent camps also. All food was inspected before purchase and subsequently when put into use. Messes were under constant supervision of medical officers. Garbage was promptly removed and garbage cans carefully cleansed. Buildings were screened to protect against mosquitoes and flies, and the latter were also combated by extensive use of traps, fly paper, swatters and by removal of material in which they could breed. Extensive drainage and oiling projects were carried out in all southern camps, with the result that areas formerly malarious ceased to be so and mosquitoes became rare. Food handlers were examined to detect possible carriers of typhoid, paratyphoid, and dysentery, as well as to eliminate any with venereal disease. Camp laundries were established to launder the soldiers' clothing, and cleanliness of the clothing was enforced by frequent inspections. Under the direction of the United States Public Health Service and the military authorities the sanitary condition of towns and areas adjacent to camps was greatly improved. Vice and liquor selling were abolished or markedly limited. When the soldier left the cantonment and went into the field, in this country or in France, he was surrounded by every device for field sanitation which was known to be of military value.

In addition to the information which he gradually absorbed as a result of daily observation of the operation of sanitary methods, the soldier was also given didactic instruction in sanitation and personal hygiene by means of lectures, pamphlets, posters, and frequent individual advice and admonition. He was provided with a suitable shoe and gained some insight into the advantages of large and properly shaped footwear. His teeth were put in good condition. He was vaccinated against typhoid, paratyphoid, and smallpox. He was frequently inspected to detect incipient or existing disease. He was counseled to consult a medical officer as soon as he felt sick, instead of keeping about as long as he could, and he was impressed with the duty he owed to his comrades if he had any reason to believe that he himself was coming down with an infectious disease.

All this knowledge the soldier will retain and take back with him into civil life. We may expect that he will to some extent continue to be guided by Army precept and practice, and that he will transmit a part of his knowledge of hygiene to family and neighbors. He should be more eager to help to maintain municipal sanitation and to support legislation for adequate and efficient health supervision of his community.

The following figures indicate the enormous reduction in deaths which has resulted from the sanitary measures enforced during the present war, as compared with the results attained by the practices in vogue during the Civil War, the Franco-Prussian War, the Spanish-American War, and the Boer War. The tabulation indicates the actual deaths which occurred during the period September 1, 1917, and May 2, 1919, in our forces, both in the United States and in France (having an average strength for the entire period of approximately 2,121,396), and the number of deaths which would have occurred in any army of the same size for the same period if the mean annual death rates for the Civil War and for the Spanish-American War, respectively, had prevailed during the present war. The figures for the present war are based upon current telegraphic reports which are

approximately accurate but may be subject to slight revision on completion of final complete statistics:

	Number of deaths that occurred in present war, Sept. 1, 1917–May 2, 1919. Average strength approximately 2,121,396.	Number of deaths that would have occurred if the Civil War death rate had prevailed.	Number of deaths that would have occurred if the Spanish-American War death rate had prevailed
Typhoid fever	213	51,133	68,164
Malaria	13	[1] 13,951	11,317
Dysentery	42	[2] 63,698	[2] 6,382
Smallpox	5	9,536	37
Pneumonia	[3] 41,747	[3] 36,962	6,086
Scarlet fever	167	112	222
Diphtheria	100	1,188	149
Tuberculosis	1,220	9,574	631
Meningitis	2,137	3,859	4,061
Other diseases	3,768	34,681	15,587
Total for diseases	49,412	227,094	112,656

[1] Includes malaria and remittent and congestive fevers.
[2] Includes dysentery and diarrhea.
[3] Includes deaths listed from measles, influenza, empyema, inflammation of the lungs and pleurisy, as well as pneumonia.

In the Franco-Prussian War the Germans lost 9,000 men from typhoid fever. With reference to typhoid in the Boer War, Col. F. F. Russell, quotes from Leishman, "Antityphoid Vaccination," (Glasgow Med. Jour., 1912, LXXVII, 408) as follows:

"We know in general that there was 57,684 cases of typhoid and 8,022 deaths among 380,605 men."

The low death rate from tuberculosis in the Spanish War as contrasted with the present war, is due to three causes: First, that the Spanish War was of short duration; second, that the Spanish War period was in the summer; thirdly, and most important, that during the Spanish War all cases of tuberculosis were discharged from the service almost as soon as diagnosed, and so the deaths when they occurred were credited not to the Army but to the civilian community. In our present war nearly all tuberculous soldiers are held in the Army for indefinite sanitarium treatment, and of course a certain per cent will die in the service while the majority are being cured.

The number of deaths from pneumonia is slightly greater for the present war than for the Civil War comparison, and much greater than the Spanish War comparison. The Spanish War rates were low because the war period was entirely in warm weather when pneumonia is infrequent. The greatest cause of the high pneumonia rate for the present war was the pandemic of influenza, a factor which occurs only about once in 30 years. Had this epidemic not occurred the rate would have been much lower than for the Civil War and probably lower even than for the Spanish War. Taken all in all, however, it must be confessed that the secret of the control of respiratory diseases, particularly pneumonia, still remains undiscovered.

Fifth. A program prepared by the Medical Department for the limitation of venereal disease in our Army has been in force for many years. With the outbreak of the World War efforts along this line were redoubled and the scope of the campaign was broadened through the assistance of agencies outside of the Army.

The activities of this program for combating venereal diseases were divided into educational, law enforcement, and early treatment sections. By educational measures every individual was reached, either through lectures, appropriate literature, or moving pictures, or all these methods combined, while especially suited enlisted men were detailed for duty with organizations in order to keep in close personal touch with the soldier and to promote his moral welfare. The temptations to the soldier were further reduced by furnishing him with attractive opportunities for recreation. This work was carried on largely by the Commission on Training Company Activities and by affiliated organizations. Wholesome amusements inside the camp and in the adjacent communities most frequently visited by the soldier were provided to satisfy the longing for adventure and excitement which so often overcomes the discretion of the lonely and idle man in a strange locality.

The Surgeon General assigned especially qualified officers, mostly lawyers, to the law enforcement division of the commission, to see that the Federal and local laws against prostitution and liquor selling were thoroughly enforced. The results exceeded all expectations. In a year and a half about 130 red-light districts were closed at the instigation of these officers. It is estimated that not more than five openly recognized red-light districts remained in the whole United States. Streetwalking and the connivance with prostitution of lodging house and hotel keepers, automobile drivers, and others has been consistently kept down. Trained female social workers, experts in the building and management of reformatories and detention houses, and other civilian investigators participated in the work. Cooperation from the police and health officials and the legislative bodies of the States and cities, as a whole, has been excellent. As a result of these various activities the incidence of venereal disease has been diminished, the entire problem of combating this plague has been brought out into the open, and the necessity for a future campaign to lessen the occurrence of the social evil has been placed squarely before the public.

From incomplete statistics of the war it is shown that of 225,000 cases of venereal disease 200,000 were contracted before enlistment, that is, before the men joined the Army. The record of the Army for cases contracted after enlistment has been good, showing the effect of the combination of the several measures included in the Surgeon General's program.

In addition to these preventive measures adequate treatment has been provided for every soldier infected with this class of diseases, and not only that, but under present regulations men so infected, whether they brought the disease into the Army with them or acquired it after entrance, are being retained in the service until they are no longer infectious to others nor a danger to the community to which they go.

Sixth. The need for protecting the soldier in camp from the danger of alcoholism was so manifest that laws were passed restricting the sale of alcoholics in areas adjacent to military stations, and forbidding everywhere such sale to officers and soldiers in uniform. These restrictions, combined with strict discipline, vigorous exercise, ample amusement in camp, and instruction as to the dangers of alcoholic excess have had their anticipated effect in greatly reducing the incidence of drunkenness in the Army. The further development of restrictive measures resulted in the enactment of laws requiring universal prohibition for the period of the war, and these war-time restrictions doubtless exerted a marked influence in bringing about the constitutional amendment. Undoubtedly the more or less complete abstinence which the soldier has practiced during one or two years in the Army will have a decided influence in promoting temperance when he returns to civil life, regardless of the presence or absence of saloons in his vicinity.

Seventh. I think it is generally accepted that in recent years the tendency of the American youth has been in the direction of disrespect for authority, whether parental, municipal, or national. The strict discipline of military life, with its prompt unquestioning obedience to orders, has developed in millions of young men a respect for authority which can not fail to remain in some degree with them on their return home, making them better material for citizenship. As regards the many who through special ability and force of character attained commissioned or noncommissioned grades in the Army, these men have developed the faculty of exercising command justly and of exacting unquestioning obedience from their subordinates. This is a valuable acquirement which will tend to make them superior citizens, more fully able to direct the efforts of their communities in progressive and constructive policies.

Eighth. Typhoid fever, with the allied paratyphoid group, has always been the scourge of armies and still remains a scourge to civil communities. From armies it has practically disappeared, thanks to the use of antityphoid inoculation. This practice was made voluntary in our Army in 1909 and compulsory in 1912, with the result that typhoid was practically eliminated under peace conditions. The tests of this measure under field and war conditions came in 1911 and in 1916 on the Mexican border and during the last two years in this country and in Europe. In the year 1916 we mobilized what then appeared to be a relatively large Army on the Mexican border, a force which approximated 150,000 men, for a period of about nine months, and in this force we had only 46 cases of typhoid with 1 death. The 1 death, as well as most of the cases of typhoid, were in persons who either had not completed the antityphoid inoculations or else were stricken before the inoculation was begun. During the World War for the period of 20 months from September 1, 1917, to May 2, 1919, the average strength of our Army was about 2,120,000, and in this vast aggregation which was in large part living under war conditions there were only 213 deaths from typhoid fever, many of which were due to typhoid contracted before the immunizing inoculation. Had the Civil War rate prevailed during the World War we should have had 51,000 deaths. Had the Spanish War rate obtained we would have had 68,000 deaths.

In the Army, Navy, and Marine Corps approximately 5,000,000 men have been given the inoculation, and are now returned to civil life protected for a period of unknown duration, but probably extending over several years. These men have also been protected against smallpox much more thoroughly than is the practice in civil life. The value of smallpox vaccination and antityphoid inoculation has been impressed on them, and their experience and advice will doubtless have a decided influence in directing public opinion toward the universal adoption of this twin keystone in the arch of preventive medicine.

In conclusion, I think it may safely be said that the country, as a result of the World War, is in a better situation than ever before to appreciate, support, and promote sanitary reform and adequate health legislation. The five millions who have served in the military forces for the most part appreciate the value of preventive medicine, personal hygiene, and sanitation. They would approve and promote advances along these lines in municipal health service. The men who have been protected from typhoid fever and smallpox will realize that the antivaccination propaganda promotes not liberty but rather license, license for one individual to neglect well-recognized prophylactic measures, and thereby to endanger the health of his neighbor. The experience which the former soldier has had with frequent physical examinations, designed to detect latent or incipient disease, should pave the way for a more general appreciation regarding the value of this measure, which certain life insurance companies have been endeavoring to popularize for several years back.

The extensive antivenereal propaganda carried out by the Army and by the social uplift organizations has at last brought this vital subject into the light, where it has been fearlessly discussed and vigorously attacked on every front. This work should continue and be amplified in civil communities now that the war is over. Along all lines of sanitary and uplift work we may expect militant progress through the development of a better type of democracy, resulting from the intimate association of soldiers in tent and barrack, the rich with the poor, the educated with the uneducated, the virtuous with the vicious, the American born with the foreign born. This intimate mingling, with its resulting interchange of ideas and broadening of mental horizons, can not fail to stimulate in the educated and the well-to-do a greater and more personal interest in the promotion of physical and moral well-being among their less fortunate fellow citizens and in the Nation as a whole. The above-mentioned happy results can not be obtained unless there is aid from those citizens, particularly the women, who did not join the colors. In some directions there is a tendency to scoff at the sanitary precautions taken by the Army and to designate such measures as unnecessary coddling. Such an attitude will tend to make the home-coming soldier hesitate to put forward his newly acquired ideas. The fullest degree of benefit from the war, for the country as a whole, can be obtained only by the close sympathy and earnest assistance of the great mass of citizens who have already so warmly welcomed the returning veterans. The success of sanitation under military control during the building of the Panama Canal was a convincing proof that the health of a community can be enormously improved by the judicious expenditure of sufficient money under a strong central administration, unrestricted by prejudice, political influence, ultraconservatism, or narrow mindedness. The war has offered on a much larger scale a demonstration that public health is a purchasable commodity—the price thereof being not only gold, but also self-restraint, personal sacrifice, and hearty cooperation on the part of all concerned. May the lessons thus learned be not forgotten.

SALE OF SHIPS.

Mr. KING. Mr. President, the question of the disposition of certain ships owned by the Government was under consideration this morning, the discussion being precipitated by the joint resolution offered by the senior Senator from Arizona [Mr. ASHURST]. It is my purpose to briefly discuss the resolution and submit a few words concerning the policy which should be pursued by the Government with respect to a merchant marine. I did want to say at the time that matter was under consideration, but the opportunity was not afforded, that I was very much in sympathy with the object of the resolution in so far as it sought to prevent a sale of the ships now owned by the Government of the United States and used for passenger or for shipping purposes, at least until a policy had been adopted by the Government.

I am not a member of the Committee on Commerce, but have given some little attention to the question of our merchant marine and the method of handling the vessels owned and controlled by the Government through the Shipping Board. Soon after the armistice was declared I felt that there should be legislation which would determine the policy to be adopted by the Government. We had spent not only hundreds of millions but billions of dollars in the construction of ships and plants for the building of ships, and the program called for the expenditure of hundreds of millions of dollars more. Charges had been made of waste and extravagance by the Emergency Fleet Corporation and the Shipping Board, and some of the reports which had been made to Congress indicated that the greatest economy had not been observed by these organizations and that we could not hope for an efficient and economical administration by these organizations even in peace times.

I think Senators are convinced that all agencies of the Government are not only inefficient but are wasteful and extravagant. Our experience with the railroads demonstrates the truth of this statement. It has cost the United States more than $700,000,000 to operate the railroads since the Executive order taking over the railroads was issued.

Mr. POMERENE. Mr. President——

Mr. KING. I yield to the Senator from Ohio.

Mr. POMERENE. To that amount should be added about $375,000,000 of unliquidated damages growing out of depreciation, and so forth. Of course, those are simply claims and they will be very substantially reduced, but I wish to indicate that the $700,000,000 of loss does not include the entire amount.

Mr. KING. I was going to add that in addition to that amount, as suggested by the Senator from Ohio, I have been advised that there will be presented to the Government claims aggregating hundreds of millions of dollars. One person who had given some consideration to the subject told me that he had no doubt that claims would be presented to the Government for unliquidated damages growing out of its possession and operation of the railroads to the amount of at least $500,000,000, and that he had no doubt judgments would be rendered against the Government that would exceed a quarter of a billion dollars.

Mr. NORRIS. Mr. President——

Mr. KING. I yield to the Senator from Nebraska.

Mr. NORRIS. I should like to get the Senator's idea on the proposition I mentioned this morning only briefly, that in dealing with the ships owned by the Government it might be advisable to lease them to the Panama Railroad Co., a corporation now operating a line of ships, and provide by law for the extension of their operations perhaps to other ports if it were necessary to put that in.

I realize that men honestly disagree as to whether the Government should retain the ships, but the Senator must know that one of the items of preparedness is ships, as well as men and guns, and, if we sell these ships, then in case of an emergency we would have to buy them back, and, of course, that would mean an immense loss. Has the Senator ever given any thought to the question of the ships owned by the Government being leased to the Panama Railroad Co. without any possible loss in taking them back the moment we needed them?

Mr. KING. I had given some thought to the subject of the Government leasing the ships to operating shipping corporations or to individuals and corporations who would undertake their operation in a legitimate and proper way.

Mr. NORRIS. Of course, if they were leased to an ordinary corporation or person or partnership engaged in business and the Government did want to take them back, we would have to pay damages, very properly, for the loss of trade that had been built up, or if the lease provided that the Government could take them without paying damages, then the compensation clause in the lease would necessarily take that into consideration and it would be much reduced. Of course, that would be a loss, anyway, but there would be no use in making any arrangements in a lease with the Panama Railroad Co. or any similar corporation that might be organized, except that it is all owned by the Government. It seems to me that, as I remember it in looking up the history of the corporation several years ago, I was unable to find anything about its operation of those ships that was not commendable. The things that any other corporation engaged in that kind of business would be doing and the objections that are ordinarily made to Government ownership and Government operation, as far as I was able to find, at least, did not exist in that particular case. It seems to me it is something that is well worthy of consideration in passing on the final disposition of these ships.

Mr. KING. I agree with the Senator from Nebraska that it is a matter that ought to be taken into account in connection with the determination of the course which the Government should pursue in regard to its ships.

Mr. NORRIS. If the Senator will permit me, there is another idea I should like to suggest.

If the ships were operated by the Panama Railroad Co., or a similar corporation, one object, I take it, would be to develop trade; it would not necessarily be intended that financial profit should be made out of it. In other words, we have the ships; we do not want them to get away so far that we can not put our hand on them at any time we might need them. They could be utilized in building up trade, for instance, between our ports and South America, that everybody realizes is desirable and that business concerns do not go into because of the risk they would run. If we develop such trade, even though we lose money on a particular ship, it might be a matter that in the end would be really profitable to the country.

Mr. KING. There is very much in the suggestion made by my distinguished friend, and I am sure that idea will be developed, or at least it should be developed and given very serious consideration by the committee before it agees upon a plan dealing with this question. I am not familiar with the corporation to which the Senator referred and do not know of its operations, and therefore in the little thought which I have given to the subject I had not associated with the corporation to which the Senator refers the enterprise of taking over the ships of the Government and using them for carrying purposes. There are some who believe that the Government ought to own and operate the railroads, and that the Government ought to own and operate the ships. There are men who believe in the nationalization of industries in the United States, as there are men in England and in Russia who believe in such action in their respective countries. We have men in the United States who believe in the soviet form of government, in the destruction of private initiative, in the overthrow of the splendid system under which our Government has grown to greatness and to power.

I am not one of that number. I believe that the Government of the United States has become great, and the people of the United States have become the greatest people in the world, because of the form of government and the social and economic conditions which prevail here. We believe in individualism. We believe in the right of men and women to work out their own destinies, in a government free from the clammy, tyrannous, oppressive hand of paternalistic and autocratic power. It would be folly in the extreme to abandon the method and system of policies, political and economic, that have made this Nation great, and follow false and dangerous doctrines, which inevitably would lead to economic and political ruin.

Mr. President, it is absolutely impossible in our form of government to secure proper economies in the administration of governmental affairs. Civil service and all other devices have failed and will continue to fail to secure efficient and economical administration of the Government. If time permitted I would discuss some of the causes that produce these effects, but it is sufficient to say that all dispassionate investigators have reached the conclusion that there has been inefficiency and extravagance in undertakings on the part of the Government. In the construction of buildings and roads the record is the same. Whether employees be trained officers or civilians or those who are found upon the list of classified employees, there is but slight difference in the ultimate results.

The highest degree of efficiency and economy result from private ownership and operation of business enterprises. Our Nation owes its primacy in the world to the form of government under which we live and to the individualism which it has developed. The American people have been encouraged to develop initiative and those splendid Anglo-Saxon traits which make a people free and progressive. In a little more than a hundred years our Nation has grown from a mere handful of people until it is the strongest, most powerful, and progressive in the world;

its people are the most prosperous and enjoy the highest degree of liberty.

Not only in material wealth but in intellectual possessions, in the spiritual and moral wealth, the people of this Nation outstrip the world. These great achievements have resulted from the repudiation of the idea that the Government and those in authority should control the lives and activities of the people. Paternalism has been reprobated by the American people. The tyranny of socialism has not been accepted, but everywhere in our broad land the people have been taught that the triumph of the Nation as a whole depends upon the strength of the individual units within the Republic. Our scholars, our educators, our teachers, our publicists, our preachers, as well as our political leaders, have cried aloud for the independence of the individual, for the development of self, and for individual expansion. Party creeds have rested upon the proposition of the equality of the individual and of the right to independence, to freedom of thought and to freedom of action.

While there has been regard for social justice and recognition of the responsibilities that follow from association of individuals in groups, communities, and States, and a conception of the obligations due from individuals to each other and to the social organism, the American people have never lost sight of the benefits flowing from self-development and the freedom of the individual. And so we have found the great leaders in finance, in business, in all movements making for progress and the welfare of the people coming from the ranks of labor, from the farms, and fields, and factories, and they caught the spirit and inspiration of this Republic, their latent powers were developed, and their genius and ability made them potential forces for the Nation's development. The great enterprises of the Nation came from the genius of the individual, and our future success depends upon the perpetuity of a policy that recognizes individual worth and personal and individual independence.

It is important that we adopt a rational policy in dealing with our merchant marine. I have been impressed for months with the necessity of prompt action by Congress. I communicated with the former chairman of the Commerce Committee, the able Senator from Florida, and urged that legislation be enacted at an early date that would declare the policy of the Government. I also suggested to the present able chairman of the committee, soon after his appointment as chairman, that at an early date his committee should formulate legislation that would deal with the question. I knew that there were influences at work seeking to have the Government retain the railroads and operate them, and also to retain the ships owned by the Government and operate them, and to have the Government build additional ships for operation. I believed this course to be unwise. I felt that the Government would fail in the operation of ships as it had failed in the operation of the railroads. Investigation showed that the Government had wasted millions and tens of millions of dollars in its shipbuilding program, and I felt sure that waste and extravagance would follow further efforts to build ships and to operate them.

However, I was opposed to the sale of any ships owned by the Government except in those instances in which it was clear the vessels sold would not be required for our merchant marine, and under exceptional circumstances, until a policy had been determined upon by the Government. Accordingly, when it was reported that Mr. Hurley, the former chairman of the Shipping Board, intended to sell some of the ships owned by the Government, I appealed to him to abandon such a course and await congressional action. I am opposed now to the sale of ships referred to in the resolution of the Senator from Arizona, as well as other ships controlled and operated by the Shipping Board and the Emergency Fleet Corporation, until the future course of the Government in dealing with this important subject has been fully determined upon.

The members of the Shipping Board, though, have a right to insist that Congress act and act quickly in regard to this matter. The members of the board should know whether they are to continue constructing ships and whether there will be appropriations made by Congress to support a shipbuilding program. They can not determine whether to maintain present shipping yards or dispose of the ships. Not knowing what the policy of the Government is to be, they can not determine the character of the ships to be built, if any, or what expenditures should be made by their organization.

The comprehensive powers conferred upon the board for war purposes were quite extraordinary, and naturally, now that peace has come, must cause hesitancy upon the part of the members of the board and uncertainty as to what course shall be pursued. We owe it to the corporations that are handling our shipping matters to advise them at an early date what course the Government will pursue. It is important that they should know whether the Government is to retain the many shipyards which have been built at a cost of hundreds of millions of dollars or whether they are to be sold. They must know whether the Government intends to hold a large number of ships which it owns or whether they are to be disposed of. It is manifest that the operation of these ships in some instances, if not all, will entail considerable loss. I know the claim is made that the profits in shipping at the present time are large. That may be true where economies are practiced and where vessels operate along favorable routes. It is, I believe, quite certain that if we attempt to develop our foreign commerce with many parts of the world and the Government is to operate ships for that purpose there will be losses. The Shipping Board must know whether Congress will approve of a course that will result in losses which can only be met by increased taxation to be met by the people. The subject is one so important as to call for the highest statesmanship.

Before the Civil War the policy which we had pursued developed a strong merchant marine. The American flag was found in almost every part of the world, and exports from America and imports to America were carried in American ships. After the Civil War, for reasons that are known to most people, we lost our merchant marine. I have been told by Americans who traveled extensively that often they have seen in foreign ports scores of ships flying the flags of many nations, but no American flag was seen. Foreign ships carried American commerce, and we were subject to the rates and discriminations which the owners of the foreign vessels imposed. In other words, our commerce was largely at their mercy. Such a condition must not be permitted to exist again. We must have a merchant marine adequate for the needs of this country. Our prosperity is dependent upon our foreign trade and commerce. We can not be isolated; we do not desire isolation.

If our trade with other nations were cut off, financial ruin and disaster would come to the American people. Our agricultural products are needed in various parts of the world. We must find foreign markets for our manufactured products as well as for our raw materials. Europe needs our cotton, our copper, our flour, and beef, and manufactured goods. It is vital for the trade of South America that we employ every legitimate means to bring the Latin Republics and the United States into harmonious relations. The products of South America must come here, and we must ship to those nations our surplus of which they stand in need. Notwithstanding the weakened condition of Europe, we will lose in South America and Central America unless we act, and act promptly.

Mr. President, if the Shipping Board intends to dispose of the German vessels referred to in the resolution offered by the Senator from Arizona, or other ships, before Congress has announced a policy for the Nation with regard to our merchant marine, I should be in favor of a joint resolution which would prevent such action.

With my present view I should be in favor of a policy that would call for the sale of the ships controlled by the Shipping Board and the Emergency Fleet Corporation. But the ships should not be sold immediately or forced upon the market. A policy should be pursued that would bring the Government a fair and just compensation for the vessels. Moreover, all vessels sold should be disposed of to American citizens or corporations organized in our country. They should be American ships owned by Americans, and they should fly the American flag. The sale should also be so made that no monopoly would be created or no shipping trust developed. In other words, the Government should gradually dispose of its ships, but in the matter should proceed in such a way as to develop our merchant marine and strengthen it, and bring a fitting reward to the Government for the expenditures it has been compelled to make in the construction of shipyards and the building of vessels. I sincerely hope that within a few days the Committee on Commerce will submit to the Senate for consideration a comprehensive, rational plan which will prove satisfactory to the American people and under which we may be assured that we will have a merchant marine adequate for the needs of our country.

Mr. President, I have imperfectly stated some of my views upon the question of our merchant marine. Of course, there may a situation develop which may compel, at least for some time, the United States to retain the vessels built and acquired for commercial purposes. Our ships must not be sacrificed, and no private shipping monopoly must be permitted.

The entire question must be considered in a broad American way; the welfare of our country must be of paramount consideration. Until we have made full and exhaustive examination of the subject and agreed upon a safe and rational policy, we must retain the ships.

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. KING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THOMAS in the chair). The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Keyes	Overman	Thomas
Ball	King	Page	Trammell
Beckham	Kirby	Phipps	Underwood
Brandegee	Knox	Pomerene	Wadsworth
Calder	Lodge	Robinson	Walsh, Mass.
Capper	McCormick	Sheppard	Walsh, Mont.
Curtis	McKellar	Smith, Ga.	Warren
Dillingham	Moses	Smith, Md.	Watson
Harris	Myers	Smoot	Williams
Hitchcock	New	Stanley	
Kellogg	Norris	Sterling	
Kendrick	Nugent	Sutherland	

The PRESIDING OFFICER. Forty-five Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The names of the absent Senators were called, and Mr. JONES of New Mexico, Mr. MCCUMBER, and Mr. TOWNSEND answered to their names when called.

Mr. HENDERSON, Mr. COLT, Mr. OWEN, Mr. MCNARY, and Mr. NELSON entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. A quorum of the Senate is present. The question is on the amendment of the committee on page 2 of the bill.

Mr. KING. Mr. President, I ask to have the amendment stated.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2, line 1, after the word "include," it is proposed to insert the following words:

American employees of the Panama Canal above the grade of laborer, superintendents of United States national cemeteries, and employees under the Superintendent of the United States Capitol Building and Grounds, and—

Mr. KING. Mr. President, I should like to ask the Senator from South Dakota upon what theory he includes the employees of the Panama Canal Zone in this bill?

Mr. STERLING. On the theory that the positions of the American employees of the Panama Canal above the grade of laborer are quite permanent and are more nearly analogous to the classified civil service than those of other employees not in the classified civil service.

Mr. KING. How many employees are there there?

Mr. STERLING. I can not inform the Senator as to the number of employees in the service above that grade.

Mr. KING. Have any of the bills heretofore introduced contained any provision under which the employees in the Canal Zone should be given pensions?

Mr. STERLING. I am not sure as to that. Let me say to the Senator that all employees regularly in the Government service and whose positions are quite permanent in their nature might properly be included in any bill providing for annuities on retirement. We have not seen fit to do it in this bill. We have thought the classified civil service designated in itself those who are in the permanent employ of the Government. There are these exceptional cases, some of which are put in by way of amendment, where the positions are in their nature permanent, although they are not in the classified civil service.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to his colleague?

Mr. KING. I yield.

Mr. SMOOT. I think the Senator will remember that the employees in the Panama Canal Zone receive certain advantages that the employees of the Government in the United States proper do not receive, and I wondered why this bill was to extend to those employees.

Mr. STERLING. I do not know in what way employees in the Panama Canal Zone have advantages over other employees. The Senator from Utah may be able to inform me in that regard; and, if the Senator will permit me, I do not know that that is any reason why they should not be included in the provisions of this bill. There may be some special reason that the Senator has in mind. If he has in mind any such reason, I should be glad to have him state it.

Mr. SMOOT. Does the Senator know whether or not the common laborers on the Panama Canal, and the other Government employees as well, are all Americans?

Mr. STERLING. I am not sure as to that, but my impression is that those to whom this provision would apply are all Americans. The laborers, of course, are not all Americans. Probably there are some that are, but they probably are for the most part not Americans. I take it for granted, however, that the clerical positions to which this provision would apply are filled by Americans.

Mr. SMOOT. I will say to the Senator that, not having had time to give the matter examination, and this being the first time I remember the question ever arising as to whether employees in the Panama Canal Zone should be provided for under a retirement bill, I am totally unable to say how many are involved and why they should be in this bill. I thought perhaps the Senator had that information presented to him at the time the amendment was suggested to the bill.

Mr. STERLING. I will say that I saw no great reason why they should not be included in the bill, assuming, of course, that their positions were more or less permanent in nature; and hence, without taking the time to investigate as to the number of employees who would come within the provisions of the bill, I consented to the amendment, and I think it is a reasonable provision.

Mr. KING. Mr. President, would the Senator object to giving us the sources of information upon which he based this amendment?

Mr. STERLING. I have just stated that I have not examined into the question of the number of employees, but I think the Senator from Utah knows very well the nature of the employment of those to whom this amendment would apply, and that they are for the most part, anyhow, persons holding official or clerical positions in the Panama Canal service.

Mr. SMOOT. I notice, upon reading the amendment carefully, that it provides that they shall be American employees, and that answers one of the questions that I asked the Senator.

Mr. STERLING. Yes. That had escaped me for the time being, my attention being called to it at this moment.

Mr. KING. Does the Senator think that all the employees in the Panama Canal Zone are under the civil service?

Mr. STERLING. It applies only to those who are in the civil service in the Canal Zone.

Mr. SMOOT. The same provisions apply to the employees of the Panama Canal that apply to the employees in the United States in the classified civil service.

Mr. STERLING. Certainly.

Mr. KING. Can the Senator give any reason why, while this bill, or one containing similar provisions, has been considered for several years by various committees, no provision was suggested under which the employees in the Panama Canal Zone would be put on the pension list?

Mr. STERLING. I can not give any reason why it was not considered. It may never have been presented, and it probably never was presented, to any of the committees which have had this bill under consideration before. It simply appealed to the committee as a reasonable provision to be incorporated in this bill. We saw no reason why those employees should not be included.

Mr. KING. Will the Senator permit another inquiry?

Mr. STERLING. Yes.

Mr. KING. I find in the amendment which the committee has submitted the following words:

Superintendents of United States national cemeteries.

They are to get pensions. My understanding has been that those appointments were, or have been, political. Does the Senator say that they have been removed from the political status, and have now been placed in the classified service?

Mr. STERLING. No; I do not say they have been removed from the political status and are covered into the classified civil service at all. I do not say that. I think the reason for the amendment, as it applies to superintendents of United States national cemeteries, is that their positions are considered permanent, and I think they are not subject to removal on change of administration. I do not think they can be called political positions. I am quite sure they can not be.

Mr. KING. As I remember—although my memory is very uncertain—they are subject to appointment by the President.

Mr. STERLING. Yes; I think so.

Mr. KING. Does the Senator recall whether that is by and with the advice and consent of the Senate?

Mr. STERLING. It is not by and with the advice and consent of the Senate. They do not come within that class of officials.

Mr. KING. Does the Senator say that the law fixes their tenure as being for life? If the law does not give them a life tenure, then it is clear that they are political positions and that

they may be changed at the will of the President or the appointing power.

Mr. STERLING. I would not like to say that their appointments are for life, but my thought is that they are, or during good behavior in their positions. I do not think their places depend upon politics or a change in the administration of the Government.

Mr. KING. Does not the Senator understand that they are appointed by the incoming administrations?

Mr. STERLING. Mr. President, this thought occurs to me: These superintendents would hardly want to be within the provisions of this bill if they were subject to removal with every change of administration, because they can not have served the time which would allow them benefits under the bill. Their minimum period of service must be 15 years in order that they may share in the benefits provided for in the bill.

Mr. KING. That is precisely what I had in mind. My recollection was—and I have a very imperfect one—that there was no life tenure given to these employees; that they were appointed by the incoming administrations, and, of course, some of them were reappointed, or perhaps continued without any appointment. To give them the status of pensioners, under the circumstances, seems to me to be rather inconsistent with the theory of the bill, and might prove a menace to a fair and desirable retirement system. As I understand, the bill proceeds upon the idea that the employees of the United States who have come within the civil-service rules, and have given years of their lives to the Government service, should receive pensions. If temporary and political appointments are to be considered eligible for pensions, then it would seem that the theory of the bill is challenged.

Mr. STERLING. They are probably appointed without reference to the time for which they shall serve, subject to removal for cause, as any other civil-service employee might be.

Mr. NUGENT. Mr. President——

Mr. KING. I yield to the Senator from Idaho.

Mr. NUGENT. Can the Senator from South Dakota advise the Senate whether the superintendents of these national cemeteries are not old soldiers and now on the pension list?

Mr. STERLING. Largely, I think.

Mr. KING. Then I want to inquire further, if the Senator will permit me, as to the other provision of the amendment, namely:

and employees under the Superintendent of the United States Capitol Building and Grounds.

Mr. STERLING. What is the Senator's question?

Mr. KING. The question is whether or not those appointees are permanent. My understanding was that they were usually appointed by the captain of police or the person having charge of the Capitol Grounds, and that the appointments were made as often as a change was made in the Superintendent of the Capitol Building and Grounds.

Mr. STERLING. I think not. I think these positions are more or less permanent in their nature, and do not depend upon political changes or changes of administration. Otherwise the Superintendent of the Capitol Building and Grounds would not have asked that these employees be included in this bill, and he did make the request.

Mr. KING. Will the Senator permit another inquiry? Does not that include the watchmen and the policemen who are appointed from time to time, and some of whom are appointed under the patronage of Senators?

Mr. STERLING. No; it does not include employees of that class.

Mr. KING. Will the Senator indicate the nature of these employees, and substantially the number?

Mr. STERLING. They fill various positions—positions of trust, the position of engineer, and so forth. They are regular employees of the Government and are under the supervision of the Superintendent of the Capitol Building and Grounds. These are not patronage appointees.

Mr. KING. Is that the only information—and I am not desirous of being critical—that the Senator can give in regard to the number of such employees and their duties?

Mr. STERLING. Yes. The Senator from Utah will note the succeeding provisions of this paragraph. It includes the employees of the Library of Congress and the Botanic Garden. These are not regularly in the classified civil service; but it was thought, because of the permanent nature of their positions, that they could be rightfully and properly included within the provisions of this act. But note what follows. It excludes, first, of course, persons appointed by the President and confirmed by the Senate, and then it is provided that it may be extended by Executive order, upon recommendation of the Civil Service Commission, to include any employee or group of employees in the civil service of the United States not classified at the time of the passage of the act. I think this is similar to the provisions of other bills that have been introduced.

Mr. KING. I suggest to the able Senator that there may be danger in this amendment being an entering wedge to a radical change in his plan, a change which may endanger a retirement bill in behalf of classified employees. It may be regarded as paving the way for pensions for all employees of the Government regardless of service or status.

If pensions are given to gardeners in the Botanic Garden and to employees in the Capitol, to persons having political appointments and serving in temporary or other positions outside of the classified service, it may excite fears that this pension system is too far-reaching, and it may induce the belief that efforts will be made to make every position in the Government a permanent one and one within the civil service. It would seem that if they shall be pensioned we put the stamp of permanency on their employment, and we will be compelled, if not immediately within a short time, to elevate them from their temporary positions of employment and place them in the category of permanent employees of the Government. May it not be urged that this plan will lay the foundation for the establishment of a pension system that will extend not to thousands and tens of thousands but to hundreds of thousands and possibly millions, so that ultimately there will be but two classes of people in the United States—the man who draws a pension from the Government of the United States and the farmer and the laborer and the taxpayer, upon whose backs will rest the burdens of paying the taxes of the Government and carrying the pensioners. Instead of every laboring man carrying a soldier upon his back, as it was alleged was the situation in Germany before the war, every laboring man in the United States may be carrying a pensioner upon his back. I am not making these suggestions in opposition to a fair and proper measure, but for the purpose of having the chairman of the committee consider whether his proposal may not incite demands for pensions of some sort by all who render any kind of service to the Government.

Mr. STERLING. I think if the Senator will read the terms of the bill carefully his mind may be relieved of fear of any such situation as he describes. The employment must be a permanent employment in order that the employee may participate in the benefits of the bill. It must be at least 15 years of employment, so that does away at once with the idea that those who are in the temporary employment will receive benefits under the bill.

The bill provides that the President shall have the power in his discretion to exclude from the operations of the act any employee or group of employees in the classified civil service whose tenure of office or employment is intermittent or of uncertain duration, so here may be those or groups of them in what is termed the classified civil service, and yet if it is determined after all that their service is intermittent or temporary the President may exclude them from the provisions of the bill. Anyhow, there must be 15 years of service before a man can become an annuitant under the bill and he must have contributed from his salary every month during the 15 years.

Mr. KING. If I understand the Senator's position, it is that a person may not know whether he is a permanent employee of the Government until he has served the Government a full 15 years. When he reaches 15 years' service, then he will know that he is in the permanent service of the Government, but until he serves 15 years he will not know whether he is in the temporary or permanent employ of the Government.

Mr. STERLING. The position of the Senator is that the employee is bound under the law to know that if he serves the Government for 15 years continuously in the classified civil service he will be entitled to an annuity under the bill. He, of course, performs his part by contributing out of his salary toward the payment of the annuity. He will know that and will be held to know it.

Mr. KING. Let me ask the Senator, Do employees of the Capitol, if there shall be any here who have served 15 years, know that they are permanent employees of the Government? Are they permanent employees of the Government or are they only temporary employees of the Government?

Mr. STERLING. If they are in the classified civil service, there is no question about their being permanent employees of the Government, by entering into the classified civil service through a competitive examination and being placed upon the list ready for assignment when vacancies occur.

Mr. KNOX. May I make an inquiry? Is there any provision made for the protection of an employee who might die, say, at the end of 10 or 12 years, having contributed up to that time? Is there any provision made for his reimbursement?

Mr. STERLING. There is ample provision in the bill. His estate or legal representatives receive the sum of all the contributions, with 4 per cent compound interest.

Mr. KING. I should like to call the Senator's attention to a matter concerning which I made inquiry a moment ago, namely, the status of superintendents of United States national cemeteries. Since I addressed my inquiry to the Senator I have hurriedly looked at the statute and find that it reads as follows:

The Secretary of War shall cause to be erected at the principal entrance of each national cemetery a suitable building to be occupied as a porter's lodge and shall appoint a meritorious and trustworthy superintendent to reside therein for the purpose of guarding and protecting the cemetery and giving information to parties visiting the same.

The next section provides:

That the superintendents of national cemeteries shall be selected from meritorious and trustworthy soldiers, either commissioned officers or enlisted men of the Volunteer or Regular Army, who have been honorably mustered out or discharged from the service of the United States and who may have been disabled for active field service.

I was in error in suggesting that they were appointed by the President, and the Senator, it would appear, did not have accurate information as to the status of those individuals. Under the law these employees hold their positions under the Secretary of War. He may name the officials and of course he may change them. Each succeeding Secretary could supersede all who are serving in that capacity and place other persons in their places.

Mr. STERLING. He is not likely to do that, and if he does or if he has the power to do it, he simply deprives the superintendents of the national cemeteries of the benefits of the bill. That is all. It may happen, if the Senator's view is correct, that any succeeding Secretary of War may remove any superintendent, but it would, of course, prevent his obtaining the benefits of the bill.

Mr. KING. Does not the Senator feel, if we adopt the amendment which he has offered, that the contention would immediately be made that Congress contemplated that those employees should hold their positions permanently, and that if any Secretary of War attempted to displace them the position would be taken that his action was in contravention of law, and if that position were not upheld appeals would be made to Congress to make those positions permanent?

Mr. STERLING. I will frankly say to the Senator from Utah that I would not regret for a moment that kind of an interpretation being put upon the law. That, however, would not prevent the Secretary of War from removing for cause.

Mr. KING. As far as I am concerned, as long as men in that position perform their duties, I would feel much more in favor of protecting them and giving them permanent positions than I would younger men—those who had not fought to save the Union as these veterans have done.

Mr. STERLING. I think that the Senator will agree with me in that respect. If by law there should be the inducement—not the compulsion but the inducement—for the Secretary of War to keep a man who was efficient in that service, we might well do it.

Mr. KING. If I understand the amendment offered by the committee, the objection which I have to all of its provisions and to its spirit arises from the fact that, as I interpret it, it will be regarded as the foundation for the demand that persons now occupying temporary positions in the service of the Government shall be treated as beneficiaries under this bill and entitled to all of its benefits. In other words, it will be made the basis of a demand to place upon the pension roll tens of thousands of temporary employees of the Government who now fill positions in all parts of our land and the innumerable hosts who are outside of the civil-service law.

Mr. STERLING. I think the bill in that regard is as well safeguarded as any bill can be. I will say to the Senator that many countries require only 10 years of service before the employee will be entitled to a pension or an annuity. The pending bill requires 15 years of service. I think the bill in all respects is safeguarded against mere temporary employments and against the claim on the part of temporary employees that they are entitled to the benefits of it.

Mr. KING. May I ask the Senator is it not the paramount purpose of this bill to pension those who are within the classified service?

Mr. STERLING. It pertains in general terms to the classified civil service, with these exceptions—those named in the amendment and the exceptions which follow in the original bill providing that the President of the United States may extend the provisions of the act to those whose employment is permanent employment, though they be not in what is technically known as the classified civil service, and a few other classes named in the bill.

Mr. KING. The Senator will pardon me for the apparent repetition, but does he not think if we intend to give the classified service the position of merit and esteem which it ought to have it ought to be perfectly clear that the pensionable status shall not be extended to those who are outside of the classified service, and ought we not further to emphasize the proposition that employees of the Government may not be elevated from nonclassified into the classified service merely for the purpose of getting pensions?

I do not affirm, however, that the granting of pensions to those only who are within the classified service will close the door to pensions to other employees of the Government. It is possible that the hundreds of thousands of nonclassified service employees will soon be knocking at the doors of Congress and availing themselves of every avenue of approach to Congress demanding that the benefits of this bill, modified, of course, in some respects, shall be extended to them.

Mr. STERLING. I think we may be able to meet that situation when it is actually before us. It surely is not in the pending bill. When the President does extend the provisions of the bill to include those not in the classified service, it must be upon the recommendation of the Civil Service Commission. The Civil Service Commission are primarily interested in getting on to the eligible list those who have taken a competitive examination, and they will be loth to recommend for the benefits of the bill any who are not now in the classified civil service or who do not enter that service hereafter.

Mr. KING. My experience with the civil service and my knowledge of its activities and its work lead to a result entirely different from that just stated by my distinguished friend. I believe that the Civil Service Commission—and I do not make this statement by way of criticism, because I think they are sincere in the view which they take—would like to have under the classified service practically all persons who are working for the Government.

Mr. STERLING. But that does not involve the putting of them in the classified civil service. It only involves the recommendation of the commission in regard to certain persons not in the classified civil service, persons whose positions are permanent, whose employment is of a nature to make it reasonable and natural that they should share in the provisions of the bill—not that they come into the classified civil service. It is for that purpose that the provision is inserted in the bill.

Mr. KING. I do not know that the Senator understood my statement or whether I made myself clear. I understood the Senator to say that there would be a check upon the advancement from the nonclassified to the classified service in order to get pensions, that no one could be put into the classified service except upon recommendation of the Civil Service Commission, and I replied to that by stating that my experience with the Civil Service Commission—and I did not say it by way of criticism—and my knowledge of its work and activities led me to the conclusion that it was ambitious to have every employee of the Government within the classified service, and that therefore it would seize upon every opportunity, if its recommendations were to be controlling or, indeed, to be persuasive, of elevating from the nonclassified service into the pensionable status every employee of the Government.

Mr. STERLING. I do not share in the fears of the Senator from Utah in that regard. I said a while ago, and I believe it is true, that the Civil Service Commission will be slow to recommend that the provisions of the pending bill be extended to others not in the classified civil service. They are interested primarily in having men go into that service through a competitive examination.

Mr. KING. Mr. President, I move an amendment to the amendment offered by the committee, to strike out the following words, commencing on line 1, page 2, "American employees of the Panama Canal above the grade of laborer and employees under the Superintendent of the United States Capitol Building and Grounds," so that it will read as follows if my amendment shall prevail:

The provisions of this act shall include superintendents of the United States national cemeteries and employees of the Library of Congress and the Botanic Gardens—

And so forth.

I give notice to the Senator that I shall move to strike out, after we have disposed of the committee amendments, the words following the committee amendment, beginning "employees of the Library of Congress and the Botanic Gardens." In the amendment proposed by the committee I leave in the words "superintendents of the United States national cemeteries." In view of the fact that they are soldiers of the Civil War and in view of their heroic service, I am willing that they shall get the benefits of this act.

Mr. STERLING. I hope the amendment offered by the Senator from Utah will not prevail. I think there are good reasons, and I have already stated them, why the committee amendment should prevail in its entirety. It excludes Panama Canal laborers and it is confined to American employees. There is good reason for retaining the amendment as to the employees under the Superintendent of the United States Capitol Building and Grounds. They practically stand on the same footing as civil-service employees or employees in the classified service of the Government. I hope that the amendment will not prevail.

Mr. POMERENE. May I ask the Senator from South Dakota several questions in regard to the matter? The report does not show how many members of the committee concurred in it. I should like to know what members of his committee have concurred in the report?

Mr. STERLING. Mr. President, I think all but two or three members of the committee concurred in the report. There might have been four members of the committee who did not concur in the report. In addition to those who were present at the time the report was determined upon, I personally saw, I think, every other member of the committee who indorsed the bill and signified his readiness and willingness that the bill should be reported.

Mr. POMERENE. Mr. President, may I ask how many members of the committee were present when the bill was voted to be reported out?

Mr. STERLING. I do not know that I can inform the Senator exactly how many were present when the bill was ordered reported out, but others had been present prior to the time the report was agreed upon by those present in the committee. I think, all told, there were five members present at the time of the action of the committee in ordering the bill reported out. I can give the names of Senators who were present at the meeting.

Mr. POMERENE. I should be very glad to have them.

Mr. STERLING. Mr. President, let me suggest that the inquiry of the Senator from Ohio, it strikes me, is a little unusual, and that the object of the inquiry now is simply to create some prejudice against the bill. I should like to dispose of the bill on its clear merits. I will say to the Senator from Ohio.

Mr. POMERENE. So should I; and I do not mean to be in the least offensive in making these inquiries. I will say to the Senator very frankly that there are, to my certain knowledge, three members of the committee who are very much opposed to the bill.

Mr. STERLING. Yes; and I think I know who they are. Is the Senator from Ohio one of them?

Mr. POMERENE. I am not a member of the committee.

Mr. STERLING. The Senator from Ohio is not at present a member of the committee; but let me say to the Senator from Ohio that he was invited to be present at the hearings before the committee and also at the executive session of the committee. I extended that invitation personally to the Senator from Ohio.

Mr. POMERENE. Yes, Mr. President, that is true; but at a time when I was engaged in other work, and it was impossible for me to be there. At least one other member of the committee has said to me that he had not given the matter enough attention to be able to speak of its merits.

I want to indulge the hope that the eminent chairman of the committee will consent to the bill with all amendments and the report being recommitted. Whether I were for or against this bill, I confess that, as a Senator of the United States, I would not feel justified in voting for it with only the information which is contained in the hearings and in the report which has been submitted. The senior Senator from Utah [Mr. SMOOT] and myself have given considerable attention to this matter; we have taken such data as are included in the report and in the hearings and we have submitted that information to Dr. Brown, the Chief of the Bureau of Efficiency, together with other information which we had gathered when I was chairman of the committee; and the conclusions which are drawn by the present chairman of the committee and ourselves are so variant that it seems to me that common prudence on the part of the Senate of the United States suggests that an opportunity be given to the committee, by the employment of proper experts, to determine whether the chairman's conclusions are right or ours are right. If it can be demonstrated that the Senator from Utah [Mr. SMOOT] and myself are wrong in our conclusions, we do not want to stand by the assertions we have made. However, I am going to interpose at this moment a motion to recommit the bill, with all amendments which have been proposed, and the report of the committee itself for further hearings, investigations, and report. I do that as a friend of the cause of retirement.

I do not want to discuss the motion to-night; there are only a few Senators present, and it is a matter of such vast importance that I think Senators owe it to themselves to be here and to determine what they want to do. Upon this motion, if there is an adjournment to-night, I shall ask to be heard, probably for 10 or 15 minutes, in the morning. I do not intend to speak long, but I am going to interpose the motion in the interest of justice, both to the Government and to the employees. It is now half past 4 o'clock, and, if the Senator is not willing to consent to have the motion sustained, I want to ask whether he will not consent to an adjournment at this time?

Mr. KING. Will the Senator yield?

Mr. POMERENE. Yes; I yield.

Mr. KING. There is an important matter here that I think we ought to dispose of this evening, in which the Senator from Tennessee [Mr. MCKELLAR] is interested, namely, a resolution in regard to the alleged purpose of the Shipping Board to sell certain ships of the United States. I think it is so important that we ought to try to secure action upon that resolution this evening, unless the Committee on Commerce is ready to recommend some different action.

Mr. POMERENE. I am disposed to agree with the suggestion just made, and for that reason I will yield the floor. I feel very deeply in that matter, just as much as does the Senator from Utah and the Senator from Tennessee.

Mr. MCKELLAR. I have sent upstairs for the Senator from Washington [Mr. JONES], who is chairman of the Committee on Commerce. In the meantime, I should like to ask unanimous consent that the resolution be printed and lie on the table subject to call, if we do not pass it. I will put it in the alternative. I want to be certain that the resolution is printed to-night, unless we pass it. I want to have it in a position where it may be called up the first thing in the morning, if not passed to-night.

The VICE PRESIDENT. Where is the resolution now?

Mr. MCKELLAR. It is on the table for the present.

Mr. TOWNSEND. Does the Senator refer to the resolution that was up earlier to-day?

Mr. MCKELLAR. Yes. It merely requests the Shipping Board to defer action in the matter of the sale of the ships until action shall have been taken by Congress.

Mr. TOWNSEND. I might suggest to the Senator from Tennessee that the Senator from Washington is interested in this matter.

Mr. MCKELLAR. Yes. I have already sent for him. He will be here in just a moment.

Mr. TOWNSEND. I do not think action ought to be taken in his absence.

Mr. MCKELLAR. I agree with the Senator, and I have already sent for the Senator from Washington.

Mr. STERLING. Mr. President, it has been my attitude with regard to the report of the Committee on Commerce, to which reference has been made, that if that report were presented here this afternoon while the unfinished business was under discussion, I would ask that the unfinished business be temporarily laid aside for the purpose of considering that report. Now, however, pending the presentation of that report, I wish to say, in answer to the suggestion of the Senator from Ohio, that I shall oppose any proposition for the recommitment of the bill to the committee, not saying now as to when that motion may be disposed of.

Mr. President, I simply say that the more I have considered the pending bill, what it provides for, what the Government will have to do, and what the employees will have to do under the terms of the bill, the more confidence have I in the justice and the equity of the bill. I am satisfied that here we are on firm ground. Everyone admits, the Senator from Ohio [Mr. POMERENE] and the Senator from Utah [Mr. SMOOT] admit, the necessity of some civil-service retirement system, and I do not believe anything more just to the Government or more just to the employees can be worked out than has been wrought out in the pending bill.

Of course, we have been more or less discouraged from time to time, as the bill has been under discussion, because so few Senators have been in attendance to hear the discussion and to take into account the statistics which have been produced; but before any motion to recommit is acted on I want to present some further argument and some further statistics in regard to the cost to the Government. I am ready for the present to give way and have the bill temporarily laid aside, pending the report of the Committee on Commerce.

Mr. POMERENE. Mr. President, I am advised by the Senator from Tennessee [Mr. MCKELLAR] that he is not at this moment ready to proceed. I simply wish to say that I am just as earnestly in favor of some proper scheme of retirement as is the

Senator from South Dakota; our investigation has brought us to the same conclusion in that behalf; but I differ completely from the Senator in his statement as to the justice or equity of this bill. I should like the opportunity if I could—and I know that other Senators on the committee would like to have such an opportunity—to cross-examine some of the expert actuaries, and it would be most interesting, from a legal standpoint, to hear what they might have to say in answer to some questions. But the Senator from Tennessee is now ready to proceed, and I will yield.

SALE OF SHIPS.

Mr. McKELLAR. Mr. President, the Senator from Washington [Mr. JONES], the chairman of the Committee on Commerce, is now present. I wish to say to him that I have asked unanimous consent at once to bring up the resolution in regard to the proposed sale of certain ships, and would like to hear what he has to say.

Mr. JONES of Washington. Mr. President, I think I can make a statement that will be satisfactory to the Senator from Tennessee. The committee has been considering the matter involved in his resolution. Judge Payne has stated to the committee that the assertion that the Shipping Board has agreed or promised to sell all these 30 ships to one company—the International Mercantile Marine Co.—is absolutely baseless and untrue; that, to the contrary, the Shipping Board has formally passed a resolution to the effect that they will not sell all of these ships to one company. That disposes of that proposition.

Mr. SMOOT. Mr. President, may I ask the Senator a question?

Mr. JONES of Washington. Yes.

Mr. SMOOT. Did Judge Payne say that they really intended to sell the ships at this time at all?

Mr. JONES of Washington. I was just going on to make a statement with regard to that.

Mr. SMOOT. Very well.

Mr. JONES of Washington. Bids have been received upon 20 individual ships from, I believe, 12 different companies and corporations. The Shipping Board, however, has not accepted any of those bids; on the contrary, it has called for additional bids, or has decided to hold what is called an auction on next Monday. This will be not an auction in the ordinary sense, where if there is more than one bid the sale must be made to the highest bidder, but it is simply designed to give everybody an opportunity to come in and submit proposals for the purchase of the 20 ships. The bids submitted will amount to proposals, the board reserving the right to reject them all.

Mr. SMITH of Georgia. They are public, open proposals?

Mr. JONES of Washington. Yes; open proposals, which anybody who desires may submit.

Mr. SMITH of Georgia. Submitted in the presence of the other people, who will have an opportunity to submit higher bids at once?

Mr. JONES of Washington. Yes; that is the reason they call it an auction.

Mr. KING. And bids may be made separately or for the entire number of ships; that is, an individual may bid for one ship or for more than one?

Mr. JONES of Washington. Or for 20 ships.

Mr. KING. For the entire number?

Mr. JONES of Washington. Yes. The Senator was not here when I made the statement that Judge Payne had stated that there is absolutely no foundation for the statement that the board has agreed to sell all of these 30 ships to one company, but that, to the contrary, the board has passed a formal resolution that it will not sell all these ships to one company. Open bids, as the Senator from Georgia suggests, which may be submitted by everybody—and they can be raised, and so forth—will be received on Monday; but the Government will not be bound to accept any of them, and they will not be accepted at that time, but after they are received, then the Shipping Board will give them careful consideration, taking into account all the conditions and circumstances. Judge Payne has assured the committee that no action will be taken, but that he will appear before the committee and present all the facts and all the circumstances, the bids and everything of that sort, upon the request of the committee, and will not act in any way until the committee has had ample time to consider these matters. The committee felt that we could then get much better information even than we have had to-day; that we would know all the facts in the whole situation as developed by the bids, and then the committee could make its recommendation.

Judge Payne further assured the committee that if the Senate or the committee should pass a resolution and send it to him expressing it as the sense of the Senate, or of the committee alone, that this sale should not under any circumstances be consummated, he would not consummate it. So it seems to me the matter is left where it will be open for the action of the committee or of the Senate after we have gotten all of the facts and all of the conditions and these new proposals, if there are any made, are known.

It was the sense of the committee that the wisest thing under the circumstances to do was to wait, let the bids be received on Monday, and then probably call Judge Payne before the committee on Tuesday. Under those circumstances——

Mr. McKELLAR. Mr. President, I was present at the greater part of the hearing, but I was not present at that part of the hearing where Judge Payne gave the assurance that no sale would be perfected until the committee had been consulted.

Mr. JONES of Washington. Until the committee had had full opportunity to consider the whole matter.

Mr. McKELLAR. I heard him express very vigorously the opinion that the ships ought to be sold.

Mr. JONES of Washington. Yes; he did that.

Mr. McKELLAR. And that he felt the Shipping Board, rather than the Congress, should be allowed to exercise its views, as I understood him.

Mr. JONES of Washington. I did not understand him quite to that effect.

Mr. McKELLAR. But that, if requested by the committee to hold it up, he would do so. I did not understand, however, that he was to hold it up until he came before the committee.

Mr. JONES of Washington. Yes; he assured us that he would do so. That proposition was presented to him, I think, while the Senator was there.

Mr. McKELLAR. To be absolutely on the safe side, does the Senator see any objection to a resolution being passed by the Senate, by unanimous consent, asking him to do so?

Mr. JONES of Washington. Mr. President, in view of the positive assurances of Judge Payne, I feel that in a way it would really be a reflection upon him.

Mr. McKELLAR. No; quite the contrary. He asked that the committee do so.

Mr. JONES of Washington. No; he did with reference to the sale or disposition, but we asked Judge Payne if there was any reason why action should not be delayed until he had received all these proposals and bids, and so forth, and then have him come to the committee, and he said no. Then the committee asked him——

Mr. NELSON. Mr. President, will the Senator yield to me?

Mr. JONES of Washington. Yes.

Mr. NELSON. To quiet the apprehension of Senators, I want to state that Mr. Hearst has filed a bill of complaint here to enjoin the Shipping Board from proceeding with these sales, and that the order to show cause is returnable on the 16th.

Mr. JONES of Washington. Yes; I was going to state that, also.

Mr. McKELLAR. Was the injunction granted?

Mr. JONES of Washington. The court has issued an order to show cause why they should not be enjoined, but I do not see any reason why that should particularly influence us. Judge Payne has assured us that he will do nothing without conferring further with the committee, and it does seem to me that that ought to be satisfactory.

Mr. McKELLAR. My only purpose is to make it absolutely certain that there can not be any mistake about it—that these ships will not be sold by the Shipping Board until Congress has passed on the matter, because I think that ought not to be done. If the Senator is absolutely certain from the assurances he has received that that will not be done, it is entirely satisfactory to me.

Mr. JONES of Washington. I am sure of that, and I am satisfied that I can be just as sure of it now as I could be if a resolution on the subject were passed by the Senate, because the passage of a resolution does not add anything to the power of Judge Payne, nor does it take anything away from him. He has assured us that he will not sell the ships without conferring with the committee, and I am satisfied that his word is just as good as any resolution passed by the Senate.

Mr. McKELLAR. Under those circumstances, I ask unanimous consent that my resolution may be printed and lie on the table in the usual way, unless there is objection.

The VICE PRESIDENT. That order will be made.

RECESS.

Mr. STERLING. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 14, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 13, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou great Father Soul, whose home is in the soul of man if he will,

"Behold, I stand at the door, and knock: if any man hear my voice, and open the door, I will come in to him, and will sup with him, and he with me."

Let Thy kingdom come in all our hearts, that whatsoever we put our hands to this day we may honor ourselves and hallow Thy name. In the spirit of the world's Great Exemplar. Amen.

MR. O'CONNOR'S LINCOLN DAY ADDRESS.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a Lincoln Day address delivered in the Soldiers' and Sailors' Memorial Hall at Pittsburgh, Pa., last evening to the Veteran Guard of Allegheny County, Pa., by our colleague, the gentleman from Louisiana [Mr. O'CONNOR].

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by inserting a Lincoln Day address delivered by the gentleman from Louisiana [Mr. O'CONNOR]. Is there objection?

There was no objection.

SALE OF GERMAN SHIPS.

Mr. MEAD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from Mr. John Barton Payne, chairman of the United States Shipping Board, with reference to the sale of the German ships.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD by printing a letter from Judge Payne, of the United States Shipping Board, relative to the sale of the German fleet. Is there objection?

There was no objection.

The letter is as follows:

UNITED STATES SHIPPING BOARD,
Washington, D. C., February 12, 1920.

Hon. JAMES M. MEAD,
House of Representatives.

MY DEAR MR. MEAD: Answering your inquiry re sale of the ex-German passenger ships, the reasons were principally these:

(1) It is the opinion of the Shipping Board that we will probably not be able to operate passenger ships under prohibition successfully in competition with foreign ships which sell liquor.

The reason why is: In December we fitted out the *Moccasin* to sail to South America. Her berths were all sold. When I announced that, in view of the policy of the Congress of the country, Government ships would not be permitted to sell liquor, one-half of the sailings were immediately canceled.

(2) We advertised the ex-German ships, and for 20 were offered $20,000,000. We had a careful calculation made as to the cost of reconditioning these ships for passenger service, and this reached the sum of $57,000,000. In view of the present situation, it did not seem to us that we were justified in incurring so large an expense.

(3) Conditions in the shipping world are such that it is our conviction that there will never be a time when we can sell ships to better advantage than now, and since it is our conviction that the ships can be successfully operated in private ownership, we believe the sale should be made.

(4) Two conditions are insisted upon by the board:

(a) That the ships shall remain under the American flag.

(b) That they are to be sailed in the routes indicated by the Shipping Board. This, we believe, will adequately protect the United States.

Very truly, yours,

JOHN BARTON PAYNE, *Chairman.*

LEAVE TO EXTEND REMARKS.

Mr. WILSON of Louisiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the pending Agricultural appropriation bill.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD on the pending Agricultural appropriation bill. Is there objection?

There was no objection.

AGRICULTURAL APPROPRIATIONS.

On motion of Mr. HAUGEN the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill, H. R. 12272, with Mr. WALSH in the chair.

The CHAIRMAN. When the committee rose last evening the gentleman from Virginia [Mr. MOORE] had offered an amendment to the paragraph in line 5, page 69.

Mr. MOORE of Virginia. Mr. Chairman, I ask leave to withdraw the amendment.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

The Clerk read as follows:

LIBRARY, DEPARTMENT OF AGRICULTURE.

SALARIES, LIBRARY, DEPARTMENT OF AGRICULTURE: One librarian, $2,000; 1 clerk, class 3; 1 clerk, class 2; 6 clerks, class 1; 3 clerks, at $1,080 each; 3 clerks, at $1,020 each; 4 clerks, at $1,000 each; 6 clerks, at $900 each; 1 clerk, $840; 1 messenger, $720; 1 messenger boy, $660; 3 messenger boys, $600 each; 2 charwomen, at $480 each; in all, $32,880.

Mr. BLANTON. Mr. Chairman, for the purpose of asking the chairman of the Committee on Agriculture a question, I move to strike out the last word. May I ask the chairman of the committee the necessity for this large number of employees for the Agricultural Department library?

Mr. HAUGEN. The Agricultural Department estimates that that number is necessary. Of course, the gentleman appreciates that the department has a large library. As the gentleman knows, a large majority of all the scientifical employees of the Government are under the Department of Agriculture. The library contains a large collection of scientific works.

Mr. BLANTON. Is it a fact that we are to permit the scientists in the Agricultural Department to depend entirely upon a separate, distinct library in that department when they have access to one of the finest libraries in the world, the Congressional Library, and to the numerous other comprehensive libraries here in Washington?

Mr. HAUGEN. The gentleman appreciates the necessity of a library in the Department of Agriculture.

Mr. BLANTON. Certainly; to a reasonable limit. Every lawyer must have a library and every doctor must have a library, and so must every scientist.

Mr. HAUGEN. And necessarily there is and must be a large library in the Department of Agriculture. There are a large number of publications that have to be translated.

Mr. BLANTON. Is it the disposition of the Agricultural Committee to give the Department of Agriculture what is known as a complete library?

Mr. HAUGEN. No; only a special library, containing such books as are needed for the work of the department in order to save the employees of the department the time and expense of going to the Congressional Library.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. THOMAS. Mr. Chairman, I ask unanimous consent to extend and revise my remarks made yesterday on the subject of tobacco and barberry bushes.

The CHAIRMAN. The gentleman from Kentucky asks unanimouse consent to revise and extend the remarks which he made yesterday on the subject of tobacco and barberry bushes. Is there objection?

There was no objection.

The Clerk read as follows:

For cooperative agricultural extension work, to be allotted, paid, and expended in the same manner, upon the same terms and conditions, and under the same supervision as the additional appropriations made by the act of May 8, 1914 (38 Stat. L., p. 372), entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefit of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture," $1,500,000; and all sums appropriated by this act for use for demonstration or extension work within any State shall be used and expended in accordance with plans mutually agreed upon by the Secretary of Agriculture and the proper officials of the college in such State which receives the benefits of said act of May 8, 1914.

Mr. SNELL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SNELL: Page 74, line 8, strike out "$1,500,000" and insert "$1,000,000."

Mr. SNELL. Mr. Chairman, I am offering this amendment purely in the interest of economy. I believe in giving each department a reasonable amount to do the work that it is called upon to do, but I feel that under the present conditions if we give the department as much money as it had last year and in view of the fact that the number of institutions which they are running now are 25 per cent less than last year, we are giving them all that they are entitled to ask for at the present time.

I have read the hearings on this item very carefully, and if I can draw any conclusion from the questions asked by the subcommittee having this item in charge I am fully convinced that they did not believe that this item was necessary to insert in the bill at this time. I simply want to call the attention of the House to the money that is appropriated for this work and to the condition of it at the present time, and I am sure that if they are honest in their desire for economy they will adopt this amendment.

Mr. BLANTON. Will the gentleman yield?

Mr. SNELL. Just for a short question.

Mr. BLANTON. I am with the gentleman on this, and I hope he will succeed, but I am sure he will not succeed unless he gets the chairman of the committee with him.

Mr. SNELL. Under the Smith-Lever Act last year there was appropriated for this work $3,080,000, and then in the regular Agricultural appropriation bill $1,500,000, making the total amount for the work $4,580,000. This year there is an automatic increase of this amount under the Smith-Lever Act of $500,000, and the committee have carried the same amount in this bill as was carried for the current year, so that if we adopt it as carried by the committee we would have for this work this year $5,080,000, or $500,000 more than was carried this year, which seems to me entirely unnecessary. I am not opposed to the work, but am opposed to giving any bureau more money than they had last year, and considering the present condition of the Treasury we should not do it. But if you adopt my amendment that I have offered you will have the same amount of money that is appropriated for the current year.

Let me tell you the condition that exists. According to the testimony, in 1918, there were 2,435 county agricultural agents and 1,750 home demonstration agents. In December, 1919, or practically the present time, there were only 1,999 county agricultural agents and 815 home demonstration agents. Therefore, there is an actual decrease in the field operations of this organization of about 25 per cent. If we give them the same amount of money this year that we gave last year, we are giving them more in proportion with the number of agricultural agents and home demonstration agents than they had last year, and that is all they ought to ask for, considering the present condition of the Treasury.

Mr. PURNELL. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. PURNELL. The gentleman states that there is a material decrease in the county agents. I want to know if the gentleman knows why.

Mr. SNELL. From the testimony it was said that it was because the various counties were not interested in coming forward and putting up their part of the money.

Mr. PURNELL. It was because they could not get money enough to hire competent men.

Mr. SNELL. The testimony is that they are not interested enough in the work to put up their share of the money. That is the testimony given by the director in your hearings. When we are giving any one department as much money as they had last year and they have less men in the field, we are dealing fairly with that department of the Government. We have 776 special agents, costing over $2,500,000, and if we carried out the wishes of the department you would have 1,500 agents, costing $6,000,000. I claim that we are dealing honestly with the department, and I hope that my amendment will be agreed to.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that debate may be closed, and I want to see how much time is wanted.

Mr. PURNELL. This is the most important item in this bill, and it ought not to be passed over without some serious discussion and consideration. I do not think we ought to have less than 40 minutes' debate, and that is entirely too small.

Mr. HAUGEN. I just want to have the time limited and see how it shall be divided. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close at the expiration of one hour.

Mr. PURNELL. Reserving the right to object, let me ask the chairman as to the division of time.

Mr. HAUGEN. The gentleman from Georgia will have 10 minutes——

Mr. PURNELL. I do not want 40 minutes used against the provision and only 10 minutes for it. I think the time ought to be equally divided between those who are for and those who are against. Will not the gentleman couple with his unanimous-consent request a request that the time be divided equally and half be controlled by the gentleman from New York and half by those in favor of the paragraph?

Mr. HAUGEN. Well, Mr. Chairman, I will ask unanimous consent that all debate on the paragraph and amendments thereto close in one hour, one half of the time to be controlled by the gentleman from New York [Mr. SNELL] and the other half by the gentleman from Indiana [Mr. PURNELL].

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on the pending paragraph and all amendments thereto close in one hour, one-half of the time to be controlled by the gentleman from New York [Mr. SNELL] and one-half by the gentleman from Indiana [Mr. PURNELL]. Is there objection?

There was no objection.

Mr. PURNELL. Mr. Chairman and gentlemen of the committee, this is the most important provision in this bill. The gentleman from New York [Mr. SNELL], who makes this motion to reduce this appropriation from one million and a half dollars to a million dollars, says that he makes it in the interest of economy. I want to say to you as a member of the Committee on Agriculture that I do not believe any member of our committee did more than I did, in my feeble way, to consistently reduce the appropriations. And I want to say here that we resolved every doubt in favor of economy, and I suspect that in some instances in this bill, in our earnest endeavor to keep down appropriations and avoid an additional bond issue, we may have to some small extent crippled the great agricultural interests of the country.

This bill only carries, in round numbers, $30,000,000 for all the agricultural work of the United States. And, strictly speaking, all of the appropriations in this bill are not properly a part of the Agricultural Department work. The estimates sent in by the bureaus amounted to $11,558,204 more than we report in this bill. It carries $7,132,823 less than the Secretary of Agriculture asked for and $3,359,727 less than we appropriated for the year 1920, so that we have really pruned the estimates.

But I want to say to you gentlemen that while we are talking economy—and I believe in it—we must not cripple the one thing that will do more to encourage production in this country than any other thing, namely, the continuation of this work. I think I know something about it. The State of Indiana is perhaps as far or farther advanced than any other State in the Union in this agricultural extension work. I believe that my own county and district are just a little bit ahead of any other county and district in the United States, if I may be pardoned for making the statement. I know something of the progress made since 1914, when the Smith-Lever Act was passed, and I say to you the Government is doing nothing comparable with this agricultural extension work.

The report of the Committee on Agriculture shows that if this bill is passed as recommended by the committee the Federal contribution for the extension work next year will be $6,430,520, and the offset required of the States by law will be $4,600,000, making a total of $11,030,520. This includes an additional Federal contribution under the Smith-Lever Act of $500,000; but the States are at present not only meeting this addition with their offsets but are also appropriating approximately $4,200,000 to this work beyond the required offsets.

If the States and the counties do as well next year as they are doing now—and there is every reason to believe that they will—the Federal contribution of $6,430,520 will be offset by about $7,820,000.

The $500,000 additional Smith-Lever money spent in the counties on the basis of $600 toward the salary and expenses of each extension agent would serve as a strong incentive for the further development of this work; and experience shows that such contributions, though small in amount, are often the deciding factor in the employment of agents by the counties. This amount would provide the usual Federal contribution of $600 for—

County agricultural agents, 400, at $600	$240,000
Home demonstration agents, 250, at $600	150,000
Club leaders, 180, at $600	108,000
	498,000

We should then have a reasonable prospect that during the next fiscal year 2,400 counties out of a total of about 2,860 agricultural counties would have a county agricultural agent. One thousand and fifty of these counties would also have a woman agent and 360 counties would have a club leader.

There are many good reasons why efforts should be made to further develop the system of practical education and assistance for our farming people, which has been built up so effectively since the passage of the Smith-Lever Act of 1914, and it already has the support and active interest of a large share of our farming people. There is very great need, on behalf of the general welfare of all our people, that the farmer should have all possible encouragement to keep up and even increase production of food and other agricultural products needed in our industries. They are at present laboring under great difficulties, and unless they have all available knowledge and assistance put at their command there is very great danger that agricultural production will seriously decline, with resulting increased cost of living and great industrial embarrassment.

Beyond this it is very evident that the movement of population from the farms to the cities will be accelerated, with very disastrous results, unless we can make agriculture a more attractive industry for our young people and the conditions of country life more attractive to the farm women and children.

The great strength and importance of the extension system lie in the fact that it not only aids the farmer in the production of crops and animals but also helps him to market them most economically and profitably; aids the farm women in lightening their burdens through labor-saving devices and more convenient arrangement of their household equipment, improvement of the water supply and sanitary conditions in the home, and a better understanding of the diet and other things required for the best life of their children and other members of the family; and, through the boys' and girls' clubs, interesting young people in the work of the farm, giving them a share in its profits and helping them in many ways to see the advantages of country life.

This system of practical education makes available to the men, women, and children on our farms whatever knowledge is possessed by our agricultural institutions which will help them to make farming more attractive and profitable and country life more satisfactory. At the same time it takes advantage of all the results of the experience of the best farmers, multitudes of whom are already participating in the demonstrations and other forms of extension work. More and more the farming people themselves, through their farm bureaus and other similar organizations, are taking part in the planning and conduct of this work. It is their enterprise, and they want it developed and strengthened to meet their needs more fully.

Whether this work is crippled or not, whether we keep this million and a half dollars in this bill or cut it all out, my county and my district will continue to carry on this work, if the farmers and those who are interested in it have to go down into their pockets and provide the money. Here is the situation with which we are confronted in this country, and it is a serious situation. Four million men went out of the homes of America to fight the battles of this Republic. Many of them went from the farms, and when they got into the concentration camps of this country and in Europe they became enamored of that association, that life, with its companionships and friendships, to such an extent that when the war was over those boys who had been raised on the farms of this country were loath to go back to the quietude of the farm.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. PURNELL. I yield for a question.

Mr. MADDEN. Does the gentleman pretend to say that any of these men provided for in this item will go back to do any work on the farm?

Mr. PURNELL. If the gentleman will wait, I will come to the point. Perhaps I am a little slow in reaching it. What we want to accomplish is this: We want to encourage the boys and the girls of the United States, who are growing up on the farms, to stay there. I suspect we will not get back on the farms all of the splendid young men of this country who left the farms and joined the Army, who now have a desire for the bright lights of the city, and for the companionship of their old friends, but we will help hold those who are there. Production is the thing that is needed in this country, and if we are to produce more and reduce the cost of living and return to a normal condition and a sane basis in this country, we must in a big way encourage a great movement back to the soil. [Applause.]

What is being done in this work? There are 31 State leaders of county agricultural agents, 78 assistant State leaders, nearly 2,000 county agricultural agents, 29 State leaders of home-demonstration agents, 203 assistant State home-demonstration agents, 225 county home-demonstration agents. There are 22 State leaders of boys' and girls' clubs and 230 county club leaders. We have in this country in round numbers 3,000 counties. Two thousand eight hundred and sixty of those are what are known as agricultural counties, and all we have been able to get interested in this agricultural extension so far are 2,000 counties. There are 860 counties in the United States that have not yet been touched by this agricultural-extension work. Everyone knows that the cost of living has increased and it has affected everybody. It has increased $1,000 per county in this work during the last five years. Fifty per cent of the county agricultural agents quit each year because they can get more money, because the concerns over the country who recognize their value and the need of having their services have taken them out of these counties so that we have to contend with that proposition.

The reduction of funds has resulted in bringing down the number of counties having county agricultural agents from 2,400 to 2,000, a loss of 400 counties. The number of counties having women agents, commonly known as home-demonstration agents, has declined from 1,700 to 830. The number of counties having county leaders of boys' and girls' clubs has also materially decreased, and there are at present club leaders in only 281 counties, as compared with twice that number a year ago.

The gentleman from New York [Mr. SNELL], who offers this amendment to decrease the appropriation provided for in this bill, says that we have had a loss of demonstration agents and county agricultural agents and club leaders. Of course we have. It was inevitable, and we will lose many more if we are compelled to continue this work with the same amount of money as last year. I will say to the gentleman from New York, who is so much concerned about economy, that the Agricultural Committee gave very careful and earnest consideration to this proposition. We heard the testimony before our committee, and after careful consideration decided that in the interest of greater production in the country it is necessary to have this amount of money, that the work will go back, and the great service, so successfully inaugurated, be crippled if we do not have it.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. PURNELL. Yes.

Mr. SNELL. Did the whole committee give more attention, more careful consideration to this than the subcommittee?

Mr. PURNELL. They gave as careful——

Mr. SNELL. Did they give as careful or as much attention?

Mr. PURNELL. Of course, the gentleman knows——

Mr. SNELL. Of course, the gentleman knows they did not. The subcommittee reported against it.

Mr. PURNELL. Let me say this: We had some very high-class gentlemen before our committee, some from my State, men who are as much interested in conserving the money of this country as the gentleman is or as I am, and they gave us some valuable information, and because of that information and their suggestions we were able to intelligently reduce many items in this bill; but they said to us, and it was not from a selfish motive at all, that to decrease this appropriation would be to cripple the entire agricultural interests of the United States, and I believed them. I want to say to the gentleman that as one member of that committee I think I gave just as much attention to this provision as did the subcommittee.

Mr. SNELL. I asked the gentleman about the whole committee.

Mr. PURNELL. And that applies to the whole committee.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield?

Mr. PURNELL. Yes.

Mr. RAMSEYER. How many agents does this appropriation provide for? Does it provide for a county agent, a home demonstration agent, and a club leader in each of these counties?

Mr. PURNELL. It does contemplate that, yes; and it is very essential that they be continued.

Mr. MADDEN. Does it not require also that every time we put on one through this appropriation the county to which he is assigned has to put another on?

Mr. PURNELL. Oh, of course, the county has to pay part of the expense, as well as the Federal Government.

Mr. MADDEN. And most of the counties are getting tired of it.

Mr. PURNELL. I think the opposite is true. In my county—and this is true of almost 2,000 counties in the United States that are agricultural counties—they have organized boys' and girls' clubs that are raising pigs and calves and corn, the members of which are being given an interest in the profits from the raising of those things. A little girl from my county just the other day took a calf to Chicago which won the national sweepstakes. She is interested in farming and stock raising, and the boys are interested in it, and they are being encouraged not only in a financial way, but they are being encouraged in an agricultural way to take an interest in the farm and to stay on the farm.

Mr. RAMSEYER. Why can not the county farm agents also act as club leaders? I know a number of counties with county farm agents where they are acting as such. Why have two Government agents there?

Mr. PURNELL. If the gentleman had been before our committee, he would have seen that everybody who came before it said, "Let the county agent do this and that." A good, live county agent has his hands full and earns a great deal more than he really gets.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. PURNELL. I do not yield just now. I want to make a statement.

Mr. MADDEN. I want to ask a question for information.

Mr. PURNELL. I can not refuse my good friend from Illinois, the new watchdog of the Treasury, and I may say in all seriousness a good one.

Mr. MADDEN. I would like to ask the gentleman if he will be kind enough to tell the committee what percentage of this appropriation is going to county agents?

Mr. PURNELL. I can not tell without looking up the figures. Besides, there seems to be some dispute about that.

Mr. SNELL. Allow me to answer that.

Mr. PURNELL. The gentleman from New York has about 25 minutes left, and can answer it in his own time.

Let me state what was done in 1918, the last year for which we have the figures, by these agricultural agents. Seventy-seven thousand six hundred and sixty-eight demonstrations incident to crop and live-stock production were had, and these demonstrations were visited by 677,653 persons, and the increased profits to the farmers on whose farms they were conducted, due to better practice, amounted to $22,206,307, or more than five times the total cost of the work that was done.

Now, I ask you gentlemen if that work was profitable? The total value of the cooperative business conducted by farmers' exchanges and other associations organized with the aid of the county agents in this and preceding years amounted to $41,847,783, a saving to the farmers, effected through these organizations, of $4,500,000. The home demonstration agents brought about the home canning of 24,000,000 quarts of fruits and vegetables. The 250,000 boys and girls who made a complete report on their work produced $6,000,000 worth of products, with a profit of $3,500,000, while the total supervisory cost of all the crop work in which all of these 527,000 boys and girls were enrolled was only $547,000. Now, gentlemen, in the interest of a false economy, in the interest of a desire to make a record, you are asked to cripple this work and give a setback to the one vital organization in this country that will increase production; and I sincerely hope that the amendment offered by the gentleman from New York [Mr. SNELL] will not be agreed to. [Applause.]

Mr. SNELL. Mr. Chairman, I yield eight minutes to the gentleman from Illinois [Mr. MADDEN]. [Applause.]

Mr. MADDEN. Mr. Chairman, I was very much interested in the speech made by my good-looking friend from Indiana [Mr. PURNELL], and I——

Mr. PURNELL. Will the gentleman pardon me for just a minute? I would like to know how much time I consumed, so that I will know how to apportion the balance of it.

The CHAIRMAN. The gentleman used 15 minutes.

Mr. MADDEN. It was very interesting to listen to the gentleman from Indiana, as he is always genial, cordial, and accommodating, but I do not believe he presented a case that would justify the appropriation which is sought to be eliminated from this bill.

In the first place, the gentleman has said that the war had attracted the boys away from the farm, and then he presumes to say that you are not going to be able to get them back, and leaves the impression on your minds, without saying so, that if we appropriate this $500,000 that that is going to take the place of the boys who have left the farm. No such thing. Now, let us see what the percentage of the appropriations made by the Government of the United States is that goes to those who are engaged in the work for the counties. The total appropriation is $14,253,940, which is made for the work, and $1,285 is allowed for each county agent. In 2,000 counties that makes 18 per cent of the Federal appropriation, and the other 82 per cent is lost on the way, paid to men who have no relation to the farm at all. Now, what advantage is there to the farm by any greater appropriation? The more you add to the appropriation the more the overhead charges will be, the more linen-collared, swallowtail-coat inspectors we will employ, wearing patent-leather shoes, who never get to the farms at all.

Mr. EVANS of Nebraska. Will the gentleman yield?

Mr. MADDEN. I can not yield. I contend that the farmers throughout the country are not being benefited at all by these appropriations, and they themselves realize it.

Mr. KEARNS. What becomes of this 82 per cent? Where does it go?

Mr. MADDEN. It goes to the payment of these men who are riding on trains from State to State and signing the Federal pay roll at the end of every month without having accomplished any purpose whatever. That is where it goes, and the more you make the appropriation the more of these men you will employ. Why, nobody who was in his senses would presume to say that these men have anything to do with increasing the crops. This appropriation is not intended for that purpose. It is intended to enumerate what crops are being raised. Is not that what it is for? But even that work is not done by these men except to the extent of 18 per cent, and these men who get the 18 per cent are employed by the counties. The iniquity of the whole thing lies in this, that every time you employ one of these men as a Government agent you force the county to employ another. Is not that true? Because the county can not participate in the money to be expended out of the Federal Treasury unless they, the people of the county, contribute a like amount. Now, nobody will deny that.

Mr. RUCKER. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. RUCKER. Is not that a very wise thing to do?

Mr. MADDEN. Well, I think it would be wise to the extent that reason would justify it. But it can not be said to be wise when you run wild and exercise no reason. And I undertake to say, without fear of successful contradiction, that this $500,000 added to the bill by the Agricultural Committee is just that much waste. [Applause.] And if you add $500,000 more, it would still be that much more waste; and if you take $500,000 off, in addition to the $500,000 proposed to be taken off by the amendment of the gentleman from New York, you would make the service more efficient and your action would meet the approval of every legitimate farmer in the United States. [Applause.]

The farmers throughout the country are writing to me every day and telling me how they object to this service. A gentleman laughs. He laughs because he thinks I come from a city district. But I reckon I have just as much experience and knowledge about the agricultural regions of the United States as these men who live at crossroad corners, for I happen to be a farmer myself. And I have never seen any of these demonstrators anywhere. They pretend to say that they teach the women on the farm to make cottage cheese. My mother made cottage cheese when I was a suckling. Any woman in the United States who is a real woman knows how to make cottage cheese, and they do not have to have demonstrators from the Agricultural Department to teach them how to do that. We have it on the table every day, even here.

And then you pretend to say that unless you appropriate millions to be thrown away the farms of the United States will deteriorate.

Mr. PURNELL. The gentleman does not want to leave that impression?

Mr. MADDEN. Those people do not do any farming, except that they farm the Treasury of the United States; they farm that religiously and continuously. [Applause.]

Mr. PURNELL. Will the gentleman yield there?

Mr. MADDEN. I can not.

Mr. PURNELL. You do not want to leave the impression here that this money is all spent to teach the women how to make cottage cheese? That is no part of it at all. That is one of the iniquities.

Mr. MADDEN. That is one of the features of this bill.

Mr. PURNELL. I ask the gentleman to mention one of the good features of this bill, not the iniquities of it.

Mr. MADDEN. The gentleman from Texas [Mr. YOUNG] the other day said, "We appropriate only $30,000,000 for the farms. What difference does it make whether it is $100,000,000 or $30,000,000?" Do you mean to say that because the appropriation does not exceed more than $30,000,000 that is an excuse for appropriating more?

Mr. PURNELL. The gentleman knows I wanted to get the seeds cut out of the bill, and I am in earnest about that. [Laughter.]

Mr. MADDEN. I am not finding fault with the gentleman. He is a splendid legislator; he has done excellent work here. I commend him to his constituents; he deserves their confidence. His intelligence and industry, to say nothing of his patriotic fervor, make him one of the best men in the Congress. I am always interested in what he has to say.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. PURNELL. Mr. Chairman, I yield three minutes to the gentleman from Missouri [Mr. RUCKER].

The CHAIRMAN. The gentleman from Missouri is recognized for three minutes.

Mr. RUCKER. Three minutes is a very short time in which to answer the arguments of these agriculturists from the city of New York and the city of Chicago. [Laughter.] If it were the erection of a public building in Chicago that was in issue here, where perhaps a site would cost $10,000,000, the gentleman from Illinois would make a different character of speech.

Mr. MADDEN. Yes. The postal revenues show a million dollars surplus every year from the Chicago post office.

Mr. RUCKER. Mr. Chairman, I want to be protected from my farmer friend from Chicago. [Laughter.] If it were to promote some military autocrat in rank and pay the gentleman from Illinois would make a different kind of speech. But when it comes to aid in the greatest industry in this Nation, the one that has made this Nation great and strong and proud—the agricultural interests of the country—the gentleman inveighs against it, as he always does. I say that I join hands with the Republican Party on the question of economy, and especially its leader, who from time to time preaches economy here, but I will never follow that gentleman or any other gentleman who seeks to economize solely by taking away from the great agricultural interests of our country necessary appropriations which in past years have been given to them.

Mr. MADDEN. Would not the gentleman cut out the word "solely"?

Mr. RUCKER. No; I will leave that word in. The gentleman wants it cut out, but I will not consent because I know he is always wrong when it comes to the discussion of matters pertaining to agriculture. [Laughter.]

Mr. Chairman, if there is any one appropriation that Congress has ever made that is justified, it is this appropriation. The gentleman from Illinois [Mr. MADDEN] talks about the burden which it places on the counties. That is true. In the county in which I happen to live, let me say to the gentleman, 150 men, farmers, bound themselves in a written contract to employ a great leader in agricultural pursuits at $5,600 a year salary for a term of three years, and if I would not be placing myself in the same category with the gentleman from Chicago, I would say that I am one of those "farmers" that helps pay the bill. And let me say that since that time we have had great corn shows in our county, with exhibits from the gentleman's own State, from producers of corn; and from the State of Indiana, and from the State of Ohio, and from the State of Iowa, and West Virginia, farmers everywhere have brought samples of their crops there, and I witnessed a sale of corn produced in Indiana at $355 cash paid down for 100 ears of corn. I saw ears of corn from Illinois sold at the rate of more than $15 an ear.

Mr. MADDEN. The gentleman does not mean to say that these men have raised the corn?

Mr. RUCKER. No; the corn was raised by the exhibitors. It is the same all over the land, and I would be glad to see this item increased to $2,000,000 instead of being reduced to $1,000,000. [Applause.]

Mr. SNELL. Mr. Chairman, in reply to the gentleman's reference to me I only want to say that I do not come from the city of New York, but that I represent a purely agricultural district in the northern part of the State of New York. I yield four minutes to the gentleman from Texas [Mr. BLANTON].

The CHAIRMAN. The gentleman from Texas is recognized for four minutes.

Mr. BLANTON. Mr. Chairman, I represent as many farmers and stockmen as any man in this House and I never leave a stone unturned to advance their interests, but I want to say that there is more money wasted annually by Congress in the name of farmers and agriculture than under any other head of camouflage in which Congress so often indulges. We appropriate thousands and hundreds of thousands for this and that private enterprise and ease our consciences with simulated make-believe that it is to help agriculture and the farmer. Such rot! Such camouflage! Such poppy-cock! The intelligent farmers and stockmen have become disgusted with such shams.

We carry in this Agricultural bill $30,540,000 in the name of agriculture, and agriculture gets very little of it. Why, if the farmers and stockmen of the country got 100 per cent value out of the money authorized to be spent in this bill I would vote to double or treble it; but most of this money is wasted in keeping a lot of useless parasites on the Government pay roll and in pork-barrel leakages until the stockman and the farmer do not reap the value. I will tell you what the farmers want. All on earth they want is to be protected from the profiteers and the six-hour-workday, high-salaried, autocratic, striking Bolsheviks, who want farmers' products for nothing, and with this protection given them they want us to let them alone. I will tell you why you hear so much about the "away-from-the-farm movement." It is because, while we have been appropriating annually $30,000,000 in the name of agriculture, we have been messing with this and messing with that until we have permitted everything that the farmer uses on the farm to go up to the very highest maximum top notch, and everything the farmer and his family wears has gone up to the highest maximum top notch, while everything the farmer produces on the farm the six-hour-workday, autocratic, striking consumers are always trying to push right down to the lowest minimum possible. The farmer is the only man in the United States who labors the maximum number of hours possible every day under scorching suns and freezing blasts, day and night. The farmer now is the only man in the universe who produces to the highest maximum. Some of these farm agents and demonstrators are experts, are highly intelligent, and well informed, and are conscientious employees of this Government, desirous of benefiting the farmers and stock raisers, and do benefit them; while on the other hand hundreds of them are ignorant, lazy, shiftless, worthless cusses, who were never able to hold any position of importance before they secured this easy berth with the Government, and all on earth they care about is to draw their salary and just as large a traveling and expense account as they can conjure up, with no service of any value rendered. My intelligent farmers have already forgotten more about farming than these fellows will ever know. [Applause.] You know it as well as I do. I am getting letters every day from our farmers saying, "Please protect us from these parasites traveling over the country." The Government agent in Lampasas County, Tex., tried to lead the farmers and stockmen of that great agricultural and stock-raising county to believe during the war that the Government was trying to impose on them by price fixing, and so forth, and that he was the only protection they had from their Government. And there was not a farmer in Lampasas County who did not know more about farming than this county agent, who was a third-class land agent when he entered the Government employ.

Mr. PURNELL. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. No; I am sorry I can not yield to the gentleman from Indiana, but I have too little time, and he can use his own time. We are not fooling the farmers. They are the best-posted men in the United States to-day, and they know how little they get out of this $30,000,000 this Committee on Agriculture and the Congress appropriate each year for the Agriculture Department. They know how much of it is wasted and thrown away. They know that it comes out of their pockets and that they have to pay for all of it in taxes. They are tax-burdened now, and they are getting tired of it.

If you will put this $30,000,000 back into the Treasury and then pass a few wholesome laws that will require the consumers of the country to go back to work, to work at least eight hours per day, to be paid only according to their individual efficiency and production and not according to autocratic union scale, regardless of efficiency and regardless of production, and force them to settle all industrial disputes not by destructive strikes whose burdens are borne most heavily by the farmers, but by fair and just arbitration, you will then protect the farmers and stockmen from the profiteers and the conscienceless middlemen and Wall Street gamblers, then you will have rendered a real service of some value to the farmers and stockmen of this country, and then you may have some foundation for saying that you are the "farmers' friend."

I will guarantee that if any of you will take this bill to a farmer or a cattleman and let him go over it carefully and understand just exactly how and in what manner this $30,540,000 is expended you will lose his vote in the next election just as sure as he goes to the polls. I do not believe that there is a single intelligent farmer or cattleman in the United States who will approve of this $30,540,000 bill. Send them a copy and let them have time to study it before election, and then see whether or not you get their votes.

Mr. PURNELL. Will the gentleman yield?

Mr. BLANTON. I am sorry, but I have only four minutes.

Mr. PURNELL. I want to ask the gentleman a question for information.

Mr. BLANTON. Mr. Chairman, do not take this out of my time.

The CHAIRMAN. The gentleman declines to yield.

Mr. PURNELL. I want to know if the gentleman has had any letters from his people——

The CHAIRMAN. The gentleman from Texas declines to yield.

Mr. BLANTON. If the gentleman would just go to the farmers of the country and ask them whether or not they want this Congress to appropriate $30,540,000 in the name of agriculture and then waste it, as this bill provides, the gentleman would

hear the biggest protest he ever heard in all his life. He would hear so much of a protest that, besides trying to get this garden seed monkey business stopped, he would try to get some of the other monkey business out of this bill. What are you going to do? Are you going to help the gentleman from New York [Mr. SNELL] and the gentleman from Chicago [Mr. MADDEN] and the gentleman from Texas [Mr. BLANTON], who represents a farmers' district? Are you going to help us save the farmer from his so-called friends who want to spend $30,540,000 of his money and then raise his taxes to keep these Government employees on the pay roll? We are facing a $3,000,000,000 deficit. What do good business men do under such circumstances? Do they not retrench? Do they not economize? Do they not stop making unnecessary expenditures? Do they not use a little common sense, a little west Texas horse sense, if you please, in trying to get out of debt? Not a farmer wants his taxes raised. Every farmer wants his taxes lowered. Every farmer wants his Government to be able to pay its honest debts without issuing any more bonds for his posterity to pay. What are you going to do about it? It is all with my Republican friends on the other side, as they are in the saddle, and legislation now is just what they determine. You are responsible to the people. They are going to hold you to strict accountability.

Mr. PURNELL. I yield three minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, the gentleman from Texas says all his farmers ask is to be let alone. When Jenner discovered vaccination as a preventive of smallpox some people of that day said the same thing. They said, "We don't want it. Let us alone." [Applause.] When I was a boy the agricultural college was a joke. Now the classical college has come very near being a joke. The agricultural colleges are rapidly surpassing the rest of these institutions because they are practical. They join with the mechanical colleges to teach men something useful, and they carry with that an education just as good as the classical education.

The gentleman suggests a touch of humor when he talks about farmers with patent-leather shoes. He does not seem to see any reason why a farmer should wear patent-leather shoes. I do not see any reason why he should not. I am in favor of patent-leather shoes for farmers. [Applause.] Whenever the young men on the farms in this country can wear patent-leather shoes and do wear them, and when they enjoy the other advantages and privileges that come to the young men in the city, we will not have to be hollering "Back to the farm." They will be there and stay there. [Applause.]

This proposition that we are endeavoring to retain in this bill is an effort to get the young men and women of this country to learn the very best of all that the ages have accumulated in the way of information for the farmers; and if there are any anywhere who do not want it they are the very people who ought to have it. [Applause and laughter.] Of course there are mistakes made in the beginning of all things new. We expect that. I have seen men come in here and urge upon this Congress what was equivalent to an appropriation for $4,000,000,000 to pay unliquidated damage claims of men who had no claims except that they violated the law and would be in the penitentiary if they had what the law accorded them. Yet here they are awfully anxious to save money. How much? How much of the $4,000,000,000?

The gentleman from Texas [Mr. BLANTON] said a minute ago that there is more money wasted in the name of the farmer than in any other way. Why, last year this Government spent $876,000,000 to maintain an army in time of profound peace, when we did not have an enemy in the world strong enough to gasp for breath, let alone to stand up and fight. If we would put $876,000,000 behind the farmers and good roads and the development of America and its industrial soldiers, we would get the money back many times over.

Mr. McLAUGHLIN of Michigan. They built a lot of airships, did they not?

Mr. LITTLE. They spent $600,000,000 on that, and did not get any airships; and the very men who criminally wasted all that good money pose before the committees as "experts" and clamor for millions more to follow in Germany's path.

Mr. HICKS. They spent $1,200,000,000 all told for that.

Mr. LITTLE. Yes; and what has occurred since that should encourage us to let them play with billions again. We wasted $400,000,000 last year to build battleships at $20,000,000 apiece, big iron pots that a $500,000 submarine can sink in two minutes, and would chase a battleship off the ocean any time it appeared. That money in submarines and destroyers would have put us in absolute control of the seven seas and made our coast invincible to the navies of the world. Yet they tell us we waste money in giving $30,000,000 to develop and improve the business of the backbone of the country. There is not a nickel better expended than in this appropriation right here. [Applause.] This money may do as much good in this country as any $500,000 that we will appropriate during this Congress, and it ought to stay in the bill. [Applause.]

Mr. SNELL. I yield five minutes to the gentleman from Iowa [Mr. HAUGEN].

Mr. HAUGEN. Mr. Chairman, the purpose of the appropriation for cooperative agricultural extension work is to facilitate the distribution of information among the farmers. The contention made when this first appropriation was provided was that there was a great deal of knowledge bottled up in the department which should be distributed among the people. The county agents were suggested and legislation authorizing their employment enacted. I rise now simply to explain where this money goes. Many seem to believe that these expenditures are chiefly made for the employment of county agents. You have been told repeatedly that 75 per cent of the expenditures go to pay county agents. The facts are, according to the allotment made for the current year, that only $2,571,479 of the Federal funds, an average of $1,285 for each of the 2,000 counties, go to pay county agents, which amount is equivalent to 18 per cent of the total expenditure of $14,253,944 from Federal, State, and other sources.

I will insert statements showing the allotment of the funds.

Statement showing the Federal appropriations for extension work, also funds required to be offset by States, for the fiscal year 1921.

Federal funds:	
Smith-Lever Act ($500,000 increase over fiscal year 1920)	$3,580,000
Appropriation carried in Agricultural act to supplement Smith-Lever funds	1,500,000
Farmers' cooperative demonstration work (Agricultural act) outside of the cotton belt and in the South	1,350,520
Offset required of States	4,600,000
Total	11,030,520

Table showing the allotment of Federal and State extension funds by lines of work, 1919–20.

Project.	Farmers' cooperative demonstration work.	Smith-Lever, 1919–20.					Miscellaneous funds not used as offset to Federal funds.	Total.
		Regular.		Supplementary.		Total.		
		Federal.	State.	Federal.	State.			
County agent	$590,462	$1,079,785	$1,041,566	$901,232	$1,064,943	$4,087,526	$2,751,608	$7,429,596
Home demonstration	279,918	521,024	444,413	341,714	288,393	1,595,544	696,283	2,571,725
Club work	130,844	186,774	153,147	121,682	34,955	496,558	232,222	859,624
Specialists	36,000	749,047	625,537	40,272	28,336	1,443,192	792,400	2,271,592
Publications		89,939	73,023	2,000	2,000	166,962	40,095	207,057
Administration	15,601	453,431	262,314	11,727		727,472	171,277	914,350
Total	1,052,825	3,080,000	2,600,000	1,418,627	1,418,627	8,517,254	4,683,865	14,253,944
Washington supervision	99,340							
Field service	209,155							
Envelopes	35,000							
Total farmers' cooperative demonstration work	[1] 1,396,320							

[1] This includes $751,280 for work in 33 Northern and Western States and $645,040 for work in 15 Southern States.

According to tables furnished by the department, allotments of Federal extension funds by lines of work, 1919–20, are as follows:

County agents.	Federal.	State.
Farmers' cooperative	$590,462	
Reg. Fed. S. & L. act	1,079,785	$1,041,566
Supplementary	901,232	1,064,943
Miscellaneous		2,751,608
Total	2,571,479	4,858,117

Average for 2,000 counties, $1,285, or 18 per cent of total expenditures, $14,253,944.

Home demonstration.	Federal.	State.
Farmers' cooperative	$279,918	
Reg. Federal	521,024	$444,413
Supplementary	341,714	288,393
Miscellaneous		696,263
Total	1,142,656	1,429,069

Average for 2,000 counties, $571, or 8 per cent of total of $14,253,944.

Club work.	Federal.	State.
Farmers' cooperative	$130,844	
Reg. Federal	186,774	$153,147
Supplementary	121,682	34,955
Miscellaneous		232,222
Total	439,300	420,324

Average for 2,000 counties, $219, or 3 per cent of total expenditures, $14,235,944.

Notwithstanding the $500,000 increase carried in the permanent annual appropriation, it is proposed to appropriate the same amount carried for the current year, which increases the amount available for next year $500,000, or an average for 2,000 counties of $250. Eighteen per cent of $250 equals $45 to each of the 2,000 counties.

As I have stated, there has been much misunderstanding concerning the allotment of the Federal funds appropriated for agricultural extension and demonstration work. Representatives of farm bureaus, farmers, and State agricultural colleges all contend that the money allotted for county agents is inadequate. All seem to be in the dark as to how much of the money appropriated is expended. Their contention was, when they appeared before the committee, that the department has too many specialists living in high-priced hotels and traveling at Government expense.

As has been stated, the representatives of the farmers called the committee's attention to three specialists who, according to these representatives, reported to the State station at Lexington, Ky., representing themselves to be experts on stem rust and stem blight and requested that they be furnished transportation and assistance to investigate the stem rust and stem blight at a place near the station. The request was granted. According to their statement five days later three more specialists, sent out from Washington, reported at this same station for the purpose of studying the stem rust and blight and requested State aid. As the State funds were limited their request was turned down, and, according to the statement, nine days later three more specialists reported for the same purpose and requested aid from the State. Their request was also turned down.

We were also told that a specialist was sent to Indiana to give advice on alfalfa. He advised planting alfalfa. Much of the land in Indiana is low, without drainage, and part of it is under water. The farmers acted upon his advice and planted alfalfa. First the snow came, then it grew warm, and then cold again. As a result, first the snow melted, then it froze, and the ice killed the alfalfa. The contention is that if advice is to be given, it should be given by experts, but by those having knowledge of local conditions.

The attention of the committee was called by these representatives of farmers to specialists on black rust. The committee was told that the agent at Cerro Gordo County, Iowa, reported a few barberry bushes in the county. Immediately seven specialists appeared. They looked at the barberry bushes but left without suggestions and without disturbing the barberry bushes. Some members of the committee took exception to the statement. The gentleman from Georgia [Mr. LEE] wired the county agent for information. His answer was that at least seven men came to look at the barberry bushes and that they left without offering suggestions and without destroying the barberry bushes. The county agent did not state that they came from Washington, but that, of course, is immaterial, as is the question whether they were paid directly from Federal funds or paid in part by State funds. These are a few of the apparent waste expenditures pointed out by the representatives of the farm organizations.

Mr. YOUNG of Texas. Will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. YOUNG of Texas. Did not that same bunch of gentlemen that the chairman is now quoting ask our committee to appropriate, instead of $1,500,000 for this item, $3,000,000 for the item, and is not that the campaign they are making?

Mr. HAUGEN. They want all the money they can get, but they want it for county agents. They are not asking for additional funds for specialists. What the farmer wants is somebody who will come to the farm to enlighten him. These county agents are doing excellent work and their work meets with general approval.

In this connection it is well to bear in mind that large sums of money are expended for specialists by other bureaus of the department. Practically every bureau sends out its specialists. Take, for instance, the Bureau of Animal Industry. If you will turn to page 131 of the hearings on the Bureau of Animal Industry you will find that Mr. Rommel, in reply to a question as to how his bureau cooperated with the States Relations Service, stated:

> In the organization of pig clubs, in the beef-cattle demonstration work in the South, in the farm sheep demonstration work, and in the poultry club work. Our work in the organization of pig clubs is gradually becoming work in swine husbandry. We cooperate with the States Relations Service in this way: We have our men who devote their entire time to the extension work. They are stationed in the Animal Husbandry Division and work through the States Relations Service, and through them with the agricultural colleges.

As to the number of men in that work, Mr. Rommel stated that there were probably 50 or 60 altogether. On pages 137 and 138 you will find the list giving the names and salaries of each of the 60.

On page 139 Mr. Rommel, in reference to the character of the work done in dry farming, states:

> My suggestion is that they start with a little bunch of cows that they can milk, so that they can have milk and butter, and cheese, possibly; that they have a little flock of chickens; that they try to get off of the farm enough to keep the family alive.

It would seem that the county agents could give the advice in the matters indicated in Mr. Rommel's statement, and that there is no particular need for specialists to travel from Washington to the far West to suggest that the farmers out there start with a "little bunch of cows that they can milk" or a little flock of chickens.

If you will turn to page 112, you will find that Dr. Mohler, chief of the bureau, in connection with the tick eradication, states: "The salaries and traveling expenses of 280 men, working in nine States, are paid out of Federal funds." Besides, a number are sent out by the Dairy Division to organize bull clubs, and, as the gentleman from Illinois [Mr. MADDEN] has stated, to teach the farmer's wife how to make cottage cheese. In this connection, for the hog-cholera work, besides the $29,000 for research work and $188,000 for inspection service in regulating the preparation, sale, barter, and exchange or shipment of virus serum toxin or amalgamous products manufactured in the United States which guarantees a potent serum to the user thereof, the bill now carries about $200,000 for salaries and traveling expenses for specialists to travel over the country and teach the farmers what they already know about hog-cholera serum.

What is true of the Bureau of Animal Industry is true of many other bureaus. Much of the work, yes, practically all of it, is good work, and by all means the good work should be continued, but we apparently are short on cash and top-heavy on specialists; much of the work can and should be done by county agents, as was intended when the service was inaugurated; besides with 4¼ per cent Government bonds selling around 90 cents and with another bond issue staring us in the face, it goes without saying that expenditures must be cut. If not, more money must be raised either by taxes or by the issuing of bonds.

The committee was advised by nearly every bureau chief that specialists are leaving the department and that the vacancies can not be filled at the salaries offered. The question was asked that if the services of the specialists can not be had why should the appropriations for them be continued?

Much has been said about the farmers and representatives of farmers wearing patent-leather shoes. It is true that representatives of farmers appeared before the committee. No particular attention was paid to their shoes, but attention was paid to their suggestions. Their suggestions were that the appropriation for specialists be cut and more money be appropriated for the salary and expenses of county agents. [Applause.]

Representatives of State colleges also appeared. If you will turn to page 136 of the hearings on the States Relations Service you will find that Dr. Russell, dean of the College of Agriculture, University of Wisconsin, had this to say:

Dr. RUSSELL. Generally speaking, we do not need an expert from Washington if we have a field that is already covered by a man on the ground, because he is more familiar with the local conditions than a Washington man can be. We are making more and more cooperative arrangements with the Washington men in connection with certain lines of work which we do not have in our college, whereby the men are paid partly by Federal money and partly by State money and are located at the college, carrying out this work cooperatively between the two. Take, for instance, bees, on which we have a man now. Washington paying three-fourths of the expenses and we one-fourth. We would not be able to carry on this work if it were not for this cooperation with Secretary Houston.

The CHAIRMAN. You match the money we appropriate with the local funds, doubling the amount, which makes available, on an average, more than $4,500 for each county.

Dr. RUSSELL. The State pays half of it.

The CHAIRMAN. I understood you to say that you paid only $1,800 into the county. What becomes of the other $2,700?

Dr. RUSSELL. That I can not answer.

Page 136—

Dr. RUSSELL. We have $80,000 in the State of Wisconsin, and we have 71 counties. Fifty of those counties have county agents.

It would seem that if the appropriation for cooperative agricultural extension work is to be increased $500,000 for next year, we should provide that more of the money should be used for county agents and less for specialists. If so, undoubtedly many more counties would avail themselves of the service. It is a regrettable fact that many people do not take more kindly to the service, as, for instance, in the State of Wisconsin only 50 out of 71 counties have county agents. If you will turn to page 16 of the hearings on the States Relations Service, you will find that the number of cooperative extension employees in the States dropped from 3,001 in July, 1918, to 2,774 in January, 1919, and to 2,501 in October, 1919; that the number of county agricultural agents dropped to 1,999 in December, 1919; and that the number of counties without county agricultural agents is 937; and, further, that the number without home demonstration agents is 2,123.

Mr. Smith, of the Bureau of States Relations Service, in the hearings, stated: "The loss in home demonstration work through the year has been 55 per cent." When asked the reason for this loss, his answer was: "They were dropped because there was no local financial cooperation. They were largely paid from Federal and State sources." When Mr. Merritt was asked if all States had come under the law, his answer, on page 66 of the hearings on the States Relations Service, was: "All of them are receiving the full amount under the Smith-Lever Act, except one State, which has not been able to meet the supplementary fund; that is Pennsylvania."

That, together with the statement of Dr. Russell and representatives of the farmers, shows that there is something wrong in the allotment of funds. All concede that the work done by the county agents, home demonstration, and the boys' and girls' club is most excellent work and should be encouraged. I take it that no one will contend that by simply increasing the sum $500,000, which would add $45 a county for the county agent, will materially encourage the good work. No; if anything is to be done to encourage the work, provisions directing the proper allotment of funds for county agents should be made. If so, there will be no need of increased appropriations; to the contrary, they can be safely reduced. If you desire to help the farmer and the farmer's wife, do the practical thing, provide for men and women to assist them in their work—not the specialists traveling about at great expense, but the county agent.

Mr. BANKHEAD. Will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. BANKHEAD. Why does not the committee, if they think this ought to be corrected, put a provision in the bill as to what proportion shall be spent?

Mr. HAUGEN. I will offer such an amendment to the paragraph after the pending amendment has been disposed of.

One has said, Increase the appropriation and thus increase production. If the purpose is to increase production, give the surplus and inefficient specialist a job on the farm instead of in Washington. Give him a ride on the gang plow instead of in an automobile. He will undoubtedly produce more corn riding a corn plow than he will in riding in a Ford, demonstrating what every farmer knows, such things as the use of hog-cholera serum, the making of cottage cheese, the organization of bull clubs, or the organization of cooperative associations. County agents are capable and ready to do that, and by all means should be permitted to do so.

In my opinion, instead of cutting the appropriation for the extermination of the corn borer down to $300,000, and that in the face of the estimates made by the department and State entomologists, we had better cut appropriations for other lines of activity and thus reserve an adequate sum to meet the ravages of the most dangerous pest known to foodstuffs. I fancy that the corn producers of the country have more interest in the destruction of the injurious pest—the corn borer—than they have in the specialists, even though their services are desirable. Here is what the department and entomologists have to say about the corn borer.

The note in the Book of Estimates reads:

The estimate for the control of the European corn borer has been omitted. On July 29, 1919, the department recommended to the Congress, in the form of a supplemental estimate, that the sum of $500,000, in addition to the appropriation of $250,000 carried in the appropriation act for 1920, be included in the first deficiency bill and be made available immediately in order that the campaign against the corn borer might be more effectively prosecuted.

I also quote from the report of the committee on policy, adopted by the American Association of Economic Entomologists at St. Louis, Mo., January 1, 1920. It reads:

The committee favors an energetic effort by the General Government to control and, if possible, eradicate.

Another quotation reads:

Furthermore, we recommend a Federal quarantine, restricted as to area.

And here is what the association recommends as to the $500,000 deficit:

It is further recommended that the Secretary of Agriculture be asked to reconsider the situation in view of the materially changed conditions resulting from investigations of the last few months, and that he be urged to request of Congress a special appropriation of $750,000 to be immediately available for cleaning up the infested territories in the early spring, along lines substantially as outlined above.

Geo. A. Dean, entomologist, Kansas Experiment Station; A. G. Ruggles, State entomologist, Minnesota; R. W. Harned, entomologist, Mississippi; G. M. Bentley, Knoxville, Tenn.; W. E. Rumsey, Morgantown, W. Va.; E. D. Ball, Ames, Iowa; L. Haseman, entomologist, Columbia, Mo.; Stephen A. Forbes, chief Natural History Survey of Illinois; Myron H. Swenk, State entomologist, Nebraska; S. B. Fracker, Madison, Wis.

The association recommends that $750,000 be made immediately available, or a total of $1,000,000 for the current year.

The amendment adopted in the House to this bill carries $300,000 for next year and not $1 for the current year, or, in other words, if the action taken by the House prevails, the corn borer is to be given the right of way from now until the 1st of July. After the 1st of July not $2,000,000, the amount estimated, but only $300,000 is to be made available for next year. As before stated, due consideration should be given to the work of eradicating the corn borer. Rather than to appropriate $300,000, an amount entirely inadequate for this work, action should be deferred until estimates can be submitted, at which time the matter can be dealt with more intelligently.

Mr. PURNELL. Mr. Chairman, I yield three minutes to the gentleman from Missouri [Mr. RUBEY].

Mr. RUBEY. Mr. Chairman, in three minutes I can not say what I would like to say, of course. I would like to reply to the speech just made by the chairman of the committee in regard to the specialists sent out over the country. He talks about seven men going out to look at barberry bushes. That testimony was refuted by gentlemen from the Agricultural Department, who said that they do not do business that way. The men who went to look at those barberry bushes were State men and not Government men.

I want to refute another statement made by the gentleman from Illinois [Mr. MADDEN] and also by the chairman of the committee, and that is that 80 per cent of this money is spent for overhead charges and for men running around over the country, for hotel bills, and things of that kind. I have just come from the telephone and have taken this matter up with Dr. True, who has charge of the work. I did not want to depend upon my own memory. He states that this $1,500,000, practically every cent of it, is going to pay men who are employed as agents in the various counties, and that not 5 per cent of it will ever be used for anything else except to pay the salaries of the farm demonstrators. That ought to be a complete refutation of the statement that 80 per cent of the money is going into overhead charges and that a large part of it is going to pay specialists who travel around over the country.

The Smith-Lever bill, which we passed a number of years ago and which appropriates for farm demonstration work all over the country, contains in it a provision of law specifying how much money can be used for overhead charges and things of that sort, and all overhead charges will be paid out of the money appropriated under that act. Of the $1,500,000 we are appropriating here every cent of it is going to pay the salaries of the men and women who are employed to do farm demonstration work. I want the million and a half dollars appropriated in this bill, and I am opposed to the amendment offered by the gen-

tleman from New York to cut it down $500,000. Let us continue the work and extend it into the four or five hundred other counties where they have not had farm demonstration. Let us appropriate this entire sum and provide for these farm agents and let them go ahead with this great work. [Applause.]

Mr. PURNELL. Mr. Chairman, I yield one minute to the gentleman from Iowa [Mr. DICKINSON].

Mr. DICKINSON of Iowa. Mr. Chairman, the State of Iowa has thought enough of the farm-agent movement to authorize every county board of supervisors to cooperate in the county-agent movement by the appropriation of money in order to carry on the work under the provisions of law. The time has disappeared when the farmer says that he does not want the county agents to come around and assist him in improving his farm work. As a matter of fact, he is welcome on their farms. He has helped them in orchard work, he has helped them in stock problems, he has helped them in seed corn, he has helped them in the oats problem, he has helped them in a great many problems in every way. I believe we ought to do all we can in this county-agent work, and if the money is not spent in the right place, add a proviso saying that it shall go for the purposes which the gentleman from Missouri says it does go. [Applause.]

Complaint has been made before the committee that about 80 per cent of the money so appropriated is used for administrative work and only about 20 per cent of it actually goes to the paying of the expense, salary, and so forth, of the county agent. It appears to me to be an easy matter to attach to this bill a proviso that at least $1,200,000 of the appropriation of $1,500,000 should go toward paying the salary and actual expenses of the county agents employed.

In view of the increased demand for food production, it would seem to me a gross mistake to reduce this appropriation to $1,000,000, as suggested by the gentleman from New York. The county agent is surely an instrument to encourage the increase of farm production of all kinds. He has made a careful study of these problems; he assists the farmer in working out his problems in the most effective way; he encourages attention to good seed; he encourages attention to live-stock production; he gives instructions as to how to preserve soil fertility. In the State of Iowa the movement has been indorsed to such an extent that we have a county agent in every county in the State. We have the State chairman of the National Federation of Farm Bureaus, and we want to give every encouragement to this work that we possibly can.

I trust that it will be the voice of this committee that the amendment of the gentleman from New York to reduce this appropriation will not prevail.

Mr. SNELL. Mr. Chairman, I yield four minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, I am very much in favor of continuing the work carried on by the county agents. I was to a certain extent responsible for the employment of the first county agents that were employed in my State.

I have always favored the work, but, without regard to the character of any work, there is a limit beyond which we are not justified in using the Nation's money to carry it on. There is a point where it ceases to be worthy and helpful, and we have already reached that point with regard to this work. If the appropriation is reduced by the amount suggested, there would still be approximately $5,000,000 left with which to employ farm agents if it were used for that purpose. I am beginning to get letters from farmers whom I have encouraged to contribute to the employment of farm agents, saying, "For Heaven's sake, save us from the overimportuning of men who are going around asking us, after we have hired one agent and paid half his salary, to hire another one; we do not need the second man any more than we need a fifth wheel to our wagons." [Applause.]

Gentlemen, you can not fool the farmer; and men who imagine that they can fool the farmer into believing they are his especial friends by constantly increasing appropriations for the purpose of hiring more people to take them out of the ranks of the producer and put them into the ranks of the consumer will have a rude awakening some day when they come in contact with the votes of the farmers. [Applause.]

Mr. PURNELL. Mr. Chairman, I yield one minute to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Chairman, we are all in favor of economy, but that economy should not be directed toward an essential of a great industry, such as agriculture. I have the honor to represent, in part, the great city of New York, although a great part of my district lies outside in the agricultural section of Long Island. I have in two counties of that district two farm bureaus, and they are doing splendid work; and they ought to be commended for the results accomplished. I believe their work should be fostered and continued, and, therefore, on behalf of the farmers of the city of New York I am in favor of the provisions of this bill and opposed to the amendment offered by my colleague from New York. [Applause.]

Mr. PURNELL. Mr. Chairman, I yield the remaining three minutes of my time to the gentleman from Mississippi [Mr. CANDLER].

Mr. CANDLER. Mr. Chairman, the appropriation in the current law for this work is $1,500,000 for the fiscal year 1920. The amount proposed in this bill is simply a continuance of the same amount for 1921. It comes to you recommended by the Committee on Agriculture. The full committee recommends it, and therefore it has their indorsement as presented to you in the pending bill.

There is continual criticism about the expenditure of money for agricultural work which is very beneficial and for which provision is made in this bill. Is there any genuine economy in curtailing work for which you have already expended money, which has been begun and is proving successful, and which is bringing the splendid results that this work is producing? Is there any economy in reducing the appropriations and injuring the work already begun? That is certainly a false idea of economy. During the war, when there was an effort made to increase production in the United States, the appeal was made through this very work, and why? Because it reached every neighborhood, every community, went into every corner of the United States, and the people engaged in this work promptly and patriotically responded to the request made on them for increased production, with the result that there was over a billion dollars increased production in the United States to meet the demands at that time which were urgent not only here but abroad. It is easy for a Member like the gentleman from Chicago [Mr. MADDEN], by assertion not backed up by facts or actual knowledge of conditions, to assail an appropriation of this kind and assert that 82 per cent of it is going to overhead charges, to people riding up and down the country on trains and paying out money of the Government in hotel bills and things of that kind. It was shown conclusively by the gentleman from Missouri [Mr. RUBEY] that the assertion of the gentleman from Chicago is unfounded, because from facts obtained from the department, from those who know the facts, the gentleman from Missouri demonstrated that the money largely goes into the local communities for the direct benefit of the people on the farms, and therefore the people are enjoying the good results that are apparent and can not be successfully controverted or disproved.

I was surprised at the meandering position of our chairman [Mr. HAUGEN]. He criticizes the continuance of the work provided for in this appropriation and by his criticisms backs up to a certain extent the gentleman from Chicago, and in that way opposes this provision of his own bill; but as usual, in the conclusion of his speech, he says that it is a good work and it ought to be encouraged. He furnishes the facts to criticize and condemn it and then approves it. Let us take his advice in the conclusion of his speech and encourage this work by maintaining this appropriation in the bill and by voting down the amendment of the gentleman from New York [Mr. SNELL]. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. PURNELL. Mr. Chairman, I ask unanimous consent that all gentlemen who have spoken on this amendment be permitted to revise and extend their remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SNELL. Mr. Chairman, I yield the remainder of my time, eight and a half minutes, to the gentleman from Michigan [Mr. MCLAUGHLIN].

Mr. MCLAUGHLIN of Michigan. Mr. Chairman, while I have the matter in mind I wish to correct the statement which the gentleman from Mississippi [Mr. CANDLER] made, inadvertently, of course, that if the amount carried in the bill remains the amount available from all sources for extension work for next year will be the same as this year. The correct statement is that the entire amount available will be $500,000 more than during this year.

Now, Mr. Chairman, I speak as a friend of extension work. I heartily approve a system of county agents. At least 10 years ago I offered what I believe was the first amendment offered in this House to increase the appropriation available for that kind of work, for an increase, which was adopted, of about $65,000, added to a meager appropriation of about $180,000. A year or so later I introduced, at the request of the executive committee of the Association of Agricultural Colleges, a bill

the substance of which afterwards became a law, now known as the Lever Act for agricultural extension work. The executive committee knew my hearty approval of that kind of work, and, having prepared the bill, they asked me to introduce it, and I did so. The Committee on Agriculture at that time was opposed to it, was not ready for it, so I was unable to get anywhere with it. The next year Mr. Lever, then one of the majority of the committee, introduced a similar bill, and it became a law. I have from the beginning been in favor of expenditure of money for extension work, and I will say to the gentlemen of the House that where the work is well done it is very, very helpful, indeed, to the farmer, and abundant return follows the expenditure of the money.

So that you may have some idea of how this work started and how it has been carried on, as indicated by the amount of money appropriated and as showing the attitude of the Congress, let me give you some figures:

Ten years ago there was appropriated for this work in the cotton States $250,155. The bill now before you carries for the same work in the same sections of the country $645,040. Ten years ago for this work in the North $130,000 was appropriated. This year the bill carries for special work in the North, the same work exactly, $751,000. In addition to these special sums to supplement both of these appropriations there is still another special appropriation available this year, $1,500,000, and the total of these three special appropriations is $2,896,320. In addition to these special sums, aggregating, as I say, nearly $3,000,000, there is available this year $3,080,000 from the Lever Act; that is, there is a total of $5,976,320 for lines of activities for which 10 years ago only $380,000 was appropriated, an immense and rapid increase, you must admit, and indicating a very favorable disposition toward the work on the part of the Committee on Agriculture and very favorable action by the Congress.

Now, what is the reason of this strenuous demand on the part of the Department of Agriculture for continuing, even for increasing, this already very large sum of money? When the war opened it was insisted to us that large money was necessary for the purpose of stimulating agriculture, increasing production, and preventing waste. And a special bill, as you will remember, was passed, carrying a special appropriation of $6,100,000 for this work; that is, in addition to all other appropriations which then carried about $5,000,000. Being much interested in this work, I frequently spoke at one time and another to men in the Agricultural Department respecting it. I often asked them, "How are you getting along with the extension work?" Their reply was, "We are going on with it and expanding it just as rapidly as we can possibly find suitable men. It is very difficult to find suitable men; we are having difficulty in finding them, so that the work may be carried on in a satisfactory manner; we are doing all we can and as fast as we can." But what did they do? When this $6,100,000 of war money was appropriated they went out and picked up a great force overnight, as it were, attached them to the pay roll, and when the war closed officials came to the Committee on Agriculture, and later some others, in and out of the department, who are more influenced than I am by their insistent demands, came to Congress and insisted that all or a very large part of that extra $6,100,000 should be continued and made a permanent fund, to be added to the already large and rapidly growing regular and special appropriations, so that this mushroom growth of the extension agents might not be separated from the public crib.

Now, I have nothing but commendation for this extension work when it is properly done, but during the war they attached thousands of men to this roll that were not competent, and out of that has grown contempt for this service on the part of many of the farmers of the country. Why, we had men, many of them in the service, some outside the service, and this same bureau came to our committee asking for the employment of "experts" to advise, bolster up, and help the poor county agents. We said, "Why, the work proposed to be done by specialists and assistants of all kinds is directly in line with the work of the county agents." "But," they said, "the county agents are not competent. We must employ and send men out to help them; we have to have specialists for cattle, specialists in cattle diseases, specialists in hog diseases, specialists in poultry, and specialists in different kinds of farm crops." We were told by innumerable witnesses before our committee, by many who are themselves employed in the department, that "specialists" must go to the assistance of inexperienced and incompetent agents. The hearings are filled with such statements.

Now, the subcommittee recommended only $1,000,000 for this item, sincerely believing that will be enough to maintain the work on its present basis, and if that amount is agreed to the total available for the coming year will be exactly the same as for this year, because the Lever Act will supply $500,000 more than this year. Inefficient as it is, of mushroom growth as it is, the amount proposed by the subcommittee and available altogether will enable the department to continue the work on its present basis. They wish $1,500,000, which will be an increase over the present sum available of $500,000, as I have stated. I think that extra amount ought not to be allowed, and therefore I believe the amendment of the gentleman from New York [Mr. SNELL], decreasing this item from $1,500,000 to $1,000,000, ought to be adopted. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. EVANS of Nebraska. Mr. Chairman, I have an amendment that I would like to have read for the information of the committee.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. EVANS of Nebraska: Page 74, line 13, after the words "May 8, 1914," insert "*Provided*, That not less than $1,200,000 of the above appropriation shall be expended for salaries of county agents."

Mr. MADDEN. Mr. Chairman, I make a point of order against that. It is a change of existing law.

Mr. HAUGEN. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] makes the point of order against the amendment of the gentleman from Nebraska.

Mr. MANN of Illinois. Mr. Chairman, the gentleman asks to have the amendment read for information. It should not be offered, at least, until after the pending amendment is disposed of.

The CHAIRMAN. Without objection, the amendment will be offered after the disposition of the amendment of the gentleman from New York [Mr. SNELL]. The question is on the amendment offered by the gentleman from New York [Mr. SNELL], which the Clerk will again report.

The Clerk read as follows:

Amendment offered by Mr. SNELL: Page 74, line 8, strike out "$1,500,000" and insert "$1,000,000."

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from New York.

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. SNELL. Division, Mr. Chairman.

The committee divided; and there were—ayes 41, noes 95.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Nebraska [Mr. EVANS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. EVANS of Nebraska: Page 74, line 13, after the figures "1914," insert "*Provided*, That not less than $1,200,000 of the above appropriation shall be expended for salaries of county agents."

Mr. HAUGEN. Mr. Chairman, I offer an amendment.

Mr. HICKS. Mr. Chairman, was not the amendment offered by the gentleman from Nebraska for information merely, and therefore it is not pending?

Mr. SNELL. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. The gentleman from New York reserves a point of order on the amendment offered by the gentleman from Nebraska.

Mr. SNELL. I make the point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from New York makes a point of order on the amendment.

Mr. HAUGEN. Mr. Chairman, I offer my amendment as a substitute.

The CHAIRMAN. Does the gentleman from Nebraska desire to be heard on the point of order?

Mr. EVANS of Nebraska. I should like it if the point of order should be reserved instead of being made.

Mr. MANN of Illinois. The gentleman could not debate it anyhow. The debate is closed.

Mr. EVANS of Nebraska. Let it go, then.

The CHAIRMAN. Does the gentleman from Nebraska desire to be heard on the point of order?

Mr. EVANS of Nebraska. No, Mr. Chairman.

Mr. HAUGEN. Mr. Chairman, it is simply a limitation on the appropriation. There is no question about its being in order. If you have the right to limit it, you have the right to put on a limitation.

Mr. LITTLE. Mr. Chairman, what is the law that is to be changed?

Mr. SNELL. Mr. Chairman, I withdraw the point of order.

Mr. MANN of Illinois. I make the point of order.

The CHAIRMAN. The gentleman from New York withdraws the point of order, and the gentleman from Illinois makes the point of order.

Mr. LITTLE. What is the law that this would change?

Mr. MANN of Illinois. This amendment, as I understand it, directs the expenditure of a certain amount of money for a certain purpose. I understand the amendment directs the Secretary to expend a certain amount of money for the pay of county agents, or for a certain purpose, instead of leaving the appropriation to be expended under the item in accordance with the discretion of the Secretary. Of course, a positive direction to expend a certain amount of money for a certain purpose is legislation.

Mr. LITTLE. Mr. Chairman, if this is the correct interpretation of the language, then it seems to me it is quite evident that it is in order, because it places a limitation upon the expenditure. They say that we will appropriate money and expend it, and we can not expend it in any other way except this way, which is a limitation upon the expenditure. Those limitations are always in order, and if this would be legislation then every limitation on an expenditure would be such.

Mr. MANN of Illinois. Mr. Chairman, I think it would be quite in order to say that not more than $1,200,000 of this sum shall be expended for this purpose. This amendment is a limitation. That is a direction or requirement.

Mr. LITTLE. Any direction is a limitation.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Nebraska [Mr. EVANS] offers an amendment to provide that not less than $1,200,000 of the appropriation contained in this paragraph shall be expended in salaries to county agents. The appropriation authorized in this paragraph is under the authority of a previous act, which would not appear to authorize the specific direction of the money to be appropriated for the purpose of the previous law to be applied for any particular purpose, and the Chair is of the opinion that the language of the amendment does not come within the rule relating to limitations, and sustains the point of order. The gentleman from Iowa [Mr. HAUGEN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HAUGEN: Page 74, line 19, after the semicolon, insert "*Provided*, That no part of the money appropriated for farmers' cooperative demonstration work or cooperative agricultural extension work shall be expended unless the amount to be expended for county agents by the Federal Government is equivalent to the expenditures for this purpose from States and other sources."

Mr. HAUGEN. That provides here that at least 50 per cent of it shall be applied to county agents.

Mr. RUBEY. Mr. Chairman, I reserve a point of order on that.

Mr. CARTER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CARTER. Was not the debate exhausted on this paragraph and all amendments thereto?

The CHAIRMAN. Yes; debate was exhausted on this paragraph and all amendments thereto.

Mr. RUBEY. Mr. Chairman, I would like to have the amendment read again. I could not catch it.

The CHAIRMAN. Without objection, the amendment will again be read.

The amendment was again read.

Mr. RUBEY. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The gentleman will state his point of order.

Mr. RUBEY. That it changes existing law and provides how this money shall be expended. We passed the Lever law several years ago, and this paragraph quotes that act, and this money is appropriated to be spent in accordance with the provisions of that act; and certainly if the end sought to be obtained by the gentleman from Iowa [Mr. HAUGEN] is contained in the act, then this amendment is not required; and if it is not found in that law, then this will become a change of law.

Mr. HICKS. Mr. Chairman, may I be heard on the point of order for a moment?

The CHAIRMAN. Yes.

Mr. HICKS. It seems to me, Mr. Chairman, that this is not subject to a point of order. This is a positive limitation on the amount to be expended, for this reason: Unless the State comes forward and makes an appropriation similar in amount to that provided for, the Federal Treasury will be subject to a larger charge than it would be if this amendment were in the law, and inasmuch as the amendment reduces the amount to be drawn from the Federal Treasury it is a reduction of the amount that may be expended and therefore a true limitation, in the parliamentary sense, and therefore, in my opinion, not subject to a point of order.

The CHAIRMAN. Does the gentleman from Iowa [Mr. HAUGEN] desire to be heard on the point of order?

Mr. MANN of Illinois. Mr. Chairman, I ask unanimous consent that the gentleman from Iowa may have five minutes in which to explain what his amendment proposes to do.

The CHAIRMAN. The gentleman from Illinois asks that the gentleman from Iowa may have five minutes to explain the purposes of the amendment. Is there objection?

Mr. HAUGEN. I do not care for the five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, as I stated a moment ago, there has been a great deal of misconception as to the allotment of these funds. What I am endeavoring to do by this amendment is to provide that the Government shall match the dollars furnished by the States and from other sources for county agents, so that whenever the State puts up one dollar for the agents, then the Federal Government shall put up an equal amount, so far as Federal funds are available. Now, the gentleman stated and believes that the Government is expending 80 per cent of the money appropriated for county agents. I have stated that the Federal Government is contributing less than half of the amount for county agents of the total amount expended from all sources, and also that less than half of the total Federal appropriation goes to county agents. I think everybody is satisfied that half of this money should be expended for county agents. If you go fifty-fifty and give half for county agents and half for specialists and other activities, there should be no objection, as no one here has suggested that more than half of it should be used for specialists and other activities.

Mr. MANN of Illinois. As I understood the gentleman's amendment, it did not require the State to put up as much as the Federal Government does, but it only provided that the Federal Government shall put up at least as much as the States do. It does not limit the amount that the Federal Government may pay over that.

Mr. HAUGEN. No; the Federal Government can pay more, but it must pay at least 50 per cent.

Mr. MANN of Illinois. The Federal Government now pays more than 50 per cent, does it not?

Mr. HAUGEN. That is the contention of the gentleman from Missouri. My figures show that they do not. Let us make it equal. Representatives of the farmers who appeared before the committee stated that at least half should be expended for county agents.

Mr. MANN of Illinois. If the county wants to pay more than the amount that the Federal Government is willing to contribute, why should not the county be permitted to do so? Under the gentleman's amendment they could not, because the gentleman's amendment will not permit the State or county to pay more than half.

Mr. BANKHEAD. Therefore it is new legislation.

Mr. MANN of Illinois. No; it is a limitation.

Mr. HAUGEN. What the representatives of the farmers desired was that at least half of this money should be expended for county agents. They are much more interested in the county agents than they are in the specialists who travel over the country and so are we. The value of the county agent is not questioned. Under the present arrangement the counties have nothing to say as to whether the money shall go for agents or for other activities, as the matter is determined by Federal and State officials.

Mr. BANKHEAD. Does the existing law which provides for this appropriation require the conditions set up in your amendment?

Mr. HAUGEN. I stated here a moment ago that there are about 2,000 counties to which the service has been extended. Many of the counties receive only $600 from Federal funds for county agents. The average is about $1,285. It costs about $3,000 a year to maintain a county agent. More of the money that is being spent for specialists by the Government should be used for county agents. If you would divide the amount available of the total for specialists and other expenditures than for county agents by the number of counties, you would find that the amount of Federal funds used for county agents is small in comparison. The representatives of the farmers who appeared before the committee stated that they were more interested in the county agents than they were in the specialists. I am, too, and I agree with them, gentlemen. That is why I have offered this amendment.

Mr. LITTLE. Was it the gentleman's purpose in offering this amendment to arrange it so that the State would give as much

as the Federal Government gives, or else the Government would not spend the money?

Mr. HAUGEN. No; the Government must give as much for county agents as the States.

Mr. LITTLE. Or else the Government will not give anything, unless they give as much as we do?

Mr. HAUGEN. It would not be available unless the Federal Government gives dollar for dollar for what States give for county agents.

Mr. LITTLE. I do not understand. Does the gentleman mean that the Government money shall not be expended unless we put up as much as they do, or does he mean that the Government money shall not be expended unless they put up as much as we do?

Mr. HAUGEN. That the Federal money shall not be expended unless the Government puts up as much as is put up by the State or from other sources.

Under this bill there will be available over $6,000,000 and $3,000 on an average for a county. If a county puts up $3,000 and allots $1,500 for a county agent, the Federal Government would be required to match the $1,500, or, in other words, a large number of counties would receive $1,500 instead of the $600 which they are now receiving.

Mr. LITTLE. Or else the Federal Government can not pay anything?

Mr. HAUGEN. That is correct.

Mr. LITTLE. Do you mean that they must put up as much as we do?

Mr. HAUGEN. The Government must put up an amount equal to that put up by the States or from other sources. That is a 50-50 basis.

Mr. LITTLE. That is not what you say. You say we shall not spend any of our money unless the amount that we spend is equivalent to what they spend.

Mr. HAUGEN. Yes; that is correct.

Mr. LITTLE. If we spend $50,000 and they spend $100,000, then the money of the Federal Government can not be expended?

Mr. HAUGEN. No; it can not be expended.

Mr. LITTLE. That is what you say.

Mr. HAUGEN. I am perfectly willing to modify the language.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HASTINGS. I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. The amendment will be again reported.

The Clerk read as follows:

Page 74, line 13, after the semicolon, insert: "*Provided*, That no part of the money appropriated for farmers' cooperative demonstration work or cooperative agricultural extension work shall be expended unless the amount to be expended for county agents by the Federal Government is equivalent to the expenditures for this purpose from States and other sources.

Mr. SAUNDERS of Virginia. Mr. Chairman, I wish to address myself to the point of order. This may or may not be a desirable amendment on its merits, but it certainly seems to me to be in order. This is not an effort to limit the discretion of any executive official. It simply provides the conditions under which this House is willing that the appropriation which it makes may be used. The Congress is not compellable to make any appropriation in this connection, or for any other lawful purpose. It can withhold an appropriation at any time that it so chooses. The effect of this amendment is simply to provide that this appropriation may not be availed of except under certain conditions which are set out in the amendment. This is a proper money limitation, and it seems to me, whatever may be said about the merits of this amendment, that as a parliamentary proposition it is in order.

Mr. LITTLE. Mr. Chairman, I should like to state to the chairman of the committee that I think his amendment is well meant, but I do not think he has expressed what he intended to say.

The CHAIRMAN. The Chair would like to hear the gentleman on the point of order.

Mr. LITTLE. I ask unanimous consent to address the House for two minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. LITTLE. I want to call the attention of the chairman of the committee to the fact that he has not said what he intended to say. I suggest that he amend it by saying that the money shall not be spent unless the State puts up as much as we put up.

Mr. HAUGEN. That is practically the present policy as to the paragraph just debated.

Mr. LITTLE. I know it is.

Mr. HAUGEN. The amendment changes that.

Mr. LITTLE. The gentleman means that if we appropriate $50,000 and they appropriate $100,000 we can not spend our $50,000?

Mr. HAUGEN. Unless they put up an equal amount.

Mr. LITTLE. How much are we appropriating under this program now?

Mr. HAUGEN. A million and three hundred thousand dollars in the two preceding paragraphs and a million and a half in this paragraph, making nearly $3,000,000.

Mr. LITTLE. Does the gentleman mean to state that if they put up $4,000,000 we can not spend $3,000,000?

Mr. HAUGEN. Not at all.

Mr. LITTLE. That is what the gentleman says.

Mr. HAUGEN. The amendment has reference to the county agents. They can spend the other part as they now spend it.

Mr. LITTLE. And the gentleman means if they put up more than we do we can not spend any at all?

Mr. HAUGEN. For the county agents we propose a 50-50 basis.

Mr. LITTLE. Well, the gentleman wrote the amendment, and he can go ahead with it.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

The gentleman from Iowa offers an amendment that no part of the money appropriated for farm cooperative demonstration work or cooperative agricultural extension work shall be expended unless the amount to be expended for county agents by the Federal Government is equivalent to the expenditure for this purpose from State and other sources.

The gentleman from Missouri makes the point of order that that is a change in existing law and therefore legislation. The Chair has examined the act of May 8, 1914, which is the existing law relative to cooperative agricultural work, and finds that the purposes of this work are set forth in that statute, and provision is there made for the allotment and the spending of the appropriation to be made each year.

There is also a provision that no payments out of the additional appropriation herein provided shall be made in any year in any State until an equal sum has been appropriated by the legislature for that State.

Mr. HAUGEN. The Chair is referring to the Smith-Lever Act.

The CHAIRMAN. The Chair is referring to the act mentioned in the paragraph under consideration.

Mr. HAUGEN. A million and a half dollars is being spent as provided for in the Lever Act. I propose to change that and say how it shall be allotted.

The CHAIRMAN. There is nothing in the gentleman's amendment to advise the Chair that it applies to any other act than that mentioned in the paragraph. The Chair is assuming that the gentleman's amendment refers to the act specified in the paragraph under consideration. The language of the amendment, as the Chair understands it, is to the effect that none of the fund mentioned shall be expended for county agents unless the amount to be expended by the Federal Government is equivalent to the expenditure for this purpose from the States or other sources.

The Chair thinks that that does not contravene the statute, which requires the State to put up an equal amount to that appropriated by the Federal Government; that it is a limitation upon the appropriation sought to be made by Congress. If the Chair may be permitted, it is not in the usual phraseology of limitations where other appropriations are required, where Federal appropriation is made dependent upon other appropriations being made from other sources, but the Chair is of the opinion that this is clearly a limitation which does not contravene the requirements of the original law, and therefore overrules the point of order.

Mr. HAUGEN. Mr. Chairman, I desire to offer a substitute for the amendment which will remove the objection made by the gentleman from Kansas.

The CHAIRMAN. Does the gentleman from Iowa desire to withdraw his amendment?

Mr. HAUGEN. I do.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to withdraw his amendment and offer a new amendment. Is there objection?

There was no objection.

Mr. HAUGEN. Now, Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment by Mr. HAUGEN: Page 74, after line 13, insert: "*Provided*, That no part of the money appropriated for farm and cooperative demonstration work or cooperative agricultural extension

work shall be expended unless the amount to be expended for county agents by the Federal Government is equivalent to the amount to be expended for other employees of the States Relations Service by the Federal Government."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

Mr. RUBEY. Mr. Chairman, I make a point of order on that amendment. It seems to me that it is subject to a point of order. The amendment says that the appropriation shall not be available, and talks about the amount paid in the various States to the State men.

Mr. HAUGEN. Mr. Chairman, it simply provides that 50 per cent of the appropriation is to go to the county agents and the other 50 per cent to other employees of the States Relations Service.

Mr. RUBEY. It does not say that.

Mr. TINCHER. As a matter of fact, only 18 per cent of it now goes to county agents; and that is what the gentleman is trying to get away from, so as to give 50 per cent instead of 18 per cent. Is not that right?

Mr. HAUGEN. That is, of the total expenditures made.

Mr. RUBEY. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

The CHAIRMAN. Does the gentleman from Missouri insist upon the point of order?

Mr. RUBEY. I insist upon the point of order.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. HAUGEN. It is practically the same amendment as the other. If the other amendment is preferred, I have no objection to substituting it.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, the manner in which the money provided by the Lever law is to be used is determined by that law. These appropriations of $751,000 for the North and $640,000 for the South, with the $1,500,000 additional just added, are special appropriations, and the manner of the distribution of them can clearly be determined by just such a provision as the gentleman from Iowa proposes to add.

The CHAIRMAN. The gentleman from Iowa offers an amendment which provides that no part of the money for farmers' cooperative work or cooperative agricultural extension work shall be expended unless the amount to be expended for county agents by the Federal Government is equivalent to the amount to be expended for other employees of the States Relations Service by the Federal Government, to which the gentleman from Missouri makes the point of order.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent to withdraw this amendment and offer the amendment withdrawn a moment ago, so that the matter may be disposed of without delay. The Chair has already held the amendment in order.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to withdraw the pending amendment and reoffer the amendment previously withdrawn. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment which the gentleman now offers.

The Clerk read as follows:

Page 74, line 13, after the colon, insert:

"*Provided*, That no part of the money appropriated for farmers' cooperative demonstration work, or cooperative agricultural extension work, shall be expended unless the amount to be expended for county agents by the Federal Government is equivalent to the expenditures for this purpose from States and other sources."

Mr. HOCH. Mr. Chairman, I have a substitute which I desire to offer for that amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment to that amendment in the nature of a substitute, which the Clerk will report.

The Clerk read as follows:

Page 74, line 13, after the words "May 8, 1914," insert:

"*Provided*, That of the above appropriation not more than $300,000 shall be expended for purposes other than the salaries of county agents."

The CHAIRMAN. The question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The CHAIRMAN. The question now is on the amendment as amended by the substitute.

The amendment was agreed to.

The Clerk read as follows:

To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Alaska, Hawaii, Porto Rico, the island of Guam, and the Virgin Islands of the United States, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins and all other necessary expenses, $205,000, as follows: Alaska, $75,000, of which $11,800, or so much thereof as may be necessary, shall be immediately available for the erection of buildings, purchase of breeding live stock, and other expenses connected with the stock-breeding experiments on the island of Kodiak and at the Matanuska station; Hawaii, $50,000; Porto Rico, $50,000; Guam, $15,000; and the Virgin Islands of the United States, $15,000; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, Porto Rico, the island of Guam, and the Virgin Islands of the United States: *Provided*, That of the sum herein appropriated for the experiment station in Hawaii $10,000 may be used in agricultural extension work in Hawaii.

Mr. BLACK. Mr. Chairman, I move to strike out the last word to ask the chairman of the committee a question. I notice in the latter part of this paragraph it is provided that the Secretary of Agriculture shall have authority to sell these products, but it does not state whether the fund shall be a revolving fund or be covered into the Treasury as miscellaneous receipts. Is there any general law on that subject?

Mr. HAUGEN. My understanding is that there is. I would have no objection to providing for that, but I understand it is not necessary. In order to make it a revolving fund it must say so specifically.

Mr. BLACK. In order to make sure I offer to amend, after the word "States," in line 17, page 75, by inserting "and the amount obtained from the sale thereof shall be covered into the Treasury as miscellaneous receipts."

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 75, line 17, after the word "States," insert: "and the amount obtained from the sale thereof shall be covered into the Treasury of the United States as miscellaneous receipts."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The Clerk read as follows:

Total for States Relations Service, $4,866,120.

Mr. EVANS of Nevada. Mr. Chairman, you have all been kind to me. My remarks are made with respect, even humility, with the object of cooperating with you for legislation to improve upon our present method of handling public lands in Nevada, about 100,000 square miles, administered upon plans unsuited to our needs; if not good for our section, then not good for your section, whose sole purpose is building a country of mutual interests wherein all will share alike.

The western man admires and fully supports the building instinct of eastern men. We plead earnestly and honestly, and we hope for equal confidence from yourselves, recognizing our integrity of purpose. Our business principles are sound, founded upon the eternal truth that honesty is the only policy. We strive to build the West, our chosen home. Our State administration is efficient and exemplary. Our governor a native Nevadan and statesman of highest class. Our legislature and all officials men of sterling character. Your interest in the West is mutual with ours. You desire growth; our ambition and our life work is there, to build.

The pioneers of Wyoming, with their indomitable building and reclaiming spirit, deserve all their prosperity; they did not sell their public lands, but gave them as reward to men who would brave rough weather and adverse conditions to reclaim those vast areas to grazing; finally oil was struck; now the early pioneer rightfully owns the land. The only man who was qualified to subdue the West takes certain pride in offering his bank account for any need of his beloved State. Nebraska 45 years ago was called the great American desert, but our Government's policy in giving homesteads to settlers has since made it a garden spot through their industry.

The State of Texas, rich beyond compare from her public lands, sets the proud example of modern education and advancement.

Words will not describe Oklahoma's prosperity. Tulsa's population has twice doubled in four years. Oklahoma City has 120,000 inhabitants, its population having doubled in 10 years. Fourteen years ago when Oklahoma was admitted as the forty-sixth State $5 bills looked like Government bonds.

There are no public lands left in those prosperous States. Does anyone in this House regret the prosperity of Texas? Will a Member from the Lone Star State refuse to Nevada the policy which made Texas prosper? After 56 years of statehood Nevada is still 90 per cent Government owned. One hundred thousand square miles await recognition from you of a plan inducing and rewarding the arduous toil and hardships necessary to make that soil produce. The only enemy to our mutual desire is suspicion, fostered by misguided conservation, keeping Nevada lands idle and undeveloped. When you learn, as you will eventually, that inspectors and directors, all ap-

pointees several times removed from the people's selection, lacking the knowledge and bound by departmental zeal against the only ones who can reclaim this portion of the West, when the certain courage of our pioneers is recognized, when we are trusted with our work, then the liability which you now find will be turned into an asset and you will be proud of the men who made Nevada. England is irrigating 35,000,000 acres in India and sending enormous sums of money into western Canada. Our Government sits with complacency while the lands away north of the Canadian border are securing thousands of our finest type of men, the western pioneer builder. Give them your confidence and keep them here. Without them Nevada will forever be a desert.

There during the February thaws and June freshets you have water wasted which could be held and used for profit during a long growing season. We have the resources, the men and women for this work. Encourage industry and self-reliance for reclaiming this land. Nevada enlisted and sent 8 per cent of her population to war. We are just as earnest to build our State as we were to protect our Republic.

Our legislature should administer those lands for the mutual good of its citizens, and our Government for reclaiming and providing homes for soldiers, for building roads and schools, for economy of administration, for our inherent right under the Constitution called "free, equal, and independent Commonwealths." Close up your extensive, expensive administration of Nevada as an inducement to our self-reliance. All we need in Washington is a small bureau to furnish reliable information upon raw resources.

Conservation there prevents development and does not meet our peculiar needs; land without cultivation is like money out of circulation—earning nothing.

These lands, wind swept and sand blown, lie below a flow of water which at certain seasons runs riot with damage—beneath a long summer season, of long growing days, a growth for 10 months in the year, where crops and fruits of all kinds are produced, from a soil rich in phosphates and potassium, owing to the disintegration of mineral-bearing rocks. Suspicion against Nevada men is a hindrance to our Government, which seeks to provide homes and occupation to men who in times of peril gladly give their lives to protect us all. Government should furnish equal opportunity to all men and women who desire to work and build, to safely guard the weak, and stimulate the strong to great achievement. [Applause.]

The Clerk read as follows:

For investigations of the chemical and physical character of road materials, for conducting laboratory and field experiments, and for studies and investigations in road design, independently or in cooperation with State highway departments and other agencies, $77,020.

Mr. RUBEY. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. RUBEY. Insert on page 78, after line 14, a new paragraph, as follows:

"For conducting field experiments and various methods of road construction and maintenance, and investigations concerning various road materials and preparations; for investigating and developing equipment intended for the preparation and application of bituminous and other binders; for the purchase of materials and equipment; for the employment of assistants and labor; such experimental work to be confined as nearly as possible to one point during the fiscal year, $45,000.

Mr. SNELL. Mr. Chairman, I make the point of order on the amendment. It is new legislation on a general appropriation bill and can not be admitted.

The CHAIRMAN. Does the gentleman from Missouri desire to be heard on the point of order?

Mr. RUBEY. Mr. Chairman, this item has been in the bill since 1912, and has carried since 1917 some $60,000. I do not think there is any question but that the language is clearly in order. I have placed it in the bill in identically the same place it has been carried in the bill during all these years.

The CHAIRMAN. Will the gentleman state to the Chair the authority for its being placed in the bill in 1912?

Mr. RUBEY. I can only refer the Chairman to the organic act and to the act under which the Bureau of Roads was established. I have not examined the language with particular reference to this item.

The CHAIRMAN. Does the gentleman from Missouri refer to the organic law establishing the Department of Agriculture?

Mr. RUBEY. Establishing the Department of Agriculture and also the law establishing the Bureau of Public Roads. I call the Chair's attention to this language in connection with the general expenses for the public roads. The law as it has been carried heretofore provides for conducting investigations and experiments, for collating and reporting and illustrating the results of the same, and for preparing, publishing, and distributing bulletins, and so forth. It also provides for supplies, fixtures, and apparatus, and road demonstrations of every possible kind and character.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. RUBEY. Yes.

Mr. MANN of Illinois. Does the gentleman contend that there is any authority of law for any of these road items in the bill?

Mr. RUBEY. I think possibly, if points of order should be made against them, they would all go out.

Mr. MANN of Illinois. My recollection is that at one time they all went out on a point of order.

The CHAIRMAN. The Chair is ready to rule.

The Chair has referred to the authorization of law for the Bureau of Public Roads, and finds by reference to the Book of Estimates that the first authorization was made in the appropriation bill approved March 3, 1905. Subsequent to that date appropriations have been made and items carried in the Agricultural appropriation bill providing for various investigations and activities on the part of this bureau. But the Chair finds nothing in the organic act for the establishment of the Department of Agriculture authorizing this particular activity, nor does he think the very general language used establishing that department is sufficient to warrant this particular appropriation unless specific authority is found in some other law. The Chair does not believe that the establishment of this bureau making appropriations for these various activities in the annual appropriation bill or in the language used in the various appropriation bills is sufficient to warrant or to provide for their establishment as a permanent branch of the department. In the view of the Chair the amendment offered by the gentleman from Missouri [Mr. RUBEY] is such activity as is not warranted by existing law, and the Chair therefore sustains the point of order. The Clerk will read.

The Clerk read as follows:

For investigating and reporting upon the utilization of water in farm irrigation, including the best methods to apply in practice; the different kinds of power and appliances, and the development of equipment for farm irrigation; the flow of water in ditches, pipes, and other conduits; the duty, apportionment, and measurement of irrigation water; the customs, regulations, and laws affecting irrigation; for the purchase and installation of equipment for experimental purposes; for the giving of expert advice and assistance; for the preparation and illustration of reports and bulletins on irrigation; for the employment of assistants and labor in the city of Washington and elsewhere; for rent outside of the District of Columbia; and for supplies and all necessary expenses, $62,440.

Mr. SNELL and Mr. HARRISON rose.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Chairman, I make a point of order on the section, in view of the fact that the law does not authorize general investigations of this kind on appropriation bills.

The CHAIRMAN. Does the gentleman from Iowa [Mr. HAUGEN] desire to be heard on the point of order?

Mr. HAUGEN. I know of no authority for the work in the organic act, as has been referred to by the gentleman from Missouri. I am inclined to concede it is subject to a point of order, and, as heretofore stated, I think a number of the items are subject to a point of order and would go out if a point of order were made.

Mr. MANN of Illinois. Mr. Chairman, this is entirely different from a road proposition. Roads are not confined to agriculture. This proposition is for the purpose of investigating and reporting on the use of water in farm irrigation. Now, I have no doubt it is familiar to the Chair, as it is to everybody else, that irrigation is just as important on the farm as any other operation on the farm. We investigate the diseases of horses, and we investigate animals on the farm, of all sorts; we investigate the raising of wheat and corn and other farm products. Now, irrigation is just as much a part of the work of the farm as the raising of wheat or corn. That is not true in the State of New York or in the State of Illinois, but notwithstanding those two great States are very important in agriculture, they are not the only places in the country where there are farms. Now, the organic act authorizes the collection and diffusion of knowledge in its broadest sense, relating to agriculture. That certainly would include the use of irrigation on the farms. That is all this item is.

Mr. SNELL. Mr. Chairman, I maintain that this goes a great deal further than what the gentleman from Illinois has just explained. This goes so far as to the customs, regulations, and laws affecting irrigation, and the purchase and installation of equipment for experimental purposes. I maintain that this whole thing is a general investigation, that is absolutely prohibited from being carried on an appropriation bill, and the language is wide enough to designate it as a general investigation.

Mr. MANN of Illinois. It all comes under the head of water in farm irrigation, including these other things. All is a part of the utilization of water in farm irrigation, which is to obtain information, and designed, as provided by the bill, to be diffused among the people, relating to the raising of crops through irrigation. If that is not agriculture, what is it?

Mr. SNELL. I maintain that the proposition goes so much further than any special investigation that it could come under the head of a general investigation, which is prohibited on an appropriation bill. And I call the attention of the Chair to volume 4 of Hinds' Precedents, paragraph 3652:

While the statute authorizing the Secretary of Agriculture to make investigation of subjects relating to agriculture is held to justify a broad line of appropriation, yet it does not justify appropriations for general investigations.

The CHAIRMAN. The gentleman from New York [Mr. SNELL] makes the point of order to the pending paragraph. The Chair understands he bases his contention on the ground that it provides for a general investigation, which is not authorized to be made upon a general appropriation bill. From the language of the pending paragraph, taken as a whole, it seems to authorize an investigation and report upon matters connected with the utilization of water in farm irrigation and the preparation of reports and distribution of the results of that investigation. And the Chair may again refer to the organic act establishing this department, found in the Revised Statutes, second edition, of 1878, page 87, Title II, which provides for the Department of Agriculture:

The general design and duties of which shall be to acquire and diffuse among the people of the United States useful information of subjects connected with agriculture in the most general and comprehensive sense of that word.

It also provides for securing and preserving the information concerning agriculture by practical and scientific experiments, an accurate record of which experiments shall be made. It seems to the Chair, in view of the broad, general language used in the organic act, that this is such an investigation as would be authorized, and that it comes within the authority of the department to make investigation and diffuse the information concerning it among the people of the United States. The Chair does not think that this language, taken as a whole, provides for a general investigation, but rather a thorough investigation of a particular subject, namely, the utilization of water in farm irrigation.

The Chair overrules the point of order. The Clerk will read.

Mr. HARRISON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Virginia moves to strike out the last word.

Mr. HARRISON. Mr. Chairman, while the committee is on the subject of the building of public roads, I desire to call the attention of the committee again to a bill which is pending in this Congress and which if adopted by the House would be of great practical benefit to road construction in this country.

I have repeatedly urged the House to take up Senate bill 3037, adopt the committee amendments, and enact it into law. This bill is now on the calendar with the amendments proposed by the House Military Affairs Committee, and it has the practically unanimous indorsement of the Committee on Military Affairs. At the date of the signing of the armistice the Government owned great quantities of motor-propelled vehicles and quantities of all kinds of road-building implements and materials. Congress passed a law directing in very general terms the distribution of such of this material as the Government could not use to the highway commissioners of the several States for use in road construction, and the distribution was to be made amongst the States along the lines of distribution of moneys provided in the good-roads act for Federal aid to State construction. The terms of the act were broad and general, and the War Department has refused to act without more specific instructions.

Mr. JACOWAY. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. Yes.

Mr. JACOWAY. Has not that been done in part?

Mr. HARRISON. As to motor-propelled vehicles, the War Department has and is making distribution, but other road-construction material it is not and will not. There was a resolution passed through this House which simply requested the Secretary of War to turn over the motor-propelled vehicles, which the War Department was then engaged in doing, but it amounted to nothing. In the first place, the War Department was then doing what the resolution requested; and, in the second place, it was a mere request, without any possible vitality. It was mere partisan political camouflage, and apparently intended as such. If the purpose had been to really secure this road material for road construction on the part of the States, it would have been just as easy to have enacted the Senate bill into a law, which would have had the force of law, as to have passed the House resolution preferring a request on the part of the House. While the House has been thus playing the political game, the stores of road-construction material, not merely motor-propelled vehicles, have been deteriorating and being dissipated.

The waste has been almost criminal, and the people of the country are showing their weariness of the partisan treatment of practical matters. Almost every State highway commission has been appealing to Congress to have that law enacted. It seems to me that to let that material be dissipated or sold at a sacrifice, instead of being turned over to the public-highway commissions to be used for public-road construction, is a crime.

It is not the fault of the Military Affairs Committee, for the committee, as a committee, and the members, without regard to political affiliations, have sought to secure action. Mr. MCKENZIE, of Illinois, reported and asked for a rule to which the Rules Committee so far has turned a deaf ear.

We have all sorts of road-building implements and material simply lying idle in the hands of the War Department unutilized, and if this House would enact that Senate bill at once it would be capable of being distributed and put to practical use. The several States have appropriated this year over $700,000,000 in the aggregate for road construction. Many of the States have adopted their road program on the theory that they would receive this material, and great practical interests are at stake, but it seems impossible to get the power that controls the legislation of this House to take action. Everyone recognizes the vast importance of good roads to the rural, as well as the urban, communities. The States have shown their appreciation by the appropriation of vast sums, carrying the burden of heavy taxation. My own State, Virginia, has not been backward, but contemplates a forward and progressive movement, to secure for her people good roads. She has made a very large appropriation to meet an ambitious program of road construction. She must lay a heavy tax burden on her people to secure in the market, at heavy cost, the material which the Federal Government has no use for, and which is wasting and deteriorating because the Government can not adequately care for it. Here, then, is the situation: The States must have such material for road construction. If they have to buy it, it will be at great cost. The War Department has the material, which it can not use, which it is keeping at great waste, and which it can not sell except at a great sacrifice. The Senate has passed a bill permitting the people of the States, who are the people of the Union, to make practical use of this material, and the House has so far refused to take action, at great loss and detriment in the material. The time for road building is at hand, and if we intend to authorize the use of this material the time for legislative action is pressing.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. Yes.

Mr. GARNER. Was the gentleman in here the other day when the gentleman from Wyoming [Mr. MONDELL] said he was trying to get some data on the subject? I think the trouble about it is that the steering committee has been too busy to function on it.

Mr. HARRISON. There is no question about the data. The data are at hand. They have been furnished to the Committee on Military Affairs. It has been acted on, as I say, unanimously, by the Committee on Military Affairs.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. Yes.

Mr. KINCHELOE. Does the gentleman know whether the Committee on Military Affairs has ever asked the steering committee if it could be brought up?

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HARRISON. Mr. Chairman, I would like to ask if the Republican steering committee has ever acted upon that measure; and if not, why not?

The CHAIRMAN. That is not a parliamentary inquiry. [Laughter.] The Clerk will read.

The Clerk read as follows:

For investigating and reporting upon farm drainage and upon the drainage of swamp and other wet lands which may be made available for agricultural purposes; for preparing plans for the removal of surplus water by drainage and for giving expert assistance by advice or otherwise in the drainage of such lands; for conducting field experiments and investigations concerning the construction and maintenance of farm-drainage work; for investigating and developing equipment intended for the construction and maintenance of farm-drainage structures; for the purchase of materials and equipment; and for preparing and illustrating reports and bulletins on drainage; and for the employment of assistants and labor in the city of Washington and elsewhere; for rent outside of the District of Columbia, and for supplies and all necessary expenses, $53,760.

Mr. STRONG of Kansas. Mr. Chairman, I desire to make a point of order on the paragraph appropriating money for the construction of farm buildings. What page are we on, Mr. Chairman?

The CHAIRMAN. Page 79, lines 4 to 18, inclusive.

Mr. STRONG of Kansas. Excuse me. I withdraw my point of order.

The CHAIRMAN. The gentleman withdraws his point of order. The Clerk will read.

The Clerk read as follows:

For investigating farm domestic water supply and drainage disposal, the construction of farm buildings, and other rural engineering problems involving mechanical principles, including the erection of such structures outside of the District of Columbia as may be necessary for experimental purposes only, the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, $25,000.

Mr. STRONG of Kansas. Mr. Chairman, now I desire to make a point of order that that is legislation.

Mr. SNELL. I make the point of order that the question of farm buildings is not authorized by the organic act.

Mr. MANN of Illinois. There is no provision here for the construction of farm buildings. The gentleman has not read the paragraph carefully.

Mr. RUBEY. It is for the investigation of such construction.

Mr. STRONG of Kansas. Beginning on line 19, page 79, it says:

For investigating farm domestic water supply and drainage disposal, the construction of farm buildings, and other rural engineering problems involving mechanical principles, including the erection of such structures outside of the District of Columbia as may be necessary for experimental purposes only.

Mr. MANN of Illinois. It is not for the construction of other engineering problems. It is for their investigation.

The CHAIRMAN. The Chair overrules the point of order. The Clerk will read.

The Clerk read as follows:

Total for Bureau of Public Roads, $490,620.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last line.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last line.

Mr. TREADWAY. Mr. Chairman, it seems to me that this item of the Bureau of Public Roads ought to be considered for a moment in its broad sense, with reference to the conflict of our appropriations and work. We are appropriating here under the title of "Bureau of Public Roads" the enormous sum of $490,000. I have roughly counted up the number of employees in the first paragraph under the title of "Salaries, Bureau of Public Roads," and I find there are something like 110 or more employees there, together with the employees that come under these "expert-advice" items running through pages 78 and 79.

But the point I wish to make is that it does not carry with it the construction of a single inch of highway. Not one inch of highway is constructed under an appropriation of $490,000.

We also have a good-roads bill which in three years' time will appropriate $200,000,000. I believe that is the aggregate for the three-year period. That is proposed to go directly to highway construction; a most estimable proposition, provided it gets there. But the conditions in that bill are such that the actual division of that amount can not be made. In other words, here is a complete duplication. This is a good-roads proposition. It is supposed to be under an agricultural bill, calling for an appropriation of $490,000 without the building of an inch of road, as I say, and then later on you appropriate $200,000,000—$75,000,000 this year—for road construction.

That is another illustration of the fact that we ought to have a budget system and not have these duplications.

Mr. GARNER. Will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. GARNER. Does the gentleman know that the House of Representatives has already passed a budget bill, and that it is now pending before the Senate?

Mr. TREADWAY. I am only saying that I am delighted——

Mr. GARNER. I merely want to suggest to the gentleman that if he could help it along over there by making an argument before the Senate committee, it might help to bring about the end which we so much desire.

Mr. TREADWAY. I think we have work enough to do at this end of the Capitol so that we do not need to try to hurry up the people at the other end of the Capitol. I will cooperate with the gentleman to the fullest extent in pushing any possible legislation here. But let me say I am not making these remarks as derogatory of the Agricultural Department or of the Committee on Agriculture, but I am calling attention to what seems to me to be another indication of our governmental extravagance and slipshod way of doing business, and a willingness to make these enormous appropriations which are practically for the employment of good people in swivel chairs down town. You talk about wanting "expert advice"! On page 78 of this bill there is an appropriation—

For investigations of the best methods of road making, especially ordinary sand-clay and dirt roads, and the best kinds of road-making materials, and for furnishing expert advice on road building and maintenance, $102,300.

I will ask the gentleman if he will not admit that a road supervisor in his county in Texas is a great deal better equipped to give that expert advice than some inquirer here in Washington experimenting scientifically on the subject?

Mr. GARNER. I do not think so.

Mr. TREADWAY. I do.

Mr. GARNER. I think these people who have conducted experiments in road-building materials and road building can give some very good advice to the people throughout the United States. But it is not incumbent upon me to defend the action of the Agricultural Committee in making this appropriation. The gentleman's party is in the majority and in command, and when he is making these criticisms he is criticizing the work done by his own party.

Mr. TREADWAY. Please do not take time to criticize the party. I am not taking any party viewpoint. I will say to the gentleman that there is nothing more essential to the welfare of my own individual district and of my home State than good roads; but what I am criticizing is the fact that we are trying to camouflage $490,000, which is not of the slightest use from a practical point of road construction.

Mr. HAUGEN. Mr. Chairman, the gentleman from Massachusetts has called attention to the importance of building good roads, but he objects to investigations and furnishing expert advice as provided in this bill. The money has already been appropriated for the building of roads. It is made available by a permanent annual appropriation, which provides that the money shall be expended by the Department of Agriculture. As has been stated, the unexpended balance on the 1st of July, 1919, was $74,472,306. The appropriation for the present year is more than $95,000,000, a total of $169,472,306. On the 1st of July next $100,000,000 more becomes available. Still the gentleman believes that we should expend these hundreds of millions of dollars without investigations or expert advice.

Mr. TREADWAY. The gentleman is misrepresenting my attitude absolutely. I do not believe in any such thing.

Mr. HAUGEN. The gentleman decries the bill because it carries an appropriation for expert advice on road building.

Mr. TREADWAY. I am decrying this particular appropriation.

Mr. HAUGEN. The gentleman wants to be fair?

Mr. TREADWAY. Oh, yes; and so does the gentleman from Iowa.

Mr. HAUGEN. The gentleman talks about the budget system. He criticizes the Department of Agriculture—the department that has the most efficient and practically the only real budget system of all the departments of the Government.

Mr. GARNER. Will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. GARNER. I want to congratulate the gentleman on defending his own bill for once while it is under consideration.

Mr. HAUGEN. The gentleman is mistaken in his inference. The gentleman will concede that with the activity and efforts made on his side of the House to increase the appropriations in this bill, to filibuster, and to defeat the bill, I have had my hands full to counteract the efforts. [Laughter.]

Mr. LAYTON. Will the gentleman yield for a question?

Mr. HAUGEN. Certainly.

Mr. LAYTON. What is the use of the Government going into the question of furnishing water to farms?

Mr. HAUGEN. The drainage item is a different item.

Mr. LAYTON. It is in this same item.

Mr. HAUGEN. You have reference to the appropriation for drainage experiments. It has been carried in the bill for a number of years, and we believe some good work is being done in that direction.

Mr. LAYTON. I do not care if it has been carried in the bill a thousand years. The point is that I think governmental activities ought to quit somewhere, and the people themselves be allowed to exercise their common sense and work out some problems for themselves.

Mr. HAUGEN. My State and every other progressive State have spent millions and millions of dollars for drainage. We think it is a wise expenditure, and that information on that subject is of great importance.

Mr. TREADWAY. Will the gentleman allow me to ask him a question?

Mr. HAUGEN. Yes.

Mr. TREADWAY. Can the gentleman inform me how many employees are carried on pages 76 to 80, inclusive? I have counted up the number on pages 76 and 77, and there are about 115 of them, but in addition to that every other item is for expert advice and the employment of help, and so forth.

Mr. HAUGEN. There were some over 330 carried last year in the items to which the gentleman refers. It requires a large force.

Mr. TREADWAY. It must. I realize that.

Mr. HAUGEN. Those employed under these items supervise expenditures running into the millions.

Mr. TREADWAY. With an appropriation of $490,000, of course you have got to employ a good many people; but has the gentleman an estimate of the number of employees?

Mr. HAUGEN. There were 330 last year. There are some over that this year.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, the criticism by the gentleman from Massachusetts [Mr. TREADWAY] of this feature of the bill is so little justified, and the impression that he seeks to create would be so misleading, that I am moved to say something by way of reply to his speech.

He criticizes this appropriation as having no relation to the construction of a mile of public road, when, as a matter of fact, these appropriations are related to the construction of thousands of miles of roads in the United States, in every single mile of which the Federal Government has a vital interest. The Congress passed the Federal road act some years ago. It is now in full operation. There is not a mile of public road now under construction pursuant to that law which does not make a demand upon the Department of Agriculture. Under that act it is the duty of the Agricultural Department to see that the contributions which the Federal Government affords for road construction in the States are wisely expended. The act imposes upon the Department of Agriculture the specific task of approving, in the first instance, every project of road construction undertaken under the act, and the power of withholding the Federal contribution until it is satisfied that the work of construction has been properly executed. I would like for the gentleman from Massachusetts, or any other critic of this part of the pending bill, to explain to this committee how this important function of the department in regard to the proper expenditure of Federal money can be discharged without expert assistance.

Mr. SNELL. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. SNELL. Can the gentleman tell how many miles of road are being constructed?

Mr. SAUNDERS of Virginia. I can not; but I repeat most positively the statement that I made a few moments ago that thousands of miles of road are under actual construction at the present time.

Mr. SNELL. Can the gentleman tell us how much has been expended so far?

Mr. SAUNDERS of Virginia. I can not give the figures offhand. The gentleman can secure them from the department. But I will say this, that in the State of Virginia—and Virginia is not one of the States making the largest appropriations for road purposes—our quota of the present Federal fund is about $6,000,000, and we are arranging in connection with that amount to expend from fourteen to thirty million dollars of State money on the highways of Virginia. The Federal Government is intimately concerned with every dollar of its contribution to that expenditure.

Mr. MADDEN. Would it interrupt the gentleman if I asked him a question?

Mr. SAUNDERS of Virginia. Not at all. This is a situation with which I am fairly familiar, and I am glad to be interrogated.

Mr. MADDEN. Does the gentleman know how much it costs for the construction of road per mile in Virginia?

Mr. SAUNDERS of Virginia. No. That depends, naturally, upon the character of the road constructed and the country traversed.

Mr. MADDEN. The reason I ask the question is that up to the time the bill passed appropriating the money which is now available a limit of cost, as I understand, per mile of the roads to be built by the State was $10,000.

Mr. SAUNDERS of Virginia. That has been advanced to $20,000.

Mr. MADDEN. Most of the roads in the State are costing from $26,000 to $40,000 a mile.

Mr. SAUNDERS of Virginia. In Virginia we are building different types of macadam roads, possibly a little concrete construction, and soil roads. Soil roads cost from $4,000 to $6,000 a mile, in some counties even more, and when properly constructed they are admirable roads. It is the duty of the Federal Government, functioning through the Department of Agriculture, to see that every mile of this construction to which it contributes 50 cents on the dollar of cost is economically and properly expended; expended upon roads of a proper grade, a proper width, and conforming in every way to the requirements of modern scientific road construction. Yet the gentleman from Massachusetts would give the impression that the activities of the agents of the Department of Agriculture to compel the judicious expenditure of Federal money are sheer waste and extravagance. I would like to ask the gentleman how he would deal with the situation, and secure a proper return for the contribution which the Federal Government makes to this great work of road construction in the States?

Mr. TREADWAY. I personally have felt that the question of road construction was a State matter from the very beginning, and, further than that, if I may add to it in reply to the gentleman's inquiry, I would ask him this question: To what extent must the local board supplement this very work for which we are appropriating this large sum?

Mr. SAUNDERS of Virginia. The gentleman is harking back to principles and objections that were considered and settled at the time that we passed the Federal road act. That is not material in this connection. We are dealing with the actual conditions confronting us under the present operation of that act. For every dollar of Federal contribution the Government can require a like amount or more from the States.

Mr. TREADWAY. Was not this item carried by the Agricultural bill long before the good-roads act was passed?

Mr. SAUNDERS of Virginia. To some extent. The passage of the Federal act and the consequent enlargement of the duties of the Department of Agriculture calls for a much larger appropriation in this connection. In a few years I expect to see far greater appropriations for engineers and experts in the Bureau of Roads. They will be imperatively needed to afford a proper oversight over the great sums which are now being expended upon the projects approved by the Department of Agriculture. From year to year expenditures in this direction will be greatly increased. I note that the new Secretary of Agriculture thinks that even now the Government should contribute at least a hundred millions of dollars annually to this great enterprise of cooperative road construction.

Mr. TREADWAY. Mr. Chairman, I withdraw my pro forma amendment.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word. The gentleman from Massachusetts criticizes some of these items in a lump sum and calls attention to the fact that under them a large number of employees will be needed. He asked how many men will be employed under the lump-sum items. I answer him that there are 343 altogether; that in the city of Washington there are 37, and the others are to be employed outside of the city, all over the country, looking after road matters of one kind and another and the general work in which this bureau is engaged.

The Clerk read as follows:

General expenses, Bureau of Markets: For salaries and the employment of labor in the city of Washington and elsewhere, furniture, supplies, traveling expenses, rent outside of the District of Columbia, and all other expenses necessary in conducting investigations, experiments, and demonstrations, as follows.

Mr. HARRISON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HERSMAN. Mr. Chairman, a number of times during the consideration of this bill inquiry has been made as to how Congress can legislate in order to bring the prices of food back to a reasonable basis? The lengthy discussion indicates that the House is deeply interested in this problem. You are also anxious to enact laws that will make for the preservation and upbuilding of our great agricultural interests. That the present skyrocketing of prices are largely the result of the war which for four years has absorbed the energies of the world, causing a shortage in foodstuffs and resulting in competitive buying, no one will question. But the upward trend in prices can not be wholly charged to the madness of the past four years. Anyone who has given thought to our method of distribution can readily understand that our marketing system is responsible for the gradual upward trend of prices which has been apparent for many years. The present method is too expensive; it strikes at the welfare and happiness of the Nation; it has not kept pace with our advanced civilization. Distribution is in the hands of the manipulators and profiteers, and it is the most dangerous form of speculation. It is gambling pure and simple, gambling in the foodstuffs and the necessities of life. This old and faulty

system has demanded too great a tax for the work it has done. Statistics show that the middlemen get $2 out of the consumer's $3. In other words, the man who for 10 years carefully tends his orchard, bringing it to a state of production, cultivating, gathering, and delivering his crop to market, only gets one-third of the consumer's dollar. The system that distributes the fruit gets two-thirds of the consumer's dollar. The farmer who intelligently informs himself how to make his acres productive, how to increase his yield of corn, wheat, potatoes, cotton, and beans, gets $1 out of the consumer's $3, while the man who sits at his desk directing the manipulations of distribution takes $2 of the consumer's $3. The charge for distribution is too great; it is a menace to the happiness and welfare of our people; it is entirely out of proportion to the service rendered. For years the producer has known who to blame, and for 50 years he has tried to organize his forces in order to come more directly in contact with the consumer. He has found it almost impossible to eliminate the profiteer from the system. The commission man, wholesaler, broker, and jobber hold tenaciously to their gains.

In order to make his business profitable he has realized that he must standardize his output. He has hoped for organization, so that he could advertise his product, which is so necessary to business success. He has looked forward to the time when he could stabilize his business, so that his income could be reasonably assured, but, above all things, he realizes the necessity of preventing the gambler and speculator from having control of the distribution of his product. The consumer is as vitally interested in securing these results as the producer is, for a large proportion of his money is absorbed in a way that tends to decrease rather than stimulate production. The producer is interested in cutting down the toll between producer and consumer, standardizing and advertising his products, and placing his business on a stable basis. If he is successful, if a part of the consumer's $2 which is now paid to the distributing system could be retained by the producer, his profits would be largely increased, production would be greatly stimulated, and the lowering and stabilizing of prices would surely follow. Every business man recognizes the necessity of cooperative enterprise in order to get the maximum results from effort expended. The farmer through his cooperative marketing associations is now solving this important problem. In California our progressive orchardists have taken a great step forward. Their marketing associations are not only bringing prosperity to themselves and wonderfully increasing production, but the consumer is being protected as to the retail price, as statistics that I have gathered conclusively show.

This Congress has indicated in numerous bills that have passed this House since I became a Member that they are anxious to give full protection to the farmers of this Nation. When the Clayton Act was passed by a former Congress this language was used:

> The labor of the human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations instituted for the purpose of mutual help and not having capital stock or conducted for profit.

The language was most unfortunate, because no business enterprise could be expected to succeed without capital. It is as necessary for farmers' organizations to have capital stock as it is for any other business. Without it they can not get the credit necessary in operating their business. I have no doubt that the clear intent of the lawmakers of the Sixty-third Congress was to exempt the farmers in their organizations as well as labor in its organizations, but the courts have construed differently, and the organized farmers have been harassed under the provisions of this statute and their officers arrested and annoyed. As a result a feeling of uncertainty exists as to the stability of their organizations, which to a great extent has militated against their success and extension. Each succeeding Congress has in a perfunctory and unsatisfactory way endeavored to give protection to the organized farmers. The Sixty-sixth Congress went so far in the food-control act as to exempt cooperative associations of farmers from its sweeping provisions and virtually went on record in saying that a farmer can not only organize but he can willfully destroy any necessaries for the purpose of enhancing the price or restricting the supply thereof; that he could waste and permit deterioration; that he could hoard; that he could monopolize; that he could charge unreasonable prices by conspiring, combining, agreeing, or arranging with any person as to prices. This kind of legislation you passed in order that the cooperative organizations might continue to exist and in order that increased production should be encouraged.

The farmers of this Nation are asking no such exemption as this Congress has seen fit to give them. They are willing to rest under the provisions of the food-control act, as every citizen should be compelled to do, but they are insisting that they have a right to ask that the Congress clearly enact such a law that will definitely state that their cooperative marketing associations are not in violation of the Sherman antitrust law or the Clayton Act. Give them the right to organize to protect their industries, as you have given every other business the right to organize. Then it will not be necessary to continually exempt the farmer where he has no right or desire to receive special consideration.

Under the provisions of the deficiency appropriation measure you appropriated $200,000 for the enforcement of the antitrust law, but you provided that "no part of this appropriation shall be expended for the prosecution of producers of farm products and associations of farmers who cooperate and organize in an effort to and for the purpose of maintaining a fair and reasonable price for their product." It seems to me that such legislation little befits the wisdom of able statesmen. You tell the Attorney General that he must prosecute the violators of the law, and appropriate $200,000 for him to do it with, and at the same time you say there is one violator of the law that you can not use this money to prosecute, and that is the farmer. It seems to me that this is legislation of the worst kind. If the farmer is in violation of the law you ought to prosecute him and you ought to let him know that you are going to prosecute him. If his associations are necessary to his prosperity and in the interest of the public, then our laws should state that such associations are not in violation of the antitrust laws or the Clayton Act. From the position taken by this Congress the farmers of this Nation have a right to demand the enactment of a law that will clearly set forth their position. If the farmers are to receive continued protection they should know it. If, on the other hand, they are to be adjudged criminals the knowledge should not be withheld. After their long struggle they are entitled to know how the lawmakers are going to deal with them.

It is entirely unnecessary for me to call to your attention the importance of agriculture to the prosperity of a nation. History points with no uncertainty to the fact that the downfall of the nations of the past has followed in the footsteps of a disappearing rural population. I take it that a nation's greatness and even her life is dependent upon maintaining a contented and prosperous rural population. The red flag never waves in the home of a farmer, neither is he a disturbing element in political or industrial life. The farm must produce a surplus of food and a surplus of virile and healthy men in order that the Nation may be fed and in order that the vigor of our urban population may not be abated. The greatness of a nation is in the altar erected in every farmer's home to the glory of God and to the preservation of the Union.

The fact that there are now pending before the Judiciary Committee bills that clearly give to the farmers of this Nation the right to organize in cooperative marketing associations for their own protection and for the mutual benefit of themselves and the consumer is well known to you, and you have no uncertain duty to perform when it comes to enacting laws for the proper protection of 35,000,000 of your people.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. HERSMAN. Mr. Chairman, at a later date, when I can secure more time, I will further discuss this important subject. [Applause.]

The Clerk read as follows:

> For acquiring and diffusing among the people of the United States useful information on subjects connected with the marketing and distributing of farm and nonmanufactured food products and the purchasing of farm supplies, independently and in cooperation with other branches of the department, State agencies, purchasing and consuming organizations, and persons engaged in the transportation, marketing, and distributing of farm and food products, $275,980: *Provided*, That of this sum $25,000 shall be set aside for the development of markets in the South American countries for agricultural products of the United States.

Mr. MANN of Illinois. Mr. Chairman, I reserve the point of order on the proviso in lines 15, 16, and 17.

The CHAIRMAN. The gentleman from Illinois reserves the point of order.

Mr. SUMNERS of Texas. Mr. Chairman and gentlemen of the committee, I do not want to take much of the time, but supplementing the remarks of the gentleman from California [Mr. HERSMAN], and addressing myself to the practical judgment of the members of the committee, I want to suggest that the criticism of the department and the criticism of our instrumentalities of distribution does not get us anywhere. We have had

too much of the policy of destruction and criticism in this country. We get no results. It is not enough to scold. We have now reached the time when we must do some constructive work.

I want to renew the suggestion that these difficulties in distribution can never be corrected in this country until we standardize these commodities, so that they have a commercial status at the point of first concentration. Then, instead of spending money advertising these things for sale and sending Government agents over the country, establish a real produce-exchange system in the country, where these commodities may be listed for sale by description. Farm commodities move too far; the expense and waste are too great to ship them around to find a market. They must be sold by description. I direct the attention of the committee to the fact that since the days of the manorial markets of England the control and preservation of free market facilities have always been regarded as proper governmental functions. But modern conditions require that our general market shall be not a place to which the physical thing is carried but its description. It is the business of the Government to open wide, and keep wide, the doors of opportunity for free commerce. That is what I want this Government to do. When you do that you will not have so many antitrust laws, so many price-fixing laws, so many antiprofiteering laws, because you would build a bridge across which the average producer and consumer could reach each other in trade, just as buyer and seller used to go to the old market places, and when they wanted to trade they would be afforded a medium for trade adapted to our conditions, and automatically you would limit the total of the intervening charges imposed to the basis of the economic value of the service rendered by middlemen, and we would save food waste.

Mr. MONDELL. Mr. Chairman, I do not want to make the point of order that the gentleman is not discussing the paragraph before the committee, for I am always interested in what the gentleman from Texas has to say, but we must get on with this bill. It has been before the House now for seven or eight days. We should dispose of it to-day.

Mr. SUMNERS of Texas. Mr. Chairman, may I say to the gentleman that I do not want to trespass upon the time of the House. I am one of those who take up very little time in debate. I think we ought to allot time here just as we do garden seed, and in that way shut out those people who insist on talking all the time, who have no ideas, and let a few of us who have ideas have a little time. [Laughter.] Of course, I am not referring to the distinguished leader of the majority. I only want to make one or two suggestions, and I trust the gentleman will kindly bear with me for a moment?

When you have standardized these commodities and have established trading through the system of contact suggested, then there must be that degree of intermediary supervision sufficient to give strangers confidence to trade with each other. As I remarked the other day to the Members of this House, there is nothing visionary about this. The principle of all I suggest is recognized in this bill. What I want to do is to connect up, coordinate, and make a workable machine. I am not a dreamer. I would not give a cent for anybody's theory. I want to know how it works. I was reared in the hills of Tennessee and never rode on a railroad train until I was 15 years old. I have been trained in the school of hard experience. I have studied this matter from every angle, and I know what I am talking about. I warn you that right behind this question of the high cost of living, just as certain as I stand here, is coming the question of where you are going to get something to eat.

There are now in existence practically all the necessary parts for the marketing machinery proposed by me. We have our National and State agricultural departments, with their agents scattered over the country. We have our Consular Service abroad. We have enacted warehouse legislation. I would provide for their coordination and their construction into a completed machine functioning as a unit in the sale and distribution of farm products.

I desire to direct your attention to the fact that what I am proposing is not to have the Government enter a new field of activity but to have the Government, in a field which it has long occupied, adjust its activity to the changed conditions which have developed in that field. The agricultural departments of the Federal Government and of the several States were organized to help agriculture deal with its big problems. There is no other justification for their existence. Agriculture comparatively recently has added to the two original problems, production and preservation of productivity, a third and most difficult of them all—that of sale and distribution. The latter has become the nerve center of agriculture. That is the place to work now. Profit alone can beget quantity and quality now and hold in the country enough people to preserve the fertility of the soil and provide our food and clothing material. Equal profit to that offered by other business is essential to the maintenance of vocational equilibrium. I merely propose the legislative recognition of these well-known facts.

AGRICULTURE MUST MEET THE BID OF INDUSTRY.

There must be given to the business of agriculture the ability to meet the competition of industries bidding for the population and productive energy of the country. I lay that down as a fundamental proposition. In undertaking to meet this bid agriculture is handicapped by the definite economic disadvantage that its commodities go to the market to the highest bidder, regardless of the cost of production and almost regardless of demand for use, while the industries of the city are able to write into their initial price the cost of production plus a profit, whatever that cost of production may be. The industries of the city, taken as a whole, compared to agriculture, do business on a "cost-plus" basis. It matters not what industries pay for the labor which they require or for their material, they write the cost into their initial price. Agriculture can not do that. The economic disadvantage in the competition, therefore, is perfectly apparent. Without taking from industry we must give to agriculture some compensatory benefit tending toward the possibility of maintaining an equilibrium of population resting upon the relative vocational needs of the whole people.

REDUCTION OF COST OF LIVING.

Those of us familiar with country conditions know that the profits of the farmers can not be reduced—I mean their net profits—for the reason that the farmers are losing their labor at the present profit. It is foolish to talk of reducing the profits to the farmers when we see the farmers' sons abandoning the farm for the city. Our hope of reducing the cost of living, in addition to what we may do toward reducing the cost of production, is in shortening the route and reducing the expense in distribution and in reducing the volume of food waste after production. The cost of these things very largely has shifted to consumers and constitutes no small part of the price which we are compelled to pay for that which we eat and wear. This waste reflects itself in everything else which we buy, because the food cost is a part of the overhead cost of everything.

SIMILARITY OF FEDERAL FARM-LOAN ACT.

We have enacted legislation which in the total incorporates all the principles contained in these suggestions; and we have enacted the Federal farm-loan act, which incorporates them all. That is an interesting fact and ought to be highly persuasive with regard to our need for and the probable efficiency of what I suggest. The Federal farm-loan act, with regard to which I had some small part, embodies the identical principles. You gentlemen understand that the difficulties encountered in the sale of rural credits were practically the same as are the difficulties encountered in the sale of rural products. To illustrate: A man on a farm had a credit for sale, he had a mortgage for sale, but the man with a little money to invest in a mortgage did not know of this demand for his money, and the man with the mortgage for sale did not know of this demand for his mortgage. If each had known with reference to the other, there still would have been no trade. The individual located in New England, for instance, could not have inspected a Texas farm, or, if he could have done this, his investment would not have justified the expense necessary to satisfy himself with regard to integrity of transaction. In other words, there was no practical medium through which trading relationship could be established, and this medium could not be created by anything less than what was done. We recognized this fact and enacted a law which has met in a highly satisfactory manner this condition, which had come as a part of the economic changes wrought by the great industrial revolution growing out of the application of steam and electricity to the industrial life of man.

Let us see what we really did for the sale of rural credits. Possibly I am taking too much time here, but this ought to be highly persuasive. First, we standardized rural credits by providing that they shall not exceed a certain percentage of the value of the land and a certain percentage of the value of the improvements; but that was not sufficient. Suppose we had done that and stopped there, as we have done with regard to certain of the agricultural products. That would not have gotten us very far, for the reason that the man in New England, for instance, who had cheap money to invest would not have known of the demand for his money and could not have made himself certain with regard to integrity of transaction. So we provided a rural credit exchange, a meeting place for

supply and demand for rural credits. Through our land bank that is provided. This would not have been sufficient, so we went a step further and provided for the necessary inspection and supervision of transaction, to insure integrity of transaction. We constructed a bridge, safe and complete, to span the entire distance between supply and demand. That is exactly what is proposed by my suggestion for rural products.

WASTE IN DISTRIBUTION.

I wish I had the time to discuss the long, circuitous route and the enormous unnecessary expense in sending agricultural commodities, and especially perishable commodities, into the avenues of consumption; the enormous expense of holding carloads upon carloads of these commodities in the great concentration points, under shippers' orders, at the high expense of refrigerator cars, when they should have moved from point of first concentration to the point of need, avoiding physical deterioration, the hazards of getting into a congested market, reshipment, and a multiplicity of intervening profits. I would like to go into details and show you the absurd line of freight movements of these commodities. I wish I had time to show you the enormous food waste. I wish I had time somewhat to analyze the conditions under which it often occurs that the farmers can not get enough to justify the harvest of crops, produced at the highest expense in the history of agriculture, while the price to the average consumer holds him to a restricted consumption.

What is true of perishable products is also true of nonperishable products. With the marketing machinery suggested in operation, standardized, nonperishable commodities would also move, under prior sale, from the point of first concentration to the point of need. Nothing could be more absurd than the multiplicity of sales, hedgings, and reshipments of these products in the process of their commercial movement. With this machinery in operation a farmer or a group of farmers with a definite number of bales of cotton could list it by grade, and thereby not only place it in trading relationship with every demand for consumption in the world, but in the event of a disastrous slump in prices, such as we had last year, the stabilizing influence of the investing energy of the country could reach the actual commodity in distress. It can not do it now.

The same sort of thing would be true with regard to grain.

No one, perhaps, will agree with me now, but I know that live stock are capable of standardization and of being dealt in on an exchange. A good cowman can go into a herd of a thousand Hereford cattle ready for market, for instance, and can cut that herd into five lots of greater uniformity than any cotton expert can separate a thousand bales of cotton into. Besides, production would seek to meet standard requirements so as to avail itself of the benefits of this marketing machinery.

The position of producer would be more independent, with the commodity still at home pending sale by description, than with the commodity in some great center under deterioration and the high expense of maintenance. When sale is effected the commodity could move by the shortest and most direct route to the point of need without being drawn out of its natural channel of movement in order to clear through some great concentration center. With the reserve held near the point of production for final sale and with the reserve in direct trading contact with every market, stored or protected under standard regulation, we would have a real basis for personal and chattel rural credits.

The transportation facilities of the country would be relieved from their "crop-movement" strain and the extra equipment and expense necessary to care for these flood-tide movements.

I beg the committee also to consider this from another position. We have been looking from the producers' side toward the markets. Let us look from the market side toward the producers. Every demand for use, every little manufacturer, would have the whole producing area to draw directly from. He would be independent of the few great markets, which are, to say the least of it, under the suspicion of being capable of manipulation. And when the raw material reached his factory, it would arrive with only the necessary shortest freight-line movement charge against it, and the intervening expense and profit charges, which it had been more economical to incur than to do for himself the service for which the charges had been made.

This machinery would not eliminate necessary "middlemen." The "middleman" performs a necessary service and can render that service more economically for the public than the public can render it for itself. This machinery would be available to merchants, and by reducing their overhead expenses and the physical waste would enable them to reduce their charges, without the reduction of their net profits. By reason of the fact that it would be available, on an equally advantageous basis to everybody, it would hold, as I have stated, the total charge made to the basis of economic value of services rendered. It would broaden opportunity and give us a chance not only to keep real competition alive, but to escape the necessity of taking over the control and internal administration of business organizations.

It is absurd to try to destroy by prohibitory acts of legislatures or judgments of courts great organizations, at least, without providing a substitute. When we were on the headwaters of commerce a big bridge was not necessary. We have moved far down the stream now, and only a big bridge can span the distance. Our policy heretofore has been merely to dynamite the privately owned bridges of commerce when we thought their control monopolistic or the charges excessive. Of course, the public in each instance has had to pay for the repairs and the principal and interest on interrupted earnings. Ours should be a constructive rather than a destructive policy.

There is involved more than the mere food waste and the expense in distribution. There are possibilities in this sort of legislation far more important than the elimination of that which is unnecessary in these items. Such legislation would tend to remove the cause for the present growing demand for the direct governmental control of, or for the nationalization of, the avenues of distribution. It would take from distributors the power to "levy toll," and compel them to base their charges upon the economic value of the services rendered. The present difficulty grows out of the fact that there is no sort of arrangement in the machinery of distribution in this country through which the initial point of production can reach the final market.

There is no practical routing around the privately occupied channels of distribution through which supplies can reach demand. It is also highly important to have in mind that there is no sort of arrangement in the machinery of distribution in this country to throw back into the channels of production the unnecessary accumulation along the avenues of distribution. With the machinery of this bill in operation the total of the intervening charges would not rest, as now, upon the "toll-taking" power, but upon the basis of the economic value of the service rendered. You would substitute a self-regulating machinery, operating against excessive profits, for the main-strength-and-awkwardness policy which we have attempted to put into operation. You would open up the channel for control by the great laws of business, the law of supply and demand and associated laws, instead of the mandates of legislatures, as now.

Gentlemen, we can not regulate, permanently, the business operations of our country by the edict of legislatures, operating through a great number of people who go about the country with their pestiferous activities, responsible to various boards and bureaus of control. The business of government is to give to the laws which God has promulgated opportunity to regulate the affairs of men just as it is the business of the physician to give nature's laws the best chance to heal.

SMALL COMMUNITIES AND SMALL BUSINESS.

This bill seeks to construct a sort of public bridge over which the man of small business and the small community can reach the points of advantage, which now only big business touches.

It does not matter how difficult it may be, the little man must be given access to the initial market, and to the general market. I will say in passing that this is equally true of the products of the factory. Government must preserve for the average citizen the opportunity for individual effort, and a fair reward for that effort, made upon the responsibility of his own judgment and initiative. There must be a democracy in business opportunity or there can be no democracy in government. It is no answer to this proposition that a few great organizations can conduct the country's business more economically than it can be conducted otherwise. Theoretically, at least, the plan of government which holds the greatest possibilities for efficiency is an autocracy. Well may industrial efficiency be content with less than the immediate achievement of the maximum of its business possibilities, if there can be preserved the maximum of efficiency in the agencies which develop men who may be depended upon to continue its progress.

PENALTY OF NEGLECTED DUTY.

The troubles which now so menace us have largely grown out of the fact that we have been trying to operate in a steam and electricity age with an "ox-cart" policy of government.

I am asked why can not the farmers take care of this matter through a great, comprehensive farmers' organization. Possibly they could, but let us consider that from the standpoint not of the farmers particularly but of all the people. Do we find no warning in our present situation? Are we to repeat with agriculture the mistakes which we have made with regard to industry? When a common danger and a common cause was driving its operatives together into class solidarity, instead of recognizing that a new condition had brought to us a new problem as a challenge to the genius of our constructive statesmanship, we content ourselves with chanting a sort of inhibitory ritual which had been built up out of the sayings of great men who had lived in a by-gone industrial age. Deplorable and dangerous as is the present situation, there is nothing remarkable nor distinctive about it. From consciousness of power, whether possessed by kings, military chieftains, an organized nobility, church dignitaries even, organized capital, or humbler people standing in class solidarity, there goes forth its arbitrary and oppressive exercise, sometimes as an instrument in the hand of retribution.

Mr. Chairman, I am referring to these matters now merely for the purpose of analogy and illustration and of warning.

PUBLIC POLICY TO REMOVE NECESSITY FOR GREAT ORGANIZATION.

As rapidly as it can transpire, the farmers of this country, by their economic necessities, are being driven back upon each other into vocational cohesion, and this will come about unless the necessity is obviated by such legislation as is here proposed. The existence of that necessity is a national peril.

There can not be national solidarity nor real democracy among a people permeated by class consciousness or divided into vocational groups, organized for industrial conflict. There is more involved than the mere economic problems which I have touched upon. The good of our country calls to us to save for it now, unsegregated and unprejudiced, its great farming citizenship. If we are to weather the storm which seems to be about to break it will probably be largely through the strength which this Nation shall draw from the men of the fields. In the great crises of the past when governments and civilizations have been put to the supreme test their strength for the struggle and for the recuperation, when they survived, they drew largely from those who worked in the sunshine.

The CHAIRMAN. The time of the gentleman from Texas has expired.

The gentleman from Illinois reserves the point of order.

Mr. MANN of Illinois. Mr. Chairman, the proviso in this paragraph is that $25,000 of the sum carried in the paragraph shall be set aside for the development of markets in the South American countries for agricultural products of the United States. I do not think that is warranted by any law. I do not know just what the demand is for the item. We have now in the State Department a lot of people employed in South America. We afterwards provided for the employment of a number in the Department of Commerce, duplicating to a large extent the work of the State Department, until recently there has been a demand that the work of these two departments be in some way consolidated instead of having them continued as they are. If we start the Agricultural Department in the employment of agents in South America, we will then bring about a triplication of the work. It is not entirely satisfactory to have Government agents abroad employed under the Department of Commerce and not under the Department of State. Of course, I am quite willing to help sell agricultural products abroad, although I do not think we ship a large amount of agricultural products to South America.

Of course, we do send some blooded stock, and there are some other agricultural products that we send. I doubt very much, unless the gentleman can give a very strong reason, the desirability of having all the various departments of the Government start in doing the same work.

Mr. YOUNG of Texas. Mr. Chairman, I will state to the gentleman from Illinois that for some eight years I have been on this committee, and I am familiar with the hearings on this particular item, and particularly with the testimony given by Mr. Harrell, of my State, who is a breeder of thoroughbred cattle. He is a distinguished citizen of that State, a man now getting up in years, and quite a successful man. The Secretary of Agriculture asked Mr. Harrell, in view of the change of markets by reason of the World War, to take the time to make a trip to South America with a view of seeing what the outlook was with reference to opening up the markets in some of these South American countries for the thoroughbred herds of cattle that we were producing in this country. He took that trip. He is not an employee of the department at all; he is simply a private citizen, and he took that trip and came in contact with the people. Knowing their language, he came in contact with not only the people constituting the Government down there but with the great ranch owners and farmers. While the language in the bill seems to indicate agricultural products generally, the testimony related specifically to the finding of these markets for the thoroughbred cattle of this country.

Mr. Harrell went through Brazil and entirely across the South American Continent. He found this condition to exist, namely, that England was already on the ground, seeking to preempt the field, as they have preempted it very largely in Argentina.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. YOUNG of Texas. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. YOUNG of Texas. From the statement he made to us it showed that those people were disposed to be very friendly at this particular time, and that they are ready to open up that great country to the people of our country who are producing these thoroughbred herds. And not only Mr. Harrell makes this statement to us, but he went from our committee to some of the stockmen's organizations in Chicago and presented the information to them that he obtained down there. The Department of Agriculture did not recommend this item, but on the very interesting statement that Mr. Harrell made this committee unanimously felt that if we could appropriate $25,000 at this time to help open up that field we could probably get in there, and that we would have a market and a field there which, if we do not preempt now, will be preempted by England.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. YOUNG of Texas. I will.

Mr. MANN of Illinois. Does the gentleman know how many thoroughbred cattle we have shipped to South America in the last 10 years?

Mr. YOUNG of Texas. I do not. I am not informed.

Mr. MANN of Illinois. Or how many they have imported there from elsewhere?

Mr. YOUNG of Texas. Argentina has, as I say, been preempted by the English people.

Mr. MANN of Illinois. Argentina, I will say to the gentleman, has imported a great many thoroughbred cattle from the United States as well as from England. England has not preempted it. We own the packing institutions down there; we buy the cattle from the people who raise them in Argentina in the main, and they have imported great numbers of American bulls for use with herds in Argentina and elsewhere in South America. This is no new field. This is an old one.

Mr. YOUNG of Texas. Let me say to the gentleman that as a part of that testimony this view was brought out, that as to Brazil and that great section of country the kind of cattle there, as described to us by Mr. Harrell, is very largely a kind of cattle that we formerly had in Texas. They are the wide-horn fellows, but are scrubs.

Mr. MANN of Illinois. They are not the wide horns, but they are little cattle, very different——

Mr. YOUNG of Texas. They are little cattle, but with wide horns. I have seen those animals myself.

Mr. MANN of Illinois. In Texas, but not in Brazil.

Mr. YOUNG of Texas. In Texas you do not find those scrubs now. You find there thoroughbreds and high-grade cattle. If we can get into Brazil and open that market to the gentlemen who are producing these thoroughbreds, I believe it is a market well worth looking after, and this $25,000 will be well spent. That was the unanimous report of the committee.

Mr. MANN of Illinois. I think the committee made it without much information, though I do not desire to reflect on them. There is a market in South America, not only in Argentina and Brazil but in Uruguay and Paraguay and Venezuela, for that matter, and they are buying them now to a considerable extent. Now, we have great cattle associations in the United States, for Shorthorns, Herefords, Holsteins—we used to call them Dutch Frisians when I was importing cattle—and those associations want to sell their stock. We have associations in relation to horses, and they want to sell their stock. They would send a live man to South America to sell their stock, and they can well afford it. We would probably send a dead man.

Mr. LAYTON. Will the gentleman answer a question?

Mr. MANN of Illinois. I will if I can.

Mr. LAYTON. That is this: Does the committee know whether or not England is operating in South America with public money or whether Englishmen in their individual ca-

pacity are using their own money in order to get into that section?

Mr. TINCHER. This gentleman that was before our committee—and that was one of the points I asked—stated that the English representatives there were in an official capacity. That is one of the arguments he made as to why we ought to have a man there. I am inclined to agree with the gentleman from Illinois that our man may not be as alive as he ought to be. However, he will have Government recognition. We did not increase the appropriation for the Bureau of Markets in this, but we did vote unanimously for them to use $25,000 in this way, and I believe it will be the best $25,000 the Bureau of Markets will spend out of the appropriation. We did not increase the appropriation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN of Illinois. Mr. Chairman, I make a point of order against the proviso.

The CHAIRMAN. The gentleman from Illinois makes a point of order against the proviso. The point of order is sustained.

Mr. MANN of Illinois. I make it against the proviso, unless I can get the amount reduced.

The CHAIRMAN. The gentleman from Illinois makes the point of order against the proviso in the paragraph. The Chair sustains the point of order. The Clerk will read.

Mr. MANN of Illinois. Mr. Chairman, I move to amend, in line 14, by striking out "$275,980" and inserting "$250,980."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 82, line 14, strike out "$275,980" and insert in lieu thereof "$250,980."

Mr. HAUGEN. Mr. Chairman, the estimate for this item was $347,980. The amount reported, $275,980, represents a cut of $72,000 from the estimate of the department.

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. RUBEY. It is a fact, is it not, that the committee added this provision without increasing the amount?

Mr. HAUGEN. Exactly.

Mr. MANN of Illinois. Mr. Chairman, I certainly have no desire to criticize the great Committee on Agriculture. I have the highest respect for all of its members, and will say now that I congratulate the chairman and the committee on the work that they have done on the bill this year. But one of two things is certainly true, either this $25,000, which I proposed to strike out, is unnecessary, or else the committee ought to have included it in the bill as they brought it in. We have stricken out an item of $25,000 which they proposed. They said that it was necessary. Now they say we ought not to reduce the total amount by the $25,000. Either the total amount was not large enough before or now it is $25,000 too much. The committee can take their choice about that, but they can not defend both propositions with logic.

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. I yield.

Mr. RUBEY. I will say to the gentleman that this paragraph was stricken out just as the committee was closing its work. I suggested that we ought to do something for opening up that market for our cattle. I suggested that we add to the bill in a provision for markets an item for $25,000. It simply went in as a proviso, without our taking into consideration the question as to just the point where it should go.

Mr. MANN of Illinois. Then I take it that the committee, in its wisdom, having decided that $275,980 was necessary for the purposes of this paragraph, then decided that they would take $25,000 of the necessary sum away and use it somewhere else. I have no complaint. I know these things frequently happen in committees, utterly regardless of logic.

Mr. HAUGEN. Let me state what was done: The committee in going over the estimates agreed upon $275,980. When we were about to report the bill the matter of sending representatives to South America was discussed, and it was decided that we ought to set aside $25,000 for that purpose. The committee decided, however, not to appropriate an additional $25,000 to be used for this purpose, but to take the amount out of one of the larger items that we had agreed upon, and as a result the proviso was added to this item. We thought this work was of so much importance that we should set aside $25,000, even if it would amount to a reduction of the item to which it was added.

Mr. MANN of Illinois. I ask unanimous consent, Mr. Chairman, to withdraw my amendment, knowing that I have no chance.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

To make investigation relating to the transportation, storage, preparation, marketing, manufacture, and distribution of agricultural food products, including the extent, manner, and methods of any manipulation of the markets or control of the visible supply of such food products, or any of them, by any individuals, groups, associations, combinations, or corporations, $45,620.

Mr. MOORE of Virginia. Mr. Chairman, I offer an amendment to strike out "$45,620," on page 83, line 23, and substitute "$50,000."

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Virginia: Page 83, line 23, strike out "$45,620" and insert in lieu thereof "$50,000."

Mr. MOORE of Virginia. Mr. Chairman, this paragraph refers, among other things, to the distribution of agricultural food products. The other day, early in the discussion of the bill, the gentleman from Illinois [Mr. MADDEN] volunteered a reference to one of the methods of distribution, namely, the motor-truck service, and stated in that connection that the service had not resulted in putting the producer in direct contact with the consumer, not even to the extent of a single pound. I thought my friend must be in error, and I made an inquiry of the Fourth Assistant Postmaster General. I now have a very brief letter from that official, which I desire to have read in my time by the Clerk.

The CHAIRMAN. Without objection, the letter referred to will be read.

There was no objection.

The Clerk read as follows:

POST OFFICE DEPARTMENT,
FOURTH ASSISTANT POSTMASTER GENERAL,
Washington, February 7, 1920.

Hon. R. WALTON MOORE,
House of Representatives.

MY DEAR MR. MOORE: In compliance with your telephonic request for information relative to the accuracy of the statement that appears on page 2585 of the CONGRESSIONAL RECORD of February 6, 1920, and which reads as follows:

"I wish to say, as a member of the Post Office Committee, having made a thorough investigation, * * * that I can give the gentleman absolute assurance that not one single pound of farm product has ever reached the ultimate consumer directly, except it may be some one in the Post Office Service. * * *"

I submit herewith a list of the names and addresses of approximately 1,000 ultimate consumers, domiciled in Washington and elsewhere, few if any of whom are in the Post Office Service, who have each received more than 1 pound of farm products direct from the producer thereof at prices from 10 to 60 per cent below that which they would have had to pay for the same product on the same day upon which it was delivered by parcel post.

This list is limited to only a fraction of those who actually have been supplied, any of whom I suppose could be called upon to confirm the fact that the cost of living had been slightly reduced to them.

I am pleased to substantiate Congressman MADDEN'S declaration as set forth on page 5286, as follows:

"Some facilities must be furnished by somebody somewhere to meet the demands for the distribution of the products of the labor of the land."

And I can patiently await the day when that "somebody somewhere" will be the postal employee in the Postal Service everywhere, who will be authorized and used to supply the demand for distribution through the only competent instrumentality therefor that is already established, already available, already in existence in the country.

It may require some time to remove the restrictions (particularly the present basis of compensation of rural carriers and the use of motor-propelled vehicles) which prevent the postal enterprise from performing its full function of service to the people, but they will be removed, and I trust that it then will be made a matter of record that, whether as a dreamer or not, I have endeavored to present at this time a definite, specific program or remedy.

Yours, very truly,
JAMES I. BLAKSLEE,
Fourth Assistant Postmaster General.

Mr. MOORE of Virginia. Mr. Chairman, I do not care about having the list of 1,000 consumers, which is attached to the letter, go into the RECORD, unless the committee desires it. That list will be found to include several Members of Congress, so that there are not only outside witnesses but witnesses here in this Chamber, if anybody desires to consult them.

I now withdraw the amendment.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, I want to take the other side on the amendment. I think Mr. Blakslee confirms the statement I made on the occasion to which he referred, for he admits in his letter that most of the people, at least, were postal employees.

Mr. CONNALLY. No; he does not admit that.

Mr. MADDEN. Yes, he does. I am making this speech, and I assert now again that no person ever received any food product through the truck service conducted under Mr. Blakslee's direc-

tion unless it was either the postal employees or somebody who had influence enough with the Post Office Department to enable them to get the products and have discrimination practiced in their favor through the elements that control the truck service in the Post Office Department.

It is true that they had some cooperative organization in the District of Columbia to which supplies were delivered. It may well be that through this cooperative organization they could select the names of a thousand people to whom distribution could be made or would be made or was made; but I still contend that no food supply was delivered direct, except under the circumstances I have named before and again name now, and that whatever was delivered, even though it may have been delivered to the consumer for less than it could have been purchased elsewhere for, was delivered at the expense of the Federal Treasury. If 1,000 people had food products delivered, it cost the Government $300 for each person served.

Mr. BEE. Mr. Chairman——

Mr. MADDEN. I do not yield.

Mr. BEE. I suppose not.

Mr. MADDEN. And if the Members of Congress who have already received supplies through the truck service had sufficient influence with Mr. Blakslee to get deliveries made to them, then I am sorry that such a practice was permitted to be inaugurated or to exist, because the last of all the people in the United States who need the interposition of the Government in their individual living costs are Members of Congress who are drawing large salaries. The statement made by Mr. Blakslee to justify the organization which he calls upon the Treasury to make large appropriations for annually was that he would be able to deliver food supplies to the consumer. Now, he is willing to admit in his statement that no such deliveries were made except to a selected few in the District of Columbia, some of whom are Members of Congress. That is a nice statement to go to the public as an argument for economy in the expense of living. I assert without fear of successful contradiction that there has been no reduction in the cost of living anywhere as the result of any governmental expenditure, but on the other hand that every Government expenditure made simply adds by the amount of that expenditure to the cost of living, and that the time is not here now and it will not be, though Mr. Blakslee may dream about it, when the Post Office Department will be permitted to enter upon a campaign to drain the Treasury dry in order that he may be able to serve a few influential people, including Members of Congress, with food at Government expense. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired. Without objection, the pro forma amendment will be withdrawn.

Mr. McLAUGHLIN of Michigan. I wish to offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 83, line 18, strike out the word "manufacture."

Mr. McLAUGHLIN of Michigan. Mr. Chairman, this is the Bureau of Markets, and we are providing for investigating market methods. This item as it stands would improperly, I believe, authorize an investigation of the "manufacture" of all food products. When the Chief of the Bureau of Markets was before the committee I asked him if that language was not too broad, and if he thought he has authority to investigate, or if it is within the purview of the Bureau of Markets to investigate, the manufacture of food products; he said "No," and that he thought the word "manufacture" might very well be omitted from the bill.

I have the Book of Estimates before me, and I have a memorandum to the effect that that word is to be stricken out. My recollection is that the committee decided to strike it out. Evidently there is some difference of opinion about it, although I think those who arrive at a conclusion different from mine are not correct.

Mr. HAUGEN. Mr. Chairman, as stated by the gentleman from Michigan, this item received a good deal of consideration, the word "manufacture" was discussed, the committee passed the item, and later returned to the item, and approved the insertion of the item in the bill without discussing the word "manufacture" further. I do not believe any member of the committee is very much interested in it one way or the other.

Mr. GARD. Mr. Chairman, the gentleman from Illinois [Mr. MADDEN], who is the leader of the steering committee on the majority side, it has been asserted, is always loud in his opposition of anything of benefit to the farmer, and it is apparent that he now carries his opposition to the welfare of the consuming class of people, since he finds fault with the letter written by the Fourth Assistant Postmaster General in reference to direct supplies of farm products to the consumer in the city of Washington through the medium of the truck service and the parcel post.

Mr. MADDEN. I did not make objection to the parcel post. My objection is to the trucks. The gentleman should quote me accurately.

Mr. GARD. I certainly desire to quote the gentleman accurately, since it has been asserted what his attitude is, and I think his attitude is very generally understood on the floor and throughout the country. But his interpretation of the letter of the Fourth Assistant Postmaster General is not correct, since the letter in express language says that he appends a list of approximately 1,000 ultimate consumers domiciled in Washington and elsewhere, "few, if any, of whom are in the Post Office service."

To show the extent of the Post Office service—and it is a most excellent service, despite what the gentleman from Illinois has said—I call his attention to this long list of people, including Members of Congress, who certainly are interested in living conditions here. The gentleman from Illinois fortunately has so much of the world's means at his command that he is not as interested as are those of us who have more modest incomes.

Mr. MADDEN. Will the gentleman yield?

Mr. GARD. Certainly.

Mr. MADDEN. I did not have sufficient influence with the Post Office Department to get them to notify me when the truck was coming around to deliver goods at Government expense. Perhaps the gentleman has.

Mr. GARD. It was entirely open to the gentleman to do so had he so chosen. I desire to say that in the list which I have, handed me by the gentleman from Virginia [Mr. MOORE], I note the name of Representative RAMSEYER, of Iowa, who received some goods in this way. I note the name of Representative KELLY of Pennsylvania, who has received supplies through the truck service. I note the name of Attorney General Palmer and of Representative STEVENSON and of the gentleman from Kentucky [Mr. ROUSE] and others who are interested in having supplies brought directly to them.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. GARD. I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. GARD. If the gentleman from Illinois had displayed the same energy in soliciting the truck service to bring him supplies that the Chairman of the Committee of the Whole displays in demolishing the gavel, I am sure he would have had the benefit of this service. Everybody knows that here in Washington prices to the ultimate consumer have been higher than any other place in the United States; and I can say that only yesterday, from down here within the 50-mile zone in Maryland, I got 3 dozen fresh eggs in a case, for 60 cents a dozen, that were delivered through the truck service, and came to my place of residence in the city of Washington; and the price of 60 cents a dozen is 14 or 15 cents cheaper per dozen than the price at any store in Washington where I have been able to buy eggs.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. GARD. Certainly.

Mr. MANN of Illinois. Will the gentleman tell us how he did it, because we are all interested?

Mr. GARD. I can do it readily.

Mr. CANDLER. Let me say that a gentleman told me this morning that he paid $1.05 a dozen for eggs.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SAUNDERS of Virginia. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio may have one minute more to tell the gentleman from Illinois how he did it.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that the gentleman from Ohio may have one minute more to tell the gentleman from Illinois how he did it. Is there objection?

Mr. MADDEN. I object.

Mr. GARD. If I can not tell the gentleman publicly, I will tell him privately.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out the last word. I hope the gentleman from Ohio will tell us how he did it.

Mr. GARD. I saw published in the Washington newspapers some several months ago an item to the effect that the truck service was to be inaugurated that would send articles of merchandise like eggs, potatoes, butter, dressed chickens, and things of that kind to the consumer which could be purchased through the Post Office Department from farmers in the sur-

rounding country. I called in person at the Post Office Department——

Mr. MANN of Illinois. Whom did the gentleman call on?

Mr. GARD. The First Assistant Postmaster General. I was told that there was a department in the Post Office Division that was taking charge of the matter. I went there and told them what I wanted, and said I would be pleased to get in correspondence with some one within the 50-mile zone who might furnish me with a limited supply, according to my necessities and my capacity to pay. The name of a man was given me at Cooksville, Md. I wrote a letter asking him if he could send me the supplies. He wrote that he could. I bought an egg crate, sent it by parcel post, and this man returned it to me filled. I returned him a postal order in payment therefor. That in brief is the system of acquiring eggs. [Laughter and applause.] I commend it to the gentleman and all other persons who wish to reduce the high cost of living, or at least to take advantage of this service directly from the producer to the consumer, which is so well being carried on by the Post Office Department.

Mr. MADDEN. The gentleman did not get his supplies through the truck service at all; he got them through the parcel post, with a Government agent acting as salesman for the man who had the stuff to sell.

Mr. GARD. All I have to say is that unless the truck had brought them in I would not have got the eggs.

Mr. MADDEN. They came in on the train.

Mr. GARD. No; they came in on a truck.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The question is on the amendment of the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last word. I notice that a part of this appropriation is for the purpose of enabling the bureau to investigate the manipulation of markets and the control of visible supplies. What do they propose to do with the information when they get it? My general criticism behind that inquiry is that we have too much investigating, too much study, too much accumulation of information. What we want and what we need is the application of the information we already have. I was wondering what they were going to do with it.

Mr. HAUGEN. The work is in connection with the Market Service. It is, of course, distributed the same as other information collected by this bureau. The item is broad, you will note.

Mr. SUMNERS of Texas. If they find that a market is being manipulated, what are they going to do about it?

Mr. HAUGEN. They will distribute the information through the same channels as other information obtained. They had investigations of stockyards when they were under the license system. As a result of the information obtained they revoked the license.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Enforcement of the United States cotton-futures act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States cotton-futures act, as amended March 4, 1919, including all expenses necessary for the purchase of equipment and supplies; for travel; for the employment of persons in the city of Washington and elsewhere; and for all other expenses, including rent outside of the District of Columbia, that may be necessary in executing the provisions of this act, $142,611: *Provided*, That the amendments to said act contained in section 6 of the act of March 4, 1919 (Public, No. 348, 65th Cong.), are hereby recognized and declared to be permanent legislation.

Mr. MANN of Illinois. Mr. Chairman, I reserve a point of order on the paragraph. I notice that this paragraph refers first to the cotton-futures act as amended March 4, 1919, and then there is a proviso that the amendments to said act in section 6 of the act of March 4, 1919, are hereby recognized and declared permanent legislation. I do not recall the provisions in section 6 of the act of March 4, 1919. I judge from this that there were some temporary amendments to the cotton-futures act.

Mr. HAUGEN. The amendments to the cotton-futures act referred to were carried in the wheat price guaranty act of March 4, 1919. That act expires this year. The contention is that inasmuch as the act in which the amendments are carried is war-time legislation and expires during this year, the question might also be raised as to the amendments carried therein, also expiring with the act. In the opinion of the committee that was not the intention of Congress at the time the amendments were enacted. To remove any doubt as to the intention of Congress we inserted this provision.

Mr. MANN of Illinois. There is no such thing as permanent law. The bill provides that the amendments in said act are hereby recognized and declared to be permanent legislation. There is no such thing as permanent legislation. If a law is passed, it is law.

Mr. HAUGEN. The gentleman does not object to this?

Mr. MANN of Illinois. I think where you want to enact legislation you ought to set it out not by recognizing something that is not a law and say we declare that to be permanent legislation. Nobody can tell what the law is if we get into a habit of that kind. There are two or three places in the bill where that sort of legislation is proposed.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Certainly.

Mr. HAUGEN. Mr. Chairman, the committee contemplated exactly what the gentleman has called attention to, but the contention was that if the amendments were set out in full and reenacted it would open up the question as to the merit of the amendments and might open up a lengthy and indefinite discussion and possibly further amendments to the act which the committee did not wish to take up during the discussion of this bill on account of the limited time allowed. It was the thought of the committee that the simplest and most expeditious way of handling the matter was to insert this proviso suggested by the department. We thought it unnecessary at this time to discuss the cotton futures amendments, although I think that act can be improved upon, and I would like to see it amended so as to make it more effective, so that it would mean something more to the cotton grower. However, that is neither here nor there now. If we are to amend the act, I think the amendments should be reported to the House in a separate bill—not attached to the appropriation bill. This proviso is merely to declare the intention of Congress as to the amendments that were carried in the wheat-guaranty act. The Agricultural Committee reported that act, and I do not doubt but that every member of the committee intended at the time the amendments were enacted that they should be permanent law, as indicated in this proviso. It is merely to clarify the amendments.

Mr. MANN of Illinois. Of course, it would have been subject to the point of order just as this proviso is. I frequently have sympathized with the efforts of gentlemen to enact legislation without letting the House know what it was, for fear they would amend it or change it, and I have helped more than once to enact legislation, endeavoring in that way to keep the House from amending it, and yet, on the whole, I have never tried to pass language saying that such and such a thing is permanent legislation by a mere reference to another statute. I do not think it is the proper method of legislation. It is for the House to determine, and if the gentleman wants to make it into permanent law it is for the House to determine whether it shall be so amended or not.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. YOUNG of Texas. Mr. Chairman, I move to strike out the last word——

Mr. MONDELL. Is the gentleman going to discuss the point of order?

Mr. YOUNG of Texas. I want to explain——

Mr. MONDELL. The point is going to be made, and why at this late hour, on the eighth day of the discussion of this bill, should we discuss a matter that is not going to be in the bill?

Mr. YOUNG of Texas. I am going to make an explanation and then ask the gentleman to withdraw the point of order.

Mr. MONDELL. If the gentleman does withdraw it, I am going to make it.

Mr. YOUNG of Texas. If the gentleman wants to destroy a great industry by doing that, he can go ahead and do it. He has the power to do it, and if that is his method of doing business, he may proceed.

Mr. MONDELL. Oh, the gentleman knows perfectly well——

Mr. YOUNG of Texas. And when the gentleman is doing it he is playing into the hands of the New York Cotton Exchange.

Mr. MONDELL. I am not destroying any industry or hurting any industry.

The CHAIRMAN. Does the gentleman from Illinois make the point of order?

Mr. MANN of Illinois. I make the point of order against the proviso.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SUMNERS of Texas. Mr. Chairman, I want to direct the attention of the committee to what is being done under this section of the bill. At this time the Department of Agriculture is grading, in the first instance, cotton tendered on the New York and the New Orleans Cotton Exchanges. The gentlemen of the committee will recall that in my discussion of this bill under general debate, in which discussion I suggested to the House the character of marketing machinery necessary under our present circumstances, I stated to you gentlemen that prac-

tically everything advocated by me had received legislative sanction. We have already had under consideration those items in this appropriation bill dealing with the standardization of farm products, and you gentlemen are aware that time and again we have given legislative sanction to this procedure by the standardization of many of our agricultural products. That is the first proposition insisted upon by myself and is the first provision in the bill which I introduced first in 1914. In this item of legislation under consideration we recognize the economic necessity of exchanges for agricultural products. That is the second item in the bill which I introduced in 1914, or, rather, I should say that the second provision in the bill has to do with the establishment of farm-products exchange. And in this item, as stated, we provide for the intermediary supervision and inspection of commodity by the Government. These are the three chief features of the bill referred to, and in this bill before us we carry items of appropriation for an advisory dispatching service of commodities moving to market.

It is unfortunate, in my judgment, that legislative recognition of the principle of the bill referred to has come in this disconnected way, because the failure to properly relate and properly coordinate these various governmental activities prevents the satisfactory operation of any of them.

I am directing the attention of the committee now to these facts chiefly for the reason that there have been Members of the House disposed to regard the plan suggested by myself as being visionary and impracticable. While I appreciate the legislative recognition of the principles of the bill which I have introduced, I do not agree with the method of application. Take this particular item, for instance. Here we have an activity of the Federal Government dealing with the sale and distribution of cotton. That activity is located at the two great future markets of the country. Instead of having this activity located there, I am insisting that it should be located along the line of a natural movement of cotton, moving in the channels of legitimate commerce, so that producers and consumers of cotton could have the benefit of this service instead of the benefit being limited entirely to those who engage in transactions on the "future" boards in this country.

As a matter of fact, gentlemen, it is absurd to regard the New York and the New Orleans Cotton Exchanges as produce exchanges through which cotton may move naturally in commercial transactions. I make the statement without fear of contradiction that the deliveries, especially under New York contract, are not transactions taking place in the normal movement of cotton to consuming markets. It is not necessary to go into an analytical discussion of the transactions had on these exchanges to establish this fact. In order for cotton to be delivered on a New York contract it must be shipped into the city of New York and carried to one of the warehouses recognized by the New York Cotton Exchange. There it is sampled, classified, and certificated. We all know that the cotton crop moving to the consuming markets moves along many avenues of physical transportation. Relatively little, if any, commercial movement would be through the warehouses of New York City. This expense creates a commercial differential against transactions on this exchange which makes it unworkable as a general cotton exchange, through which a large part of the crop could normally move. In the second place, it is a fairly accurate general statement to say that a cotton mill will not use more than the three grades of cotton. The contract dealt in on these exchanges is, as the gentlemen understand, upon a basic grade, and delivery upon any contract may be consummated by the delivery of any or all of a large number of grades.

In so far as the user of cotton is concerned, if the delivery is made out of the cotton which he does not spin, he had just as well have boots or wool or any other commodity which he can sell delivered to him, because he would have to find a buyer for what he received. Everybody knows this, and yet this inspection and classifying service, so much needed to facilitate legitimate transactions in cotton, is located at a place where normal, legitimate commercial transactions do not take place. I want this service which we have established put in operation, so that it may serve the legitimate purposes of actual commerce.

The Clerk read as follows:

Enforcement of the United States grain-standards act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States grain-standards act, including rent outside of the District of Columbia and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, $538,623: *Provided*, That section 6 of the said act is hereby amended, effective on and after the passage of this act, by striking out of the last sentence the words "made after the parties in interest have had opportunity to be heard."

Mr. HARRISON. Mr. Chairman, I make the point of order on the proviso.

Mr. MANN of Illinois. I make the point of order on the prosivo.

The CHAIRMAN. The gentleman from Virginia and the gentleman from Illinois make the point of order on the proviso. The Chair sustains the point of order.

The Clerk read as follows:

Completion of wool work: To enable the Bureau of Markets to complete the work of the domestic wool section of the War Industries Board and to enforce the Government regulations for handling the wool clip of 1918 as established by the wool division of said board, pursuant to the Executive order dated December 31, 1918, transferring such work to the said bureau, $15,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. I do this for the purpose of calling the attention of the Chairman and the committee to the way in which our sheepmen were treated by this very board in the handling of their wool under Government control in 1918. They were led to believe that they were to get a certain price for their wool when they knew they could get probably double the amount, but they realized that the country was engaged in war. They were patriotic. They immediately agreed to accept the price offered by the Government representatives. They understood that that was a definite, fixed price, so that every woolman in the country would know exactly what he was going to receive for his wool of a certain grade. Their clips of wool were placed in warehouses, and many of them drew no money on them at all. When the Government appraisers went around to these various warehouses, in some instances they were men sent out not in the interest of the Government particularly, not in the interest of the woolgrowers, but in the interest of the wool buyers, the manufacturers, if you please, of this country. While the price was agreed to be fixed at such an amount, yet such an unreasonable per cent was deducted for scouring that our sheepmen received in many instances only about half of what they had a right to expect they would receive under their agreement with the Government. Some of the most patriotic sheepmen of this country were virtually robbed out of their wool clips, in the growing of which many of them have gone into debt to such an extent that it took the greater portion of the proceeds to settle up; and their wool was held in warehouses for nearly a year before they could get a single cent on it, and when they did get money they got about half what they should have gotten under the agreement. Up to this time they have not been able to get any rectification from the successor of this board, that is now controlled by the Agriculture Department. I call the attention of the chairman and his committee to the fact that, in the interest of the woolmen all over the Southwest, something ought to be done on the part of this Government to see that they get a square deal, and get it promptly, under this provision of the bill.

Mr. HAUGEN. Let me suggest to the gentleman that certain profits were fixed, and the wool buyers charged larger profits. Those excess profits have been collected, and the money is in the Treasury, and that money is to be refunded to the woolgrowers.

Mr. BLANTON. When? It must be done promptly.

Mr. HAUGEN. It is in the power of the department.

Mr. BLANTON. Is the Agriculture Department going to deem this as a specific direction to take these claims up and settle them promptly? The Secretary should understand that he is empowered and instructed to do that. Will this committee so instruct this new Wool Division in the Agricultural Department?

Mr. HAUGEN. They have done that already.

Mr. BLANTON. I want to say that the woolmen of west Texas have become discouraged and are tired of waiting, and have not received any of it, and they have not had any promise of it, and have not even had a look-in on a square deal, because I have been with several of them to the department on this question.

Mr. ANDERSON. The very item that the gentleman is wasting his time on contemplates that very thing.

Mr. BLANTON. I wanted to be sure that the Agricultural Department would understand that these men are going to get a square deal.

The CHAIRMAN. The time of the gentleman from Texas has expired. The gentleman from Iowa rises in opposition to the pro forma amendment.

Mr. JONES of Texas. Mr. Chairman, I am interested in this wool proposition that has just been under discussion, and I wondered what steps the Bureau of Markets intended to take.

Mr. HAUGEN. The department, since the transfer of this work to it, has been collecting the money—the overpayments—and expects to return it to the rightful owners. There were excess profits charged during the war. Last year the work

of the domestic wool section of the War Industries Board was transferred to the Department of Agriculture, and the department is now collecting these excess profits and expects to distribute them to whom they rightfully belong.

Mr. MOORE of Virginia. I can give the gentleman a little information concerning the matter, which, however, may not be of particular value. I am informed that there has already been covered into the Treasury Department to the credit of the claimants about $250,000.

Mr. HAUGEN. I believe an amount considerably more than that.

Mr. JONES of Texas. How is the distribution to be determined?

Mr. MOORE of Virginia. The claims, I am informed, are in process of being considered. I can not tell you when the distribution is to be made, but, as I understand, the officials of the Agricultural Department expect it to be made at an early date.

Mr. HAUGEN. The gentleman is correct. The work may not be completed by the end of the present fiscal year, and for that reason the committee reports this small appropriation. The department did not estimate for it, but the committee thought that this amount of money should be available in order to carry on the work of distributing the excess profits collected if they have not been entirely distributed by the end of the present fiscal year.

Mr. JONES of Texas. One more question. Are these woolgrowers to be notified?

Mr. HAUGEN. I presume they are. That, of course, is an administrative matter for the department.

Mr. YOUNG of Texas. I think this ought to go in, in order to clear up the record. As a matter of fact, the Department of Agriculture had nothing to do with the fixing of the price of wool. That was an entirely different board, and the unfinished matter is being turned over to the department, and they have found the discrepancies and they are trying to straighten them out.

Mr. HAUGEN. That is correct. The domestic wool section of the War Industries Board was transferred to the Department of Agriculture a year ago. The department has merely been continuing the investigations of collections and distribution of the excess profits. As I stated, a large sum has been recovered to the credit of these people.

Mr. JONES of Texas. Are they making an investigation of the claims that have been filed or the whole matter?

Mr. HAUGEN. I understand they are investigating the whole matter.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. MORGAN having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On February 10, 1920:

H. R. 1812. An act making an appropriation to compensate James M. Moore for damages sustained while in the service of the Government of the United States;

H. R. 9112. An act authorizing the Secretary of War to loan Army rifles to posts of the American Legion; and

H. R. 10701. An act granting the consent of Congress to the Whiteville Lumber Co., Goldsboro, N. C., to construct a bridge across the Waccamaw River, at or near Old Dock, county of Columbus, N. C.

On February 11, 1920:

H. R. 348. An act to add certain lands to the Ochoco National Forest, Oreg.;

H. R. 4382. An act to confer on the Court of Claims jurisdiction to determine the respective rights of and differences between the Fort Berthold Indians and the Government of the United States;

H. R. 8028. An act to add to the Oregon, Siuslaw, and Crater National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States, and for other purposes;

H. R. 8598. An act restoring to Amy E. Hall her homestead rights and providing that on any homestead entry made by her she shall be given credit for all compliance with the law on her original homestead entry and for all payments made on same; and

H. R. 1761. An act for the relief of the Farmers' National Bank of Wilkinson, Ind.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Salaries, enforcement of the insecticide act: One executive officer, $2,750; 1 executive assistant, $2,000; 1 clerk, class 3; 1 clerk, class 2; 4 clerks, class 1; 2 clerks, at $1,140 each; 2 clerks, at $1,000 each; 3 insecticide and fungicide inspectors, at $1,600 each; 2 clerks and sample collectors, at $1,000 each; 1 sample and storeroom custodian, $1,200; 1 laboratory helper, $840; 1 laboratory helper, $720; 1 laboratory helper, $600; 1 unskilled laborer, $600; 1 unskilled laborer, $480; 2 messenger boys, at $480 each; 1 messenger boy, $360; 2 charwomen, at $480 each; in all, $30,350.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to strike out the last word. I desire to ask unanimous consent to extend my remarks by including and making a part of the same a letter to me from the commissioner of agriculture of the State of Virginia, relating to the reduction in the appropriation for various crop estimates now furnished by the Department of Agriculture. The commissioner is very apprehensive of the result of this reduction upon the prices of apples in my State. Virginia is the third largest apple-producing State in the United States. The relative standing of these three States in 1919 is as follows: Washington, 2,975,000 barrels; New York, 82,975,000 barrels; Virginia, 6,480,000 barrels. The commissioner is very apprehensive of the effect——

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend his remarks by including a letter from the commissioner of agriculture of his State relative to the Bureau of Crop Estimates. Is there objection? [After a pause.] The Chair hears none.

The following is the letter referred to:

COMMONWEALTH OF VIRGINIA,
DEPARTMENT OF AGRICULTURE AND IMMIGRATION,
Richmond, February 9, 1920.

Hon. E. W. SAUNDERS,
Washington, D. C.

MY DEAR SIR: I have been informed that the Agriculture Committee in the House, of which Hon. GILBERT N. HAUGEN is the chairman, I believe, proposes to reduce the appropriation to the Bureau of Crop Estimates, which will necessitate a discontinuance of the commercial crop report on apples and peaches to the fruit growers of the country.

This report is the only source of reliable information the farmers have been able to get to protect themselves against false reports circulated over the country at picking time. Every year buyers report heavy crops somewhere; that the market will be glutted, etc., and fruit growers sell below value on this account. I believe the service rendered by this report has saved the fruit grower on an average of $1 per barrel in the sale of his crop.

You can do nothing to help the fruit grower more in his work than to secure ample appropriation for this purpose, which I hope will meet with your approval.

With best wishes.

Very truly, yours,

G. W. KOINER,
Commissioner.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to place in the RECORD a communication I have received from Mr. Morton, who is president of the Order of Railway Agents of the United States.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks by inserting a letter from Mr. Morton, president of the Railway Agents of the United States.

Mr. MADDEN. Reserving the right to object, I would like to ask the gentleman what it is about.

Mr. BLANTON. It is about the contentions that are being made before the President at this time.

Mr. NOLAN. I object, Mr. Chairman.

Mr. BLANTON. This is not a union matter. I guess the reason the objection was made was because the gentleman thought it was.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

To enable the Secretary of Agriculture to carry into effect the provisions of the act of August 20, 1912, as amended, entitled "An act to regulate the importation of nursery stock and other plants and plant products; to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests; to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes," $100,450.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out the last word. I notice the bill increases the appropriation from $37,400, the amount in the current law, to $100,450. This is such a marked increase, when most of the items of the bill have been carried at a decrease, that I beg to ask the gentleman in charge of the bill the reason for it.

Mr. HAUGEN. As stated in the report, it is to develop a port inspection service for the purpose of cooperating with officials of the Customs Service and with State officials. The department is now enforcing 14 quarantines prohibiting or restricting the entry of foreign plants, fruits, and plant products. It is also enforcing seven orders restricting the entry of additional

foreign products. These quarantines are being enforced in cooperation with the Customs Service. It is additional work, and upon the showing made by the department the committee thought that at least $100,450 should be reported. The estimate called for $145,450. So the amount carried here shows a cut of $45,000 under the estimates. It is very important work.

Mr. MANN of Illinois. I would like to get the information which I presume the gentleman from Iowa or some other member of the committee has. It certainly is not in the report. At present all the nursery stock and florists' stock which is imported at all is imported in very restricted quantities, and has to be brought to the city of Washington for examination by the Federal Horicultural Board. Now, do I understand this appropriation will be sufficient to permit the establishment at the port of entry itself or at various ports of entry of a force which can examine the stock as it comes in there, instead of requiring them to bring it to Washington?

Mr. HAUGEN. That is what it is proposed to do with the increase. As stated in the report, that is in cooperation with the Customs Service.

Mr. MANN of Illinois. That is not very satisfactory information. Here is the present situation: Under the plant quarantine order, which prohibits the importation of nearly all plants, the importation of some plants in small quantities is allowed. That all now has to be brought to Washington and inspected here and passed on by the board of inspectors. Of course, frequently that involves practically a destruction of the property, because to bring it through the port of entry and bring it to Washington, and after it has been examined here send it on to some other place in the country, the time and trouble involved is considerable, and besides the damage to the stock is also very large. Now, I want to know if this item contemplates the establishment of an inspection service at some of the ports of entry?

Mr. HAUGEN. It has become apparent that the port inspection service of the department, already undertaken in a limited way, should be greatly strengthened, exactly as stated in the report. It is to strengthen and establish the port inspection service.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

Mr. TREADWAY. Mr. Chairman, I intend to make a point of order against this whole section following; and in order to save time in reading two pages, why can not the point of order be made now?

Mr. HAUGEN. It is conceded that it is subject to a point of order.

Mr. TREADWAY. I make the point of order on the paragraph.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That the plant quarantine act, approved August 20, 1912 (37 Stat., p. 315), be, and is hereby, amended by adding at the end thereof the following section:

"SEC. 15. That in order further to control and eradicate and to prevent the dissemination of dangerous plant diseases and insect infections and infestations no plant or plant products for or capable of propagation, including nursery stock, hereinafter referred to as plants and plant products, shall be moved or allowed to be moved, shipped, transported, or carried by any means whatever into or out of the District of Columbia, except in compliance with such rules and regulations as shall be prescribed by the Secretary of Agriculture as hereinafter provided. Whenever the Secretary of Agriculture, after investigation, shall determine that any plants and plant products in the District of Columbia are infested or infected with insect pests and diseases and that any place, articles, and substances used or connected therewith are so infested or infected, written notice thereof shall be given by him to the owner or person in possession or control thereof, and such owner or person shall forthwith control or eradicate and prevent the dissemination of such insect pest or disease and shall remove, cut, or destroy such infested and infected plants, plant products, and articles and substances used or connected therewith which are hereby declared to be nuisances, within the time and in the manner required in said notice or by the rules and regulations of the Secretary of Agriculture. Whenever such owner or person can not be found, or shall fail, neglect, or refuse to comply with the foregoing provisions of this section, the Secretary of Agriculture is hereby authorized and required to control and eradicate and prevent dissemination of such insect pest or disease and to remove, cut, or destroy infested or infected plants and plant products and articles and substances used or connected therewith, and the United States shall have an action of debt against such owner or persons for expenses incurred by the Secretary of Agriculture in that behalf. Employees of the Federal Horticultural Board are hereby authorized and required to inspect places, plants, and plant products and articles and substances used or connected therewith whenever the Secretary of Agriculture shall determine that such inspections are necessary for the purposes of this section. For the purpose of carrying out the provisions and requirements of this section and of the rules and regulations of the Secretary of Agriculture made hereunder, and the notices given pursuant thereto, employees of the Federal Horticultural Board shall have power with a warrant to enter into or upon any place and open any bundle, package, or other container of plants or plant products whenever they shall have cause to believe that infections or infestations of plant pests and diseases exist therein or thereon, and when such infections or infestations are found to exist, after notice by the Secretary of Agriculture to the owner or person in possession or control thereof and an opportunity by said owner or person to be heard, to destroy the infected or infested plants or plant products contained therein. The police court or the municipal court of the District of Columbia shall have power, upon information supported by oath or affirmation showing probable cause for believing that there exists in any place, bundle, package, or other container in the District of Columbia any plant or plant product which is infected or infested with plant pests or disease, to issue warrants for the search for and seizure of all such plants and plant products. It shall be the duty of the Secretary of Agriculture, and he is hereby required, from time to time, to make and promulgate such rules and regulations as shall be necessary to carry out the purposes of this section, and any person who shall move or allow to be moved, or shall ship, transport, or carry, by any means whatever, any plant or plant products from or into the District of Columbia, except in compliance with the rules and regulations prescribed under this section, shall be punished, as is provided in section 10 of this act."

Mr. MADDEN. Mr. Chairman, I think we have read far enough on this to disclose the fact that it is subject to a point of order.

The CHAIRMAN. The Clerk will complete the reading of the paragraph. The Chair thinks that the paragraph should be read entire. It is somewhat different from an amendment offered on the floor.

The Clerk read as follows:

And not to exceed 10 per cent of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 10 per cent shall be added to any one item of appropriation except in cases of extraordinary emergency, and then only upon the written order of the Secretary of Agriculture.

Mr. TREADWAY. Mr. Chairman, I make a point of order against the paragraph.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

MISCELLANEOUS.

Demonstrations on reclamation projects: To enable the Secretary of Agriculture to encourage and aid in the agricultural development of the Government reclamation projects; to assist, through demonstrations, advice, and in other ways, settlers on the projects; and for the employment of persons and means necessary in the city of Washington and elsewhere, $30,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. TREADWAY. I would like to inquire, Mr. Chairman, about the item at the bottom of line 9, page 89. The aggregate amount carried is $135,750. On page 92, line 7, the total of the item is $169,050. It would therefore appear to be that something like $34,000 is carried in order to enforce the paragraph which has been stricken out. If that is correct, we certainly ought to reduce the appropriation by the amount of that $34,000.

Mr. MANN of Illinois. It is $33,300 carried under the heading of "Salaries, Federal Horticultural Board." That is in addition to $35,750 for general expenses. The salaries under the Federal Horticultural Board are not on the item for the general expenses. They are on the statutory roll.

Mr. TREADWAY. According to the copy of the bill I have, there is no item between this $135,000 item and the $169,050 item except the one paragraph stricken out.

Mr. MANN of Illinois. On page 88, lines 4 to 12, the gentleman will find in his copy of the bill a paragraph for salaries on the statutory roll. That is not counted under the head of "General expenses."

Mr. TREADWAY. Not in this item, on page 89?

Mr. MANN of Illinois. No. It is not carried under the head of "General expenses."

Mr. TREADWAY. There is no actual appropriation for the paragraph that has been stricken out?

Mr. MANN of Illinois. No. The paragraph stricken out was an amendment of the law.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Experiments in dairying and live-stock production in semiarid and irrigated districts of the western United States: To enable the Secretary of Agriculture to conduct investigations and experiments in problems connected with the establishment of dairying and meat-production enterprises on the semiarid and irrigated lands of the western United States, including the purchase of live stock, and the employment of necessary persons and means in the city of Washington and elsewhere, $30,000.

Mr. CANDLER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Mississippi moves to strike out the last word.

Mr. CANDLER. Mr. Chairman, this provision is "to enable the Secretary of Agriculture to conduct investigations and experiments in problems connected with the establishment of dairying and meat-production enterprises on the semiarid and irrigated lands of the Western States, including the purchase of

live stock." In this connection the other day, when the gentleman from Ohio [Mr. GARD] called attention to that great hog which had been produced in his State, I reminded him of the fact that a remarkable product of that kind had been raised in my district in the State of Mississippi by Mr. Sim Orr. This has attracted some attention, and I hold in my hand a letter from Mr. James R. Joslyn, editor of the Empire News, at Geneva, N. Y., dated February 10, 1920, which is as follows:

GENEVA, N. Y., *February 10, 1920.*

Hon. E. S. CANDLER,
Washington, D. C.

DEAR SIR: Speaking of big hogs, Calvin A. Norton, of Groveland, Livingston County, N. Y., raised a hog that in the third year weighed over 1,400 pounds. His farm was next to that now owned and lived on by Senator WADSWORTH. I saw the hog repeatedly, and another remarkable thing about it was that it was the runt pig of the litter at first in its young life.

Very truly, yours, J. R. JOSLYN.

[Laughter.]

I commend the hog from Ohio and the one from Mississippi and this one from New York to you gentlemen from the Western States, and suggest that you might introduce these breeds of hogs into that country, and thus very greatly improve your meat product and increase it very much.

In this connection I wish to call attention to another product. I read:

THE FAME OF MISSISSIPPI CARRIED BY A POTATO.

Surely the fame of Mississippi is borne on the wings of many a sort of a messenger. Several weeks ago we printed a story of receiving a sweet potato from the Bank of Drew, Drew, Miss., weighing 13¾ pounds. This story has floated up and down the face of the earth, probably because we stated that the potato would feed one man a week, and such potatoes were a terrible blow to the high cost of living.

Now comes the China Press, printed in Shanghai, China, with a story of that famous potato on its editorial page.

The Commercial Appeal goes to Mr. C. D. Jordan, who is in Shanghai, and it is probable that Mr. Jordan showed the editor of the China Press that there were other great regions in the world and fertile valleys in the world outside of the Flowery Kingdom.

This item is a short editorial taken from the Commercial Appeal, the great daily newspaper of Memphis, Tenn., of which Hon. C. P. J. Mooney is the very able, versatile, and brilliant editor.

Now, if these arid and semiarid lands in the West will be utilized for the production of such hogs as are herein described and for the production of this variety of potato, it certainly would bring about great results, amply justifying the appropriation made in this provision of our bill. [Applause.]

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman allow me to interrupt him?

Mr. CANDLER. Yes, sir; with great pleasure.

Mr. MOORE of Virginia. May I add to the statement that the gentleman has made about the primacy of Mississippi in respect to the production of swine the figures given by the Agricultural Department of January 1, showing the progress of swine raising in Mississippi?

Mr. CANDLER. Certainly. I will be very glad to hear them.

Mr. MOORE of Virginia. This illustrates what is going on in Mississippi as well as the entire South. I read:

Statement of the estimate of the Bureau of Animal Industry, Department of Agriculture, showing the statistics with respect to hogs in the States mentioned, as of Jan. 1, of the years shown.

	1911	1915	1920
North Carolina	1,351,000	1,525,000	1,592,000
South Carolina	745,000	819,000	1,088,000
Georgia	1,873,000	2,042,000	3,165,000
Florida	867,000	949,000	1,588,000
Tennessee	1,499,000	1,501,000	1,946,000
Alabama	1,419,000	1,559,000	2,201,000
Mississippi	1,421,000	1,540,000	2,396,000
Texas	2,570,000	2,880,000	2,356,000
Total	11,745,000	12,815,000	16,332,000

Mr. CANDLER. I am very much gratified to have that report as to the progress of Mississippi in raising great hogs, and it is certainly very encouraging as to the whole South. May the good work go on to the great prosperity of our splendid farmers. [Applause.]

Mr. MANN of Illinois. What you raise is soft pork, and it is worth several cents a pound less, and that is because you will not get good stock.

Mr. CANDLER. We have a great deal of good stock and are getting more and more every year. The gentleman from Illinois is badly mistaken in suggesting that all we raise is soft pork. We produce a lot of high-class, splendid meat, and we have lots of most excellent thoroughbred registered stock.

The CHAIRMAN. The time of the gentleman from Mississippi has expired. The pro forma amendment is withdrawn.

The Clerk read as follows:

Eradication of foot-and-mouth and other contagious diseases of animals: In case of an emergency arising out of the existence of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious disease of animals which, in the opinion of the Secretary of Agriculture, threatens the live-stock industry of the country, he may expend in the city of Washington or elsewhere, out of any money in the Treasury not otherwise appropriated, the sum of $50,000, which sum is hereby appropriated, or so much thereof as he determines to be necessary, in the arrest and eradication of any such disease, including the payment of claims growing out of past and future purchases and destruction, in cooperation with the States, of animals affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstance, when such owner has complied with all lawful quarantine regulations: *Provided*, That the payment for animals hereafter purchased may be made on appraisement based on the meat, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any animal shall exceed three times its meat or dairy value, and except in case of an extraordinary emergency, to be determined by the Secretary of Agriculture, the payment by the United States Government for any animal shall not exceed one-half of any such appraisements: *Provided further*, That so much of the appropriation of $2,500,000 made by the Agricultural appropriation act of March 4, 1915, for the fiscal year ending June 30, 1916, for the arrest and eradication of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious disease of animals, as remains unexpended at the close of the fiscal year 1920, is hereby reappropriated and made available for expenditure during the fiscal year ending June 30, 1921, for the objects mentioned in said appropriation act, including necessary investigations to determine whether said diseases have been completely eradicated in districts where they previously existed.

Mr. HUDSPETH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HUDSPETH: Page 95, line 4, after the word "animals," insert the following: "including the blowfly and screw worm in live stock and poultry."

Mr. HAUGEN. Can the gentleman estimate the amount that will be required for the work proposed?

Mr. HUDSPETH. I am not seeking to increase the appropriation at all, but just including these words in the appropriation.

Mr. HAUGEN. Would the gentleman suggest a limit on the amount to be expended for this purpose?

Mr. HUDSPETH. I will let the chairman place that limitation. I will say that the Secretary of Agriculture can expend a portion of this sum for this purpose if these words are inserted, but it does not increase the amount.

Mr. HAUGEN. The gentleman wishes to leave it to the discretion of the Secretary? If so, I have no objection to that.

Mr. HUDSPETH. Yes. Mr. Chairman, the chairman of the Committee on Agriculture agrees to the amendment, and therefore I will not take the time of the committee any further in discussing it.

Mr. PURNELL. I will ask the chairman of the committee if the word "materials," in line 16, page 95, should be "animals"?

Mr. HAUGEN. No; it refers to contaminated materials.

Mr. PURNELL. The gentleman thinks that word is all right?

Mr. HAUGEN. Yes. "Materials" is correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. HUDSPETH].

The amendment was agreed to.

The Clerk read as follows:

To prevent the movement of cotton and cotton seed from Mexico into the United States, including the regulation of the entry into the United States of railway cars and other vehicles, and freight, express, baggage, or other materials from Mexico, and the inspection, cleaning, and disinfection thereof, $148,560; any moneys received in payment of charges fixed by the Secretary of Agriculture on account of such cleaning and disinfection at plants constructed therefor out of any appropriation made on account of the pink bollworm of cotton to be covered into the Treasury as miscellaneous receipts.

Mr. YOUNG of Texas. Mr. Chairman, I move to strike out all the language from line 4, beginning with the semicolon, the remainder of the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of Texas: Page 97, line 4, after the semicolon, strike out the remainder of the paragraph.

Mr. YOUNG of Texas. Mr. Chairman, I do not really mean to insist on the motion to strike out, but I do take advantage of that motion to raise this question: The pink boll worm crossed into our country from Mexico. It is a very threatening insect to the whole cotton industry. The Government has made rapid strides toward its destruction, but in trying to destroy this insect it has adopted the disinfection of all cars and of all commerce coming out of Mexico through Texas into the other parts of the United States. One of the regulations made by the Department of Agriculture is to charge all commerce, whether shoes or lumber, or commerce of any kind, with the expense of this disinfectant. Every car that comes out of Mexico is disinfected, and that commerce is charged up with the incidental expense. My judgment is that this remedy is

proper, that these cars should be disinfected, but although I do not know what to suggest as a remedy, I raise the question that it is unfair to commerce not related to the cotton industry, not related in any way to the pink boll worm, that this commerce shall be charged with the expenses of this disinfection. If that policy were generally pursued, then the Government could go to Galveston, New Orleans, San Francisco, New York, or any port where we are bringing in nursery stock or any kind of plant life that is liable to be infected with some insect, and could say that in order to see to it that none of these insects are brought into our country the Government will make all commerce passing through these ports stand disinfection charges. I do not think that is a correct practice. I do not know how it can be worked out, but I take advantage of this opportunity to suggest that it is a burden that general commerce ought not to be forced to stand.

Mr. LAYTON. What would you do with the money collected?

Mr. YOUNG of Texas. The point I make is this: If I were shipping cotton seed or cotton out of Mexico, which might be infected with this insect—which no one is allowed to do—then a shipper bringing that cotton across the line ought to be forced to stand the charges of disinfection; but if I were bringing shoes out of Mexico by the carload, if such a thing should happen, I as a shipper ought not to be forced to stand a charge against that kind of commerce when we are trying to destroy an insect that comes in with cotton.

Mr. LAYTON. Still I ask, What would you do with the money collected?

The CHAIRMAN. The time of the gentleman has expired.

Mr. YOUNG of Texas. I withdraw my amendment. I simply wished to raise the question.

The CHAIRMAN. The gentleman asks unanimous consent to withdraw his amendment. If there be no objection, he will be allowed to do so.

There was no objection.

Mr. RUBEY. I move to strike out the last word for the purpose of making a few remarks. We are just closing the consideration of the Agricultural appropriation bill, and I am one of those who believe that we ought to pay a few compliments to those who deserve them before they pass away; that we ought not to keep back all the flowers until after they are gone.

First, I want to compliment the gentleman who has presided over this committee [Mr. WALSH]. [Applause.] I want to say that he has made a most excellent Chairman, and that he has given careful consideration to every point of order and has rendered his decisions just as he conscientiously believed they should be rendered. He has been eminently fair and courteous to the membership upon both sides. I do not think we have had a better Chairman of any committee during this Congress than the gentleman who now presides over the Committee of the Whole House on the state of the Union. [Applause.]

I am not going to compliment the committee, because I happen to be a member of it, and I will let somebody else do that; but I want to say this, that the Committee on Agriculture during the last six weeks or nearly two months has done as much work as any Committee on Agriculture with which I have been connected. We have done a great deal of hard, digging work, and the committee, regardless of the estimate that may be put upon the result of its labors by the membership of the House, deserves to be complimented upon its industry.

Now, Mr. Chairman, I want to say something about the Department of Agriculture. We have had some criticism of that department, but after an experience of something like eight or nine years connected with this committee, and after coming in contact with the gentlemen in the Department of Agriculture, I believe that I am in a position to pass judgment, and I know that those gentlemen are doing splendid work, and that they ought to come in for a share of my compliments this afternoon.

I hold in my hand some statements giving brief character sketches of all of the heads of the various departments. These were furnished me at my own request and for my own information from the Secretary's office.

Let me say to you that there are men in the department who have been there a long time. I shall not mention names. One has been there since 1878. Several have been in the department 25 or 30 years. I could go through the list and tell you how long each of the chiefs of the departments has been there. As I said, one has been there since 1878, another since 1884, one since 1888, one since 1889, two since 1891, one since 1894, and two since 1897. They are there, my friends, because they love the work and not because of the salaries they get. These gentlemen are doing a great work for the advancement of agriculture and they should be encouraged and commended.

I want to call attention to another thing in that connection. Since last June a year ago, within the period of 18 months, 60 men, prominent in the Department of Agriculture, high salaried men, have left the department and gone into other fields of labor because the Government did not pay them enough money to enable them to stay there. The department is a great training school for the universities and for the big business industries of the country.

Mr. JACOWAY. Will the gentleman yield?

Mr. RUBEY. Certainly.

Mr. JACOWAY. Does not the testimony show that a large number of men have been offered higher salaries than they are getting from the Government but refused to leave?

Mr. RUBEY. The gentleman states a fact. One gentleman receiving less than $4,000 had an offer of $7,500 just a few days ago, and the only reason he did not accept it was because he was attached to the department, liked the work, and felt that he ought to stay there.

Now, I want to take up as an illustration the Bureau of Markets, one of the newest bureaus in the Department of Agriculture. In less than 18 months 14 of these employees have left who were drawing from the Treasury of the United States $41,400 a year. They are now receiving $101,500 a year. The combined salaries of the 14 men are $60,000 greater than the sums they were receiving from the Department of Agriculture. I mention this to show you the high class of men that are connected with our great Department of Agriculture. These gentlemen should receive the commendation of the Congress and the country. [Applause.]

Mr. CANDLER. Mr. Chairman, I move to strike out the last two words. I most heartily agree with everything said by the gentleman from Missouri [Mr. RUBEY] as to the distinguished gentleman [Mr. WALSH] who has so ably presided during the consideration of this bill, and also in what he has said in reference to the work done by the Agriculture Committee, as well as the splendid work done by the Department of Agriculture.

Mr. BLANTON. Mr. Chairman, if we are going to have these eulogistic speeches, we ought to have somebody here to hear them. I think we ought to have a quorum—that is, if there are to be many more of these speeches.

Mr. CANDLER. The gentleman from Texas takes up a great deal of time——

Mr. BLANTON. I represent 300,000 people.

Mr. CANDLER. The gentleman is entitled to as much time as I am and as much more as the House sees fit to give him.

Mr. BLANTON. If the gentleman does not want an audience, I will withdraw my suggestion.

Mr. CANDLER. The gentleman from Texas takes up so much time and then objects to anybody else taking up time. The gentleman suggests that I do not want an audience. I have a great audience, a most delightful audience, a very large audience, and a very intelligent audience. [Applause.]

The Department of Agriculture, as was suggested by the gentleman from Missouri, is doing a very remarkable work. The gentleman from Kansas [Mr. TINCHER], a few days ago, referred to the Secretary who had recently retired and had been transferred to the Department of the Treasury. When I came to Congress the Secretary of Agriculture was the Hon. James Wilson, from the State of Iowa. [Applause.] He served longer than any other man as Secretary of Agriculture, and I believe longer than any other man in a Cabinet position. He had the work of this great department at heart, and there never has been, nor will there be in the future, a greater Secretary of Agriculture than the Hon. James Wilson.

The gentleman who succeeded him as Secretary of Agriculture, Hon. D. F. Houston, made a great record and measured up to the highest standard, as I think all will bear testimony. His record has been such as to commend him to the country and to the President of the United States to such an extent that the President promoted him to be Secretary of the Treasury, and I now confidently predict he will make a great Secretary of the Treasury. [Applause.]

Now comes another Secretary, Hon. Edwin T. Meredith. I have not the honor of a personal acquaintance with him, and he has not been here long enough for us to make an accurate estimate of his ability or work as Secretary of Agriculture. He comes, however, from the same State as the Hon. James Wilson, who served so long, and from the same State as the distinguished chairman of the Agricultural Committee [Mr. HAUGEN], and I feel confident in assuring the House and the country that we have another great Secretary of Agriculture. [Applause.]

I called attention a few days ago to his first public utterance. It had the right ring to it, and showed a proper knowledge and conception of the situation and conditions existing in the country, and clearly indicated he was devoted to accomplishing results which would be of great benefit to the people at large.

There is no greater work than that connected with the Department of Agriculture and none of greater benefit to the people of the United States of America. The chiefs of the divisions and bureaus and the employees in the department deserve and should receive our best consideration. They are patriotic, faithful, and efficient, and many of them are willing to remain there, and do remain there, at a loss to themselves financially, as has been demonstrated many times, in order to serve their country. In our committee work there is one gentleman who always renders us very great assistance, and I think deserves special mention, and that is Mr. F. R. Harrison, assistant to the Secretary. [Applause.] He has a thorough knowledge of the department and of every detail of its work and activities. His cooperation with us and assistance to us each year in the preparation of the Agricultural appropriation bill and in furnishing information in reference thereto is of incalculable benefit. The Committee on Agriculture is one of the very greatest committees in the House, as everybody knows. Every Member on it is a splendid fellow, especially our chairman; and the committee does honest, faithful, and efficient work, and as a result always presents you a well-considered bill. We appreciate your cooperation, my fellow Members, in aiding us to pass this one, and we solicit your continued cooperation in the future, and all together we will render the country a great service. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CANDLER. Mr. Chairman, I ask unanimous consent to revise and extend these remarks and those previously made.

The CHAIRMAN. The gentleman asks unanimous consent to revise and extend his remarks and those previously made. Is there objection?

There was no objection.

Mr. MOORE of Virginia and Mr. MCLAUGHLIN of Michigan had leave to extend their remarks in the RECORD on the bill.

The Clerk read as follows:

Investigation and prevention of plant-dust explosions and fires: To enable the Secretary of Agriculture to cooperate with State officials, farmers, operators of cotton gins, grain mills and elevators, and other warehouses, manufacturers and operators of farm machinery, in investigating causes of and in developing and putting into general practice methods for protection against grain dust, smut dust, or other plant-dust explosions and resulting fires, including fires in cotton gins and oil mills; to devise and demonstrate methods for destroying or preventing the wide dissemination of smut spores; and to study the problems of cleaning and handling grain in thrashing machines, grain mills, and elevators, $25,000.

Mr. SNELL. Mr. Chairman, I make the point of order against the paragraph. It is new legislation and has no place in this bill.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard upon the point of order?

Mr. HAUGEN. Nothing more than to refer again to what has been so often referred to before—the organic law establishing the Department of Agriculture. It is pretty broad, and it appears to me that it would include this activity. It affects the farms and the elevators and the mills where the wheat is ground and the thrashing machines and various other activities. It is doing a very excellent work. The loss by fire has been very great.

Mr. JACOWAY. Mr. Chairman, I would like to ask the gentleman from New York whether he has read the testimony on this item?

Mr. SNELL. Yes; I have. And, furthermore, I would state that it is nothing but a duplication of work already done by insurance companies all over the country. There is no place for this item on this bill.

Mr. JACOWAY. The testimony shows that $3,000,000 worth of thrashing machines alone were saved by this item of $25,000.

The CHAIRMAN. The gentleman from New York makes the point of order to the paragraph. The paragraph is to enable the Secretary of Agriculture to cooperate with State officials in investigating causes and developing and putting into practice methods of protection against grain-dust explosions, and so forth. The Chair does not think this comes within the organic law establishing the Department of Agriculture. There is no authority there for cooperation for particular purposes with the States, and this seems to be beyond the scope of the act, although the act is very broad and general in its terms, as the Chair has heretofore stated. The Chair sustains the point of order.

Mr. HAYDEN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. HAYDEN: Page 99, after line 2, insert as a new paragraph:

"That during the Sixty-sixth Congress the members of the Committee on Agriculture of the House of Representatives, not less than five in number, are hereby authorized and empowered to conduct hearings and examine into the conduct and management of the Bureau of the Forest Service and other bureaus, branches, and agencies of the Department of Agriculture, at Washington, D. C., and elsewhere, and shall have and are hereby granted authority to subpœna witnesses, compel their attendance, administer oaths, and to demand and examine all books, documents, and papers relating to the business of such bureaus and their branches and agencies; and the sum of $15,000, or so much thereof as may be necessary, to be immediately available, is hereby appropriated for expenses incident thereto.

"Said committee is hereby authorized to employ such clerical and other assistance, including stenographers, as the members of said committee may deem necessary in the proper prosecution of its work."

Mr. BLANTON. Mr. Chairman, I make the point of order that the amendment is not in order.

Mr. HAYDEN. Mr. Chairman, will the gentleman reserve the point of order for a moment?

Mr. BLANTON. I think we ought to get along and get through with this bill. I make the point of order that it is new legislation.

The CHAIRMAN. Does the gentleman from Arizona desire to be heard upon the point of order?

Mr. HAYDEN. No.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Hereafter, if any employee of the Department of Agriculture assigned to permanent duty in Alaska, Hawaii, Porto Rico, Guam, and the Virgin Islands shall elect to postpone taking any or all of the annual leave to which he may be entitled, he may, in the discretion of the Secretary of Agriculture, subject to the interests of the public service, be allowed to take at one time in any calendar year unused annual leave which may have accumulated within not to exceed four calendar years immediately preceding and be paid at the rates prevailing during the year such leave has accumulated.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph. It is new legislation.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard?

Mr. HAUGEN. No.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk concluded the reading of the bill.

Mr. GARNER. Mr. Chairman, I notice that the last paragraph in the bill purports to give the total appropriation carried by the bill.

The CHAIRMAN. The Chair would state that the clerks have been authorized to correct the totals. The Chair would state that there are paragraphs on pages 9 and 25 which were passed over with the privilege of returning to them later.

Mr. HAUGEN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 9, after line 17, insert: "For the maintenance of stations for observing, measuring, and investigating atmospheric phenomena, including salaries, travel, and other expenses in the city of Washington and elsewhere, $81,020."

Mr. BLANTON. Mr. Chairman, I make the point of order that this is new legislation and is not authorized by law; that it introduces a new subject and is not germane to the preceding paragraph.

Mr. HAUGEN. Mr. Chairman, this paragraph went out on a point of order last Friday. Permission was granted to return to it. I am now offering the paragraph with the language to which the point of order was directed omitted, so as not to cripple the service. The appropriation of $81,020 carried in my amendment is the amount recommended by the committee and carried in the paragraph that went out on a point of order a week ago to-day.

The CHAIRMAN. The gentleman from Texas makes the point of order to the amendment offered by the gentleman from Iowa. The Chair would state that this amendment contains certain language of the paragraph which was formerly stricken out on a point of order. Clearly the language which has been omitted from the paragraph was subject to the point of order, and in the view of the Chair the language that has been retained for the maintenance of stations, for measuring and observing atmospheric phenomena, and so forth, including salaries, comes within the scope of the act of August 1, 1890 (26 Stat., 653), and the resolution of July 8, 1898 (30 Stat., 752), which established the Weather Bureau and defined the scope of its duties in forecasting the weather, investigating weather conditions, establishing weather stations, and in the distribution of information and the employment of a chief and other employees and fixing their salaries. The Chair therefore——

Mr. BLANTON. Mr. Chairman, I desire to call the attention of the Chair to the fact that this particular amendment now offered in order to be proof against the point of order must be germane to the paragraph immediately preceding it in the bill. It is not germane to that paragraph. I submit to the Chair that it is not as if it appeared in the bill originally coming from the Committee on Agriculture, but this is an amendment offered from the floor by a member of the committee and has no more force and standing than if it were offered by any

other Member of the House. It does introduce a new subject, and under the ruling of the distinguished gentleman from Connecticut [Mr. TILSON] on the subject of germaneness, when he occupied the chair as Chairman of the Committee of the Whole House on the state of the Union, I submit that this amendment is not germane to the paragraph immediately preceding by reason of the fact that it introduces a new subject.

The CHAIRMAN. The Chair would state that he has the very highest respect for the rulings of the distinguished gentleman from Connecticut, to whom the gentleman from Texas has referred.

Mr. BLANTON. His ruling was based upon a ruling of Mr. Speaker Carlisle.

The CHAIRMAN. And also the ruling of the Speaker to which the gentleman from Texas refers, and for the reasons already stated the Chair believes this amendment comes within the rules, and therefore overrules the point of order. The question is on the amendment offered by the gentleman from Iowa [Mr. HAUGEN].

The question was taken, and the amendment was agreed to.

Mr. HAUGEN. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report, returning to a portion of the bill that has been passed over.

The Clerk read as follows:

Amendment offered by Mr. HAUGEN: Page 25, line 9, after the word "production," strike out the figures "359,705" and insert in lieu thereof "212,505."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. RUBEY. Will the gentleman yield for just a moment?

Mr. HAUGEN. I will.

Mr. RUBEY. There have been a good many requests on this side of the House that we get a unanimous-consent agreement to vote on this bill to-morrow; and inasmuch as several votes will be taken—it is now late in the evening—will that be agreeable to the gentleman? There will probably be two or three roll calls. It does not make any difference to me.

Mr. HAUGEN. I see no objection to that.

Mr. Chairman, I move that the committee do now rise and report the bill to the House as amended, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 12272, had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. HAUGEN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 396. An act to authorize the payment of certain amounts for damages sustained by prairie fire on the Rosebud Indian Reservation, in South Dakota;

H. R. 5665. An act for the relief of Carlow Avellina;

H. R. 683. An act for the relief of William E. Johnson; and

H. R. 3620. An act to authorize the Commissioner of Navigation to change the names of vessels.

ADJOURNMENT.

Mr. HAUGEN. In view of the agreement, if there is no other business before the House, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned until Saturday, February 14, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting supplemental estimates of appropriations required by the War Department for expenses of arsenals, fiscal year 1921 (H. Doc. No. 648); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting annual report of the Director of Air Service (H. Doc. No. 465); to the Committee on Military Affairs.

3. A letter from the Secretary of War, transmitting abstracts of proposals received during the fiscal year ending June 30, 1919, for material and labor in connection with works under the Engineer Department; to the Committee on Expenditures in the War Department.

4. A letter from the Comptroller of the Currency, transmitting volume 1 of the text of the annual report of the Comptroller of the Currency for the fiscal year ending October 31, 1919 (H. Doc. No. 480); to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. STEELE, from the Committee on the Judiciary, to which was referred the bill (H. R. 12486) authorizing the several district courts of the United States to appoint official stenographers and prescribing their duties and compensation, reported the same without amendment, accompanied by a report (No. 628), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LANGLEY, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 11175) for the public sale of customhouse building and site at Kennebunkport, Me., reported the same without amendment, accompanied by a report (No. 631), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. Miller, from the Committee on Military Affairs, to which was referred the bill (S. 3610) for the relief of William S. Britton, formerly second lieutenant of Infantry, who has been erroneously dropped from the rolls of the United States Army, reported the same without amendment, accompanied by a report (No. 629), which said bill and report were referred to the Private Calendar.

Mr. WISE, from the Committee on Military Affairs, to which was referred the bill (S. 2807) to correct the military record of Edward Sigerfoos, reported the same without amendment, accompanied by a report (No. 630), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. O'CONNELL: A bill (H. R. 12501) granting holidays to postal employees in States where holidays are a State law; to the Committee on Expenditures in the Post Office Department.

By Mr. MOON: A bill (H. R. 12502) providing for a report on the cost of improving and maintaining the Government boulevard on Missionary Ridge, in the Chickamauga and Chattanooga National Military Park; to the Committee on Military Affairs.

By Mr. HAYDEN: A bill (H. R. 12503) making an appropriation to construct a telephone line on the Papago Indian Reservation, Ariz.; to the Committee on Indian Affairs.

By Mr. TEMPLE: A bill (H. R. 12504) to protect the Lord's Day, commonly called Sunday, and to secure its observance as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SUMNERS of Washington: A bill (H. R. 12505) granting additional compensation to all soldiers, sailors, marines, and others who served in the armed forces of the United States in the war against Germany and Austria; to the Committee on Ways and Means.

By Mr. JOHNSON of Kentucky: A bill (H. R. 12506) to permit distilled spirits to be transferred from the original packages into bottles and cases while in distillery bonded warehouse; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 12507) to authorize the Secretary of War to transfer certain surplus motor-propelled vehicles and motor equipment and road-making material to various

services and departments of the Government, and for the use of the States; to the Committee on Military Affairs.

By Mr. LINTHICUM: A bill (H. R. 12508) to provide for the construction of a concrete sidewalk along Frederick Avenue, Baltimore, Md., in front of the Loudon Park National Cemetery, and making an appropriation therefor; to the Committee on Appropriations.

By Mr. KAHN: Joint resolution (H. J. Res. 291) authorizing the Secretary of War to bring back on Army transports from Danzig, Poland, persons of Polish origin who were engaged in the war on the side of the allied and associated powers; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 292) authorizing the Secretary of War to receive for instruction at the United States Miliary Academy, at West Point, Ramon Ricardo Arias, citizen of Panama; to the Committee on Military Affairs.

By Mr. NOLAN: Resolution (H. Res. 457) for the consideration of House bill 11984; to the Committee on Rules.

By Mr. GREENE of Vermont: Resolution (H. Res. 458) for the consideration of House bill 12162; to the Committee on Rules.

By Mr. MASON: Resolution (H. Res. 459) to investigate the reported sale of the German fleet which is the property of the United States; to the Committee on Rules.

By Mr. BURDICK: Memorial of the General Assembly of the State of Rhode Island favoring Senate joint resolution 102, to equalize the pay and allowances of commissioned officers, warrant officers, and enlisted men of the Coast Guard with those of the Navy; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 12509) granting an increase of pension to Henry Shutts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12510) granting an increase of pension to Martha A. Burdick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12511) granting an increase of pension to David G. Davis; to the Committee on Invalid Pensions.

By Mr. BENSON: A bill (H. R. 12512) for the relief of Rita Nielson and Axel Nielson; to the Committee on War Claims.

By Mr. CANNON: A bill (H. R. 12513) authorizing the Secretary of the Treasury to reimburse Peter Bohlander for the loss of Liberty bonds; to the Committee on Claims.

By Mr. DUNBAR: A bill (H. R. 12514) granting a pension to Mary E. Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12515) granting a pension to Mary E. Seifres; to the Committee on Pensions.

Also, a bill (H. R. 12516) for the relief of William Cope; to the Committee on Military Affairs.

By Mr. FAIRFIELD: A bill (H. R. 12517) for the relief of Warren J. Deems and Anna Leppo; to the Committee on Claims.

By Mr. HOWARD: A bill (H. R. 12518) granting a pension to Angeline Bissel; to the Committee on Invalid Pensions.

By Mr. HUDDLESTON: A bill (H. R. 12519) granting a pension to Samuel H. Burbridge; to the Committee on Pensions.

By Mr. HULINGS: A bill (H. R. 12520) granting an increase of pension to William Richards; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 12521) granting a pension to Clara Estelle Sollers; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 12522) authorizing the Secretary of the Treasury to pay war-risk insurance to the foster parents of Edward Short; to the Committee on Claims.

By Mr. SMITH of Michigan: A bill (H. R. 12523) granting an increase of pension to Ira S. Havens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12524) granting an increase of pension to George W. Buckland; to the Committee on Invalid Pensions.

By Mr. SUMNERS of Texas: A bill (H. R. 12525) granting a pension to Kate Young; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 12526) granting an increase of pension to James H. Flenniken; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12527) granting an increase of pension to Fannie S. Cross; to the Committee on Invalid Pensions.

By Mr. TEMPLE: A bill (H. R. 12528) granting an increase of pension to Robert W. Reynolds; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 12529) granting an increase of pension to Henry Durham; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1531. By the SPEAKER (by request): Petition of 39 citizens of the United States, favoring an investigation of the report of the Shipping Board's plan to sell the German ships now in possession of the United States Government; to the special committee to investigate the Shipping Board's operations.

1532. Also (by request), petition of Joseph Edward Penn, Springfield, Mass., and Edward S. Gibson, New York, N. Y., favoring an investigation of the report of the Shipping Board's plan to sell the German ships now in possession of the United States Government; to the special committee to investigate the Shipping Board's operations.

1533. By Mr. ASHBROOK: Petition of W. J. Jones and others, of Newark, Ohio, favoring the Lehlbach-Sterling bill, etc.; to the Committee on Reform in the Civil Service.

1534. By Mr. CAREW: Petition of the United Parlor, Native Sons of the Golden West, of San Francisco, Calif., relative to certain legislation, etc.; to the Committee on the Judiciary.

1535. Also, petition of the Jamaica Board of Trade, opposing the Esch-Cummins railroad bills, etc.; to the Committee on Interstate and Foreign Commerce.

1536. By Mr. COLE: Petition of Lemert Grange, No. 1901, Sycamore, Ohio, urging the passage of the truth in fabrics bill; to the Committee on Agriculture.

1537. By Mr. JOHNSTON of New York: Petition of the Jamaica Board of Trade, opposing the Esch-Cummins railroad bill, and also requesting an investigation of the Long Island Railroad, etc.; to the Committee on Interstate and Foreign Commerce.

1538. By Mr. KENNEDY of Iowa: Petition of sundry citizens of Burlington, Des Moines County, Iowa, favoring the passage of Senate bill 1699 and House bill 3149, the Lehlbach-Sterling bills; to the Committee on Reform in the Civil Service.

1539. By Mr. MOON: Papers to accompany House bill 12495, for the relief of John Sagendorf; to the Committee on War Claims.

1540. By Mr. O'CONNELL: Petition of the executive committee of the Brooklyn Chamber of Commerce, asking an increase in pay for the personnel of the Navy, etc.; to the Committee on Naval Affairs.

1541. Also, petition of citizens of Brooklyn, relative to the disposition of the New York Arsenal and its removal, etc.; to the Committee on Military Affairs.

1542. By Mr. RAKER: Petition of E. G. Howe, vice president of the Universal Elevated Railway Co., Seattle, Wash., relative to the railroad situation, etc.; to the Committee on Interstate and Foreign Commerce.

1543. Also, petition of the National Association of Tuberculosis, urging an increase in pay for United States Health Service, etc.; to the Committee on Interstate and Foreign Commerce.

1544. By Mr. SMITH of Michigan: Petition of Beers W. Henry, of the Bricklayers and Stonemasons' Union, of Battle Creek, Mich., against the Sterling sedition bill, etc.; to the Committee on the Judiciary.

1545. By Mr. WATSON of Pennsylvania: Petition of sundry citizens of Hatboro, Pa., favoring the enactment of House bill 262, stopping transmission of information on horse races; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, *February 14, 1920.*

(Legislative day of Friday, February 13, 1920.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

The Vice President being absent, the President pro tempore took the chair.

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. GRONNA obtained the floor.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

Mr. GRONNA. I hope the Senator from Utah will not raise the question of a quorum, because I simply want to make a few observations on the question of retirement, but not particularly on this bill. I think it would take considerable time to get a

quorum. However, if the Senator insists upon it, I will yield for that purpose.

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Harris	McNary	Simmons
Ball	Harrison	Moses	Smith, Ga.
Beckham	Hitchcock	Nelson	Smith, Md.
Borah	Johnson, S. Dak.	New	Smoot
Brandegee	Jones, N. Mex.	Norris	Sterling
Calder	Jones, Wash.	Nugent	Sutherland
Capper	Kellogg	Overman	Thomas
Chamberlain	Kendrick	Owen	Townsend
Colt	Keyes	Page	Trammell
Culberson	King	Phipps	Underwood
Cummins	Kirby	Poindexter	Walsh, Mass.
Curtis	Knox	Pomerene	Walsh, Mont.
Dillingham	Lodge	Ransdell	Warren
Elkins	McCormick	Robinson	Watson
Fletcher	McCumber	Sheppard	
Gronna	McKellar	Sherman	

Mr. GRONNA. I desire to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent due to illness. I ask that this announcement may stand for the day.

Mr. CURTIS. I wish to announce the absence of the Senator from Iowa [Mr. KENYON], the Senator from New Jersey [Mr. EDGE], and the Senator from Louisiana [Mr. GAY] on business of the Senate.

Mr. McKELLAR. The Senator from Virginia [Mr. SWANSON] and the Senator from Tennessee [Mr. SHIELDS] are detained by illness in their families.

The senior Senator from South Carolina [Mr. SMITH] and the junior Senator from South Carolina [Mr. DIAL] are absent on account of illness.

The Senator from Nevada [Mr. HENDERSON], the Senator from Delaware [Mr. WOLCOTT], the Senator from California [Mr. PHELAN], and the Senator from Virginia [Mr. GLASS] are absent on public business.

The PRESIDENT pro tempore. Sixty-two Senators have answered to their names. There is a quorum present.

RESIGNATION OF SECRETARY OF STATE LANSING.

Mr. BRANDEGEE. I ask unanimous consent——

Mr. GRONNA. Mr. President, I ask what is the parliamentary situation? Is it understood that I have the floor? I was recognized by the Chair before the call for a quorum was made.

The PRESIDENT pro tempore. The Senator from North Dakota has the floor.

Mr. GRONNA. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. I ask unanimous consent that the letters exchanged between the President and the Secretary of State may be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

SECRETARY LANSING, REBUKED BY PRESIDENT, RESIGNS—FULL TEXT OF LETTERS LEADING TO RESIGNATION OF SECRETARY OF STATE.

THE WHITE HOUSE,
Washington, 7 February, 1920.

MY DEAR MR. SECRETARY: Is it true, as I have been told, that during my illness you have frequently called the heads of the executive departments of the Government into conference? If it is, I feel it my duty to call your attention to considerations which I do not care to dwell upon until I learn from you yourself that this is the fact. Under our constitutional law and practice, as developed hitherto, no one but the President has the right to summon the heads of the executive departments into conference, and no one but the President and the Congress has the right to ask their views or the views of any one of them on any public question.

I take this matter up with you because in the development of every constitutional system, custom and precedent are of the most serious consequence, and I think we will all agree in desiring not to lead in any wrong direction. I have therefore taken the liberty of writing you to ask you this question, and I am sure you will be glad to answer.

I am happy to learn from your recent note to Mrs. Wilson that your strength is returning.

Cordially and sincerely, yours,

WOODROW WILSON.

HON. ROBERT LANSING,
Secretary of State.

"THOUGHT CONFERENCES WISE"; OFFERS TO RESIGN.

THE SECRETARY OF STATE,
Washington, February 9, 1920.

MY DEAR MR. PRESIDENT: It is true that frequently during your illness I requested the heads of the executive departments of the Government to meet for informal conference.

Shortly after you were taken ill in October certain members of the Cabinet, of which I was one, felt that in view of the fact that we were denied communication with you it was wise for us to confer informally together on interdepartmental matters and matters as to which action could not be postponed until your medical advisers permitted you to pass upon them.

Accordingly I, as the ranking member, requested the members of the Cabinet to assemble for such informal conference; and in view of the mutual benefit derived the practice was continued. I can assure you that it never for a moment entered my mind that I was acting unconstitutionally or contrary to your wishes, and there certainly was no intention on my part to assume powers and exercise functions which under the Constitution are exclusively confided to the President.

During these troublous times, when many difficult and vexatious questions have arisen and when in the circumstances I have been deprived of your guidance and direction, it has been my constant endeavor to carry out your policies as I understood them and to act in all matters as I believed you would wish me to act.

If, however, you think that I have failed in my loyalty to you and if you no longer have confidence in me and prefer to have another conduct our foreign affairs, I am, of course, ready, Mr. President, to relieve you of any embarrassment by placing my resignation in your hands.

I am, as always,

Faithfully, yours, ROBERT LANSING.

"TRIED TO FORESTALL MY JUDGMENT"; ACCEPTS.

THE WHITE HOUSE,
Washington, February 11, 1920.

MY DEAR MR. SECRETARY: I am very much disappointed by your letter of February 9 in reply to mine asking about the so-called Cabinet meetings. You kindly explain the motives of these meetings, and I find nothing in your letter which justifies your assumption of presidential authority in such a matter. You say you "felt that, in view of the fact that you were denied communication with me, it was wise to confer informally together on interdepartmental matters and matters as to which action could not be postponed until my medical advisers permitted me" to be seen and consulted, but I have to remind you, Mr. Secretary, that no action could be taken without me by the Cabinet, and therefore there could have been no disadvantage in awaiting action with regard to matters concerning which action could not have been taken without me.

This affair, Mr. Secretary, only deepens a feeling that was growing upon me. While we were still in Paris I felt, and have felt increasingly ever since, that you accepted my guidance and direction on questions with regard to which I had to instruct you only with increasing reluctance, and since my return to Washington I have been struck by the number of matters in which you have apparently tried to forestall my judgment by formulating action and merely asking my approval when it was impossible for me to form an independent judgment, because I had not had an opportunity to examine the circumstances with any degree of independence.

I therefore feel that I must frankly take advantage of your kind suggestion that if I should prefer to have another to conduct our foreign affairs you are ready to relieve me of any embarrassment by placing your resignation in my hands, for I must say that it would relieve me of embarrassment, Mr. Secretary, the embarrassment of feeling your reluctance and divergence of judgment, if you would give your present office up and afford me an opportunity to select some one whose mind would more willingly go along with mine.

I need not tell you with what reluctance I take advantage of your suggestion, or that I do so with the kindliest feeling. In matters of transcendent importance like this the only wise course is a course of perfect candor, where personal feeling is as much as possible left out of the reckoning.

Very sincerely, yours,

WOODROW WILSON.

HON. ROBERT LANSING,
Secretary of State.

SAYS HE HAD CONTEMPLATED RESIGNING A YEAR AGO.

THE SECRETARY OF STATE,
WASHINGTON, *February 12, 1920.*

MY DEAR MR. PRESIDENT: I wish to thank you sincerely for your candid letter of the 11th, in which you state that my resignation would be acceptable to you, since it relieves me of the responsibility for action which I have been contemplating and which I can now take without hesitation, as it meets your wishes.

I have the honor, therefore, to tender you my resignation as Secretary of State, the same to take effect at your convenience.

In thus severing our official association I feel, Mr. President, that I should make the following statement, which I had prepared recently and which will show you that I have not been unmindful that the continuance of our present relations was impossible and that I realized that it was clearly my duty to bring them to an end at the earliest moment compatible with the public interest.

Ever since January, 1919, I have been conscious of the fact that you no longer were disposed to welcome my advice in matters pertaining to the negotiations in Paris, to our foreign service, or to international affairs in general.

Holding these views, I would, if I had consulted my personal inclination alone, have resigned as Secretary of State and as a commissioner to negotiate peace. I felt, however, that such a step might have been misinterpreted, both at home and abroad, and that it was my duty to cause you no embarrassment in carrying forward the great task in which you were then engaged.

Possibly I erred in this, but if I did it was with the best of motives.

When I returned to Washington in the latter part of July, 1919, my personal wish to resign had not changed, but again I felt that loyalty to you and my duty to the administration compelled me to defer action as my resignation might have been misconstrued into hostility to the ratification of the treaty of peace or, at least, into disapproval of your views as to the form of ratification. I therefore remained silent, avoiding any comment on the frequent reports that we were not in full agreement. Subsequently, your serious illness, during which I have never seen you, imposed upon me the duty—at least, I construed it to be my duty—to remain in charge of the Department of State until your health permitted you to assume again full direction of foreign affairs.

Believing that that time had arrived, I had prepared my resignation when my only doubt as to the propriety of placing it in your hands was removed by your letter indicating that it would be entirely acceptable to you.

I think, Mr. President, in accordance with the frankness which has marked this correspondence and for which I am grateful to you, that I can not permit to pass unchallenged the imputation that in calling into informal conference the heads of the executive departments I sought to usurp your presidential authority. I had no such intention, no such thought.

I believed then and I believe now that the conferences which were held were for the best interests of your administration and of the Republic, and that belief was shared by others whom I consulted. I further believe that the conferences were proper and necessary in the circumstances, and that I would have been derelict in my duty if I had failed to act as I did.

I also feel, Mr. President, that candor compels me to say that I can not agree with your statement that I have tried to forestall your judgment in certain cases by formulating action and merely asking your approval when it was impossible for you to form an independent judgment because you had not had an opportunity to examine the circumstances with any degree of independence. I have, it is true, when I thought a case demanded immediate action, advised you what, in my opinion, that action should be, stating at the same time the reasons on which my opinion was based.

This I conceived to be a function of the Secretary of State, and I have followed the practice for the past four years and a half. I confess that I have been surprised and disappointed at the frequent disapproval of my suggestions, but I have never failed to follow your decisions, however difficult it made the conduct of our foreign affairs.

I need hardly add that I leave the office of Secretary of State with only good will toward you, Mr. President, and with a sense of profound relief.

Forgetting our differences and remembering only your many kindnesses in the past, I have the honor to be, Mr. President,

Sincerely, yours,

ROBERT LANSING.

THE PRESIDENT,
The White House.

"ACKNOWLEDGED WITH APPRECIATION," TO TAKE EFFECT AT ONCE.

THE WHITE HOUSE,
Washington, February 13, 1920.

MY DEAR MR. SECRETARY: Allow me to acknowledge with appreciation your letter of February 12. It now being evident, Mr. Secretary, that we have both of us felt the embarrassment of our recent relations with each other, I feel it my duty to accept your resignation, to take effect at once, at the same time adding that I hope that the future holds for you many successes of the most gratifying sort. My best wishes will always follow you, and it will be a matter of gratification to me always to remember our delightful personal relations.

Sincerely, yours,

WOODROW WILSON.

HON. ROBERT LANSING,
Secretary of State.

PRICE OF WHEAT.

Mr. GRONNA. Mr. President, I crave the indulgence of the Senate for a short time to speak upon a matter which perhaps has nothing to do with the bill which is now the unfinished business, but it does have something to do with the question of retirement. However, instead of affecting thousands of employees the subject to which I intend to address myself affects the retirement of only two very prominent and distinguished gentlemen in the United States.

On February 3 I introduced a bill (S. 3844) to provide for discontinuing the purchase and sale of grain by the Government, and for other purposes.

The act of August 10, 1917, contains a provision fixing a minimum guaranteed price of wheat of not less than $2 per bushel, based upon a grade of No. 1 Northern. It also authorizes the President to fix a higher price if in his judgment it would be necessary to stimulate the production of wheat. This is section 14 of the food act.

I wish to call attention to the fact that there has never been a day or an hour, since the enactment of this law, that wheat has not been worth in the markets throughout the country more than the guaranteed or the fixed price. Of course, during the war the food controller and the grain director kept wheat down to the minimum price. During the first part of the year 1919 the prices of wheat in the terminal markets were kept down very close to the minimum price by the grain director, but a little later on the prices began to increase, so that on or about the 1st day of November the top price for No. 1 hard wheat was about $2.90 in the Minneapolis market. During the months of November and December the price increased, so that at one time No. 1 hard wheat sold as high as $3.55 per bushel.

I am making this statement for the purpose of showing that the way the law has been administered it has been of no benefit to the farmer.

The Committee on Agriculture and Forestry has received a great many complaints with reference to the administration of this law, and the writers suggested that the Grain Corporation should be abolished. No one could find any fault with the law guaranteeing a minimum price of $2 to the producers of wheat, because it also gave the President power to make a higher price, but it is true that on the very day that the food law went into effect wheat sold in the western markets at about $3.10 per bushel, and shortly before this time it had sold as high as $3.35 per bushel.

The farmers throughout the country believe that this law was enacted for the purpose of controlling the price of wheat and to prevent it from reaching an abnormally high price. But the farmers submitted to it during the war; they did not complain. As long as they were able to they were willing to produce wheat even at a loss, but when the armistice was signed and the war was over the farmers felt that the prices of their products should not be controlled and arbitrarily reduced when, as a matter of fact, everything they had to buy was commanding a greatly increased price. Just before the war the farmer could buy a self-binder, standard size, for about $140. It advanced to $250, and farm machinery of all kinds advanced proportionately.

I believe I am safe in stating that it is the general belief among farmers that they suffered a loss of at least $1 per bushel on the price of wheat.

The Department of Agriculture estimated that the wheat crop of 1919 was approximately 918,000,000 bushels. It is always safe to figure a shrinkage of at least 5 per cent, which would mean a reduction of nearly 46,000,000 bushels, leaving a net amount of 872,000,000 bushels. It is estimated by the Department of Agriculture that in normal times we use about 5½ bushels per capita annually, so that if we figure a population of 110,000,000 we use for bread approximately 600,000,000 bushels. We use approximately 90,000,000 bushels for seed, leaving a net amount for export of less than 200,000,000 bushels. If I read correctly the statement of the United States Grain Corporation, our export on December 30 amounted to about 120,000,000 bushels, leaving a surplus of between 50,000,000 and 60,000,000 bushels which we have for sale and export.

I have here a statement furnished me by the Department of Agriculture indicating that wheat stocks on January 23, 1920, as reported by the United States Grain Corporation, were as I

shall state. This report, which was made January 23, 1920, bears the following statement:

As reported by the United States Grain Corporation.

I am mentioning this, Mr. President, because it seems that a statement made by anyone outside of the Grain Corporation is at once attacked as inaccurate and wrong.

The Grain Corporation reports that there was in the country elevators a stock of 82,382,000 bushels; mill-elevator stock, 69,133,000 bushels; terminal-elevator stock, 65,633,000 bushels, making a total of 217,148,000 bushels in store.

Mr. President, of the crop of 1918 there was a carry over not to exceed 20,000,000 bushels. That was, perhaps, the smallest amount ever carried over in this country for years, as ordinarily it is necessary to have a carry over of from fifty to seventy-five million bushels. Even during the time we were at war, when the bins of the farmers were scraped to the bottom, there still were 20,000,000 bushels on the farms. Anyone who knows anything about farming must admit that it would be not only impossible but dangerous to sell every bushel of grain that is on the farm. We had at the time to which I have referred 20,000,000 bushels on the farms.

The Grain Corporation, which insists that it never makes any mistakes, gives the crop of 1919 as being 941,000,000 bushels. I know of no other agency of the Government that gives the amount any higher than 918,000,000 bushels. So there is a discrepancy of 23,000,000 bushels there.

But the Grain Corporation also gives the total supply, beginning with the year 1919, as being 961,000,000 bushels. The net movement from the farms from July 1 to January 23, according to the figures of the Grain Corporation, was 676,000,000 bushels. That includes about 57,000,000 bushels which has already been seeded to winter wheat. According to this report, there would remain on the farms 228,000,000 bushels.

I am going to show from Mr. Barnes's own testimony, which was given before the Committee on Agriculture and Forestry on the 25th day of October, that it is always safe to estimate a shrinkage of 5 per cent of the grain estimates. I agree with him on that. I believe that in a year such as 1919, when there was such a large amount of light wheat, it is safe to estimate a larger shrinkage than 5 per cent. That would mean a reduction in the total of 46,000,000 bushels, and plus the 23,000,000 bushels as reported by the Grain Corporation—which, according to the statistics of the Agricultural Department can not be correct—would make a total of 69,000,000 bushels. Deducting that from the 228,000,000 bushels, there would be on the farms 159,000,000 bushels. But, Mr. President, 30,000,000 bushels of that grain must be used for seed for the spring wheat crop, leaving a balance of 129,000,000 bushels. Then, deducting the average for a number of years of from 50,000,000 to 75,000,000 bushels held on the farms as a carry over, the average of which would be about 62,000,000 or 63,000,000 bushels, there would be an amount remaining on the farms of between 50,000,000 and 60,000,000 bushels, and not 228,000,000 bushels, as reported by Mr. Barnes.

Mr. President, I have avoided getting into any personal controversy with Mr. Barnes, and I desire it now understood that I am not attacking Mr. Barnes personally, but his constant reports and the extensive propaganda which he is now carrying on, and which he has been carrying on for at least two or three weeks, compels me to give what information I have in reference to this matter, and I honestly believe it is correct, and I think that I can see in this propaganda the possibility of dangerous results. The figures I have given to you, Senators, are absolutely correct; they are as nearly correct as the estimate can be made. There is no such amount of wheat left on the farms as Mr. Barnes indicates and as he states in the report which he is sending broadcast throughout the country and which is costing the Government hundreds of thousands of dollars.

Mr. KELLOGG. Will the Senator show me the report of the amount of wheat which has been sent out by Mr. Barnes? I should like to see it.

Mr. GRONNA. I have only the short report from which I have read, but I will give it to the Senator.

Mr. President, I can not possibly have any other interest in this matter than that of the public welfare, but even as a farmer I do not desire to see the price of wheat go too high at this time. I do not wish to see a speculative price fixed on it. I do not wish to make it possible for the men who are always so ready to take advantage of such a situation as now exists to buy up the food products of our country for the purpose of speculation and in order to enhance the price to the consumer. I do not wish to see that done, in the first place, because it would be a detriment to the consumer and also to the farmer or the producer.

Mr. President, only this morning I read in Barnes's and Hoover's paper in the city of Washington—the Washington Herald—a statement of which I shall only give the substance. However, it was an attack upon statements made by me as to the difference it would make in the cost of a loaf of bread if the farmer should give his wheat to the miller free of charge. No one knows better than does Mr. Barnes that he was not stating the truth in that article. I was dealing with the price which the farmer received; I was not dealing with the price of the speculator. I am not denying that the average price of the speculator is $2.32; but I do most emphatically deny that that is the price which the farmer has received; and I can prove that it is an incorrect statement. The farmers throughout the United States received no such price as $2.32 a bushel for wheat. I will say to the Senate that, depending on quality, the average price for which farmers sold their wheat in the fall of last year was less than $2 a bushel.

Mr. GORE. I saw an estimate the other day that it was about $1.75.

Mr. GRONNA. The Senator from Oklahoma states that he saw an estimate the other day that the average price was $1.75.

Mr. President, I have not attacked Mr. Barnes. I do not regard him as a Government official any longer, because I have discovered he is not operating under the Federal laws, but is operating under the laws of the State of Delaware. I find no fault with that; but I understand that the laws of the State of Delaware are very liberal so far as they relate to corporations.

I have here before me the certificate of incorporation of the Food Administration Grain Corporation, which I ask to have incorporated in the RECORD so that there may be no mistake about it. I also ask that the formal contracts which Mr. Barnes is making, or which he has made, with bakers, wheat-flour millers, with dealers, elevators, and brokers, with the Pacific dealers, elevators, warehouses, and jobbers, and an agreement with flour jobbers may also be printed in the RECORD, in order that at least a few people throughout the United States may know the facts.

The PRESIDENT pro tempore. In the absence of objection, the matter referred to is printed in the RECORD.

The matter referred to is as follows:

CERTIFICATE OF INCORPORATION OF FOOD ADMINISTRATION GRAIN CORPORATION.

First. The name of this corporation is Food Administration Grain Corporation.

Second. The location of its principal office in the State of Delaware is No. 7 West Tenth Street, in the city of Wilmington, county of New Castle.

Third. This corporation is organized pursuant to an Executive order issued by the President of the United States, dated August 14, 1917, and in the exercise of the powers conferred upon him by act of Congress entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917.

The objects and purposes for which and for any of which this corporation is formed are to do any or all of the things herein set forth to the same extent as natural persons might or could do, viz, to purchase, or otherwise acquire, manufacture, sell, or otherwise dispose of, store, handle, and otherwise deal in and with grain, food, feeds, and their products, and to do all acts and things necessary, expedient, or incidental to the efficient conduct of said business within or without the State of Delaware.

To exercise all powers which may be delegated to it by the President of the United States under the act of Congress entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, as an agency authorized to be created under said act.

The foregoing clauses shall be construed both as objects and powers, and it is hereby expressly provided that the foregoing enumeration of specific powers shall not be held to limit or restrict in any manner the powers of this corporation.

In general, to have and to exercise all the powers conferred by the laws of Delaware upon corporations formed under the act hereinafter referred to.

Fourth. The total authorized capital stock of this corporation is $50,000,000 divided into 500,000 shares of $100 each.

The amount of capital stock with which this corporation will commence business is the sum of $2,900, being 29 shares of $100 each.

Fifth. The names and places of residence of each of the original subscribers to the capital stock and the number of shares subscribed for by each are as follows: Herbert Hoover, Washington, D. C., 27 shares; Edgar Rickard, Washington, D. C., 1 share; Curtis H. Lindley, Washington, D. C., 1 share.

Sixth. The duration of the existence of this corporation is the period of five years unless sooner dissolved in the manner provided by law.

Seventh. The property of the stockholders shall not be subject to the payment of corporate debts to any extent whatever.

Eighth. The directors of this corporation shall hold office for one year from the date of their election and until their successors are elected and qualified unless sooner removed. The holder or holders of two-thirds of the outstanding capital stock may call a special meeting of stockholders at any time, upon mailing notice to the other stockholders of the time and place of said meeting, three days prior to said appointed time, which notice may be waived by unanimous consent, or by the presence of all stockholders at said special meeting; and the stockholders present may by a majority vote remove any director or directors from office and elect a successor or successors to hold office for the remainder of the unexpired term.

In furtherance, and not in limitation, of the powers conferred by statute, the board of directors are expressly authorized to make, alter,

amend, and rescind the by-laws of this corporation, and to authorize and cause to be executed mortgages and liens upon the personal property of this corporation, and to authorize the borrowing of such sums of money from time to time, and the making and execution of such notes, mortgages, pledges, and liens on the personal property of this corporation as they may deem advisable:

We, the undersigned, being each of the original subscribers to the capital stock hereinbefore named for the purpose of forming a corporation to do business both within and without the State of Delaware, and in pursuance of an act of the Legislature of the State of Delaware entitled "An act providing a general corporation law," approved March 10, 1899, and the acts amendatory thereof and supplemental thereto, do make and file this certificate, hereby declaring and certifying that the facts herein stated are true, and do respectively agree to take the number of shares of stock hereinbefore set forth, and accordingly have hereunto set our hands and seals this 14th day of August, A. D. 1917.

HERBERT HOOVER. [SEAL.]
EDGAR RICKARD. [SEAL.]
CURTIS H. LINDLEY. [SEAL.]

In presence of—
LEWIS L. STRAUSS, Jr.

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UNITED STATES OF AMERICA,
District of Columbia, ss:

Be it remembered that on this 14th day of August, A. D. 1917, personally came before me, a notary public for the District of Columbia, Herbert Hoover, Edgar Rickard, and Curtis H. Lindley, parties to the foregoing certificate of incorporation, known to me personally to be such, and severally acknowledged the said certificate to be the act and deed of the signers, respectively, and that the facts therein stated are truly set forth.

Given under my hand and seal of office the day and year aforesaid.

[SEAL.] WILLIAM OSBORN,
Notary Public, District of Columbia.

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STATE OF DELAWARE,
Office of Secretary of State.

I, Everett C. Johnson, secretary of state of the State of Delaware, do hereby certify that the above and foregoing is a true and correct copy of certificate of incorporation of the "Food Administration Grain Corporation," as received and filed in this office the 16th day of August, A. D. 1917, at 9 o'clock a. m.

In testimony whereof I have hereunto set my hand and official seal, at Dover, this 16th day of August, in the year of our Lord 1917.

[SEAL.] EVERETT C. JOHNSON,
Secretary of State.

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[United States Grain Corporation, 42 Broadway, New York City. Agreement with bakers.]

This agreement, made this —— day of ———, 19—, between the undersigned, hereinafter called the "Baker," party of the first part, and United States Grain Corporation, formerly Food Administration Grain Corporation, hereinafter called the "Grain Corporation," party of the second part.

Witnesseth, that for and in consideration of the mutual covenants hereinafter set forth it is agreed between the parties hereto as follows:

First. The words "guaranteed price" when used in this agreement mean the wheat primary market price fixed in the presidential proclamation of September 2, 1918 ($2.26 Chicago), or as such primary market price may hereafter be increased by Executive order or increased by the addition of storage premiums fixed by the Grain Corporation and publicly announced by it.

Second. The words "resale price" when used in this agreement mean a wheat price lower than the guaranteed price publicly announced by the Grain Corporation to be the wheat price for milling and upon which the adjustments hereinafter provided are to be based.

Third. In the event that the Grain Corporation announces a resale price of wheat it shall pay to the baker in respect to any wheat flour then owned by the baker, or under contract of purchase by him, the equivalent of the difference between the guaranteed price and the resale price at the ratio of 4½ bushels of wheat to 1 barrel of flour. In the event that thereafter the Grain Corporation should announce a return to the guaranteed price, or a resale price higher than the then current resale price, the baker, in response to any wheat flour then owned by the baker or under contract of purchase by him, shall pay to the Grain Corporation the equivalent of the difference between the then current resale price and the guaranteed price or the new resale price at the ratio of 4½ bushels of wheat to 1 barrel of flour. Similarly, if the Grain Corporation should announce a resale price either higher or lower than the then current resale price, like settlements shall be made.

Each of the parties to this agreement, as the case may be, shall make the foregoing payments weekly on statement and reports prescribed by the Grain Corporation as actual deliveries of bread and bakery products are made to the buyer until the amount of flour owned or under contract of purchase on which adjustment is to be made has been manufactured into bread and bakery products and delivered.

Fourth. During the continuance of any resale price the baker shall reflect into the price of bread and bakery products sold by him the reasonable equivalent of such resale price. If in the judgment of the Grain Corporation the baker is not reflecting into the price of bread and bakery products sold by him the reasonable equivalent of such resale price, and the baker refuses to adopt the expression of the Grain Corporation as to what is a reasonable reflection, the Grain Corporation shall submit the question to the United States Wheat Director for his decision. The opinion of the United States Wheat Director as to what constitutes such reflection shall be binding upon the parties to this agreement.

Fifth. Upon the date of the termination of this agreement, as hereinafter provided, the Grain Corporation will announce a price, which price in its judgment is a fair reflection of the guaranteed price or of the resale price, if any, then in effect, at which it will buy at certain standard basing points and markets the flour then owned by the baker or under contract of purchase by him. Such flour price as announced by the Grain Corporation will contemplate satisfactory flour, of not lower than 95 per cent so-called straight flour, and without premium for any higher grades. Thereupon the baker, within 10 days after such termination date, may file with the zone office of the Grain Corporation in the zone in which the baker's home office is located, an acceptance of such offer of the Grain Corporation, specifying the amount and details of the flour, and within 15 days thereafter the Grain Corporation shall give shipping orders and payment shall be made by demand draft, with documents attached, or as otherwise mutually arranged; provided, however, that at the time of accepting the Grain Corporation offer the baker may declare that he elects to defer delivery of the flour for a period of 45 days from the termination date, in order that he may continue to manufacture such flour into bread and bakery products. In that event the baker shall sell such bread and bakery products at a fair reflection of the 95 per cent straight flour price. All flour so used in manufacture by the baker shall cancel an equivalent amount of flour sold to the Grain Corporation by the acceptance aforesaid. At the expiration of such 45 days from the original termination date the baker may, by telegram filed the next succeeding day and addressed to the zone office of the Grain Corporation in which the baker's home office is located, advise the Grain Corporation of the amount of flour yet remaining from the originally designated quantities, and may then deliver to the Grain Corporation such unsold flour on the terms and conditions specified for the original delivery; provided that the baker may, by telegram and in the same manner, at the end of said 45-day period, take over such remaining flour for his own account.

Sixth. All purchases of flour by the baker shall be evidenced by contracts executed by buyer and seller, showing prices, terms, quantities, and conditions.

Seventh. The baker shall make and render reports in the manner and at such times as may be required by the Grain Corporation and open his books and records to the inspection of the Grain Corporation whenever requested by it.

Eighth. The baker shall not be entitled to any of the benefits or privileges of this agreement unless he shall hold such license as may at any time be required by proclamation of the President of the United States under and pursuant to an act of Congress relating to the national wheat guarantee, approved March 4, 1919. Should any such license be suspended or revoked, the baker shall thereupon lose all the benefits and privileges which otherwise would accrue to him under this agreement.

Ninth. This agreement may be terminated by the Grain Corporation by giving 45 days' previous notice thereof to the baker. Unless so terminated this agreement shall terminate on May 31, 1920.

Tenth. This agreement shall be governed by the laws of the State of New York.

Witness our hands and seals as of the day and year first above written:

Witness for baker sign here.

(Witness.)

Baker sign here.
———. [SEAL.]
Sign in name of individual, firm, or corporation, as the case may be.
By ———.
UNITED STATES GRAIN CORPORATION.
By ——— ———, *Secretary.*

Important: This information must be supplied.

Location of plant (street, city, county, State). Baker's estimated monthly flour consumption (barrels per month).

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[United States Grain Corporation, 42 Broadway, New York City. Agreement with wheat flour millers.]

This agreement made this —— day of ——, 19—, between the undersigned, hereinafter called the "Miller," party of the first part, and United States Grain Corporation, formerly Food Administration Grain Corporation, hereinafter called the "Grain Corporation," party of the second part.

Witnesseth, that for and in consideration of the mutual covenants hereinafter set forth, it is agreed between the parties hereto, as follows:

First: The following words and phrases when used in this agreement shall have the following meaning:

(1) "Guaranteed price" means the wheat primary market price fixed in the presidential proclamation of September 2, 1918 ($2.26 Chicago), or as such primary market price may hereafter be increased by Executive order, or increased by the addition of storage premiums fixed by the Grain Corporation, and publicly announced by it.

(2) "Resale price" means a wheat price, lower than the guaranteed price, publicly announced by the Grain Corporation to be the wheat price for milling and upon which adjustments with the miller are to be based. Such resale price shall in all markets specified in the aforesaid presidential proclamation bear the same relation to the guaranteed price in such markets as the resale price of the Grain Corporation at Chicago at the same time bears to the guaranteed price at Chicago, except at intermountain, Pacific coast, and other points where available freight structures or changes in freight rates requires special allowances.

(3) "Unsold wheat the miller has on hand," means all wheat owned by the miller at mills, in store, and in transit, and wheat under contract of purchase (except wheat purchased, or under contract of purchase, from the producer and not yet delivered or shipped by such producer) and from which total there has been deducted the equivalent of excess outstanding flour sales as provided for in paragraph (4) below.

(4) "Unsold flour the miller has on hand" means all flour owned by the miller at mills, in store, and in transit, and from which total there has been deducted all outstanding flour sales: *Provided, however,* That if such outstanding flour sales exceed all flour on hand, the surplus of such flour sales shall reduce "unsold wheat the miller has on hand," as in paragraph (3) above.

Second: To reduce wheat products to their equivalent in bushels of wheat, or to reduce wheat to its equivalent in barrels of flour, the empirical formula of 4½ bushels of 58 pounds or heavier wheat as the equivalent of one barrel of flour of 196 pounds shall be used, except for the purposes of indemnification under section 10 hereof.

Third: The miller, in buying wheat from the producer, shall purchase on the proper grade and dockage, under the Federal standards, and shall pay therefor not les than the guaranteed price based on such proper grade and dockage, at the terminal most advantageously reached, less freight, and less a reasonable handling margin. The miller shall keep a record showing all purchases from the producer, name of the seller, date, quantity, grade, and dockage fixed and price paid and reasons for fixing grade under No. 1, including test weight; and on all parcels of wheat on which there is a dispute as to grade and dockage or price between the miller and the producer at the time of delivery, a notation thereof shall be made upon the records of the miller and a sample shall be drawn by the producer and the miller and forwarded in a proper container to the vice president of the Grain

Corporation, in the zone in which the purchase is made, for his use in the determination of the dispute. The determination of the vice president shall be final and conclusive unless an appeal from such determination be filed within 10 days with the United States wheat director by either the producer or miller. In case of appeal the decision of the United States wheat director shall be final and conclusive. The miller shall keep a copy of this section prominently displayed at his place of business.

Fourth: The miller shall render promptly to the Grain Corporation a true weekly statement, under oath if required, setting forth such facts as the Grain Corporation desires, including particularly the production of wheat products during the weekly period, the sales of wheat products during the weekly period and the amount of wheat and wheat products on hand at the close of the weekly period.

Fifth: In case a resale price is announced the miller shall file with the Grain Corporation a sworn weekly report, or a new and exact report taken from the miller's books and records at the time of the cut-off, or at the close of business on the day preceding the day that the resale price takes effect, showing the amount of unsold wheat and unsold wheat products on hand and the outstanding sales of all wheat products against same, and weekly thereafter, until the resale price has by public announcement been canceled and the guaranteed price again made effective, the miller shall file with the Grain Corporation a sworn statement showing the amount of weekly sales of all wheat products.

Sixth: The miller shall during any resale price period limit the average net return of the sale of wheat products to a basis not exceeding the cost of wheat to the miller, plus an operating charge not to exceed 25 cents per bushel calculated to f. o. b. mill bulk basis, with allowance for certain differentials for various classes of sales as provided in Exhibit "A" hereto annexed, which exhibit shall also contain a definition of cost of wheat to the miller for manufacturing purposes. If the resale price periods should be separated by guaranteed price periods, the limitation on net return shall be based on the average of the consolidated resale price periods. If upon the termination of this agreement, the limitation thus prescribed on average net return is exceeded, the miller shall pay such excess to the Grain Corporation. The audit to determine such excess, if any, shall be made upon the termination of this agreement, in accordance with the provisions of Exhibit "A."

Seventh: The miller shall not make, or have outstanding at any time, any contract for the sale of wheat products except such contract as requires shipment or delivery within 60 days after the date of sale, which date shall be truly stated in the contract: *Provided, however,* That this limitation shall not apply to contracts with the Federal, State, or municipal governments: *And provided further,* That no contract shall be made for shipment or delivery beyond June 30, 1920, except in connection with the exercise by the miller of privileges given by section 11 hereof. All purchases and sales of wheat products shall be evidenced by contracts executed by buyer and seller showing prices, terms, quantities, and conditions.

Eighth: At any time, and from time to time prior to the termination of this agreement, the Grain Corporation shall purchase in accordance with the purchasing rules and customs, upon the request of the miller, all unsold wheat the miller has on hand, at the guaranteed price (plus 7/30 of 1 cent per bushel per week in case of discontinuance of advancing premiums as provided in section 9), delivered at the terminal or terminals designated by the miller.

Ninth: In the event that the Grain Corporation should discontinue further increase in its premiums, which by public announcement it had added to the guaranteed price, the Grain Corporation after and during such discontinuance of advancing premiums, shall pay to the miller 7/30 of 1 cent per bushel per week on the unsold wheat the miller has on hand and the unsold flour the miller has on hand in wheat equivalent.

Tenth: In the event that the Grain Corporation announces a resale price of wheat, the Grain Corporation shall on and after that date and during the continuance of such resale price period, in respect to the unsold wheat and unsold wheat products the miller has on hand at the resale date and the wheat purchased during the resale price period, pay to the miller the difference between the guaranteed price and the resale price on all sales of wheat products made during such period, in accordance with the audit rules provided in Exhibit "A."

Eleventh: Upon the termination of this agreement (except this agreement be terminated as provided in clause (3) of section 15 hereof, in which event this section 11 shall be inoperative) the miller may exercise either of the following options in respect to the unsold wheat and unsold wheat flour on hand at the date of such termination; the option to be used shall be specified by telegram, filed on the day next succeeding the termination, and addressed to the zone office of the Grain Corporation in which zone the head office of the miller is located, and the exact amount and details of such wheat and wheat flour shall be given, under proper verification, within 10 days after such termination date:

(A) The miller may retain and take over all unsold wheat and unsold wheat products: *Provided,* That if at the termination of this agreement there shall be in effect a Grain Corporation resale price lower than the guaranteed price, the Grain Corporation will pay to the miller, on proper verification, the difference between the guaranteed price and the resale price on the amount of unsold wheat and unsold wheat products the miller has on hand.

(B) The miller may sell to the Grain Corporation at the guaranteed price all or any part of the unsold wheat the miller has on hand, and the miller will make delivery of such amount as designated as sold to the Grain Corporation under this option, at any terminal selected by the miller at which the Grain Corporation maintains a buying basis: *Provided, however,* That the Grain Corporation may take delivery, basis f. o. b. cars at miller's point of origin, at the freight deduction from the Grain Corporation guaranteed price at the terminal selected by the miller. In the event of either delivery specified, the Grain Corporation will allow the miller one-thirtieth of 1 cent per bushel per day from date of tender until delivery is actually completed and/or payment made: *Provided, however,* At the time of exercising this option "B," the miller may declare that he elects to defer delivery of the wheat, or any part thereof, for a period of 45 days in order that he may continue to sell his unsold flour and to mill such unsold wheat and sell same as flour, through his usual trade channels. In that event the miller shall sell such flour at a proper reflection, as provided herein, of any adjustment due to any resale price then existing or afterwards directed by the Grain Corporation. All sales of flour thereafter in excess of the amount of unsold flour the miller has on hand at date of termination, shall cancel an equivalent amount of wheat sold to the Grain Corporation under this option "B." At the expiration of such 45 days, the miller may, by telegram filed the next succeeding day and addressed to the zone office of the Grain Corporation in which zone the head office of the miller is located, advise the Grain Corporation of the amount of unsold wheat yet remaining from the originally designated quantities, and, without allowance for carrying charges during such 45 days, may then deliver to the Grain Corporation the balance of the unsold wheat on the terms and conditions specified in this option "B" for actual delivery to the Grain Corporation: *And provided further,* That the miller may, by telegram and in the same manner, at the end of the said 45 days' period, take over all unsold wheat and/or unsold wheat products for his own account on the general terms and conditions as specified in option "A."

Twelfth. The verification of the statements and reports and the audit and examination of the accounts of the miller as may be required by the Grain Corporation, shall be made at the expense of the Grain Corporation by certified public accountants selected by it acting under the auditing rules set forth in Exhibit A; such additional rules as may be found necessary shall be formulated by a special board of certified public accountants selected by the Grain Corporation for that purpose and such additional rules shall be consistent with and shall not modify or change the terms and conditions of this agreement and shall be promulgated and used only after such additional rules have been adopted by the Grain Corporation and a committee of millers of the United States of not more than 21 members to be selected for the purposes of this agreement by the United States Wheat Director, and such additional rules as shall be agreed to by the Grain Corporation and by such committee acting by a majority of its number shall be binding on both parties to this agreement: *And provided also,* That any disagreements between the parties hereto as to the interpretation or application of said audit rules in Exhibit A hereto attached or such additional audit rules as may be promulgated as in this section provided, may be settled and adjusted between said Grain Corporation and said committee of millers, and said settlement and adjustment of any such audit rule so arrived at between said Grain Corporation and said committee of millers shall be binding upon the parties hereto.

Thirteenth. The miller shall make and render reports in the manner and at such times as may be required by the Grain Corporation and open his books and records to the inspection of the Grain Corporation whenever requested by it.

Fourteenth. The miller shall not be entitled to any of the benefits or privileges of this agreement unless he shall hold such license as may at any time be required by proclamation of the President of the United States, under and pursuant to an act of Congress relating to the national wheat guarantee, approved March 4, 1919. Should any such license be suspended or revoked, the miller shall thereupon lose all the benefits and privileges which otherwise would accrue to him under this agreement; except and provided only that for a period of 15 days after such suspension or revocation the Grain Corporation shall purchase, upon the request of the miller, the unsold wheat the miller has on hand at the date of such suspension or revocation, at the guaranteed price, in accordance with section 8 hereof, but without the carrying charge of seven-thirtieths of 1 cent per bushel per week provided in said section.

Fifteenth. This agreement may be terminated:

(1) At any time by mutual agreement between the Grain Corporation and a majority of the committee of millers provided for in section 12.

(2) By the Grain Corporation, by giving 45 days' previous written notice of such termination to the miller.

(3) By the miller, party of the first part hereto, by giving 45 days' previous notice of such termination to the Grain Corporation: *Provided, however,* That this agreement can not be so terminated unless prior to the receipt of such notice by the Grain Corporation two-thirds of the members of the committee of millers provided for in section 12 hereof shall have lodged with the president of the Grain Corporation, at its office at 42 Broadway, New York City, a recommendation to the Grain Corporation that a termination of this agreement by notice from the miller should be allowed. In the event that notice of termination is given by the miller in accordance with this clause (3), the miller shall not receive the seven-thirtieths of 1 cent per bushel per week for carrying charges, as provided elsewhere in this agreement, after such notice is given.

Unless this agreement is terminated by one of the three methods above set forth, this agreement shall terminate on May 31, 1920.

Sixteenth. This agreement shall be governed by the laws of the State of New York.

Witness our hands and seals as of the day and year first above written.

Witness for miller sign here.

_____.

(Witness.)

Miller sign here.

_____. [SEAL.]

Sign in name of individual, firm, or corporation, as the case may be.

By _____.

UNITED STATES GRAIN CORPORATION,

By _____, *Secretary.*

Important: This information must be supplied:
Location of mill (street, city, county, State).
Wheat-storage capacity (bushels).
Rated flour-milling capacity (barrels per 24 hours).

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EXHIBIT A.

General auditing rules referred to in agreement between the United States Grain Corporation and the miller.

The following definitions and general rules shall be observed in the conduct of audits under the terms of this agreement:

DEFINITIONS GOVERNING AUDIT.

"Flour": For the purpose of this agreement, "Flour" shall be considered to include all products of wheat other than bran, shorts, feed middlings, and red dog, or their combination (with the exception of whole wheat and graham flour, which products shall be determined by the mill's actual yield records).

"Barrel of flour": A barrel of flour shall be computed as 196 pounds.

"Wheat products": The entire products manufactured in wheat milling process.

"Time of audit": The books of the miller shall be open to the Grain Corporation at any time and shall be subject to final audit of the Grain Corporation not earlier than 20 days after termination of the agreement and shall be diligently continued until completion, and the miller shall have his books and records ready for audit within 20 days after the termination.

"Audit period": The audit of conversion and distribution differential returns by the Grain Corporation shall apply to the business of the miller only during the period or periods in which the miller is operating on wheat on which he has received indemnification through price adjustment as provided in section 6 of the agreement.

RULES GOVERNING AUDIT.

Audit rule 1—resale prices of various grades: (First paragraph, section 2 of agreement.) In the event of the establishment of a "resale price," the same reduction in cents per bushel shall apply to grades other than No. 1, as applied to No. 1 wheat.

Audit rule 2—flour inventory basis: Inventory of flour on hand shall be calculated to a basis of barrels of 196 pounds of flour.

Audit rule 3—jobbing: The miller operating warehouses and/or performing a jobbing service shall have the option of considering flour at warehouses or in transit to warehouses as separate and distinct from his mill stock and shall in such event be subject to the rules and regulations governing jobbers of flour.

Audit rule 4—manufacturing cost of wheat to the miller: To arrive at "manufacturing cost of wheat to the miller," the unsold wheat on hand as reported at the beginning of any "resale price period" shall be arrived at, subject to the verification by the Grain Corporation, as follows:

(a) Actual weigh-up; or

(b) On mill records of that date.

To arrive at the actual cost of wheat on hand the miller shall be required to take the amount paid for the last purchased equivalent quantity, making proper adjustments for differing grades, and to this amount shall be added for the purpose of determining "manufacturing cost of wheat to the miller":

(a) Local freight, if any, to the mill.

(b) Expenses actually incurred in buying, handling, and delivery to the mill, except those expenses properly included in (c).

(c) The reasonable handling margin on such wheat as is purchased direct from the producer in accordance with section 3 of the agreement: *Provided*, That the addition of such margin shall in no case produce a cost of wheat exceeding proper terminal price less freight.

(d) Seven-twentieths of a cent per bushel per week as a carrying charge, to be set up weekly based on weekly statements to the Grain Corporation of wheat and wheat products, in wheat equivalent, on hand, as an addition to "manufacturing cost of wheat to the miller."

The wheat purchased during the "resale price period" shall be computed at actual price paid, plus the permitted charges "a," "b," "c," and "d" as above provided for. The grand total of cost of all wheat above referred to, divided by the total number of bushels, will determine the price per bushel of "manufacturing cost of wheat to the miller" for the "resale price period." In each subsequent "resale price period" having a different "resale price," the "manufacturing cost of wheat to the miller" shall be likewise determined.

[Note: The miller operating as a grain dealer shall not sell wheat to his milling department at a price in excess of the price that his grain department could sell to others at the same time wheat of equal value (grade, variety, and location being taken into consideration.)]

Audit rule 5—sales entitled to indemnification: Indemnification as per section 10 of the agreement in the event of the establishment of a resale price shall be paid to the miller by the Grain Corporation on all wheat products sold during the resale price period and for which indemnification is claimed by the miller, payment to be made against shipments and/or deliveries per audit rule No. 8.

Audit rule 6—weight factor for basis of indemnification: The total pounds of wheat products shipped or delivered, and as evidenced by the reports referred to in audit rule No. 7, divided by 60, shall determine the number of bushels upon which the miller is to be paid indemnification by the Grain Corporation.

Audit rule 7—weekly reports of shipments: Weekly reports covering shipments and/or deliveries against sales of wheat products made during a "resale price period" shall be made and certified to on forms prescribed for that purpose by the Grain Corporation. These weekly reports shall set forth:

(a) The "resale price" (Chicago basis) established in cents per bushel.

(b) The date of the sale.

(c) Name and address of car lot purchaser.

[Note: On shipments and/or deliveries in less than car lots, name and address may be omitted unless specially required.]

(d) Kinds and amounts in pounds of products.

[Note: The total of shipments and/or deliveries in less than car lots may be shown as one item in weekly report unless specially required.]

(e) Invoice numbers against which shipments and/or deliveries have been made, which numbers shall be noted on mill's duplicate of invoice to purchaser.

Audit rule 8—indemnification to be paid milliers weekly: Indemnification as per section 10 of the agreement on sales made during any "resale price period," shall be paid weekly to the miller by the Grain Corporation against his weekly shipments and/or deliveries on such sales of wheat products made during a "resale price period" and as shown in his weekly report as provided for in the preceding audit rule 7.

Audit rule 9—computation of miller's manufacturing and distribution differential: The method of accounting by the miller for the net sales returns accruing from wheat products made from wheat on which the miller has been indemnified by the Grain Corporation shall be as follows:

Credits to miller: (a) The cost of wheat per bushel as determined by audit rule No. 4 ("manufacturing cost of wheat to the miller"), multiplied by the number of bushels of wheat on which indemnity has been paid, shall constitute the entire charge for wheat for the "resale-price period or periods."

[NOTE.—The miller grinding soft wheat may use 102 per cent of his sales of soft-wheat products during any and all "resale-price periods," calculated in pounds, and divide said number of pounds by 60 to determine the number of bushels of soft wheat to be charged to cost of wheat.]

(b) Operating charge of 25 cents per bushel multiplied by the number of bushels on which indemnity has been paid.

Debits to miller: (a) The total amount of indemnification received from the Grain Corporation.

(b) Any balance accruing to the miller through the use of transit billing in the milling and forwarding of wheat products on which indemnification is received shall be credited to sales returns. The miller may use his own method of accounting for same, provided such method reflects actual cost of freight.

(c) The net sales returns from wheat products accruing from the number of bushels of wheat on which indemnity has been paid, calculated to f. o. b. mill, bulk basis, by deducting the following differentials on different classes of sales:

Deduction 1. Local freight charges from mill and/or warehouses to point of delivery of sale if sold and invoiced on delivered price basis.

Deduction 2. Market price of containers in 1,000 lots on date of sale.

Deduction 3. Actual cost of delivery when such delivery is made by transportation facilities furnished by the miller.

Deduction 4. On all sales of flour in straight car lots 15 cents per barrel and on all sales of wheat mill feeds in straight car lots 50 cents per ton.

Deduction 5. On all sales of mixed carloads containing either wheat flour, mixed flour, wheat-flour substitutes, and feeds 40 cents per barrel of flour and $1 per ton of feeds. A mixed carload shall be construed to be a carload containing not less than 25 per cent of wheat flour and/or mixed flour, wheat-flour substitutes, and/or feed.

Deduction 6. On all sales from cars or docks, car lots (not delivered), where flour has been forwarded "on consignment," 40 cents per barrel.

Deduction 7. On all sales from cars or docks, less than carload (not delivered), where flour has been forwarded "on consignment," 50 cents per barrel.

Deduction 8. On all sales to other than consumers in less than carloads (except as stated under deductions 6 and 7 above) (not delivered), 65 cents per barrel.

Deduction 9. On sales to individual consumers (bakers and public eating places excepted) in less than carloads—on flour, $1.35 per barrel; on feed, $7 per ton.

Deduction 10. On sales of feed to wholesale feed dealers in less than carload lots and 1 ton or over, $2 per ton.

Deduction 11. On sales of feed to retail feed dealers in less than carload lots and 1 ton or over, $3 per ton.

Deduction 12. On sales to any feed dealer in lots of less that 1 ton, $4 per ton.

Deduction 13. The licensee miller and/or blender manufacturing self-rising flour shall be entitled on sales of same to an additional deduction of 25 cents per barrel on the wheat flour used in such products plus the cost or market value (whichever is the higher on date of shipment) of other ingredients used.

Note to audit rule 9. The total credits and debits to the miller as herein specified are to be considered as a whole and not as individual items of either cost of wheat, operating charge, or as sales of wheat products.

Audit rule 10. Wheat products and other ingredients: Any miller mixing wheat products with products of other grain and/or other ingredients, or manufacturing cereal specialties and/or pancake flour, may sell to his cereal department at the current price such wheat products as are required for such purposes, and after such products have been thus sold may have the privilege of operating independently of all charge limitations on such products, but in that event the licensee miller or blender will not be entitled to further indemnification on such wheat-products portion of said mixed products, cereal specialties, and/or pancake flour in event another "resale price" is established.

Audit rule 11. Export sales: The miller grinding wheat and exporting the flour produced therefrom shall, under proper verification on prescribed form of report, be entitled to the same indemnification as allowed on domestic business on the wheat used to produce such flour, but such indemnification and the returns from such export sales (except those made to the Grain Corporation) shall not be included in his reports for final accounting.

Audit rule 12. Method adjustment, final audit: A rule will hereafter be promulgated by the committee of millers and wheat director to more clearly define the purpose of the final audit, so that the net sales return on the indemnified wheat will reflect approximately the mill's output grind and the audit made on a basis that will not penalize the miller or inure to his benefit.

Audit rule 13. Grain Corporation may withhold payments against unsatisfactory reports: If, in the opinion of the Grain Corporation, the verified reports as rendered by the miller as to amount of unsold wheat and unsold flour on hand on May 31, 1920, or earlier termination date (or at termination of 45-day extension, as provided in section 11 of the agreement) are not sufficiently supported to justify it in considering same as being the actual weight of wheat and amount of flour on hand to carry out the provisions of section 11 of the agreement then in that case the Grain Corporation will accept same conditionally and will pay 75 per cent of the amount claimed by the miller as due, under the options in section 11 of the agreement selected by the miller, within 10 days after receipt of such report unless, in the judgment of the Grain Corporation, this payment should be reduced to protect the Grain Corporation on final settlement as per section 6 of the agreement, and will pay the balance due when the miller has to the satisfaction of the Grain Corporation verified the report furnished to the Grain Corporation with actual weights and/or counts, and final payment shall be made to the miller within 10 days after receipt of such final reports. Balances due the miller shall bear interest, to be paid by the United States Grain Corporation, at the rate of 6 per cent per annum.

Audit rule 14. Segregation of elevator operations: The miller may operate his elevator at milling plant and/or his country elevators independent of his milling operations under rules and regulations governing grain dealers.

Audit rule 15. Final accounting to Grain Corporation: Excess credits, if any, due the Grain Corporation under the terms of section 6 of this agreement shall be credited to the account of the Grain Corporation on the books of the miller from time to time as the miller in his judgment shall deem necessary to reflect such excess credits, but final accounting for such excess credits, if any, shall be made at the date of the final audit as provided herein. This account, however, shall be subject to adjustment from month to month as may be necessary to reflect the current operation of the miller during a resale period or periods under the provisions of the manufacturing charge and distribution differential limitations. This rule will be further amended, if circumstances require, to more fully describe the method of final accounting and to protect the interests of the parties under the procedure above indicated.

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[United States Grain Corporation, 42 Broadway, New York City. Agreement with dealers, elevators, and brokers.]

This agreement, made this ——— day of ———, 19—, between the undersigned, hereinafter called the "dealer," party of the first part, and United States Grain Corporation, formerly Food Administration Grain Corporation, hereinafter called the "grain corporation," party of the second part.

Witnesseth, that for and in consideration of the mutual covenants hereinafter set forth, it is agreed between the parties hereto as follows:

First. The words "guaranteed price" when used in this agreement mean the wheat primary market price fixed in the presidential procla-

mation of September 2, 1918 ($2.26 Chicago), or as such primary market price may hereafter be increased by Executive order or increased by the addition of storage premiums fixed by the Grain Corporation and publicly announced by it.

Second. The dealer in buying wheat from the producer shall purchase on the proper grade and dockage, under the Federal standards, and shall pay therefor not less than the guaranteed price based on such proper grade and dockage, at the terminal most advantageously reached, less freight, and less a reasonable handling margin. The dealer shall keep a record showing all purchases from the producer, name of the seller, date, quantity, grade, and dockage fixed and price paid and reasons for fixing grade under No. 1, including test weight; and on all parcels of wheat on which there is a dispute as to grade and dockage or price between the dealer and the producer at the time of delivery a notation thereof shall be made upon the records of the dealer and a sample shall be drawn by the producer and the dealer and forwarded in a proper container to the vice president of the Grain Corporation in the zone in which the purchase is made for his use in the determination of the dispute. The determination of the vice president shall be final and conclusive unless an appeal from such determination be filed within 10 days with the United States Wheat Director by either the producer or dealer. In case of appeal the decision of the United States Wheat Director shall be final and conclusive. The dealer shall keep a copy of this section prominently displayed at his place of business.

Third. At any time and from time to time prior to the termination of this agreement the Grain Corporation shall purchase, at the guaranteed price, in accordance with its purchasing rules and customs, upon the request of the dealer, to be delivered at the terminal or terminals designated by the dealer, all or any part of the unsold wheat owned by the dealer, whether in store or in transit (except wheat purchased or under contract of purchase from the producer and not yet delivered or shipped by such producer).

Fourth. In case the dealer shall be unable, after using every effort and all diligence to ship in any week such total quantity of all grain as makes the equivalent of at least 20 per cent of the amount of wheat (wheat only) in his elevator and owned by him at the beginning of such week, the Grain Corporation shall pay to the dealer to cover insurance and interest for such week seven-twentieths of a cent per bushel on the amount of wheat in the elevator and owned by him at the beginning of such week: *Provided, however*, That in the event that the Grain Corporation announces that it has established and includes in the guaranteed price an advancing premium framed to reflect a fair carrying charge, this section shall not be effective during the period of such advancing premium.

Fifth. Upon the date of the termination of this agreement, as hereinafter provided, the Grain Corporation shall, at the request of the dealer, purchase for delivery to it at the terminal selected by the dealer, at the guaranteed price, or, at the option of the Grain Corporation, f. o. b. the dealer's elevator, at the guaranteed price, less freight to said terminal, all or any part of the unsold wheat of the dealer on hand and in transit (except wheat purchased or under contract of purchase from the producer and not yet delivered or shipped by such producer). The details as to quantity, probable grade, and position shall be furnished to the Grain Corporation by the dealer not later than 10 days after the date of termination.

Sixth. The dealer shall not store in any elevator or warehouse at any seaport of the United States wheat or wheat products for a longer period than 30 days without the express permission, in writing, from the Grain Corporation.

Seventh. The dealer shall make and render reports in the manner and at such time as may be required by the Grain Coorporation and open his books and records to the inspection of the Grain Corporation whenever requested by it.

Eighth. The dealer shall not be entitled to any of the benefits or privileges of this agreement unless he shall hold such license as may at any time be required by proclamation of the President of the United States, under and pursuant to an act of Congress relating to the national wheat guarantee, approved March 4, 1919. Should any such license be suspended or revoked the dealer shall thereupon lose all the benefits and privileges which otherwise would accrue to him under this agreement, except and provided only that for a period of 15 days after such suspension or revocation the Grain Coorporation shall purchase, upon the request of the dealer, the unsold wheat owned by the dealer at the date of such suspension or revocation at the guaranteed price in accordance with section 3 hereof.

Ninth. This agreement may be terminated by the Grain Coorporation by giving 45 days' previous notice thereof to the dealer. Unless so terminated this agreement shall terminate on May 31, 1920.

Tenth. This agreement shall be governed by the laws of the State of New York.

Witness our hands and seals as of the day and year first above written.

Witness for dealer sign here.

_____.
(Witness.)

Dealer sign here.

_____ [SEAL.]

Sign in name of individual, firm, or corporation, as the case may be.

By _____,

UNITED STATES GRAIN CORPORATION,

By _____, *Secretary.*

Important: This information must be supplied:

Character of business (country elevator, terminal elevator, dealer, broker).

Location (street, city or town, county, State).

Wheat storage capacity if an elevator (bushels).

Character of construction if an elevator (wood, steel, concrete).

[United States Grain Corporation, 42 Broadway, New York City.
Agreement with Pacific coast dealers, elevators, warehouses, and jobbers.]

This agreement made this —— day of ———, 19—, between the undersigned, hereinafter called the "dealer," party of the first part, and United States Grain Corporation, formerly Food Administration Grain Corporation, hereinafter called the "Grain Corporation," party of the second part—

Witnesseth, that for and in consideration of the mutual covenants hereinafter set forth, it is agreed between the parties hereto as follows:

1. The words "guaranteed price," when used in this agreement, mean the wheat primary market price fixed in the presidential proclamation of September 2, 1918 ($2.26 Chicago), or as such primary market price may hereafter be increased by Executive order or increased by the addition of storage premiums fixed by the Grain Corporation and publicly announced by it.

2. The dealer, in buying wheat from the producer, shall purchase on the proper grade and dockage, under the Federal standards, and shall pay therefor not less than the guaranteed price based on such proper grade and dockage, at the terminal most advantageously reached, less freight and less a reasonable handling margin. The dealer shall keep a record showing all purchases from the producer, name of the seller, date, quantity, grade and dockage fixed, and price paid and reasons for fixing grade under No. 1, including test weight; and on all parcels of wheat on which there is a dispute as to grade and dockage or price between the dealer and the producer at the time of delivery, a notation thereof shall be made upon the records of the dealer and a sample shall be drawn by the producer and the dealer and forwarded in a proper container to the vice president of the Grain Corporation in the zone in which the purchase is made, for his use in the determination of the dispute. The determination of the vice president shall be final and conclusive unless an appeal from such determination be filed within 10 days with the United States Wheat Director by either the producer or dealer. In case of appeal the decision of the United States Wheat Director shall be final and conclusive. The dealer shall keep a copy of this section prominently displayed at his place of business.

3. At any time, and from time to time prior to the termination of this agreement, the Grain Corporation shall purchase, at the guaranteed price, in accordance with its purchasing rules and customs, upon the request of the dealer, to be delivered at the terminal or terminals designated by the dealer, all or any part of the unsold wheat owned by the dealer, whether in store or in transit (except wheat purchased or under contract of purchase from the producer and not yet delivered or shipped by such producer).

4. In case the dealer shall be unable, after using every effort and all diligence to ship in any week such total quantity of all grain as makes the equivalent of at least 20 per cent of the amount of wheat (wheat only) in his elevator and owned by him at the beginning of such week, the Grain Corporation shall pay to the dealer to cover insurance and interest for such week seven-twentieths of a cent per bushel on the amount of wheat in the elevator and owned by him at the beginning of such week: *Provided, however*, That in the event that the Grain Corporation announces that it has established and includes in the guaranteed price an advancing premium framed to reflect a fair carrying charge, this section shall not be effective during the period of such advancing premium.

5. In case the dealer shall not ship in any week at least 20 per cent of the amount of wheat owned by him in his elevator or warehouse and in other storage at the beginning of such week, the Grain Corporation shall pay to the dealer, to cover insurance and interest for such week, seven-twentieth of 1 cent per bushel on the amount of wheat owned by him in his elevator or warehouse or other storage at the beginning of such week: *Provided, however*, That in the event that the Grain Corporation announces that it has established and includes in the guaranteed price an advancing premium, framed to reflect a fair carrying charge, this section shall not be effective during the period of such advancing premium.

6. The dealer shall not store in any elevator or warehouse at any seaport of the United States wheat or wheat products for a longer period than 30 days without the express permission, in writing, from the Grain Corporation.

7. The dealer shall make and render reports in the manner and at such times as may be required by the Grain Corporation and open his books and records to the inspection of the Grain Corporation whenever requested by it.

8. The dealer shall not be entitled to any of the benefits or privileges of this agreement unless he shall hold such license as may at any time be required by proclamation of the President of the United States, under and pursuant to an act of Congress relating to the national wheat guaranty approved March 4, 1919. Should any such license be suspended or revoked the dealer shall thereupon lose all the benefits and privileges which otherwise would accrue to him under this agreement, except and provided only that for a period of 15 days after such suspension or revocation the Grain Corporation shall purchase, upon the request of the dealer, the unsold wheat owned by the dealer at the date of such suspension or revocation, at the guaranteed price, in accordance with section 3 hereof.

9. This agreement may be terminated by the Grain Corporation by giving 45 days' previous notice thereof to the dealer. Unless so terminated this agreement shall terminate on May 31, 1920.

10. This agreement shall be governed by the laws of the State of New York.

Witness our hands and seals as of the day and year first above written.

Witness for dealer sign here.

_____.
(Witness.)

Dealer sign here.

_____. [SEAL.]

Sign in name of individual, firm, or corporation, as the case may be.

By _____,

UNITED STATES GRAIN CORPORATION,

By _____, *Secretary.*

Important: This information must be supplied:

Character of business (country elevator, terminal elevator, warehouse, dealer, broker).

Location (street, city or town, county, State).

Wheat-storage capacity if an elevator warehouse (bushels).

Character of construction if an elevator or warehouse (wood, steel, concrete).

[United States Grain Corporation, 42 Broadway, New York City.
Agreement with flour jobbers.]

This agreement, made this —— day of ———, 19—, between the undersigned, hereinafter called the "Flour Jobber," party of the first part, and United States Grain Corporation, formerly Food Administration Grain Corporation, hereinafter called the "Grain Corporation," party of the second part.

Witnesseth, That for and in consideration of the mutual covenants hereinafter set forth, it is agreed between the parties hereto as follows:

First. The words "guaranteed price" when used in this agreement, mean the wheat primary market price fixed in the presidential proclamation of September 2, 1918 ($2.26 Chicago), or as such primary market price may hereafter be increased by Executive order or increased by the addition of storage premiums fixed by the Grain Corporation and publicly announced by it.

Second. The words "resale price" when used in this agreement mean a wheat price lower than the guaranteed price publicly announced by the Grain Corporation to be the wheat price for milling and upon which the adjustments hereinafter provided are to be based.

Third. In the event that the Grain Corporation announces a resale price of wheat, it shall pay to the flour jobber in respect to any wheat flour then owned by the flour jobber or under contract of purchase by him, the equivalent of the difference between the guaranteed price and the resale price at the ratio of four and one-half bushels of wheat to one barrel of flour. In the event that thereafter the Grain Corporation should announce a return to the guaranteed price or a resale price higher than the then current resale price, the flour jobber, in respect to any wheat flour then owned by the flour jobber or under contract of purchase by him, shall pay to the Grain Corporation the equivalent of the difference between the then current resale price and the guaranteed price or the new resale price, at the ratio of four and one-half bushels of wheat to one barrel of flour. Similarly, if the Grain Corporation should announce a resale price either higher or lower than the then current resale price, like settlements shall be made. Each of the parties to this agreement, as the case may be, shall make the foregoing payments weekly on statements and reports prescribed by the Grain Corporation as actual deliveries of flour are made to the buyer until the amount of flour owned or under contract of purchase on which adjustment is to be made has been delivered.

Fourth. During the continuance of any resale price the flour jobber shall reflect into the price of flour sold by him the reasonable equivalent of such resale price. If, in the judgment of the Grain Corporation the flour jobber is not reflecting into the price of flour sold by him the reasonable equivalent of such resale price and the flour jobber refuses to adopt the expression of the Grain Corporation as to what is a reasonable reflection the Grain Corporation shall submit the question to the United States Wheat Director for his decision. The opinion of the United States Wheat Director as to what constitutes such reflection into the price of flour sold by the flour jobber shall be binding upon the parties to this agreement.

Fifth. Upon the date of the termination of this agreement, as hereinafter provided, the Grain Corporation will announce a price, which price in its judgment is a fair reflection of the guaranteed price or of the resale price, if any, then in effect, at which it will buy at certain standard basing points and markets such unsold stocks of flour then owned by the flour jobber, or under contract of purchase by him. Such flour price as announced by the Grain Corporation will contemplate satisfactory flour, of not lower than 95 per cent so-called straight flour, and without premium for any higher grades. Thereupon the flour jobber, within 10 days after such termination date, may file with the zone office of the Grain Corporation in the zone in which the flour jobber's home office is located, an acceptance of such offer of the Grain Corporation, specifying the amount and details of the flour, and within 15 days thereafter the Grain Corporation shall give shipping orders, and payment shall be made by demand draft with documents attached, or as otherwise mutually arranged: *Provided, however*, That at the time of accepting the Grain Corporation offer the flour jobber may declare that he elects to defer delivery of the flour for a period of 45 days from the termination date in order that he may continue to sell such unsold flour through his usual trade channels. In that event, the flour jobber shall sell such flour at a fair reflection of the 95 per cent straight flour price, taking into consideration any differing grades of flour and differing terms. All sales of flour by the flour jobber thereafter shall cancel an equivalent amount of flour sold to the Grain Corporation by the acceptance aforesaid. During this 45-day period the Grain Corporation may direct the flour jobber to advance or reduce the price of the flour from the basis announced by the Grain Corporation as its purchase basis, and, in that event, the Grain Corporation shall pay or receive such difference to or from the flour jobber as the sales and deliveries are properly evidenced. At the expiration of such 45 days from the original termination date, the flour jobber may, by telegram filed the next succeeding day and addressed to the zone office of the Grain Corporation in which the flour jobber's home office is located, advise the Grain Corporation of the amount of unsold flour yet remaining from the originally designated quantities, and may then deliver to the Grain Corporation such unsold flour, on the terms and conditions specified for the original delivery. *Provided*, That the flour jobber may, by telegram and in the same manner at the end of said 45-day period, take over such unsold flour for his own account: *And provided further*, That if in the meantime the Grain Corporation has directed the flour jobber to resell such flour at a different basis than the flour price publicly announced on the termination date of the original contract, settlement on such flour taken over by the flour jobber on the termination of the 45-day period shall be made with the Grain Corporation on the new price basis so directed by the Grain Corporation.

Sixth. All purchases of flour by the flour jobber shall be evidenced by contracts executed by buyer and seller, showing prices, terms, quantities, and conditions, and no contract shall be made that specifies delivery of flour later than 60 days from the date of such contract.

Seventh. The flour jobber shall make and render report in the manner and at such times as may be required by the Grain Corporation and open his books and records to the inspection of the Grain Corporation whenever requested by it.

Eighth. The flour jobber shall not be entitled to any of the benefits or privileges of this agreement unless he shall hold such license as may at any time be required by proclamation of the President of the United States under and pursuant to an act of Congress relating to the national wheat guarantee, approved March 4, 1919. Should any such license be suspended or revoked the flour jobber shall thereupon lose all the benefits and privileges which otherwise would accrue to him under this agreement.

Ninth. This agreement may be terminated by the Grain Corporation by giving 45 days previous notice thereof to the flour jobber. Unless so terminated this agreement shall terminate on May 31, 1920.

Tenth. This agreement shall be governed by the laws of the State of New York.

Witness our hands and seals as of the day and year first above written.

Witness for jobber sign here.

_____

(Witness.)

Jobber sign here.

_____. [SEAL.]

Sign in the name of individual, firm, or corporation, as the case may be.

By _____

UNITED STATES GRAIN CORPORATION,

By _____, *Secretary.*

Important: This information must be supplied:

Location (street, city, county, State).

Estimated amount of flour handled per month (barrels per month).

Mr. GRONNA. Mr. President, I was making an effort to show the actual conditions with reference to the stocks of wheat in the country. According to the statement which I read a moment ago, there is an overestimate, and, as the shrinkage, according to the grain director's own statement, is at least 5 per cent—and, as I said a moment ago, I am inclined to believe that it is more this year—that would amount to 46,000,000 bushels, which, added to 23,000,000 bushels, makes 69,000,000 bushels.

Mr. President, in order that the Senate may understand that I have carried on no propaganda with reference to my bill, I desire to say that I have not solicited the support of a single individual or a single citizen of this country in favor of that bill. I have not sent a telegram or a letter to any farm organization or any other organization in support of the bill. The only interview which I have given out is one which I gave to a very respectable, high-class man who happens to live in the State of Minnesota. That interview I wish to read, to show that I have given no interviews, carried on no propaganda, except for the statements I have made on the floor of the Senate, and those statements, I believe, will stand for themselves, and will show that whatever I have done I have done in the interest of the consumer and the producer and not in the interest of speculators. This was my interview:

Section 14 of the act approved August 10, 1917, provides for the guaranty of the price of wheat at $2 per bushel. It also authorizes the President to fix a reasonable guaranteed price for wheat in order to assure the producers a reasonable profit. This same section of the food law also provides that the President may use any agency of the Government, or he may set up a new agency for the purpose of carrying out the provisions of this law. My bill does not repeal this section of the food law, and it was not the intention of our committee to repeal it. It is true that the bill in its present form provides for the repeal of the act approved March 4, 1919, which also provides for a fund of $1,000,000,000, and gives the President the same authority as provided for in section 14 of the original act.

The Food Administration Grain Corporation was organized under the State laws of the State of Delaware, with a capital stock of $50,000,000. The grain director is therefore operating under the laws of the State of Delaware, and not under our Federal laws.

The purpose of this bill—

I am speaking now of my bill—

was to abolish the Grain Corporation. If the pending bill does not properly safeguard the guaranty, we can easily amend it by a very few words, and say that the President, through the Secretary of Agriculture, is authorized and directed to buy and sell wheat whenever the price of wheat goes below the fixed price, and that the $1,000,000,000 fund turned into the Treasury may be used for this purpose. All this work can easily be done through the Bureau of Markets in the Department of Agriculture, with no additional expense to the Government.

It is difficult to see how any man, no matter how able he may be, can properly safeguard the producers' interest and at the same time manage the campaign of some distinguished gentleman for President of the United States.

Mr. President, I felt like saying that much; I said it and I repeat it.

I have here before me an advertisement taken from the Literary Digest and sent to me by a high-class newspaper man, who informs me that the advertisement cost $6,000 for one issue. This is just one incident; but Mr. Barnes has a billion-dollar appropriation, and I know that last year he made a net profit of nearly $24,000,000 from grain sold to neutrals. What he has made this year I can not positively state, but I understand that the total amount is approximately $50,000,000. How can any Senator or any Representative in Congress combat such a damnable force as that, operating amongst the 29,000 licensees under the control of Mr. Barnes? All he has to do is to touch the wires and what he says will go to all of these agencies. I am going to read one telegram, which I believe contains from 300 to 400 words, and which I have been told he sent to more than 600 delegates attending a convention at New York in June last.

This telegram was sent in the first days of February, and was evidently sent to members of the convention held last June in New York City, called by the wheat director:

The press reports the Senate Agricultural Committee favorably reporting the Gronna bill, which will terminate on passage of the wheat guaranty and the appropriation making it effective. The committee apparently voted for it unanimously, without any investigation of the disastrous effects which would certainly follow.

Senator GRONNA on February 2 stated his opinion that wheat would sell higher without the guaranty, and therefore the appropriation and the administrative organization not now required. On the very day bill reaches Senate the collapse of wheat price even in Minneapolis market carried certain grades within 5 cents of the Government guaranty basis. The withdrawal of the underlying assurance of Government readiness to purchase at the guaranteed price might produce a further decline below the guaranty, and this termination would be a substantial repudiation of a national pledge still running four months, while two hundred millions of wheat still on the farm, two hundred millions in dealers' hands, and large stocks of flour rely on the assurance of Government buying to the end of the pledge, June 1.

With all the security possible, the marketing machinery is exposed to great uncertainties and hazards, as demonstrated in collapse of overseas exchange, suspended export trade, even in foods. I should be glad to terminate our work, but can not allow Congress, without warning of its disastrous results, to expose producer and handler by such an act of repudiation.

You were a delegate to the June convention, and with your advice and assistance was constructed the system of trade agreements which for seven months protected the grower pledge without loss to the National Treasury.

This whole structure now jeopardized by this proposed act and irreparable damage in undermining confidence already done by its mere introduction. You must recognize our obligation and your own toward menaced producers and dealers. What steps do you suggest advisable to take?

JULIUS H. BARNES.

Evidently sent to six or seven hundred delegates.

We are economizing; we are cutting down appropriations; we are denying departments appropriations which they actually ought to have in order to stimulate production; yet, in the face of that, this agency is carrying on a propaganda unheard of in the history our our country; and spending whose money?

If the Senators will go to the Secretary's office and examine the reports, they will find that he is spending the Government's money, which he has a right to do for legitimate purposes, and he is expending large amounts of the $24,000,000 net profit which he made out of the farmers last year for this infamous propaganda. With not to exceed 60,000,000 bushels on the farm, how are these high prices, which Mr. Barnes now seems to favor, going to benefit the farmer? How are they going to benefit anyone except those who are loaded up with wheat and who expect to make tremendous profits?

I am also going to show to the Senate, from Mr. Barnes's own statement before our committee on October 25—that was the first day of the hearings, and we heard him on another day the next week—where he states positively, and he states again and again, and I said at that time that I found no fault with him, that if he had it in his power not a single bushel of wheat would have been purchased above the guaranteed price.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. GRONNA. Certainly.

Mr. KING. I am interested in knowing the character of the propaganda to which the Senator refers, and I am also interested in knowing the nature of the advertisement carried in the Literary Digest, and what is the purpose of this propaganda, and what may Mr. Barnes hope to accomplish thereby?

Mr. GRONNA. Mr. President, I may be mistaken, but I can see no other result, if the propaganda had been carried out without calling it to the attention not only of the Senate but of the country, than that it would have resulted in abnormally high prices for the stocks which are in the terminal elevators and which are owned by the dealers.

The Senator asks me about the advertisement carried in the Literary Digest. I have it here. The Senator may examine it. It has the picture of an eagle and a sack of flour bearing the label "United States Grain Corporation, standard pure wheat flour," and it reads as follows:

To American flour consumers:

During the war 12,000,000 American housewives pledged by a signed card to follow the suggestions of the Food Administrator, and thereby accomplished marvels in food saving.

Well, everybody knows who the Food Administrator was. Of course, that was Mr. Hoover. That is a splendid advertisement for Mr. Hoover.

I shall not give the name of this writer for the RECORD, but any Senator who wishes to see the letter may do so. The man who sends this to me is the managing editor of a magazine, and this is what he says:

It may interest you to know how the Grain Corporation is squandering the people's money on advertising its cheap flour. Please note the inclosed advertisement just clipped from the Literary Digest. These two pages cost $6,000. The matter embraced in this ad. could well be condensed in half a column. * * * This advertising at the present time is pure waste, if not graft. It will, of course, be taken out of the people who raise wheat and those who buy flour and bread. The Government has no trouble getting all the publicity it needs free; there is no justification for the expenditure of large sums on magazine and periodical publicity.

Yours, truly,

Managing Editor.

Mr. President, if it is the wish of Congress and the wish of the people of the United States that this propaganda shall go on, of course I shall submit to it; I shall have to submit to it; but being charged with the responsibility of the chairmanship of the Committee on Agriculture and Forestry, I feel that it is my duty to let the Senate and the country know the facts.

There were sent to me by a very reliable newspaper man from one of the towns in Indiana two advertisements, which are purely propaganda, sent out by Julius Barnes. One of them is headed "U. S. Grain Corporation, 42 Broadway, New York," and dated Monday, February 9, 1920. I ask that this be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

[For release Monday, Feb. 9, 1920.]

UNITED STATES GRAIN CORPORATION,
42 Broadway, New York City.

Indianapolis Trade Journal, Heart O' Trade, Chamber of Commerce Building, Indianapolis, Ind.:

The United States Grain Corporation to-day issued its thirty-ninth weekly bulletin covering the wheat and wheat flour movement throughout the United States for the week ending January 30, in comparison with the figures for the same period a year ago. The figures given out were as follows:

	1920	1919
Wheat receipts from farms, bushels	6,421,000	8,371,000
Wheat receipts from farms, previous week, bushels	5,671,000	6,267,000
Wheat receipts from farms, June 27 to Jan. 30, bushels	682,257,000	672,748,000
Flour produced during week, barrels	2,701,000	2,270,000
Flour produced previous week, do	2,859,000	2,314,000
Flour produced June 27 to Jan. 30, do	88,282,000	74,244,000
Total stocks, wheat, all elevators and mills, bushels	210,938,000	245,683,000
Total stocks, wheat, all elevators and mills, previous week, bushels	217,148,000	247,159,000
Change for week, do	[1] 6,210,000	[1] 1,476,000

EXPORTS OF WHEAT AND WHEAT FLOUR.

Exports of wheat and flour, July 1, 1919, to January 30, 1920, amount to 85,892,000 bushels of wheat and 9,738,000 barrels of flour, making a total equal to 129,715,000 bushels of wheat, compared with 114,633,000 bushels of wheat and 12,580,000 barrels of flour last year to January 30, 1919, making a total equal to 171,241,000 bushels of wheat.

The following is the advertisement referred to in the Literary Digest:

[From the Literary Digest for Jan. 31, 1920.]

UNITED STATES GRAIN CORPORATION STANDARD PURE WHEAT FLOUR.

To American flour consumers: During the war 12,000,000 American housewives pledged by a signed card to follow the suggestions of the Food Administrator and thereby accomplished marvels in food saving.

Since the armistice, and with the relaxation of this effort, the course of food prices, uninfluenced by that former intelligent direction and suggestion, has been such as to indicate either a degeneration of the thrift spirit or inability or unwillingness to correct inequalities of supply and demand.

The United States Grain Corporation, a Government agency, aims to bring to the attention of our people that, as never before in our history, there is the opportunity to practice thrift by individual selection in the purchase of flour.

There is no longer authority to prescribe a uniform method of extraction of flour from the wheat berry as was done during the war. Moreover, except in times of war, the individual preference of our people should be touched lightly, if at all. But that individual preference should be so informed, by accurate information, that it will make its choice with open eyes.

Therefore the Grain Corporation has taken the position that our people should have an opportunity to buy, in the retail stores, lower-priced flour made from the variety of wheat which is in abundant supply.

With this opportunity offered them, they may still prefer to purchase at greater cost that particular quality of flour, highly separated, and requiring for its extraction that variety of wheat from sections where lighter crop yield has caused a higher price.

The clamor of disputants regarding the relative value of various flours from various varieties of wheat has raged for generations, and will always afford a basis for controversy, more or less sincere. But the broad general fact can be stated that those qualities that prove perfectly satisfactory in general household use are found, for peculiar crop reasons this year, in the lower-priced flours. For pastry and cake making the lower-priced flours will be found actually superior. You are the best judge in actual test.

The Grain Corporation prefers that these varieties of flour reach the consumer through the usual trade channels, the mill, the wholesaler, and the retailer, in private trade and outside of the agency of the Grain Corporation. In carrying out, however, its policy of giving the consumer the chance of selection in the practice of thrift, the Grain Corporation is having its export purchases of flour packed in suitable retail packages under the brand "United States Grain Corporation Standard Pure Wheat Flour." In those communities where private trade and individual initiative have not supplied a similar quality and at a similar price we shall induce some retailers to handle this Grain Corporation flour.

Therefore I am justified in advising the American consuming public that this choice now is their; that in retail communities they may buy this perfectly acceptable flour at about $1.50 for the eighth-barrel paper sack or they may pay about $2 or even more for their insistent selections of other special qualities. So far as this enterprise has now progressed, I am confirmed in my belief that a considerable section of our people has not been drawn into an orgy of thoughtless spending as charged against us all, that they value and practice thrift, and thank us for informing them of this opportunity for their choice.

JULIUS H. BARNES,
United States Wheat Director.

For further information write United States Grain Corporation, flour division, 42 Broadway, New York.

Mr. GRONNA. This was sent out under the Government frank.

Mr. OWEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. GRONNA. In just a moment. I have another advertisement, sent me by the same man, headed "Julius H. Barnes, 42 Broadway, New York City. For release immediately—February 7, 1920." I will read part of it:

[1] Decrease.

Julius H. Barnes, United States Wheat Director, last night made public a letter to Senator GRONNA in which he terms the latter's bill for the repeal of the wheat guaranty act and the abolition of the Grain Corporation as a direct repudiation of the pledge made by Congress to the wheat producer for the crop of 1919.

"Senator GRONNA's bill, which yesterday was favorably reported by the Senate Agricultural Committee, repeals all Government control over the price of wheat and requires the Grain Corporation to wind up its affairs without delay."

I shall not take the time to read the rest of it, but I want to read one paragraph. Now, here is the same man who testified before our committee on October 25, and who was so solicitous of the consumer's benefit and so anxious to keep down the price of wheat. Now, listen to what he says in this propaganda:

I warn you and Congress that in the four months yet to go under that guaranty there yet lies the possibility of such a depreciation of value, following the withdrawal of that Government guaranty, that 6,000,000 wheat farmers will ask you by what right you repudiate the pledged national guaranty, on the underlying foundation of which the influence of supply and demand had built an average premium of 30 cents per bushel.

Mr. President, the farmer, as I have said, has a very small amount in store on the farm, although Mr. Barnes states in this letter:

Two hundred million bushels of wheat still remain on the farms, and 200,000,000 bushels additional in the channels between farm and consumer, all of it relying on the pledged faith of this Government that, if necessary, the National Treasury stands behind its purchase at the guaranty level. That security your bill proposes to terminate, and that termination will cause apprehension with every farmer, with every dealer, with every miller, with every flour handler, with every baker, and with every banker. The withdrawal of that underlying security will destroy the trade methods which have furnished a ready daily market to the producer at a farm price for wheat 200 per cent higher than the prewar level—

Which is not true, because wheat was $3.07 in Minneapolis the day we enacted the law, and the farmer has never received, on an average, that price. He has never received that price.

Yet protected the consumer by a bread advance of only 75 per cent—

And so forth.

Mr. President, I could furnish a great many of these advertisements and a great deal of this propaganda which Mr. Barnes is sending out, but I neither want to take the time of the Senate unduly nor do I want to burden the RECORD.

Mr. GORE. It is all published free.

Mr. GRONNA. It is published, of course; I do not know whether it is free or paid for.

Mr. OWEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. GRONNA. I yield to the Senator.

Mr. OWEN. I understood that the representations made before the committee with regard to price fixing by the Food Administrator were to the effect that it was to be a minimum price, and afterwards that it was used as a maximum price. Is that true?

Mr. GRONNA. Yes, Mr. President. Of course, those are really two questions. I see a number of Senators here who are members of the Committee on Agriculture and Forestry, among them the distinguished Senator from Oklahoma [Mr. GORE], the Senator's colleague, who was chairman of the committee at that time, and I believe I am stating the facts when I say that it was understood by the committee that this was simply a minimum price; that it would not be used as a maximum price.

Mr. OWEN. Was it not so represented to the committee by Mr. Hoover?

Mr. GRONNA. Mr. Hoover stated again and again that he did not want a maximum price; he simply wanted a minimum price.

Mr. OWEN. And do I understand that afterwards he used this as a maximum price?

Mr. GRONNA. He did, in this way——

Mr. KELLOGG. Mr. President, it has not been used as a maximum price this year.

Mr. GRONNA. I think I shall cover that, if the Senator will permit me. The same section of the food act not only fixes the minimum guaranteed price at $2 a bushel, but it authorizes the President to fix a higher price, to fix a price which will stimulate production, and, as the law recites, which will be a fair price, and which will give the farmer a profit. The President, acting on the advice of his associates—and he did all that any President or any other man could possibly do—appointed a fair-price committee, and on that committee were representative men; but undoubtedly, Mr. President, the influence of Mr. Hoover was felt, and the first price fixed by the President of the United States was $2.21, I believe, in Minneapolis. The prices varied throughout the terminal markets, but on an average, I think, the price was about $2.10 or $2.15. Now, that was an absolute maximum price, and that price prevailed during the war, so that the farmer had to sell his wheat to the elevators on the basis of that price.

Mr. KELLOGG. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. GRONNA. I do.

Mr. KELLOGG. That price was fixed by the President himself. Mr. Barnes had nothing whatever to do with it. He was not even Food Administrator at the time.

Mr. GRONNA. Mr. President, I do not want to dispute the words of my good friend from Minnesota.

Mr. KELLOGG. I went to see the President myself, and so did the Senator from North Dakota, and urged him to fix a higher price than $2.21 or $2.20.

Mr. GRONNA. Yes; I am sure the Senator did that.

Mr. KELLOGG. We did everything we could, but the President himself fixed it at $2.20.

Mr. GRONNA. There is no misunderstanding between the Senator from Minnesota and myself with reference to the wheat question. I think we have agreed on every proposition affecting the farmer and affecting the consumer. I believe, however, that Mr. Hoover's influence had a great deal to do with the fixing of this maximum price.

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. GRONNA. I yield to the Senator.

Mr. GORE. The Senator from North Dakota will remember that Mr. Hoover stated before the Agricultural Committee that the fixing of an absolute or maximum price had failed during the war in Europe wherever it had been tried, and he said there were a good many illusions in connection with the food bill then pending, and that one of those illusions was the fear among the farmers that it would be used to fix a maximum or absolute price. He said there was no foundation for such an illusion. Instead of an illusion, it turned out to be a fact, a very grim fact, and a very expensive fact.

Mr. GRONNA. I thank the Senator for calling my attention to that matter. I remember very well that Mr. Hoover stated to our committee, just as the Senator has said, that a maximum price had not worked well in European countries, and he thought it was best for us to fix only a minimum price, and I believe that every Member of this body so understood it when the law was passed. As I said a moment ago, I do not think any farmer or anyone else can find any fault with the law. The law was passed with the intention of seeing that justice was done the farmer in case there should be a slump in the price of wheat, but it was not intended that the market price—the actual price prevailing—should be taken away from the farmer; but that was done during the war, and the farmers have not complained. They said: "It was a war measure. We are willing to make sacrifices. We gave our boys freely, and we certainly are willing to give this product to the American Government." That is what the farmers said; and let me say, in answer to my friend the Senator from Minnesota, that it is true that during last year—1919—beginning with July 1, wheat was higher in the markets than the guaranteed price, but the advance was nominal. It was only a small advance. The advance came after most of the grain had been marketed by the farmer, and after it came into the possession of the dealer.

In the first place, Mr. Barnes is mistaken in his letter when he states that it will be a repudiation of the contracts with the millers and bakers and with others, because section 2 of my bill provides as follows:

SEC. 2. That the repeal and termination of authority effected by section 1 of this act shall not affect any act done, or any right or obligation accruing or accrued, or any suit or proceeding had or commenced in any civil case before the said repeal or termination of authority; but all rights and liabilities under such acts of August 10, 1917, and March 4, 1919, arising before such repeal or termination of authority shall continue and may be enforced in the same manner as if such act of March 4, 1919, had not been repealed or the authority conferred by such act of August 10, 1917, had not been terminated.

Mr. President, even a farmer—and I might say even a schoolboy—would not make the statement that the bill affects contracts made by the grain director with any of the people engaged in these various industries. There is no repudiation. Speaking for myself and, I believe, speaking also for the committee, it was understood that no contracts should be affected and no contracts would be affected under the provisions of the bill. It was not the intention to repeal the minimum guaranty. I believe that was the unanimous opinion of the members of the Committee on Agriculture and Forestry. If I am mistaken in that, I trust that some Senators who are now present and who are members of that committee will correct me. It was the intention to stop the activities of Julius Barnes, who is acting not only as grain director but, as I am informed, is act-

ing for and managing the campaign of our friend, the greatest internationalist and imperialist of the country.

Mr. SHERMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Illinois?

Mr. GRONNA. With pleasure.

Mr. SHERMAN. I have an ungovernable curiosity to have the gentleman identified by name. Would the Senator gratify me?

Mr. GRONNA. I can only state what I believe and what I understand. I understand that Mr. Barnes is the manager for Mr. Hoover, who is a receptive candidate for the humble office of President of the United States.

Mr. SHERMAN. If I have understood correctly, he has not yet decided in which party he will be a candidate. Can the Senator throw any light upon any probable affiliation of his that would indicate that?

Mr. GRONNA. My only information with respect to that is that I find in the Blue Book of the country from whence he came a statement wherein he first gives his residence and then it is stated that he is a Liberal.

Mr. SHERMAN. That is a party which is found only in England. There the parties are the Liberal, the Radical, the Conservative or Union Party, and probably a fourth one.

Mr. GRONNA. I can only answer the Senator's question by asking him another question. Does the Senator from Illinois believe that it is an impossibility that we may have a Liberal Party in this country?

Mr. SHERMAN. That depends entirely upon the developments in the next few months in this Chamber.

Mr. GRONNA. I agree with the Senator.

I desire to say for the RECORD that I have nothing but the kindliest feeling for Mr. Hoover personally; I have nothing but the kindliest feeling for Mr. Barnes personally; but when it comes to the question of electing a President of the United States, although my ancestors came from a foreign country, I am enough an American to require that whoever is elected President of the United States shall be 100 per cent American and a citizen of the United States, and who believes in the traditions of the fathers of our country.

Why did the fathers of our country in our Constitution provide that no citizen of the country could become President of the United States unless he was born in the United States? Was not that for the very purpose of requiring that the man who might become President of the United States should be imbued with American ideas and ideals? Was it not for the very purpose, I ask, that no foreigner should become President, and no native-born citizen entertaining a friendlier feeling, and also a suggestion that no native-born citizen manifesting loyalty to any country except our own should be our President, no matter from what country his ancestors came, because the President of the United States must and shall be not an internationalist but an American?

Mr. President, it is possible for men who are born in this country to be internationalists and imperialists. I would not vote for a man whose ideas are such that he would sacrifice as much for a foreign country as he would for his own, even if he was born in this country. I would not, Mr. President, vote for a man on my own party's ticket who shared this international imperialistic idea. I am free to state that if the Republican Party nominates such a man, I shall vote for the Democratic nominee, provided he shares my views and not the views and ideas of an internationalist.

Mr. President, here is some more propaganda, a circular headed "The Duluth Board of Trade, secretary's office," and then in large letters "Important." I shall not take the time of the Senate to read it. It simply calls attention to the fact that a bill introduced and championed by me was favorably reported, and it calls the attention of the grain dealers to the disastrous effect upon the price of wheat that the bill will have in reducing the price of wheat. I ask that it may be printed in the RECORD without reading.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

THE DULUTH BOARD OF TRADE,
SECRETARY'S OFFICE.

IMPORTANT.

The Agricultural Committee of the United States Senate, on the urgent representations of Senator GRONNA, of North Dakota, has recommended for passage a bill to discontinue the United States Grain Corporation, and thereby remove the Government guaranteed minimum prices on spring and durum wheat.

Wheat stocks on farms and in country elevators at the present time total 300,000,000 bushels; railroad facilities are inadequate for its transportation to terminal markets; banks are calling loans and advancing interest rates; the cash price in terminal markets has declined 50 to 75 cents from maximum prices, and in the face of this most serious situation, legislation is proposed to destroy the Government's minimum-price guaranty and to take away from the farmer and country grain dealer their only protection and their only safeguard against much greater declines in the value of their wheat.

There is nothing in the present law to prevent advances over the Government basic prices when conditions of supply and demand warrant them, but the law, which this new bill seeks to shelve, guarantees that prices will not decline below the fixed minimum prices, regardless of lower world markets or the general laws of supply and demand.

This proposed action takes away something you need and gives nothing in return; it strikes at the very vitals of the prosperity of the Northwest, and it must not be allowed to prevail.

We urge you to communicate at once by wire or letter with your Congressmen and Senators protesting most vigorously against the dissolution of the United States Grain Corporation and its guaranteed minimum prices, which have but four months longer to run, and requesting them to do their utmost to prevent the passage of such drastic and destructive legislation.

DULUTH GRAIN COMMISSION MERCHANTS' ASSOCIATION.

FEBRUARY 7, 1920.

Mr. GRONNA. Mr. President, I feel compelled to refer to the printed hearings of October 25, 1919. I first wish to refer to the embargo on wheat, which is found on pages 4 and 5 of the hearings. These are Mr. Barnes's own statements. I take it he will not deny them, because they are already in print. He said:

As to the export embargo, the first question asked, naturally, is as to whether it is necessary. I call attention to the fact that it is a continuation of the embargo which has been effective for two years under the War Trade Board policies. That was continued by a proclamation by the President, dated June 24, 1919, effective July 1, and transferred from the control of the War Trade Board to that of the Wheat Director.

The authority for an export and import embargo is specific in the act of March 4, and on date of June 24 there were every reason why that import and export embargo should be continued, against the enormous crop promise given in the June crop report, at that time promising 1,234,000,000 bushels in the United States, which has since sunk in actual yield to 918,000,000.

He admits here that his estimate was only 918,000,000, and in his own report he gives it as 943,000,000.

I find on page 6 of the printed committee hearings the following:

The CHAIRMAN. The purpose was, of course, to keep the price of food down, was it not?

Mr. BARNES. It was to avoid information which might lead to speculation that would advance the cost of food, rather than the fear of the underlying economic effects, I think.

The CHAIRMAN. As a matter of fact, would it not have been natural that wheat should have advanced?

Mr. BARNES. You are asking my opinion? I say, no; I do not believe it. I think the difficulties in transportation and in international finance are such that the elimination of these embargoes would probably add not one cent.

Mr. President, even great men make mistakes. We know now from the most reliable authority that he was mistaken on that, because I shall have printed and attached to the hearings a chart which will show, beyond a question of doubt, that the embargo must have affected the price, because wheat advanced 65 cents a bushel between the time when the embargo was announced and some time during December. So, with all due respect to Mr. Barnes, his judgment is not infallible.

Mr. KELLOGG. If the Senator will allow me——

Mr. GRONNA. Certainly.

Mr. KELLOGG. The Senator should say in fairness to Mr. Barnes that the embargo was placed on wheat by the President and not by Mr. Barnes.

Mr. GRONNA. That is correct. I will come to that later, but that is true. I agree with the Senator. If I do not happen to find it in the hearings, I also want it understood that Mr. Barnes advised the President against placing the embargo on grain. That is true. Certainly I do not wish to do Mr. Barnes an injustice.

The CHAIRMAN. What about the Scandinavian countries? They tried to buy wheat from us?

Mr. BARNES. Yes.

The CHAIRMAN. They have plenty of money?

Mr. BARNES. Yes.

The CHAIRMAN. They have as much gold in proportion to population as we have. I know that, because I made an investigation. They had to go to the Argentine and buy wheat, did they not?

Mr. BARNES. Yes. But these purchases at this time would not have been 5 per cent of all exports that have occurred.

I simply want to say that if there is any danger that the Government of the United States would lose any money on the guaranty, we should have thrown our markets open when those neutrals came here to our ports with their gold, with their own ships, and begged us for wheat. They were turned down. I know that one foreign country, one of the neutrals, wanted to buy 5,000,000 bushels of wheat, and they had the gold and the ships, and they had to go to Argentina to buy their wheat. But Mr. Barnes stated, as I shall read—because I prefer to read his own words—that his primary interest was in keeping the price down, in accordance with the instructions of the President of

the United States and his message, which I believe is printed in the hearings, and which I shall read later on.

I will read a little further, on page 6, from Mr. Barnes's testimony:

Senator GORE. Then, in your judgment, there would not have been any substantial probability that the price of wheat would have advanced?

That is, provided the embargo was removed.

Mr. BARNES. That is my personal judgment.

Senator GORE. It could not have declined in this country so far as the farmer is concerned on account of the guaranty?

Mr. BARNES. It would not decline below the guaranty; no.

Senator GORE. If it had declined in foreign countries below the guaranty, then you could have observed the difference and sold to the American consumer at the reduced world price, could you not?

Mr. BARNES. Yes.

Mr. President, is it not clear that if the price of wheat did go below the guaranteed price it was possible for the grain director to buy wheat, pay the farmer the guaranteed price, and sell it to the miller at a reduced price, and in that way benefit the consumer? That is his own admission, and we know that it is true.

Senator GORE. Then the only probable effect, according to your view, would have been a decline in the price of bread in this country.

Now, listen to this:

Mr. BARNES. No, Senator; that does not quite follow—

I agree with him absolutely—

because there might have been the danger that with further exporting particular trades in this country would absorb enough wheat to produce a vigorous business, or the farmers, being encouraged to hold back their crop, might have forced it.

That is his own answer, and it is unnecessary for me to comment on it.

Senator GORE. Then there would have been a probability of the farmer getting more for his wheat if you had let him take whatever price it commanded in the market?

Mr. BARNES. Of course, it does that to-day; he is getting the guaranteed price.

This was on October 25, 1919.

Senator GORE. But if local conditions and demand had carried the price still higher——

Mr. BARNES. My feeling is it would not have added a cent par, and probably would not have resulted in any advance whatever in wheat.

Senator NORRIS. As I understand it, you had practically made preparations to remove this embargo and changed the order of things after consultation with the President. Did you think the President was right in that and you were wrong? Did he convince you?

Mr. BARNES. I felt that the President was perfectly justified under the provisions of the act, which give as a correlative purpose to enable the people of the United States to produce wheat products at a reasonable price. If his advisers convinced him that there was a danger of it, I felt it might well be decided in his judgment.

Senator NORRIS. As I understand it, you had taken steps to remove the embargo by the calling of this meeting, and that was all canceled after you had conferred with the President. Did you change your mind after consultation with him?

Mr. BARNES. No, Senator NORRIS. Let me make it clear that the President first agreed with me as to the advisability of taking off these embargoes, and then upon the presentation that the whole condition of the country and the high cost of living were so acute, after consultation with various advisers—

He does not say who the "advisers" were, but I will bet dollars to doughnuts that one of them was Hoover.

Mr. KELLOGG. It was not Mr. Barnes, because, as the Senator knows, he opposed it.

Mr. GRONNA. I am speaking of the "advisers."

Mr. KELLOGG. I say that Mr. Barnes was not one of the "advisers," because he advised the President to have the embargo taken off.

Mr. GRONNA. The testimony continues—

he wrote the decision that it was not wise to exercise his discretion.

Senator NORRIS. And you agreed with him in that?

Mr. BARNES. I did.

Senator NORRIS. And you and the President reached that conclusion because you were afraid if you took off the embargo it would increase the cost of living, were you not?

Mr. BARNES. That was a possibility, and the result if it had developed would be serious.

Senator NORRIS. Exactly; I understand that. The only way it could have increased the cost of living would have been by increasing the price of wheat?

Mr. BARNES. Yes.

Senator NORRIS. So, as a matter of fact, you discontinued the action you had taken toward removing the embargo because, in your judgment, after consultation with the President and in the President's judgment, it would have increased the cost of wheat?

Mr. BARNES. No.

Senator NORRIS. Then in that way would it have increased the cost of living?

Mr. BARNES. I say the possibility that it might so operate, it being impossible to forecast its actual results, was sufficiently serious to warrant the President in that action.

The Senator from Nebraska [Mr. NORRIS] goes on to say that he does not criticize the President, and no member of the committee seemed to be inclined to criticize the President because he imposed the embargo.

However, Mr. President, if it were necessary to place an embargo upon grain at the time it was in the farmers' hands, or at the time it was upon the farm, why was it necessary after that food product had practically flowed into the channels of trade to remove the embargo? That seems to me to be rather a serious question. The embargo was not removed until the 15th day of November or December, if I am correctly informed, and from that time wheat advanced 55 cents a bushel in the Minneapolis market.

Mr. KELLOGG. On the 15th of December the embargo was removed.

Mr. GRONNA. I have been told it was removed on the 15th of November, but possibly I am mistaken.

Mr. KELLOGG. I think it was on the 15th of December.

Mr. GRONNA. With all this alarm, Mr. President, with all this tremendous propaganda since this bill was introduced and, indeed, before it was introduced, I believe that during the month of December and during the month of January, when there was a limited supply of wheat in the farmers' hands, and a much larger supply in the country elevators, there was an effort not to furnish cars and for the banks not to extend the loans to the farmers or to the grain-elevator men; there was a concerted effort to force onto the markets whatever wheat the farmer had left, and there was also an effort to force the small grain men to ship their supplies to the terminals and to sell it at as low a price as possible. That is my belief, and I have as much right to my belief and to express it as has Mr. Barnes to say that that was not the purpose.

Mr. President, I took occasion to telegraph to a dealer in Minneapolis, a reliable man, whom I personally know, and I asked the closing prices of wheat and flour on yesterday. I have here his reply. It is a very brief telegram addressed to me, and is as follows:

MINNEAPOLIS, MINN.

No. 1 dark northern, $3.05. Best patent flour, $14, in cotton bags.

He signs his name to the telegram.

This man has been in business there for 45 years. With all this tremendous propaganda, Mr. President, for no other purpose, as I see it, than to make a raid upon the product which the farmer might have left, and the amount of wheat in store in the small country elevators, and also for the purpose of discrediting this bill, in the face of this tremendous propaganda wheat must have advanced 20 cents a bushel on yesterday, because I received a telegram day before yesterday quoting the closing price of wheat at Minneapolis at $2.85 a bushel. So it seems to me that Mr. Barnes's fear of the tremendous reduction in the price of wheat is unfounded.

It may seem strange to Senators to be informed that the people in the West have to buy wheat; that we do not always sell wheat. Take the State of Montana, take the western half of the two Dakotas, and the people there have to buy more wheat for seed than there actually is in the State of North Dakota to-day.

I am deeply interested in their welfare, as I am in the welfare of the consumers generally. I do not want to see wheat during the next few months go to $4 or $5 a bushel, because that would be an injustice to the public; it would be an injustice to the farmer; it would have a ruinous effect upon the great industry of agriculture. All we ask, Mr. President, is a fair price. It would be only the well-to-do farmers in the western section of the country—those who have been able to hold their wheat—who would receive any benefit whatever from a greatly increased price. The vast number of farmers throughout my section and throughout Montana and the Western States generally would lose large sums of money by an abnormal price which might reach, as I have said, $4 or $5 a bushel.

Mr. Barnes said in his letter to me—and I know he sent a similar letter to all Senators; at least, I believe he has done so—that it was supreme egoism to predict what the price might be. I am surprised that a student should make such a statement. He ought to know, as every Member who has studied the situation does know, what the facts regarding this matter are. I have had the information printed in the hearings, showing the acreage, the production, and the price of wheat throughout the entire world. I should like to debate the question here or anywhere else whether or not there is a shortage of wheat throughout the world, and I should like to debate it with Mr. Barnes or with Mr. Hoover.

Of course, if the reports which I have here are not correct, then I am mistaken; but they are the most reliable reports obtainable. There are only three countries throughout the world where wheat sells any cheaper or where the price was fixed as low as it was in the United States. That may also interest Senators. It will be remembered that when the President of the United States delivered his first message during the present Congress he said wheat was cheaper in the United States than anywhere else, and that it was intended to continue to keep it cheaper. I am not criticizing the President, because he is interested in the great mass of the people. I have his

statement here in print, and ask that I may include it in the RECORD without reading, in order that I may not misquote the President's statement.

The PRESIDING OFFICER (Mr. NORRIS in the chair). Without objection, it is so ordered.

The statement referred to is as follows:

Wheat shipments and credits to facilitate the purchase of all wheat can and will be limited and controlled in such a way as not to raise but rather lower the price of flour here. The Government has the power, within certain limits, to regulate that. We can not deny wheat to foreign peoples who are in dire need of it, and we do not wish to do so; but, fortunately, though the wheat crop is not what we hoped it would be, it is abundant if handled with provident care. The price of wheat is lower in the United States than in Europe, and can with proper management be kept so.

Mr. GRONNA. Mr. President, it seems that it is very difficult for me to make myself so plain that Mr. Barnes can understand me. I realize that I am not so familiar with the technicalities of the grain trade as is Mr. Barnes. I know that Mr. Barnes has for a quarter of a century been the largest exporter of wheat in this country; I know that there is nothing known to the grain trade that Mr. Barnes does not know, but I also know that at one time—not when he was an officer of the Government—he was successful in cornering the wheat in the Great Lakes section of the country and was reported to have made millions of dollars. I am familiar with the situation; I have lived in the West all my life and generally have kept my eyes open.

I shall continue to read from Mr. Barnes's testimony, because I prefer to read from his own statements. We went into the question of ocean rates. I shall not dwell upon that now only to say that it is fair to presume that the ocean rates are much lower than they were during the war. I wish to read a paragraph or two from Mr. Barnes's statement to show what the rates were before the war.

Senator SMITH of South Carolina. Do you know what the prewar rates were to these points?

Referring to certain points in Europe—

Mr. BARNES. No; I have only a general idea. Of course, the prewar rates were very low compared with these rates.

He was giving the rates at that time as 22 cents and 27 cents a bushel—

The tramp rate the year the war broke out, 1914, from Atlantic ports to ordinary destinations abroad, Great Britain or northern Europe, about 6 cents per bushel.

Senator SMITH of South Carolina. That is about what I thought—against about eighty something now.

Mr. BARNES. Yes. In reading this record of British rates into the record I would like to make this comment, that these rates were obtained by me on confidential information some time ago, and there may have been moderate advances since.

I shall not put the rates in, because he said they were given to him confidentially, but it is fair to presume if European countries could afford to pay the prices obtaining for wheat at that time, in addition to the abnormally high freight rates, that they could afford to pay more now, with much reduced rates, providing they can afford to buy it at all.

Now, I want to show the movements of wheat from the farms. That is on pages 12 and 13. I begin reading from the top of page 12.

Continuing, Mr. Barnes says:

On the general question of the position of wheat in the Southwest, I do want to emphasize this, that we have accurate information. Never before has there been a commercial information collection such as we maintain, by the survey of weekly reports from 7,200 mills and 21,000 grain dealers under license. They are required to report each week their receipts of wheat from the farms, their shipments, and their stocks on hand at the end of the week. That is compiled in that weekly statement which I have given you—that large statement which looks quite formidable, but is really quite simple when you examine it.

Senator OWEN. I think that is a very important statement, because men have been challenging the accuracy of these statements and I think perhaps Members of the Senate have felt that there was some inaccuracy.

Mr. BARNES. I have no hesitation in saying that they are absolutely correct.

Senator OWEN. So far as humanly possible?

Mr. BARNES. So far as humanly possible. They are made on certified statements each week.

Senator NORRIS. That includes practically all of the grain dealers in the United States, does it not?

Mr. BARNES. Every one.

Senator NORRIS. So that it is complete in itself?

Mr. BARNES. Yes. Of course, when I say that, Senator, you must remember that we have 21,000 country merchants, and you know the practice of some of them as to bookkeeping and records. There may be some error in their records, but it must be very slight.

The CHAIRMAN. You have reference now, Mr. Barnes, to your statement of prices?

Mr. BARNES. No; I have reference to statistics of the amount of mill production, etc.

If you will refer to the statement which I have given you which starts with "Receipts from farms," I would like to go over with you the four statements made in the resolution.

This was a resolution introduced by the Senator from Oklahoma, complaint having been made that the wheat in Texas and Oklahoma was rotting on the ground because they were not furnished cars, and at the very time the complaint was made that there were no terminal facilities on the seaboard; and at that very time Mr. Barnes refused to sell this grain to the foreign countries; refused to sell it to the people who came there with their own ships.

Referring to that you will see that in Colorado the receipts from the farms since the beginning of this crop year have been 8,267,000 bushels, against 7,155,000 bushels for the same period of last year.

I do not need to read those columns in detail, but if you will go to the fourth column you will see that of the crop this year there has been sold from the farms, using the last Government estimate as to the amount of wheat raised by that State, in Colorado 50.5 per cent; Kansas, 53.5; Oklahoma, 75.2; Texas, 66.5.

It shows how easy it is to handle figures. At this time Mr. Barnes was denying that the people of Oklahoma and of Texas were suffering from want of cars. He was showing that 75 per cent of the crop of Oklahoma had already left the farms, and that sixty-odd per cent had left the farms in Texas; but, Mr. President, three or four months later on, the amount in the farmers' hands must have increased, and yet we have not produced another crop; and if I wanted to take the time of the Senate I could show where hundreds of millions of bushels have flowed into the terminals since that time. There must be a mistake somewhere.

I know this is tiresome to the Members of the Senate, but I deem it of considerable importance, because it concerns the people throughout the entire country with reference to a product which is the most important food product in our country.

Now, let us see how many million bushels were shipped from the farm on the 24th day of October. This is even before the 25th of October. I think it was the 1st of October, if I am not mistaken—

Senator SMITH of South Carolina. How does that—

Speaking of the statement—

compare with this year, Mr. Barnes?

Mr. BARNES. Column 1 gives the movement this year and column 2 gives the movement for the same period last year. That shows that 491,831,000 bushels have left the farms in the United States this year as against 467,074,000 last year.

Senator MCNARY. And that 731,061,000 is for the year before?

Mr. BARNES. That is for the entire 12 months of last year.

The CHAIRMAN. Have you the totals for all the States anywhere?

Mr. BARNES. Yes; the final footing, Senator, at the bottom.

The CHAIRMAN. That includes the States you give, but you do not give all the States.

He simply calls attention to the fact that it is given by zones. I shall not burden the RECORD with this statement, because I expect to have quite a number of these reports printed, and I shall send them to Senators who may desire them.

The CHAIRMAN. I observe that the shipments from the Minnesota zone were much heavier last year than this year, Mr. Barnes?

Mr. BARNES. Oh, yes.

The CHAIRMAN. It is 65,000,000 this year as against 129,000,000 last year.

Mr. BARNES. Of course, that is due to the partial crop failure in certain sections of that zone this year.

Now, I want to call the attention of Senators to this. Mr. Barnes says:

This is interesting. The Department of Agriculture, as a result of an experience of years, have arrived at a rate of marketing of the crop each month in the year as the normal rate of marketing from the farm. Applying that to this year's crop, 84,000,000 bushels more have left the farm in 3½ months than the theoretical rate of marketing.

That was Mr. Barnes's statement on October 25—that 84,000,000 bushels more had left the farms this year than any previous year, and I believe it is true, because the season was unfavorable with reference to spring wheat. We had a drought, we had hot winds, and the crop ripened, and was harvested prematurely. It simply goes to show that there was no such amount of wheat on the farms as Mr. Barnes now wants to show there is, and I challenge contradiction of the figures which I present to the Senate.

Senator GORE. Do you think the guaranteed price has stimulated that?

Mr. BARNES. Undoubtedly.

Senator GORE. The fact that there is no reason to hold in anticipation of an advance?

Mr. BARNES. Undoubtedly, Senator, that has had a good deal of effect.

Mr. Barnes admits that the farmers did not hope to get any more than practically the guaranteed price. He admits in his own statement here that the guaranty had much to do with the early marketing of the farmers' grain. The farmers did not anticipate that all these arrangements were to be made later on which would enhance the price of the product which they sold, and upon which many of them sustained a heavy loss. But, Mr. President, it is different when the farmers in the larger cities get the crop, when the terminal elevators get it; and I want to say that there are some farmers in the cities who farm the farmer and not the soil. I only wish they would go to the farm and farm, and not continually prey not only upon the consumers but upon the farmers. If Mr. Barnes has proved anything with his propaganda, he is proving right

now that the farmer is helpless, that he is in the hands of speculators, that it will be necessary for the Government of the United States to take the farmer under its wings and further guarantee a price. That is what he is proving. He is proving that the farmer is absolutely helpless, and can not maintain a price which is profitable to himself and which will enable him to carry on the great industry of agriculture; yet he is very solicitous about the farmers now. He says this bill is an effort to repudiate contracts. I have read section 2 of the bill, which provides specifically that it shall not interfere either with contracts made by Mr. Barnes or by anyone who may have contracts now dealing in grain or in flour, in wheat or in wheat products.

Mr. Barnes ought to know that according to the estimates of the Department of Agriculture the winter wheat has been reduced from 50,000,000 acres in 1918 and 1919 to 38,000,000 acres which was seeded to winter wheat last fall. Does that indicate that the price paid to the farmer was a profitable or an abnormally high price? It bears out the statement I have made and which I repeat, that the farmers broke up their pastures, and they seeded old ground which was not fit for grain, because they wanted to raise every bushel possible, because we were in a tremendous war. They did it with the help of old men who had retired from the farms; they did it with the help of old women who, with bended backs and toiling from early morning until late at night, produced this crop. They did it with the help of young girls who never before had soiled their hands with work of this kind. Now we are going to be ruled by an autocrat, ruled by this man, because we have established an agency making it possible for him to act in an autocratic manner, and use this $1,000,000,000 of appropriation and $50,000,000 which he has made in profits. If the American people want that, they are welcome to it. I am going to criticize it, and I am going to say that I do not approve of it.

I want to say, for the benefit of Mr. Barnes, that in his statement here he advocates getting back to private business. He says it will take some time for private business to reknit. I agree with him. I was following the suggestion which he made before the Committee on Agriculture and Forestry on October 25 and later. I was trying to help him; but if arrangements have been made by men named by the President, whether they are in high places or low places, I care not, if I desired to be reelected to office, if I never receive a single, solitary vote, I am not going to indorse a proposition of this sort, because it is unjust, it is unfair, it is wrong.

I want to read a few paragraphs, however, just to show that I am not misquoting Mr. Barnes in stating that he has all the time advocated a low price for wheat up to this time. Why Mr. Barnes has taken this thing to heart and changed I do not know, and I might say I do not care, because it is certainly not in the interest of the consumer nor is it in the interest of the producer or the farmer. All this propaganda which I have offered here is said to be carried on for the benefit of the farmer. The farmer must be a miserable creature and very helpless. Everybody is working for him; everybody is assisting him, from the Wall Street gambler down to a farmer Senator from an agricultural State; we are all working for the farmer, and still that poor creature is unable to succeed. Do you wonder why the farm boys and the farm girls leave the farm and go to the large cities? Those who have an opportunity to get an education certainly will not remain on the farm at the niggardly returns they are receiving and which the farmer is being paid. I am speaking now of the man who farms and I am not speaking of the laborer, because farm labor has increased 300 to 400 per cent in my State, and I think that is probably true in the State of the Senator from North Dakota [Mr. STERLING]. I used to hire men for $25 a month and board and washing, and now I am paying men as high as $100 a month and have to furnish them an automobile to go to town whenever they feel like it.

I wish to call attention briefly to the Government price of wheat in foreign countries. In 1919 in Canada at the time this report was printed the price of wheat was $2.25—the Canadian Government has since increased it, I think, 24½ or 25 cents, making it either $2.49½ or $2.50, which of course would be a higher price than the guaranteed price in the United States—Bohemia, $2.92; France, $3.83; Germany, $2.92; Italy, soft wheat, $3.68, hard wheat, $4.20 a bushel; Roumania, $5.25 a bushel; Spain, $2.52 a bushel; Switzerland, $3.15 a bushel; Algeria, $2.63; Tunis, $2.15; Australia, $1.05 guaranteed price to the farmers—it does not say that that is the export price, but simply states that is the price guaranteed to the farmer—New Zealand, $2.58.

Mr. President, you will see from the report, if the report is correct, that my statement is absolutely correct, and the President's statement is absolutely correct. Outside of these three small countries wheat sells much higher in all of the European countries and the European farmer receives a much higher price. Let me say to you that these prices are at par; they are not prices in their own money, but they are at par with our money, because these reports clearly so indicate.

Mr. President, I shall read only a few telegrams. I have received many of them. I have not had the time to count them, but I have received a great many. I received a number this morning, and I wish to read one from Nashua, Minn., as follows:

NASHUA, MINN., *February 13.*

Senator ASLE J. GRONNA,
Washington:

In signing agreement with Grain Corporation we expect protection with quantity wheat in elevator. Owing to no cars for two months this appeal means great loss.

FARMERS' ELEVATOR CO.

I find no fault with those people. It is perfectly natural that they want to be protected if they paid a higher price.

I do not know whether the Senator from Minnesota [Mr. KELLOGG] was in the Chamber a moment ago when I stated that wheat sold at $3.05 in the markets of Minneapolis yesterday, which indicates that even with this tremendous propaganda that is carried on wheat is advancing again. I can see no possible danger of wheat going down anywhere near the price—either the minimum price or the guaranteed price—fixed by the President. Three dollars and five cents is a dollar and five cents a bushel higher than the minimum guaranteed price; and as the maximum price is $2.26, it is 79 cents higher than the fixed price.

I have another telegram here, dated February 13, reading as follows:

The Grain Corporation, through the various channels which they have at their disposal, have started propaganda asking that a flood of telegrams be sent to Washington protesting against your bill to various concerns and individuals. This propaganda is possible because the impression has been left that it is the intention of your bill to repudiate all outstanding contracts. I do not believe that one out of every thousand individuals who send telegrams on this bill have ever read or know what the bill covers. We believe your bill is absolutely the solution of the tactics that have been followed by the Grain Corporation.

That is rather a good indorsement, Mr. President. They are evidently familiar with the practices of the Grain Corporation.

Here is another telegram received this morning from Lewiston, Mont. I call attention to this because this is from a section of the country where they had a drought for three years, and where they had to buy wheat for feed and for seed; but this propaganda even reaches into Montana. Every Montana farmer, every citizen of Montana, would be benefited by a lower price of wheat, and yet this is what this flour-milling concern telegraphs me:

If any measure is enacted impairing protection afforded us under Grain Corporation contract guaranteeing price of wheat, it will work great injustice to Montana mills. Owing to short crops, we have of necessity made commitments in milling wheat sufficient to meet needs to June 1. Earnestly urge that this protection be neither withdrawn nor impaired.

This man is honest about it. He does not say that he is doing it for the farmer. He says he is doing it for himself for his milling corporation; and if Mr. Barnes had not misconstrued the bill, if he had told the truth, that section 2 of the bill safeguarded absolutely all of these contracts, there would have been no need for this honest man to go to the expense of sending the telegram.

I want to say right here that I know of no bill against which propaganda on such a huge scale has been carried on, except the bill introduced by the Senator from Wyoming [Mr. KENDRICK], known as the packers' bill, and which the committee reported out this morning—of course, amended and not in its original form.

It simply goes to show that those who have the money can make it very uncomfortable for those who are servants in this Chamber and in the other branch of Congress if we step on the toes of certain interests.

I realize, I think, to some extent that this is a representative Government. I realize that it is a man's duty, if he is a Member of either this body or the other body of Congress, to carry out the will of his people; but if it shall come to pass that every Member must become spineless, that he shall not have the right to use his judgment when he is in a position to know the facts, and if it has come about that, through corporations or other agencies—I care not whether they are individual corporations or agencies of the Government—if it is come to pass that we must legislate to please the propagandists, then God save the country!

Here is another telegram which I wish to read. I want to give the name of this party, because I do not think Mr. Barnes could reach it—this is a farm organization. It comes from the secretary of a great organization in the great State of Indiana. I am going to read it and give the town and the date and the name of the party who sent it:

INDIANAPOLIS, IND., *February 13, 1929.*

A. J. GRONNA,
United States Senate, Washington, D. C.:

Following telegram sent to Barnes: "Your telegram February 6. You compelled our farmers to accept Government minimum price for wheat as maximum price and allowed dealers and millers unreasonable handling charge of 5 cents per bushel over our protest. We believe consumers should buy flour based on price received by farmers for wheat plus reasonable profit to handlers. You could compel this by using methods imposed on us. We resent treatment received from Grain Corporation and will advocate its discontinuance unless price of flour reflects price received by farmer for wheat. The only danger we fear is condition of European exchange."

INDIANA FEDERATION OF FARMERS' ASSOCIATIONS,
LEWIS TAYLOR, *General Secretary.*

I was glad to receive that this morning, because I have been traveling in rather unpleasant company for the last few days. I have been flooded with these telegrams, from good people, of course. Many of them are misinformed; some of them, I think, are more interested in the profits which they have in the stock of wheat than they are in either the consumer or the producer. As one man telegraphed me from Minneapolis, "I told them they are only losing part of their tremendous profits, and that there is no actual loss out of their pockets," and I think that is largely the condition with these terminal elevators.

There is only one way to solve this question, and that is for the farmers to do exactly like all other business men do—to control their own products, to own their elevators, to own their terminal elevators, and, if necessary, to own their flouring mills, and then stop this tremendous difference between the price to the producer and the selling price to the consumer. I do not want the Government of the United States to do it. I want the farmers to go into it and to handle their business the same as other business men go into business for themselves.

Talk about the danger of exchange! I have here a letter from a man in New York, whose name, I think, is Clark, president of one of the largest banks in New York, calling attention to the fact that the demand for leather goods from Europe has decreased, and, after he had conferred with the shoe men, he states that the shoe men were of the opinion that the price of shoes would still further advance.

There is quite a different thing when it does not affect the farmer's product. Has it affected the price of shoes? Has it affected the price of lumber? Has it affected the price of farm machinery? Has it affected the price of anything that the farmer buys except when he buys his own product back, manufactured flour at a higher price or if he happens to buy a package of crackers or a few cookies, or something of that sort, if he can afford it? Has it affected anything like that, I say? I was wondering how long we shall continue to be a government of men and not a government of law. Any man who has taken this matter seriously must admit that the condition is not as it ought to be. Why are you afraid of conditions? Is there not the same amount of money and more in the country than there ever was? Are the people in the country not just as loyal and as willing to go ahead and produce as they were before? So, what are you afraid of? Why hamper and hamstring the industries of the country? Why scare the farmer; why drive the farmer into all this unnecessary trouble and expense? The soil will produce in the future as it has in the past. All we have to do is to cultivate it. All we have to do is to do away with some of these associations, governmental or otherwise, abolish some of these agencies which, to my mind, are an absolute detriment to every industry of the country and to the people of the country generally. It is about time that the Senate of the United States and every Member of Congress should act on his own initiative. Let him find out what are the best interests of the people and then act upon his own judgment regardless of what propaganda may be carried on either for or against the measure.

To show how ridiculous this thing is, I received the other day a letter from my good friend the Senator from New Jersey [Mr. FRELINGHUYSEN] inclosing a number of telegrams from bakers of that State—remember, bakers. They were going to be ruined because wheat had declined 70 cents a bushel and flour 50 cents a barrel. In the first place, when wheat declines 1 cent flour ought to decline 5 cents. Every baker will tell you that. Flour should have declined $3.50 a barrel and not 50 cents. But these innocent New Jersey bakers, protesting against the Gronna bill because it reduced the price of flour—and yet they are bakers. It shows to what extent the propaganda is going on.

Then my good friend the Senator from Alabama [Mr. BANKHEAD] sent me some letters from Alabama. It was going to ruin the producers of wheat in Alabama. You know better and the man who is familiar with agricultural conditions knows better, and he really must be amused over such reports as that. I certainly do not want to injure the farmers of Alabama any more than I do the farmers of my own State.

The Senator from Indiana [Mr. WATSON] did not happen to be in the Chamber a moment ago when I read a telegram from Indianapolis from the secretary of the State Farmers' Association condemning the action of Mr. Barnes, charging that they had to accept the minimum price as the maximum. Now they demand that this enormous advance, which is evidently indorsed by Mr. Barnes, shall not be made. If any Senators are farmers or if any of them are interested in farming conditions, they must admit that there are only two farmers in the United States who farm on a large scale who ever were successful in raising one crop, and those farmers are also engaged in other industries, so that whatever they lose on the farm they can afford to take out of the treasury of the other business concern. I do not desire to mention those farmers by name, though I could do so if I wished.

We know that it is a detriment to the farmer to make him believe that any product is going to be abnormally high in price, because he will then plant too much of that particular product, and nine times out of ten he will thereby go broke. The only way to make a profit on a farm or to make it even possible to live on a farm is to diversify crops, to rotate, to raise live stock, to keep cows and a few sheep, pigs, and chickens; to produce other things besides cereals, for the farmer will always have much grain which is not marketable but which is just as valuable for feed as though it were of the best quality.

I do not fear the anathemas of the farmers throughout the United States as to this proposition, because I know conditions and I am sure of my ground. If every dollar of this billion dollars and also the millions that have been earned as profits were used for propaganda against me, I should not hesitate to do exactly what I have done.

I have here a letter from a man up in New York State, from which I believe I will read an extract. He says:

> Your statement, as reported in the Senate and the Herald, to the effect that if the farmers would haul their grain to the mills and not charge a single penny for a bushel there would not be a difference of more than 2 cents a pound on a loaf of bread based upon the prices to the farmer is only too true.

I did not say based upon the prices in the terminal markets; I said the prices to the farmer; or if I did not say it, I certainly intended to say it.

> Mr. Hoover fixed the prices for grain so that the farmers suffer and at the same time Mr. Hoover made it possible for the hotel proprietors to charge the public 5 cents per ounce for rolls made out of the substitutes for flour.

And so forth. This man goes on to say that he believes the farmers throughout the country are not as much impressed with Mr. Hoover's candidacy for President as he might imagine.

I have another letter here, which is from Oklahoma, very severely criticizing the Grain Corporation. I shall not read this letter, but merely call attention to it.

I am also in receipt of a letter from a man in Indianapolis, Ind., a dealer, not a farmer. I shall not give his name, but the letter was sent to me by the distinguished Senator from Indiana. The writer bitterly complains against the treatment of the Grain Corporation and says that body ought to be abolished.

Mr. President, as I said at the outset, I have no other interest in the matter than what I believe to be for the public good. In the first place, I knew that a very limited amount—available amount, I will say—of wheat was left on the farms. I place the quantity at between fifty and sixty million bushels and not 228,000,000 bushels, as Mr. Barnes has stated, though in some letters he states the quantity as being 200,000,000 bushels. I also knew that very few of the farmers had received the high price for wheat; that most of them, as the secretary of the association in Indiana states, had to accept the guaranteed price.

When Mr. Barnes testified before the Committee on Agriculture and Forestry he expressed the hope that we might do away with these Government agencies as soon as possible, in order to let business firms reknit, as he termed it. I understood, Mr. President, that he was willing to give up his position and the use of his tremendous power. I doubt if there is another agency in the United States so powerful as is this agency, having under its control nearly 30,000 licensees, whom they can make do pretty nearly as they please, unless they have some backbone; and we know that there are some of them, at least, who are afraid.

In the second place, I believe the policy is detrimental to consumers in general. Do you know that the farmers are consumers? Do you know that 40,000,000 people are living

upon the farms and that they buy wheat flour and pay the same price as do others, although they have sold their wheat at a very low price? You ought to know that. The people on the farm pay exactly the same price that the people in the cities pay, unless they grind their own wheat in their own feed mills or something of that sort and produce whole wheat flour, which is not generally done, but which ought to be done. However, that may be done just as well by people living in the city if they desire to save money, for they may buy a coffee mill, grind the grain, and produce their own flour just as well as can the farmers, if they desire whole wheat flour.

Lastly, I took the action I did for the reason that I knew the conditions in the West; that the people of the States which I have mentioned, and especially of Montana and the two Dakotas—and it is true of the people in at least half of the area of the two States of North and South Dakota—must buy wheat for seed. It will require more wheat than we have in North Dakota in order to seed the entire State. So why should we wish wheat to go to such a price that it would be beyond the farmer's reach and he would thereby be discouraged from seeding wheat? Already we have discouraged the farmers so that the area of winter wheat has been reduced, as I have stated, from 50,000,000 acres to 38,000,000 acres. Reduce the spring wheat area to the same extent, and I will guarantee that the people of the cities will be mighty glad to buy wheat at a much higher price than the farmer has received for the last few years.

Mr. President, the facts and conditions I have stated are the only interests I have in this matter. I do not care a rap whether my bill passes or not. It has already done a great deal of good; it has brought to the attention of the people of the country that there was a possibility that a raid would be made by speculators upon this indispensable food product to make great profits and great fortunes.

Mr. President, at some future time I shall go into this question further. I have not discussed it as fully as I had intended, but there are other Senators who wish to address the Senate at this time, and I am sure the Senator from South Dakota [Mr. STERLING] is anxious to proceed with his retirement bill. The only men that I wish to retire just now are Mr. Hoover and Mr. Barnes. It is for their retirement I have been pleading and for their retirement I shall plead.

Mr. KELLOGG. Mr. President, I shall not attempt to discuss the bill of the Senator from North Dakota at this time. I am compelled to go to a conference on the railroad bill and only have a few moments.

I do not disagree with the Senator with regard to the original price-fixing bill. When the food-control act was passed by Congress after the beginning of the war, I was opposed to it in so far as it fixed or authorized the President to fix the price of wheat. I knew then that the market price of wheat was much higher than that named in the bill as a minimum, and that in all probability the price would be higher than any the President might fix, and it was higher in other countries than it was here. I believed at that time that the natural operation of the economic law of supply and demand was sufficient to encourage the production of wheat necessary in the great exigency of war. I do not believe in Government bureaus controlling the ordinary business of the country. I think it would have been wiser, so far as the producers were concerned, if the Congress had never passed a law fixing the price of wheat or if the President had not fixed it pursuant to the law. Wheat undoubtedly would have commanded a better price, at least, most of the time, than that fixed by law.

Mr. Barnes, however, did not advocate the law, nor is he in any way responsible for its passage. Neither did he create the Grain Corporation nor initiate Government control of the grain and food supply of the country, and I can not sit here and hear charges preferred against a citizen of my State without making a few remarks.

I have known Mr. Barnes since he was a boy. He is an able, honest, conscientious business man of great experience, who disposed of his business entirely and has devoted his services completely to this Government for the past two and a half or three years without any compensation whatsoever. He may have made mistakes; if he has, he has made them honestly.

Mr. President, it will be remembered that when the President fixed the price of wheat he was urged by some of us to establish a higher price, but he fixed it at $2.20 or $2.21—the Senator from North Dakota will correct me if I am wrong as to that.

Mr. GRONNA. The price fixed was $2.21.

Mr. KELLOGG. He afterwards raised it, on account of the increase of freight rates, to $2.26. For 1918 he fixed the same price. The country produced a vastly greater amount of grain; and in the fall of 1918, on September 2, the President published a proclamation guaranteeing the price for 1919 at $2.26, allowing different prices in various markets.

An enormous amount of winter wheat was planted in the fall of 1918. Hostilities ceased in November and there was tremendous agitation for Congress to take steps to carry out that guaranty. Letters and petitions were received from farmers and farmers' organizations and business men in wheat-producing sections and elsewhere demanding that the Congress pass a law appropriating money to carry out the guaranty made by the President on September 2, 1918.

The Senator from North Dakota and I both supported that bill, and I remember in the course of my remarks I yielded to the Senator from North Dakota, who said:

> Mr. GRONNA. The Senator from Minnesota is correct in his statement. Congress appropriated only $150,000,000, to be used as a revolving fund, and whatever money was used above that was borrowed by the Grain Corporation. I do not know why any Senator should assume that we are appropriating a billion dollars here to be paid to anybody. It is an authorization, and the President would be allowed to draw upon this fund to the amount of a billion dollars. If it is not required, of course it will not be used; but Mr. Barnes—and I am glad to say to the Senator from Minnesota that I indorse what he has stated with reference to Mr. Barnes—has handled this matter efficiently and well. I have followed it with some interest, I will say to the Senator. Mr. Barnes has testified that we ought to have a billion dollars; that, in his judgment, we should not have any less. It was at first proposed that we should have a billion and a quarter dollars, but that was cut down to a billion dollars; not with any idea or view that this was going to be a loss to the Government—but I shall explain that later on, as I do not wish to take the Senator's time.

That was exactly the situation. We did not know how much money might be required. We did know that if there should be a production of a billion and a quarter bushels the likelihood was that the money would all be expended. As it turned out, there was a production of about 918,000,000 bushels instead of a billion and a quarter, as we expected; and the result has been that the Grain Corporation has not had to draw a dollar from the Treasury, and I hope it will not have to do so.

That bill was signed on the 4th of March, 1919, and I am sure that every Member of the Senate realized that they were passing it pursuant to the pledge given by the President to the farmers and to the country at large, guaranteeing a certain minimum price for wheat. I do not deny that wheat has been selling higher in the market most of the autumn and all of the winter—much higher than the Government price, that being only a minimum. The result has been that the Grain Corporation has its original capital now intact, and it has made, I think—I have never examined into the details—in the neighborhood of $50,000,000 in the past two and a half or three years from selling products to neutral countries, exclusive of the expense of the operation of the corporation, and I think it has been handled very well.

As to that corporation being created under State law and Mr. Barnes acting under a State corporation over which the Government has no control, I know the Senator does not intend to make any such statement that is not well founded. The original act authorized the President to utilize or create any agency he saw fit to carry out the guaranty, and the act of 1919 specifically authorized the President to use the Food Administration Grain Corporation; so that there is ample authority from the Congress. That was the only practical way to handle it. There existed no Federal law under which a corporation could be created, but there were plenty of laws in the States. Mr. Barnes did not organize or create the corporation. The President, I have no doubt, through the Attorney General, caused the corporation to be organized under the laws of some State—perhaps it is Delaware; I do not remember—and the United States owns all the capital stock and furnished all the capital and has absolute control over it, and Congress can liquidate it and stop its functions at any time it sees fit.

Mr. GRONNA. Mr. President, will the Senator yield?

Mr. KELLOGG. Yes; I yield.

Mr. GRONNA. I admit that the Congress of the United States has jurisdiction and can stop it; but, of course, the only way in which it could stop it would be by legislation.

Mr. KELLOGG. Or order of the President.

Mr. GRONNA. And, if the Senator will permit me, I agree with him that the agency was set up as he has so well described it; but there is a condition existing just now. It would be possible for the Department of Agriculture, through the Bureau of Markets, to handle this matter from now on with very little difficulty, because the grain has now flowed to the terminals, and it would have to deal with only a very few people. It was different when the wheat was in the hands of the farmers, scattered throughout the country. Now the situation is different, and we could handle it in that way.

Mr. KELLOGG. I do not think it can be effectively handled through the Bureau of Markets. The farmers still have a large

amount of wheat on their hands, and the Grain Corporation has entered into thousands of contracts which must be performed.

In 1918 the Grain Corporation only had $150,000,000 capital. On that capital, and the money it borrowed—because Congress did not appropriate the money—it handled the entire grain crop. The Grain Corporation was compelled to borrow of the banks of this country from three to five hundred million dollars, because the Congress had not appropriated money, which was paid back. Now, no individual could have accomplished that. The people who had to deal in grain, from whom it had to be bought, and the Governments to whom it had to be sold, would not accept the contract of an individual. They would take the contract of the United States Government; but the Senator knows the difficulty of handling a transaction of that kind through the Treasury of the United States. It can not be done. As to whether it could be handled henceforth by some other agency, I do not pretend to say one way or the other. The guaranty expires, anyhow, on the 1st of June.

I shall not discuss the Senator's bill, since I am quite sure the Senator does not intend to repeal the guaranty made by the Government. That guaranty, made in good faith, of course, should not be abolished by Congress. I am quite sure the Senator did not intend it. I think, however, his bill will require some amendment, because if you take away the appropriation, the capital, and the machinery for handling that guaranty, it could not be fulfilled without every farmer or every individual who has a claim against the Government presenting it. I think the Senator quite agrees with me in this respect.

I do not know how much wheat there is in the United States, but assume that there is anywhere from 150,000,000 to 200,000,000 bushels. I think the Senator will agree with me that that is a fair estimate—that at least there is 150,000,000 bushels, and probably considerably more. It is and has been selling much higher, and it is higher in foreign countries than the Government guaranteed price. The question now is not whether there is a scarcity of wheat. There is, of course, in the whole world. The Senator is right about that. The question at present is whether foreign Governments can buy it. That will be the serious question between now and next July. I do not know whether they can or not. Take France, for instance. I believe that the rate of exchange is about 3 to 1 now, so that if a bushel of wheat cost the French Government $3 in this country, it would cost, landed in France, about $10, including freight; and I doubt if the French Government can buy the grain under any such conditions.

I hope my fears will not be realized. I hope and believe that it can be sold to foreign countries, but I am not entirely sure of it. I want the farmer of my State and of every State to get all he can for his wheat, according to the markets of the world, and I want the assurance that if, for any reason which I can not now foresee, the price should fall below the Government guaranty, he will be protected. The pledge of this Government has been given, and it must be fulfilled.

So far as Mr. Barnes is concerned, I know he was originally opposed to a Government price-fixing policy. He was in favor of restoring operation of the natural laws of trade as soon as possible. The Senator says he has carried on a propaganda. I do not know to what extent anything of that kind has been done, but I notice that one of the circulars which the Senator called propaganda, which I hold in my hand, and which he introduced in the RECORD, is simply a statement of statistics covering receipts of the Grain Corporation and the flour and wheat statistics of the United States, which I think it was the duty of the corporation to publish.

I noticed the advertisement referred to by the Senator. It was an advertisement for the sale of flour. Now, the Grain Corporation did buy a large quantity of flour, as it was authorized to do under the law, and it had the flour for sale; and not knowing anything about it I assume, of course, that Mr. Barnes thought it was wise to call the attention of the retailers and consumers of flour in the country to the fact that the Government had this flour for sale. I am very sure that Mr. Barnes would not advertise simply for the purpose of spending the Government's money, and I have never seen any evidence that Mr. Barnes has used the Grain Corporation—and I do not know that the Senator intended that to be an inference—to promulgate propaganda to promote Mr. Hoover's candidacy for President, nor do I believe he is the manager of Mr. Hoover's political affairs. I do not know whether Mr. Hoover is a candidate or intends to be. I do know that Mr. Barnes would not use a Government agency for an illegitimate purpose. He may have made a mistake in advertising flour, or in publishing statements; but, if he did, I have every reason to believe that he did it in good faith.

I can not discuss the embargo. That was declared, of course, by the President, and I am sure the Senator believes that Mr. Barnes originally had nothing whatever to do with it. It was put on because of war conditions. The President believed that we should control the exportation of food to foreign countries, so as to see that our allies were properly protected and that none of that food found its way to Germany. I shall not stop to discuss it. I understood this year that Mr. Barnes was in favor of lifting the embargo after the war was over, but that the President determined to continue it for a time. I do not even know now when it was raised. I think it was the 15th of December. The Senator thinks it was the 15th of November.

Mr. President, I believe that in our price-fixing campaign of the last three years we have learned a lesson, and that we will not try it again. I believe that we will allow the natural laws of supply and demand and the normal energy and enterprise of the American people to take care of our commerce, because if we are going to depend upon Government regulation, control, and management of the great industries of this country we shall suffer materially. But the mistake has been made, and we should rectify it, fulfilling the pledge to the people of the country as well and with as little cost as we can, and let trade return, as far as it is possible, to its natural channel. I fully believe that the farmer would have received more money for his wheat if we had not passed the original bill. I believe the natural laws of supply and demand would have increased price and production.

Mr. President, I have made these remarks because it is my conviction that Mr. Barnes is a gentleman of the highest integrity and character, and for the further reason that I think it is improper upon the floor of the Senate to discredit in the absence of substantial evidence any man who serves the Government to the best of his ability who does not have an opportunity to defend himself.

PETITIONS AND MEMORIALS.

Mr. CAPPER presented petitions of Post No. 58, Grand Army of the Republic, Department of Kansas, of Jewell City; of James R. Fulton Post, No. 257, Grand Army of the Republic, Department of Kansas, of Garden City; and of William H. Lytle Post, No. 32, Grand Army of the Republic, Department of Kansas, of Fort Scott, all in the State of Kansas, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

He also presented a memorial of sundry citizens of Miltonvale, Kans., and a memorial of sundry citizens of McPherson County, Kans., remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. PHIPPS presented telegrams in the nature of memorials from the Colorado Milling & Elevator Co., of Denver; the Denver Grain Exchange Association; the Lamar Flour Mills; the Model Flour Mills, of Greeley; and the Crescent Flour Mills, of Denver, all in the State of Colorado, remonstrating against the passage of the so-called Gronna wheat guaranty bill, which were ordered to lie on the table.

Mr. TOWNSEND presented a petition of the Genessee Valley Society of Optometrists, of Flint, Mich., praying for the enactment of legislation to remove the excise tax on spectacles and eyeglasses, which was referred to the Committee on Finance.

He also presented a petition of Local Lodge No. 82, International Association of Machinists, of Detroit, Mich., and a petition of Local Lodge No. 8, Brotherhood of Railway Clerks, of Grand Rapids, Mich., praying for a two years' extension of Government control of railroads, which were ordered to lie on the table.

Mr. WALSH of Massachusetts. I have received since yesterday a large number of petitions from citizens in the State of Massachusetts praying Congress to investigate the proposed sale of the German fleet and requesting that final action be delayed until all the facts are ascertained and given full publicity. The wording of the petitions is identical, and I ask that the body of one of them may be printed in the RECORD without the signatures, and that they be referred to the Committee on Commerce.

There being no objection, the petitions were referred to the Committee on Commerce, and the body of one of the petitions was ordered to be printed in the RECORD, as follows:

To the CONGRESS OF THE UNITED STATES:

We appeal to the Members of Congress to use their influence with President Wilson to halt the proposed sale on Monday of 30 former German ships.

Further, we petition that there be a most thorough and full investigation of every important fact covering the proposed sale. This investigation should most thoroughly probe the report that the Shipping Board plans to sell these ships, including some of the largest and finest

steamships afloat, for $28,000,000, which is declared to be but one-third of their real value.

We desire to ask why can not the Government itself operate these fine ships rather than sacrifice two-thirds of their value?

Mr. McKELLAR. I ask to have printed in the RECORD a petition from the Private Soldiers' and Sailors' Legion of the United States of America.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

PRIVATE SOLDIERS' AND SAILORS' LEGION
OF THE UNITED STATES OF AMERICA,
Washington, D. C., February 13, 1920.

To the honorable the Vice President and the Senate of the United States of America in Congress assembled:

We respectfully present the following petition:

Resolved by the national executive committee of the Private Soldiers' and Sailors' Legion, That we hereby petition the President and Congress of the United States to take all necessary steps at once to prevent the proposed sale by the United States Shipping Board to a private corporation of the fleet of former German ships or any other ships owned by the United States Government.

Resolved, That we respectfully request the Senate and the House of Representatives of the United States in Congress assembled to appoint select committees to investigate this proposed sale of Government ships with a view to disclosing whether there is in connection therewith any violation of law or sacrifice of the public's interests; and if so, to prevent or punish the same.

Respectfully submitted.

PRIVATE SOLDIERS' AND SAILORS' LEGION,
MARVIN GATES SPERRY, *National President.*
EARL L. SEAL, *National Secretary.*

IMPORTATION OF COAL-TAR PRODUCTS.

Mr. WATSON. From the Committee on Finance I report back favorably with amendments the bill (H. R. 8078) to regulate the importation of coal-tar products, to promote the establishment of the manufacture thereof in the United States, and, as incident thereto, to amend the act of September 8, 1916, entitled "An act to increase the revenue, and for other purposes," and I submit a report (No. 425) thereon. I wish to give notice that at the earliest opportunity I shall call up the bill for action by the Senate.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of South Dakota (by request):

A bill (S. 3910) to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians; to the Committee on Indian Affairs.

By Mr. NELSON:

A bill (S. 3911) to repeal section 7 of an act entitled "An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes," approved October 6, 1917 (40 Stat., 383); to the Committee on the Judiciary.

By Mr. MYERS:

A bill (S. 3912) granting a pension to William A. Walsh; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment proposing to appropriate $3,000,000 for the preservation and completion of vessels on the stocks and in ordinary, etc., intended to be proposed by him to the second deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. JONES of Washington submitted an amendment proposing to appropriate $40,000 for the prevention of losses in the marketing of fruits and vegetables through deterioration, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

ARMY REORGANIZATION.

Mr. FLETCHER submitted an amendment intended to be proposed by him to the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes, which was referred to the Committee on Military Affairs and ordered to be printed.

TREATY OF PEACE WITH GERMANY.

Mr. McCORMICK. Mr. President, I venture merely to say that on Monday next, on the conclusion of any remarks the Senator from Massachusetts [Mr. LODGE] may desire to make upon the treaty when he calls it up before the Senate, I shall address the Senate upon the reconsideration of the treaty in the light of its revision in Paris and the rediscovery of the Constitution of the United States in the Capital City of Washington.

COMMITTEE SERVICE.

Mr. HITCHCOCK. I have been requested by the junior Senator from South Carolina [Mr. DIAL] to ask that he be relieved from further service upon the Committee on the District of Columbia. I send to the desk the following order and ask for its adoption.

The order was read and agreed to, as follows:

Ordered, That Mr. DIAL be relieved from further service upon the Committee on the District of Columbia and appointed a member of the Committee on Commerce.

Ordered, That Mr. GLASS be appointed a member of the following committees: Appropriations, District of Columbia, Disposition of Useless Papers in the Executive Departments, Expenditures in the Interior Department, and Fisheries.

LINCOLN'S GETTYSBURG ADDRESS.

Mr. KEYES. Mr. President, I present so much of pages 2791, 2792 and 2793 of the CONGRESSIONAL RECORD of Thursday, February 12, 1920, as relates to President Lincoln's Gettysburg address. I ask that the matter be referred to the Committee on Printing, with a view of having it printed as a Senate document.

The PRESIDING OFFICER (Mr. NORRIS in the chair). The matter will be referred to the Committee on Printing for action.

EGYPT AND THE CUBAN MODEL.

Mr. OWEN. Mr. President, I ask to have printed in the RECORD an article on Egypt and the Cuban model taken from the publication called The Nation of Saturday, January 10, 1920.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

EGYPT AND THE CUBAN MODEL.

Of the three imperial problems—Ireland, India, and Egypt—which have grown acute since the coming of peace, the last is, to our thinking, by far the simplest. Given straight vision and a little moral courage, it could be settled with a minimum of risks and regrets. There is no Ulster complication. There is none of the ancient accumulation of wrongs, hatreds, vested interests, and inbred sentiments, which have grown round Ireland and India. Our connection with Egypt, as time goes in the life of nations, is of yesterday, and our possession, which dates in any regular form only from 1914, is not graven on the heart of the British race. Moreover, there is here none of that desperate mixture of races and religions which at once facilitates foreign rule in India and makes it difficult to end it. The Coptic minority is too small to make a problem, and it is now in full agreement with the solid nationalist movement. The reasons which make for the protectorate are all of them external—strategy, prestige, and the interests of European finance.

The events of the past year have abundantly shown that we can not continue to hold Egypt on the terms contemplated when the protectorate was imposed, without grave scandal and serious danger. We have a united nation against us, and even if its military power is negligible, it is obvious that if the recent record of strikes, riots, and attempted assassinations were to continue, our reputation as clement and efficient administrators would be at an end. Throughout the world our tenure of Egypt would come to be recognized as one of the classical iniquities of imperialism, like Russian rule in Poland. The present coalition may be able to rule by sheer force; it has little moral credit to lose. A labor government, which we almost certainly will have in the near future, would have to make a change. Its foreign minister could not defend what Lord Curzon will defend, and its supporters in the country would not tolerate what even the coalition press dislikes. If the Milner mission fails to arrive at a settlement, the crisis is only postponed, to recur infallibly when labor comes to power. The composition of the Milner mission does not impress us favorably, but since its arrival there is none the less some progress to report. Finding itself boycotted, the mission took the initiative in issuing an invitation to the Egyptian people to discuss the future of their country, and in doing so it dropped all mention of the hated protectorate. How far that was only an exercise of verbal tact we do not know. Moderate Egyptians took it to mean much more, and there have in consequence been some informal meetings, and one notes a readiness to discuss or suggest modes of settlement. The letter from Saad Pasha Zagloul, which we print this week, contains some welcome proof of moderation. He does not spare our feelings, though his choice of several needlessly violent expressions may be due to a foreigner's unfamiliarity with our language. While he maintains the unbending demand for independence, the latter part of his letter goes very far, further indeed than we would have expected, to meet the reasonable demands of the Empire in concrete matters.

We will say at once that we hold, as a matter both of honor and expediency, that the demand for independence must be conceded. It was, indeed, as he points out, conceded, or, rather, anticipated, in the King's letter of 1914 to the Khedive. Behind that letter there still stand on record the promises, as binding, formal, and definite as words can be, given by Mr. Gladstone and others, to evacuate Egypt. The old world of cynical and secret statecraft took such promises very lightly. When we chose, however, to rest our main case against Germany on the breach of just such a promise as this, made three generations ago to Belgium, we took our stand deliberately on a new conception of good faith between the strong and the weak. The case for a League of Nations has actually been based by our most authoritative statesmen on the need for an international organization which will secure the observance of covenants. Here, then, are two contracts which we can not evade, the old promise to evacuate and the recent guaranty of independence. It is not at all difficult to revise the conception of a protectorate in the light of the new international order. The League of Nations was not a fact—it was barely an aspiration—in 1914. Since that date a whole new international machinery has come into existence, which will guarantee small States in their independence and protect them. We were not thinking of all this in 1914. It would involve no inconsistency and no loss of prestige if we were now to revise our earlier notion of a protectorate, in the light of the new institutions. Two principles we would lay down for the future procedure. In the first place, Egypt is an international problem. We can not act as we act in India. It is not for us to declare by the mere fiat of Downing Street,

or oven of Parliament, that we shall grant this and reserve that. The league must be invoked to revise, to control, and to register what is done. In the second place, whatever arrangement is reached must be by agreement between the British Empire on the one hand and Egypt on the other. One does not issue decrees to an "independent" State. One concludes a treaty with it. If we are to "protect" it, under the supervision of the league, it must be on a treaty basis which Egypt herself accepts. These are the minimum requirements of good faith. If they are ignored to-day, we must be prepared for a repudiation and revision of our present action by labor. Labor all the world over is destined to bring its simple interpretations of words and promises into the old murky atmosphere of statecraft. Its dictionaries contain no esoteric gloss on the word "independence," and by a promise to "evacuate" it understands marching out.

Saad Pasha dislikes our tentative suggestion that the council of the league, after hearing the views of Egypt, might confer a "mandate" on the British Empire to "protect" Egypt. The mandate system, as it has been actually worked, is smeared with hypocrisy, and we can understand his dissent. There is a model from the New World which might be worth studying. When the United States helped the Cubans to throw off the Spanish yoke it followed a decidedly novel procedure. It helped the Cubans to draft a constitution, which followed the American model closely. It then induced the Cuban Assembly to accept a series of conditions known as the Platt amendments, which were embodied in the Cuban constitution and also in a permanent treaty between Cuba and the United States. Cuba became an independent Republic with the status of a sovereign State (she is to-day an original member of the league). She has her own army and conducts her own foreign relations. She accepted, however, certain conditions. She may not conclude any arrangement with a foreign power detrimental to her own independence. She may not alienate the financial resources of the island above a certain limit. She undertook certain obligations to continue the good sanitary work which the United States began. She agreed to sell or lease naval and coaling stations to the United States. Finally, she accorded to the United States the right of intervention to preserve Cuban independence and to maintain "a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba" contained in the treaty of Paris. When this treaty was concluded the American troops and officials evacuated the island. The right of reentry has once been used, and the occupation was renewed from 1906 to 1909, when once more the troops were withdrawn and the original constitution came again into full force.

That model might very well be followed in the case of Egypt with some modifications. There must be some financial safeguards and some arrangement in Egypt's interest to secure her the full use of the waters of the Nile for irrigation. Where America asked for coaling stations, we might stipulate for some footing at Suez to safeguard the canal. The capitulations and the mixed courts would have to be considered and safeguarded, subject to some large reforms. We should not expect Egyptians to welcome any clause which gave us the right to renew the occupation, if there should be a lapse into anarchy or civil war, nor do we think that it should lie solely with the British Empire to determine when the need for such an intervention had arisen. There was no League of Nations when the Cuban treaty was drawn. We would suggest that this right of reentry should be exercised only on an express mandate from the league. It should lie with the league to determine through its council, after hearing the Egyptian as well as the British Government, when, if ever, there existed a degree of danger, external or internal, which called for our intervention as protectors. The council of the league would equally have the right to decide, when in such a case the danger had come to an end, and when the temporary occupation should cease. That provision ought, we think, to meet any reasonable fears in this country, nor would it destroy Egyptian independence if the league can be made an honest reality. It should, as Saad Pasha most fairly stipulates, lie with the Egyptians themselves to decide how far they will employ British civil servants. An arrangement of this kind would insure us against the bare possibility of internal anarchy. These are the legitimate aims of a "protectorate." The word is fatal because it is commonly a veil for annexation. The thing, so far as our aims are honestly limited to the real function of "protecting," can be attained without any real surrender of Egyptian independence.

For our part, we have little doubt that Egypt could govern herself without disaster. Her problems are relatively very simple. She is solvent. She has a homogeneous and normally law-abiding population. She has no external enemies. She has, above all, no such social divisions as are rending so many European States. Compare her case with that of Poland, or any of the new eastern or central States, and we think that any insurance society would back her survival, while it would stake very little on theirs. There are fifty reasons for "protecting" Poland, where there is one for protecting Egypt. These anomalies can not continue indefinitely, nor will they continue after labor is in power. The wise course is to end them now.

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. HARRISON obtained the floor.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from South Dakota?

Mr. HARRISON. Does the Senator desire to proceed with a speech?

Mr. STERLING. I desire to proceed with the consideration of the unfinished business.

Mr. HARRISON. I wish to make some remarks that may not be pertinent to the bill, but they, at least, ought to be of interest to the country.

Mr. STERLING. Very well.

DEMOTION OF ARMY OFFICERS.

Mr. HARRISON. Mr. President, on the 5th day of this month the Senate adopted a resolution that I had offered directing the Secretary of War to furnish to the Senate a statement giving specifically, among other things, the policy of the General Staff of the War Department with respect to the demotion of officers of the Regular Army.

The mass of information therein directed to be furnished is such that it will no doubt be several days before it can be prepared and presented to this body. It is touching the purposes of that resolution and the conditions prevailing in the Army caused by the policy of the General Staff of the War Department that I desire to-day to address myself.

And while what I may say is not intended as an expression upon my part of condemnation of the General Staff, it is in the hope that the facts which I shall reveal, as reflected in the Army from the policy of demotion adopted by the General Staff, will have some bearing in pointing out to the Secretary of War what perhaps he now no doubt knows, but which I trust did not appear to him when he indorsed that policy, the discriminations and favoritism that are revealed by the true facts, and will influence him to direct a change in the policy of demotions so far as can now be done to remedy the discriminations that have already been inflicted upon hundreds of Army officers.

There is little reason to lay plans for increasing the size of the Army and increased expenditures of millions on the Army with such a state of demoralization as now exists among the officers of the Army. There is little reason to lay plans for a universal military training system that the people of the country may be further burdened by heavy taxes and the young men taken from their peaceful studies, trades, and professions, compelling them to accept that training, if the officers are so demoralized that their spirit is blasted and their morale shattered. The officers of the Regular Army are a part of the fighting forces of the country, and the efficiency and spirit of those fighting forces depend in a large measure upon the contentment and spirit of the officers. The best that is within a man, in civil as well as military life, can not possibly exert itself with his peace of mind shattered and spirit broken.

The continual climb in prices and abnormal war conditions have added new responsibilities and increased burdens in the homes represented by every private and officer in the fighting forces of America. I sometimes think that some of these men who fought the Boche abroad and brought success to our arms feel that it was perhaps an easier job than to combat the conscienceless profiteer at home.

Sirs, those of us who did not come in contact with the Army life during the war little appreciate the hardships visited upon the families of the men who fought the war.

I had a letter not so long ago from a little woman, the wife of a Regular Army officer, and the condition depicted by her in her letter—conditions which practically every wife of every man in the fighting forces of America had to endure while their husbands were abroad during the war—would touch the heart of the most indifferent and unsympathetic. She said, in part:

> I do not speak for ourselves particularly. I can truthfully say that I am voicing the opinion and feeling of every woman in all branches of the service, for we are all confronted with the same serious and discouraging problems that are trying to make prewar pay meet the present higher cost of living. It is we women who come in contact with the butcher, the baker, the candlestick maker, and we are so appalled by the impossibility of making both ends meet. Looking back to 1912, when my husband was a captain, it seems so different now. Then we had our little home and the cost of living was such that we were able not only to live reasonably well but save a little. During the war my husband was promoted to a lieutenant colonel, and the pay increased, but nothing like in proportion to the cost of living. Our children have grown up now and need education, and so many more responsibilities are upon us than were back in 1912. I am now broken-hearted and my husband is demoralized. His spirit seems to be gone, because under the demotion plan he is reduced to a captain and we can not make ends meet at all. I do not know what we are to do. He chose the Army when he entered West Point, and has given his life to its service. He has now reached the age where he can not get anything else to do and knows nothing that he could do. It is a terrible condition that confronts the wives of the men in the Army, and I hope that the Congress can do something to remedy the situation.

Senators, can you imagine a more discouraging condition to a soldier or the wife of a soldier who faces such conditions as depicted in that letter? Officers reduced to the rank that they held in 1912 and compelled to exist on the pay then paid to officers of that rank—compelled to pay present-day prices on 1912 salaries. Is there an employer who can employ labor on 1912 wages? Does the wheat farmer of the West make his crop to-day on 1912 wages? Do the great mass of bread consumers of to-day pay 1912 prices for flour? Does the cotton planter of to-day make his crop by paying 1912 wages? And does the cotton manufacturer and, in turn, the cotton consumers pay to the cotton planter 1912 cotton prices? In what business and in what place in this country can one single instance be pointed to, except in the United States Army or Navy, where men are compelled to exist to-day under conditions that prevailed in 1912? You can not have contentment in the Army; you can not free it from demoralization; you can not have the proper fighting spirit and draw from men the very best that is within them for themselves, their families, or their country when

their Government adopts a policy of reducing them to the same rank with the same pay that they received from their Government in 1912, and at the same time permit a condition to exist in this country that will compel them to pay three times as much for the clothing that they wear, for the food that they eat, and for the necessities that they enjoy. And even though you increase the pay to them to meet the new conditions, when their Government adopts a policy that closes the door of equal, fair treatment, of equal, fair opportunity in promotions, then, sirs, you countenance an evil that must be eliminated if morale and contentment are to continue.

By the passage of the Wadsworth bill this week we increased the pay of some of the men in the fighting forces of the country. That was a step in the right direction and will help in a measure. I was sorry that we did not go further and I was glad by my voice and my vote to try to enlarge the scope of that measure, but, sirs, that measure in itself will not bring the desired result.

It will not drive away the spirit of demoralization that now hovers over the Army. The plan of demotion adopted and enforced by the General Staff has caused such an unrest and such dissatisfaction within the ranks of the Regular Army that, in my opinion, it will take a decade to remove. I want to know the reasons for this unfair discrimination, this illogical method of demotion. I want to know the reasons that prompted the General Staff to inaugurate such a plan. I want to know who will assume the responsibility and who will have the courage and the sense of fairness to remedy the situation.

I am not going to charge favoritism on the part of the General Staff, neither am I going to charge incompetency, because I have too high a regard for some of the men who make up the staff to believe that they would countenance favoritism, and certainly the splendid record made by many of the men composing the General Staff during the war, adding to our country's glory, would disprove the suggestion of incompetency. I have a very high regard for the Secretary of War, and I believe that when the true history of this war is written and the splendid acts of his administration are revealed that his management of the War Department will compare in brilliancy, if not surpass, any of his distinguished predecessors. When I think of this policy of demotion I content myself in the belief that it was one of the few mistakes that was made by very efficient men in a great undertaking. I can not believe that when the policy was adopted that it was ever dreamed by either the General Staff or the Secretary of War that it would work in so many cases such unfair discrimination and unjust results, and it is because of those conclusions that I very sincerely believe that the General Staff and the Secretary of War will hasten to undo this great wrong and adopt another policy that will be nondiscriminatory, fair, and just to all alike.

Shakespeare spoke in parables when he said:

> Who steals my purse, steals trash; 'tis something, nothing: * * *
> But he that filches from me my good name, robs me of that which not enriches him, and makes me poor indeed.

In the cases of demotion of a great number of officers the General Staff has not only succeeded in taking from their purse, but has filched from their good names.

At the World's Fair there was what was called the "incubator babies," and many of you will recall the barker's famous patter: "Ladies and gents, this is Willie; he gained a tenth of an ounce last week; don't laugh, ladies and gents; it may not mean much to you, but it means a lot to Willie." And so it is a pathetic thing that Army officers of long and distinguished services and large families have been demoted to junior ranks with smaller pay, while younger officers, years their junior, are still in the higher grades and drawing higher pay. It may not mean much to the General Staff, but it means a lot to "Willie."

Demobilization must of necessity bring demotion of officers, but not of necessity demoralization to officers. Why, then, do we find demoralization? The answer is the belief prevalent among the officers that favoritism and incompetency was displayed by the General Staff in carrying out this policy of demotion.

Promotions of Regular Army officers during the World War were, as a rule, made to last during the "present emergency." In September, 1919, it looked as though the treaty of peace would be soon signed by the United States and that the "emergency" would terminate. The Congress saw that should this state of affairs come to pass Regular Army officers would lose their advanced rank and all reserve officers commissioned for the "emergency" would necessarily be discharged. To meet this situation Congress in September, 1919, passed the law that authorized the War Department to retain until June 30, 1920, an officer strength of 18,000, about equally distributed between Regulars and Reserves. The act provided that the—

> Secretary of War is authorized * * * to retain at their temporary grades such officers of the Regular Army as in his judgment may be necessary for the proper functions of the Military Establishment.

The War Department distributed the 18,000 officers by grades as follows: One hundred generals, 693 colonels, 797 lieutenant colonels, and so forth. As there were at the time many more officers in the various grades than the numbers authorized it became necessary to demote many officers.

What system followed? Let us call in the General Staff, that organization that is on duty in the War Department, known in Prussia as the great general staff, and which was abolished in Germany on demand of the representatives of the Allies by the treaty of peace, but which, may I be pardoned for calling to the attention of the Senate, is proposed by the Military Affairs Committee of the Senate to be perpetuated in the United States in the Wadsworth bill as the War Department General Staff.

It would seem to me, and I am sure it would appear the same to the average person, that the General Staff in its plan of demotion should have given some consideration in adopting its policy, first, that officers who had performed the most brilliant service in the war should have been retained in the advanced grades in order of merit; second, or that officers should have retained their rank according to length of service, that is, by seniority. Neither of these propositions evidently was considered by the General Staff. They proposed, as stated by the Secretary of War in substance, that "officers should be demoted when their emergency jobs should end."

You will recall, Senators, that as the Army was being returned from France and demobilized that its officers immediately upon their return were reduced in rank, while the Washington clique retained their advanced rank. Why, sirs, I am told that shave-tail colonels at Hoboken would greet the returned veterans, brigadier generals and colonels, and order them to take off their stars and eagles and adjourn to a reduced rank. I am told that it was understood in the Army that generals, colonels, and lieutenant colonels before landing at home from abroad were notified to carry in their knapsacks the insignias of captains, majors, and lieutenant colonels. It was unfortunate that the Secretary of War apparently approved the policy of the General Staff when its policy of demotion had been subjected to adverse criticism from other sources, when he gave out an interview stating, in effect, that officers had been retained in advanced rank not on account of relative merit or seniority, but simply to complete their war jobs, at the end of which they would be demoted.

I have no doubt that the General Staff deceived the Secretary in having him believe that certain officers retained in their advanced rank were really performing "emergency jobs." The strongest reason for the charge of favoritism on the part of the General Staff comes out of these so-called "emergency jobs." It would seem to some people that in many instances the thought that was uppermost in the minds of the General Staff in retaining certain men at advanced rank was to put up "a job on Congress and the Secretary of War." Certainly if that was their desire they did not fall short of its accomplishment.

Victor Hugo, in his oration on Voltaire, describes the great humanitarian's "splendid warfare" against "L'Infame." In order to lay bare the infamous system against which Voltaire fought, he uses these words: "I will confine myself to the citation of two facts, but decisive ones." Then follows a narrative of the martyrdom of Jean Calas and the Chevalier de la Barre.

The senior Senator from Oregon, Senator CHAMBERLAIN, has recently on the floor of the Senate cited the demotion of Gen. Kutz, and in the course of his remarks stated that "there are thousands like it." I accept his statement.

There is, in my opinion, more to the Kutz case than the Senator revealed, so you will pardon me for elaborating on that a bit and then imitate Hugo by citing not two additional cases but several, and all "decisive ones."

The first case let us call Kutz and others against Loving. And, sirs, let me state in this connection that, personally, I do not know a single Army officer named among the names that I shall call. Not only have I not talked with any of them or had any communication from them, but I have never met them personally. I make this statement that no prejudice against any of them may arise in the minds of any member of the General Staff or that they be prejudiced by any use that I may make of their names in this discussion. I have gathered the information that I shall give to the Senate from the RECORD and other sources, but I lay them down as facts and challenge the General Staff or any person to controvert them.

According to the United States Army Register, Charles W. Kutz was born October 14, 1870, and was graduated at West Point June 12, 1893. James J. Loving was born February 20,

1884, and was graduated at West Point June 12, 1906. Kutz is 14 years older and has served in the Army 13 years longer to the day than Loving. On April 6, 1917, Kutz was engineer commissioner of the District of Columbia, with the rank of lieutenant colonel in the Corps of Engineers of the Army. Loving was assistant engineer commissioner of the District, with the rank of captain in the Corps of Engineers. After war had been declared Kutz was promoted to the rank of colonel, and in the late summer of 1917 was ordered to France, where he performed most brilliant service, for which he was promoted to the grade of brigadier general and later awarded the distinguished service medal. Gen. J. G. D. Knight, retired, was called into active service to replace Kutz as engineer commissioner of the District of Columbia, while Loving was retained as assistant commissioner, and as such performed his entire war service in Washington, D. C. Note well the locality—in Washington, D. C. Now, I do not say that in criticism of Mr. Loving. There is no doubt he is a splendid soldier and an efficient officer, and if it had been in his power he would have gone overseas and served abroad. His services in Washington were under the direction of the War Department and I do not emphasize the locality of his labors to detract from him as an officer. I am only using it as I could so many others to draw a comparison to illustrate my point of discrimination and unfairness. The position that Loving was filling in Washington was an "emergency job" because Loving was promoted in that work to the grade of a colonel. Now, on December 16, 1918, Kutz was ordered back on his old job as engineer commissioner of the District of Columbia and was promptly demoted to the grade of lieutenant colonel. His once subordinate, Loving, was still on the job as assistant commissioner with the rank of colonel. Loving remained as such for about three months, and so during that period we have the assistant engineer commissionership of the District of Columbia designated by the General Staff as an "emergency job," while the engineer commissionership was not an "emergency job."

But the General Staff finally became very considerate in this matter. I do not know whether it was because of Loving or because of Kutz or because of the growing feeling in the Army, but, at any rate, in order to relieve the embarrassment, Loving was ordered by the General Staff in March, 1919, to Baltimore to work on harbor defenses and improvements. That was another "emergency job," for Loving continued to retain the rank of colonel. In October, 1919, when it became known to the favored few in the Army that the act of September, 1918, was to be enforced, we find Loving shifted by the General Staff to the command of the First Engineers, another "emergency job," which he retains until this day with the rank of a colonel.

Is it possible that the General Staff can believe that the action accorded to Kutz and many other distinguished officers situated as he was is calculated to add to the morale and spirit of the Army? Can anyone connected with the War Department defend that very unjust discrimination, that apparent unfair piece of favoritism?

Now, let us consider case No. 2, which I will call Hodges et al. against Sturtevant. John N. Hodges was born February 13, 1884, and was graduated from West Point June 13, 1905. Clarence L. Sturtevant was born August 1, 1884, and was graduated at West Point February 14, 1908. So these two gentlemen are of about the same age, although the former graduated about three years ahead of the latter. At the outbreak of the war Hodges stood 14 and Sturtevant 35 on the list of captains of the Corps of Engineers of the Army. Hodges went to France with the Sixth Engineers in December, 1917, and in the great German drive of 1918 commanded those companies of the Sixth which formed a part of "Carey's Chickens." These few Americans helped stop the gap between the British and French armies. Hodges was awarded the British distinguished service order for gallantry. He later commanded the Sixth Engineers in many battles of the summer of 1918 and was promoted to brigadier general for gallantry and efficient service in the field. On November 11, 1919, Hodges was in command of a brigade at Camp Devens, Mass.

Sturtevant was restrained from going across and serving his country abroad. He never saw France during the war, and when the war ended his "emergency job" was that of "student," with the rank of colonel, in the War College in Washington. He was shifted to duty with Engineer troops at Camp Fremont, Colo.; then to the coast defense and harbor works at Seattle, Wash. Hodges, on his return from overseas, was demoted by the General Staff to the grade of major. Sturtevant was given an "emergency job" commanding Hodges's old regiment, the "Sixth Engineers." Hodges commanded the regiment gloriously in France and is now a major. Sturtevant, his junior, who never saw France, now gloriously commands it at Camp Pike, and is still colonel. Were Hodges and the many other distinguished officers, seniors to Sturtevant, who have been demoted to the grades of major and lieutenant colonel given a chance at this "emergency job" of colonel of the Sixth Engineers? If not, may I ask why not?

No one can answer that question satisfactorily except the General Staff, and I doubt if they should answer it now that either its fairness or justice would appeal to them.

Let me suggest for your consideration the case of Jewett and others against Park. Henry C. Jewett was born April 8, 1879, and graduated at West Point February 18, 1901. Richard Park was born November 20, 1883, and graduated at West Point June 14, 1907. At the outbreak of the war Jewett stood thirty-fifth on the list of majors and Park twenty-eighth on the list of captains of the Corps of Engineers, United States Army. Jewett went to France as colonel of a regiment of divisional engineers; was chief of staff of a division; and, for gallantry in command of a brigade on the field of battle, was awarded the distinguished service cross. He was also awarded the croix de guerre and various other decorations by foreign Governments. Park served at Camp A. A. Humphreys, Va., near Washington, D. C. He was executive officer of the camp and was awarded the distinguished service medal. I have no doubt that he performed a great service, and what I may say touching Mr. Park is not to detract from his efficiency as an officer or character as a man. The services that he was rendering, the duties that he was performing, were at the instance and under the direction of the General Staff; but, sirs, let me analyze the treatment accorded to him and that accorded to Jewett.

On July 1, 1919, Jewett had returned to the United States and was instructor of an Engineer school at Camp Humphreys, while Park in the same camp was disbursing officer in charge of Engineer construction work and preparation of plans and estimates for the proposed Engineer school and post and college of military research, Camp Humphreys, Va. Jewett was ordered to river work at St. Paul, Minn., and the General Staff demoted him to the grade of major. Park was shifted by the General Staff to an "emergency job" as colonel of the Fifth Engineers, and retains to this day the rank of colonel. Now, if you ask me "who warned these various Richards to flee from the wrath to come," and to obtain these "emergency" positions while distinguished veterans of the war who heard the clash of steel, the sound of cannon, and the groans of dying on a hundred battle fields were placed in nonemergency jobs, I can not answer you. It is all embodied in the policy adopted by the General Staff, a policy that in the minds of the officers of the Army is tainted with suspicion and the blighting influence of which extends throughout the Army.

The country will never understand how Capt. Carl Truesdell, who relieved Lieut. Col. John Brockman as chief signal officer of the Fifth Army Corps, and who was awarded the distinguished service medal, croix de guerre with three palms, and legion of honor for his services overseas, and for those services was promoted to colonel on his return to the United States, was assigned to the Army service school at Fort Leavenworth and demoted to the grade of captain. And while this plan of demotion was being measured out to this gallant officer the same officer that he relieved at Argonne because of inefficiency and reasons best known to the corps commander is to-day on duty in the city of Washington and retaining his rank as lieutenant colonel.

I might cite the case of Lieut. Col. LeRoy S. Upton, who commanded at Chateau-Thierry and Soissons, and for gallant services was awarded the distinguished service cross, the distinguished service medal, and the croix de guerre. He was promoted to brigadier general and commanded magnificently a brigade in the Argonne. On his return to the United States he was demoted to a lieutenant colonel, while at least two officers whose names I have here, but which perhaps it is better not to designate, who were relieved from their commands at Argonne for incompetency, are to-day retaining their ranks as colonels in the United States Army.

I might cite the case of Lieut. Col. Briant H. Wells, who performed distinguished service at Metz and was promoted to the rank of brigadier general, serving as chief of staff in the Fourth Army Corps. Prior to that he was the principal assistant to Gen. Tasker H. Bliss in the conduct of the delicate negotiations attending the functions of the supreme war council at Versailles. Upon his return to the United States Brig. Gen. Wells was demoted to a lieutenant colonel, and he is now serving in the war plans division of the General Staff, War Department, under the immediate direction of a colonel who saw no service with combat troops in the late war and who is a junior to Col. Wells in the Regular Army by 366 files.

I might cite the case of Col. W. H. Johnston, who was promoted to the rank of major general and commanded the Ninety-first Division in action in France and Belgium. After distin-

guished and heroic service he was awarded the distinguished service medal, the distinguished service cross, the legion of honor, the croix de guerre, and the crown of Belgium. On his return to the United States the General Staff assigned him to the General Staff College and demoted him to the rank of colonel. To-day Gen. Johnston is outranked by 23 major generals and 42 brigadier generals, not one of whom commanded a division in action, and 2 of whom, if the same treatment had been accorded to them in demotion as was applied by the General Staff on Gen. Johnston, would to-day be captains.

In all the many cases that could be further cited I know of none that smacks of such injustice and gross discrimination as the case of Gen. Preston Brown. He served in France as chief of staff of the Second Division at Chateau-Thierry, Soissons, and St. Mihiel; chief of staff of the Fourth Army Corps in front of Metz, and by selection and special assignment commanded the Third Division in the Argonne. He was assistant chief of staff of all the American Expeditionary Forces, and was awarded the distinguished service medal for handling with great credit the details of the battle at Chateau-Thierry, Soissons, St. Mihiel, and for splendid judgment and skill in handling the Third Division in the battle at Argonne at a most critical time. He was bestowed with the legion of honor as well as the crown of Belgium for heroic services. On his return to the United States with a record for gallantry unexcelled and honors fairly won, deserving of the thanks of a grateful Nation, he was immediately demoted to the grade of major and assigned as an instructor in the General Staff College. On October 17, 1918, Gen. Pershing, in a cable, recommended Maj. Brown for promotion to major general. The General Staff, so far as known, took no action thereon.

It would not be inappropriate in this connection for me to cite to the Senate the fact that to-day Maj. Brown is ranked by 23 major generals, 42 brigadier generals, 1,200 colonels, and 1,224 lieutenant colonels who never commanded a division in action. And I would like to cite to the Senate the further fact that Maj. Brown is now a junior in the same college with Col. von dem Busche, who is a captain in the Regular Army 464 files the junior of Maj. Brown. Col. von dem Busche was never allowed by the General Staff to go to France and saw no service in action.

I am sure many of you Senators are familiar with the cases of Gens. W. C. Langfitt and Mason M. Patrick. The former was chief engineer of the American Expeditionary Forces, the latter the chief of the Air Service in France. Both performed splendid and distinguished services and on their return to the United States were demoted to the grade of colonel. To-day these men, who enjoyed the high rank abroad and who rendered the distinguished service there, are outranked by men of the Army who were majors at the outbreak of the war and their juniors by many files.

One might see how the command of the First, Fifth, and Sixth Engineers and many other organizations in the presence of the enemy at the front were "emergency" jobs, and how out of gratitude the Nation might have retained their commanders in an advanced grade after return to the United States, but that was not the policy adopted by the General Staff. They saw no "emergency" jobs for these distinguished officers, but immediately upon their return home these men were welcomed by seeing their ranks demoted and viewing at dress parade splendid junior officers who had served their country heroically around the battlements of Washington.

In view of these citations and hundreds of others that I could cite, is there any wonder why there should not be great fear among the officers of the proposed method of treatment by the General Staff in the new Army reorganization bill? Officers are to be "selected for the establishment of three lists—A, B, and C." List A will contain names fit for promotion. List B those not fit for promotion at present. List C the names of the goats "cursed from the foundation of the world." May we ask the General Staff whether the same system will prevail in promotion as prevailed in demotion? If the demotion policy of the General Staff worked so unfairly, on what can the Army officer hope of the General Staff in making promotions?

Do you suppose there could be found outside the General Staff of the Army a single employer who would penalize the employee who left them to serve their country in this great World War by promoting those who remained here and demoting, upon their return, those who went away? And if no cases can be cited in ordinary civil employment, how much stronger does the responsibility rest upon the Government to see that none of those who went to the front at duty's call be penalized for performing that service abroad in being demoted, while those who remained at home, enjoying their own hearthstones and the happiness of peace and comfort here, be promoted.

It is an inspiring reflection that so many of the large corporations in this country, against whom much prejudice has been arrayed, should have given during this war to those employees who enlisted in the Army or Navy their regular and full pay, holding open all the time their positions against all seekers.

Sirs, I would like to see the American Legion blacklist every employer and criticize every department head who did not measure out to the brave and patriotic men and women who sacrificed and served their country abroad in this great crisis fair and just treatment. Cold-hearted, indeed, is the employer who, at the outbreak of the war, saw the young lad drafted and sent to the front, and, after his services to his country, returned to the position and found the door locked against him.

A grateful Nation should see that every man in the fighting forces of this country in the late war be treated fairly, and no blacker page has been written, no greater degree of injustice perpetrated, no more inequitable wrong inflicted upon any part of the fighting forces than has been meted out by the General Staff in its policy of demotion.

What I have said, Mr. President, will be taken by some as an unjust criticism. I am not given to criticism. I much prefer to overlook the little mistakes and see the beauty of great achievement. In this war mistakes were inevitable. No enterprise of such magnitude could have been conducted without mistakes being made. It was to be expected, but I am quite sure that the men at the head of the War Department, including the General Staff, and in every other department and force in the Government that added to the success of our arms, accomplished more in less time than any other forces that were ever organized in the history of the world. Their achievements are bewildering, their accomplishments incomparable, and, sirs, I have offered these suggestions and the resolution that passed the Senate the other day, not because of any desire to detract from these splendid achievements in this great work, but in the hope that this proud record will not be blemished at this time by unwise and unfair action. I have offered it in the hope that a changed and just policy of demotion will be adopted by the General Staff as a substitute for the illogical and unreasonable and highly discriminatory plan now being followed.

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. TOWNSEND. Mr. President, I understand it is proposed to put over the pending bill until Monday, and it is for that reason that I rise to express my mind briefly upon the procedure of the Senate.

The bill known as the retirement bill has been before the Senate, its unfinished business, for several days. It could have been disposed of long ago if it alone had been considered in the discussion before the Senate. On yesterday at 4 o'clock and 45 minutes p. m. the Senate took a recess until to-day at 12 o'clock, the object being to shut out morning business so that the time of the Senate could be devoted to the bill under consideration. It is now 3.45 o'clock, but not one word has been said on the bill before the Senate, and circumstances have been so forced that it can not be considered during the remainder of the afternoon.

Mr. President, the Senate of the United States has been condemned throughout the country—and, I think, unjustly as a general rule—because of delays, prolonged discussion, and so-called general debate. I am in favor of unlimited debate on any matter which may be pending before the Senate, but I am very much opposed to the injection into the debate on a question which has been made the regular order of business of matters that are not pertinent. We could well afford to follow the practice of the British Parliament in this respect. There debate is free and open, but it is always confined to the matter before the Parliament. Here, however, when we succeed in making a bill the unfinished business, it simply opens the door for such discussion as we have witnessed this day.

Undoubtedly there must be certain general discussion, but it ought to be brought forward at the proper time; and I shall be glad to support hereafter any proposition which shall limit debate to the question before the Senate.

The Senate is tired. I have no doubt about that. It has been in almost constant session for many, many months—for years, in fact—and I realize that other Senators, like myself, are busy in committee work. But, sir, one of the reasons why we do not have a better attendance upon the meetings of the Senate is that no Senator knows what is to be discussed. He is not certain, because a measure is before the Senate, that it will be considered; but any Senator who takes it into his head to discuss some other question rises and occupies the time of the

Senate, and the Senators lose interest in the matter under discussion.

There are many other deductions of a similar nature that can be made from this particular fact. I think it is wrong. I repeat that I want unlimited debate upon any matter before the Senate, and I will not vote for cloture, because I think unlimited debate is generally enlightening, and I know that sometimes deliberation, although it may not be in the highest sense intelligent, does make for good laws. This bill, however, ought to be either voted up or voted down. After Senators had talked about almost everything else on yesterday, the Senator from Ohio [Mr. POMERENE] rose and suggested that the bill be recommitted to the committee for still further delay. If, by that, it is meant to put it where it will be killed, perhaps that may be an indirect and painless way of accomplishing that end; but I feel very deeply about this, because I try hard to attend the meetings of the Senate, and yet I am overwhelmed with committee work, too. I would like, however, to feel that when a measure is before the Senate I could come in here and hear it discussed.

Another thing: Suppose, for instance, I am obliged to remain out of the Senate during the discussion of a measure, and I want to read the discussion in the RECORD. How will I find what has been said on any particular bill? In looking over the proceedings of the day when a certain measure is the order of business, I find discussion of everything else but the bill that I am looking for. In the interest of orderly procedure, of good legislation, of wise legislation, the Senate ought to adopt a rule confining the discussion in the Senate to the matter before it.

I know the arguments against that proposition; but I propose, if no one else does, to offer an amendment to the rules providing for this particular thing. I know it will make for better attendance upon the Senate. I know it will make for better legislation. It will expedite the business of the Senate. Here we go on with a measure, and somebody injects into the RECORD a speech that does not pertain to the measure at all. The Senate Chamber empties at once. Nobody is interested in that, because nothing is to be acted upon. The result is that the same arguments have to be gone over and over and over again, with the same interrogatories, the same interruptions on the part of Senators, that occurred in the first place.

I repeat what I have said on other occasions: If a bill ought not to pass, it ought to be voted down. When all the debate has been exhausted on that particular subject, then comes the time to vote; and how quickly you could exhaust debate if you confined it to the matter under consideration. You would need no cloture. If every Senator knew that he must confine his talk to the matter under discussion and consideration, debate would close of itself, and the Senate would be ready to act, and we would have such matters disposed of and put behind us.

So, Mr. President, I have said this, and I would not have injected it if there were any thought of considering the bill which is before the Senate this afternoon. I understand, however, that there is none, although that is what we took the recess for yesterday. Think of it! We recessed instead of adjourning yesterday, in order that we could confine the time of the Senate to this bill; yet, up to this hour, not a minute has been devoted to the question before the Senate.

Mr. President, no wonder the country gets tired of this interminable, indefinite debate, not upon matters before the Senate, but upon other subjects which Senators feel are important to them. Most of the time this morning was devoted to the discussion of a measure that probably will come before the Senate, and then the whole argument will have to be gone over again. The time of the Senate will be wasted, devoted to repetition, because by that time the Senate will have forgotten what was said to-day on that particular bill.

Mr. President, I do not wish to be considered as a scold. I do not assume that rôle; but I do feel that it is time for the Senate to get down to the real business of the Senate, and conduct it in a businesslike way.

SALE OF SHIPS.

Mr. McKELLAR. Mr. President, on yesterday I offered a resolution requesting the Shipping Board not to sell on Monday what is known as the German fleet. Inasmuch as the Senate recessed yesterday instead of adjourning, to-day is yesterday under our rules, and that motion can not come up under the rules to-day. I am going to occupy about 5 or 10 minutes of the time of the Senate in discussing the question.

Upon consideration, I am convinced that the Shipping Board has no legal right whatever to sell these ships. On May 12, 1917, the President approved a joint resolution passed by Congress by which these ships, or some of them, were taken over and afterwards delivered to the Shipping Board. The Senate will recall that these were ships owned by German citizens, and, of course, the title to those ships was in the German citizens. In the exercise of war powers, the Congress took them over, and here are the terms under which they were taken over:

Resolved, etc., That the President be, and he is hereby, authorized to take over to the United States the immediate possession and title of any vessel within the jurisdiction thereof, including the Canal Zone and all territories and insular possessions of the United States except the American Virgin Islands, which at the time of coming into such jurisdiction was owned in whole or in part by any corporation, citizen, or subject of any nation with which the United States may be at war when such vessel shall be taken, or was flying the flag of or was under register of any such nation or any political subdivision or municipality thereof; and, through the United States Shipping Board, or any department or agency of the Government, to operate, lease, charter, and equip such vessel in any service of the United States, or in any commerce, foreign or coastwise.

SEC. 2. That the Secretary of the Navy be, and he is hereby, authorized and directed to appoint, subject to the approval of the President, a board of survey, whose duty it shall be to ascertain the actual value of the vessel, its equipment, appurtenances, and all property contained therein at the time of its taking, and to make a written report of their findings to the Secretary of the Navy, who shall preserve such report with the records of his department. These findings shall be considered as competent evidence in all proceedings on any claim for compensation.

Approved May 12, 1917.

The effect of that joint resolution is to establish an inchoate right in the United States to those ships. The absolute title is not definitely fixed in the United States until the treaty of peace with Germany is signed. I am talking now about the title of the United States. The effect of this joint resolution was to create what is known in law as an active trust in the Shipping Board. The Shipping Board is made the trustee of these vessels, with certain well-defined directions as to how to operate that trust, and the Shipping Board's authority is limited to four things—to operate, lease, charter, and equip the vessels. It has no power of sale. Congress never has authorized the Shipping Board to sell these vessels in this or any other general act.

Under that joint resolution the President of the United States on June 30, 1917, issued an Executive order in which he directs the Shipping Board to take over the vessels named in it, and here is what the Executive order says:

Whereas the following joint resolution adopted by Congress was approved by the President May 12, 1917:

"Joint resolution authorizing the President to take over for the United States the possession and title of any vessel within its jurisdiction, which at the time of coming therein was owned in whole or in part by any corporation, citizen, or subject of any nation with which the United States may be at war, or was under register of any such nation, and for other purposes:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President be, and he is hereby, authorized to take over to the United States the immediate possession and title of any vessel within the jurisdiction thereof, including the Canal Zone and all territories and insular possessions of the United States except the American Virgin Islands, which at the time of coming into such jurisdiction was owned in whole or in part by any corporation, citizen, or subject of any nation with which the United States may be at war when such vessel shall be taken, or was flying the flag of or was under register of any such nation or any political subdivision or municipality thereof; and through the United States Shipping Board or any department or agency of the Government to operate, lease, charter, and equip such vessel in any service of the United States or in any commerce, foreign or coastwise.

"SEC. 2. That the Secretary of the Navy be, and he is hereby, authorized and directed to appoint, subject to the approval of the President, a board of survey, whose duty it shall be to ascertain the actual value of the vessel, its equipment, appurtenances, and all property contained therein at the time of its taking, and to make a written report of their findings to the Secretary of the Navy, who shall preserve such report with the records of his department. These findings shall be considered as competent evidence in all proceedings on any claim for compensation."

And whereas the following vessels were, at the time of coming into the jurisdiction of the United States, owned in whole or in part by a corporation, citizen, or subject of the Empire of Germany, a nation with which the United States is now at war, or were flying the flag of or under the register of the Empire of Germany or of a political subdivision or municipality thereof: Vaterland, Amerika, Kaiser Wilhelm II, President Grant, Pennsylvania, Bulgaria, Prinzess Irene, Hamburg, Neckar, Bohemia, Rhaetia, Wittekind, Armenia, Adamastarm, Willehad, Serapis, Allemannia, Nassovia, Maia, Neptun, O. J. D. Ahlers, Prinz Waldemar, Loongmoon, Governeur Jaeschke, Darvel, Princess Alice, Wiegand, Bochum, Carl Diederichsen, Coblenz, Esslingen, Lyeemoon, Pongtong, Sachsen, Suevia, Steinbeck, Elsass, Indra, Arnoldus Vinnen, Ottawa, Grunewald, Sachsenwald, Staatssekretar Solf, Aroa (lighter), George Washington, Kronprinzessin Cecile, President Lincoln, Cincinnati, Grosser Kurfurst Barbarossa, Friedrich der Grosse, Rhein, Koenig Wilhelm II, Koln, Prinz Oskar, Ockenfels, Arcadia, Pisa, Prinz Joachim, Harburg, Portonia, Clara Mennig, Pommern, Setos, Holsatia, Staatssekretar Kraetke, Borneo, Marudu, Tsintau, Andalusia, Camilla Rickmers, Clara Jebsen, Elmshorn, Johanne, Mark, Rajah, Samoa, Tubingen, Dalbek, Magdeburg, Matador, Kurt, Andromeda, Prinz Sigismund, Savoia, Arni (lighter), Argus (lighter).

It is therefore ordered that through the United States Shipping Board there be taken over to the United States the possession and title of the aforementioned vessels. The United States Shipping Board is further hereby authorized to repair, equip, and man the said vessels; to operate, lease, or charter the same in any service of the United States, or in any commerce, foreign or coastwise; and to do and perform any and all things that may be necessary to accomplish the purposes of the joint resolution above set forth.

WOODROW WILSON.

THE WHITE HOUSE, *June 30, 1917.*

That is all that there is in our law on the subject of the German vessels; and, as I said before, it constitutes the Shipping Board as the trustee of an active trust, with certain well-specified duties. It has no authority of any kind, nature, or description to sell these vessels, and the proposed sale of them by the Shipping Board is without any authority of law; and, in my judgment, if it is attempted to be carried out, any citizen will have the right to stop it, and it ought to be stopped. I think it is a high-handed piece of action upon the part of the Shipping Board, and I greatly regret that under our rules to-day is yesterday and we can not take up the resolution and direct the Shipping Board not to dispose of these ships.

Mr. WILLIAMS. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER (Mr. McCORMICK in the chair). Does the Senator from Tennessee yield to the Senator from Mississippi?

Mr. McKELLAR. I yield to the Senator.

Mr. WILLIAMS. Did not the act creating the Shipping Board give it power to buy, build, and sell ships?

Mr. McKELLAR. It gave it the right to buy and build and, under certain conditions, to sell. The act creating the Shipping Board was passed a year before the war began, or about that time. It can not have any application to ships that were taken under war powers, under a specific joint resolution of Congress dealing with the subject of those ships thus taken from Germany under war; and those ships can only be used or disposed of under such terms as Congress has already laid down or may lay down in the future.

Mr. WILLIAMS. Mr. President——

Mr. McKELLAR. I yield to the Senator. The Senator was not in the Chamber when I read the act.

Mr. WILLIAMS. Oh, I have read the act myself. I read much better than I hear. Mr. President, the original act creating the Shipping Board gave it power to buy, build, and sell ships. At the time that power was conferred upon the Shipping Board, of course, there was not a single ship that had been bought or had been built or could be then sold. It must have referred to ships to come after that time under the direction and jurisdiction of the Shipping Board. There was not one word in the original act that confined its powers so that it would have no authority over ships captured during war, if war should come. The act was passed in anticipation of war, and was passed partially with the idea at that time, as I happen to know, that perhaps the German ships lying in our harbors might be acquired by purchase, and if we went to war they might be acquired otherwise.

The point I was trying to make by the question was that the jurisdiction conferred upon the Shipping Board was as broad to add selling powers as to add its buying or building powers, and that the whole thing was in futuro and related to something which would take place in the future, and nothing which at that time had already taken place.

Mr. McKELLAR. The Senator is wholly mistaken, in my judgment, about the legal effect of the act mentioned. Whatever may have been the power of the Shipping Board in other matters, the Shipping Board did not acquire title to these German vessels confessedly by reason of the Shipping Board act. It only acquired title under the joint resolution approved May 12, 1917. It got title from no other source. It is not empowered to receive title from any other source except title from the owners of the ships, which confessedly never has been given, and under the authority under which it received the ships, this is the only power that it had over those ships, and I quote—

Through the United States Shipping Board, or any department or agency of the Government, to operate, lease, charter, and equip such vessels in any service of the United States, or in any commerce, foreign or coastwise.

If Congress had intended that the board should have the right to sell those ships or other ships, it would have given them the right and authority in the act. The Shipping Board could only receive title under that resolution. It would have no right even to take over the German vessels if that resolution had not been passed. All of its title comes under the joint resolution, all its acts in regard to these ships must come under the joint resolution, and it is idle to talk about some law passed before having given it any further right than is given in the joint resolution.

Mr. WILLIAMS. Mr. President, it is true that the Shipping Board acquired title to the possession—or acquired possession, rather, because it never acquired title in a real sense—to these ships by an act of Congress turning the ships over to the Shipping Board. But when the ships were turned over to the Shipping Board they were turned over to it as the Shipping Board was constituted by law, with certain powers of disposition, of acquisition, of operation. When Congress turned the ships over to the Shipping Board it was merely a method of saying that the jus disponendi of these ships, the jus operandi of them, is hereby transferred by the Federal Government to the Shipping Board, and it is no more cogent or logical to argue that that act was passed long after the original jurisdiction of the Shipping Board over whatsoever there might be turned over to it was effected than it would be to say that the ships built at Philadelphia or elsewhere, having been built long afterwards, were not referred to in the original act.

Mr. McKELLAR. Of course, the Senator's argument is to my mind wholly erroneous. I say that with perfect respect. He may be entirely correct about it and I may be entirely incorrect about it. But it will be remembered that the ships did not belong to the United States Government. The United States Government was simply a trustee for them in law. They do not belong to the United States Government to-day, and can not belong to the United States Government until we get a title to them. We have possession——

Mr. WILLIAMS. But, Mr. President——

Mr. McKELLAR. Just a moment. We have possession of them, but we have not any title to the ships, and we can not have title to the ships until the treaty of peace is signed with Germany by which we obtain the title. We have now under discussion in this body a treaty of peace under which the United States acquires title to these ships, but until she acquires title to them, of course, she is holding them as a trustee and the Shipping Board is holding them as a trustee of the parties. The joint resolution under which these ships were taken specifically states the terms upon which they may be held, and there are no terms there that the Shipping Board or that the United States may sell them. Of course, it was not intended that we should sell them. Never until a new administration of the Shipping Board came in a short time ago was it believed by any man in the country that we were going to sell these German ships that had come to us through the fortunes of war. I do not believe there is one person in 10 in the United States who thinks that they ought to be sold.

Mr. WILLIAMS. One word more, if the Senator will pardon me——

Mr. McKELLAR. Certainly.

Mr. WILLIAMS. I do not know how many men in America there are who think as I do, nor do I care. What I am striving for now is to determine whether or not what I think is right. The Senator says the United States has no title to the ships. It is true that that title may subsequently be modified or even surrendered by the terms of the treaty of peace, but ad interim after the capture and until the treaty of peace the ships belong to the captors, in possession and in title. They could not belong to anybody else, and the captors have a right to dispose of them subject to whatever agreement may be made later on in a treaty of peace modifying, amending, or nullifying whatever they may have done.

Mr. FLETCHER. Mr. President——

Mr. McKELLAR. Just a moment and I will yield to the Senator from Florida.

The answer to that argument is this: As everybody in the country knows, these ships were not captured in the usual way in a war. The fact is that the ships were interned in our ports when we were a neutral. We held them as trustee under international law——

Mr. WILLIAMS. As long as we were neutral.

Mr. McKELLAR. For many months, and until we entered the war ourselves.

Mr. WILLIAMS. We held them as trustee——

Mr. McKELLAR. One moment, please. Then after about six months—to be exact, I think about four months and a half—we concluded with reference to the ships that we have been holding as trustees for a belligerent that we would take them over ourselves. We took them over under this joint resolution. The only right we have to use them is under the joint resolution; the only right the Shipping Board has is under the joint resolution. It would have no right to take charge of the ships if it had not been for the joint resolution. The only authority of law that the Shipping Board has to dispose of them is under the joint resolution, and I say that the joint resolution does not give them the slightest authority. It does seem to me that the head of the Shipping Board should never have undertaken to sell the ships under the plain mandate of this law without having applied to Congress for authority to sell them.

Yesterday in a hearing before the Committee on Commerce Mr. Payne testified that he had no Executive order to sell the ships. I do not think the President is authorized to issue an Executive order to sell them, because the President's connec-

tion with the ships and his authority over the ships depends upon the joint resolution, and the joint resolution creates what all of us lawyers know to be an active trust; and the trustee can not go beyond the terms of the active trust when they are set out in the trust instrument.

I yield now to the Senator from Florida.

Mr. WILLIAMS. If the Senator from Florida will pardon me, the Senator refers to "us lawyers." I have the misfortune of being one of them, perhaps not as prominent as he in any respect, but I do know something about international law. I know that while a neutral nation holds interned ships as a trustee and possesses no right, no title, except the bare possession, the moment the neutral nation becomes a belligerent enemy nation to the nation owning the ships, the taking possession of those ships is an act of capture as complete as taking possession of a ship at sea, and no one of us lawyers who knows any law will dispute that proposition.

Mr. McKELLAR. If that were the case, why did our representatives in Paris, in whom I have very great confidence—several of them, I think, were lawyers—say we will just perfect our title in these ships by treaty? What is the use of that? If we have possession and title, why in the name of Heaven did we go to work and get a paper title to them under the treaty? It would be a very foolish thing to do if that is the case. But I do not agree with the Senator. I know very little about international law, but I do know that the United States' rights to those ships under the peculiar methods under which they were taken is an inchoate one, and the legal title to them is not perfect in the United States until the treaty of peace is signed, and we have a provision in the treaty for that very purpose.

Mr. WILLIAMS. The title is not inchoate, although it is defeasible. The question which the Senator asks is very easily answered. Why should they have mentioned ships in connection with the treaty of peace if they had a perfect title? It is because during a war everything done—territory captured, ships captured, prisoners retained in prison camps of the belligerent countries—comes up for final consideration and disposition, so that there may be added to the acts of war and the rights of war an agreement of peace. Whatever may have been the rights of the German Empire to any American ship caught accidentally in Hamburg at the time of the declaration of war or any German ship caught accidentally in New York at that time, the whole thing had to be passed upon, together with all the other subjects matter that concern the war in the final treaty of peace. If we had been defeated in the war, undoubtedly we would have had to return the ships or their value, just as Germany, defeated, must return our ships or their value, if we had any that they took. But the right pendente bello attached and became not only a right of possession but a title during the war, and the trusteeship ceased with our neutrality and became a right by capture when we took possession as a belligerent power.

Mr. McKELLAR. The trouble with the Senator's argument is that Congress has decreed otherwise. The Congress, which has supreme control over those ships, has decreed by this joint resolution in language just as plain as that in which any matter could be expressed, that its agency called the Shipping Board shall act as trustee in regard to these ships, and whatever may be the power of the United States Government over them, the Shipping Board, which is an arm of the Government only, an agent of the Government only, has been confined to certain well-defined powers and duties with respect to those ships, and those powers and those duties do not include the right to sell.

That is all there is in it. The board is prohibited from selling the ships, under the plain terms of the act of Congress, and I say that it is an assumption of authority, an improper assumption of authority, for the Shipping Board to undertake to sell those ships without getting authority from the Congress of the United States, and I do not believe such a sale would be legal.

Mr. WILLIAMS. Will the Senator read that part of the act which prohibits the Shipping Board from selling them? I understand his contention to be that they were not affirmatively granted the right——

Mr. McKELLAR. Just one moment; let me answer the question. Where a trustee is given specific powers and duties it is prohibited from exercising any other powers or duties except those mentioned in the trust instrument, and every lawyer knows that to be the law.

I now yield to the Senator from Florida.

Mr. FLETCHER. Mr. President, I came into the Chamber just as the Senator was discussing the question of the title to the ships, and I am not sure whether he has referred to the joint resolution of May 12, 1917, authorizing the seizure of the German ships.

Mr. McKELLAR. I read it in full into the RECORD, and then I read into the RECORD the Executive order of the President in reference thereto, showing in both instances that the Shipping Board was confined in its powers and duties and had no right to sell either under an Executive order or under the original resolution itself. Of course, the Executive order could not go further than the power under which the Executive order was issued, which is the joint resolution of Congress.

Mr. FLETCHER. I heard that portion of the Senator's argument, but I thought he was taking the position that there was some question about our title to the ships. I would differ with him as to that. Notwithstanding this subject may be covered by the peace treaty, which covers also all alien enemy property which does not refer to shipping, and provides that there shall be acquiescence in all we have done in respect to alien property in this country, that does not, in my judgment, affect the proposition that we have title to these ships.

Mr. WILLIAMS. I want to say, if the Senator from Florida will permit an interruption——

Mr. McKELLAR. We have an inchoate right to the ships.

Mr. WILLIAMS. I want to make this interruption, because I do not want to be misunderstood. I am not committing myself to the proposition that the Shipping Board ought to sell these ships.

Mr. FLETCHER. I quite understand that.

Mr. WILLIAMS. I hope the Senator does understand that. That is a question about which I know very little, and that I have not fully studied. I think if they are not selling them at their value, they ought to be doing so. I was merely controverting the position that they had no right to sell them.

Mr. FLETCHER. I understand. I am inclined to agree with the Senator from Mississippi in his position as to the title of the United States. The joint resolution itself provides (40 Stat. L., 75):

That the President be, and he is hereby, authorized to take over to the United States the immediate possession and title of any vessel—

And so forth.

Following that the President, by Executive order, directed—

That through the United States Shipping Board there be taken over to the United States the possession and title of the aforementioned vessels.

He then sets out some 81 vessels, describing them, and I think unquestionably in pursuance of the joint resolution and the Executive order the possession and title of the ships rests in the Government.

Mr. McKELLAR. Will the Senator yield?

Mr. FLETCHER. In just a moment. With reference to the purpose of the Government in the matter of the use of those ships and the authority of the Shipping Board, the joint resolution provided, further, that—

Through the United States Shipping Board or any department or agency of the Government to operate, lease, charter, and equip such vessel in any service of the United States or in any commerce, foreign or coastwise.

That is the language of the joint resolution. The authority is there given to take over the possession and title of the ships for the purpose of operating them, leasing them, chartering them, and equipping them in the service of the United States, and the order itself provides that—

The United States Shipping Board is further hereby authorized to repair, equip, and man the said vessels; to operate, lease, or charter the same in any service of the United States.

Mr. McKELLAR. Does the Senator mean to say that, with that limited authority, in his judgment the Shipping Board has the right to sell these ships?

Mr. FLETCHER. I am just coming to that. I say there are the express provisions of the joint resolution and of the order to charter, lease, equip, and operate the ships. There is no provision in the resolution itself or any order with respect to selling the ships.

Mr. McKELLAR. I have just stated that.

Mr. FLETCHER. So it seems to me that we must look somewhere else for the authority than in the joint resolution or in the order. Whether or not the authority given in the appropriation acts covers these ships is a question which the Senator might look into. My first impression now is that the various appropriation acts refer to the construction and acquiring of ships, the disposition of the ships as contemplated under the act, and that these German ships were not included. Whether there has been any further order made in reference to these ships or not I am not advised, but it does seem to me that there must be some further order made under the authority given in the appropriation act before there can be any right to sell the ships, because under the shipping act of 1916 the authority to sell ships is confined to the ships constructed or acquired in pursuance of that act. Consequently, it seems to me, there is no authority in the

Shipping Board to sell these ships unless it comes in pursuance of legislative enactment set forth in the appropriation acts which gave to the President the power to acquire or dispose of the ships.

Mr. McKELLAR. I do not know that I gathered just what position the Senator intends to take. If he intends to take the position that the Shipping Board has no right to sell these ships under the act of Congress, I agree with him entirely. If he attempts to take the position that it does have the right under any act, I differ with him entirely.

Mr. FLETCHER. I desire to make it plain; that was the purpose.

Mr. McKELLAR. The Senator may have done so, but I am unable to understand the Senator.

Mr. FLETCHER. I want to make it plain that the Government has title to these ships under the resolution and under the Executive order. That is what I want to make plain. I understood the Senator to question that. I think beyond any doubt the Government has the possession of and the title to the ships.

I desire to make it plain, further, that under this resolution and under the Executive order there is no authority to sell the ships.

Mr. McKELLAR. I am glad the Senator agrees with me to that extent; but so far as the title to the ships is concerned I merely desire to say a word. The title which the Government has, of course, is an inchoate title, or what the Senator from Mississippi [Mr. WILLIAMS] called a defeasible title. We all recognize that. If the war had gone the other way, the Government would not have any title at all; everybody knows that. The United States could only give such title as it had. It had an inchoate title to the ships; or an inchoate right to them is a better method of expressing it. It had a defeasible title to them only. When it transferred that title to the Shipping Board it, of course, only transferred such title as it had. So it is all a mere play upon words as to what we call "title." That is all I care to say in reference to the matter. I merely wanted to call it to the attention of the Senate.

I ask that a statement by the Senator from Arizona [Mr. ASHURST] in reference to this subject may be printed in the RECORD.

The statement referred to is as follows:

NO POWER TO SELL.

"Senator ASHURST said too much emphasis could not be placed on the fact that the joint resolution 'gave the Shipping Board no power to dispose of the ships; that it merely empowered the board to "operate, lease, charter and equip them."'

"'In attempting to sell the ex-German ships the board is, therefore, attempting to exercise a power it does not possess. Any attempt by it to exercise such a power would, indeed, be "acting ultra vires,"' Senator ASHURST said. 'No construction can be placed on the joint resolution which would justify the proposed sale by the board of ex-German ships which were turned over to it by Congress in the name of the American people.'

"After looking into the law, Senator ASHURST said he desired also to emphasize the distinction between the right of the Shipping Board to sell ships of its own construction and its complete lack of power to dispose of the ex-German ships, which it did not construct.

"Under the act of Congress of September 7, 1916, creating the Shipping Board and the Emergency Fleet Corporation the board 'may charter, lease, or sell' to citizens of the United States such vessels as it constructed or constructs, but under the joint resolution providing for the seizure of the ex-German ships the word 'sell' was purposely omitted, Senator ASHURST pointed out.

CALLS SILENCE NEGATION.

"'The joint resolution specifically refrains from using the word "sell,"' the Senator said. 'Could its meaning or purpose be made any clearer? Certainly, under such circumstances, silence may be regarded as negation. In other words, the right of the Shipping Board to sell the ex-German ships was specifically refused or denied by Congress. There can be no legal dispute about that.'"

Mr. BRANDEGEE. Mr. President, I ask unanimous consent to submit a short resolution, and, if there is no objection, I ask for its present consideration.

The PRESIDING OFFICER (Mr. KIRBY in the chair). The resolution will be read.

The Assistant Secretary read the resolution (S. Res. 306), as follows:

Resolved, That the President is hereby requested to inform the Senate whether any, and if so, what, agreement or understanding exists between him and officials of Great Britain concerning the disposition by the United States of America of the German ships which the Shipping Board is proposing to sell, or which were acquired by the United States after the termination of hostilities between said United States and the Central European Teutonic powers.

Mr. BRANDEGEE. Mr. President, I will detain the Senate for just a minute. I simply desire to state that I have several times heard, and from what I think is good authority, that there was some understanding between the President and Lloyd-George or some member of the British Government in relation to the disposition of the German ships or the proceeds derived from them in case they were disposed of. I do not know whether or not that is a fact. If it is, I should like to know it, as being germane to the subject which we are now considering. I should like to have the resolution considered and agreed to.

Mr. McKELLAR. Mr. President, I desire to have the resolution again read. Being otherwise temporarily engaged, I did not hear it.

The PRESIDING OFFICER. The resolution will be again read.

The resolution was again read.

Mr. McKELLAR. I believe it is usual to insert in such resolutions the words "if not incompatible with the public interest."

Mr. BRANDEGEE. I am perfectly willing that those words be inserted.

Mr. McKELLAR. It is, I think, a mere formality; but I believe they should go into the resolution. I know nothing at all about the subject matter of the resolution.

Mr. BRANDEGEE. Neither do I. If the President should say the information was incompatible with the public interest, I should not ask for it.

Mr. McKELLAR. I offer the amendment to the resolution which I have suggested.

Mr. BRANDEGEE. I desire that the resolution shall be modified as suggested by the Senator from Tennessee, to insert at the proper place the words "if not incompatible with the public interest."

Mr. KING. Mr. President, I desire to ask the Senator from Connecticut whether he has received any information from a source, in his opinion, sufficiently authentic to warrant him in offering the resolution?

Mr. BRANDEGEE. Yes. I will be very frank with the Senator. I have this information from a source in which I personally have entire confidence. I have been told that there is such an agreement and that it is in the State Department; but even if it is there, if the President says it is incompatible with the public interest to divulge the information, of course we shall not get it, and I do not ask it. I should like to know the terms of the agreement, if it exists, and if, in the opinion of the President, it is not incompatible with the public interest that we shall know it.

Mr. KING. The Senator's information is that some agreement exists that is outside of the terms of the treaty or that would be inconsistent with the terms of the treaty?

Mr. BRANDEGEE. Oh, yes; I think so; entirely outside of the terms of the treaty.

Mr. McKELLAR. All I can say is that I have absolutely no knowledge of it. This is the first information I ever had to that effect. I am not going to oppose the adoption of the resolution, because I do not know anything about it.

Mr. BRANDEGEE. I have not the knowledge in the sense of having seen any document or being party to any such agreement, but I have the information from a friend of mine, who I think is reliable, for he is a gentleman who usually knows what he talks about; but if he is mistaken about it, I see no harm in the President saying that there is no such agreement.

The PRESIDING OFFICER. The Chair understands that the Senator from Connecticut accepts the modification of the resolution proposed by the Senator from Tennessee?

Mr. BRANDEGEE. I do.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution as modified?

The resolution as modified was considered by unanimous consent and agreed to.

EXECUTIVE SESSION.

Mr. SMOOT. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, February 16, 1920, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 14 (legislative day of February 13), 1920.

SECRETARY OF THE INTERIOR.

John Barton Payne, of Illinois, to be Secretary of the Interior, vice Franklin K. Lane, resigned.

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

Robert Underwood Johnson, of New York, to be ambassador extraordinary and plenipotentiary of the United States of America to Italy.

SECRETARY OF EMBASSY OR LEGATION.

Norval Richardson, of Mississippi, now a secretary of embassy or legation of class 2, to be a secretary of embassy or legation of class 2 of the United States of America.

COLLECTOR OF CUSTOMS.

Clarence D. Sprigg, of San Diego, Calif., to be collector of customs for customs collection district No. 25, with headquarters at San Diego, Calif.

SOLICITOR OF INTERNAL REVENUE.

Wayne Johnson, of New York, to be Solicitor of Internal Revenue, vice Robert N. Miller, resigned.

UNITED STATES DISTRICT JUDGE.

W. Lee Estes, of Texarkana, Tex., to be United States district judge, eastern district of Texas, vice Gordon Russell, deceased.

UNITED STATES DISTRICT ATTORNEYS.

John L. Neeley, of Pensacola, Fla., to be United States attorney, northern district of Florida. (A reappointment.)

R. E. Taylor, of Henrietta, Tex., to be United States attorney, northern district of Texas, vice W. B. Harrell, appointed by court.

H. A. Sawyer, of Milwaukee, Wis., to be United States attorney, eastern district of Wisconsin. (A reappointment.)

Charles D. McAvoy, of Norristown, Pa., to be United States attorney, eastern district of Pennsylvania, vice Francis Fisher Kane, resigned.

SURVEYOR GENERAL.

William A. Lynch, of South Dakota, to be surveyor general of South Dakota, his present term of office expiring March 22, 1920. (Reappointment.)

REGISTERS OF LAND OFFICES.

James R. Sharp, of Rapid City, S. Dak., to be register of the land office at Rapid City, S. Dak., vice James W. Mee, resigned.

Carl H. Massie, of Wyoming, to be register of the land office at Newcastle, Wyo. (removed from Sundance, Wyo., under Executive order dated Dec. 16, 1919), for the unexpired part of his term of four years from March 8, 1918, as register of the land office at Sundance.

RECEIVER OF PUBLIC MONEYS.

Charles R. Yeoman, of Wyoming, to be receiver of public moneys at Newcastle, Wyo. (land office removed from Sundance, Wyo., under Executive order dated Dec. 16, 1919), for the unexpired part of his term of four years from March 8, 1918, as receiver at Sundance.

COAST GUARD.

Keeper John Kelly to be a district superintendent in the Coast Guard of the United States to fill an existing vacancy.

Keeper Frank Burnham Lincoln to be a district superintendent in the Coast Guard of the United States to fill an existing vacancy.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

Lieut. Col. Herbert Deakyne, Corps of Engineers, to be colonel with rank from February 6, 1920.

Maj. George B. Pillsbury, Corps of Engineers, to be lieutenant colonel with rank from February 6, 1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 14 (legislative day of February 13), 1920.

JUDGE OF MUNICIPAL COURT, DISTRICT OF COLUMBIA.

Robert E. Mattingly, to be judge of the municipal court, District of Columbia.

POSTMASTERS.

ARKANSAS.

Kate E. Harrison, Plumerville.
Robert H. Clark, Bald Knob.

FLORIDA.

Arthur H. Fuller, Altamonte Springs.
Mary Joyner, Bagdad.
Jefferson Gaines, Bocagrande.
Pearl R. Meeker, Bonifay.
Joseph H. Nelson, Crestview.
John A. McDonald, De Funiak Springs.
Robert F. Persons, Fort White.
Mary Conway, Green Cove Springs.
Frank W. Hall, Labelle.
Turner A. Duren, Largo.
Fleta I. Murrow, Panama City.
John J. Johnston, St. Cloud.
John R. Walker, Titusville.
Oliver H. Linn, Vero.
James S. Godfrey, Yalaha.

HAWAII.

Arthur V. Lloyd, Lahaina.
Alice M. Brown, Paia.

KENTUCKY.

Lenna B. Owen, Arlington.
Benjamin L. Kessinger, Horse Cave.
Jasper S. Peal, jr., La Center.
Charles R. Murphy, Stamping Ground.

LOUISIANA.

Hester M. Clark, Fisher.

NEW YORK.

Charles W. Owens, Antwerp.
Frank Timm, Attica.
Louis F. Roberts, Au Sable Forks.
Ira B. Cushman, Bainbridge.
Will J. Davy, Bergen.
Samuel E. G. Harris, Brushton.
Timothy Crough, Canajoharie.
Frank J. Brady, Cape Vincent.
Frank W. Shumaker, Castile.
James English, Chateaugay.
Claude A. Nichols, Chittenango.
Frederick J. Manchester, Clark Mills.
Frank J. Walsh, Cornwall on the Hudson.
Clayton I. Burch, Earlville.
Miriam L. Bancroft, Edwards.
Spencer E. Burdick, Glenfield.
Tarry B. Luce, Hartwick.
David Dunham, Ilion.
William C. DeWitt, Kingston.
Patrick D. Kane, Lincoln Park.
Joseph D. Betting, Lowville.
James T. Welch, Malone.
Justin B. Andrews, Massena.
Henry S. Ludington, Patterson.
Bert E. Holden, Peru.
William B. Hollister, St. Regis Falls.
John MacKenzie, Whitney Point.
Henry Webster, Wyoming.

PENNSYLVANIA.

Charles W. Seaman, Frackville.
John H. Francis, Oaks.
Allen F. Smith, Orwigsburg.
Harold M. Eroh, Port Carbon.
Simon E. Devlin, St. Clair.
Howard A. Pinney, Sheffield.

VERMONT.

George N. Wood, Milton.

VIRGINIA.

Zachariah C. Gold, Basic.
George H. Levi, Berryville.
John E. Lewis, Bluemont.
James S. Agnew, Burkeville.
John T. Dickenson, Castlewood.
Kenneth H. Woody, Crewe.
Waverly S. Barrett, Dendron.
James L. Hart, Farmville.
Eugene J. Baker, Fries.
Alexander T. Hull, Glade Springs.
Richard C. Morgan, Gladys.
Charles W. Rudolph, Independence.
Joseph W. Haydon, Irvington.
Isaac H. Adams, jr., Lynchburg.
James B. Richardson, Marion.
Thomas H. Self, Martinsville.
Charles E. Wright, Middletown.

Maude M. Landers, Millboro.
Lillie L. Davis, National Soldiers' Home.
John A. Lesner, Norfolk.
Roy Kilgore, Norton.
Commodore M. Kennedy, St. Paul.
John P. Saul, Salem.
James A. Johnston, Upperville.
Pierce M. Kilmartin, Waverly.
James H. Conduff, Willis.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 14, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we approach Thee with gratitude welling up in our hearts for a world of splendid opportunities calculated to develop the faculties of mind and soul with which Thou hast endowed us—its fertile fields, hidden treasures, laws which environ us.

Give us the grace, fortitude, willingness, to share with all mankind these treasures and overcome selfishness, egotism, wild speculations and do unto others as we would be done by, and thus live, and grow, and aspire, to the best for ourselves and all mankind. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on February 14, 1920, approved and signed joint resolution of the following title:

H. J. Res. 20. Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Richmond, one of its clerks, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 156. Joint resolution authorizing the Secretary of War to bring back on Army transports from Danzig, Poland, residents of the United States of Polish origin who were engaged in the war on the side of the allied and associated powers.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 156. Joint resolution authorizing the Secretary of War to bring back on Army transports from Danzig, Poland, residents of the United States of Polish origin who were engaged in the war on the side of the allied and associated powers; to the Committee on Military Affairs.

WOMAN-SUFFRAGE AMENDMENT.

The SPEAKER laid before the House a communication from the governor of the State of Nevada, announcing the ratification by the legislature of that State of the proposed amendment to the Constitution of the United States extending the right of suffrage to women.

LEAVE OF ABSENCE.

Mr. YATES, by unanimous consent, at the request of Mr. McKINLEY, was granted leave of absence for one day, on account of illness.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. PORTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 11960, the Diplomatic and Consular appropriation bill, disagree to the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill H. R. 11960, the Diplomatic and Consular bill, disagree to the Senate amendments, and agree to the conference asked for by the Senate. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, I have not had a chance to look over the Senate amendments, particularly the amendment with reference to the increased charge for passports, and from a hasty glance I am led to believe that it would cost $10 to go across the river into Mexico or to go across the border into Canada, and it would absolutely stop all intercourse between the United States and the people of Mexico and Canada. I do not believe that that should obtain.

Mr. PORTER. Mr. Chairman, the gentleman is altogether wrong about that. Mexico and Canada are excepted from the provisions of the increased passport fee. The same is also true of Cuba and the Bahamas.

Mr. GARNER. The opinion of the gentleman from Pennsylvania may be right on that subject, but I would like to be assured of it, because I do not think the House desires that the going and coming between this country and Mexico and Canada should be entirely stopped. I think we should have sufficient time in which to consider the matter. If the gentleman will delay his request a little until I can look that matter up, I shall be happy.

Mr. PORTER. The Senate bill expressly excepts Mexico, Canada, Cuba, and the Bahamas. All that the gentleman from Texas has to do is to look at the bill. I hope he will not delay the appointment of the conferees.

Mr. GARNER. I just ask opportunity to be allowed to look at it. Has the gentleman consulted the gentleman from Virginia [Mr. FLOOD], the ranking Member on the Democratic side of the committee, about the matter?

Mr. PORTER. No.

Mr. GARNER. I have insisted several times—and I am going to reiterate it now—that if the ranking Member on the Democratic side is not considered of sufficient importance to be consulted before request is made to send a bill to conference and disagree to Senate amendments, then you will have to get action otherwise than by unanimous consent.

Mr. PORTER. I misunderstood the gentleman's question. I did consult with the gentleman from Virginia about the appointment of conferees, but not about the increase of passport fees.

Mr. GARNER. I think when a gentleman gets up and asks unanimous consent to disagree to the Senate amendments and send the bill to conference, it ought to be done with a tacit agreement with the ranking minority Member on this side. If the gentleman from Pennsylvania will look into the matter and give me assurance that his statements are confirmed as to the Senate amendments, I shall not object.

Mr. RANDALL of California. Mr. Speaker, reserving the right to object, will the gentleman from Pennsylvania yield?

Mr. PORTER. Certainly.

Mr. RANDALL of California. I notice by the provisions of the bill as passed by the Senate that not only have the exceptions named by the chairman of the committee been made but also some other exceptions, including Cuba and Bermuda. Does the gentleman indicate that his attitude is in favor of those exceptions?

Mr. PORTER. I think that Cuba should be excepted.

Mr. RANDALL of California. Does the gentleman propose to charge a poor father or mother of a boy who died in France $10 to go to France to see his grave and allow a Chicago or New York sport to go to Cuba without paying for the passport privilege?

Mr. PORTER. If the gentleman had read the House bill carefully, he would have found that the fathers and mothers, wives, children, and sisters and brothers of our soldier dead are excepted from the payment of passport fees.

Mr. RANDALL of California. The gentleman has also made an exception of Bermuda. Why give a preference to certain Latin-American countries and exclude others?

Mr. MANN of Illinois. Bermuda is not a Latin-American country.

Mr. RANDALL of California. For instance, take Panama. We have an important enterprise with that country, that has granted us an exclusive right of way across its country. Nobody can go to Panama under this bill without paying $10 for a passport.

Mr. PORTER. I beg the gentleman's pardon. Panama and the Canal Zone are excepted.

Mr. RANDALL of California. Panama is excepted to a certain extent. Parties going there indirectly are excepted, but parties direct from the United States to Panama will have to pay. If they go directly from the United States they will have to pay.

The SPEAKER. Is there objection?

Mr. BLANTON. Unless we can have opportunity to ask the gentleman a question or two I shall object.

The SPEAKER. The gentleman from Texas objects.

EXTENSION OF REMARKS.

Mr. ANDREWS of Nebraska. Mr. Speaker, I ask unanimous consent to insert in the RECORD a speech of my own on Abraham Lincoln.

The SPEAKER. Is there objection?

Mr. MOORES of Indiana. I object.

The SPEAKER. Objection is made.

NO QUORUM—CALL OF THE HOUSE.

Mr. SNELL rose.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. SNELL. To make the point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present.

Mr. SNELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Bacharach	Dooling	Kennedy, R. I.	Rowan
Benson	Dyer	Knutson	Sanders, N. Y.
Blackmon	Eagan	Kreider	Sanford
Booher	Edmonds	Langley	Saunders, Va.
Bowers	Ellsworth	Larsen	Scully
Britten	Esch	Lehlbach	Sears
Brooks, Pa.	Ferris	McGlennon	Small
Browning	Focht	McLaughlin, Nebr.	Smith, N. Y.
Brumbaugh	Gallagher	MacCrate	Snyder
Caldwell	Garrett	MacGregor	Stephens, Ohio
Campbell, Kans.	Godwin, N. C.	Maher	Strong, Pa.
Caraway	Goldfogle	Mann, S. C.	Sullivan
Carew	Good	Martin	Tague
Casey	Graham, Pa.	Mead	Thompson
Clark, Mo.	Griffin	Neely	Tilson
Cleary	Hamill	Newton, Minn.	Towner
Cooper	Hamilton	Newton, Mo.	Ward
Costello	Hardy, Tex.	O'Connell	Watkins
Crago	Heflin	O'Connor	Webster
Cramton	Holland	Parker	Whaley
Cullen	Johnson, S. Dak.	Pell	Woodyard
Curry, Calif.	Johnston, N. Y.	Rainey, Ala.	Yates
Dallinger	Juul	Rainey, H. T.	Zihlman
Davey	Kelley, Mich.	Reavis	
Dempsey	Kendall	Reber	
Donovan	Kennedy, Iowa	Reed, N. Y.	

The SPEAKER. On this call 331 Members have answered to their names. A quorum is present.

Mr. SNELL. I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from New York moves to dispense with further proceedings under the call.

The motion was agreed to.

AGRICULTURAL APPROPRIATIONS.

The SPEAKER. When the House adjourned the unfinished business was the Agricultural appropriation bill, on which the previous question was ordered.

Is a separate vote demanded on any amendment?

Mr. BYRNES of South Carolina. I ask for a separate vote on the amendment of the gentleman from New York [Mr. SNELL], on page 58, line 21, reducing the appropriation reported by the committee for the protection of southern field crops from $125,000 to $101,000.

The SPEAKER. The gentleman from South Carolina asks a separate vote on an amendment, which the Clerk will report.

The Clerk read as follows:

Page 58, line 21, strike out "$125,000" and insert "$101,000," and strike out the remainder of the paragraph.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. RUBEY. Mr. Speaker, I demand a separate vote on the amendment offered by the gentleman from Connecticut [Mr. TILSON] cutting down the appropriation for hog cholera $100,000, found on page 18, line 1.

The SPEAKER. The gentleman from Missouri asks for a separate vote on the amendment which the Clerk will report.

The Clerk read as follows:

Page 18, strike out "$510,000" and insert in lieu thereof "$410,000."

Mr. HAUGEN. I ask for a separate vote on the amendment on page 46, after line 13.

The SPEAKER. The gentleman from Iowa asks for a separate vote on an amendment, which the Clerk will report.

The Clerk read as follows:

Page 46, after line 13, insert: "For experiments and investigations of range conditions within the national forests or elsewhere on the public range, and of methods for improving the range by reseeding, regulation of grazing, and other means, $35,000."

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. HAUGEN. I ask for a separate vote on the amendment on page 58, line 17.

The SPEAKER. The gentleman from Iowa asks for a separate vote on another amendment, which the Clerk will report.

The Clerk read as follows:

Page 58, after line 17, insert a new paragraph, as follows:
"To enable the Secretary of Agriculture to meet the emergency caused by the establishment of the European corn borer in Massachusetts, New York, and other States, and to provide means for the control and prevention of spread of this insect in these States or elsewhere in the United States, in cooperation with the State or States concerned, including rent outside of the District of Columbia, employment of labor in the city of Washington and elsewhere, and all other necessary expenses, $300,000."

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. BLACK. I demand a separate vote on the Anderson amendment to insert a paragraph appropriating $192,400 for the completion, operation, and maintenance of a kelp plant at Summerland, Calif., for the manufacture of potash.

The SPEAKER. Will the gentleman state the page on which the amendment appears?

Mr. BLACK. On page 56, line 15.

The SPEAKER. The gentleman from Texas demands a separate vote on an amendment, which the Clerk will report.

The Clerk read as follows:

Page 56, after line 15, insert: "For the completion, operation, and maintenance of the Government kelp plant at Summerland, Calif, $192,000: *Provided*, That the product obtained from such experimentation may be sold at a price to be determined by the Secretary of Agriculture and the amount obtained from the sale thereof shall be covered into the Treasury as miscellaneous receipts."

Mr. HAUGEN. I withdraw my request for a separate vote on the amendment on page 46.

The SPEAKER. The gentleman withdraws his demand for a separate vote on the amendment indicated by him.

Mr. RUBEY. I make the point of order that as to the amendment on which the gentleman from Texas [Mr. BLACK] demands a separate vote, the item in the bill remains just exactly as the committee reported it. Therefore there can be no separate vote on that paragraph.

The SPEAKER. That question will come up when the amendment is reached. The question is on the other amendments on which no separate vote was demanded.

The question being taken, the other amendments were agreed to.

The SPEAKER. The question is on the amendment on which a separate vote is demanded by the gentleman from South Carolina [Mr. BYRNES].

Mr. PURNELL. May we have it reported?

The SPEAKER. Without objection, it will be again reported.

The Clerk read as follows:

Page 58, line 21, strike out "$125,000" and insert "$101,000," and strike out the remainder of the paragraph.

Mr. RUBEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RUBEY. Is it not proper to take up the amendments in the order in which they come in the bill?

The SPEAKER. Either way is proper.

Mr. RUBEY. I think they ought to be voted on in the order in which they come in the bill.

The SPEAKER. The ordinary practice is to take them up in the order in which a separate vote is demanded on them, but if the gentleman desires it done in the other way, that is perfectly proper.

Mr. RUBEY. I think that would be the proper order, Mr. Speaker, and I ask that the amendment on page 18, the first one on which a separate vote is demanded, be reported.

The SPEAKER. The Chair will comply with the gentleman's request, and will direct that the vote be taken first on that amendment. The Clerk will report it.

The Clerk read as follows:

Page 18, line 1, strike out "$510,000" and insert "$410,000."

Mr. WALSH. Mr. Speaker, I ask that the paragraph be reported as it will read when amended.

The SPEAKER. Without objection, the Clerk will report the paragraph as it would read if amended.

The Clerk read as follows:

For investigating the disease of hog cholera, and for its control or eradication by such means as may be necessary, including demonstrations, the formation of organizations, and other methods, either independently or in cooperation with farmers, associations, State or county authorities, $410,000: *Provided*, That of said sum $188,280 shall be available for expenditure in carrying out the provisions of the act approved March 4, 1913, regulating the preparation, sale, barter, exchange,

or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals: *And provided further*, That of said sum $29,520 shall be available for researches concerning the cause, modes of spread, and methods of treatment and prevention of this disease.

The SPEAKER. The question is on agreeing to the amendment.

The question was being taken when Mr. CARTER and Mr. RUBEY demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 165, nays 157, answered "present" 4, not voting 102, as follows:

YEAS—165.

Ackerman	Fuller, Mass.	Luhring	Rose
Anderson	Gallivan	McArthur	Rowe
Andrews, Md.	Garland	McFadden	Sabath
Andrews, Nebr.	Good	McKenzie	Sanders, Ind.
Anthony	Goodykoontz	McLaughlin, Mich.	Sanders, N. Y.
Babka	Gould	Madden	Schall
Baer	Graham, Ill.	Magee	Scott
Barbour	Green, Iowa	Mann, Ill.	Sherwood
Begg	Greene, Mass.	Mapes	Shreve
Benham	Greene, Vt.	Martin	Siegel
Bland, Ind.	Griest	Mason	Siemp
Blanton	Hadley	Mead	Smith, Ill.
Boies	Hardy, Colo.	Merritt	Smith, Mich.
Brooks, Ill.	Harreld	Miller	Snell
Burdick	Haugen	Minahan, N. J.	Stiness
Burke	Hawley	Monahan, Wis.	Summers, Wash.
Burroughs	Hernandez	Mondell	Sweet
Cannon	Hersey	Moores, Ind.	Swope
Chindblom	Hicks	Morgan	Taylor, Tenn.
Christopherson	Hill	Morin	Temple
Classon	Hoch	Mott	Timberlake
Condy	Houghton	Nelson, Wis.	Tincher
Cole	Hulings	Nichols, Mich.	Tinkham
Copley	Hull, Iowa	Nolan	Treadway
Crowther	Husted	Ogden	Vaile
Currie, Mich.	Hutchinson	Osborne	Vare
Dale	James	Paige	Vestal
Darrow	Johnson, Wash.	Parker	Volstead
Davis, Minn.	Jones, Pa.	Peters	Walsh
Denison	Kahn	Platt	Walters
Dickinson, Iowa	Kearns	Porter	Ward
Dunn	Kelly, Pa.	Purnell	Wason
Echols	Kiess	Radcliffe	Watson
Elliott	Kinkaid	Ramsey	White, Kans.
Ellsworth	Kleczka	Ramseyer	White, Me.
Elston	Kraus	Reed, W. Va.	Williams
Emerson	Layton	Rhodes	Wilson, Ill.
Esch	Little	Ricketts	Winslow
Evans, Nebr.	Lonergan	Riddick	Wood, Ind.
Fess	Longworth	Riordan	
Foster	Luce	Rodenberg	
Freeman	Lufkin	Rogers	

NAYS—157.

Almon	Fairfield	Lesher	Romjue
Ashbrook	Fields	Linthicum	Rouse
Aswell	Fisher	McAndrews	Rubey
Ayres	Flood	McClintic	Rucker
Bankhead	Frear	McCulloch	Sanders, La.
Barkley	French	McDuffie	Saunders, Va.
Bee	Fuller, Ill.	McKeown	Sells
Black	Gandy	McKiniry	Sims
Bland, Mo.	Ganly	McKinley	Sinclair
Bland, Va.	Gard	McLane	Sisson
Box	Glynn	McPherson	Smith, Idaho
Brand	Goodwin, Ark.	Major	Smithwick
Briggs	Hardy, Tex.	Mansfield	Steagall
Brinson	Harrison	Mays	Stedman
Browne	Hastings	Michener	Stephens, Miss.
Buchanan	Hayden	Montague	Stevenson
Byrnes, S. C.	Hays	Moon	Stoll
Byrns, Tenn.	Hersman	Mooney	Strong, Kans.
Campbell, Pa.	Hickey	Moore, Ohio	Sumners, Tex.
Candler	Hoey	Moore, Va.	Taylor, Ark.
Cantrill	Howard	Murphy	Taylor, Colo.
Carss	Huddleston	Nelson, Mo.	Thomas
Carter	Hudspeth	Nicholls, S. C.	Tillman
Clark, Fla.	Hull, Tenn.	Oldfield	Upshaw
Collier	Humphreys	Oliver	Venable
Connally	Igoe	Olney	Voigt
Davis, Tenn.	Jacoway	Overstreet	Weaver
Dent	Jefferis	Padgett	Welling
Dewalt	Johnson, Ky.	Park	Welty
Dickinson, Mo.	Johnson, Miss.	Parrish	Wheeler
Dominick	Jones, Tex.	Phelan	Wilson, La.
Doremus	Keller	Pou	Wilson, Pa.
Doughton	Kincheloe	Quin	Wingo
Dowell	King	Rainey, J. W.	Wise
Drane	Kitchin	Raker	Woods, Va.
Dunbar	Lampert	Randall, Calif.	Wright
Dupré	Lanham	Randall, Wis.	Young, Tex.
Eagle	Lankford	Rayburn	
Evans, Mont.	Lazaro	Robinson, N. C.	
Evans, Nev.	Lee, Ga.	Robsion, Ky.	

ANSWERED "PRESENT"—4.

Bell	Butler	Crisp	Garner

NOT VOTING—102.

Bacharach	Browning	Clark, Mo.	Curry, Calif.
Benson	Brumbaugh	Cleary	Dallinger
Bixgmon	Caldwell	Cooper	Davey
Booher	Campbell, Kans.	Costello	Dempsey
Bowers	Caraway	Crago	Donovan
Britten	Carew	Cramton	Dooling
Brooks, Pa.	Casey	Cullen	Dyer
Eagan	Juul	Neely	Steele
Edmonds	Kelley, Mich.	Newton, Minn.	Steenerson
Ferris	Kendall	Newton, Mo.	Stephens, Ohio
Focht	Kennedy, Iowa	O'Connell	Strong, Pa.
Fordney	Kennedy, R. I.	O'Connor	Sullivan
Gallagher	Kettner	Pell	Tague
Garrett	Knutson	Rainey, Ala.	Thompson
Godwin, N. C.	Kreider	Rainey, H. T.	Tilson
Goldfogle	Langley	Reavis	Towner
Goodall	Larsen	Reber	Vinson
Graham, Pa.	Lea, Calif.	Reed, N. Y.	Watkins
Griffin	Lehlbach	Rowan	Webster
Hamill	McGlennon	Sanford	Whaley
Hamilton	McLaughlin, Nebr.	Scully	Woodyard
Heflin	MacCrate	Sears	Yates
Holland	MacGregor	Sinnott	Young, N. Dak.
Ireland	Maher	Small	Zihlman
Johnson, S. Dak.	Mann, S. C.	Smith, N. Y.	
Johnston, N. Y.	Mudd	Snyder	

So the amendment was agreed to.

The Clerk announced the following pairs:

Mr. KNUTSON with Mr. BELL.

Mr. NEWTON of Missouri with Mr. CLARK of Missouri.

Mr. TOWNER with Mr. GARRETT.

Mr. FORDNEY with Mr. CRISP.

Mr. REAVIS with Mr. FERRIS.

Mr. BROOKS of Pennsylvania with Mr. MANN of South Carolina.

Mr. BROWNING with Mr. SEARS.

Mr. MCLAUGHLIN of Nebraska with Mr. O'CONNELL.

Mr. BUTLER with Mr. STEELE.

Mr. BOWERS with Mr. NEELY.

Mr. HAMILTON with Mr. VINSON.

Mr. RHODES with Mr. SULLIVAN.

Mr. DALLINGER with Mr. HENRY T. RAINEY.

Mr. SNYDER with Mr. CALDWELL.

Mr. STEPHENS of Ohio with Mr. DAVEY.

Mr. FOCHT with Mr. LEA of California.

Mr. CRAMTON with Mr. PELL.

Mr. EDMONDS with Mr. JOHNSTON of New York.

Mr. SANFORD with Mr. BOOHER.

Mr. MUDD with Mr. O'CONNOR.

Mr. GRAHAM of Pennsylvania with Mr. SCULLY.

Mr. DEMPSEY with Mr. RAINEY of Alabama.

Mr. CAMPBELL of Kansas with Mr. HEFLIN.

Mr. KENDALL with Mr. SMALL.

Mr. MACGREGOR with Mr. MAHER.

Mr. SINNOTT with Mr. BLACKMON.

Mr. IRELAND with Mr. LARSEN.

Mr. STRONG of Pennsylvania with Mr. CAREW.

Mr. JOHNSON of South Dakota with Mr. GODWIN of North Carolina.

Mr. KELLEY of Michigan with Mr. ROWAN.

Mr. THOMPSON with Mr. BENSON.

Mr. CRAGO with Mr. TAGUE.

Mr. TILSON with Mr. BRUMBAUGH.

Mr. KENNEDY of Iowa with Mr. MCGLENNON.

Mr. NEWTON of Minnesota with Mr. SMITH of New York.

Mr. WOODYARD with Mr. HOLLAND.

Mr. COSTELLO with Mr. WATKINS.

Mr. BACHARACH with Mr. WHALEY.

Mr. CURRY of California with Mr. GALLAGHER.

Mr. YATES with Mr. CASEY.

Mr. KREIDER with Mr. DONOVAN.

Mr. LANGLEY with Mr. CLEARY.

Mr. ZIHLMAN with Mr. EAGAN.

Mr. KENNEDY of Rhode Island with Mr. GRIFFIN.

Mr. GOODALL with Mr. CULLEN.

Mr. BRITTEN with Mr. DOOLING.

Mr. LEHLBACH with Mr. CARAWAY.

Mr. STEENERSON with Mr. GOLDFOGLE.

Mr. YOUNG of North Dakota with Mr. HAMILL.

Mr. BUTLER. Mr. Speaker, I have a general pair with the gentleman from Pennsylvania, Mr. STEELE. If he were here, he would vote "no." I wish to withdraw my vote of "aye" and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MANN of Illinois). The Clerk will report the next amendment.

The Clerk read as follows:

Page 56, after line 15, insert:

"For the completion, operation, and maintenance of the Government kelp plant at Summerland, Calif., $192,900: *Provided*, That the products obtained from such experimentation may be sold at a price to be determined by the Secretary of Agriculture, and the amount obtained from the sale thereof shall be covered into the Treasury as miscellaneous receipts."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment, upon which a separate vote is demanded.

The Clerk read as follows:

Page 58, after line 17, insert as a new paragraph the following:

"To enable the Secretary of Agriculture to meet the emergency caused by the establishment of the European corn borer in Massachusetts, New York, and other States, and to provide means for the control and prevention of the spread of this insect in these States or elsewhere in the United States, in cooperation with the State or States concerned, including rent outside the District of Columbia, the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, $300,000."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

Mr. LEE of Georgia. Mr. Speaker, on that I demand the yeas and nays.

Mr. RUBEY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 149, nays 173, answered "present" 4, not voting 102, as follows:

YEAS—149.

Almon	Ellsworth	McAndrews	Sabath
Anderson	Evans, Mont.	McDuffie	Sanders, La.
Ashbrook	Evans, Nev.	McKeown	Saunders, Va.
Aswell	Fields	McKiniry	Schall
Babka	Fisher	McKinley	Sells
Bankhead	Flood	McLane	Sims
Barkley	French	Major	Sinclair
Bee	Gandy	Mann, Ill.	Sisson
Black	Ganly	Mansfield	Smith, Idaho
Bland, Mo.	Gard	Mays	Smithwick
Bland, Va.	Godwin, N. C.	Mead	Steagall
Boies	Goodall	Montague	Stedman
Box	Goodwin, Ark.	Moon	Stephens, Miss.
Brand	Greene, Mass.	Mooney	Stevenson
Briggs	Hardy, Tex.	Moore, Va.	Stoll
Brinson	Harrison	Nelson, Mo.	Summers, Tex.
Browne	Hastings	Nicholls, S. C.	Sweet
Buchanan	Hayden	Oldfield	Taylor, Ark.
Byrnes, S. C.	Hersman	Oliver	Taylor, Colo.
Byrns, Tenn.	Hoey	Olney	Thomas
Campbell, Pa.	Howard	Overstreet	Tillman
Candler	Huddleston	Padgett	Upshaw
Cantrill	Hudspeth	Park	Venable
Carss	Hull, Tenn.	Parrish	Ward
Clark, Fla.	Humphreys	Peters	Weaver
Collier	Igoe	Phelan	Welling
Connally	Ja oway	Pou	Welty
Davis, Tenn.	Johnson, Ky.	Quin	White, Me.
Dent	Johnson, Miss.	Rainey, J. W.	Wilson, La.
Dewalt	Keller	Raker	Wilson, Pa.
Dickinson, Mo.	Kincheloe	Randall, Calif.	Wingo
Dominick	Lanham	Rayburn	Wise
Doughton	Lankford	Robinson, N. C.	Woods, Va.
Dowell	Lazaro	Rogers	Wright
Drane	Lea, Calif.	Romjue	Young, Tex.
Dunbar	Lee, Ga.	Rouse	
Dupré	Lonergan	Rubey	
Eagle	Lufkin	Rucker	

NAYS—173.

Ackerman	Glynn	Longworth	Rodenberg
Andrews, Md.	Good	Luce	Rose
Andrews, Nebr.	Goodykoontz	Lubring	Rowe
Anthony	Graham, Ill.	McArthur	Sanders, Ind.
Ayres	Green, Iowa	McCulloch	Scott
Baer	Greene, Vt.	McFadden	Sherwood
Barbour	Griest	McKenzie	Shreve
Begg	Hadley	McLaughlin, Mich.	Siegel
Benham	Hardy, Colo.	McPherson	Sinnott
Bland, Ind.	Harreld	Madden	Slemp
Blanton	Haugen	Magee	Smith, Ill.
Brooks, Ill.	Hawley	Mapes	Smith, Mich.
Burdick	Hays	Michener	Snell
Burroughs	Hernandez	Miller	Steenerson
Cannon	Hersey	Minahan, N. J.	Stiness
Chindblom	Hickey	Monahan, Wis.	Strong, Kans.
Christopherson	Hicks	Mondell	Summers, Wash.
Classon	Hill	Moore, Ohio	Swope
Coady	Hoch	Moores, Ind.	Taylor, Tenn.
Cole	Houghton	Morgan	Temple
Copley	Hulings	Morin	Timberlake
Crowther	Hull, Iowa	Mott	Tincher
Currie, Mich.	Husted	Mudd	Tinkham
Dale	Hutch nson	Murphy	Treadway
Darrow	James	Nelson, Wis.	Vaile
Denison	Jefferis	Nichols, Mich.	Vare
Dickinson, Iowa	Johnson, Wash.	Nolan	Vestal
Dunn	Jones, Pa.	Ogden	Voigt
Echols	Jones, Tex.	Osborne	Volstead
Elliott	Kahn	Paige	Walsh
Elston	Kearns	Parker	Walters
Emerson	Kelly, Pa.	Platt	Wason
Esch	Kettner	Porter	Watson
Evans, Nebr.	Kiess	Purnell	Wheeler
Fairfield	King	Radcliffe	White, Kans.
Fess	Kinkaid	Ramsey	Williams
Foster	Kitchin	Ramseyer	Wilson, Ill.
Frear	Kleczka	Randall, Wis.	Winslow
Freeman	Kraus	Reed, W. Va.	Wood, Ind.
Fuller, Ill.	Lampert	Rhodes	Woodyard
Fuller, Mass.	Layton	Ricketts	Young, N. Dak.
Gallivan	Lesher	Riddick	
Garland	Linthicum	Riordan	
Garner	Little	Robsion, Ky.	

ANSWERED "PRESENT"—4.

Bell	Butler	Crisp	McClintic

NOT VOTING—102.

Bacharach	Davis, Minn.	Kendall	Reber
Benson	Dempsey	Kennedy, Iowa	Reed, N. Y.
Blackmon	Donovan	Kennedy, R. I.	Rowan
Boober	Dooling	Knutson	Sanders, N. Y.
Bowers	Doremus	Kreider	Sanford
Britten	Dyer	Langley	Scully
Brooks, Pa.	Eagan	Larsen	Sears
Browning	Edmonds	Lehlbach	Small
Brumbaugh	Ferris	McGlennon	Smith, N. Y.
Burke	Focht	McLaughlin, Nebr.	Snyder
Caldwell	Fordney	MacCrate	Steele
Campbell, Kans.	Gallagher	MacGregor	Stephens, Ohio.
Caraway	Garrett	Maher	Strong, Pa.
Carew	Goldfogle	Mann, S. C.	Sullivan
Carter	Gould	Martin	Tague
Casey	Graham, Pa.	Mason	Thompson
Clark, Mo.	Griffin	Merritt	Tilson
Cleary	Hamill	Neely	Towner
Cooper	Hamilton	Newton, Minn.	Vinson
Costello	Heflin	Newton, Mo.	Watkins
Crago	Holland	O'Connell	Webster
Cramton	Ireland	O'Connor	Whaley
Cullen	Johnson, S. Dak.	Pell	Yates
Curry, Calif.	Johnston, N. Y.	Rainey, Ala.	Zihlman
Dallinger	Juul	Rainey, H. T.	
Davey	Kelley, Mich.	Reavis	

So the amendment was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. DAVIS of Minnesota with Mr. NICHOLLS of South Carolina.

Mr. BURKE with Mr. O'CONNOR.

Mr. WEBSTER with Mr. CARTER.

Mr. JOHNSON of South Dakota with Mr. SULLIVAN.

Mr. REED of New York with Mr. BLACKMON.

Mr. JUUL with Mr. GOLDFOGLE.

Mr. REBER with Mr. HOLLAND.

Mr. DYER with Mr. MARTIN.

Mr. MACCRATE with Mr. DOREMUS.

Mr. COOPER with Mr. CULLEN.

Mr. FOCHT with Mr. HAMILL.

Mr. BUTLER. Mr. Speaker, I will again have to withdraw my vote of "no," and ask to be recorded present, because I am paired with the gentleman from Pennsylvania, Mr. STEELE.

Mr. SANDERS of New York. Mr. Speaker, I desire to vote.

The SPEAKER pro tempore. Was the gentleman in the Hall listening when his name should have been called?

Mr. SANDERS of New York. I heard it, but was not prepared to vote at the time.

The SPEAKER pro tempore. The gentleman does not bring himself within the rule.

Mr. SANDERS of New York. I would like to be recorded as present.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The Clerk will report the remaining amendment upon which a separate vote is demanded.

The Clerk read as follows:

Page 58, line 21, strike out "$125,000" and insert "$101,000," and strike out the remainder of the paragraph, so that the paragraph will read:

"For investigations of insects affecting southern field crop, including insects affecting cotton, tobacco, rice, sugar cane, and so forth, and the cigarette beetle and Argentine ant, $101,000."

The SPEAKER pro tempore. The Clerk will report the language proposed to be stricken out by the amendment.

The Clerk read as follows:

In line 21, strike out "of which sum $25,000 shall be immediately available."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. BYRNES of South Carolina. Division, Mr. Speaker.

Mr. BARKLEY. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 144, nays 173, answered "present" 4, not voting 107, as follows:

YEAS—144.

Ackerman	Cole	Garland	Houghton
Andrews, Md.	Copley	Glynn	Hulings
Andrews, Nebr.	Crowther	Good	Hull, Iowa
Anthony	Currie, Mich.	Goodall	Husted
Barbour	Dale	Goodykoontz	Hutchinson
Begg	Darrow	Gould	Jefferis
Benham	Denison	Graham, Ill.	Johnson, Wash.
Bland, Ind.	Dickinson, Iowa	Green, Iowa	Jones, Pa.
Blanton	Dowell	Greene, Mass.	Kahn
Boies	Dunn	Greene, Vt.	Kearns
Brooks, Ill.	Echols	Griest	Kelly, Pa.
Browne	Elston	Hadley	Kiess
Burdick	Evans, Nebr.	Hardy, Colo.	Kinkaid
Burke	Fess	Haugen	Kleczka
Burroughs	Frear	Hawley	Kraus
Cannon	Freeman	Hernandez	Layton
Chindblom	French	Hersey	Longworth
Christopherson	Fuller, Ill.	Hicks	Luce
Classon	Fuller, Mass.	Hill	McArthur

McFadden	Nichols, Mich.	Rowe	Tinkham
McKenzie	Paige	Sanders, Ind.	Treadway
McKinley	Parker	Sanders, N. Y.	Vare
McLaughlin, Mich.	Peters	Schall	Vestal
McPherson	Platt	Scott	Voigt
Madden	Porter	Siegel	Walsh
Magee	Purnell	Sinnott	Walters
Mann, Ill.	Radcliffe	Smith, Ill.	Ward
Mapes	Ramsey	Smith, Mich.	Wason
Merritt	Ramseyer	Snell	Watson
Michener	Randall, Wis.	Stephens, Miss.	Wheeler
Miller	Ricketts	Stiness	White, Me.
Mondell	Riddick	Summers, Wash.	Williams
Moores, Ind.	Riordan	Sweet	Wilson, Ill.
Morin	Rodenberg	Temple	Winslow
Mott	Rogers	Timberlake	Woodyard
Nelson, Wis.	Rose	Tincher	Young, N. Dak.

NAYS—173.

Almon	Fields	Luhring	Romjue
Anderson	Fisher	McAndrews	Rouse
Ashbrook	Flood	McClintic	Rubey
Aswell	Foster	McCulloch	Rucker
Babka	Gallivan	McDuffie	Sabath
Bankhead	Gandy	McKeown	Sanders, La.
Barkley	Ganly	McKinley	Saunders, Va.
Bee	Gard	McLane	Sells
Black	Goodwin, Ark.	Major	Sherwood
Bland, Mo.	Hardy, Tex.	Mansfield	Shreve
Bland, Va.	Harreld	Mays	Sims
Box	Harrison	Mead	Sinclair
Brand	Hastings	Minahan, N. J.	Slemp
Briggs	Hayden	Monahan, Wis.	Smith, Idaho
Brinson	Hays	Montague	Smithwick
Buchanan	Hersman	Moon	Steagall
Byrnes, S. C.	Hickey	Mooney	Stedman
Byrns, Tenn.	Hoch	Moore, Ohio	Stevenson
Campbell, Pa.	Hoey	Moore, Va.	Stoll
Candler	Howard	Morgan	Strong, Kans.
Cantrill	Huddleston	Mudd	Sumners, Tex.
Carss	Hudspeth	Murphy	Swope
Carter	Hull, Tenn.	Nelson, Mo.	Taylor, Ark.
Clark, Fla.	Igoe	Nicholls, S. C.	Taylor, Colo.
Coady	Jacoway	Nolan	Taylor, Tenn.
Collier	James	Ogden	Thomas
Connally	Johnson, Ky.	Oldfield	Tillman
Davis, Tenn.	Johnson, Miss.	Oliver	Upshaw
Dent	Jones, Tex.	Olney	Vaile
Dewalt	Keller	Osborne	Venable
Dickinson, Mo.	Kettner	Overstreet	Volstead
Dominick	Kincheloe	Padgett	Weaver
Doremus	King	Park	Welling
Doughton	Kitchin	Parrish	Welty
Drane	Lampert	Phelan	White, Kans.
Dunbar	Lanham	Pou	Wilson, La.
Dupré	Lankford	Quin	Wilson, Pa.
Eagle	Lazaro	Rainey, J. W.	Wingo
Elliott	Lea, Calif.	Raker	Wise
Ellsworth	Lee, Ga.	Randall, Calif.	Wright
Emerson	Lesher	Rayburn	Young, Tex.
Evans, Mont.	Linthicum	Rhodes	
Evans, Nev.	Little	Robinson, N. C.	
Fairfield	Lonergan	Robsion, Ky.	

ANSWERED "PRESENT"—4.

Bell	Butler	Crisp	Garner

NOT VOTING—107.

Ayres	Dempsey	Kennedy, Iowa	Reed, W. Va.
Bacharach	Donovan	Kennedy, R. I.	Rowan
Baer	Dooling	Knutson	Sanford
Benson	Dyer	Kreider	Scully
Blackmon	Eagan	Langley	Sears
Booher	Edmonds	Larsen	Sisson
Bowers	Esch	Lehlbach	Small
Britten	Ferris	Lufkin	Smith, N. Y.
Brooks, Pa.	Focht	McGlennon	Snyder
Browning	Fordney	McLaughlin, Nebr.	Steele
Brumbaugh	Gallagher	MacCrate	Steenerson
Caldwell	Garrett	MacGregor	Stephens, Ohio
Campbell, Kans.	Godwin, N. C.	Maher	Strong, Pa.
Caraway	Goldfogle	Mann, S. C.	Sullivan
Carew	Graham, Pa.	Martin	Tague
Casey	Griffin	Mason	Thompson
Clark, Mo.	Hamill	Neely	Tilson
Cleary	Hamilton	Newton, Minn.	Towner
Cooper	Heflin	Newton, Mo.	Vinson
Costello	Holland	O'Connell	Watkins
Crago	Humphreys	O'Connor	Webster
Cramton	Ireland	Pell	Whaley
Cullen	Johnson, S. Dak.	Rainey, Ala.	Wood, Ind.
Curry, Calif.	Johnston, N. Y.	Rainey, H. T.	Woods, Va.
Dallinger	Juul	Reavis	Yates
Davey	Kelley, Mich.	Reber	Zihlman
Davis, Minn.	Kendall	Reed, N. Y.	

So the amendment was rejected.

The Clerk announced the following additional pairs:

Mr. WOOD of Indiana with Mr. SISSON.

Mr. BAER with Mr. AYRES.

Mr. ESCH with Mr. WOODS of Virginia.

Mr. LUFKIN with Mr. DOOLING.

Mr. STEENERSON with Mr. BOOHER.

Mr. REED of West Virginia with Mr. O'CONNELL.

Mr. MASON with Mr. HUMPHREYS.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question now recurs on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. LEE of Georgia. Mr. Speaker, I submit the following motion to recommit the bill.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. LEE] offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. LEE of Georgia moves to recommit the Agricultural bill to the Committee on Agriculture, with instruction to report the same back to the House forthwith with the following amendment:

Strike out, on pages 68 and 69, the following paragraph:

"Salaries and employment of labor in the city of Washington and elsewhere, supplies, telegraph and telephone service, freight and express charges, and all other necessary administrative expenses, $20,000."

Mr. MADDEN. Mr. Speaker, I would like to ask the Speaker if the gentleman from Georgia [Mr. LEE] is against the bill?

The SPEAKER pro tempore. The only person who arose to make a motion to recommit was the gentleman from Georgia. If anyone had arisen who was opposed to the bill, the Chair would have given such a gentleman the preference.

Mr. CANDLER. Mr. Speaker, I would like the reading of the motion to be completed.

The SPEAKER pro tempore. The Chair thought the motion had been completed. The Clerk will read.

The Clerk read as follows:

"Salaries, traveling, and other necessary expenses of employees out of the city of Washington engaged in field investigations, $168,076," and insert in lieu thereof the following, "For all necessary expenses, including salaries and the employment of labor in the city of Washington and elsewhere, freight and express charges, official traveling expenses, office fixtures, supplies, calculating machines, and other equipment for collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including field printing of special forms or schedules, and State crop reports; for making crop and livestock estimates, including acreage, yield, number, and value, losses by diseases, insect pests, and adverse weather conditions, requirements and consumption of seeds, fertilizers, insecticides, and fungicides, and marketable surpluses on farms, by counties, recognized producing districts, and States, independently or in cooperation with other Federal and State departments and agencies, $500,000."

Mr. BLANTON. Mr. Speaker, I make a point of order against the amendment proposed in the motion to recommit.

Mr. LEE of Georgia. On that I demand the previous question.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. BLANTON. That it is new legislation, that it is not authorized by law, and that it is not germane to the portion of the bill where it is offered.

The SPEAKER pro tempore. The Chair will have to ask the gentleman to be a little more particular in order to get information to the Chair.

Mr. WALSH. Mr. Speaker, I make the point of order that the motion to recommit, to strike out the language in the bill and substitute the language of the motion, is not in order in that it contains authorizations not warranted by the organic law; that it provides for cooperation with the several States in the expenditure of this sum of money not included within the authority of the organic act; and that furthermore it is not a germane amendment to be inserted in the bill at this particular place in lieu of the language stricken out.

The SPEAKER pro tempore. The Chair would like to have the gentleman point out the language that is not conformable to the rule.

Mr. WALSH. Mr. Speaker, I have not a copy of the amendment before me, but as I recall the reading of the language, it provides for some form of cooperative expenditure or work which, I submit, is not warranted under the particular activity to which this is offered as an amendment.

The SPEAKER pro tempore. The Clerk will again report the amendment.

Mr. BLANTON. Mr. Speaker, I submit to the Speaker that the language of the paragraph which the amendment seeks to strike out appears in full at the beginning of the amendment, and the language of the paragraph which the gentleman from Georgia [Mr. LEE] seeks to insert in lieu of the matter sought to be stricken out is set forth in full on the same page with it, and an inspection of the two will very readily disclose to the Chair that the amendment provided for in the motion to recommit is not germane to the paragraph which is sought to be stricken out, and the point of order should be sustained.

The SPEAKER pro tempore. The Clerk will again report the motion.

The motion to recommit was again read.

Mr. WALSH. Mr. Speaker, I make the further point of order that the amendment apparently seeks to strike out an amendment in the first paragraph, sought to be stricken out, which has already been agreed to by the House, namely, the appropriation of $20,000, where the original bill provided an appropriation of $25,480.

The SPEAKER pro tempore. Does the gentleman from Missouri [Mr. RUBEY] desire to be heard on the point of order?

Mr. RUBEY. Yes, Mr. Speaker, I desire to be heard. The present occupant of the chair is so familiar with the organic act establishing the Department of Agriculture that I feel a delicacy in even calling it to his attention. I shall therefore not read the organic act.

I hold that the motion to recommit offered by the gentleman from Georgia [Mr. LEE] is in order, based upon the fundamental law establishing the Department of Agriculture, and I am sure that an examination of that law and a comparison of it with the motion to recommit would show that the organic act permits the Department of Agriculture to do what is sought; that is, to make a thorough estimate of the crops of the country. That is all that the language seeks to put into this bill, to appropriate $500,000 for the purpose of making a thorough and complete estimate of all the crops of the country.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. RUBEY. Yes.

Mr. WALSH. Is it not sought to permit or require cooperation with the States rather than the cooperation with the States Relations Service?

Mr. RUBEY. It says "either independently or in cooperation."

Mr. WALSH. With the States?

Mr. RUBEY. The Government may do it either independently or in cooperation with the States and the various subdivisions thereof. I do not think there can be any objection on that particular ground.

The SPEAKER pro tempore. The Chair is prepared to rule. The provision in the bill which is sought to be amended comes under the heading of "Bureau of Crop Estimates" and under a subheading "General Expenses, Bureau of Crop Estimates." The first item under the subheading is:

For all necessary expenses, in cooperation with the States Relations Service, for collecting, compiling, abstracting, analyzing, summarizing, and interpreting data relating to agriculture; for making and publishing periodically crop and live-stock estimates, including acreage, yield, and value of farm products, as follows.

Following that comes the language which is proposed to be stricken out and a substitute offered therefor.

Salaries and employment of labor in the city of Washington and elsewhere; supplies, telegraph and telephone service, freight and express charges, and all other necessary miscellaneous administrative expenses, $20,000.

It will be noticed that the paragraph proposed to be stricken out relates only to the payment of salaries, purchase of supplies, telephone and telegraph service, freight and other miscellaneous expenses, and does not in any wise whatever undertake to determine the character of the work to be performed.

The substitute proposed by the amendment undertakes to provide for all necessary expenses, and so forth, and then provides in a great many words the character of the work to be performed, which the Chair thinks is in no way germane to the proposition in the original bill providing for the payment of certain expenses; and the Chair therefore sustains the point of order.

Mr. LEE of Georgia. Mr. Chairman, I offer a motion to recommit, and on that I move the previous question.

The SPEAKER pro tempore. The gentleman from Georgia offers a motion to recommit, which the Clerk will report.

Mr. MADDEN. On that I move the previous question.

Mr. CANDLER. The gentleman from Georgia has moved the previous question.

The SPEAKER pro tempore. The Clerk will report the motion offered by the gentleman from Georgia.

The Clerk read as follows:

Mr. LEE of Georgia moves to recommit the Agricultural appropriation bill to the Committee on Agriculture with instructions to report the same back to the House forthwith with the following amendment: Strike out, on page 69, line 3, the figures "$168,076" and insert in lieu thereof "$234,040."

The SPEAKER pro tempore. The gentleman from Georgia moves the previous question on the motion to recommit.

The motion was agreed to.

The SPEAKER pro tempore. The question is on the motion to recommit.

Mr. HASTINGS. Mr. Speaker, I ask that the paragraph of the bill be read so that we may know what we are voting on. This motion strikes out certain figures, without stating what they relate to.

The SPEAKER pro tempore. The Clerk will report the paragraph in the bill and then report the proposed motion to recommit.

The Clerk read as follows:

Page 69, lines 1, 2, and 3:

"Salaries, travel, and other necessary expenses of employees out of city of Washington engaged in field investigations, $168,076."

The SPEAKER pro tempore. Now the Clerk will report the amendment proposed by the motion to recommit.

The Clerk read as follows:

Strike out on page 69, line 3, the figures "$168,076" and insert in lieu thereof "$234,040."

The question was taken, and the Speaker pro tempore announced that the noes appeared to have it.

Mr. RUBEY demanded a division.

Pending the division,

Mr. LEE of Georgia demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 113, nays 206, answered "present" 1, not voting 108, as follows:

YEAS—113.

Almon	Evans, Mont.	McDuffie	Rubey
Ashbrook	Fields	McKeown	Rucker
Aswell	Fisher	McKinley	Sabath
Bankhead	Flood	McLane	Sanders, La.
Bee	Gandy	Major	Saunders, Va.
Bland, Mo.	Gard	Mays	Sherwood
Bland, Va.	Godwin, N. C.	Mead	Sisson
Brand	Goodwin, Ark.	Montague	Smithwick
Briggs	Hardy, Tex.	Moon	Steagall
Brinson	Harrison	Moore, Va.	Stedman
Brumbaugh	Hastings	Nelson, Mo.	Stephens, Miss.
Byrnes, S. C.	Hayden	Nicholls, S. C.	Stevenson
Byrns, Tenn.	Hersman	Oldfield	Stoll
Candler	Hoey	Oliver	Summers, Tex.
Cantrill	Howard	Olney	Taylor, Ark.
Carss	Huddleston	Overstreet	Taylor, Colo.
Carter	Hudspeth	Padgett	Thomas
Clark, Fla.	Hull, Tenn.	Park	Tillman
Collier	Igoe	Parrish	Upshaw
Connally	Jacoway	Phelan	Venable
Davis, Tenn.	Johnson, Ky.	Pou	Weaver
Dent	Johnson, Miss.	Quin	Wilson, La.
Dickinson, Mo.	Kincheloe	Rainey, J. W.	Wingo
Dominick	Lanham	Raker	Wise
Doremus	Lankford	Randall, Calif.	Wright
Doughton	Lazaro	Rayburn	Young, Tex.
Drane	Lee, Ga.	Robinson, N. C.	
Dupré	Lesher	Romjue	
Eagle	McAndrews	Rouse	

NAYS—206.

Ackerman	Fuller, Ill.	Linthicum	Riddick
Anderson	Fuller, Mass.	Little	Riordan
Andrews, Md.	Gallivan	Lonergan	Robsion, Ky.
Andrews, Nebr.	Ganly	Longworth	Rodenberg
Anthony	Garland	Luce	Rogers
Ayres	Garner	Lufkin	Rose
Babka	Glynn	Luhring	Rowe
Barbour	Good	McArthur	Sanders, Ind.
Begg	Goodall	McClintic	Sanders, N. Y.
Benham	Goodykoontz	McCulloch	Schall
Black	Gould	McFadden	Scott
Bland, Ind.	Graham, Ill.	McKenzie	Sells
Blanton	Green, Iowa	McKinley	Shreve
Boles	Greene, Mass.	McLaughlin, Mich.	Siegel
Box	Greene, Vt.	McPherson	Sinclair
Brooks, Ill.	Griest	Madden	Sinnott
Browne	Hadley	Magee	Slemp
Buchanan	Hardy, Colo.	Mann, Ill.	Smith, Idaho
Burdick	Harreld	Mapes	Smith, Ill.
Burroughs	Haugen	Mason	Smith, Mich.
Butler	Hawley	Merritt	Snell
Campbell, Pa.	Hays	Michener	Stiness
Cannon	Hernandez	Miller	Strong, Kans.
Chindblom	Hersey	Minahan, N. J.	Summers, Wash.
Christopherson	Hickey	Monahan, Wis.	Sweet
Classon	Hicks	Mondell	Swope
Coady	Hill	Mooney	Taylor, Tenn.
Cole	Hoch	Moore, Ohio	Temple
Copley	Houghton	Moores, Ind.	Timberlake
Crowther	Hulings	Morgan	Tincher
Currie, Mich.	Hull, Iowa	Morin	Tinkham
Dale	Husted	Mott	Treadway
Darrow	Hutchinson	Mudd	Vaile
Denison	Ireland	Murphy	Vare
Dewalt	James	Nelson, Wis.	Vestal
Dickinson, Iowa	Jefferis	Nichols, Mich.	Voigt
Dowell	Johnson, Wash.	Nolan	Volstead
Dunbar	Jones, Pa.	Ogden	Walsh
Dunn	Jones, Tex.	Osborne	Ward
Echols	Kahn	Paige	Wason
Elliott	Kearns	Parker	Watson
Ellsworth	Keller	Peters	Welling
Elston	Kelly, Pa.	Platt	Welty
Emerson	Kiess	Porter	Wheeler
Evans, Nebr.	King	Purnell	White, Kans.
Evans, Nev.	Kinkaid	Radcliffe	White, Me.
Fairfield	Kitchin	Ramsey	Wilson, Ill.
Fess	Kleczka	Ramseyer	Wood, Ind.
Foster	Kraus	Randall, Wis.	Woodyard
Frear	Lampert	Reed, W. Va.	Young, N. Dak.
Freeman	Layton	Rhodes	
French	Lea, Calif.	Ricketts	

ANSWERED "PRESENT"—1.

Crisp

NOT VOTING—108.

Bacharach	Britten	Casey	Curry, Calif.
Baer	Brooks, Pa.	Clark, Mo.	Dallinger
Barkley	Browning	Cleary	Davey
Bell	Burke	Cooper	Davis, Minn.
Benson	Caldwell	Costello	Dempsey
Blackmon	Campbell, Kans.	Crago	Donovan
Booher	Caraway	Cramton	Dooling
Bowers	Carew	Cullen	Dyer

Eagan	Kendall	O'Connell	Sullivan
Edmonds	Kennedy, Iowa	O'Connor	Tague
Esch	Kennedy, R. I.	Pell	Thompson
Ferris	Kettner	Rainey, Ala.	Tilson
Focht	Knutson	Rainey, H. T.	Towner
Fordney	Kreider	Reavis	Vinson
Gallagher	Langley	Reber	Walters
Garrett	Larsen	Reed, N. Y.	Watkins
Goldfogle	Lehlbach	Rowan	Webster
Graham, Pa.	McGlennon	Sanford	Whaley
Griffin	McLaughlin, Nebr.	Scully	Williams
Hamill	MacCrate	Sears	Wilson, Pa.
Hamilton	MacGregor	Sims	Winslow
Heflin	Maher	Small	Woods, Va.
Holland	Mann, S. C.	Smith, N. Y.	Yates
Humphreys	Mansfield	Snyder	Zihlman
Johnson, S. Dak.	Martin	Steele	
Johnston, N. Y.	Neely	Steenerson	
Juul	Newton, Minn.	Stephens, Ohio	
Kelley, Mich.	Newton, Mo.	Strong, Pa.	

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. DAVIS of Minnesota with Mr. BARKLEY.

Mr. ESCH with Mr. SIMS.

Mr. WALTERS with Mr. LARSEN.

Mr. WEBSTER with Mr. KETTNER.

Mr. WILLIAMS with Mr. LAZARO.

Mr. WINSLOW with Mr. MANSFIELD.

Mr. YATES with Mr. STEELE.

Mr. ZIHLMAN with Mr. WILSON of Pennsylvania.

Mr. BAER. Mr. Speaker, if I had been listening when my name was called I would have voted "no."

The SPEAKER pro tempore. Was the gentleman in the Hall and listening when his name should have been called?

Mr. BAER. I was not.

The SPEAKER pro tempore. The gentleman does not qualify.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question now is on the passage of the bill.

Mr. HAUGEN. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. The gentleman from Iowa demands the yeas and nays.

The question of ordering the yeas and nays was taken.

The SPEAKER pro tempore. Fifty-three Members have arisen, not a sufficient number.

Mr. BLANTON. I ask for the other side.

The SPEAKER pro tempore. The gentleman from Texas demands the other side.

The other side was taken.

The SPEAKER pro tempore. Four Members have arisen as opposed to the yeas and nays. While that is not the real question, the Chair will say that the yeas and nays are ordered.

The question was taken; and there were—yeas 308, nays 0, answered "present" 1, not voting 119, as follows:

YEAS—308.

Ackerman	Chindblom	Flood	Houghton
Almon	Christopherson	Foster	Howard
Anderson	Clark, Fla.	Frear	Huddleston
Andrews, Md.	Classon	Freeman	Hudspeth
Andrews, Nebr.	Condy	French	Hulings
Anthony	Cole	Fuller, Ill.	Hull, Iowa
Ashbrook	Collier	Fuller, Mass.	Hull, Tenn.
Aswell	Connally	Gallivan	Humphreys
Ayres	Copley	Gandy	Husted
Babka	Crowther	Ganly	Hutchinson
Baer	Currie, Mich.	Gard	Igoe
Bankhead	Dale	Garland	Ireland
Barbour	Darrow	Garner	Jacoway
Bee	Davis, Tenn.	Glynn	James
Begg	Denison	Godwin, N. C.	Jefferis
Benham	Dent	Good	Johnson, Ky.
Black	Dewalt	Goodwin, Ark.	Johnson, Miss.
Bland, Ind.	Dickinson, Mo.	Goodykoontz	Johnson, Wash.
Bland, Va.	Dickinson, Iowa.	Gould	Jones, Pa.
Blanton	Dominick	Graham, Ill.	Kahn
Boies	Doremus	Green, Iowa	Kearns
Box	Doughton	Greene, Mass.	Keller
Brand	Dowell	Greene, Vt.	Kelly, Pa.
Briggs	Drane	Griest	Kiess
Brooks, Ill.	Dunbar	Hadley	Kincheloe
Browne	Dunn	Hardy, Colo.	King
Braumbaugh	Eagle	Hardy, Tex.	Kinkaid
Buchanan	Echols	Harrison	Kitchin
Burdick	Elliott	Hastings	Kleczka
Burke	Ellsworth	Haugen	Kraus
Burroughs	Elston	Hawley	Lampert
Butler	Emerson	Hays	Lanham
Byrnes, S. C.	Evans, Mont.	Hernandez	Lankford
Byrns, Tenn.	Evans, Nebr.	Hersey	Layton
Campbell, Pa.	Evans, Nev.	Hersman	Lazaro
Candler	Fairfield	Hickey	Lea, Calif.
Cannon	Fess	Hicks	Lee, Ga.
Cantrill	Fields	Hill	Lesher
Carter	Fisher	Hoch	Linthicum
Little	Morgan	Robinson, N. C.	Swope
Lonergan	Morin	Robsion, Ky.	Taylor, Ark.
Longworth	Mott	Rodenberg	Taylor, Colo.
Lufkin	Mudd	Rogers	Taylor, Tenn.
Luhring	Murphy	Romjue	Temple
McAndrews,	Nelson, Mo.	Rose	Thomas
McClintic	Nelson, Wis.	Rouse	Tillman
McCulloch	Nicholls, S. C.	Rubey	Timberlake
McDuffie	Nichols, Mich.	Sabath	Tincher
McFadden	Nolan	Sanders, Ind.	Tinkham
McKenzie	Oldfield	Sanders, La.	Treadway
McKeown	Oliver	Sanders, N. Y.	Upshaw
McKiniry	Olney	Saunders, Va.	Valle
McKinley	Osborne	Schall	Venable
McLane	Overstreet	Scott	Vestal
McLaughlin, Mich.	Padgett	Sells	Voigt
McPherson	Paige	Sherwood	Volstead
Madden	Park	Shreve	Walsh
Magee	Parrish	Siegel	Walters
Major	Peters	Sinclair	Ward
Mann, Ill.	Platt	Sinnott	Wason
Mansfield	Porter	Sisson	Watson
Mapes	Pou	Slemp	Weaver
Mason	Purnell	Smith, Idaho	Welling
Mays	Quin	Smith, Ill.	Welty
Mead	Radcliffe	Smith, Mich.	Wheeler
Merritt	Rainey, J. W.	Smithwick	White, Kans.
Michener	Raker	Steagall	White, Me.
Miller	Ramsey	Stedman	Williams
Minahan, N. J.	Ramseyer	Steenerson	Wilson, Ill.
Monahan, Wis.	Randall, Calif.	Stephens, Miss.	Wilson, La.
Mondell	Randall, Wis.	Stevenson	Wingo
Montague	Rayburn	Stiness	Wise
Moon	Reed, W. Va.	Stoll	Wood, Ind.
Mooney	Rhodes	Strong, Kans.	Woodyard
Moore, Ohio	Ricketts	Summers, Wash.	Wright
Moore, Va.	Riddick	Sumners, Tex.	Young, N. Dak.
Moores, Ind.	Riordan	Sweet	Young, Tex.

NAYS—0.

ANSWERED "PRESENT"—1.

Crisp

NOT VOTING—119.

Bacharach	Donovan	Kennedy, R. I.	Rowan
Barkley	Dooling	Kettner	Rowe
Bell	Dupré	Knutson	Rucker
Benson	Dyer	Kreider	Sanford
Blackmon	Eagan	Langley	Scully
Bland, Mo.	Edmonds	Larsen	Sears
Booher	Esch	Lehlbach	Sims
Bowers	Ferris	Luce	Small
Brinson	Focht	McArthur	Smith, N. Y.
Britten	Fordney	McGlennon	Snell
Brooks, Pa.	Gallagher	McLaughlin, Nebr.	Snyder
Browning	Garrett	MacCrate	Steele
Caldwell	Goldfogle	MacGregor	Stephens, Ohio
Campbell, Kans.	Goodall	Maher	Strong, Pa.
Caraway	Graham, Pa.	Mann, S. C.	Sullivan
Carew	Griffin	Martin	Tague
Carss	Hamill	Neely	Thompson
Casey	Hamilton	Newton, Minn.	Tilson
Clark, Mo.	Harreld	Newton, Mo.	Towner
Cleary	Hayden	O'Connell	Vare
Cooper	Heflin	O'Connor	Vinson
Costello	Hoey	Ogden	Watkins
Crago	Holland	Parker	Webster
Cramton	Johnson, S. Dak.	Pell	Whaley
Cullen	Johnston, N. Y.	Phelan	Wilson, Pa.
Curry, Calif.	Jones, Tex.	Rainey, Ala.	Winslow
Dallinger	Juul	Rainey, H. T.	Woods, Va.
Davey	Kelley, Mich.	Reavis	Yates
Davis, Minn.	Kendall	Reber	Zihlman
Dempsey	Kennedy, Iowa	Reed, N. Y.	

So the bill was passed.

The following additional pairs were announced:

Until further notice:

Mr. GOODALL with Mr. BLAND of Missouri.

Mr. LUCE with Mr. BRINSON.

Mr. MCARTHUR with Mr. CARSS.

Mr. OGDEN with Mr. DUPRÉ.

Mr. PARKER with Mr. HAYDEN.

Mr. ROWE with Mr. HOEY.

Mr. SNELL with Mr. JONES of Texas.

Mr. SWOPE with Mr. PHELAN.

Mr. VARE with Mr. RUCKER.

Mr. HARRELD with Mr. WOODS of Virginia.

Mr. HARRELD. Mr. Speaker, I wish to vote aye.

The SPEAKER pro tempore. Was the gentleman in the Hall and listening when his name should have been called?

Mr. HARRELD. I was not.

The SPEAKER pro tempore. The gentleman does not qualify.

The result of the vote was announced as above recorded.

On motion of Mr. HAUGEN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this Agricultural appropriation bill by inserting a telegram from some stockmen in my district.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD by printing a telegram. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. Hon. T. W. Gray, who sends this telegram, is a pioneer of our State and one of the most prominent stockmen and best citizens of Colorado, and I know his telegram reflects the sentiment of thousands of stockmen throughout Colorado as well as the West generally. This telegram has reference to the grazing provision of the bill, which was stricken out, and the amendment that was adopted by the committee, appearing at page 2777 of the RECORD of February 11. The telegram is as follows:

GUNNISON, COLO., *February 13, 1920.*

HON. EDWARD T. TAYLOR,
House of Representatives, Washington, D. C.:

That part of the Agricultural appropriation bill that places the grazing of national forest on a commercial basis in 1921 puts the small stockman out of business and is absolutely for the benefit of the big interests that want to get control of the grazing of the national forest. On behalf of Gunnison County Stock Growers' Association, I protest against the passage of that part of the bill or the raising of the grazing fee in any manner.

T. W. GRAY,
Chairman of the Advisory Board.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the correspondence between the President of the United States and the Secretary of State.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD by printing the correspondence between the President of the United States and the former Secretary of State. Is there objection?

Mr. BLACK and Mr. BLANTON objected.

Mr. ROGERS. Mr. Speaker, is it in order to move to insert the correspondence in the RECORD?

The SPEAKER pro tempore. It is not.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. KAHN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12467) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes. Pending that I ask unanimous consent that general debate upon the bill be limited to two hours, one hour to be controlled by the gentleman from Alabama [Mr. DENT] and one hour by myself.

The SPEAKER pro tempore. Pending the motion to go into the Committee of the Whole House on the state of the Union, the gentleman from California asks unanimous consent that general debate upon the Military Academy bill be confined to two hours, one hour to be controlled by himself and one hour by the gentleman from Alabama [Mr. DENT]. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, is it the intention of the gentleman on the Republican side of the House, after this bill is concluded, to take up the Sells bill, granting pensions to Spanish War veterans and their widows, which was passed over yesterday, it being pension day?

Mr. KAHN. Mr. Speaker, I have no knowledge upon that subject and can not answer the question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from California that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12467, the Military Academy appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Military Academy appropriation bill, with Mr. HUSTED in the chair.

The Clerk reported the title of the bill.

Mr. KAHN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KAHN. Mr. Chairman, I yield 15 minutes to the gentleman from Delaware [Mr. LAYTON].

Mr. LAYTON. Mr. Chairman, in a short while it is humanly certain that the subject of railroad legislation will come again before the House of Representatives, at which time there will possibly be a renewal of extended discussion. However, before that subject is again presented to us for consideration, I desire to put on record my own conclusion, deduced after I have had full opportunity to study and digest the voluminous, varied, and even diametrically opposed views to which the railroad problem has given birth.

I am not impelled to this course by any sort of egotistical conviction that I can add a new thought or find a fresh solution of this vexed question. I am speaking solely because I believe that on this or any other matter of legislation it is the duty of every Member of this body, after he has reached a conscientious and careful conclusion, to make it a matter of public record, so that in a multitude of honest counselors there may be found wisdom.

We are living in days when sincerity of expressed belief is more needed than ever. Even the man who thinks wrongly, and is brave enough to give utterance to his thought, is a safer and more estimable citizen than the one who thinks rightly and keeps silent for some sinister or selfish reason. It is the eternal difference between an open offender and a secret conspirator—the frank enemy and the hypocritical friend. Mr. Chairman, I regard the railroad problem as the most immediate and gravest that is now before the Congress of the United States. It is the insistent problem of the hour, and should be paramount in thought and consideration. It includes within its scope the interests of capital of $20,000,000,000 invested in 263,928 miles of trackage and equipment; the unquestioned rights of labor, comprehending the welfare of more than 4,000,000 with their families; together with the interests, indeed, of the whole country, comprising 110,000,000 people. The great agricultural interests depend upon it, which means the food supply of the Nation. The fate of millions of babies in our large cities depends upon the farm for the milk which alone enables them to live and upon the railroads to transport it. Millions of full-grown people who live therein as well depend for their lives upon the constant functioning of the railroads for the products of the farm from which comes their food supply. The factory, the forge, the mill, and the mine—in simple truth, all of the varied energies of the whole people—are contingent upon the operation and the effective running of the engine and the freight and passenger cars. They perform the same function in the body politic which the heart and the arteries and the veins constitute in the human body. It is evident, therefore, that no power should be permitted to be exercised to prevent the uninterrupted flowing of the life energies of the Nation, free, unrestrained, and unimpeded. Poor would be the life and precarious the existence of a human being if the flow of blood through his body was in the control of another who might cherish a design to arrest it. It is simply the truth to say that by the railroads we live and move and have our national being. It is plain that this question is of absolute national consequence—the greatest good of all the people.

If these facts are true—irrefutably, incontrovertibly, true—it follows with all the power of plain common sense and logic that the railroads are as much a national function as the Post Office Department, the War Department, the Navy Department, or any other department of the Federal Government. I desire to emphasize the following thought and call the attention of the House to one outstanding fact which must be considered hereafter as the foundation fact connected with the matter of railroads, and that is that by common consent there is no longer, there never will be again, such a thing in this country as private ownership of railroads. The most that can be done is to secure private management under Government control.

I make this statement confidently, solely because of the facts that have developed during the last several months since this question has become a paramount issue.

About every formal plan that has been submitted to the public and to Congress for the solution of the railroad question comprehends the exercise of certain Government powers, which, when considered with open eyes, reveal the fact that hereafter the railroads of the country, if they are not under actual Government ownership, at least they will be under private management with supreme Government control. I ask the indulgence of the House to use a very easily understood and commonplace illustration to make clear those Government powers which both the Esch bill and the Cummins bill assume to be within the purview of congressional action and to be immediately necessary as well for the purpose of solving this problem.

Take the following illustration: I will assume, by his courtesy, that the gentleman from Wisconsin, the distinguished chairman of the Committee on Interstate Commerce, owns a shoe store, with a building and land and stock. In some way I become possessed of the power to walk into his store and say to him, "Keep your books hereafter according to this plan which I hand you." Secondly, I have the power to say to him, "If you need any money for the enlargement of your stock or of your building or for any purpose connected with your business, you must come to me and get permission to borrow this money, and you must state exactly and specifically what you want the

money for, and if you get my permission you must spend the money which I permit you to borrow for the specific purpose for which you said you borrowed it." My third order to him is, "Do not sell anything out of this store unless I fix the price."

Now, Mr. Chairman and gentlemen of the House, I submit that if the distinguished chairman of the committee or any one of you had a business of that kind and I or anyone else possessed such three outstanding powers, you would not be very much of an owner; you would be more of a manager; and if anyone could think to the contrary I can only say that such a man would be very well satisfied with an assumption of facts.

This statement of facts, after much thinking, leads me also to another conclusion—and that is that if the Government is to assume and exercise these three powers, of necessity, logically and righteously, the Government should stabilize or guarantee the railroad stocks. It would be a most illogical and preposterous thing for the Government, without such guaranty, to assume control of $20,000,000,000 of private property, to prescribe freight rates and passenger rates, by which alone the railroads live and prosper, which rates, if too low, would run the companies into debt, and thereby produce all sorts of troubles, not the least of which would be those arising from the labor employed upon them. In other words, the Government, in justice and reason, should make good the mistakes of its own officials if invested with such power.

As to what amount of guaranty should be placed upon the stocks, whether there should be a greater guaranty for some railroads than for some others, and many other details dealing with this problem, I do not know. I do not desire to pose as an expert. I am only trying to think things out the best I can with the sure consolation of knowing that I have plenty of company, as far as fogginess or confusion of mind is concerned, on the part of those dealing with this subject.

Another outstanding fact is that there must be some way not only to stabilize railroad capital but railroad labor. There is no question but that sooner or later strikes on railroads must be minimized in some way. My judgment is that the very fact of railroads being held up by strikes will ultimately cause the American people to demand Government ownership as the only way to avert them. I desire to say frankly that this view of mine is in no sense antagonistic to the just rights of the railroad men. For the purpose of self-thinking by railroad men, themselves having been through a long lifetime friendly to every righteous demand that labor has made, whether organized or unorganized, I ask every one of them to consider the following: Suppose the Plumb plan were in operation and the complete ownership and the entire management of railroads were in Government hands and administered just as the Post Office Department is administered, or commanded as the Army or Navy is commanded, or directed just as every employee of the Government in the country or out of it is directed, would it be possible for railroad strikes to happen under such circumstances? Would not every railroad employee be subject to orders just as the soldier, the sailor, or the marine, the employees of the Post Office Department, or the thousands of clerks in the various departments and bureaus of the Government? A thought I wish to emphasize is that the liberty of action of every individual is limited according to the reason and the necessities involved in each case. If the railroads of the country are ever owned and controlled absolutely as a governmental function, a railroad strike would become a strike at the Government and therefore an act of treason. My conviction is that both railroad capital and railroad labor must be equitably considered and safeguarded, but always by law. My conviction is that just as a fair return should be guaranteed to railroad capital, provided the Government fixes the freight rates and the passenger rates, so there should be an adequate wage guaranteed for railroad labor, the right of the one being just as great as the right of the other. Without stabilizing capital in railroads they can not borrow money, no new expenditures for new lines can be had, and no proper maintenance for those already existing—in fact, an actual paralysis of transportation will ensue affecting the whole people, until finally, and in truth very soon, they will cry out in their need and desperation, "Give us Government ownership," not because they want it, but because the railroads are an absolute necessity to the life of the Nation and must be run. I emphatically oppose Government ownership of the railroads because of a profound conviction that such ownership is the first tremendous stride on the road to socialism. If this country really desires to preserve its Government in its present form, it will grapple with the railroad question courageously, it will shake the sand out of its eyes, it will look fairly and clearly in the face the two supreme points for settlement I have mentioned, and stabilize both capital and labor by guaranteeing a fair return on railroad capital and a fair return to the railroad employee for his labor, but always by law, by supreme and majestic law, so that neither capital nor labor shall imperil, impair, or interfere with that function by which the country moves and has its being.

Finally, Mr. Chairman, railroad stocks should be guaranteed by the Government in order to stabilize the functions of the Interstate Commerce Commission or the Government function that ultimately shall have power and jurisdiction over the fixing of freight and passenger rates. Hitherto—I refer to prewar times—the Interstate Commerce Commission was subject to every storm that blew, whether from industrial, agricultural, or public quarters. If, however, the Interstate Commerce Commission has always in mind a Government guaranty of a fixed return, then when exorbitant demands are made by anyone the whole country will be interested to see that the railroads are not treated unfairly, because by the guaranty the increased charges may be thrown directly on the country at large by increased taxes. [Applause.]

Mr. KAHN. Mr. Chairman, I yield 30 minutes to the gentleman from Massachusetts [Mr. TINKHAM].

Mr. TINKHAM. Mr. Chairman, the utter incompetence, inefficiency, and criminal disregard of the interests of the people of the United States by the present administration and its agents can find no better illustration than in its mismanagement of the American sugar problem during the last six months.

The present administration and its agents have contributed most materially to the increased cost of living and in some cases have protected rather than prosecuted the profiteers.

The gross mismanagement of the sugar problem alone has led to an increase in the cost of living to the American people for the ensuing year of between $700,000,000 and $900,000,000, and has been accompanied by the most atrocious and most shameless profiteering known in this era of extortionate oppression.

Sugar was sold uniformly at retail during most of 1919 at the price of 10 cents and 11 cents per pound. It is now being sold at retail at from 18 cents to 22 cents per pound, and some in excess of this figure. As every 2 cents increase per pound is an increase in cost to the American people of $180,000,000 per annum, an increase of 10 cents is an increase in price of $900,000,000 per annum. Most of this increase in the price of this necessity and the resulting increase in the cost of living to the American people is chargeable entirely to the President of the United States and to his agent, the Attorney General.

The executive presidential department can not be investigated by Congress, but the conduct of the Attorney General can be and should be investigated at once as to his indefensible action in relation to this question, and I have filed to-day an order of investigation.

During 1919 the Sugar Equalization Board, of which George Zabriskie was head and of which corporation the President of the United States held all the stock, purchased the Cuban crop with the consent of the President for 5½ cents per pound, and as a result the cost of sugar at retail in the United States was 10 cents and 11 cents per pound, for the price of the Cuban crop fixes the price of sugar in the United States. Last August and last September in two communications the Sugar Equalization Board warned the President of a great shortage in sugar for 1920 and a great increase in the price of sugar if he did not assent to the purchase of the 1920 Cuban crop, which the Equalization Board said could be purchased at 6½ cents because of an offer by the Cuban Government. Had permission been granted by the President to do as the Sugar Equalization Board advised, the price of sugar to the American people for 1920 would have been but little in advance of that maintaining during most of 1919. The President refused his permission.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. TINKHAM. I can not yield, but I shall be glad to answer any questions at the end of my statement.

The Attorney General on November 8 last, when sugar was selling at between 11 cents and 12 cents per pound at retail, by his own admission, agreed with the Louisiana sugar producers to allow them to charge 17 cents and 18 cents for their sugar at the plantation. The Attorney General, if he had made no agreement with the Louisiana sugar producers, would have kept the price of the Cuban crop at a reasonable figure, whereas by his action, which I shall prove was entirely illegal from his own admissions, the Cuban crop has advanced to unheard-of prices, from 6½ cents per pound to 11½ cents and 12½ cents per pound at the plantation.

George Zabriskie, head of the Sugar Equalization Board, stated to the New York Globe on December 24, and the statement was repeated in the Literary Digest of January 10, and has not been contradicted, that he was helpless to stop "the

worst orgy of profiteering from which the country has thus far suffered," and further stated:

The sugar situation is now hopeless, for the reason that it has got into politics, and the sooner it gets out the better. The ridiculous price of 17 cents wholesale for the raw sugar now charged by the Louisiana planters is an outrage. I can't say that Attorney General Palmer fixed the price, but it was known in Louisiana that he would stand for it.

It was known, furthermore, that he approved it. It was this folly that inspired the Cubans to make their gouge. When they saw American sugar planters getting away with 17 cents they decided it was perfectly legitimate for them to get some of the plunder, and to-day the people are paying the price for the Attorney General's mistake.

Had the Sugar Equalization Board been permitted to exercise its own judgment, instead of the country facing a famine, as it now does, we would have had the largest crop of sugar in history at 6½ cents per pound.

This witness, one of the greatest sugar experts in America and a Government official who has had charge of the sugar problem of the United States for over a year and who was head of the Sugar Equalization Board, charges the Attorney General, categorically, with being the author of the worst orgy of profiteering which has occurred in America during or since the war, with having put the sugar question into politics and allowed an outrageous price for Louisiana sugar, and with subjecting the American public to plunderous extortion. These charges should be carefully investigated by Congress.

On December 18 the House of Representatives sent to the Attorney General certain interrogatories, the first of which was:

Whether he made, assented to, or approved in any way of the price for Louisiana sugar on the plantation of 17 cents per pound for yellow clarified and 18 cents per pound for plantation granulated?

The answers to these interrogatories were made by the Attorney General on February 6, and are now on file as a public document and in the CONGRESSIONAL RECORD of February 10. The answer of the Attorney General to this interrogatory is as follows:

As to paragraph 1, I beg to state that I neither made, assented to, nor approved of the price for Louisiana sugar on the plantation of 17 cents per pound for yellow clarified and 18 cents per pound for plantation granulated.

He, however, omits in his answer the very important words, "in any way."

He then admits that he sent a telegram to the United States attorney at New Orleans in reply to one from the United States attorney, which he gives in detail. The telegram of the Attorney General is as follows:

NOVEMBER 8, 1919.

MOONEY,
United States Attorney, New Orleans, La.:

Your wire of the 8th, detailing results of conference. Consider agreed price rather high, but hereby concur in maximum fixed price of 17 cents for Louisiana plantation clarifieds, 18 cents for Louisiana clear granulated. Understanding that all contracts for a higher figure to be abrogated. Further suggest, if possible, you secure an agreement in writing by authorized committee of Louisiana producers and refiners, to be used as prima facie evidence where prices are charged in excess of agreement. You are hereby instructed to immediately prosecute any violator of this agreed price.

PALMER.

For the Attorney General to say that "he has neither made, assented to, nor approved of the price for Louisiana sugar of 17 and 18 cents" by omitting the words "in any way," in view of this telegram, is for him to quibble and evade in a manner thoroughly audacious. The answer is not even responsive to the interrogatory.

By the admission of sending this telegram he confesses to having "made, assented to, and approved of the price" to any fair mind, and by the subterfuge of omitting in his answer the words "in any way" there is plain equivocation.

His further statement that "these telegrams do not mean that we fixed the price, but do mean that, under all the special circumstances existing as to the Louisiana crops, this department was willing to concede that prosecutions would be ineffectual and unsuccessful if based upon a contention that any price less than 17 cents per pound for yellow clarified and 18 cents per pound for plantation granulated was an 'excessive price' under the Lever law" is thoroughly disingenuous, as the Attorney General had no right to concede that prosecutions would be ineffectual and unsuccessful and announce that decision to the parties in interest—the Louisiana sugar producers—who had been a party to the price set or agreed upon or concurred in.

Under the law his right is restricted to confidential advice to his agent, the United States attorney, and prosecutions before a judge or jury. For the Attorney General to fix or concur in a maximum price and use this price as prima facie evidence where prices are charged in excess of that price would give him the power of saying before a trial that the defendant was guilty and then compel the defendant to go into court and prove his innocence, which is unthinkable under our present system of government and law.

That he acted illegally in agreeing to or concurring in a maximum price for Louisiana sugar without having taken any case before a judge or jury or even started prosecutions and having consulted as to price with the very parties in interest, the Louisiana sugar producers, is disclosed by the following facts:

First. The statement made by the Attorney General December 5 and inserted in the CONGRESSIONAL RECORD of the same date, page 213:

A conference has been held this morning between representatives of the Sugar Equalization Board and the Department of Justice, in which the sugar situation was reviewed. The Department of Justice has neither the power nor the facilities with which to control the purchase or distribution of sugar. The only governmental body having this power is the Sugar Equalization Board, and its control terminates on December 31. The Congress, although requested to do so, has failed to extend the life of the board. The Department of Justice will confine its efforts in the future, as it has in the past, to the enforcement of the provisions of the Lever food-control act, as amended, by prosecuting all instances of sales of sugar for an unjust or unreasonable profit.

The Department of Justice has never attempted to fix the price of sugar. It has accepted in the past the recommendations of the Sugar Equalization Board very largely in determining maximum fair prices. The fair margins of profit allowed are those established by the Food Administration. When such determinations were made they have been communicated to the district attorneys, who were advised that any sales in excess of the maximum figure set should be considered unfair and unreasonable. The early termination of the board will make it impossible to set any definite price on sugar in the future or control its distribution. Every sale will be treated on its own merits, and in all cases where the district attorney has evidence indicating an unfair profit or withholding of sugar from the normal consumptive channels, or any discrimination in price to the manufacturer or to the jobber supplying the domestic consumer, he will proceed under the Lever food-control act.

Second. The statement of Special Assistant Attorney General Figg, representing the Attorney General, in relation to sugar, before the subcommittee of the Agricultural Committee of the Senate October 3, 1919, last, page 72, when the following colloquy occurred:

Mr. MARTIN. In the event of the Sugar Equalization Board not continuing in existence to control sugar, does the Department of Justice contemplate taking action under the food-control act now pending?

Mr. FIGG. The Department of Justice could not take action under that only in so far as individual cases of profiteering are concerned.

Mr. MARTIN. But in doing that you would have to fix a fair price?

Mr. FIGG. That would be purely a matter for the court. There would be no one in the Department of Justice to say what would be considered a fair price.

Mr. MARTIN. The amendment as to a fair price was stricken out of the bill?

Mr. FIGG. Yes; it was stricken out of the bill.

Third. The statements of the Attorney General himself before the Committee on Agriculture of this House, August 20, 1919, pages 78, 79, 82, 83, 84, and 85, when he appeared asking for amendments to the Lever control law, under which he has been acting:

Attorney General PALMER. Well, that has not been done; my proposition does not contemplate price fixing all down the line on the part of everybody.

The CHAIRMAN. Yes; section 4.

Mr. MCLAUGHLIN of Michigan. Yes; you take section 4, about the middle part; that it shall be unlawful "to engage in any discriminatory and unfair, or any deceptive or wasteful practice or device, or to make any unjust or unreasonable rate or charge, in handling or dealing with any necessaries."

Attorney General PALMER. Well, that does not contemplate an Executive price fixing; that contemplates the leaving it to a court and jury to say whether the price charged, under all the circumstances of the case, is a just and reasonable charge.

Mr. MCLAUGHLIN of Michigan. That really gives the authority to consider the question of rates and charges—and, of course, that means prices and profits—the right to consider it and interfere with business, large and small, as to prices.

Attorney General PALMER. You do not in section 4 give the Executive the right to consider the fairness or unfairness of such prices. You declare what is unlawful, that is, the charging of unfair and discriminatory and unjust and unreasonable rates; and that leaves it as a question of fact for the jury.

Let me tell you how we propose to operate that—and, to my mind, it is the only practicable method. There are two ways by which it could be done, I suppose. One is your suggestion—having a price fixed in advance by some governmental agency; you say by the President. That means by some great organization that will sweep the country from one end to the other and have its accountants and investigators and bookkeepers and workers in every line of industry engaged in finding out how much is a fair price.

I think that is impracticable, because we can not build up that kind of an organization; and if you put it in the statute book, even as an alternative, we will be met by it at every corner road, and we will be criticized for not doing it that way, which will hurt the entire morals of the enforcement of your law.

The other method is this: When a man makes an unjust and unreasonable charge, or a discriminatory and unfair price, hale him into court.

And our method, or our proposition, to determine to the satisfaction of a jury what is a fair and reasonable price, is this: We have called upon the former State food administrators, not to organize their food administration, but simply to organize in the cities and counties fair-price committees, which we have asked to be composed of a wholesaler, a retailer, a representative of labor, representatives of housewives, and representatives of the general public.

Mr. YOUNG. Simply voluntary workers?

Attorney General PALMER. Voluntary workers for the purpose of dealing with the question of what is a just and reasonable profit in that

particular community; a decentralized agency for the purpose of giving the public knowledge which would be reflected in a jury box when a man is brought before a jury upon the charge of charging an unreasonable or unjust rate. We have already secured the cooperation of 36 of the Federal food administrators, and we will have most of them; some have been delayed in accepting because they are away from home, or something of that kind.

These fair-price committees are being organized in all the larger cities and counties of the country, and they are making and will make investigations which will apply to that community only.

Now, their findings are not law; their findings do not fix the price. Their findings will simply present to us the same opportunity for gathering the evidence to show what is an unjust and unfair price for that article, and if we bring a man into court who has sold at a higher price than they have announced as a fair price we can produce the same evidence that they had to convince a jury that that man is a profiteer, and if a committee of representative citizens of that character says that those men are profiteers they will not sell at that price in that community, or if they do the jury will convict them, because the same kind of sentiment will be represented in that kind of committee that is represented on a jury.

Mr. MCLAUGHLIN of Michigan. Why not this organization you are speaking of, enlisting the services of all the State organizations?

Attorney General PALMER. Because if the volunteer who is serving upon a committee knows that he is fixing a price which is prima facie evidence of the guilt of every man who sells beyond that price we can not get him to serve. He will advise us; he will fix a price, what he thinks it ought to be, with the understanding that we will take the man into court and try it out there on the same facts as presented to him; but he won't put himself in the position of prosecutor, trial judge, and executioner at the same time. You can not ever get that committee to operate. You will have to have a central committee here in Washington, appointing and directing them to operate. That can only be done in one of two ways: Either to rebuild the Federal Food Administration or to have the President place that power in the hands of the Department of Justice. And I think it would be an unthinkable thing to expect the Department of Justice, through these committees which are now serving, to fix a price which determines in advance of a trial the guilt of any man. Why, I would not take that power, because I am practically saying "you are guilty; you have to go into court and prove your innocence."

Mr. MCLAUGHLIN of Michigan. Then, if those provisions are not put in you will have no regulatory or preventive proposition at all. It is all by way of arrest and prosecution, and there will be nothing regulatory or preventive, except the effect of an arrest and a prosecution.

Attorney General PALMER. Except this volunteer scheme that I have spoken to you about, which is extralegal, I admit.

Mr. VOIGT. It looks to me as if you were given by subdivision 2 an additional weapon which you might use if you found those cases.

Attorney General PALMER. I am fearful that it is a weapon that will be a two-edged sword. We can not get it in use in time unless the President vests that power in the Department of Justice. And for the Department of Justice to use that, it is for the purpose of giving the department the power to say what is a fair price, and then we would have to say whether the man is guilty or not.

Mr. VOIGT. Some one has always had that power under section 5, and under subdivision 2 here is practically the language that is in section 5.

Attorney General PALMER. Except that it was punishable under section 5 by removal of the license so far as the wholesalers are concerned, and, indirectly, so far as the retailers are concerned. And now we propose to make it punishable by fine and imprisonment. It is quite a different thing, I take it, for an executive to determine a thing which is prima facie and entitles another officer to take away a license from a dealer, and to determine a prima facie case against him which sends him to the penitentiary.

Mr. VOIGT. Suppose he gave your department authority to act under this subdivision 2 and you found a man selling sugar at 15 cents a pound. Why couldn't you serve an order under this subdivision on that man, by authority of the President, and tell him to sell sugar not to exceed 11 or 12 cents a pound?

Attorney General PALMER. I could, if the President gave that authority to the Attorney General.

Mr. VOIGT. Wouldn't it be a good idea?

Attorney General PALMER. No; I do not think it would, because the failure of the party to do it would be punishable by fine and imprisonment. I would be depriving him of his right of trial by jury, among other things, if I told him to do that and he failed to do it.

In the case of the Louisiana sugar producers, the Attorney General, through his agent, the United States attorney at New Orleans, consulted with the sugar producers' committee, which under no aspect could be called a "fair price" committee, and, according to his own admission, concurred in a price for Louisiana sugar as a result, and authorized an agreement to be used as prima facie evidence, according to his telegram. Yet, August 20, he said before the Agricultural Committee, for the Department of Justice to fix a price, even through committees, thereby making a prima facie case, would be to determine "in advance of a trial the guilt of a man," and added: "Why, I would not take that power, because I am practically saying 'You are guilty; you have to go into court and prove your innocence.'" Yet that is the very thing he did in this case.

The telegram which the Attorney General states in his answer to the interrogatories was sent by the United States attorney at New Orleans to him November 7 in part is as follows:

* * * but as the Government is not in a position to guarantee the producer any fixed price for his crop and is necessarily limited to establishing a fair price, which virtually means a maximum price, it would be impossible to secure the consent of planters to fix the fair average price as a maximum price, because of the vast difference existing between maximum price and average price for crop.

This statement discloses that the United States attorney, agent of the Attorney General, was "establishing a fair price" which, according to all the quoted previous statements the Attorney General himself admits, was undesirable, and I assert illegal, and for which the Attorney General has given no authority of law, although the opportunity has been given him to do so.

The second interrogatory to the Attorney General asked upon "what legal authority he made, assented to, or approved of a price for Louisiana sugar," and so forth?

His answer is: "As to paragraph 2, in view of my answer to paragraph 1, I deem no further answer necessary."

As his answer to the first interrogatory was evasive and equivocal, if not irresponsive, his answer to interrogatory 2 should have disclosed his authority under the law, if he had any authority. As the very gist of the interrogatories was an inquiry as to what authority of law he had acted under, to evade the disclosure of his authority is an admission in itself that he had no authority.

In the second request in interrogatory 3 the Attorney General was asked if he had "notified Louisiana sugar producers that under laws against profiteering they would not be prosecuted if they sold yellow clarified at 17 cents per pound and plantation granulated at 18 cents per pound." His answer is: "I never notified the Louisiana sugar producers that under laws against profiteering they would not be prosecuted if they sold yellow clarified at 17 cents per pound and plantation granulated at 18 cents per pound."

The concurrence of the Attorney General in a fixed maximum price for Louisiana sugar and the publication of that information was notification, pure and simple, to the Louisiana sugar producers that they would not be prosecuted if they sold at or below this figure, and the statement by the Attorney General that he did not notify them is equivocal and evasive in spirit if not in substance.

The maximum prices fixed were near the average price, and many of the more favored and better organized plantations at these figures might make extortionate profits and yet could not be prosecuted as profiteers because of the action of the Government. This could clearly be protecting and not prosecuting the profiteers.

The Attorney General does not disclose in his answers to the interrogatories what was contained in the telegram from the United States attorney at New Orleans, November 3, mentioned in the United States attorney's telegram of November 7, nor does he disclose any facts about the conference committee who were willing to accept 14 cents and 15 cents as the price for the entire crop, also mentioned in his telegram of the same date. Nor does the Attorney General disclose that there was a conference between him and certain Louisiana officeholders here in Washington before he sent his telegram of November 8.

In view of the evasive answers of the Attorney General by his failure to disclose the complete facts bearing upon this important matter; of his refusal to state upon what authority of law he had acted; of the immunity given to possible profiteers, and finally the effect of his action upon the price of sugar in the United States, a thorough investigation should be had of this entire question. [Applause.]

Mr. Chairman, I desire to amend and extend my remarks in the RECORD by printing therein an editorial from a publication called Facts About Sugar, of the issue of December 13, 1919.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD by incorporating therein a certain article to which he has referred. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object, is it political?

Mr. TINKHAM. It is not; it is economic.

Mr. GARD. From what is the editorial taken?

Mr. TINKHAM. It is taken from a trade journal called Facts About Sugar.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TINKHAM. Mr. Chairman, I yield back the remainder of my time.

The editorial referred to is as follows:

WHO KILLED COCK ROBIN?

If the Attorney General was correctly quoted in the published account of his statement last week on the subject of sugar control, his remark on the failure of Congress to enact legislation in this connection evidently was an inadvertence. According to the press reports the Attorney General said that Congress had been asked to provide for a continuation of governmental control over sugar by extending the life of the Sugar Equalization Board, but had failed to do so.

An examination of the sequence of events in connection with this matter shows that Congress was not officially acquainted with the proposal for a continuation of the Sugar Equalization Board until the beginning of October, when a subcommittee of the Senate Committee on Agriculture, under the chairmanship of Senator MCNARY, conducted public hearings on the sugar situation following a statement and resolution brought before the Senate by Senator NEW, of Indiana, on September 27.

As early as July a resolution calling for an investigation of the sugar shortage by the Federal Trade Commission was introduced in

the House, but that resolution did not contemplate action in the direction of future control.

According to information which we consider veracious the administration, early in the present year, was approached through diplomatic channels by a representative of the Cuban Government with an inquiry as to whether the United States would be interested in purchasing the 1919–20 Cuban sugar crop. Apparently no definite reply was returned to this inquiry. Later on other unofficial advances were made, it is reported, by men who enjoyed the confidence of the Cuban Government, but again without eliciting any encouraging response.

On July 16 a conference of American sugar producers adopted a recommendation that the Sugar Equalization Board be continued in existence with authority to purchase the Cuban sugar crop of 1919–20, and this was followed shortly thereafter by the adoption of a similar resolution by the beet-sugar producers of the country.

On July 29 Messrs. Hawley and Rionda, of the Cuban Producers' Committee, addressed a letter to the Sugar Equalization Board offering to negotiate the sale of the Cuban crop. In the light of present events one passage in this letter was truly prophetic. It read:

"If accepted through the continued life and active participation of your respected board—or similar body—the whole question would be greatly simplified. If, on the contrary, the opportunity to serve—not the American people alone, but the universal welfare, is for any reason, technical or otherwise, not availed of through one medium or another, there is not a community anywhere in America, in Europe, or Asia that will not feel the consequences of our failure to provide a stable price for this most necessary article of human consumption."

While no price was mentioned in this letter, it was well understood at the time that the Cuban crop, or such portion of it as the Equalization Board might wish to acquire, could have been purchased at a price of about 6.50 cents a pound, f. o. b. Cuba.

After deliberating upon this communication the Equalization Board, on August 14, one member dissenting, addressed a letter to the President, to whom it was directly responsible, in which it recommended that negotiations be entered into "for the purpose of securing the sugar required for the necessities of the people of the United States for the year 1920."

On September 20, having had no response to this suggestion, the president of the board again wrote the President, informing him that "the time is fast approaching, if it has not arrived, when we will be unable to control the Cuban crop of sugar for the year 1919–20."

On September 23 the board received a letter from the Cuban representatives formally withdrawing their earlier offer. With that action disappeared the opportunity for the purchase of Cuban sugar at a material saving to American consumers. By that time nearly one-third of the future Cuban crop had been sold at prices ranging from 6.50 cents a pound upward, and Cuban producers, or at least a large proportion of them, sensing the world-wide demand for their product at rising prices, were unwilling to enter into a contract for the sale of their output at a fixed price, which they would have been willing to accept at an earlier date.

The question of responsibility for the lack of encouragement which the advances of the representatives of Cuba received is now merely of historic or academic interest, but it seems worth while, for the sake of accuracy, to point out that the Sugar Equalization Board went as far as its official position justified in directing attention to the matter, that American producers expressed their willingness to enter into a plan that obviously would have operated to hold down the price received for their product, and that the subject was not brought to the attention of Congress until a time when the purchase of the Cuban crop at a low price had become impossible.

Mr. QUIN. Mr. Chairman, I yield 15 minutes to the gentleman from Louisiana [Mr. SANDERS].

Mr. SANDERS of Louisiana. Mr. Chairman, I want to thank the gentlemen on the Military Committee for yielding me time at this time. I heartily agree with the gentleman who has just taken his seat in his closing request, when he asked permission to amend his remarks. I sincerely hope that he will take opportunity to amend them and get them somewhat in accord with the facts of the case.

I propose in the little time that I have to confine what I have to say to answering the unwarranted and unjust attacks made by the gentleman from Massachusetts [Mr. TINKHAM] upon the Louisiana sugar producers. One who listened to his remarks a few moments ago and who was not familiar with the conditions that exist in Louisiana might, perchance, come to the conclusion that the Louisiana producers have made an enormous profit in the sale of the sugar crop produced last year, and that to the making of this unwarranted and illegal profit the Attorney General of the United States was a party. What are the facts?

It is very easy to get up on the floor and to denounce people who are a thousand miles away from here, to produce facts and figures and apply them to a case when there is no foundation whatsoever for such an action. I venture the assertion that there is no class of producers in America who have contributed as much and as willingly and as uncomplainingly to the national welfare in the last two or three years as have the sugar producers of south Louisiana. To begin with, when the price was fixed by the Sugar Equalization Board for the crop year of 1918, it was fixed at 8.82 on plantation granulated—8.82 net to the farmer—granulated sugar, a sugar that goes directly into consumption, a sugar that you can not distinguish from the granulated sugar made by the American Sugar Co. Our people received $8.82 a hundred pounds for that kind of sugar.

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Louisiana. Yes.

Mr. BAER. Is that what the farmer himself got—$8.82 for a ton of cane sugar?

Mr. SANDERS of Louisiana. That is what the factory got, and what the factory pays to the farmer is predicated upon what the factory gets for its sugar upon a sliding scale.

For instance, the average factory in my State pays to the farmer in dollars per ton for his cane an amount equal to the price for which the sugar sells for per pound in cents. For instance, if sugar sells for 10 cents a pound, then the man who raises the cane will get $10 a ton for his cane, and if sugar goes down next week to 9 cents a pound then the farmer who delivers the cane would get $9 a ton for his cane that week.

It is arranged on a sliding scale on weekly settlements.

Mr. BAER. It is just the reverse in my State. When the price of wheat goes down the price of flour goes up.

Mr. SANDERS of Louisiana. That is not the way our factories buy from our farmers. At the time that the price of $8.82 was fixed, Mr. Chairman and gentlemen, Louisiana had a good crop. In the summer of 1919 it was thought by us that it would have been a wise thing for the Government to have acquired the Cuban crop, the beet crop, and our crop, and the Louisiana people urged that before the Sugar Equalization Board, and we were met with the statement that it could not be done until and unless Congress gave that board additional authority to run beyond the 31st of December last.

But be that as it may, the year 1919 was the most disastrous year that the sugar people of Louisiana have ever had in the history of that industry. We made practically no crop at all, Mr. Chairman. Sugar factory after sugar factory in Louisiana never turned a wheel; sugar house after sugar house last winter never had a fire under a boiler.

Mr. SMITH of Michigan. Will the gentleman yield for a question?

Mr. SANDERS of Louisiana. I will in a minute.

Mr. Chairman, the crops were consolidated and shipped to central factories at great distances. At the time the crop was to begin to come in a committee came here to Washington. How did they come? Did they come as beggars? No; because it was universally recognized, and had been so testified to before committees of this Congress, that without governmental regulation of some kind every pound of sugar that our planters made would sell for at least 25 cents a pound. They were asking for no favors from the Government. They were not asking for the price to be fixed. Every man in Louisiana knew what he could get for his sugar. They came here, nevertheless—I will call the attention of the gentleman from Massachusetts to it—in an endeavor to hold down the price, not to put it up. Discussions were had with this and that governmental agency. There was no proposition ever made anywhere at any time by anybody to sell the Louisiana crop for 14 or 15 cents, as the gentleman has indicated—nowhere at any time. There was a tentative offer made at some such figure to the Louisiana people, which offer was politely declined.

Now, the Sugar Equalization Board did not acquire the Cuban crop. A price was fixed for the beet sugar of the West.

Now, what was the question before the Attorney General, who has been so severely arraigned here by the gentleman from Massachusetts [Mr. TINKHAM]. What was the proposition that he had before him? Why, Mr. Chairman and gentlemen of this committee, you could not have prosecuted a single sugar producer in Louisiana who sold his crop for 25 cents a pound. And why? It is not the price or what you get that determines whether or not you are a profiteer; it is what it costs you to produce that article. That is the question that determines whether or not you are a profiteer when you fix your price.

Mr. TINKHAM. Will the gentleman yield?

Mr. SANDERS of Louisiana. I refuse to yield.

The only question before the Government under the Lever bill and its amendments was whether or not the price charged was excessive; that is all. There could be no other question before it. Gentlemen in Louisiana, knowing not only the law but knowing what it had cost them to produce sugar, were justified in charging more for their sugar than the arrangement that they finally made with the United States attorney. What was this arrangement? The gentleman from Massachusetts said the district attorney down there, Mr. Mooney, consulted only the sugar producers. If the gentleman will turn to Mr. Mooney's telegram to the Attorney General, he will find this in the body of the telegram:

My session with the planters was a protracted one, and was held after I had talked to many of the leading consumers and obtained their views.

Men in Louisiana knew what it had cost to produce sugar. The consumer was consulted as well as the producer, and when the gentleman from Massachusetts stated that Mr. Mooney had consulted none but the producer, he had that telegram in his hand, and he knew that Mr. Mooney, the United States district attorney, had consulted not only the producers but had consulted the leading consumers in the community.

Now, Mr. Chairman and gentlemen of this committee, what price was agreed on? Did the planters, all of them, rush to an agreement of 17 cents for their yellow clarified sugar, which is an edible sugar, and 18 cents for their granulated, which can not be told from trust granulated? No, sir. A number of the sugar producers, and producers of cane also, thought that with the extreme shortage in the crop, and the tremendous cost of making the crop, that they were entitled to receive more than 17 and 18 cents. And yet, after protracted meetings and protracted discussions, an agreement was had with Mr. Mooney that 17 cents for yellow clarified and 18 cents for plantation granulated was not an unreasonable price. Let us see. Nine cents was agreed on as the price—9 cents less 2 per cent—which came to 8.82 for the crop of 1918. That crop was produced cheaper than the 1919 crop.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SANDERS of Louisiana. Can I have five minutes more?

Mr. QUIN. I am sorry, but I have not the time. I had to take five minutes from another gentleman.

Mr. SANDERS of Louisiana. I regret——

Mr. QUIN. I yield two more minutes to the gentleman.

Mr. SANDERS of Louisiana. I thank the gentleman.

The 1919 price, had it been fixed fairly, would have been three times the price of the 1918 crop, because the crop was two-thirds short. In other words, Mr. Chairman and gentlemen of the committee, with the same acreage and at greater expense, the climatic conditions were such in Louisiana that the crop was ruined, and only about a third of a crop was harvested, and it cost more than the previous full crop had cost, yet the farmer received only twice the price, when, as a matter of fairness and justice, he could have demanded and legally received at least three times the price that he had received for his 1918 crop.

Mr. TINKHAM. Will the honorable gentleman permit a question?

Mr. SANDERS of Louisiana. If I have the time.

Mr. TINKHAM. I desire to bring his attention to a statement on page 2 of Public Document No. 644, the response of the Attorney General relative to fixing the price on sugar.

Mr. SANDERS of Louisiana. I have read it, sir.

Mr. TINKHAM. He says:

I have before me your telegram of the——

Mr. SANDERS of Louisiana. I decline to yield to a reading.

Mr. TINKHAM. I understood, Mr. Chairman, that the gentleman would yield for a question.

Mr. SANDERS of Louisiana. I decline to yield to the reading of a document.

Mr. TINKHAM. I wanted to ask the gentleman if he had read that statement?

Mr. SANDERS of Louisiana. Yes; I have read it.

Mr. Chairman, I yield back the remainder of my time.

Mr. QUIN. Mr. Chairman, how much time has the gentleman yielded back?

The CHAIRMAN. The gentleman has consumed his time.

Mr. KAHN. Mr. Chairman, I ask that the gentleman from Mississippi [Mr. QUIN] use some of his time.

Mr. QUIN. Mr. Chairman, I will consume some of this time myself and discuss the matter that is presumed to be before the House, and that is the Military Academy bill for the maintenance of our institution at West Point, where we educate the officers for the Army of the United States.

I deeply appreciate what my colleague from Louisiana [Mr. SANDERS] has said in response to the outbreak here of the gentleman from Massachusetts [Mr. TINKHAM]. The reason why I yielded time that I had under my control to the gentleman from Louisiana was to enable him to correct the erroneous statements and false impressions and conclusions that might otherwise be left in the minds of Members by such a speech as that made by the gentleman from Massachusetts. [Applause.]

Now, gentlemen, we have heard within the last four years much talk about the military program of preparedness. I have the honor of being a member of the subcommittee that considered and formulated the bill for the support of the Military Academy at West Point. The gentleman from Pennsylvania [Mr. MORIN] is chairman of that subcommittee. He has given careful and thoughtful consideration to the bill, and I believe he knows more about this bill than any of us on the committee because of his hard study of that measure. He will discuss it later on.

We asked here more money than the whole committee has given. The bill which the committee brings out carries in round numbers $2,142,000. Last year the bill carried $122,223 more than this bill calls for. Gentlemen, in my judgment, every single item of this bill should be passed by this Congress. I appreciate the fact that we should all use the pruning knife on appropriations and cut out useless appropriations wherever possible, but there is such a thing as being parsimonious and using and exercising in legislation unwise economy.

You will note that there are throughout this country such organizations as the National Security League and other kindred organizations which endeavor to foster militarism. They are endeavoring to set a great military hen with more eggs than she can cover; and, in my judgment, the Democratic caucus a few nights ago struck the best blow that has been delivered since 1916 against that crowd. [Applause.]

I do not say and I do not believe that everyone who advocates a great standing army and advocates all of this preparedness program of having compulsory military training all over this country in time of peace does it through any selfish motives. There are many men who really in earnest believe that ought to be done. But the big interests of this country, the militarists, are taking advantage of the unsettled conditions and are taking advantage of the idea that some people have that it might be a good thing to force the American Congress to adopt such a program.

My idea is that the Military Academy at West Point is the proper place to educate our officers in a scientific manner, to give them a broad, fundamental education; and the splendid military education which this academy gives is recognized by experts abroad, and the institution is regarded as the finest institution of its kind in the world. In order for us to have our country properly prepared, we must have such officers in abundant number as such an institution will turn out. In order to have our people made safe and let those who have their misgivings and are a little subject to hysteria have a full understanding that we will have trained military officers, I am in favor of that institution being encouraged and built up in every possible way, and I am in favor of having the program of training and education there such at all times as to keep and maintain the best of military education in the world here in our own country. [Applause.] In order to do that, certain policies must be carried on. The improvements that have been started up there, which the program sets out that must be continued, in my judgment should be authorized and appropriated for by this Congress.

Not all of the money has been properly spent there; but, gentlemen, you have a quartermaster there now in the person of Col. Timberlake who is a fine business man, who uses the public funds just as a good, economical business man in private life would do. He does not waste, in my judgment, a dollar of the funds that we allow him. He is a man who uses the best judgment and the most economical and discriminating method of expending the public funds intrusted to him of any public officer I know, especially in the whole Military Establishment. For that reason I believe this House should grant the money that is asked for. It will be wisely and economically expended under Col. Timberlake's management.

One other thing: The course at West Point has been cut since the war started. The law leaves it discretionary with the President of the United States as to what the curriculum shall be—whether one year, two years, three years, four years, and so on. The head of the General Staff, Gen. March, has seen proper to cut that course down. They have it now at three years. It has been two years, I believe. This committee has brought out a provision in this bill asking this Congress to make it a matter of law that the course shall be four years at West Point. [Applause.]

Now, my friends, there is a reason for it being four years. All of the training and education that is necessary can not be given in three years' time, and it is the policy now under the short term up there to have the boys so well educated in a college or university before they go there that they can go on with ease in a three-year term. But if that is done it cuts out the poor boy; it cuts out the high-school boy; it cuts out the farmer's boy throughout this country. So we must have this course four years. Under that plan and that method they have jerked the coats off 100 of these boys in the last examination and sent them back home because they could not pass that examination.

You can see why it is necessary to have the course four years if we propose to take care of the plain, common, poor boys throughout the United States. Every gentleman here ought to be willing to do that. But let me give you the figures on it. In the last 50 years, under the four-year course, one-fifth of the entire student body at our National Military Academy at West Point have come from the farms, and we all have reason to be proud of the records that those boys have made. I would like to see a great many more of them come from the farms. I believe we ought to have about 90 per cent of them from the farms and workshops and middle class, because when they become officers to command the armies of the United States they will have the

real spirit of America and they will know the feelings of the private soldier, and they will know what he stands for.

So, my friends, I ask you to stand up with the committee on that provision to have a four-year course made a matter of law, so that no Chief of the General Staff in the future can cut it down and put these restrictions around it that will keep the poor boy from going to the academy.

And let me say to you, by way of suggestion, that Gen. Pershing stands with our committee on that proposition; and in response to Mr. MORIN'S question as to his position he sent a telegram giving as his reasons for believing in the four-year course part of the reasons that I have given you why it should be four years instead of three years. None of them believes it ought to be two years. Some of the officers did not openly express themselves in favor of the four-year period, because perhaps their jobs might depend on the position they take. They can not go counter to the big chief. You know how that is. But fundamentally, in my judgment, 99 per cent of the Army officers believe that a boy ought to go to West Point for four years; and certainly almost every civilian who has his heart beating in accord with the feelings of the masses of the people must believe that we should have the four-year period in order that the son of the plain, honest workingman and farmer throughout the United States can go to the academy and take that course if his Congressman sees fit to appoint him.

Further, there has been suggested a change in the method of appointing these boys. Some of them wanted a program whereby they could just go out and select them from anywhere in the United States, if the cadet whom you have nominated and his alternate fail. Your committee does not believe in that. They believe that Representatives and Senators should have the right to name the boys to go to West Point, and that policy has been adhered to by our committee and we have incorporated it here into this bill. If we are going to keep down the hue and cry for compulsory military service in the United States, we must have the Military Academy at West Point a strong institution, where the great body of the American people will know that at all times we have a strong force of men trained in the science and art of military affairs.

Mr. MCKENZIE. Will my colleague yield?

Mr. QUIN. I yield to the gentleman.

Mr. MCKENZIE. Does not Gen. March, the Chief of Staff, oppose the four-year course and recommend the three-year course?

Mr. QUIN. Oh, yes; he does; but is that any reason why this Congress should adopt the three-year course, because Gen. March advocates it? Is that any reason why this Congress should vote against a four-year course, because Gen. March opposes it? I say that is no reason. I have great respect for Gen. March, but I do not agree with him on that proposition. I have never believed it was good for the institution to shorten the course. I did not believe in it when he cut it down during the war. If I had had my way about it, it would not have been cut down a single day. We can not afford to have the Military Academy at West Point trimmed down to where it is nothing but a two-year or a three-year course, and I believe that the people who want to foster compulsory military training in this country would like to see that very thing done as an excuse why we should have universal compulsory military training and service in time of peace. In order that the American people may know that they will have splendid officers and plenty of them, West Point should have a four year's course and the enlargement of the number of cadets that the bill which the committee has brought out calls for. Personally every man on the floor knows that I am against compulsory military service and compulsory military training in time of peace. You know my opinion on that subject. I could not express my contempt for that idea; it would bankrupt the English language for me to attempt to describe what compulsory military service means in time of peace. [Laughter.] All of us in our districts and elsewhere during the war, and even the President of the United States said so; every public orator said we are now fighting to suppress autocracy and militarism, the very system that Germany had that I believe brought on this great holocaust across the sea where millions of lives were lost and millions of treasure were destroyed, causing heartburns throughout the country, newly made graves, and sorrow all over the world. It was that horrible system of military training and militarism that brought on the war. And yet there are some people trying in this country the same thing, making a lie when we told the country that there would be no militarism in this country. We fought to suppress the Prussian system of militarism, and yet we have it advocated here at our own doors.

We have certain organizations with a propaganda that they are trying to put forth, and they even had a fellow supposed to be a colonel who distributed circulars containing that propaganda around the land. That had no terrors for me, because I represent the people, and I feel what I know is for their interest.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. QUIN. Yes.

Mr. GREENE of Vermont. I want to know if the gentleman from Mississippi is not advised that the leader of his party advocates military training, which, according to the gentleman's own statement, he was fighting two years ago.

Mr. QUIN. In answer I will say that I am not discussing the President of the United States. He has been ill a good long while, and I do not think it pertinent to this discussion to consider what the President said. I will say this in response to the gentleman: The Democratic caucus, composed of Democrats from the Atlantic to the Pacific and from the Canadian line to the Gulf of Mexico, said in this very Chamber, and you saw it published in the papers, the fact that they voted 108 against the training to 17 for it. I believe that on the gentleman's own side of the House there is a majority against that program. I certainly can not believe that the Republican Party in the United States would join hands with a great organization of capital, with the Steel Trust, with the Security League, and with those great classes of millionaires and billionaires in endeavoring to fasten this horrible, contemptible thing on the people of the United States.

Mr. GREENE of Vermont. Will the gentleman further yield? The implication of that is that the President joined hands with those people.

Mr. QUIN. I do not know what the President stands for. He has been ill a good while and I have not had an opportunity to confer with him. [Laughter on the Republican side.] Whatever view the President has he is honest in it. He does not stand with the big interests to oppress the people. I am telling you what I stand for, and what the Democratic Party stands for. All of this crowd desiring to keep the laboring man of the United States out and down in fear, all of this crowd who knows that Congress can pass the income tax and the excess-profit tax to catch them, and that they as taxpayers intend to try to pass it on to the poor fellow who has to get down with the grub hoe and plow and spade, with the saw and plane and the hammer—all of that crowd of big "buck-passers" are crying for compulsory military training.

Mr. KITCHIN. Will the gentleman yield?

Mr. QUIN. Yes.

Mr. KITCHIN. The gentleman is a member of the Committee on Military Affairs.

Mr. QUIN. Yes; I have been on that committee ever since you put me there in 1913.

Mr. KITCHIN. You have had the compulsory training proposition before you for six or seven months. When are you going to bring it out and give us a chance to vote on it?

Mr. QUIN. Oh, we will never bring it out. Why, some of us on that committee have been fighting that thing ever since its inception; we are fighting it yet. We are going to keep fighting it. I will say to the gentleman from North Carolina that we have been tied on that thing; three lonesome Democrats rambled off with a lot of Republicans under the leadership of my able and genial friend, the gentleman from California [Mr. KAHN]. [Laughter.]

Mr. MASON. Will the gentleman yield for a short question?

Mr. QUIN. Yes.

Mr. MASON. Since the gentleman has not been able to confer with the President of the United States, has he asked you to resign on that account?

Mr. QUIN. Oh, the President does not appoint me. The good people of the seventh district of Mississippi place me here. I am going to stick to them. These good farmers and merchants and bankers and laboring folks that believe in the integrity of the Government, people who stand ready to go out and defend the flag at any time, people who pay the taxes for all legitimate purposes, but who would call a halt on paying taxes of a billion three hundred million dollars every year to have their own sons jacked up by the nape of the neck and pitched by the seat of the pants into the Army of the United States under the euphonious name of universal military training, will object. [Laughter.]

Here is what you are doing: You are proposing to take these very men who ultimately pay all of these great taxes, $36,000,000,000, hanging on the shoulders of the people of this country from the war, fighting to suppress militarism, to crush out the system where for 40 or 50 years Germany trained its boys in the very same manner that is proposed to be trained here under the bill before our committee, and which passed out of committee onto the Senate floor the other day.

Mr. KITCHIN. Mr. Chairman, will the gentleman yield?

Mr. QUIN. Yes.

Mr. KITCHIN. If it is not giving away any secrets of the Military Affairs Committee, I would like to know if the majority of the Democrats or a majority of the Republicans on that committee believe in this compulsory military training. How do they stand on that committee as between Democrats and Republicans?

Mr. QUIN. Well, you know we have but eight men on the Democratic side on the committee, and five of us, headed by the gentleman from Alabama [Mr. DENT], are against it, and have been fighting it, and I will say this: There are five Republicans on that committee who stand with us Democrats for the people, who represent the masses, who represent the plain people, and those five gentlemen have joined in with me and with Mr. DENT and Mr. FIELDS and with Mr. HARRISON and Mr. WISE, who constitute the five Democratic members of that committee, who oppose universal compulsory military training or service in time of peace. We have been able by having this tie to prevent that monstrosity from being dragged out on the floor of this House.

Mr. CARTER. How many Republicans have?

Mr. QUIN. Some of my Democratic friends have said, "Why do you not let it get out here on the floor, so that we can vote on it and show how we stand on the subject?" But, Mr. Chairman, I never believe in turning a lion loose in my house. [Laughter.] Whenever I see a snake I kill him. You never saw a farmer who would let a great, big rattlesnake crawl up the yard over his doorsill into his house so he could bite his wife and children, and so your committee would not let this horrible snake of militarism be brought out from the committee and turned loose in this House.

Mr. KITCHIN. Does the gentleman mean to say there are seven Republicans on the committee who are against it? How many are for it?

Mr. QUIN. Well, the gentleman knows the personnel of the committee.

Mr. KITCHIN. No; I do not. How many of the committee are with the chairman?

Mr. QUIN. The gentleman knows there are not seven. There are five Republicans. There are only five Democrats and five Republicans against universal compulsory military training on that committee. You know there is a vacancy. We have only 20 members at this time.

Mr. KITCHIN. I do not know, but I have seen something in the newspapers and would not know how true it is because I have not kept track of it strictly, but has the Senate committee reported out any compulsory military training bill?

Mr. QUIN. Oh, yes; they have it out over there. They have let the snake loose on the floor of the Senate, and that is the reason that our caucus was called here the other evening, in my judgment. They saw there was some danger of that snake getting out of our own committee. [Laughter.]

Mr. PARRISH. Mr. Chairman, will the gentleman yield?

Mr. QUIN. I would rather not. I would rather pursue my discussion.

Mr. CARTER. But the gentleman has not yet straightened out the committee matter and told how they stand. The gentleman is a Democrat, is he not?

Mr. QUIN. I have told you how we stand.

Mr. CARTER. Let me ask the gentlemen this question.

Mr. QUIN. Five Democrats are all right on it, and five Republicans are all right on it; they are against this great monstrosity of compulsory military service in time of peace. There has been no vote in the committee. I am just telling you that is my impression from what they say to me.

Mr. CARTER. How do the Republicans stand on the committee? How many are for military training and how many are against it?

Mr. QUIN. Oh, there are not enough to get it out here, or they would have had it out.

Mr. CARTER. How many Republicans are for military training on the committee?

Mr. GREENE of Vermont. I think the gentleman from Mississippi understands that one of the practices here is not to talk about what occurs in the committee, and the gentleman from North Carolina [Mr. KITCHIN] knows that, too, as the former leader on the Democratic side of the House.

Mr. QUIN. Oh, I will ask gentlemen not to take up my time. All I ask is for a majority of the Republicans to stand like a majority of the Democrats and we will not have any compulsory military training in this country. When the next election comes around, if the people want it, then let a majority of the people vote for it. If a majority of the people believe we ought to tax the people any more than we have been taxing them to build up a great military system in this country, let them show it at the polls; let every man in this House say how he stands. I am willing to go before my people and let them know that I am against that monstrosity, however any man may feel in my district upon that or any other subject. I propose to go out boldly and fearlessly and let the people know how I stand. To me it is immaterial how anybody else stands. In my judgment the worst thing that can be done, the worst blow that could be aimed at patriotism and the liberties of the American people, would be to fasten upon the Republic universal compulsory military service. I do not believe that any more dangerous thing could be done than to put on this Republic compulsory military training, because that means compulsory military service in time of peace. Some of the bills that have been introduced are for putting into the reserve army 750,000 of these young men after they have been grabbed from their homes; to take them away from the bedside of the sick mother; to take them from the farms, where we need them; to take them out of the workshops; to take those boys out that are needed at home and put them into military camps under this great system of court-martial, where trained tyrannical Army officers can court-martial them and send them to the penitentiary for smoking a cigarette, or taking it away from him—all of that kind of nonsense. The people of our country do not believe in that kind of thing, and I do not believe they would put any party back in power that would pass such a law.

We have done enough to the American people in winning this war. We have taxed the life out of them; we took their boys away from them; we deprived them of free speech. The Congress and the Executive of this Republic would not let them publish articles. We have done everything to them. We had a governmental agency that would not let you put sugar and flour on your table. It was right to pass all such laws to win the war. Right down in the country, where we have cribs full of corn, they had to buy half wheat flour and half corn meal. All these things have soured on the stomachs of the people. And I want to ask you now, when you come right on the heels of it all and say, "We are going to grab your boys up, between the ages of 18 and 21, and carry them to a military camp and give them military training and make soldiers out of them from now on until doomsday," what are the people going to say? They will say, "Has our Republic gone? Has the old Republic of Washington and Jefferson passed away? Are we following in the tracks of the Kaiser? Are we following that horrible system that has brought on Europe that great and awful holocaust that cost so much blood and treasure; that afterwards engulfed the fair Republic of America, wherein 150,000 of our own boys lost their lives; and where, from the efforts that we are making for the rehabilitation of the crippled ones, there must have been a world of them crippled?" That is what the people are thinking about, and they are going to look to Congress on that. If a majority of the Republicans stand as I believe they do, it will not be the law. I know the Democrats are against it, and I am confident a majority of the Republicans are against it.

Mr. OGDEN. Will the gentleman yield?

Mr. QUIN. I have not the time. I am confident, my friends, that the American people, at least for years, will be safe from any such German-Prussianism as that. And if they understand it, when they go to vote next fall there will be some left at home that are trying to fasten it on the people to-day. We talk about free speech and all that. I know this Republic is passing through a time of critical events. Events have changed many things within the last two or three years. All good Americans should be on guard to protect the rights and the liberties of the great masses of the American people.

You have in this country, my friends, two classes that are really dangerous. One of them is that bolshevistic press that advises force and the tearing down of our institutions, and the other is the billionaire press of that great capitalistic class that would impose on the people. You must not think it is all with the poor devils of Bolshevism. These fellows on the soap boxes, and that we call Bolshevists, have not any influence except what devilment they can stir up. We have got to keep that down, and the Government is going to do it and ought to do it; but at the same time this Government should, through the representatives of the people, keep down the invisible and dangerous power of the capitalistic class, which sinister power for selfish purposes stands as a greater menace to the perpetuity of the Republic than do the Bolshevists. [Applause.]

Gentlemen, I thank you.

Mr. KAHN. Mr. Chairman, I yield three minutes to the gentleman from Ohio [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman and gentlemen of the committee, the year 1920 will witness many changes in politics. In the first place college presidents will not be as popular this year as they were in 1912 and in 1916, for the most prominently

mentioned candidates for president upon the Republican and Democratic tickets are newspaper men. Senator WARREN G. HARDING [applause] is one of the most prominently mentioned names for the Republican choice for President, and Gov. James M. Cox [applause] is one of the most prominently mentioned candidates for President on the Democratic ticket. Both are native sons of Ohio, both are newspaper men, and not only edit the papers but in fact own them, and a man who can run a newspaper successfully is certainly a good business man. Senator HARDING was elected to the United States Senate in 1914 by an unprecedented majority, and Gov. Cox has three times been elected governor of Ohio. Geography will cut a great figure this year, and naturally all eyes are turned upon Ohio as the pivotal State in 1920. Indiana used to claim that honor, but it is now Ohio. Ohio and Virginia have vied with each other in having the honor of being the "Mother of Presidents," each having furnished five, but I fear in 1920 Ohio will leave Virginia behind and take the honor to herself. Anyway, the year 1920 will witness the entrance of newspaper men as the controlling factor in American politics and exit college presidents. [Applause.]

Mr. KAHN. Mr. Chairman, the gentleman from Michigan [Mr. JAMES] was to have had five minutes to address the committee. He was unavoidably called to his office, but he left with me a letter, or a copy of a letter, which he desired to have read and inserted in the RECORD, and I ask that that be done.

The CHAIRMAN. The gentleman from California asks unanimous consent that the letter of the gentleman from Michigan be read.

Mr. WALSH. Reserving the right to object, what is the letter about?

Mr. KAHN. About two young men who captured the first German prisoner and who came from Mr. JAMES's district. [Applause.]

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the letter.

The Clerk read as follows:

FEBRUARY 12, 1920.

Hon. W. FRANK JAMES,
House of Representatives.

MY DEAR MR. JAMES: Referring to your letter of February 2 relative to the desire of American Legion Post No. 5, Ironwood, Mich., to obtain official proof from the War Department that Adam Blazokowski and John Kohanski, of Ironwood, Mich., captured the first German prisoner for the American Army in the World War, I have the honor to inform you as follows:

On the night of October 27–28, 1917, Pvts. Adam Blazokowski and John Kohanski, both of Company C, Eighteenth Infantry, wounded and captured Pvt. Leonhard Hoffman, the first German prisoner captured in the World War by the American Army. This prisoner was captured about 400 meters northwest of Bures in the Province of Meurthe et Moselle.

The prisoner belonged to the Third Heavy Machine Gun Company of the Seventh Regiment of the First Landwehr Division of the Third Bavarian Army Corps. He was the company mail carrier and was on his way back to his company after having gotten the mail when he was captured.

Very respectfully,

(Signed) P. C. HARRIS,
The Adjutant General.

Mr. KAHN. Mr. Chairman, I yield three minutes to the gentleman from New York [Mr. CROWTHER].

Mr. CROWTHER. Mr. Chairman and gentlemen of the committee, in December, 1862, Lincoln referred to the subject of emancipation as follows: "The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty and we must rise to the occasion."

This statement is as applicable to the situation to-day as it was 58 years ago. With perfect candor must we admit that the present occasion is piled high with difficulty, but as real Americans we are looking forward, burying the dead past, and making to-day's accomplishments pave the way to to-morrow's success.

The people of this country are looking forward to the reestablishment of a government at Washington that realizes that the Constitution of the United States is still functioning and that the title of President has not been changed to king. They are looking forward to the day when a Republican President, supported by a Republican House and Senate, shall be once more working in harmonious effort to develop by wise legislation that feeling of security in industrial and economic problems that has always existed under Republican rule. Explain the causes as you will, the fact remains that under every Democratic administration we have had industrial and economic disaster, and hardship and financial loss have been the portion of the great army of wage earners in this land as a result of these conditions.

We were heading directly for this zone of disaster in 1913 and 1914, when the misery and necessity of European belligerents was as welcome as the manna in the desert to the Democratic Party, just on the verge of another collapse. Then came to us a period of prosperity, and Democratic spellbinders rushed forth to explain to the people that their party was no longer a failure; that even with their low-tariff bill wages were higher than ever before and labor in such demand that its opportunities for added remuneration were countless. Yes; it was a period of prosperity, but of poisonous prosperity, for so intent were we in the pursuit of the almighty dollar, selling ammunition and clothes and food to Europe, while there men, young and old, were fighting the mighty forces of Germany, that we well-nigh forgot our duty in the matter.

Under the soporific influence of the Democratic leaders' unctious phrases we were gently rocked to the tune of "neutrality" and very nearly fell sound asleep as Woodrow crooned "I'll keep you out of war."

And it shall be written on history's pages that the final awakening to a realization of duty, to the fact that there were still in our American manhood and womanhood traditional loyalty and an inherent nobility of character, was not at the behest of the Democratic Executive, but at the clarion call of a man who for months had been forced to stand alone, the man who finally stirred the conscience and fighting spirit of America—Theodore Roosevelt.

The war is over, thank Heaven, and we all devoutly pray that the war god may be stripped of his armor and his sword and shield beaten into plowshares.

If it can be banished by the adoption of the League of Nations, then let us accept it; but let the President and his senatorial satellites meet us at least halfway in order that such reservations may be adopted as will assure the people of the United States that the necessity of sending our beloved boys to war shall not be determined by the European members of the league but by our own Congress. If ever again there appears to be necessity for our intervention in the cause of right and justice, rest assured that American soldiers will never shirk their duty.

But new problems face the country, and the Republican Party must convince the people of this Nation that they are determined to cope with them, not in the interest of any class, but that labor shall have a square deal, capital a square deal, and that the long-suffering public shall not be lost in the shuffle.

Labor and capital will find their differences disappearing if there can gradually be developed a satisfactory partnership. There was a time when capital held the whip hand in this country and labor was at a distinct disadvantage, when class legislation was not a rarity and labor was looked upon as a mere commodity. But conditions have changed; the power of capital has been circumscribed; class distinctions have been leveled, and the rights of labor have come into general recognition. A more even and just balance between capital and labor has been established and the dawn of a new era is at hand. But class domination, with labor in the ascendancy, is just as obnoxious to the American people as with capital in control. They will not tolerate it, and any attempt to fasten it upon the Government through the ballot or any other medium will be resented.

The labor vote of America is intelligent, patriotic, and considerate; it is not for sale, barter, or gift; no politician carries it around in his vest pocket and no boss can drive it into the runway of his particular desires. It is composed of enlightened and educated American citizens, entirely competent to think and reason for themselves, and they will do so in this coming campaign.

Workingmen constitute the great majority of the electorate in this country, and they realize that their interests are identical with the interests of the Nation and that they prosper only when the United States is prosperous. As a Republican I take this opportunity of stating that I stand for the principle of collective bargaining, believing it to be fundamentally sound and a very efficient method of preventing disastrous strikes.

High wages are here to stay, and the Republican Party is desirous of maintaining the best possible standard of living conditions for our wage earners. It is high time that our people were assured of something more than the oft-quoted "living wage." If all they have to look forward to during long years of toil is a bare living wage, then the future holds little of comfort or consolation for them, and in the living present makes life a constant struggle with debt. Labor is sound, is loyal, and deserving. Let us keep the standard high.

We have taken a long step forward toward eliminating wasteful expenditure of national funds by the adoption of a measure providing for a budget system. This will tend to put the Government on a business basis and will enable the people to fix responsibility for extravagance and for excessive taxation.

The railroads are to be returned to their owners on March 1, and we must be quite certain that the legislation enacted for

their conduct and control is fair to invested capital, fair to the employees, and that no unnecessary burden is placed on the shoulders of the general public, who, of course, must eventually pay the bill. Let us not lose sight of the fact that our savings banks and our great life insurance companies are all heavy stockholders in railroad securities. There is no question but that to meet the unusual raise in wages and upkeep the Railroad Administration should have made a further raise in rates, but this has been avoided for purely political purposes. Knowing that the railroads were to be returned to private control, the Democrats have decided it would be a vote-catching proposition to let the raise in rates come after the railroad bill was passed by a Republican Congress and then shout "We told you so."

But they will not lead many common-sense Americans into the Democratic donkey stable with that kind of chaff. I desire in this connection to refer to a statement of Walker D. Hines made before the Bar Association of the City of New York, in which he said, "The real reason for the deficit is due to the fact that the prices charged for railroad transportation have not been increased in keeping with the increase in prices of commodities."

If, as I have been informed, the present Federal child-labor law has been declared unconstitutional, it is high time that we enacted legislation on this subject that will stand the test of our highest tribunal. While many States have splendid laws on this subject, it is really a subject of national importance.

In the very near future foreign competition must be reckoned with and the present tariff must undergo a thorough revision. The standard of American wages and consequent living conditions are higher than ever before in our history, and they must be maintained. Japan and Germany are preparing to flood our markets with the handiwork of their artisans, who are working long hours and for ridiculously low wages. England also will strain every nerve to have the trade balance show in her favor. The World War built a tariff wall around the United States as high as that encompassing China, but that protection has crumbled away with the ending of the war, and a good old-fashioned, revenue-producing Republican tariff is what we are going to need.

There is a wide divergence of opinion all over the country as to what should be our military and naval policies. When we finally entered the war and realized the deplorable condition of unpreparedness there was a strong, well-defined expression by thoughtful Americans that in the future we should adopt some method of universal training. After 20 months' participation in the bloodiest of all wars, where it was our privilege to take an active part on several fronts and in so decisive a manner as to bring the war to a close, we find that a reaction has set in and an evident propaganda is being instituted against any form of military training. This is a problem the consideration of which searches the heart of every mother and father in the land. Of course, we all hope and pray that never more shall nation against nation rise, but the joy of the millennium is not yet, even though we have a League of Nations.

We live in the greatest country under the canopy of the universe. America spells opportunity for our children in the days to come and opens wide the avenues for accomplishment to those of us who are ready to act in the living present. Then, fathers and mothers of America, what is to be the answer; we are your Representatives; your flesh and blood must render the service. American Legion, what have you to say? You gave such service as has never been equaled in the world's history, considering your short period of training. You had many hardships and much suffering to endure even in our own camps before you went to the fighting line. Unpreparedness cost us thousands of lives. What is your message to Congress on this subject? Shall we keep America strong and great or shall we some day be again caught in the trap of unpreparedness, baited with the cheese of pacifism?

The development of a merchant marine that shall carry the Stars and Stripes to the ports of the world is the ambition of this Congress. And here again enters the discussion as to private or Government ownership. The great preponderance of opinion seems to be in favor of the return of the ships to private owners, and the Shipping Board, although they have had wonderful success under the allocation system, are now selling the ships with a view to reduce to a minimum any loss to the Government. A degree of loss is inevitable; many loyal citizens, experts in shipping, who practically donated their services to the Shipping Board, are of the opinion that the ships should be sold at a sufficiently low price to represent the difference between the normal cost and the excessive war cost of forced production. This might fairly be considered a legitimate proposition that could without prejudice or discussion be considered a war loss. The necessity of a powerful Navy is accentuated by the development of a merchant marine. I believe we should have a Navy the equal of any afloat, for a first-class navy with an auxiliary service of hydroplanes would perhaps give us our greatest security against coast attack.

These are a few of the many intricate problems that are before us for the year 1920. Let us face them with courage and determination. The Nation believes in the Republican Party; its record abounds in constructive accomplishment. The Nation looks with hope for wise guidance and sane progress; the Nation expects a broad and humanitarian treatment of the problem of human rights and human welfare. It demands the emancipation of business, the removal of vexatious restrictions and obnoxious taxes. It demands security under the law for life and property and the protection of an American citizen wherever he may be, and demands the vigilant safeguarding of our national liberty and sovereignty. To these duties the Republican Congress dedicates itself.

Mr. KAHN. Mr. Chairman, how much time have I left?

The CHAIRMAN. The gentleman has 17 minutes remaining.

Mr. KAHN. How much has the other side?

The CHAIRMAN. The gentleman from Mississippi [Mr. QUIN] has 11 minutes remaining.

Mr. KAHN. I yield 10 minutes to the gentleman from California [Mr. OSBORNE].

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. GARD. How long does the gentleman intend to have the committee sit? It is now nearly 5 o'clock Saturday night.

Mr. KAHN. I hope to finish in 18 minutes. I propose to move to rise as soon as we finish the general debate.

The CHAIRMAN. The gentleman from California [Mr. OSBORNE] is recognized for 10 minutes.

Mr. OSBORNE. Mr. Chairman, there is no obligation of the people of the United States, whether it be written in the laws or simply be of record in the hearts of our people, greater than that which the Nation owes to its soldiers and sailors who have served it in war. So long as our people frankly recognize such obligations and do their utmost to meet them in letter and spirit, so long will our great Republic be sound at the core and capable of throwing off the insidious agencies of disintegration and decay which constantly seek to attach themselves to the body politic. It is to the credit of our Nation that it has been good to its surviving soldiers of all its wars, from the Revolution to the present day. The soldiers of the Revolution and their widows were pensioned in the early part of the last century upon a basis that was generous for that period, when money was less abundant and had a greater purchasing power than it has to-day. Although the Revolutionary War extended over eight years, the single terms of service of soldiers were generally brief, where they were called out for particular campaigns, and in a few months, the campaign being over, they were discharged and returned home. Often, however, the Revolutionary soldiers had several of these short terms of service of two or three or six months' duration, as they were called out for special emergencies. Pensions were also granted to all widows of Revolutionary soldiers.

Again, following the War of 1812, the veterans were given grants of public land in the form of certificates, which they were at liberty to apply to the land itself or to sell for cash.

Following the Mexican War, pensions were granted to soldiers suffering from disability incurred in or as a result of their military service and to widows of Mexican War veterans.

The casualties of the Civil War were far greater than those of all former wars combined. A general pension bill was passed during or shortly subsequent to the war, graded according to the nature of the casualty incurred and confined to those cases where the disability was incurred in or as a direct result of military service and in the line of duty.

It was not until more than a quarter of a century after the Civil War that service pensions were enacted, to take effect at the date when the veteran should have reached the age of 62 years. As with the passing of time the veterans reached more advanced age their pensions were increased, until now, under the Sherwood Act, the lowest pension paid is at the rate of $30 per month. To entitle a soldier to a pension he must have an honorable discharge and have served not less than 90 days. To soldiers of the Revolutionary War the pension limit was 14 days. At this date the average age of Civil War pensioners is 75 years, and the House has passed what is known as the Fuller pension bill, which advances the pension to all Civil War veterans who served not less than 90 days and who were honorably discharged to $50 per month. The bill is now under consideration in the Senate.

This enlightened and generous policy toward the soldiers of our various wars has stood us in good stead when serious crises

have arisen in our national affairs and the call has gone forth for men to defend national interests and policies with their lives. The men who go do not think much about these things. They go because their country needs them. They offer their lives to the service, and if they think of compensation at all it is with the vague idea that the Nation is going to do the fair thing by them, and if they do not return their dependents will be taken care of. They know in a general way that the country has been fairly liberal with the soldiers of its various wars, and that that is likely to continue to be its policy.

Now, we come down to the great World War. In round numbers, 4,000,000 men went out. Over 2,000,000 went overseas. They were all prepared to go when they should receive their orders. These men received no bounties of any sort, if the $60 bonus at discharge be excepted. I believe that it is the general sentiment of the country that some substantial recognition should be made to every soldier and sailor who served during the war.

Many proposed enactments have been presented to Congress, intended to carry out this idea and to meet this generally recognized national obligation of honor. One of these is the Mondell soldiers' land settlement bill, which to my mind has many most admirable features. Its advantages, however, would naturally be confined to those soldiers who might desire to enter upon an agricultural life. Representative MORGAN and others have introduced bills to provide for a substantial bonus payment in cash.

One of the great difficulties of the situation is patent to every fair and thoughtful mind, and that is the large amount of money involved and the difficulty of raising it in addition to the other billions necessary to the carrying on of the Government and the discharge of the obligations incident to the winding up of the war. We now have an annual interest account on Liberty bonds alone equal to the entire expense of the Government before the war. There is no way of raising the necessary amount of money involved except by the issue of bonds. That is a step that all prudent men of all parties hesitate to take. We strained ourselves to the limit in the drives for the various Liberty loans during the war, and to undertake such a drive now, without the stimulus that the necessities of war involved, would be a most serious if not doubtful undertaking.

It is an axiom, however, applicable to nations as to individuals, that if we owe anyone, either in honor or in bond, which presently we are unable to pay, we should at least make our best endeavor to do so. If circumstances make it impossible to pay cash we should be willing to offer our note to pay at some time in the future.

It is with this principle in mind that I have ventured to introduce into the House of Representatives a bill (H. R. 12347), in the hope that it may suggest to Members a method by which this obligation to our soldiers as nearly as possible may be met without a violent strain upon our national credit. Fairly it may be described as a payment by note instead of cash.

Mr. FESS. Mr. Chairman, will the gentleman yield right there?

Mr. OSBORNE. Yes.

Mr. FESS. I am greatly interested in what the gentleman is saying, and I have been interested in all those proposals; but one of the things that concerns me more than anything else is the question, if we take the step of issuing a bond or note which the receiver will want to convert into money, what would be the effect on the market value of Government securities if a large amount of the bonds or notes were thrown on the market at once to be cashed? Our Liberty bonds have gone down to 90 per cent now. What general effect would it have, in the gentleman's opinion, upon the expansion of our credit and the reduction of the value of Government securities?

Mr. OSBORNE. I would say that that is a serious question to be taken into account in considering such a measure as I am about to read. The bill follows:

A bill (H. R. 12347) to authorize an additional issue of bonds, to be known as World War veteran bonds, to meet expenditures for the national security and defense and to preserve the national honor; such bonds to be issued to soldiers, sailors, and marines—officers and men alike—at the rate of $1 per day for each day served during the war; to provide the manner in which such bonds shall be issued, and for other purposes.

Whereas there is a very general sentiment throughout the country in favor of a more material recognition of the valuable and patriotic services of the brave men of the Army, Navy, and Marine Corps of the World War than has been given, in the form of a bonus, that will assist in returning these soldiers and sailors to the advantages in life that they enjoyed when they entered the war service of their country; and

Whereas the financial situation of the country resulting from the war, involving unprecedented Federal taxes, renders it difficult to meet in cash the recognized moral obligation of the country to its veterans of the World War; and

Whereas the manifest difficulties of the situation do not absolve the Nation from the obligation, but do justify the best efforts of Congress and the Government to meet the obligations of honor of the Nation by such methods as are available: Therefore

Be it enacted by the Senate and House of Representatives in Congress assembled, That every soldier, sailor, and marine who served in the United States Army, Navy, or Marine Corps during the period of the World War, commencing April 6, 1917, and ending June 30, 1919, and who has received an honorable discharge, or who at the date of the passage of this act still remains in the military, naval, or marine service of the United States, is entitled to and shall receive a World War veteran bond in the manner hereafter provided to the amount of $1 for each day served within the period named.

SEC. 2. That the Secretary of the Treasury is hereby authorized to issue World War veteran bonds, one for each soldier, sailor, and marine who served during the period stated—officers and men alike—in the amount of $1 for each day of service, such bonds to be issued under rules and regulations to be formulated jointly by the Secretary of War and the Secretary of the Navy.

SEC. 3. That such World War veteran bonds shall bear interest at the rate of 4½ per cent per annum, payable principal and interest in gold coin of the United States, and at such times as may be fixed by the Secretary of the Treasury. That such issue of bonds shall be limited in total amount to $1,500,000,000.

SEC. 4. That this act shall go into effect on and after its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

This bill has been referred to the Committee on Ways and Means, and I am assured that it will have careful consideration.

While I am not unmindful of the fact that this bill or any bill that seeks to do anything in the way of performing this act of justice to our soldiers will add that much to our national debt and a certain amount to our annual interest account, it will, however, obviate the necessity of another and doubtful big bond drive. Personally I believe that, as the importance of withholding the bonds from flooding the market is explained to and understood by the World's War veterans, the bonds would be held by the original owners in something like the same proportion that Liberty bonds were held by the original purchasers. They comprise an excellent collateral for loans, and those who might need money for temporary purposes might so employ them and obviate the necessity of throwing them on the market. I have confidence that this proposed issue of World's War veteran bonds would not be greatly sacrificed on the market, and that their issue would not cause a serious decline in the market value of Liberty bonds. And I have confidence that, as in the case of many another debtor, the time that this method will give us will assist, in the long run, in enabling America to emerge with success financially, with its honorable obligations to its brave defenders fully vindicated. [Applause.]

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. OSBORNE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from California asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. KAHN. Mr. Chairman, will the gentleman from Mississippi kindly use some time?

Mr. QUIN. I yield one minute to the gentleman from Oklahoma [Mr. CARTER].

The CHAIRMAN. The gentleman from Oklahoma is recognized for one minute.

Mr. CARTER. Mr. Chairman, since the announcement of candidates for President seems to be in order, I want to announce that Oklahoma will present for President of the United States Senator ROBERT L. OWEN, of that State.

I ask unanimous consent to have placed in the RECORD a speech made in connection with that matter by the gentleman from Oklahoma [Mr. HASTINGS] at the convention a short time ago.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD by incorporating therein the speech made by the gentleman from Oklahoma [Mr. HASTINGS]. Is there objection?

There was no objection.

Following is the speech referred to:

SPEECH OF HON. W. W. HASTINGS, PERMANENT CHAIRMAN DEMOCRATIC CONVENTION AT MUSKOGEE, OKLA., FEBRUARY 5, 1920.

"Mr. Chairman, ladies, and gentlemen of the convention, Senator OWEN has rendered lasting patriotic service to the Nation as a Senator, and Oklahoma now tenders him to the Nation for President.

"If partisanship could be eliminated next November, with our distinguished citizen as the nominee, he would receive the unanimous vote of our great State. We do not present him as our favorite son, as much as we love him personally and admire his ability, but we present him as one of the foremost leading national figures of the Nation. He is a resident of Oklahoma, but his statesmanship and qualities of leadership command the thoughtful attention of the entire country. He is no longer a local but a national figure. No man will be made the standard bearer of a great party whose record, public and private, has not been critically examined. It must bear the test of close scrutiny. The people will not elevate a man to the Presidency

whose fitness has not been proved. They will not elect him because he is a resident of any particular State. The principles for which he stands must be unmistakable.

"This is no time for untried leadership. The party nominee must not only profess the principles for which he stands but his record must attest his sincerity. He must not only be a man of great ability but of wide experience. He must be a recognized leader of men and must possess such qualities as will command the respect and thoughtful attention of the men and women of the Nation. Since the brave sons of America contributed in such a large measure on the bloody fields of France to destroy despotism and save the liberty of the world, no other Government occupies a more enviable position among the nations of the world. The early ratification of the peace treaty would easily have made the United States the leading nation for generations to come. We must not have a man with a limited partisan vision, but a statesman who is able to grasp questions with an unclouded vision and retain for us the leadership our position among the nations of the world entitles us.

"No other man possesses in such a marked degree all the qualities of leadership as Senator OWEN. Born in the Old Dominion State, almost within the shadow of the home of Jefferson, he came west, a young man with a finished education. Alert in mind, vigorous in body, and determined to assist in the development of the splendid country which afterwards became a part of this Commonwealth, he helped in uniting the seals of the Five Civilized Tribes into the greater seal of the State of Oklahoma. Recognizing his peculiar fitness, the people elected him United States Senator upon our admission to statehood in 1907. He has been twice reelected by practically the unanimous vote of our entire citizenship.

"By education he is splendidly equipped. His entire life has been devoted to a close study of public questions. His analytical mind enables him to carefully examine every subject and view it from every angle. He is a forceful public speaker and a ready debater. For 12 years he has been a commanding figure in the United States Senate. During that time he has taken part in the consideration of all national legislation, and his position on every public question is known throughout the country.

"He has been a great leader in the fight for the things upon which our party will go before the country with confidence and ask for indorsement.

"It has been urged that the Democratic Party is not a constructive party, but who can review the achievements of the party for the past eight years and not be proud of its glorious record. We have enacted more constructive legislation for the benefit of the entire people of this country within that time than our opponents have passed in a quarter of a century. When we came into power, we found a financial system that had been the breeder of panics for a hundred years, and although there had been repeated efforts made to enact satisfactory legislation, the Republican Party was either unable or impotent to do so. While there was some doubt and some criticism as to the effectiveness of the Federal reserve act when it was enacted, Senator OWEN, to whom more credit should be given than any other man in the Nation, at the head of the Banking and Currency Committee of the Senate, piloted the bill through the Senate of the United States, never in doubt that when it was passed his name would be secure in the financial history of the world. Panics like those of 1837, 1873, 1893, and 1907, are no longer possible. The law stood the stress of the World War and assisted our Nation in not only meeting its own financial requirements, but in lending necessary assistance to our Allies across the sea.

"Having faith in the common people of the country, he believed in the election of United States Senators by the direct vote of the people, which led to the constitutional amendment.

"As everyone can attest, for a quarter of a century, almost single-handed and alone, he fought against strong odds for equal suffrage for the women of the country. With him as the nominee, the women of our State and Nation should rally around our standard with an enthusiasm that no other candidate can arouse.

"He has advocated all progressive legislation, and his vote has been in the interest of humane legislation whenever recorded in the Senate. He early championed the child-labor law, and when one act was found defective and held unconstitutional, he joined with others in securing the enactment of a law that has stood the test of the courts.

"Firmly convinced of the evils of intemperance, he espoused the cause of prohibition and has been one of its leading advocates in the State and Nation.

"Anxious to assist the largest industry of our country, he has actively aided in passing legislation, such as the agricultural-extension act. This law is of particular advantage to farmers. It makes their lands more productive, assists them in marketing their food products, and brings to them that measure of prosperity which is their due.

"From his committee also came that fine piece of constructive legislation known as the farm-loan act, by which the farmers of the Nation can secure long-time loans at low rates of interest, payable on the amortization plan. Foreclosures under this act are unknown and will be negligible. The enactment of this measure had the beneficial effect of lowering the interest rate to farmers and securing for them easier and better terms.

"We have always insisted upon the internal development of our country in such a way as to benefit the plain people, and, with that end in view, appropriations were made to stimulate the building of good roads all over the Nation. If the war had not interfered there would have been more good roads built in the past four years than during the past century.

"It was during the last Cleveland administration that the first appropriation was made to extend the mail service by rural routes to farmers. The service was inaugurated under Postmaster General William L. Wilson. As a result of this experiment, 43,296 of such routes carry mail to millions of people living on the farms of our country.

"Appreciating the necessity of improving public health, he has advocated preventive measures and the establishment of a department of health in our Federal Government. If this legislation is enacted, diseases which have scourged our country in days gone by will be met and conquered. Epidemics will be made impossible.

"In an earnest effort to stimulate education he has advocated and pressed upon the attention of the Senate and the Nation the immense advantage of establishing a department of education. The surprisingly large number of 700,000 men called to the colors during the war who could not read or write emphasizes the need of such legislation.

"Recognized as a close student of financial and economic conditions, he is favorably known to the business world. At the same time he is equally satisfactory to the laboring men of our country, whose cause he has championed. He is alike acceptable to employer and employee.

"For half a century we have been battling against the method of raising revenues with which to pay the expenses of our Government. To place this burden upon the consuming public without reference to earning capacity is indefensible. An amendment to the Constitution authorizing the enactment of legislation providing for an income tax is the result of a political battle waged for many years. Everyone concedes the justness and fairness of such a method of taxation. It places the burden rightfully upon those who have the ability to pay and exempts the woman in the calico dress. When relieved of the burdens incident to the war, these taxes should be reduced to the immediate needs of the Government economically administered. These taxes should be revised and in part reduced now.

"Which of these great constructive measures would the opposition repeal, if intrusted with power? We challenge them to name one.

"The present high prices for all agricultural products and the excellent wages paid for labor are a complete refutation of the old threadbare argument that restoring the Democratic Party to power means low prices and poor wages. Such an argument can never be successfully repeated to an intelligent audience. There was never such an era of prosperity in the history of the country.

"When the war burst upon an unprepared world in 1914, he stood by the chief of our Nation in his efforts to maintain neutrality and prevent our being drawn into it. Ship after ship flying both neutral and American flags carrying American citizens were sent to the bottom of the sea by German submarines in violation of international law. American men, women, and children were murdered and sent to a watery grave. German spies infested our country, causing bridges to be blown up and factories disabled. Public opinion was sought to be stifled through subsidized articles in the public press, and these same agents entered into intrigues for the purpose of involving us in war with our sister Republic on the south and Japan in the Far East. They offered the State of Texas and parts of Arizona, New Mexico, and California as a prize in the event of success. When every effort at a diplomatic settlement had failed, this proud son of Oklahoma, this gallant man of the Nation, stood by the Commander in Chief of the country, and through the dark days that followed the convening of Congress in special session in April, 1917, he gave every assistance in raising and equipping an Army, enlarging and making effective a Navy, and mobilizing the financial and material resources of the Government to overthrow the most despotic autocracy of the world and save liberty for all time.

"There is not an act which was necessary to raise the Army and equip it and provide our soldiers with clothing and munitions and everything to make the Army effective that he did not actively support. No returned soldier, or the father or the mother of one, can point in criticism to any record of Senator OWEN during the World War. Everyone appreciated the necessity of early action upon our part if Paris and the world were to be saved. Delay meant defeat. Our men in millions were thrown across the sea and food, clothing, and munitions were shipped in enormous quantities, enabling our boys to keep the chain encircling Paris from being broken. They won imperishable glory at Chateau-Thierry, St. Mihiel, and the Argonne, and smashed the Hindenburg line. They brought a contemptuous foe to his knees and compelled him to ask for terms of surrender.

"It has been urged that we did not have the constructive ability to enact legislation or the executive ability to conduct a great war. No nation, past or present, has ever raised such an immense Army so quickly and so well equipped, nor has so generously cared for the dependents of soldiers. We enacted a liberal compensation law for the disabled; we provided insurance at a nominal rate; we cared for the loved ones left behind; and we provided for the vocational rehabilitation of soldiers disabled in their country's service. No army was so well fed or clothed, and none returned so morally sound. Now that the war has been won by the loyal, patriotic citizenship of the entire Nation, to all of whom due credit should be given, our opponents claim credit for assisting but refuse to accept the responsibility for any of the mistakes made. Instead of enacting reconstructive legislation, as promised, for the good of the entire country, they are busy with microscopic committees looking for minor errors to criticize, errors committed in the mad rush to make victory certain. The same complaints follow every war, including the Civil War and the Spanish-American War. In our haste to prepare effectively and to save our boys from slaughter, we made large appropriations and many mistakes, but we ended the war gloriously and quickly, saving the lives of perhaps half a million as brave boys as ever wore a uniform or followed a flag to victory.

"The Republicans in the Senate filibustered against the enactment of the necessary appropriation bills last February and March in order to force the convening of Congress in extra session. They outlined an ambitious program. What have they done in the past 10 months to favorably commend them to the country? Not a single notable act has been passed. The Senate, moved by partisanship and personal enmity toward the President, has exhausted the English language in denouncing the peace treaty containing the covenant of the League of Nations. When in Washington last March a draft of the covenant was submitted to Senators for criticism, and changes were made to meet their views upon the President's return to Europe. President Wilson won such a notable victory that he was not only recognized as the first citizen of our Republic but the leading exponent of popular government throughout the world. His place is secure in history. His critics can not detract from the estimate future historians will justly place on his services. If the covenant had contained nothing else but the articles providing for disarmament, for the settlement of international disputes, and the forbidding of secret treaties, they would make for the peace of all countries, reduce the expense of government, and entitle him to the lasting gratitude of mankind.

"As old as history, every nation has been endeavoring to expand its commerce and enlarge its trade relations. We have had trained diplomats and consular agents in every important world city cultivating the friendship of all countries and seeking the avenues through which to enlarge our trade. Within the past few years we have spent hundreds of millions of dollars on our merchant marine in order that the American flag may fly in every port and American bottoms carry our surplus products from the farm, factory, and mine. The war made us the leading financial nation of the world. We had the world trade within our grasp. The great opportunity was ours. We had the confidence of every nation. If the treaty had been ratified at once there would have followed such an expansion of trade and era of prosperity as has never been experienced in our history.

"The spirit of unrest, due to many causes, has been accentuated by the nonratification of the peace treaty and the intemperate criticisms attacking the motives of the President in an effort to prejudice the people against him, as well as the failure to promptly enact reconstructive legislation as promised.

"This record of our distinguished Senator speaks for itself. Let Oklahoma take the lead in presenting it to the people of the Nation. It will challenge the admiration of every loyal man and woman in America and will bring to him the support of forward-looking, liberty-loving people everywhere.

"A deep student of the principles of our Government, a firm believer in equal rights to all and special privileges to none, and a believer in legislation from the standpoint of the plain people of the country, no other man so typically represents the principles advocated by Jefferson, the founder of our party. They were fought for with the utmost tenacity and courage by Andrew Jackson.

"We have had many worthy men for President of the United States. Some of them have made enviable records. When history calmly reviews the record of the present administration and takes into account the long catalogue of constructive legislation enacted for the benefit of the entire citizenship of this great Nation, the services of Woodrow Wilson will be fully appreciated. The record will show how a Nation in 19 months raised and equipped an Army of more than 4,000,000 men and threw over half of them across the sea, bringing the gigantic conflict to a speedy end. In my judgment no other President will compare with him in ability, courage, leadership, or patriotism. He has led this Nation to the highest pinnacle of fame. We must see to it that his successor shall not suffer by contrast."

Mr. KAHN. Will the gentleman from Mississippi use some more of his time?

Mr. QUIN. I yield to the gentleman from Nevada [Mr. EVANS].

The CHAIRMAN. The gentleman from Nevada is recognized.

Mr. EVANS of Nevada. Mr. Chairman, approach compulsory universal military training in a practical and business way, fully realizing that transportation is now used to capacity, without adding the burden of carrying men in training twice across the country, while they are needed for useful production at home. Save uniforms and maintenance. Do not urge expenditure of our Nation's energy and money to gratify the vanities of war ideas under the guise of necessity. Your Nation does not approve large war preparations. Your people are not enthused, nor do they agree with requirements stated by military men. We must direct all our energies to practical improvements. We have never in our history needed compulsory military training; we need it now less than ever before.

The war is over; the world is heartsore at the appalling souvenir of debt which will exist a hundred years. We must pay for this war before planning another. All human beings must bear their share. None can escape the burden. The people are hopeful and willing to begin reducing this colossal obligation by returning to the business of peace and production. Compulsory universal military training is a long step toward the thin line between peace and war, upon the wrong side of which no nation so committed has ever returned to peaceful ways without frightful loss. During the years of 1914, 1915, 1916, noting Germany's example, the American public were not disposed to give the conduct of our Nation to the Army. Nineteen hundred and nineteen finds a stronger determination that Army insanity shall not be repeated here. Nineteen hunderd and twenty will find us more than ever determined against large war measures. Our country desires instant return to a basis of peace, with prompt and steady reduction of war debt. War preparations and achievements instantly perish while intensive arts of peace forever live. We can not now devote valuable time to elaborate systems of war, tactics, maneuvers, and ordnance, which grow obsolete upon completion and instantly decay. Your Nation's strength is in the minds of men and can not be estimated.

Statisticians inform us that 2,000,000 boys of our recent war were recruited from the farms, and that only 1 per cent of whom have returned to the farm, clearly proving that action in war surely tends to shatter and destroy the home instinct upon which your Nation must depend for enduring power. Will those farmers indorse taking away the remaining sons? Your reliance for future strength and security founded upon anything except the solid rock of home is ephemeral and will decay. In the recent war, as in all wars, Europe's 45 years of developed technical preparation and experience was abandoned at the first Battle of the Marne and new methods adopted. With a nucleus of Annapolis, West Point, and a Regular Army of less than 100,000 men we declared a state of war and achieved what to-day appears a miracle.

Reduce the twenty-five billion debt by curtailing expense, particularly the expense of training, which can better be acquired another way without governmental cost. Make appeal to physical training attractive and competitive. The ideal plan for proper physical and mental development is at home, under the vigilant eye and loving interest of parents and neighbors, within

reach of every boy and man in America, with direction of the sheriff or some authorized county official, adopting the Army setting-up exercises and drilling. This plan is safer for health, furnishing superior physical and mental training, saving at least $1,000,000,000 annually to apply upon the enormous war debt, besides adding $1,000,000,000 per year to production; but, regardless of cost, there is a better way for training boys than compulsory. Create a nobler standard, without training camps and military un-American caste; let them be trained in grammar schools, high schools, and colleges; that discipline is for common good and safety of all, not to cheapen a mother's sacrifice of her son to the chances of war, greater for a private without the honors which constantly comes to an officer. Train their bodies and their minds to efficient peace and intensive work.

The scar that war burned into all brave hearts was called "salute." Reorganize the Army, recognize equality before the flag of officers and men who go side by side equally and bring it back unstained. Worth-while officers and men join in aversion to an un-American condition of inequality, degrading to all; away with compulsory universal military training, fostering favoritism, covering with confusion and shame the high character of all valiant men, great in war, yes; but not on account of rank, but in spite of it; proven by returning useful citizens to private life.

The next war maniac of history will be promptly hung and men who vote vast war plans will be retired. The last war maniac became crazed because the philosophers and scientific men of his nation trusted to war preparedness more than to the human, physical, and mental capacity. No war preparation will endure beyond the making. Battleships are out of date before completion. War glory has vanished from the minds of men, leaving only a fevered memory of sleepless nights and days of horror, ravaged homes and tortured death, women and children without hope, moaning in agony.

There are better things in the lives of mature men than planning force and compulsion upon bright and hopeful boys. American boys without the compulsory military training traveled 3,000 miles and met life-trained men, who were considered the crack troops of all the world; our boys drove those veteran soldiers off the field, and only the armistice saved driving them from the earth. Sergt. York, with more love of home than for military, broke all trained-soldier records. You will create invincible protectors of your Nation by inspiring in the hearts of men devotion to their homes.

Our Nation worked its way along through dangerous periods and perilous times while we were weak and dangers assailed from many directions. We must not abandon the plain and well-tried rules which were our safety when our numbers were few. The cautions and conditions which brought strength will preserve and increase that power. No sane Government has occasion to and therefore does not fear us, because we do not threaten their safety; our record satisfies them of honest intent to respect their rights to life, liberty, and the pursuit of their destiny. Where there is no fear there can be no hate nor suspicion.

I ask unanimous consent, Mr. Chairman, to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. QUIN. How much time have I remaining, Mr. Chairman?

The CHAIRMAN. The gentleman has nine and one-half minutes.

Mr. QUIN. I yield five minutes to the gentleman from Texas [Mr. BLANTON] and the rest of my time to the gentleman from Illinois [Mr. JOHN W. RAINEY].

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] is recognized for five minutes.

Mr. BLANTON. Mr. Chairman, concerning the present railway crisis I read the following copy of a letter which I sent to the President:

WASHINGTON, D. C., *February 12, 1920.*

MY DEAR MR. PRESIDENT: May I express the sincere hope that you will not permit Mr. Hines to accede to present railroad demands. A show-down must come sooner or later, and now is the opportune time. The American people are ready for it.

Within the past few months I have received over 5,000 communications from prominent Democrats over the United States, some from every congressional district, asserting that if the administration truckles to another demand from organized labor they will no longer vote the Democratic ticket. They are of the opinion that Congress should never have passed the Adamson law, that Director McAdoo should never have paid over the $754,000,000, that Director Hines should never have paid over the extra $67,000,000, that he should never have paid over the additional millions later granted by him, and that a proper antistrike clause should be placed in the railroad bill.

Of course, we all know that Republicans in Congress have done just as much if not more truckling to organized labor demands as have Democrats, but the whole blame is put on the Democratic administration by the general public. Texas is ordinarily 95 per cent Democratic. If there is any more truckling it will take unusual efforts for us to carry it.

But this is more than a mere party question. Americans all over the United States, Republicans and Democrats alike, are just as much opposed to an autocracy of labor as they are to an autocracy of capital. The Baltimore Star for February 10, 1920, cites five Baltimore & Ohio Railway engineers who received $503.10 per month and conductors who received $351.60 per month. I can give you the names of several unskilled shopmen in Temple, Tex., who received more than $500 in one month. We must profit by Gov. Coolidge's election as an expression of American decision.

Very respectfully and cordially,

THOMAS L. BLANTON.

TO THE PRESIDENT,
The White House.

I also have a letter here which I have received from Mr. E. H. Horton, president of the Grand Division, Order of Railroad Station Agents of the United States of America, dated Washington, D. C., February 12, 1920, wherein he says:

[Grand Division, Order of Railroad Station Agents, Earl H. Morton, president, Hotel Continental, Washington, D. C.; Wilbur L. Heacox, grand secretary, Manor, Pa.; W. H. McCloskey, assistant grand secretary, Pittsburgh, Pa.; J. H. Weir, grand treasurer, Canton, Mass.; Central Headquarters, Blackstone Building, 345 Fifth Avenue, Pittsburgh, Pa.; Eastern Headquarters, Paddock Building, 101 Tremont Street, Boston, Mass.]

WASHINGTON, D. C., *February 12, 1920.*

HON. THOMAS L. BLANTON,
House Office Building, Washington, D. C.

MY DEAR SIR: I am inclosing a few thoughts entitled "The Truth About the American Federation of Labor," in which I mentioned your name.

You have my permission to make such use of this as you see fit.

Very truly, yours,

E. H. MORTON, *President.*

THE TRUTH ABOUT THE AMERICAN FEDERATION OF LABOR.

An American Federation of Labor circular says: "The free institutions of our country are menaced." They certainly are, and by no other trust, corporation, or group of individuals than the American Federation of Labor itself. It is time records and history of that highly organized body were aired to the general public. It would be advisable that not only aspirants for Congress should have their "records analyzed," as Mr. Gompers suggests, but even Mr. Gompers himself and his highly paid I. W. W. organizers.

Further quoting from the above questioned article we read: "It is intolerable that a people who spared no cost to make the world safe for democracy should be forced to submit to any restriction of the glorious liberties inherited from the founders of our Nation."

This from men in industries who help make "the world safe for democracy" by receiving a daily stipend of from $6 to $20 and $30 a day in wages. And this is called "patriotism." In order that they should not "be forced to submit to any restriction, they walked out on strikes and with threats of strikes threatened to disrupt the country's plans for winning the war. So disastrous and dangerous did these "lovers of freedom" become that Congress had to pass legislation making it unlawful to strike for the duration of the war. Fine loyalty, that. If their efforts had been met by any less restriction our democracy to-day would have been an autocracy of radicalism. Why has not the report of the hearings before the Senate Education and Labor Committee last November, 1919, been aired to the public? There it was shown in black and white that the then striking steel "toilers" were receiving $10, $20, and $30 a day, while employees of the United States Government received less than $10. Yet because one employee out of every five was dissatisfied with his pay envelope, a strike was organized and maintained by Mr. Gompers's paid menial who had formerly been an I. W. W. advocate, but who had undergone, as he said, "a change of heart."

The circular further states that "many Congressmen have endeavored to enact legislation providing for compulsory labor." When organized labor, 3,000,000 strong, threatens to discontinue the production and disrupt the distribution of commodities and necessities required by the general public of this country, it is high time legislation was enacted demanding "compulsory labor." Further, the American Federation of Labor says, "Despite the patriotism and sacrifices of the masses of labor of America during the World War the effort has been made to repress free association, free speech, and free press." The "patriotism" and "sacrifice" (?) of the masses we have already commented upon. If "free association" means right to strike at any time on little or no provocation, if it means the disintegration of law and order, as shown in the Boston police strike, if "free speech" and "free press" means the utterance and issuing of propaganda of a misleading and deceptive character, then it is indeed time Congressmen with the "backbone" of a BLANTON and the fearlessness of Gov. Coolidge of Massachusetts "repressed" such freedom.

This federation says "Constructive legislation has never been so essential to secure the defeat of labor's enemies and the election of its friends and supporters." Does this mean the American Federation of Labor—3,000,000 strong—wishes to become the autocratic power, with only men pledged as their loyal supporters in Congress legislating for the whole people? Are these the "lovers of freedom" who desire such stupendous self-interest in the United States Government? This is something that even organized capital in its palmier day never did—come out boldly and publicly announce a political campaign whereby only its "friends and supporters" would control the Government of the country. Such temerity and effrontery on the part of the American Federation of Labor deserves the awakening of our citizens to this startling statement and all it signifies. As Speaker GILLETT so ably expressed it, "It is a question whether the combinations of the employed are not more threatening to our business life than those of the employers." It is more than that. It has ceased to be a "question" in any thinking and informed person's mind. It is a fact as evinced by this exposure of the undercurrent of the American Federation of Labor systematic campaign of "strikes and threats of strikes," for the past five years.

An effort was made to adjust labor difficulties fairly and justly by the assembling of a labor conference called by the President at Washington in November, 1919. Those who read recall it was divided into three groups—labor, employers, and the public. At that time labor had the full support and sympathy of the public group. Not satisfied by this open and fair arrangement, nor by the friendship of the public, labor, headed by Mr. Gompers, injected into this conference a

radical element which not only lost him the support of the public group, but succeeded in disrupting the whole conference and so neutralized all efforts at a "just and right" settlement of labor's problems. It is a question now in our minds whether the American Federation of Labor had the success of this conference really at heart; whether they truly desired a peaceful settlement of labor's problems or whether even then they were not anticipating such a spectacular political coup d'état as they have just committed.

Justice Stafford, of the District Supreme Court, says: "The public has been the scapegoat on all labor controversies. The public must take things into its own hands and organize for its own protection."

If organized labor is, as it says, "partisan to principles—the principles of freedom, of justice, and of democracy," why does it launch a campaign to defeat those very principles—a campaign with a slogan of "stand faithfully by our friends and defeat our enemies," which being interpreted means, "Put in Congress only those men who——

The CHAIRMAN. The time of the gentleman from Texas has expired. The gentleman from Illinois [Mr. JOHN W. RAINEY] is recognized for four and one-half minutes.

Mr. JOHN W. RAINEY. Mr. Chairman, I ask unanimous consent that I may revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. JOHN W. RAINEY. I desire to read for the information of the House a letter from Swift & Co.:

SWIFT & CO.,
UNION STOCK YARDS,
Chicago, February 7, 1920.

Congressman JOHN W. RAINEY,
Washington, D. C.

DEAR SIR: In the course of a debate on the Agricultural appropriation bill on Thursday, February 5, Congressman YOUNG of Texas and Congressman TINCHER, of Kansas, made some remarks about the packing business which put that industry in an entirely wrong light.

Mr. YOUNG stated that the farmers in his section, although located only 60 miles from Fort Worth, Tex., shipped their cattle to St. Louis, Chicago, and Kansas City in order to get a fair price, and intimated that this was due to unfair practices on the part of the packers who owned plants in Fort Worth as well as in these other cities.

It is undoubtedly true that cattlemen in Texas frequently ship their fat stock to St. Louis and Kansas City, but it is questionable whether they receive any better net price by so doing. It is also true that the local market for the best grade of beef sold at Fort Worth is to a certain extent restricted. If any great quantity of very heavy cattle were marketed in Fort Worth, a large part of the resulting beef would have to be shipped to distant markets. In any event, competition is bound to keep the price at Fort Worth in line with prices in other markets.

So far as Swift & Co. is concerned, however, we stand ready to prove that we have paid for fat cattle and all other cattle at Fort Worth every cent that these cattle have been worth as compared with the prices we have been able to get for the resulting meats and by-products. We further proclaim that there has been no manipulation of prices of any kind and that competition forces us to pay for cattle all that they are worth in whichever market we buy them.

Mr. YOUNG says that the farmers have to sell their cattle at whatever price the packers see fit to give, and that they, the packers, have bankrupted thousands of cattlemen and driven them into other businesses.

The truth is that the packers can not and do not arbitrarily determine the price of cattle, because they have to be governed, first, by the price obtainable for meat and by-products, and, second, by the competition of other packers. We do not and can not control the price of meat in any way; it fluctuates from week to week and from day to day.

During the drop in cattle prices the past year wholesale meat prices received by Swift & Co. have dropped fully as much as the price of live cattle. As a matter of fact Swift & Co. lost money on its total cattle operations during 1919. The profit on our total business of all kinds was less than 7 per cent on investment, and only 1¼ cents in each dollar of sales. Do these facts, which may be readily verified, justify Mr. YOUNG in making his claim that the packers have "bankrupted" thousands of cattlemen?

Mr. YOUNG and Mr. TINCHER both referred to the packers as having a monopoly. Sooner or later all charges of this sort are bound to cease, because they are not in accordance with the facts. Swift & Co. competes with every other packer in the purchase of live stock and in the sale of meats, and has no agreement or understanding with other packers. We challenge Mr. YOUNG or Mr. TINCHER, or anyone else interested in this problem, to show that there is any form of combination among the packers to affect prices.

Mr. YOUNG's statement that the packers have obtained control over the cotton-oil and peanut-oil markets is ridiculous. Swift & Co. manufactures no peanut oil, and our proportion of the total business in cotton oil is so small that there is no suggestion whatever of monopoly power. Even the Federal Trade Commission reports that Swift & Co. produces only 4.6 per cent of the crude cotton oil of the country and only 10.3 per cent of the refined cotton oil.

The statement that the packers are trying to drive the grocers out of business is equally ridiculous, especially at a time when the large packers have just agreed with the Attorney General to stop handling grocery lines. The five large packers had been handling only about 3 per cent of the total wholesale grocery business of the country even before this agreement was entered into.

We believe that Members of the House of Representatives will be interested in these facts, and we are sure that their sense of fair play will permit you to controvert the statements of Mr. YOUNG and Mr. TINCHER by introducing this letter into the RECORD if you are interested in doing so.

Very truly, yours,

LOUIS F. SWIFT.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The time of the gentleman from Mississippi [Mr. QUIN] has also expired. The Chair will recognize the gentleman from California [Mr. KAHN], who has seven minutes remaining.

Mr. KAHN. Mr. Chairman, I yield a quarter of a minute to the gentleman from Massachusetts [Mr. TINKHAM].

Mr. TINKHAM. Mr. Chairman, I desire to ask unanimous consent to revise and extend the remarks I recently made.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the remaining portion of the letter I was reading from be printed in the RECORD.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks as indicated. Is there objection?

Mr. CARSS. I object.

The CHAIRMAN. Objection is made.

Mr. KAHN. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. ROGERS].

The CHAIRMAN. The gentleman from Massachusetts is recognized for five minutes.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ROGERS. Mr. Chairman, I have asked this unanimous consent for the purpose of incorporating in the RECORD the very remarkable correspondence which has been published in the newspapers to-day between the President of the United States on the one hand and the Secretary of State on the other.

Mr. BLANTON. Mr. Chairman——

Mr. ROGERS. I do not yield to the gentleman.

Mr. BLANTON. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. The request of the gentleman from Massachusetts [Mr. ROGERS] did not carry with it the right to put that kind of material in the RECORD, and I shall object to his putting in the correspondence between Mr. Lansing and the President.

Mr. ROGERS. I asked unanimous consent to extend my remarks generally. The gentleman from Texas or any other gentleman had the right to inquire upon what subject, if he wished. He did not seek to exercise that privilege, and he has lost his right to object.

Mr. BLANTON. I make the point of order, Mr. Chairman, that under the request preferred by the gentleman from Massachusetts he does not have the right to put in this RECORD under unanimous consent the correspondence between the President and Mr. Lansing when objection is raised, unless it is specially agreed to here at the time, and I will state that I object to the insertion of that matter in the RECORD.

The CHAIRMAN. The Chair overrules the point of order, for the reason that the objectionable matter, if it is objectionable, has not been placed in the RECORD, and therefore no point of order against it is proper at this time.

Mr. BLANTON. I object to it going in.

Mr. ROGERS. The gentleman can not object.

Mr. CANNON. The gentleman can object, but the objection does not amount to anything.

Mr. ROGERS. Mr. Chairman, I am very much surprised at the gentleman from Texas, who considers himself one of the leaders on the Democratic side of the House. Earlier in the day he saw fit to interpose an objection when I asked permission to print the correspondence between the Secretary of State and the President. I can not conceive how any gentleman on the Democratic side can object to having incorporated in the RECORD documents of this kind. Can it be that they regard these documents as so discreditable to the administration of which they are a part that they are not willing to have publicity attach to them? I do not know what other motive there can be. The gentleman from Texas probably uses up more paper by his remarks and extensions of remarks than any other Member of this House.

Mr. BLANTON. Mr. Chairman, I object to the gentleman bringing me into his discussion.

Mr. ROGERS. The gentleman from Texas brought himself in.

Mr. BLANTON. Mr. Chairman, a point of order. The gentleman has no right to bring me into his discussion.

Mr. SMITH of Idaho. He did not mention the gentleman's name.

Mr. BLANTON. He did mention my name. I put him on notice now that if he puts that Lansing correspondence in the RECORD no other extension of remarks is going to be made by any gentleman on his side of the House—not another one.

Mr. ROGERS. Mr. Chairman, I ask to be protected in the use of my time.

The CHAIRMAN. The gentleman from Massachusetts [Mr. ROGERS] is entitled to the floor.

Mr. GOOD. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. GOOD. I wish to ask the gentleman from Texas if he is objecting to the company in which the gentleman from Massachusetts has placed him in associating him with the President and the Secretary of State?

Mr. BLANTON. No, sir; I am not. I object to his bringing me into his partisan political discussion that he is bringing before the House now.

Mr. ROGERS. Mr. Chairman, I should like to find out how much of my time is left after the gentleman from Texas has sat down?

The CHAIRMAN. The gentleman has two minutes remaining.

Mr. ROGERS. I want to state to this House that these documents to which I have alluded, and which I had hoped to discuss more fully, are historical documents. They are not merely of the moment. They are not of to-morrow or of next month or next year. They are permanent history, which the House ought to be able to turn to at any moment in order to refresh its memory as to what was said. Early in the European war the gentleman from Ohio [Mr. FESS] adopted the practice, which I thought was a most admirable one, of putting into the RECORD from week to week or from month to month the great State papers that passed between this country and the other countries of the globe, making that material readily available to anyone who might desire to consult it. My purpose is precisely the same. Whether we agree with the President of the United States or the Secretary of State is not the question. Both sides are presented in this correspondence. I desire simply to have the country put on notice that this correspondence can be found readily at any moment when anyone desires to consult it. I suspect that every man in this House has the same viewpoint upon the merits of the controversy, but it is not my purpose in making this request to deal at all with the merits of the case.

Mr. DENT. Will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Alabama.

Mr. DENT. I am not making any objection.

Mr. ROGERS. I understand.

Mr. DENT. But where does the gentleman expect to get the original documents to put in the RECORD? Does he get them from the newspapers?

Mr. ROGERS. The documents which were published in the newspapers to-day are said to have been given out by the State Department last evening. I have heard no question raised as to their authenticity, and I am content to accept them as a correct statement of the actual correspondence that passed between the two gentlemen.

The CHAIRMAN. The time of the gentlman from Massachusetts has expired.

[The correspondence referred to will be found in the Senate proceedings for Saturday, Feb. 14, 1920, pp. 2882–2883.]

Mr. KAHN. Mr. Chairman, I ask unanimous consent to insert in the RECORD two or three letters and a statement printed in a newspaper concerning the activities of Gen. Pershing at the front. Last October the distinguished gentleman from Ohio [Gen. SHERWOOD] made the statement that Gen. Pershing was never at the front line. I have here letters from soldiers who saw him at the front line while under fire.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD by inserting therein two or three letters and a statement relative to the military service of Gen. Pershing, which statement has been published in the newspapers. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object, I will state that under ordinary circumstances I would not do so; but this morning the gentleman from Massachusetts [Mr. ROGERS] asked permission to insert the Lansing-Wilson correspondence. I objected and others objected. I rose a moment ago, being recognized under general debate——

Mr. WALSH. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The regular order is, Is there objection?

Mr. BLANTON. I object.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. KAHN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. WALSH having taken the chair as Speaker pro tempore, Mr. HUSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12467, the Military Academy bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, the following leave of absence was granted:

To Mr. MINAHAN of New Jersey, one day, on account of important business.

To Mr. MARTIN, indefinitely, on account of illness.

ORDERLY PROCEDURE OF THE HOUSE AND THE RECORD.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Mr. Speaker, I rise to a point of order concerning the orderly procedure of the House and the RECORD. This morning the gentleman from Massachusetts [Mr. ROGERS] made a unanimous-consent request to place in the RECORD the Wilson-Lansing correspondence. At the time I and other Members objected. Later on, a few minutes ago, in Committee of the Whole, he was granted time by the chairman of the Military Affairs Committee, under general debate, and rose in his place and asked to be permitted to extend his remarks in the RECORD. I submit that that meant remarks he was to make under general debate, which would be made under the rules of the House, and which over objection would not admit the placing in the RECORD of the Wilson-Lansing correspondence. Knowing the rules of the House, I did not object. Immediately after unanimous consent was granted the gentleman from Massachusetts indicated that under that grant he intended to place in the RECORD the Lansing-Wilson correspondence, to which objection was made this morning. I immediately rose and called the attention of the Chairman of the committee to the facts above stated and raised the point of order in the committee that under that state of facts existing it was not proper for the gentleman from Massachusetts to place in the RECORD the Wilson-Lansing correspondence.

I submit, Mr. Speaker, that under the rules of the House controlling such matters and under the circumstances as they exist the gentleman from Massachusetts is not entitled to place in the RECORD the Wilson-Lansing correspondence.

The SPEAKER pro tempore. The Chair will state that the extension of remarks in the RECORD in the Committee of the Whole is within the control of the committee. The House has no control over the matter until it has been inserted in the RECORD, and when it has been inserted by permission in Committee of the Whole House on the state of the Union, then the House has control of it only when a motion is made to expunge it from the RECORD.

Mr. BLANTON. Mr. Speaker, I desire to state that if a distinguished Member of the House, such as I took the gentleman from Massachusetts to be, will take advantage of the unanimous-consent permission obtained under the circumstances stated, it will force me hereafter to object to all unanimous-consent requests made from his side of the House.

ADJOURNMENT.

Mr. KAHN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 27 minutes p. m.) the House adjourned until Monday, February 16, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication from the chairman of the Lincoln Memorial Commission submitting a proposed paragraph of legislation for inclusion in the sundry civil appropriation bill (H. Doc. No. 649), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. McKENZIE, from the Committee on Military Affairs, to which was referred the bill (H. R. 12507) to authorize the Secretary of War to transfer certain surplus motor-propelled vehicles and motor equipment and road-making material to various services and departments of the Government, and for the use of the States, reported the same without amendment, accompanied by a report (No. 634), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GANDY, from the Committee on the Public Lands, to which was referred the bill (H. R. 11398) for the creation of the Custer State Park game sanctuary, in the State of South Dakota, and for other purposes, reported the same with amendments, accompanied by a report (No. 635), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KELLY of Pennsylvania, from the Committee on Claims, to which was referred the bill (H. R. 6092) for the relief of the McClintic-Marshall Construction Co., reported the same without amendment, accompanied by a report (No. 633), which said bill and report were referred to the Private Calendar.

Mr. FULLER of Illinois, from the Committee on Invalid Pensions, to which were referred sundry bills of the House, reported in lieu thereof the bill (H. R. 12530) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, accompanied by a report (No. 632), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 12425) for the relief of Orlando Ducker, and the same was referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FULLER of Illinois: A bill (H. R. 12530) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. SANDERS of Louisiana: A bill (H. R. 12531) authorizing and directing the Secretary of War to transfer free of charge to the Department of the Interior certain motor-propelled vehicles; to the Committee on Military Affairs.

By Mr. ROSE: A bill (H. R. 12532) authorizing the Secretary of War to donate to the city of Williamsburg, Blair County, Pa., one German cannon or fieldpiece, or other war trophies; to the Committee on Military Affairs.

Also, a bill (H. R. 12533) authorizing the Secretary of War to donate to the city of Tyrone, Blair County, Pa., a German cannon or fieldpiece, or other war trophies; to the Committee on Military Affairs.

Also, a bill (H. R. 12534) authorizing the Secretary of War to donate to the city of Johnstown, Cambria County, Pa., a German cannon, fieldpiece, or other war trophies; to the Committee on Military Affairs.

By Mr. DARROW: A bill (H. R. 12535) authorizing the Secretary of War to donate to Lieut. Henry H. Houston Post No. 3, the American Legion, Germantown, Philadelphia, Pa., two German cannon or fieldpieces, carriages, and equipment, with a suitable number of shells; to the Committee on Military Affairs.

By Mr. TREADWAY: A bill (H. R. 12536) authorizing a bond issue for the benefit of the veterans of the World War; to the Committee on Ways and Means.

By Mr. KINKAID: A bill (H. R. 12537) to provide for an examination and report on the condition and possible irrigation development of the Imperial Valley, Calif.; to the Committee on Irrigation of Arid Lands.

By Mr. MASON: Resolution (H. Res. 463) requesting an investigation of the State Department; to the Committee on Rules.

By Mr. TINKHAM: Resolution (H. Res. 464) authorizing an investigation into the price of sugar; to the Committee on Rules.

By Mr. SABATH: Joint resolution (H. J. Res. 293) directing the Shipping Board not to sell certain ships and authorizing the Secretary of the Treasury, Secretary of Commerce, and the chairman of the Shipping Board to adopt rules and regulations permitting the purchase, carrying, serving, and sale of alcoholic beverages on vessels registered in foreign trade flying the American flag; to the Committee on the Merchant Marine and Fisheries.

By Mr. KLECZKA: Joint resolution (H. J. Res. 294) authorizing the Secretary of War to bring back on Army transports from Danzig, Poland, residents of the United States of Polish origin who were engaged in the war on the side of the Allies and associated powers; to the Committee on Military Affairs.

By Mr. MOTT: Concurrent resolution (H. Con. Res. 51) expressing regret at the resignation of Robert Lansing; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS of Pennsylvania: A bill (H. R. 12538) for the relief of George W. Cook; to the Committee on Military Affairs.

By Mr. EDMONDS: A bill (H. R. 12539) for the relief of the owner of Lock No. 15, Cornwall Canal, Ontario, Canada; to the Committee on Claims.

Also, a bill (H. R. 12540) for the relief of Ruperto Vilche, of Guantanamo, Cuba; to the Committee on Claims.

Also, a bill (H. R. 12541) to reimburse Capt. H. E. Lackey, United States Navy, for checkage against personal account; to the Committee on Claims.

By Mr. FORDNEY: A bill (H. R. 12542) granting a pension to David F. Benson; to the Committee on Invalid Pensions.

By Mr. HICKS: A bill (H. R. 12543) for the relief of the Commonwealth & Dominion Line (Ltd.); to the Committee on Claims.

By Mr. HOUGHTON: A bill (H. R. 12544) granting a pension to Ruth C. Peterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12545) granting a pension to Philo Lewis Kelsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12546) granting a pension to Ella G. Burt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12547) to correct the muster of William Ramsey; to the Committee on Military Affairs.

By Mr. KINKAID: A bill (H. R. 12548) granting an increase of pension to Oscar F. Scovill; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 12549) granting an increase of pension to Clark P. Hoskins; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 12550) granting a pension to Harry L. Evans; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 12551) granting a pension to Zoria B. McCrary; to the Committee on Invalid Pensions.

By Mr. RANDALL of Wisconsin: A bill (H. R. 12552) granting a pension to Harry George Castello; to the Committee on Pensions.

By Mr. SCHALL: A bill (H. R. 12553) granting a pension to George A. Brewsaugh; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 12554) granting an increase of pension to Harry Goff; to the Committee on Pensions.

By Mr. THOMAS: A bill (H. R. 12555) granting an increase of pension to Frances W. Blakey; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: Resolution (H. Res. 460) authorizing the payment of $1,200 to Norman E. Ives for extra and expert services to the Committee on Invalid Pensions during the first and second sessions of the Sixty-sixth Congress; to the Committee on Accounts.

Also, resolution (H. Res. 461) authorizing the payment of $1,200 to H. M. Vandervort for extra and expert services to the Committee on Invalid Pensions during the first and second sessions of the Sixty-sixth Congress; to the Committee on Accounts.

By Mr. SELLS: Resolution (H. Res. 462) authorizing the payment of $1,200 to Wayne W. Cordell for extra and expert services rendered to the Committee on Pensions during the first and second sessions of the Sixty-sixth Congress; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1546. By the SPEAKER: Petition of the Wallace (Idaho) Board of Trade, relative to appropriation for roads, etc.; to the Committee on Appropriations.

1547. Also, petition of the national headquarters of Private Soldiers and Sailors' Legion of the United States of America, opposing the sale of the former German ships, etc.; to the Select Committee to Investigate the Shipping Board.

1548. Also, petition of A. F. Niswonger, pastor, of Terre Haute, Ind., relative to a change in the preamble of the National Constitution, etc.; to the Committee on Revision of the Laws.

1549. By Mr. CAREW: Petition of the Rotary Club of the city of New York, relative to the increase in salaries of the Customs Service, etc.; to the Committee on Ways and Means.

1550. Also, petition of the Religious Society of Friends of New York and Brooklyn, relative to military training, etc.; to the Committee on Military Affairs.

1551. By Mr. FULLER of Illinois: Petition of the Painters and Decorators' Local Union of Rockford, Ill., opposing the antisedition bills now pending; to the Committee on the Judiciary.

1552. By Mr. GALLIVAN: Petition of Charles Salvin and 100 others opposing the sale of the ships of the former German fleet by the Shipping Board; to the special committee of investigation for the Shipping Board.

1553. By Mr. KENNEDY of Rhode Island: Resolutions of Division 17, Ladies' Auxiliary, Ancient Order of Hibernians, of Valley Falls, R. I., protesting against any modification or compromise on the Lodge reservations to the peace treaty; to the Committee on Foreign Affairs.

1554. By Mr. LINTHICUM: Petition of H. M. Rowe, jr., of Baltimore, Md., opposed to universal military training; to the Committee on Military Affairs.

1555. Also, petition of Edwin Dixon and John D. Bowers, custom inspectors of Baltimore, Md., relative to certain legislation, etc.; to the Committee on the Post Office and Post Roads.

1556. Also, petition of the C. M. Kemp Manufacturing Co., of Baltimore, Md., indorsing House bill 11984; to the Committee on the Post Office and Post Roads.

1557. Also, petition of the Yeast Workers' Local Union, No. 323, of Baltimore, Md., opposing the Sterling-Graham bills, etc.; to the Committee on the Judiciary.

1558. Also, petition of the Maryland Association of the Baking Industry, the Baltimore Chamber of Commerce, the Baltimore Flour Club, and the C. A. Gambrill Manufacturing Co., all of Baltimore, Md., relative to the wheat guaranty, etc.; to the Committee on Agriculture.

1559. Also, petition of J. M. Easter, president of the Daniel Miller Co., of Baltimore, Md., favoring the railroad bill, etc.; to the Committee on Interstate and Foreign Commerce.

1560. Also, petition of the City Baking Co., of Baltimore, Md., relative to the guaranty of the price of wheat, etc.; to the Committee on Agriculture.

1561. By Mr. MacGREGOR: Petition of the Queen City Lodge, No. 16, of New York City, opposing the Graham-Sterling bill now pending, etc.; to the Committee on the Judiciary.

1562. Also, petition of the Buffalo Master Bakers' Association, of Buffalo, N. Y., relative to the wheat guaranty bill introduced by Senator Gronna; to the Committee on Agriculture.

1563. Also, petition of the Jamaica Board of Trade and the International Brotherhood of Blacksmiths and Drop Forgers and Helpers, of Buffalo, N. Y., opposing the Esch-Cummins railroad bill now pending, etc.; to the Committee on Interstate and Foreign Commerce.

1564. Also, petition of the Witteman Co. of Buffalo, N. Y., relative to House bill 11984; to the Committee on Patents.

1565. By Mr. McLAUGHLIN of Michigan: Petition of the Leelanau County National Farm Loan Association, in favor of the Smoot bill (S. 2426), to repeal section 16 of the act of Congress approved July 17, 1916, known as the Federal farm-loan act; to the Committee on Banking and Currency.

1566. By Mr. MEAD: Petition of 400 ex-service men of Buffalo, N. Y., indorsing the universal military training bill now pending; to the Committee on Military Affairs.

1567. Also, petition of citizens of Buffalo, N. Y., favoring the passage of House bill 1112; to the Committee on the Judiciary.

1568. Also, petition of the International Association of Bridge and Structural Iron Workers, Local No. 6, of Buffalo, N. Y., opposing the Graham-Sterling bills now pending, etc.; to the Committee on the Judiciary.

1569. Also, petition of the Queen City Lodge No. 16, A. A. of I. S. and T. W., of Buffalo, N. Y., protesting against the passage of the Graham-Sterling bill; to the Committee on the Judiciary.

1570. Also, petition of R. W. Jones & Son, of Buffalo, N. Y., opposing the Gronna bill, relative to the United States Grain Corporation; to the Committee on Agriculture.

1571. Also, petition of the Jamaica Board of Trade, opposing the Esch-Cummins bill, etc.; to the Committee on Interstate and Foreign Commerce.

1572. By Mr. O'CONNELL: Petition of John P. Hays and others, of Brooklyn, N. Y., against the sale by the Shipping Board of ships of the former German fleet, etc.; to the special committee of investigation for the Shipping Board.

1573. Also, petition of Bernard Rogers and other citizens, of Brooklyn, N. Y., relative to the closing of the New York Arsenal, etc.; to the Committee on Military Affairs.

1574. By Mr. SCHALL: Petition of Minnesota Central Cooperative Livestock Shippers' Association, urging return of the railroads to private ownership, and other legislation; to the Committee on Interstate and Foreign Commerce.

1575. By Mr. TEMPLE: Petition of the Glass Bottle Blowers' Association, No. 55, protesting against enactment of the Sterling-Graham sedition bill; to the Committee on the Judiciary.

1576. Also, petition of F. Walters & Sons, Rochester, Pa., protesting against enactment of the Gronna bill repealing wheat guaranty; to the Committee on Agriculture.

1577. By Mr. WOODYARD: Petition of the Huntington Lodge, No. 249, International Brotherhood of Boiler Makers, Iron Ship Builders and Helpers of America, of Huntington, W. Va., protesting against the passage of the Graham Sterling bills; to the Committee on the Judiciary.

1578. Also, petition of the Parkersburg Council No. 35, U. C. T. of America, favoring the passage of House bill 11729, and to amend section 214 of the revenue act; to the Committee on Ways and Means.

1579. Also, petition of citizens of Parkersburg, W. Va., favoring the passage of House bill 1112, etc.; to the Committee on the Judiciary.

SENATE.

MONDAY, *February 16, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we lift our hearts to Thee and ask Thy gracious favor upon the work of this day. The problems which confront us are of such far-reaching importance that we dare not face the possibility of making mistakes. So we come to Thee, the author of truth, and who canst put our hearts and minds in frame for the solemn responsibilities that come upon us in this new day of the world's life, and we pray Thee to guide us by Thine unerring counsel. For Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of the proceedings of the legislative day of Friday, February 13, 1920, was dispensed with and the Journal was approved.

ESTIMATES OF APPROPRIATIONS (S. DOC. NO. 223).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War, submitting supplemental estimates of appropriations in the sum of $16,933.75 required by the War Department for the fiscal years 1919 and 1920, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills:

S. 3202. An act granting leave of absence to officers of the Coast Guard, and for other purposes; and

S. 3722. An act to grant the consent of Congress to the Alfords Bridge Co. to construct a bridge across the Savannah River.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11960) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PORTER, Mr. ROGERS, and Mr. FLOOD managers at the conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, in which it requested the concurrence of the Senate.

WOMAN SUFFRAGE.

The VICE PRESIDENT. The Chair lays before the Senate a certified copy of a joint resolution adopted by the General Assembly of the State of Nevada ratifying the Susan B. Anthony amendment to the Constitution extending the right of suffrage to women, which will be filed.

PETITIONS AND MEMORIALS.

Mr. DIAL. I present resolutions adopted by the General Assembly of the State of South Carolina on the Armenian question, which I ask may be printed in the RECORD and referred to the Committee on Foreign Relations.

The resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

A concurrent resolution.

"Whereas the awful conditions that now exist in Armenia, and have existed for centuries, while free and powerful nations sat idly by, satisfying themselves with mild protests that were absolutely ineffectual in preventing the horrible massacres, the pitiable deportation of whole Provinces, the slaughter of helpless children by the thousands, and the violation of innocent women, more than 50,000 of whom are now confined by the unspeakable Turk in Moslem harems, with the brand of disgrace tattooed in their faces and the threat of death hanging over them in the event of escape, constitute a blot upon civilization and a reproach to Christian nations that have permitted such things to continue from year to year until now the time has come for great and powerful America to say to the Turk, 'This thing must stop and never occur again,' and say it in terms that mean what she says; and

"Whereas a resolution, introduced by Senator JOHN SHARPE WILLIAMS and indorsed by Senator LODGE and others, is now pending in the Congress of the United States looking to the recognition and protection of Armenia as a free and independent republic: Now be it

"*Resolved by the Senate of South Carolina (the House concurring)*, That the Congress of the United States of America, through the Representatives of the State of South Carolina in said Congress, be respectfully memorialized and urged to take such immediate steps as may be necessary to safeguard the future of these Christian Armenians, who have kept the faith in spite of every species of torture and horror inflicted upon them by the devilish cruelty since the year 303 A. D., when they established their first church at the foot of Mount Ararat, the resting place of the ark, where God painted His rainbow in the east as a sign of His covenant with man that the world should never again be destroyed by flood; be it further

"*Resolved*, That certified copies of this resolution be forwarded to the President of the Senate, the Speaker of the House of Representatives, to the chairman of the Foreign Relations Committee, and to each member of the South Carolina delegation in said Houses."

On immediate consideration the concurrent resolution was adopted, ordered sent to the house for concurrence.

On February 10, 1920, the house concurred.

A true and correct copy. Attested February 11, 1920.

[SEAL.] W. BANKS DOVE,
Secretary of State.

Mr. McKELLAR. I ask to have printed in the RECORD a telegram without reading.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

NASHVILLE, TENN., *February 14, 1920.*

Hon. KENNETH MCKELLAR,
United States Senate, Washington, D. C.:

The country is with you in opposition to sale of ships. Many people have never understood why about 30 of the first ships completed in our shipyards were turned over to France and Italy, nor why of the German ships interned in this country, as a neutral nation, which after we entered the war should have become the property of the United States, a number of the best should have been turned over to England. There have been many things done in this respect which the people of the United States neither understand nor approve, and the statement of Chairman Payne lacks much of making clear the necessity for the action proposed now to be taken. We have for years past been deploring the loss of our merchant marine and urging its restoration, and there was never a time when a greater necessity or better opportunity for the consummation of our needs existed than now.

E. B. STAHLMAN.

Mr. McKELLAR. I also present a petition of the Private Soldiers and Sailors Legion of the United States of America, which I ask to have printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

PRIVATE SOLDIERS AND SAILORS LEGION
OF THE UNITED STATES OF AMERICA,
Washington, D. C., February 13, 1920.

To the honorable the VICE PRESIDENT AND THE SENATE OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED:

We respectfully present the following petition:

"*Resolved by the national executive committee of the Private Soldiers and Sailors Legion*, That we hereby petition the President and Congress of the United States to take all necessary steps at once to prevent the proposed sale by the United States Shipping Board to a private corporation of the fleet of former German ships or any other ships owned by the United States Government.

"*Resolved*, That we respectfully request the Senate and the House of Representatives of the United States in Congress assembled to appoint select committees to investigate this proposed sale of Government ships with a view to disclosing whether there is in connection therewith any violation of law or sacrifice of the public's interests and, if so, to prevent or punish the same."

Respectfully submitted.

PRIVATE SOLDIERS AND SAILORS LEGION,
MARVIN GATES SPERRY, *National President.*
[SEAL.] E. L. SEAL, *National Secretary.*

Mr. CURTIS presented a memorial of sundry citizens of Vesper, Kans., remonstrating against the passage of the so-called Smith-Towner bill for the establishment of a department of education, which was referred to the Committee on Education and Labor.

He also presented petitions of the National Guard Association of the State of Kansas, praying for the enactment of legislation for the establishment of a National Guard corps in the Regular Army, which were referred to the Committee on Military Affairs.

He also presented memorials of sundry citizens of the State of Kansas, remonstrating against the passage of the so-called Gronna wheat-guaranty bill, which were ordered to lie on the table.

He also presented a petition of Stone River Post, No. 74, Grand Army of the Republic, Department of Kansas, of Sedan, Kans., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented memorials of sundry citizens of Elbing, Moundridge, and Whitewater, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. NELSON presented petitions of James Canfield Post, No. 38, Grand Army of the Republic, Department of Minnesota, of Glenwood; of J. L. Heywood Post, No. 83, Grand Army of the Republic, Department of Minnesota, of Northfield; of William Moore Post, No. 92, Grand Army of the Republic, Department of Minnesota, of Black River Falls; and of Levi Butler Post, Grand Army of the Republic, Department of Minnesota, of Minneapolis, all in the State of Minnesota, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

Mr. WARREN presented a resolution of Lusk Post, No. 4, Wyoming Branch of the American Legion, favoring universal military training, which was ordered to lie on the table.

Mr. SMITH of Maryland presented petitions of A. W. Dodge Post, No. 44, Grand Army of the Republic, Department of Maryland, of Baltimore; of Denison Post, No. 8, Grand Army of the Republic, Department of Maryland, of Hampden, Baltimore; of Wilson Post, No. 1, Grand Army of the Republic, Department of Maryland, of Baltimore; and of Dushane Post, No. 3, Grand Army of the Republic, Department of Maryland, of Baltimore, all in the State of Maryland, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

Mr. PHELAN presented a petition of the Chamber of Commerce of San Diego, Calif., praying for the early ratification of the peace treaty, which was ordered to lie on the table.

He also presented a petition of Sequoia Post, No. 96, American Legion, of Fort Bragg, Calif., praying for the passage of the so-called Davey sedition bill, which was ordered to lie on the table.

Mr. TOWNSEND presented a petition of sundry veterans of the Civil War, of Coleman, Mich., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented a petition of the Rotary Club of Kalamazoo, Mich., praying for the adoption of universal military training, which was ordered to lie on the table.

He also presented a memorial of the Michigan Branch of the Committee of Forty-eight, of Detroit, Mich., remonstrating against the passage of the so-called Esch-Cummins railroad bill, which was ordered to lie on the table.

Mr. TOWNSEND (for Mr. NEWBERRY) presented a petition of the Rotary Club of Kalamazoo, Mich., praying for universal military training, which was ordered to lie on the table.

He also (for Mr. NEWBERRY) presented a memorial of the Committee of Forty-eight, of Detroit, Mich., remonstrating against the passage of the so-called Cummins-Esch railroad bill, which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Public Lands, to which were referred the following bills, reported them severally without amendment:

H. R. 202. An act to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain described tract of land for public park purposes;

H. R. 6136. An act authorizing the Secretary of the Interior to sell certain lands to school district No. 21, of Fremont County, Wyo.; and

H. R. 6772. An act authorizing and directing the transfer of 10 acres of land to rural high-school district No. 1, Lapwai, Idaho.

Mr. KNOX, from the Committee on Military Affairs, to which was referred the bill (S. 302) for the relief of Thomas Simmons, reported it with an amendment.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS (by request):

A bill (S. 3913) for the relief of the estate of George W. Clayton; to the Committee on Claims.

By Mr. NEW:

A bill (S. 3914) granting an increase of pension to Walter F. Davidson (with accompanying papers);

A bill (S. 3915) granting an increase of pension to John W. Pfaff; and

A bill (S. 3916) granting a pension to William J. Cecil (with accompanying papers); to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 3917) granting a pension to Maria C. Vance; and

A bill (S. 3918) granting a pension to Hannah J. Grove; to the Committee on Pensions.

By Mr. LENROOT:

A bill (S. 3919) to correct the military record of William B. Johns; to the Committee on Military Affairs.

By Mr. BECKHAM:

A bill (S. 3920) granting a pension to Nathan L. Smith; to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 3921) granting a pension to Mary E. Reynolds; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 3922) for the relief of Glidden & Hobbs (with accompanying papers); to the Committee on Claims.

A bill (S. 3923) granting an increase of pension to William West (with accompanying papers);

A bill (S. 3924) granting a pension to Elizabeth Ogden (with accompanying papers);

A bill (S. 3925) granting a pension to Emma Braunlich (with accompanying papers); and

A bill (S. 3926) granting a pension to Mary Frankenberger (with accompanying papers); to the Committee on Pensions.

By Mr. ELKINS:

A bill (S. 3927) granting an increase of pension to Peter Vandyke; to the Committee on Pensions.

SALE OF SHIPS.

Mr. OWEN. I introduce a joint resolution and ask that it lie on the table and be printed.

The joint resolution (S. J. Res. 158) requesting the United States Shipping Board to defer the sale of vessels taken by the United States from the Imperial German Government was read twice by its title and ordered to lie on the table.

PENSIONS AND INCREASE OF PENSIONS.

Mr. JONES of Washington submitted an amendment intended to be proposed by him to the bill (H. R. 9369) to revise and equalize rates of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows, dependent parents and children of such soldiers, sailors, and marines, and to certain Army nurses, and granting pensions and increase of pensions in certain cases, which was referred to the Committee on Pensions and ordered to be printed.

AMENDMENT OF THE RULES.

Mr. TOWNSEND. I desire to give notice of a proposed amendment to Rule XXII of the Standing Rules of the Senate, by adding a new paragraph, as follows:

All debate when any matter is, under the rules, properly before the Senate shall be confined to such matter, and the question as to whether such debate is pertinent or not shall, when the point of order is made, be decided by the Presiding Officer without debate; and if his decision is not overruled on appeal, and is that the Senator having the floor is not speaking in order, such Senator shall take his seat and shall not speak again except upon the subject before the Senate.

SALE OF SHIPS.

Mr. ASHURST. I offer the following resolution and ask that it be read. It is my purpose to ask unanimous consent for its present consideration.

The resolution (S. Res. 307) was read, as follows:

Resolved, That the United States Shipping Board be, and it is hereby, requested to defer until further action by Congress the sale or transfer of the fleet of vessels or any individual vessel taken over by the United States from the Imperial German Government during the Great War.

The VICE PRESIDENT. The Senator from Arizona asks unanimous consent for the present consideration of the resolution.

Mr. JONES of Washington. Under the circumstances which confront us I do not believe it is proper for the Senate to pass the resolution. I wish the Senator would have it go to the Committee on Commerce. I will say to him that we expect to have the chairman of the Shipping Board before us to-morrow morning and give us all the facts that may be brought out to-day with reference to the bids that are submitted. I assure the Senator that the committee will act promptly and make a recommendation based upon the facts which are disclosed.

I rather doubt the wisdom, until we have the information, of the Senate taking positive action and directing that no sale shall be made. The chairman of the Shipping Board has assured the committee that nothing definite will be done by the board upon the bids and proposals until the matter has been submitted to the Commerce Committee. It seems to me that that protects all the rights of the Government and the public to the very fullest possible extent.

I feel that it would really be a reflection upon the assurance of the chairman of the Shipping Board if the Senate should pass a resolution like this. In view of that situation, without expressing any opinion as to the merits of the proposition, I feel that I shall have to object to the consideration by the Senate of the resolution by unanimous consent. I wish that it would be referred to the committee, and, as I said, I assure the Senator the committee will act promptly in the matter and gather all the facts just as soon as it can.

Mr. LENROOT. I should like to ask the chairman of the committee whether he can not further assure the Senator from Arizona that the Commerce Committee will not approve of the sale without giving an opportunity to the Senate to express its sentiment.

Mr. JONES of Washington. Certainly.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. JONES of Washington. I object to its present consideration.

Mr. ASHURST. I move that the Senate proceed to its consideration.

The VICE PRESIDENT. That motion is not in order.

Mr. ASHURST. I wish to be heard for a moment.

The VICE PRESIDENT. If there is no objection, the Senator can be heard.

Mr. ASHURST. Mr. President, I do not desire to reflect on the Shipping Board, neither will I permit the suggestion that I am about to reflect on it to deter me from the performance of a duty.

The Senator from Washington [Mr. JONES] is chairman of the Senate Committee on Commerce. He is a distinguished statesman; he honors the Senate with his presence here and with his industrious habits. The Senate Committee on Commerce is composed of some of the ablest Senators in this Chamber. That does not, however, foreclose me from the right to ask the Senate to perform one of its functions. The committee is only the creature, the child, the agency, the instrument of the Senate, and I believe it is the sense of the Senate that the ex-German ships should not be sold until Congress further directs.

Mr. President, we are to-day in the doldrums. The Nation is discouraged because Congress has from time to time taken orders from the executive departments. We are the servants of the people, not servants of the departments. It is time the American people knew that their Senators and their Representatives are not further taking orders from the departments, but are taking orders from the people. I have learned that these departments are wrong about 50 per cent of the time, and I have also learned that when Congress does not use its own untrammeled judgment Congress usually falls into the pit.

So, Mr. President, I must not be put into the attitude of reflecting on the Shipping Board when I offer this resolution. I asked unanimous consent for its present consideration, so that the country may know for a verity that this fleet of ex-German ships will not be sold.

I want the American people to know that the Shipping Board shall not settle this question, but that Congress shall settle

the question for the American people. That is all I ask. There is no politics in this question. It is not a matter of partisanship. It is the administration to which I am attached that is about to make the sale of the ships, and I regret that the Senator's party is the party which is to stay the hand that is trying to prevent the sale.

Mr. JONES of Washington. Will the Senator yield?

Mr. ASHURST. Certainly.

Mr. JONES of Washington. I want to say that I did not think that the Senator would reflect upon the Shipping Board. I said, or at any rate I intended to say, that if the Senate passed the resolution, it would be a reflection upon the chairman of the Shipping Board, in view of the circumstances of the situation.

Mr. ASHURST. What circumstances?

Mr. JONES of Washington. We had Mr. Payne before the Commerce Committee, and Mr. Payne assured us in the most positive way that the sale would not be consummated until the matter had been submitted to the committee and to the Senate, and he expressed perfect willingness to do nothing in the matter, if after the facts were presented the committee even should request him not to proceed, and especially that they would not do anything if the Senate should pass a resolution requesting them not to proceed with the sale.

Mr. ASHURST. Has the committee requested him not to proceed with the sale?

Mr. JONES of Washington. The committee has been assured by him that he will not proceed with the sale until the committee can have a further hearing in the matter, which the committee expects to do to-morrow, so as to get the facts that are presented by the bids that I understand are to be received to-day. Those are the circumstances which led me to make the suggestion.

If the Senator will permit me, I think I can agree with every word he has said thus far except the suggestion that this side of the Chamber is trying to permit this sale. That is not correct.

Mr. ASHURST. I will withdraw that then and say that the Senator from Washington and not the other side is standing in the way.

Mr. JONES of Washington. No; the Senator from Washington is not standing in the way.

Mr. ASHURST. The Senator from Washington made the objection to the present consideration of the resolution.

Mr. JONES of Washington. The resolution has nothing to do with preventing the sale. The chairman of the Shipping Board has assured the Senator from Washington as chairman of the Commerce Committee, and the Commerce Committee, that the sale will not be perfected until after the committee shall have had a full opportunity to consider the matter and the facts that may be presented.

Mr. PITTMAN. Mr. President, I call for the regular order.

Mr. JONES of Washington. The sale will not be consummated. I agree with all the other suggestions of the Senator.

Mr. ASHURST. I hope Congress will assert itself.

The VICE PRESIDENT. The Senator from Nevada calls for the regular order, and that stops the debate. The resolution goes over under the rule.

HOUSE BILL REFERRED.

H. R. 12272. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, was read twice by its title and referred to the Committee on Agriculture and Forestry.

LETTER OF THE VICE PRESIDENT.

Mr. THOMAS. Mr. President, I direct the attention of the Senate to a letter written by the Vice President of the United States to one E. G. Hoffman, of Fort Wayne, Ind., which appears in this morning's Washington Post. This letter is so sensible, so statesmanlike, so completely in accord with the ancient traditions of Democracy, as I understand them, and is in other respects so different from many of the programs recently outlined for the Democratic Party of 1920, that I ask unanimous consent that it may be inserted in the RECORD. [A pause.] Is my request granted, Mr. President?

The VICE PRESIDENT. It is very embarrassing for the Chair.

Mr. THOMAS. Then, from the embarrassment of the Chair, I shall assume that the request is granted?

The VICE PRESIDENT. The Chair is not much in favor of filling up the CONGRESSIONAL RECORD with his letters.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

"Another presidential campaign impends. Thus far the President, who is the chief of our party, has not deemed it expedient to express his opinion as to what the issues will be. As I am desirous of being a delegate at large from the State of Indiana, I wish, in consonance with what I hope has been my entire public career, to state the substance of what I think the Democratic Party should stand for. I would not want to go under any misapprehension as to my views upon the part of the unfaltering Democrats of Indiana.

"We were in the war from the very moment of its European beginning because it affected our internal affairs. All of the methods and measures adopted for the preservation of the peace of our country and the winning of the war met with my approval, and I am ready to defend them.

"The war is now over and the rehabilitation of America as well as the rest of the world is taking place. It is not possible to accomplish our rehabilitation other than through the instrumentalities of political parties. How shall the Democratic Party propose to rehabilitate the political system of America if intrusted with power is the question.

"I have watched in other countries the effects of so-called unbridled democracy, and I have seen its menace in this country until I am quite convinced that the peace, prosperity, and perpetuity of the American Republic must rest finally upon a few ancient and time-honored Democratic doctrines.

"No one save God can remove the individual as the unit of good government. Legislative efforts to produce justice and good order in society by listening and acceding to the demands of persons and classes will in the hour of peace produce failure. The only sure foundation for a stable republic must rest upon the Jeffersonian doctrine of equal and exact justice to all men and special privileges to none. In no other way can the individual exercise his inalienable right to life, to liberty, and to the pursuit of happiness.

DEMANDS OLD-TIME PLATFORM.

"The Democratic Party should stand for this and pledge itself to rebuild the American political structure along this line by clearly dividing its citizens into the law-abiding and lawbreaking; making its laws rest equally upon all men; permitting the individual citizen who is honest to succeed by honest methods; giving to no citizen legislative advantage; speedily punishing anyone who unjustly obtains success by crooked and dishonest means; recognizing that this is still a federation of States; demanding that the States discharge the duties of local self-government; resisting the usurpations of the General Government; removing corrupt and biased judges, but standing always for obedience to the decrees of court and to constituted authority; insisting that the legislative branch of the Government shall be responsible for the discharge of its duty and serving notice upon it that it can not skulk behind an alleged interference upon the part of the executive branch; electing an Executive pledged to discharge the countless officials and innumerable agents made necessary by the war and to administer public affairs along economic lines, even to the point of the veto of every bill carrying not only unnecessary and ill-advised appropriations but appropriations for the benefit of a few citizens rather than for the common good; regulating strictly every public utility; and by punishing all those seeking to profiteer either personally or through aggregated combinations of men or money; in short, the presentation to the people for their suffrages of a man upon an old-time Democratic platform, under the principles of which the Republic for so many years was contented, prosperous, and invincible.

"If a faith of this kind appeals to the Democrats of Indiana, I desire to go as a delegate at large to the convention at San Francisco to advocate this kind of a platform and to ascertain whether everything that made the Republic great was right or wrong."

INTEREST RATES.

Mr. OWEN. Mr. President, before the war Belgium for 50 years had a 3 per cent rate of interest per annum. It was a fair rate. France had a 3 per cent rate, and even small sums were loaned by the Bank of France at 3 per cent. United States bonds with currency privilege, bearing 2 per cent, sold at par before the war. London during the war has loaned money to merchants on acceptances at 3½ per cent.

The manufacturers, merchants, and business men of the United States are entitled to stable, moderate interest rates.

They have this right interfered with by the violent fluctuations authorized and practiced in New York and Boston on stock-exchange collateral loans. The call-loan rates are arbitrarily fixed from low rates to 30 per cent, and a bull market or a bear market follows, of course, as cause and effect.

The high rate is fixed avowedly to check speculation, but speculation can be otherwise checked by raising the margins and declining to loan beyond a reasonable proportion of the

bank's resources and by limiting the loans of the Federal reserve bank to banks which persist in this harmful policy.

These high rates on call loans on the stock exchange has seriously affected the interest rates in our vast commercial business, and even the Federal Reserve Board has raised the rates of the Federal reserve banks to 6 per cent for member banks, which means 7 and 8 per cent for the customers of the member banks.

Against this destructive policy, which adds to the high cost of living, I protest. I have written a letter to the President, which I ask to submit for the RECORD without reading.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 13, 1920.

Subject: Interest rates.

The PRESIDENT,
The White House.

MY DEAR MR. PRESIDENT: I deem it my duty to call your attention and the attention of your administration to the importance of moderate interest rates and stability therein in the United States and the important part which the influence of the Government can exert in accomplishing these ends through the Treasury Department, the Comptroller of the Currency, and the Federal Reserve Board.

Before the Great War Belgium had a fixed, stable rate of 3 per cent for 50 years and the rate in France was practically the same, and United States Government bonds with the circulation privilege were sold at and above par when they bore only 2 per cent interest.

During the World War London merchants have enjoyed a 3½ per cent rate on acceptances.

Our manufacturers, our merchants, our business men are entitled to reliable, stable, reasonable rates of interest.

The productive and distributive processes so essential to restore the equilibrium of the world depend upon such rates in order to function most efficiently.

I call your attention to the unreasonable manner in which the interest rates on the stock collateral loans in New York have been fluctuating from normal to 25 and 30 per cent, with the most unhappy consequences upon interest rates, injuriously affecting our commercial business throughout the United States.

The Federal Reserve Board has been induced to raise the rate of discount of the Federal reserve banks to a high point as a supposed check on the extraordinary speculation which has been taking place on the stock exchange.

These artificially unreasonable high rates of interest charged by the banks in the central cities on stock collateral call loans have had the effect of drawing to these cities from different parts of the country funds which ought to be exclusively used in commerce, and this process went to a point where recently the amount of stock collateral exchange loans on call or short time reached a volume in New York City of $1,900,000,000, withdrawing for speculative purposes these credits which should be used in the industrial and commercial life of the country.

The investing and speculating public has been attracted to the stock exchange by the policy of narrow margins and low rates of interest; but after the public has taken on these speculative purchases the interest rates are raised to a high point and the margins are increased from 10 per cent to 20 and 30 per cent, with the effect of squeezing out the people who, in the language of the day, "can't hold on."

These loans, which were $1,900,000,000 60 days ago, have now been reduced to $1,000,000,000, and the stock market has gone through a very severe depreciation; and this is the second upheaval of this kind within two months. I inclose an exhibit showing the violent fluctuations which have taken place contrary to a wise public policy, to the ruin of many weak and foolish speculators; but, above all, to the injury of the manufacturers, merchants, and business men who are entitled to have stable, moderate interest rates.

The manufacturers, merchants, and business men are entitled to stability. They can not otherwise transact the business of the country with safety; and in their name and on their behalf I respectfully and very earnestly insist that the Government shall establish a policy which will give stability to interest rates, prevent these violent fluctuations, and lead to lower interest rates.

Will the question be asked, How can it be done? I venture to answer:

First. That the influence of the Comptroller of the Currency and of the Federal Reserve Board be exerted to require a limitation upon loans made by member banks or banks engaged in interstate commerce, so that only a reasonable percentage of the deposits of such banks shall be permitted to be used for the accommodation of those who are buying stocks for speculative purposes.

Second. That a margin of not less than 25 per cent shall be required in such transactions.

Third. That an interest rate not exceeding 8 per cent shall be permitted in such transactions.

Fourth. That the reserve board shall charge a special rate of interest to those banks who are using the accommodations of the discount privileges with the reserve banks in excess of their rightful proportionate part of such accommodation, so that the normal discount rates of the Federal reserve banks shall not exceed 4 per cent, but the special rate for banks desiring to use more than their rightful proportion of the reserves with the reserve banks shall be at a progressively higher rate. In this way banks that put up Liberty bonds for the purpose of getting more than their proportionate part and lending this money out on very high rates of interest will find it less profitable to engage in such a policy.

The discount rates of the Federal reserve bank of Richmond, for example, effective January 23, 1920, included the following:

	15 days and under.	16 to 90 days.	91 days to 6 months.
	Per cent.	*Per cent.*	*Per cent.*
Member banks:			
Secured by United States certificate of debt	4¼	.....	.....
Secured by Liberty bonds	5½	.....	.....
Secured by eligible paper	6	.....	.....
Secured by War Finance Corporation bonds	7	.....	.....
Rediscounts:			
Customers' notes—			
Secured by United States certificates of debt	4¼	4¾	.....
Secured by Liberty bonds	5½	5½	.....
Secured by War Finance Corporation bonds	7	7	.....
Trade acceptances	6	6	.....
Commercial paper	6	6	.....
Agricultural or live-stock paper	6	6	6

You will observe from these discount rates that eligible paper—that is, the notes of manufacturers, merchants, and business men engaged in production and distribution—would be compelled to pay around 8 per cent if the member bank is permitted any margin over and above what they themselves have to pay the reserve bank. This is true even on trade acceptances, which in London have a rate of 3½ per cent. In other words, our manufacturers, merchants, and business men engaged in production and distribution are compelled to pay by this policy twice as much as they do in London, charging the interest, of course, upon the cost of the goods, and thus raising the cost of living. Against this policy I enter my resolute and solemn protest.

I heartily approve the evident purpose of the Federal Reserve Board to reduce the excessive speculative loans on the stock market and divert such credits to the benefit of commerce; but this can be accomplished without raising the rate of interest by requiring larger collateral margins and by limiting stock collateral loans to a reasonable part of the reserves of the member banks, and all loans to a proportionate part of the reserves with the Federal reserve banks.

LIBERTY LOAN AND VICTORY LOAN BONDS.

When the American people were engaged in the war the Treasury Department organized Liberty and Victory loan drives, and every citizen was urged to buy these bonds; if necessary, to sell his property and buy the bonds; to borrow money and buy the bonds. The bonds were sold at par. It was a patriotic duty to buy the bonds, but the high rates of interest which have resulted from the unrestrained speculation on the stock exchange, and the high rates of interest which the reserve banks have established, have had the effect of having these bonds appear as a poor investment, and these bonds have shrunk so that in the case of the bonds which have not the nontaxable feature they have fallen off in value almost 10 per cent, inducing many persons who are poor and who borrowed money to carry these bonds to sell them at a loss, and many more will be induced to sell them at a loss, contrary to a wise and just public policy.

If the normal discount rate of the Federal reserve banks were put at 4 per cent and the banks were discouraged from abusing the privileges of the reserve banks for stock-speculative purposes in the manner which I have pointed out, these bonds would come back to par, and they should be brought back to par. The people who bought these bonds ought not to suffer a loss, and the credit of the United States ought to be preserved by the policy which I have taken the liberty to suggest to you and to your administration.

The result of these speculative stock loans has been such that the New York Federal reserve bank has had its reserve very seriously impaired, so that the New York reserve bank has

been borrowing money on a large scale from other reserve banks who do not suffer from this strain.

There is no adequate reason why the rates of the reserve banks should not be uniform; why they ought to be higher in one part of the country and lower in another part of the country. The loans are as reliable in one part of the country as in another, and every part of the country is entitled to a uniform rate.

The high cost of living demands for its solution stability in interest rates in order to encourage production and distribution, and to reduce the high cost of living demands a moderate rate of interest.

The Federal reserve banks were not established as money-making institutions, but for the purpose of giving stability and a reasonable stable interest to the productive enterprises of the Nation.

The Federal reserve banks last year made a profit of about 100 per cent of their capital, but this in no way measures the added expense on the cost of living, because the high rate of interest charged by the Federal reserve banks is reflected upon loans and discounts of other banks, running into the billions, since it affects the interest rates in all parts of the country.

I regard this matter as a matter of national importance, and I would not feel that I had discharged my duty to the country if I had failed to call your attention to it in these explicit terms.

Yours, very respectfully,

ROBERT L. OWEN.

SALE OF SHIPS.

Mr. McKELLAR. I send to the desk a resolution and ask unanimous consent for its present consideration.

The VICE PRESIDENT. It is a resolution which comes over from a preceding day?

Mr. McKELLAR. It is a resolution that comes over, submitted by me on the 13th instant.

The VICE PRESIDENT. The Chair lays before the Senate the resolution.

The resolution (S. Res. 305) submitted by Mr. McKELLAR on the 13th instant was read, as follows:

Resolved, etc., That the United States Shipping Board be, and it is hereby, requested to defer the selling of the vessels taken by the United States from the Imperial German Government during the war until further action by Congress.

Mr. PITTMAN. I move to table the resolution.

Mr. McKELLAR. On that I ask for the yeas and nays.

Mr. JONES of Washington. Mr. President, just a moment. I wish to suggest to the Senator from Nevada that it would be better to refer the resolution to the Committee on Commerce.

Mr. PITTMAN. The object of my motion is to stop debate, because it is practically the same resolution that has just been offered by the Senator from Arizona [Mr. ASHURST], which was debated quite fully, and it is the only way to stop debate on the matter.

Mr. McKELLAR. Will the Senator withhold the motion until I can make a statement in reference to the resolution?

Mr. PITTMAN. Very well; I will withdraw my motion and move that the resolution be referred to the Committee on Commerce.

Mr. McKELLAR. Mr. President, I have only a few words to say in reference to the resolution. It is not designed as a reflection upon the Shipping Board, but is a mere expression of view on the part of the Senate as to what should be done at this particular juncture with our ships.

It is a very serious matter. The Shipping Board is preparing to receive bids to-day. We do not know what contractual relations might be involved in the matter, and I think out of an abundance of caution the Senate ought not to hesitate for a moment to see to it that no sale is consummated, either in whole or in part, as to any of these ships.

The adoption of this resolution will simply mean that no sale will be consummated, and it will be established beyond the peradventure of a doubt what I think every Senator here, even the chairman of the committee, feels, that there ought not to be a sale under the circumstances. If he had not thought so, he would not have asked the chairman of the Shipping Board not to sell the ships until he had at least consulted with his committee.

I heard the testimony of Mr. Payne, and as I understood it it was somewhat vague and indefinite. At all events he is proceeding with the reception of bids. He is going along just as if he intended to carry out the sale. It is perfectly apparent from his testimony that he believes that the sale at this price ought to go through.

So far as I am concerned, I do not believe the sale ought to go through at any price. We have spent years in building up the merchant marine which we have, and these German ships will be an important adjunct to our merchant marine. I do not believe the American people are in favor of disposing of the ships in this way.

It is said that the ships are going to be sailed under the American flag. How can anyone guarantee that—the Shipping Board or anyone else? If one of the ships is sold to me, for instance, to-day, what power is there to prevent me from selling it to a foreign corporation? The truth of the business is unless we act the rights of the American people in this fleet of German ships are likely to be jeopardized, and I think we ought to act to-day.

I hope we may have a record vote on the question, and if there is nothing else to be said on the resolution I ask for the yeas and nays.

Mr. OWEN. Mr. President, I think that the extent to which the chairman of the Committee on Commerce goes in his assurance to the Senate is that the Shipping Board are willing to postpone the sale of these vessels until the committee has heard something further with regard to the matter, and that is as far as the assurance to the Senate goes.

I am opposed to the sale of these ships or of any other ships belonging to the United States. The people of the United States have expended hundreds and thousands of millions of dollars in building up the merchant marine, and I do not believe it ought to be disposed of to private persons. I think the United States ought to retain not only the German ships, but all other ships which have been built at public expense, and that the United States should operate them. I think it is only fair that the Senate should be permitted an opportunity to express itself upon the resolution.

Mr. KING. Will the Senator yield to me?

Mr. OWEN. I yield.

Mr. KING. Does the Senator contend that this resolution commits the Senate to the policy of governmental ownership? There are many of us who otherwise might vote for it who will vote against it if that be the case. I hope the Senator does not construe the resolution as meaning that it is an indorsement of the governmental ownership and operation of ships.

Mr. McKELLAR. If the Senator from Oklahoma will yield to me, I desire to say that merely a glance at the resolution shows that it does not mean anything of that kind.

Mr. JONES of Washington. Mr. President, all of the argument that has been presented in favor of action of this sort is based upon the proposition that the Government should continue the ownership and the operation of these vessels. So far as that is concerned, I do not feel that that is involved in the matter. I think that is a policy that will be determined later on by the Senate.

In view of the statement that I have made to the Senate, and the assurances that I have given to it, as to what the chairman of the Shipping Board has assured the Committee on Commerce, I am satisfied that the resolution will amount to nothing; that is, that the result will be just the same, whether the resolution is passed or not passed. If the other side of the Chamber have so little confidence in their representative, the chairman of the Shipping Board, as to feel, after the assurances he has given to the Committee on Commerce, which have been transmitted to the Senate, that the board will not perfect this sale until the whole matter has been submitted to the Senate Committee on Commerce, and that committee shall act, and that if the committee itself says that they shall not go on and perfect the sale they will not do it, or if the Senate passes a resolution to that effect after the facts have all been presented they will not do it—if in the face of all those things the other side of the Chamber has not any more confidence in the chairman of their Shipping Board than to think he will go on, contrary to those assurances, I shall make no objection to the passage of the resolution.

Mr. THOMAS. Mr. President, I hope the Senator from Washington will not include this entire side of the Chamber in his animadversions.

Mr. JONES of Washington. I have not yet heard any Senator on the other side of the Chamber defending the chairman of the Shipping Board or assuring the Senate that they believe that they can depend upon his assurance.

Mr. THOMAS. It has not been necessary that we on this side of the Chamber should do so. The chairman of the committee has so ably performed that task that it has relieved us of the necessity of saying anything in reference to the matter. I beg to assure the Senator from Washington that I am in hearty accord with the position which he occupies on the subject.

Mr. JONES of Washington. I am satisfied the Senator from Colorado feels that way, and I am sure there are many other Senators on the other side of the Chamber who also occupy

the same position. I am sorry that there is any suggestion that there is any partisanship in the matter, for I have not looked at it in that way.

Mr. TRAMMELL. Mr. President, while it is probable that the Senate has heretofore been recreant in the performance of its duty in dealing with the question of what disposition shall be made of the ships which are held by the Shipping Board, I am not in favor of the Senate continuing to remain silent on the question. I therefore hope that the resolution which has been presented by the Senator from Tennessee will be adopted.

I do not think that the resolution really carries any reflection upon the chairman of the Shipping Board. It is apparent that the chairman of the Shipping Board, and probably those who are associated with him, entertain the idea that these ships should be disposed of. So far as I am concerned—and I hope that a majority of the Senate entertain the same view—I do not believe that the ships which were captured or turned over from the Imperial German Government should be disposed of, nor that the other ships held by the Shipping Board should be sold.

Unfortunately for our country, prior to the recent war, whatever prestige, if any of any consequence, we had had in the early days of the country in the way of maintaining a merchant marine had been lost; there were but very few vessels that were sailing under the American flag. Now, through the fortunes of war, we may say, the United States has come into possession of an immense fleet of vessels; we are now in an advantageous position to establish a great merchant marine, such as will be of vast benefit and advantage to our country. Are we going to fritter away this opportunity? Are we going to allow our vessels to be disposed of to private interests, with the possibility, if not the probability, of those vessels in the course of time getting into the hands of foreign owners? I do not believe that we should adopt a policy of that character.

What if the vessels are sold? We have no law under which the Shipping Board can prescribe that the purchasers shall maintain them under the American flag and that they shall continue to be operated, owned, and controlled by American capital. Even if such provisions should be placed in the contract, would they be valid—would they be binding upon the purchasers? I dare say that they would not be, unless there was a law passed upon the subject. If the ships are sold before a law is passed upon the subject prescribing those restrictions or those requirements, would not a clause of that character, if placed in the contract of sale, be absolutely of no effect and be null and void?

Under the circumstances, I think if a majority of the Senate are opposed to a sale of the vessels we should so express ourselves, just as the chairman of the Shipping Board and his associate members have expressed themselves as being in favor of selling the ships. Therefore I hope the resolution will be adopted.

Mr. ASHURST. Will the Senator yield to me for a question?

Mr. TRAMMELL. Certainly.

[Mr. ASHURST addressed the Senate. See Appendix.]

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. ASHURST. I have not the floor.

Mr. TRAMMELL. Mr. President, I had really about concluded my remarks. I am supporting the resolution and hope that it will be adopted. I do not consider that it is any reflection upon the chairman of the Shipping Board, and if he considers it a reflection, it is merely due to a little oversensitiveness on his part. It is no more of a reflection upon him than it is a reflection upon Congress for the chairman of the Shipping Board to take up the matter of negotiating the sale of this fleet of vessels without consulting with Congress as to whether or not he should do so. I hope the resolution will be adopted.

Mr. McKELLAR. Mr. President, before the Senator takes his seat I desire to interrupt him by reading from the record excerpts from what Mr. Payne says about this matter, which I think are pertinent. I hope the Senate will listen to them. Mr. Payne says:

> On the contrary, Senator, as I thought I had made perfectly plain, the board passed a resolution that they would authorize the sales division to go forward with these sales, subject to the approval of the board after the offer had been made, as to each individual ship. In other words, if, when these bids are obtained—

And they are going to be obtained to-day, and are already before him by this time—

> the board is of the opinion that the price is inadequate, either as a whole or as to individual ships, the board has expressly reserved to itself the right and the duty of determining that question and rejecting the bids.

He testified in another part of his testimony that he regarded the price of $28,000,000 as adequate, and gives his reasons why, and the only reservation he says the board has made in connection with the sale of these ships is the reservation as to price.

Mr. President, further interrupting, I beg leave to read from page 2327 of Mr. Payne's testimony:

> I have not thought it wise to do so. As a matter of fact, we have been watching these hearings here with great interest.

Meaning the hearings in the Commerce Committee—

> Perhaps as a principle, if I could state one, it would be this: Assuming that we are correct in the conviction that these ships ought to be sold, we ought to be willing to sell them for slightly less than it would cost to build them plus the difference between the spot delivery and the future delivery, which would be involved in the building of the ship.

Again, on page 2331, Mr. Payne says:

> Well, now, let us assume that is true. Then, the board confronts this situation: We are compelled to sell the ships or to go forward with our reconditioning program, at anywhere from $57,000,000 to $75,000,000 or $80,000,000 cost to the program, with the certain knowledge that we can not get these ships into service sooner than from 6 to 12 months; that meantime, besides the cost of reconditioning, we have a large expense in taking care of the ships, manning them, because you can not leave a ship alone tied to the dock; you have to take care of it—now, you have either got to sell the ships now—

The chairman of the Shipping Board talks about it and says "you have either got to sell the ships now"—

> or you have got to let them lie in the water at a large expense, or you have got to go forward with this enormous expenditure to recondition them.
>
> In other words, we confront a condition; and even if we are not able to get what we ought to get, are we any better off if we add this large expenditure and postpone the date of sale until tonnage comes in from England and the other countries, where it is now scarce? That will depreciate the value of our ships, and the worst thing in the world for a ship almost is to have it lie idle in the docks.
>
> So the question is not primarily whether we could get all the ships are worth. The question is what we are to do in view of the facts which confront us. Shall we spend this money, which we will never get back, or shall we sell the ships to private people, who can operate them, they believe, successfully and establish the routes?

I desire to read one other excerpt, and then I am through. I read from page 2338:

> Senator McNARY. Let me ask you, Judge Payne, is there any time limit for the acceptance of these bids?
>
> Mr. PAYNE. No. Of course, we would be required, in good faith, to act promptly.

Now, Senators, you see what is going through the mind of the chairman of the Shipping Board. He is receiving bids at this good hour. He says that the ships ought to be sold; he says that the price which has been offered is fair and adequate; and he says that the question of price is the only question that the board reserves to itself, and that promptness ought to characterize the board's action in this matter. He seemed to resent that a committee of the Senate or that the Senate should take any part in it. I for one believe that the Senate ought to prohibit the sale of these ships.

Mr. TRAMMELL. Mr. President, from the attitude expressed in the testimony read by the Senator from Tennessee I see all the more reason why the Senate should act and act promptly in this matter. It occurs to me from that testimony that the chairman of the Shipping Board is rather pessimistic as to the value of these ships; he is rather pessimistic as to the opportunities of the Government to continue their ownership and to operate them in such a way as to make them profitable to the Government. As a rule, when you see a person who is proposing to sell something and he has not very much faith in his own property he is not in a very good attitude to get the best price. He is a poor salesman. Certainly at a casual glance——

Mr. MYERS. Mr. President——

Mr. TRAMMELL. If the Senator will permit me a moment, I should like to conclude, and then I will yield the floor——

Mr. MYERS. Mr. President, I merely wish to ask the Senator if the Government could not get any more than Judge Payne estimates for the ships would the Senator favor the Government retaining them and operating them permanently?

Mr. TRAMMELL. Mr. President, I most assuredly would. I think if the private corporations of this country can take these ships and arrange for their reconditioning and hold them until the trade can be established, the Government certainly can do so, and the Government should not sacrifice them. Why, in yesterday's papers there appeared a statement from a naval architect who was connected with the Government during the war and made plans for some of the largest ships which were constructed, in which he stated that he would estimate that the value of this German fleet was at least $215,000,000, and that if we were going out to reconstruct it it would cost at least $275,000,000; and yet we talk about selling it for $28,000,000.

Mr. OWEN. Mr. President——

Mr. TRAMMELL. I yield to the Senator from Oklahoma.

Mr. OWEN. I merely wanted to emphasize what the Senator was saying by calling his attention to the enormous profit

made by the International Mercantile Marine on their fleet, and that there is no justification for the Government losing any money in operating these ships. They made a profit of 150 per cent, I believe.

Mr. TRAMMELL. I see no reason for the Government making the sacrifice that appears to be impending in this transaction. Therefore I hope the Senate will express itself in opposition to it. I believe that the best way for the Government to establish and maintain a merchant marine is for the Government to hold its present fleet and to make provision for its operation.

The VICE PRESIDENT. The question is on the motion of the Senator from Nevada [Mr. PITTMAN] to refer the resolution to the Committee on Commerce.

Mr. NORRIS. On that I call for the yeas and nays.

Mr. FLETCHER. Mr. President, just a word in that connection.

I am no new convert to this idea of being opposed to the Shipping Board disposing of these merchant vessels. Last June I introduced a resolution to the effect that the sense of the Senate was that only such ships should be sold by the Shipping Board as were inefficient and could not be profitably operated, and were too small for overseas trade, and so forth, and that all the other ships should be retained for the present. That resolution was referred to the Committee on Commerce. I began, in magazine articles and public addresses and here on the floor of the Senate, to urge the slogan throughout the country, "Don't give up the ships." That has been my position ever since.

The Commerce Committee has been investigating that matter. There are before the Commerce Committee bills and resolutions, among others the one introduced by the Senator from Arizona [Mr. ASHURST] last Friday, I think, and immediately referred to the Commerce Committee. That committee on the afternoon of the same day called before it the chairman of the Shipping Board for a discussion of the program they had in mind and to ascertain whether it was important at once to act upon that resolution. Now, all of a sudden, this great outburst of enthusiasm, calling for immediate action by the Senate, seems to me to be rather uncalled for, in that the Commerce Committee has been assured by the chairman of the Shipping Board that this so-called auction simply means that they are to receive bids for these ships. He assures the Commerce Committee that he will report to that committee precisely what these bids are, in detail, and that not a single bid will be accepted unless it meets the approval of the committee; or, if the committee sees fit to refer it back to the Senate, the Senate itself can act, as it should; so that there is no danger of closing a sale for any of these ships under the present circumstances.

Mr. MCKELLAR and Mr. NORRIS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Tennessee?

Mr. FLETCHER. Yes.

Mr. MCKELLAR. I have a copy of Judge Payne's testimony, which I shall be delighted to turn over to the Senator and have him point out where any such agreement as that was made by Judge Payne. Several members of the committee made that statement, but Judge Payne, as I read his testimony, neither said "yes" nor "no" about it. He said that the only reservation the board had about these bids was a reservation as to price, and he had told the committee a number of times that the price of $28,000,000 was entirely satisfactory to him, and he wanted to sell them and he expected to sell them.

I offer the testimony to the Senator, if he would like to point it out.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. FLETCHER. One minute in that connection. I have not seen the stenographic report of Judge Payne's testimony, but I was present when he made the statement to the committee, and I know that he assured the committee in as clear a manner as it could be expressed that this so-called auction did not mean that a sale would be made at all, but that it was simply a means of getting the best bids possible for these ships, and that the result of the bidding would be laid before the committee, and that the board would not under any circumstances close any transaction until the matter had been submitted to the committee. Now, that is thoroughly understood. I call upon the chairman and other members of the committee to verify that. The Senator from Louisiana [Mr. RANSDELL], here at my left, was also present. They can verify that statement, if they see fit to do so, or question it; but that is the understanding of the committee.

Mr. RANSDELL. Mr. President, I gladly verify the statement made by the Senator from Florida. I was present and helped cross-question Judge Payne myself, and he stated most unequivocally that no action would be taken toward selling the ships until the matter had been investigated in great detail by the board and referred to the Commerce Committee for its advice.

Mr. NORRIS. Mr. President, will the Senator yield to me?

Mr. FLETCHER. Yes.

Mr. NORRIS. Assuming, as I do, that all the Senator from Florida has said and all the Senator from Louisiana has said is absolutely true, still do not the Senators think that the Senate as well as the committee—which the Senator will not even claim has the same power that the Senate itself has—that the Senate itself has a right to express itself? Mr. Payne has not said that he would wait for the Senate or the Congress to act, but that he would refer the matter to the committee. This resolution simply calls for an expression of the sentiment of the Senate. Why does not the Senator let us vote, and let the Senate express itself, as well as its committee?

Mr. FLETCHER. I am perfectly willing for the Senate to vote. I never have in any way objected to that; but I think the Senate ought to have before it the facts upon which it could base a clear judgment. The Senate usually votes in these matters on the report of a committee. I am perfectly willing that the committee should not take the responsibility of determining this question one way or the other, but should refer it to the Senate upon a report of all the facts.

Mr. NORRIS. But we have no assurance of that. Mr. Payne has not assured us that he will wait for Congress to act, but he has said that he will refer it to the committee.

Mr. FLETCHER. I have no doubt he would prefer to have the Congress act rather than a committee.

Mr. NORRIS. Well, let us act.

Mr. FLETCHER. But he said he would not even ask for an expression of opinion on the part of the Senate if the committee felt that this sale ought not to go through; that that would end it. It was simply a means of getting the matter concluded without any delay whatever; so that it is not necessary to have it come back to the Senate if the committee is of the opinion that the sale ought not to be made.

Mr. BRANDEGEE. Suppose the committee is of the opinion that the sale ought to be made, then what?

Mr. FLETCHER. Then the committee will report it to the Senate, I take it.

Mr. BRANDEGEE. Then there can be no objection to the passage of a resolution deferring the sale until Congress decides for itself.

Mr. FLETCHER. I think the resolution ought to go to the committee, and the committee will make its report upon the resolution after full information on the subject has been had. We are not at present precisely informed as to all of the details in connection with this whole matter; and I think it is proper, I think it is due the Shipping Board, I think it is due the public generally, that these facts should be developed before the committee, and that the committee should be allowed to make its report to the Senate.

Mr. LODGE. Mr. President, I am anxious to go to other business, but, as this matter has been presented, I wish to say just a few words in regard to it.

I am utterly against the Government ownership of ships. I think the building of new ships at $225 a ton by the Shipping Board ought to be stopped, and stopped now, and I should be glad to see the ships that we have sold at proper prices. I do not understand that this resolution commits us to Government ownership. If I did, I should not think of voting for it; but I do think we are entitled to know something about a very extraordinary transaction, as it appears on its face.

These vessels are not of the *Imperator* class, to which the Senator from Arizona has referred. Those are included under the treaty. These are vessels which belong to us and are not covered by the treaty—this fleet of 330,000 tons. They are entirely different from the *Imperator* class of ships, to which the Senator from Arizona referred. But, Mr. President, it is proposed to sell them apparently at a very low price, and I think the Shipping Board ought to defer action until we can find out something about them.

It appears from the reports in the newspapers that the Shipping Board proposes to take action. I should like to know the facts about these ships, their value, and the money necessary to be expended to put them into operation. I should like to know also—and I think it is very important to know—whether the President has made any committals in regard to these ships that took refuge in our ports and were interned here. There may be some committal abroad in regard to their disposition, and I should like to know whether there is or not, because if a committal has been made by the President abroad, of course that might well tie our hands.

Mr. President, it seems to me that it is no reflection on anybody to ask that the sale be deferred until we know what the facts are. I have read this resolution. I can not see that it commits us to Government ownership, to which I am totally opposed; but I think we are entitled to the information.

Mr. BORAH. Mr. President, I agree with those who are opposing the sale of the ships for all the reasons which have been stated; but there is another reason, too, why I think we should delay action. We will know shortly whether we are to have an international Government or not, and perhaps then it will not be necessary to raise any trouble about selling the ships to an international corporation. Undoubtedly the international government will distribute these ships equitably among all the countries, and as we enter upon the supergovernment which we are soon to have it may be found wise to transfer the ships to the international government, and let the international government operate them.

Mr. BRANDEGEE. Mr. President, a day or two ago a resolution similar to that now pending was under consideration here on the floor of the Senate. It was introduced because it had been made public, and afterwards the chairman of the Shipping Board said that it had been public for a long time, by advertisement, that the board had decided to sell these ships. The resolution was introduced to request them to defer the sale until Congress could decide whether the property of the Government, existing in that form and to that extent, ought to be sold or not. There was no intention to reflect upon anybody. There is no such intention, I am quite sure. I for one have the highest respect for Judge Payne, both as to his character and as to his legal ability, and for other members of the Shipping Board. That fact, however, does not in my mind operate as a compelling motive for Congress to abandon its functions.

I am not in favor of the Government ownership and operation of ships as an industry. That question, however, is not now pending. The question is, Shall Congress be given an opportunity to decide what shall be done with these ships? A resolution to give Congress that opportunity was pending, and upon objection of the Senator from Washington [Mr. JONES], the chairman of the Committee on Commerce, it went over. Meantime Judge Payne appeared before the Committee on Commerce and gave his testimony, and from it I should judge that he will not accept the bids that are now being received at this hour, or any of them, until some sort of a conference is had by him with the Committee on Commerce, or until he has submitted the bids to the Committee on Commerce. All of this is very proper, of course, and I am glad that even that much was promised; but when Congress is considering a matter perfectly proper for us to consider as the trustees of the public—to wit, the disposition of a great block of Government property—I see no reason why we should be interrupted in our contemplated action because the chairman of the Shipping Board walks over here and says, "I intend to go right ahead with this auction, irrespective of Congress, only, after I have got the bids, I will then notify the Committee on Commerce what they are."

That is not the way for Congress to transact its business. Our business is to express our opinion, which is no reflection whatever upon the Shipping Board. Judge Payne does not say in his testimony, as I understand, what he is going to do after he has submitted the result of these bids to the chairman of the Committee on Commerce, whether he is bound to go ahead with the sale then, or whether the President has approved of his policy in going ahead with the sale without consulting Congress. He says none of those things. He simply says he will submit the result of the bidding to the Committee on Commerce.

I have the highest respect for the Committee on Commerce. I do not for a minute mean to intimate that they will do anything or recommend anything that they do not think is for the best interests of the country; but, as the Senator from Nebraska [Mr. NORRIS] says, the Committee on Commerce, or a mere majority of it, is not the voice of Congress; it is the instrument of Congress to consider testimony and make recommendations for action.

All that is utterly irrelevant to the purpose of the resolution, which is an expression by the Senate that the board defer its contemplated sale until Congress has an opportunity to express its opinion in the premises. Nothing could be more proper, more polite, or more wise in my opinion. I for one do not feel like deferring again the proper business of Congress because the chairman of the Shipping Board has made some promise which to my mind does not go far enough and does not make sure that the interests of the country will be protected.

Mr. KIRBY obtained the floor.

Mr. FLETCHER. May I ask the Senator from Connecticut one question before the Senator from Arkansas proceeds?

Mr. KIRBY. Certainly.

Mr. FLETCHER. The Senator from Connecticut says he is utterly opposed to Government ownership and operation of ships. The Government has these ships. The Senator does not expect to see them tied up to the dock. We must do something with them. If he is opposed to the Government having anything to do with them, now is a mighty good time for the Government to get out of the business. I think he will agree with that. The opportunities for sale are perhaps as good now as we will ever have. Does not the Senator agree to that? Does the Senator mean to say that he is opposed to Government operation of the ships at all or only for the present? Of course, it looks to me as if the position is a little bit inconsistent. If the Senator is utterly opposed to Government ownership and operation, then the Senator must, on the other hand, say that we ought to sell the ships, it seems to me, and if he says we ought to sell them, of course now is a good time to sell them.

Mr. BRANDEGEE. Will the Senator from Arkansas be kind enough to allow me to answer the series of questions propounded by the Senator from Florida?

Mr. KIRBY. Certainly.

Mr. BRANDEGEE. I will state briefly that when I say I am utterly opposed to Government ownership and operation of ships I mean as a continuous, permanent business and policy, because it is the entering of the Government upon business, and I do not think in this form of Government it was intended to set the Government up as a competitor of its own citizens in the transaction of ordinary business.

At present I am opposed to the Government ownership and operation of railroads for the same reason. I am opposed to Government operation of grocery stores, and wheat farms, and cotton fields, and so forth, unless the people of the country want to go out of business and have a socialistic form of Government and have the Government take over the business of its citizens. But the world moves, and while I am opposed to that personally now, the day may come when I might change my mind. I do not think I can change my mind upon that subject. Nevertheless, that is not the question here.

I agree with the Senator that it may be desirable for the Government at the present time, which is just succeeding the great World War, to operate these ships in the performance of some of its legitimate functions. I have been informed that the Secretary of War wanted to operate some of the ships in connection with the War Department as transports and one thing and another, and it may be the Government could find various uses for them. But I say this debate shows that the whole subject has not been half investigated, and if the War Department thinks one thing and the Chief Executive thinks another and various departments have other views upon this great question it seems to me that it is the part of policy and prudence and wise statesmanship, and even common, ordinary business prudence, not to do anything until Congress decides what should be done. But the proposition of the board, if they had not been stayed, was to plunge in and part with the property. When parted with there is nothing for us to consider. I say let us stay their hand by act of Congress, and then consider, my friend the Senator from Florida [Mr. FLETCHER] and all of us, what the Congress wants to do by a majority vote, not what my opinion is or what his opinion is. Mine is subject to change, as is his, I presume, upon proper evidence and conviction. The thing to do is to preserve the status quo or else we will not have anything to consider.

Mr. KIRBY. Mr. President, the condition here is rather anomalous, it seems to me, and I have been decidedly surprised at the conduct of some of the Members on our side of the Chamber. The Democratic Members of the Senate have so criticized the administration in the conduct of the war as that the people of the country have a wrong conception of the great accomplishment of our country in the war. Some of them will not even know that we won the war when they listen to the snarling and yapping of the British press.

Here is the condition to-day. I believe we ought to have an American merchant marine, that it ought to be established and maintained, and that all the ships built and owned by the Government should be operated by the Government in the carrying of our coastwise and foreign commerce. That is my position with reference to the American merchant marine. We have the ships here already built; we have the ships that we have gotten from the German Government; and we ought to determine the policy, to determine what our Government expects to do. We have not done that.

Then the Shipping Board is here, and it has certain functions to perform. The Shipping Board has authority, it claims, to sell the vessels, and it says it is proceeding under the law with the sale of these vessels; that it is proceeding in accordance with good business judgment in the sale of the vessels.

But after this question was raised the chairman of the Shipping Board went to our Committee on Commerce, of which I, too, am a member, and stated:

> We do not propose to sell or dispose of the ships now, but we only intend to take these bids. We will bring the whole matter here to you and no further action will be taken and the sale will not be consummated until you have submitted it to Congress, if necessary, and obtained the views of the Congress upon the question.

That is what has been assured to all of you by the chairman of the Commerce Committee and by four or five other members of the committee, and that is what will be done.

But we might go further. The resolution does not prohibit or prevent the sale of the ships. The resolution says that the Shipping Board—

> is hereby requested to defer the selling of the vessels taken by the United States from the Imperial German Government during the war until further action by Congress.

That is only a request. It confers no authority and has no binding effect upon the Shipping Board. The Shipping Board is an agency of the present Democratic administration or of the Government, and it is under direction of the chairman of the Shipping Board, who, I think, is a capable man. I think the chairman of the Shipping Board should remain chairman of the board until the policy of the Government is determined with reference to establishment of the merchant marine, and he should not quit his post nor take any other service until that is determined. He is acquainted with the conditions, and the Government ought to be entitled to his services here until it has settled this very important question.

So far as I am concerned, I am going to vote for the resolution, although I had not expected to do so. The chairman of the committee, who is an able man and has the Government's interests at heart perhaps as much as any other man here, is on the other side of the question. He has stated that he has confidence in this agency, this Shipping Board, and in this man, its chairman, and that the board will do the things he has agreed to do. But our own membership have not confidence, it seems to me, and so far as I am concerned I am going to vote for the resolution. It will effect nothing more when passed than has already been agreed to be done by the chairman of the Shipping Board relative to delaying the sale of the ships until the Commerce Committee and the Senate can have opportunity to decide what should be done about it.

Mr. THOMAS. Mr. President, I think there is a general unanimity of sentiment in the Chamber in regard to the unwisdom of a speedy, ill-considered sale of these vessels, and if I thought for a moment that they would be thus disposed of I should be among the first not to vote for a Senate resolution upon the subject but for a bill dealing with it in statutory form. The situation, however, to my mind is one which does not require this precipitate action, which, whatever the intention of the introducer of the resolution may be, does, in my judgment, directly reflect upon the Shipping Board.

Mr. McKELLAR. Mr. President, I desire to say, as the author of the resolution, that there is nothing on earth in the resolution that could possibly be construed as a reflection upon the Shipping Board, and that that was not the purpose in introducing it—neither the language nor the purpose.

Mr. THOMAS. I stated that such was not the intention, but I reiterate that it will receive that construction, whatever the intention of the resolution may be. I say that because of the statement of the chairman of the Committee on Commerce, who has given the Senate the substance of the understanding existing between that committee and the chairman of the Shipping Board.

The probabilities are that the bids which were called for are, while we discuss this resolution, being opened and tabulated. I do not know that that is the case, but I assume that the work is now going on. In view of the assurance of Mr. Payne that no step will be taken toward the consummation of the sale, no matter what the bids may be, and that the whole subject will be submitted to the consideration of the Committee on Commerce, which is a servant of the Senate, and that the opinion and view of that committee will be taken before any action is had, which presupposes its report to the Senate and our action here, and inasmuch as that statement has been emphasized by the indorsement of the Senator from Louisiana [Mr. RANSDELL], I draw the conclusion that necessarily the public will regard the resolution as exhibiting a lack of confidence in the integrity of the word of the chairman of the Shipping Board. I think, therefore, that the resolution might well go over until to-morrow. If it be true that bids are now being opened, then, of course, it is too late, so far as the bids are concerned, for the resolution to become operative.

Mr. President, we must remember that a few days ago a very prominent newspaper proprietor in the United States, who has long had the welfare and well-being of the people of America politically, socially, economically, and religiously in his keeping, has applied to the courts for an injunction against the United States of America, forbidding the Government to make disposition of the property. Inasmuch as the courts have been appealed to, perhaps we could without any greater danger of injury to the country let the matter go over until the courts shall determine, at the suit of the gentleman to whom I have alluded, whether the Government of the United States shall make sale of the ships.

There are some other things that ought to be considered before a final determination of the operation of the ships either by the Government or otherwise shall be reached. I recall that among the other reasons assigned for the inability of the Government to commercially operate these ships is the effect of prohibition upon the lines. It has been stated here, and I have no doubt there is a good deal in it, that the ships as dry ships, if I may use that expression with reference to a ship which sails on the water, can not compete with the ships of foreign countries as wet ships. My experience in the world teaches me that, humorous as the conclusion may sound, there is a good deal in it. I might apply the argumentum ad hominem. I have no doubt if my friend the junior Senator from Texas [Mr. SHEPPARD] or my distinguished friend the chairman of the committee [Mr. JONES of Washington] intended an ocean voyage that the dry ship would receive their patronage, but with reference to every other Senator in this body I am inclined to think that under the same circumstances their patriotism would yield to their appetite. What is true of the Senate is in all probability true of the most of mankind—Americans particularly. If they can not get something to drink on land, very naturally they want to get something to drink on the sea, and the business of the wet lines will be promoted in proportion as the dryness of the great American public shall increase.

So the oasis in the great American Sahara may be punctuated by a resort to these foreign bottoms and a surcease of sorrow obtained in the good things of life which they will offer to an unhappy nation.

We ought, therefore, before determining whether there shall be Government operation of these ships, to ascertain the extent to which this unfortunate economic dilemma may have subjected such an experiment.

There are other reasons. Some weeks ago I read in one of the New York papers an account of the difficulty which American companies experience in securing American seamen for the operation of their competitive lines, and these difficulties arose from many sources, not the least of which was the prevailing rate of wages in all the various land industries of the country; and still another, the contrast between the comforts and conveniences of life as afforded in other pursuits with those afforded ordinary seamen in the very best American ships. The institution and the successful operation of a merchant marine, however great the national resources behind it may be, are not free from many serious difficulties which may spell all the difference between success and disaster, and these ought to be subjected to the experiences of men who know all about mercantile marine affairs and who can cooperate with the Government in finding a happy solution.

Mr. President, I hope, therefore, that the resolution will not be adopted, at least not to-day. The fact that there is no emergency requiring it; that the Shipping Board will in all probability proceed to-day in the even tenor of its way; the fact that we have the word of the Shipping Board, which I regard and always will regard as perfectly good until the contrary appears, to my mind makes the consideration of the resolution at this time largely a waste of the valuable time of the Senate. If it be in order, I shall ask that the resolution go over under the rules until to-morrow.

Mr. SIMMONS. Mr. President, I am utterly opposed to the sale of these ships at this time. A few days ago I expressed to the Senate somewhat fully the reasons for my opposition to the proposed action of the Shipping Board and I shall not repeat them to-day.

I have simply risen for the purpose of saying that I was very much disappointed at the attitude of the chairman of the Shipping Board taken a few hours after the Senate had had under discussion the resolution to stay, temporarily at least, the sale of the ships. I supposed when it was brought to the attention of the chairman of that board that the Senate, one branch of the Congress, was considering a resolution with respect to the sale of the ships, he would say at once that of course if the Senate is considering the question of the policy of the sale of the ships, the Shipping Board will not proceed with the matter until the Senate can have an opportunity to express itself with regard to that matter.

But he did not take that position. On the contrary, he made it perfectly clear to the committee that it was the purpose of the board to go on with the negotiations and the proceedings

looking to a sale. He made it perfectly clear that in his judgment, at least, the sum which they would probably be offered in the bids invited would be satisfactory, and a price at which the ships ought to be sold. He made it perfectly plain that it was not only his opinion but the opinion of every member of the Shipping Board, with the exception of one member whose mind he said was still open, that as a matter of policy not only these ships but the ships that had been constructed by the Government and are now owned by the Government should be sold. He made it perfectly clear it was the purpose of the Shipping Board, unless it was stopped either by injunction or by the action of Congress, to proceed to carry out that policy.

Mr. President, Congress has not yet made up its mind, or if it has made up its mind, it has given no declaration of its purpose, speaking for the Government, to dispose of these ships. The question of whether it is good public policy for the Government to own and operate the merchant marine which it is now constructing and establishing is a question which has not been settled and upon which, probably, many Senators and many Members of the House of Representatives have not made up their minds. I think it is the general feeling that until we who are authorized to speak for the Government in this behalf have made up our minds and have given declaration of our purpose in this regard a subordinate agency of the Government ought not to proceed in a way that may effectually frustrate and defeat, in part at least, that purpose when we ultimately declare it. It seems to me that the Shipping Board rather shows a disposition to arrogate to itself the settlement of this policy, and that it may do so unless Congress shall act in the premises.

Mr. President, if Congress is the final authority in this matter, why should there be any proceeding looking to the disposition of the ships that we have constructed and to which we have acquired title until Congress has acted? Why should the Shipping Board, an agency of the Congress, feel that it is reflected upon when Congress says to it, "We have not made up our minds as to the policy which you show a disposition to pursue, and we desire you to withhold any further proceedings of any kind or character with reference to that matter until we have had time to consider, deliberate, and act"?

So far from the Shipping Board regarding that as a reflection, I should think, under ordinary circumstances, the members of the board when put upon notice that the Congress contemplated action in the premises would regard that not only as an instruction to them but as a warning to them, and that they would be very glad to know, before they do act, what is the attitude of Congress with reference to the matter. It is idle to say that the sale of these 30 great ships, with a tonnage of 368,000, would not materially interfere with the establishment of a policy of Government ownership of the merchant marine that it is now building; it is idle to say if this board is allowed to take this action in this way, and if Congress ultimately decides on another policy, that the policy will not be interfered with and crippled by such action.

Mr. President, I can see no reason under the sun why Congress should not make this declaration. I do not assume, in view of what Judge Payne stated to the committee, that he will finally close the proposed sales until he refers the matter of the bids to the Commerce Committee, and I assume, if the Commerce Committee shall decide against this policy, that probably the board will halt and await its advice; but, Mr. President, this is a matter of great public concern; it is not a small matter; it is a matter involving the policy of the Government with reference to one of the most vital problems that are now under consideration, and it ought not to be decided by a committee of this body, but it ought rather to be decided, in the first instance, by the representatives of the people speaking the will and judgment of the people with reference to the question of whether this Government is to construct and operate an adequate merchant marine or whether it is going to sell to individuals or corporations the ships that it has already built or acquired, to be operated in private ownership and at such prices, which, in the judgment of many, are totally inadequate.

I express myself in this way, stating at the same time that I have great respect and admiration for Judge Payne. I believe he is a man of marked ability, that he is a man of great uprightness of character and of high purpose; but I am amazed, in view of the fact that it has been made plain that the Congress is considering this matter with a view of formulating and declaring a policy with reference to the problems presented, and in the face of the additional fact that there is a common opinion in this country that the price at which it is proposed to sell the ships is a grossly inadequate price, that it should be suggested that the proposed action by the Senate is a reflection upon the Shipping Board and for that reason we should refrain from such action or any action. I think that the board ought not to feel aggrieved if Congress shall say to them politely and courteously, as this resolution does say to them, "We ask that you do not proceed any further in this matter until we have had an opportunity to formulate and declare our policy with respect to it."

Mr. HITCHCOCK. Mr. President, it occurs to me that this matter can be adjusted by an amendment of the resolution in such form as will meet general approval and as will defer any sale until the committee has finished its hearings, reported to the Senate, and the Senate has acted upon the report. I therefore propose amending the resolution so that it will read:

That the United States Shipping Board be, and it is hereby, requested to defer the selling of the ships taken by the United States from the Imperial German Government during the war until the subject has been considered by the committee now conducting hearings, reported to and acted upon by the Senate in accordance with the suggestion made by the chairman of the Shipping Board.

Mr. President, in support of that amendment I desire to say that as the chairman of the Shipping Board stated to the committee, as I understand, that he was willing to await an investigation by the committee and the consideration of the matter by the Senate, it seems to me that action such as I propose is a more reasonable postponement than to ask to have the sale postponed until Congress acts. That would imply waiting until new legislation is passed, which is very indefinite and might be forever.

Mr. BRANDEGEE. Will the Senator permit a question?

Mr. HITCHCOCK. I yield to the Senator.

Mr. BRANDEGEE. I am sure the Senator wants to quote correctly Judge Payne's statement upon that point. I was present when he made his statement, and my recollection about it is—and a member of the committee who was there confirms my recollection—that Judge Payne's statement was only to the effect that he would submit the matter to the committee. He did no agree to wait for the action of the Senate.

Mr. HITCHCOCK. I think I shall have the testimony here in a moment; but, whether he stated that or not, he and the board undoubtedly would act if this resolution was passed. It stipulates a definite time, a reasonable time.

I sympathize fully with what has been said as to the unwisdom of selling these ships in this precipitate way, and I believe I can add another reason to the reasons already stated. The bids on these ships, so far as they have been ascertained at all, are very low, alarmingly low, and one reason is said to be fear on the part of purchasers that the Government of the United States is not in a position to give a good title to the vessels. They have never been through any prize court; we hold them simply by main strength; we hold them because Congress passed a resolution to that effect. There is a very widespread opinion among lawyers that such vessels in a port of Europe could be libeled, and that by perfectly peaceful processes the decrees of the court could deprive us of the title. The proposed purchasers are circulating that report, and it is said to be one of the reasons why the bids are so very low.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Mississippi?

Mr. HITCHCOCK. I yield to the Senator from Mississippi.

Mr. WILLIAMS. I wanted to ask the Senator if there is anything in his proposed amendment that would prevent the board from going on and receiving the bids?

Mr. HITCHCOCK. Nothing whatever.

Mr. WILLIAMS. Because I think that it is of the highest importance for Congress itself, in determining the question finally, to be apprised, approximately at any rate, about what price can be obtained for the ships. I think the board ought to go ahead and get that information, and that it is about one of the most useful things that Congress could have before it when it comes to consider the question.

Mr. HITCHCOCK. I agree with the Senator fully, and I understand the information will be secured to-day.

Mr. McKELLAR. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Tennessee.

Mr. McKELLAR. I desire to make a suggestion. I know the Senator from Massachusetts [Mr. LODGE] is very anxious to bring another matter before the Senate. I am sorry that this resolution has taken so long. On account of the urgency I am willing to agree to the amendment offered by the Senator from Nebraska, for, even under that amendment, it will certainly stop the sale of the ships until the Senate acts. I hope the Senate will let the matter be voted upon and let the resolution pass.

Mr. LODGE. Mr. President, I rise to express that hope. I want to call up the treaty now. I have been postponing it, but

I shall be forced to make the motion to go into open executive session unless we can take a vote on the resolution.

Mr. McKELLAR. Let us have a vote. I hope we can. The Senator has been very courteous about the matter.

Mr. PITTMAN. Mr. President, for the purpose of facilitating matters, the resolution being now so drawn as to eliminate any possible chance of a construction that will reflect upon Judge Payne, I withdraw my motion to refer to the committee.

Mr. FLETCHER. Mr. President, I should like to suggest a further amendment to the resolution. The language beginning in line 3 is "the vessels taken by the United States from the Imperial German Government during the war." I am not so clear that that language is quite accurate, and I think we had better follow the resolution under which these vessels were seized and title to them acquired.

Mr. McKELLAR. What is the Senator's suggestion?

Mr. FLETCHER. After the words "United States" to strike out "from the Imperial German Government during the war" and insert "owned in whole or in part by a corporation, citizen, or subject of the Empire of Germany."

Mr. McKELLAR. I accept that amendment.

Mr. WALSH of Montana. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Montana.

Mr. WALSH of Montana. I think it would be unwise to recite as of the present time that they are owned as indicated in the amendment proposed by the Senator from Florida. The word "formerly" should be inserted, so as to read "formerly owned."

Mr. FLETCHER. Very well; let the word "formerly" be inserted.

Mr. BRANDEGEE. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. It seems to me if we simply say "is requested not to sell the ships which they are proposing to sell," or "for which they are receiving bids," or "the ships they are proposing to sell at auction," that will cover the whole situation.

Mr. McKELLAR. Will the Senator offer that as an amendment? If so, I will be glad to accept it.

Mr. BRANDEGEE. I suggest it to the author of the resolution.

Mr. HITCHCOCK. Mr. President, I think the suggestion of the Senator from Florida [Mr. FLETCHER] completely covers the situation. These vessels, as a matter of fact, were not owned by the Imperial German Government, but by nationals of the German Government.

Mr. BRANDEGEE. They were ships which were interned here at the outbreak of the war; and in relation to the title to them, as I recall, the opinion was expressed that we had no constitutional right to confiscate them.

Mr. HITCHCOCK. I understand that the Senator from Tennessee accepts my amendment and also accepts the amendment of the Senator from Florida.

Mr. McKELLAR. Yes. I now ask, Mr. President, that the resolution as amended may be read to see if it is exactly accurate. I think that can be determined, if the Secretary will read it, and I ask unanimous consent that it be read as modified.

The VICE PRESIDENT. The resolution as modified will be stated.

The READING CLERK. In line 4 it is proposed by Mr. FLETCHER to strike out the words "from the Imperial German Government" and insert "and formerly owned in whole or in part by a corporation, citizen, or subject of the Imperial German Government."

Mr. McKELLAR. I ask unanimous consent that there may be added after those words the words "and now proposed to be sold by the Shipping Board."

Mr. WILLIAMS. That is not accurate. I suggest that it should read "for which bids are now being taken by the Shipping Board."

Mr. BRANDEGEE. That is it.

Mr. WILLIAMS. The Shipping Board denies that it is now proposing to sell them.

Mr. McKELLAR. I do not understand it in that way; but let it read "for which bids are now being received by the Shipping Board."

Mr. BRANDEGEE. I think the Shipping Board will know what is meant.

Mr. McKELLAR. I am quite sure of that.

Mr. HITCHCOCK. I do not think that is necessary. That language is broader than it is in the original resolution.

The READING CLERK. Add to the amendment proposed by Mr. FLETCHER the words "for which bids are now being received by the Shipping Board"; and, after the word "until," Mr. HITCHCOCK moves to strike out "further action of Congress" and insert "the subject has been considered by the committee now conducting hearings, reported to and acted upon by the Senate, in accordance with the suggestion made by the chairman of the Shipping Board."

The VICE PRESIDENT. The Senator from Tennessee accepts the various modifications?

Mr. McKELLAR. I accept the various modifications.

Mr. PITTMAN. I ask unanimous consent that there be printed in the RECORD immediately preceding the vote upon the resolution which has just passed the short colloquy between the Senator from North Carolina [Mr. SIMMONS] and Judge Payne found on page 2310 of the hearings, in which Judge Payne states that the board will be very pleased to defer action if the committee or the Senate so requests by a resolution.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Senator SIMMONS. Judge, in view of the fact that a resolution is pending before the Senate now requiring the Shipping Board to await an expression from Congress before disposing of these ships, and that resolution will probably be vigorously pressed, would you feel justified in disposing of these ships before action by Congress on that resolution?

Mr. PAYNE. That resolution, I understand, has been referred to this committee. Now, I think this committee should act, and if, in view of the statement which I have now made, the committee thinks we ought not to make that sale and should defer that sale, all the committee has to do is to pass such a request or resolution and it will be cheerfully complied with.

Senator SIMMONS. Or the Senate, either?

Mr. PAYNE. Oh, certainly; certainly.

The VICE PRESIDENT. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to, as follows:

Resolved, etc., That the United States Shipping Board be, and it is hereby, requested to defer the selling of the vessels taken by the United States and formerly owned in whole or in part by a corporation, citizen, or subject of the Imperial German Government, for which bids are now being received by the Shipping Board, until the subject has been considered by the committee now conducting hearings, reported to and acted upon by the Senate, in accordance with the suggestions made by the chairman of the Shipping Board.

TREATY OF PEACE WITH GERMANY.

Mr. LODGE. I move that the Senate proceed as in open executive session to the consideration of the treaty of peace with Germany.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the treaty of peace with Germany.

Mr. LODGE. I now move that the second reading of the treaty be dispensed with.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to.

Mr. OWEN submitted the following proposed amendment to the resolution of ratification of the German peace treaty, which was ordered to lie on the table and to be printed:

The United States understands the protectorate referred to in section 6 of the treaty to have been merely a measure to preserve the integrity and independence of Egypt during the war.

The United States holds that the principles covered by the letter of the Secretary of State of November 5, 1918, as the conditions upon which the armistice was based are binding and the covenant of the league must be interpreted in accordance with those principles.

Mr. LODGE. I now move, as an amendment to reservation numbered 1, the following change in the reservation reported from the committee in accordance with the instructions of the Senate.

The VICE PRESIDENT. The amendment will be stated.

The reading clerk read as follows:

Amend reservation No. 1 so that it will read as follows:

"1. The United States so understands and construes article 1 that in case of notice of withdrawal from the League of Nations, as provided in said article, the United States shall be the sole judge as to whether all its international obligations and all its obligations under the said covenant have been fulfilled, and notice of withdrawal by the United States may be given by the President or by Congress alone whenever a majority of both Houses may deem it necessary."

Mr. McCORMICK. Mr. President, I ask that by leave of the Senate, the cable dispatches of which I hold copies in my hand may be published in connection with what I have to say bearing upon the treaty before the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

WILSON WARNS THE ALLIES—PRESIDENT SERVES IDENTICAL NOTICE ON LONDON, PARIS, AND ROME—VETOES ADRIATIC PLANS—PRESIDENT ALSO OPPOSES THE ALTERNATIVE OF APPLYING THE TREATY OF LONDON—ANGRY COMMENT IN PARIS—PERTINAX DENOUNCES WILSON AS AN AUTOCRAT—LIBERTE TAUNTS HIM WITH FAILURE OF TREATY.

(By Edwin L. James.)

PARIS, *February 15.*

President Wilson has notified the British, French, and Italian Governments that if they settle the Adriatic problem without the concurrence of Washington the United States will not concern itself further in the settlement of pending European questions. He de-

clares that neither of the proposed solutions is compatible with the American attitude.

This notification was contained in a note handed to the French foreign office late yesterday by Ambassador Wallace, and at the same time handed to the British Government in London and the Italian Government in Rome.

It reached the allied Governments the day after Premiers Lloyd-George and Millerand in London had promised Premier Nitti that before he left the British capital either the compromise plan of January 20 or the treaty of London would be put in force.

FRENCH DIPLOMATS EXCITED.

French diplomats are greatly excited over President Wilson's action. They say that the American Government will not take part in the discussion of the Council of Premiers, to which it is invited, yet at the same time exacts that the premiers' decisions must be shaped in accordance with Washington's wishes.

The French press to-night takes up the question in sensational style, and its comment is bitter.

WILSON'S CRITICISM OF BRITISH PLAN.

The Temps publishes the following semiofficial note:

"The ambassador of the United States yesterday handed to the minister of foreign affairs a memorandum by which the Government of the United States expresses its opinion on the Adriatic problem. The same memorandum was handed yesterday to the British Government in London.

"The Government of the United States criticized the Lloyd-George proposal which was communicated to the Jugo-Slavs by the Supreme Council January 20. Mr. Wilson has examined this project, but he declares that he can not approve the terms of it. He objects particularly to the idea of giving the Jugo-Slavs the choice between this project and the application, pure and simple, of the treaty of London. Besides, the President of the United States finds that the Lloyd-George project differs too much from the memorandum framed in London last December by Premier Lloyd-George and Premier Clemenceau with the collaboration of the American representative.

"President Wilson declares that if the allied powers settle the Adriatic problem without consulting the Government of the United States the latter will find it impossible to continue to concern itself with European affairs.

PREMIERS CONSIDERING THE VOTE.

"The American memorandum was quickly examined by the allied chiefs before M. Millerand left London this morning.

"It is known that the chiefs of the allied Governments had previously handed M. Trumbic, the Jugo-Slav foreign minister in London, a note asking him to request his Government to reply categorically as quickly as possible to the last note by which the premiers of England and France notified the treaty of London to the Belgrade Government, and called on it to subscribe to the Lloyd-George project, with the alternative of having the treaty of London enforced."

RESENTED AS INTERFERENCE.

Paris got its first news of President Wilson's move in a London dispatch from Pertinax, the political editor of the Echo de Paris, in which he said:

"Not content with dismissing Lansing, his Secretary of State, in a tone that no Russian despot ever employed toward his most faulty minister, Wilson has mixed in the business of the London conference. In a note addressed to the Governments of France, England, and Italy he declares that on the question of the Adriatic he holds to the point of view expressed in the documents handed Italy last December by the United States, England, and France. If his advice is not taken, he threatens to retire from the conference of Paris.

"If France and England, Jugoslavia having rejected a compromise, authorize Italy to proceed with the execution of the treaty of London, they will find themselves facing a stubborn and threatening Wilson. Lloyd-George and Millerand have just promised Nitti that before he leaves London the compromise or the treaty of London will prevail. I do not know what they will do, but if they allow Wilson to contradict all their decisions it is evident that the best thing they can do is to end their conference and go play in the snow.

CALLS WILSON AN AUTOCRAT.

"It is inadmissible that Wilson—an autocrat, truly, but an autocrat who is about to fall—should be allowed to impose his political conceptions upon us when within a year Republicans will rule at the White House, and in all probability will immediately denounce all his conceptions."

The Intransigeant to-night says:

"Wilson threatens the conference with his withdrawal from its bosom if it adopts any other than his solution for the Adriatic problem; and, inasmuch as the United States possesses a great mass of pounds sterling, francs, and lire, the diplomats in London probably will not wish to unchain the thunderbolts of the American king."

La Liberte says:

"Once more the personal wishes of a statesman who is combatted in his own country and who has not been able to obtain the ratification of the treaty comes to counteract the efforts of the great European powers to remedy the present confusion.

AMERICA CAN HELP BY KEEPING OUT.

"Lloyd-George and Millerand have just given formal promise to Nitti that before the London conference ends the Adriatic affair will be settled by the acceptance of a compromise or by the enforcement of the treaty of London. To this promise Mr. Wilson puts his veto. Closed in his proud isolation, irritated by his malady, without contact with the allied cabinets or with his own ministers, the unreasonable President of the United States pretends to direct from the White House affairs of Europe, of which he has not the slightest conception. Does he know the real situation at Rome or Belgrade? Does he know what concessions Italy has already made?

"There is one thing not to be forgotten, and that is that the financial reconstitution of Europe, for which America gives us its advice, but not its assurance, is possible only if we settle our political problems. In this work the United States can help us by keeping out."

The French newspapers give the greatest prominence to-day to the resignation of Secretary Lansing. Dispatches dealing with the differences between President Wilson and his departing minister receive more attention than even the London conferences.

It is difficult for Paris editors to take sides in the quarrel, for, while they may have lost most of their love for Mr. Wilson, they apparently never had any for Mr. Lansing, because when he was here he was very outspoken in his opinions of certain diplomatic methods of European statesmen.

While not taking in any decided fashion Mr. Lansing's part, the French press in its treatment is distinctly hostile to President Wilson, and generally refers to his treatment of Mr. Lansing as "brutal." For the most part editors allow their American correspondents to do the commenting, and for the moment reserve formal opinions.

Those who do comment find new proof that Mr. Wilson is an autocrat. The Journal says that only the façade of the American administration is democratic. The writer recalls that it was from the day Lansing succeeded Bryan that America became a faster friend of the Allies. He believes that the resignation at this time only means an explosion of a delayed mine and that Lansing and Wilson would have sooner come to the parting of the ways had not Mr. Wilson been ill.

Figaro predicts further upheavals in the Wilson Cabinet.

The comment of the Washington correspondents of the Paris papers is distinctly favorable to Lansing's side of the case.

ALLIED PREMIERS DRAFT A REPLY TO WILSON ON HIS STAND ON THE ADRIATIC QUESTION.

PARIS, *February 15.*

The British, French, and Italian premiers have drafted a reply to President Wilson's note on the Adriatic question, which will be transmitted through the American ambassadors at London and Paris, according to a member of Premier Millerand's staff, who arrived in Paris to-night.

The greatest discretion is being observed as to the contents of the reply, and it will not be made public until after it is received by the President of the United States. However, another delay in the Adriatic settlement as a consequence of the incident is foreseen in French official circles.

Premier Millerand has called a cabinet meeting for Tuesday to hear his account of the London negotiations. He will also make a statement on the diplomatic situation to the Senate committee on foreign affairs.

TARDIEU BARES TREATY SECRET—FRANCE BALKED AT GIVING UP RHINE'S LEFT BANK FOR ANGLO-UNITED STATES ALLIANCE—CONFERENCE IN DESPAIR—NEAR BREAKING POINT AS WILSON ORDERED SHIP MADE READY FOR VOYAGE HOMEWARD.

PARIS, *February 15.*

Additional light is being shed here on the peace conference negotiations which led up to the Franco-American-British pact, providing for the defense of France in case of future German aggression, and which caused France to abandon her claim to occupation and the independence of the left bank of the Rhine in return for this alliance.

An interesting revelation concerning this phase of the conference negotiations has just come to wide notice through an article by Andre Tardieu, which appeared in L'Illustration. Capt. Tardieu, who is generally credited with being one of the men who drafted the peace treaty, is regarded as perhaps being in a most excellent position to describe the inside workings of the peace conference in this connection. Needless to say, his article has attracted very wide attention.

"Great Britain, proud of her traditional isolation, and the United States, 'too proud to fight,' and separated from the rest of the world by the spirit of Washington and his advice against entangling alliances and by the Monroe doctrine, proposed to France on March 14 of last year a real pact or alliance, giving an immediate military guaranty against unprovoked aggression by Germany," he says in his article.

PROPOSAL PROMISES SOLIDARITY.

"This was an unprecedented, a weighty proposal, which would maintain for France in times of peace that same solidarity by which the war was won.

"Premier Clemenceau, who had 'asked for nothing,' as he recalled with pride some time later in the Senate, at once intimated that he attached a very high value to the offer. However, he asked for time for reflection. In three meetings, held on March 15 and 16, 1919, various aspects of the problem were discussed verbally and three successive notes were exchanged.

"Two important conclusions, seemingly contradictory, were drawn from these conversations. They were:

"1. That it would be criminal for the French Government to renounce an offer made under such conditions.

"2. That it would be equally criminal to be content with the bare offer.

"The apparent contradiction was emphasized when President Wilson made it clear that they preferred military guaranties in exchange for occupation and the independence of the left bank of the Rhine. They wished France to renounce this claim, and thought that such an alliance would be a just equivalent. They wanted the left bank of the Rhine to remain German and to be occupied neither by an international force nor a French force. In return Great Britain and the United States would pledge military support in case of danger."

Mr. Tardieu then proceeds to show the development of the long negotiations day by day; how France refused to accept this proposed alliance and its substitution of one guaranty for another unless accompanied by immediate military occupation.

CONFERENCE NEAR BREAKING POINT.

It was at this point that the entire peace conference seemed to have reached the breaking-up point. Premier David Lloyd-George and the British press were openly aggressive and hostile; Belgium's opposition to prolonged occupation of the Rhine country was expressed before the supreme council, and the American exasperation was manifested in the report that President Wilson had ordered the transport *George Washington* to Brest to take him home.

French notes began to multiply at a prodigious rate, and two or three of them were dispatched every day. Mr. Clemenceau was in almost constant conversation with President Wilson and Premier Lloyd-George. It seemed that there was no hope of France obtaining the physical guarantees which she demanded.

After many days' negotiations, President Wilson's assent to Chapter XIV of the treaty was obtained by "the Tiger." Premier Lloyd-George followed two days later by giving his assent to it.

Mr. Tardieu refers to Chapter XIV as offering to France the guaranties which Premier Alexandre Millerand, speaking in the Chamber of Deputies recently, said would be fully carried out in case of nonexecution of the treaty.

LANSING MADE THE GOAT, SAYS PARIS NEWSPAPER.

PARIS, *February 15.*

Commenting on the resignation of Secretary of State Lansing, the Journal calls the event "a striking example of the autocratic régime, the façade of which is democratic. President Wilson returns after his mysterious illness and comes to the conclusion that Secretary Lansing during his absence has been ruling as Lansing wished and dismisses him.

"National representation and popular sentiment are not even consulted in reaching a decision in which Louis XIV would have used more formality. Is not Mr. Lansing called upon to play the classic rôle of the scapegoat, which assumes the burden of his superior's faults?"

The Libre Parole remarks: "President Wilson, who has governed his country seven years without the least regard for national representation, who threw America into the war after winning the election on a peace program, and who domineered over the peace negotiations, returns from a mysterious illness to accuse his foreign minister of governing autocratically during his absence. Isn't that laughable? Mr. Wilson has given the impression for some days that he is preparing to 'change his coat.' Isn't Mr. Lansing's disgrace the first step?"

WILSON ORDERS ALLIES TO KEEP ADRIATIC PLEDGE—THREATENS TO WITHDRAW SUPPORT OF UNITED STATES IF HIS SCHEME IS NOT FOLLOWED—ENTENTE SAID TO HAVE SENT NOTE OF REFUSAL—DIFFERENCES BETWEEN SENATE AND PRESIDENT REPORTED CITED AS A REASON—ALLIES SPEED UP WORK—MOST IMPORTANT QUESTIONS SINCE THE PEACE CONFERENCE NOW BEING DECIDED.

LONDON, *February 15.*

President Wilson addressed a note to the allied supreme council, which has been in session here, on Saturday, complaining that the Allies' plan for settling the Adriatic question was not in accord with plans previously laid down by him and approved of by the peace conference.

It is reported that the supreme council, before Secretary Lansing's resignation became known, sent back the reply that, owing to the differences between the Senate and the President, it was impossible to apply his solution in the settlement of the Adriatic question.

The decisions now being taken here are the most important since the original peace conference was convened.

There is an insistent desire to settle all outstanding questions of moment, and in order to attain this great object the differences among Great Britain, France, Italy, and Jugo-Slavia have been or are being sunk for the common welfare of all.

Efforts have been made during the last few days to induce Dr. Trumbic, the Jugo-Slav foreign minister, to accept the Franco-British proposals of January 20, which the Jugo-Slav Government had declined. The French premier is understood to have made a personal appeal to Dr. Trumbic in this sense, while Lloyd-George, as president of the supreme council, wrote an official letter in the same sense.

The proposals of January 20 differ considerably from the basis for a settlement laid down in the joint Franco-British-American note of last December to Italy. The January proposals advocated, in fact, several Italian claims which the Franco-British-American note of December had shown to be unacceptable. Some perturbation was therefore caused in the supreme council by the arrival of a note from President Wilson bearing the signature of Secretary Lansing to the effect that the United States adhered entirely to the December note and could not go beyond it.

The American note is stated to be a very cogent document. The views which it expresses are understood to be shared fully by President Wilson and Mr. Lansing and are not invalidated even in form by the subsequent resignation of Lansing on another issue.

NOTES PRESENTED SATURDAY BOTH IN LONDON AND PARIS.

PARIS, *February 15.*

Hugh C. Wallace, the American ambassador, according to the Temps yesterday, delivered to the foreign office a memorandum from President Wilson, in which the President said he could not approve of Premier Lloyd-George's proposed settlement of the Adriatic question, which has been submitted to the Jugo-Slavs. The newspaper says that an identical memorandum was delivered to the British foreign office in London.

The President gives it to be understood that if the allied powers settle the Adriatic problem without consulting the United States Government, the United States will find it impossible to concern itself in European affairs.

In his memorandum President Wilson criticizes Premier Lloyd-George's plan as communicated to the Jugo-Slavs by the supreme council on January 20. He particularly opposes the idea of giving the Jugo-Slavs the choice between this plan and execution pure and simple of the London pact.

In addition, according to the Temps, the President finds the Lloyd-George plan too divergent from the memorandum drawn up at London last December by Premier Lloyd-George and Clemenceau with the collaboration of the American representative.

The memorandum was immediately examined by the chiefs of the allied Governments before the French premier left London for Paris this morning.

The premiers have drafted a reply, which will be transmitted through the American ambassadors at London and Paris, according to a member of Premier Millerand's staff who arrived in Paris to-night.

The greatest discretion is being observed as to the contents of the reply, and it will not be made public until after it is received by the President of the United States. However, another delay in the Adriatic settlement as a consequence of the incident is foreseen in French official circles.

Premier Millerand has called a cabinet meeting for Tuesday to hear his account of the London negotiations.

Premier Millerand has explained the reported negotiations between France and Jugo-Slavia last fall by which, it was said, a community of interest between the two countries would be recognized in the Adriatic, according to London advices to the Journal. It is said members of the supreme allied council are satisfied with the statement made by the French premier. Premier Nitti, of Italy, is reported to have ordered the suppression of the newspaper responsible for the first publication of the reports.

Mr. McCORMICK. Mr. President, as the curtain goes up on another act of the drama of which all the world is the stage I am constrained to ask my seniors and principals if it may be permitted to the chorus to display any but mimic emotions which will serve to keep their principals in countenance? Certainly Shakespeare himself never relieved tragedy by comedy with any such sudden and perfect irrelevance as that presented here in the Senate. Unconsciously we have advanced in technique as much beyond him as ever he did beyond the Athenians. We are invited solemnly to witness the reduction of an irreducible minimum. We are summoned to share in the transubstantiation of a reservation which cut the heart out of the covenant into one so superlatively interpretative that to Americans it will seem to assure their peace and security, while to Europe it will appear to guarantee their participation in every future war, even against the American conscience and judgment. And all this is to be done without sacrifice of intellectual integrity! At the moments when Democrats at the other end of the Avenue and at the other end of the Capitol have broken the leash which bound them to the White House, Republicans here, or some of them, seem to be coming to heel.

The drama is on so vast a scale that this cosmic comedy is played in Washington when tragedy moves the figures upon the stage in Europe. Here, still dissembling its character, still masking its features, still moving before the pretense that it promises peace, Senators propose to ratify the treaty, and at the very moment when the horrid and spectral truth has appeared in Europe to compel the affrighted people to cry out for revision; aye, in the very moment when the council of the league accepts the reservation insisted upon by the Swiss Republic, conformably with her ancient tradition. In the very hour when the leader of the majority and the majority in the Senate are about to be justified by events it is proposed that they shall yield the safeguards to American peace and honor. I speak not only of what has been written or uttered by French and British statesmen and publicists—by Robert Cecil, by Yves Guyot, by Alexander Ribot, and by Lord Grey of Fallodon—in justification of the reservations already adopted by the Senate. I do not speak of the indorsement of Lord Grey's letter by the British secretary for foreign affairs. The readiness of the European powers, thus proclaimed, to accept the Lodge reservations as adopted by the Senate is important, but, Mr. President, less important than the irrefutable condemnation of the "world settlement" spoken by the facts, now no longer to be concealed. Despite distortion by officials, despite difficulty of travel and trouble in transmission, despite censors, the news comes from hither Asia and from central Europe that the peace, that the "world settlement," as it was termed by him who sought to make it for America, that the "world settlement" can not last. Its terms can not be enforced. They can not be met.

I do not condemn them here because they give the lie to our pledges, because they imply tyranny and not democracy, because they violate the principles which we hold dear. I have no word to say against them because they are repugnant to justice and to the precepts of the Christ to whose teachings we Americans subscribe, whether Jews or Gentiles. It is because the terms of the "settlement" injure conqueror and conquered; it is because they spell ruin rather than regeneration; it is because they rivet the chains on subject Asia; it is because they make certain for the future not peace but war that now there goes up from the enlightened souls in Europe the cry for their revision. It is not mercy or justice but truth and wisdom which most loudly condemn the treaty. The voice of truth could not be drowned, even by the cries of the horde of paid proselytizers of a false peace. Numbers of these were honest folk misleading others; among them there were many doubtless themselves deceived. Through the din of cant and of abuse which was rained upon those who dared to criticize the treaty it was hard for the people to learn the bare facts.

How little time has passed since no speech was too violent, no stigma too vile, for some to excoriate or to defame men whose convictions found courage to give tongue to the truth. It was not a task which discretion sought for Senators, but one which duty laid upon them. They faced great odds, those who led in this debate and whom others of us humbly followed. A few months ago there were thousands of our people uninformed or misinformed. There were then, and still are, hysteric males, self-styled liberals, greedy reactionaries, who, irresponsible, ignorant, or indifferent to the public welfare, shrieked "pro-German," "Bolshevist," "Tory" at men who differ from them. I invite the attention of these, as well as that of our fair and honorable opponents upon this issue, to the present views of Englishmen. I quote:

Replying to general criticism of the Government's policy by William Adamson, leader of the Labor Party; Sir Donald MacLean, Liberal leader in the House of Commons; and others who demanded especially the revision of the Versailles peace treaty, Premier Lloyd-George de-

clared that it would be impossible in a single speech to deal with all the questions raised. * * *

Earl Curzon, secretary of state for foreign affairs, thought that the Marquis of Crewe was right when he said that a good deal of the peace treaty might have to be rewritten and revised. None of its authors claimed that it was sacrosanct.

He had not read the dictum of its author again resident on this side of the Atlantic—

"If Germany shows a disposition faithfully to carry out her obligations," he added, "we will do our best to aid her in fulfilling them and resuming her place among civilized communities." * * *

Speaking of the financial provisions of the treaty, Mr. Asquith said they were all agreed Germany should pay a large sum as promptly as possible for her war damage, but he was not sure that it was not more important for the permanent interests of the world to accelerate as far as possible the restoration of the normal economic life of Europe, in which Germany must continue to be an important factor. Germany's total liability—and this was the defect of the treaty—was nowhere defined. She was left with a millstone round her neck.

"As a question of practical business capacity," he went on, "is it conceivable that Germany will be able with her crippled resources to meet liabilities of that kind? To my mind it is absolutely impossible."

It has been sought upon occasion to make it appear that the instrument now before the Senate touched the people of Germany and no others. Again, it has been described as a charter of a new order for all mankind. Whatever the merits of that part of the instrument which determines peace with Germany, or that part of it which is the covenant of the league, their forced and disingenuous union has given this treaty a double character. It affects not only the German peoples, who are to be subjects of the commission on reparations, but also those vast populations in Africa and in Asia, new and old subjects of Britain, Japan, and France, the three imperial powers. There is a warning for us in the news which the cables bring from the shores of the Ægean, the Euxine, and the Yellow Seas. Oriental peoples in whose breasts it was supposed that consciousness and pride of nationality were dead are suddenly filled with the spirit of freedom.

Sir, I beg Senators to consider the map which I once placed before them and to permit me to recall in brief the events described in the cabled dispatches of which I have copies before me. I ventured a few weeks ago to forecast the consequences of the unrest, the rebellious agitation, which is moving nearly 500,000,000 subject peoples in Asia and Africa. It was not hard to see that the first violation of article 10 of the covenant would take place in the vast spaces of Asia where the frontiers of the conquered peoples under the dominion of the three imperial powers march with the frontiers of wronged and outraged China and with those of Bolshevist Russia. Follow the map from west to east, from Gibraltar to Korea. The cables bring reports of sedition and risings against all of the empires—risings ominous of the future.

1. In Morocco the French occupying forces have had bloody encounters with rebel tribesmen.

2. British bayonets have stifled rebellion in Egypt. There, Mr. President, the acknowledged leaders of the Egyptian people have refused even to confer with the British mission upon the basis of the British protectorate over Egypt, approved by Mr. Wilson and recognized by the treaty with Germany. The religious head of the Mohammedan millions of the country has joined his protest to that of its political leaders. They refuse to treat with Britain as a suzerain or protecting power.

3. In Syria there have been armed outbreaks against the military forces of the French Republic.

4. The secretary of the Persian delegation to the Paris peace conference has made solemn proclamation that the treaty establishing the British protectorate of Persia was signed under duress and in violation of the Persian constitution.

5. Arab tribes are making ready to take the warpath against the British in Mesopotamia.

6. The State Department in Washington has formally confirmed the cables which brought the news that the Bolshevists were organizing a propaganda of rebellion and an army of invasion against the British in Persia and in India.

7. In India the president of the All-Indian Congress proclaims to the disaffected from British rule that the fourteen points have been blown to the four winds. The shooting of the hundreds of unarmed Indians at Amritsar is compared with German frightfulness by one section of the British press, and by another is described as a terrible measure necessary to stamp out growing rebellion in northern India.

8. The Chinese Provinces have memoralized the central government at Peking, beseeching that it shall not even negotiate with the Japanese regarding the status of Shantung.

9. We learn that a Korean force, armed and abetted by the Bolshevists, has crossed the Imperial Japanese frontier at the Yalu to raise a rebellion among the unwilling Korean subjects of the Japanese Emperor.

10. But it is not in Korea alone that the Bolshevists are threatening the Imperial Japanese frontiers which this treaty calls upon us to defend. They have seized the Government in that half of the great island of Saghalien which remained Russian by the treaty of Portsmouth, and threatened the other half, which is Japanese.

11. British cables report that Bolshevist agents are stirring up the wild Afghans, the riflemen and gunners of the hills, against Persia and against the British in Persia and in India.

All Asia is quaking. It is moved by such unrest and violence as has not stirred its millions since, under Genghis Khan, they shook the civilization of the world. Now it is purposed to qualify, to attenuate, to weaken the already inadequate reservation under the terrible tenth article of the covenant, in order in some wise to permit the fires of Asia to be quenched in the blood of Minnesota and of Maine, in order to lay the bodies of the youth of North Carolina, of Wisconsin, of Iowa, and of Rhode Island to fester or to freeze upon the altar of an imperialism which America has not willed and which America does not control. In the name of simple, homely candor let us have done with word spinning. It is agreed by the ablest supporters of this covenant—the President and the patriotic and powerful Senator from Montana—that the obligation under article 10 as it is penned, whether moral or legal, is of compelling force, absolute, unequivocal, and unqualified. On the map is written the reason why the democracies of Europe, themselves shackled to their subject millions whom they have never seen, should want America to put the manacles upon her sons and thus share the weight of common empire. Ah, yes; through article 10 they would have us imperialists, too, in the sense that the men of Gideon were Jews. If there be any sincerity in the long and unctious provision of the covenant describing the humanizing mission of mandates, why was the league not vested with mandatory power and supervision over the hundreds of millions already subject to the three great empires as well as over the other thousands whose dominions have been freed from the Turk and the Hohenzollern?

Article 10 guarantees frontiers as wide as the world, guarantees in our blood and our treasure against aggression, even though the conquered millions welcome the aggressors, welcome them as liberators come to free them from the yoke of alien sovereigns. Here is the Bolshevist danger. Bolshevism and the Bolshevik armies may be preferred by the despoiled Chinese, the conquered Korean, the subject Indian, the protected Persian, the mandated Syrian to the heavy justice or the iron benevolence of the mandatory or sovereign powers. Under this tenth article of the league covenant our men must die perhaps to deny these conquered peoples a government of their choice.

Mr. President, if Asia presents the vaster field for the future spilling of American blood unchallenged by an American Congress, there is another field where the arbitrary determination of frontiers, where the violation of the principles of self-determination and of nationality promise international revolutions which the treaty makers counted on American bayonets to suppress.

Perhaps in the present state of European civilization this had to be. I do not say that mankind must censure the statesmen at Paris who in the hour of victory divested themselves of the moral courage, the prudence, and the principles armored in which they had led the hosts of democracy to battle. When they entered the secret conclave they seem to have left their pledges at the threshold, even as they left their garments in the hands of their attendants. Now, Orlando is gone. France has done with Clemenceau. Lloyd-George's followers are seeking new leaders. Here the resumption of Democratic leadership by Mr. Bryan requires no comment.

The authors of the treaty secretly made ready, in the heart of Europe, the combustible material of a new war. They Balkanized the country between Riga and Belgrade. If they were induced by expediency to abandon the form of the secret treaties, they preserved their substance. In order to satisfy the still hot hate of the allied peoples, they compelled the separation of Austria from Germany and vested in France the absolute veto of any ultimate union. They avenged the manhood of Europe, sacrificed to the military madness of the Hohenzollern, by providing for the starvation of the children and women of Vienna—Vienna, once care free and gay—Vienna, mother of medicine and teacher of healing, in whose hospitals travelers tell us half the women who now give birth to children die with their newborn babes of hunger or exhaustion. The cables bring the news that 40,000 starving Austrian children have been carried to Italy, there to be nursed back to health in the homes of the men who fought their fathers.

Austria is a bankrupt State—

Says Mr. Asquith, according to the press—

The treaty imposes an undefined liability upon her as regards the total amount she is to hand over, in addition to which she is to provide 19,000 head of cattle, horses, and sheep, and that in a country where the condition of the population is such that we are making appeals in our churches and on platforms in order that they may be saved from starvation.

The peace, Herbert Hoover has stated, condemns Austria to perpetual penury. It condemns Czechoslovakia to perpetual civil strife. You have read, Mr. President, a summary of the report of the Czechish minister of war that conscription in his country is necessary to-day because of the disloyalty and disaffection of large elements of the population. The treaty makers have compacted within the boundaries of Czechoslovakia the very diverse, warring, racial elements which made representative government and national purpose impossible in Austria-Hungary under the Hapsburgs. At one end of the new State the population must instinctively seek union with its kinsfolk of Germany, and at the other, union with its Magyar brethren, while in the center religious strife already has separated the Slovaks from the Czechs.

The great Senator from Pennsylvania, as Mr. Lansing foresaw, was the first clearly to understand the terms of this treaty. He was denounced because he said of it in the Senate what public men everywhere are saying to-day, and what all men will know of it to-morrow.

The Sun and New York Herald, whose correspondent forecast by some days Lord Grey's letter, published under date of February 6 a cable from London which anticipated Lord Curzon's avowal that revision of the treaty would be necessary. I read it:

LONDON, *February 6.*

Spreading symptoms of economic ruin and anarchy in central Europe have brought about the momentous decision in the highest quarters, the correspondent of the Sun and New York Herald is able to state without qualification, that the economic clauses of the peace treaty must undergo a drastic revision that will mean practically scrapping them. This action will be taken for four reasons:

1. Because there is no longer the slightest possibility that Germany will fulfill the obligations fastened on her by the peace treaty as regards indemnities.

2. It will enable the continental Governments to deflate their balance sheets by compelling those Governments to adopt adequate taxation measures.

3. If revenues are made to meet expenditures, further outpouring of paper money will be rendered unnecessary.

4. It will have a favorable effect toward restoring the value of continental exchange and make it possible to meet objections which now prevent the raising of foreign credits in order to rehabilitate industry.

Although it can not be stated with assurance what lines the modification of the treaty will take, it is likely that Great Britain will assume the leadership by renouncing her claims for any indemnity or cash payment from Germany. There also is a possibility that England may cancel the indebtedness of the Allies to her, although this does not come under the treaty revision plans.

GERMAN INDEMNITIES ESTIMATED AT $40,000,000,000.

The tremendous indemnities not only in cash but in coal from Germany will undergo such modifications as will bring them within the bounds of her capabilities and prevent her from falling into a state of progressive decay.

Germany has been saddled with indemnities estimated at about $40,000,000,000, on which the annual interest charge is about $2,000,000,000. Even if her trade were prosperous the highest estimate places her ability to pay at not more than $500,000,000 a year, and at present she is able to pay nothing because she has an unfavorable trade balance.

Even aside from the indemnities she is unable to pay her own Government expenses, and vast amounts of paper money are being issued for that purpose, as well as to pay German subjects whose properties have been confiscated by the treaty or who were compelled to give up their foreign investments.

The treaty provides that Germany must deliver 48,000,000 tons of coal a year to France and Belgium; this also must be paid for, necessitating the issue of more paper money.

Notwithstanding Germany's palpable inability to pay, France and Italy, and to some extent Belgium, have continued to delude themselves by huge issues of paper money in lieu of taxation in order to meet the Government expenditures. The people of these countries have been led to believe that eventually this paper money will be replaced by German cash.

When official action is taken to revise the treaty these nations undoubtedly will protest, but the financial authorities of Great Britain feel that the weight of responsibility lies on them to prevent further collapse on the Continent, and they have concluded that a lessening of Germany's burden is the keynote of the whole situation, and that this is an imperative step dictated by common sense rather than by sentiment.

At the time the treaty was framed France was obsessed with the fear that unless Germany was reduced to a state of helplessness she would work harder than ever to hasten her revenge, and Premier Clemenceau was admired for the manner in which he overruled everyone who urged moderation toward Germany, but now it is realized that in heeding the French prime minister's appeals the peace conference paved the way for economic disaster for both central Europe and for France. Measures must be taken now to prevent that disaster.

France has expected to float a loan in England in March, but in view of the depreciation of the pound sterling and the franc there would be little chance for its success. It seems, therefore, of the utmost importance that whatever is to be done to right the exchanges should be accomplished before the French loan is floated, as this would supply a good argument for bringing France into line in favor of reducing the indemnities. There is no official basis, however, for saying that the modification of the treaty will take place before the French loan is issued.

A few days ago the Senator from Idaho quoted from the volume by the British economist, Prof. Keynes, whose training has been governmental and academic, while the Senator from Pennsylvania repeated the opinion of Mr. B. M. Baruch, who, like the President's other principal expert, has had a sound schooling in Wall Street economics. They represented their respective Governments at Paris. They agreed that it was not only a moral but a material impossibility for Germany to pay the monetary indemnities fixed by the treaty. Frank W. Vanderlip, formerly of the National City Bank of New York, and aid to Mr. McAdoo during the war, joins in this opinion, and says the treaty, if enforced, spells Bolshevism.

It may not be inappropriate now to recall that Mr. Lansing remarked that if the Senate and the American people understood what the treaty let them in for they would reject it.

The requirements for indemnities paid in kind are as impossible of fulfillment, according to Prof. Keynes, as those to be paid in currency or credit. They are worse than that. They are destructive of the economic rebirth of Germany, and hence of the economic regeneration of Europe. Let me draw your attention to the fourth chapter of Prof. Keynes's book, and more particularly to the second section of it. I ask your leave to consider a summary of Germany's requirements of coal, and that the whole section may be printed in conjunction with what I have now to say.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Without objection, it is so ordered.

Mr. McCORMICK (reading)—

(iv) The final provision relating to coal is part of the general scheme of the reparation chapter by which the sums due for reparation are to be partly paid in kind instead of in cash. As a part of the payment due for reparation Germany is to make the following deliveries of coal or its equivalent in coke (the deliveries to France being wholly additional to the amounts available by the cession of the Saar or in compensation for destruction in northern France):

(i) To France 7,000,000 tons annually for 10 years;

(ii) To Belgium 8,000,000 tons annually for 10 years;

(iii) To Italy an annual quantity, rising by annual increments from 4,500,000 tons in 1919–20, to 8,500,000 tons in each of the six years, 1923–24 to 1928–29;

(iv) To Luxemburg, if required, a quantity of coal equal to the pre-war annual consumption of German coal in Luxemburg.

This amounts in all to an annual average of about 25,000,000 tons.

These figures have to be examined in relation to Germany's probable output. The maximum pre-war figure was reached in 1913 with a total of 191,500,000 tons. Of this, 19,000,000 tons were consumed at the mines, and on balance (i. e. exports less imports) 33,500,000 tons were exported, leaving 139,000,000 tons for domestic consumption. It is estimated that this total was employed as follows:

	Tons.
Railways	18,000,000
Gas, water, and electricity	12,500,000
Bunkers	6,500,000
House fuel, small industry and agriculture	24,000,000
Industry	78,000,000
	139,000,000

The diminution of production due to loss of territory is:

	Tons.
Alsace-Lorraine	3,800,000
Saar Basin	13,200,000
Upper Silesia	43,800,000
	60,800,000

There would remain, therefore, on the basis of 1913 output 130,700,000 tons, or, deducting consumption at the mines themselves, say, 118,000,000 tons. For some years there must be sent out of this supply upwards of 20,000,000 tons to France as compensation for damage done to French mines, and 25,000,000 tons to France, Belgium, Italy, and Luxemburg; as the former figure is a maximum, and the latter figure is to be slightly less in the earliest years, we may take the total export to allied countries which Germany has undertaken to provide as 40,000,000 tons, leaving on the above basis 78,000,000 tons for her own use, as against a prewar consumption of 139,000,000 tons.

This comparison, however, requires substantial modification to make it accurate. On the one hand, it is certain that the figures of prewar output can not be relied on as a basis of present output. During 1918 the production was 161,500,000 tons, as compared with 191,500,000 tons in 1913, and during the first half of 1919 it was less than 50,000,000 tons, exclusive of Alsace-Lorraine and the Saar, but including upper Silesia, corresponding to an annual production of about 100,000,000 tons.

The prewar figure of 118,000,000 tons net (i. e., after allowing for loss of territory and consumption at the mines) is likely to fall, therefore, at least as low as to 100,000,000 tons, having regard to the above factors. If 40,000,000 tons of this are to be exported to the Allies, there remain 60,000,000 tons for Germany herself to meet her own domestic consumption. Demand as well as supply will be diminished by loss of territory, but at the most extravagant estimate this could not be put above 29,000,000 tons. Our hypothetical calculations, therefore, leave us with postwar German domestic requirements, on the basis of a prewar efficiency of railways and industry, of 110,000,000 tons, against an output not exceeding 100,000,000 tons, of which 40,000,000 tons are mortgaged to the Allies.

But the general character of the facts presents itself irresistibly. Allowing for the loss of territory and the loss of efficiency, Germany can not export coal in the near future (and will even be dependent on her treaty rights to purchase in upper Silesia) if she is to continue as an industrial nation. Every million tons she is forced to export must be at the expense of closing down an industry. With results to be considered later, this within certain limits is possible. But it is evident that Germany can not and will not furnish the Allies with a

contribution of 40,000,000 tons annually. Those allied ministers who have told their peoples that she can have certainly deceived them for the sake of allaying for the moment the misgivings of the European peoples as to the path along which they are being led.

(2) The provisions relating to iron ore require less detailed attention, though their effects are destructive. They require less attention, because they are in a large measure inevitable. Almost exactly 75 per cent of the iron ore raised in Germany in 1913 came from Alsace-Lorraine. In this the chief importance of the stolen Provinces lay.

There is no question but that Germany must lose these ore fields. The only question is how far she is to be allowed facilities for purchasing their produce. The German delegation made strong efforts to secure the inclusion of a provision by which coal and coke to be furnished by them to France should be given in exchange for minette from Lorraine. But they secured no such stipulation, and the matter remains at France's option.

The motives which will govern France's eventual policy are not entirely concordant. While Lorraine comprised 75 per cent of Germany's iron ore, only 25 per cent of the blast furnaces lay within Lorraine and the Saar Basin together, a large proportion of the ore being carried into Germany proper. Approximately the same proportion of Germany's iron and steel foundries, namely, 25 per cent, were situated in Alsace-Lorraine. For the moment, therefore, the most economical and profitable course would certainly be to export to Germany, as hitherto, a considerable part of the output of the mines.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Colorado?

Mr. McCORMICK. Certainly.

Mr. THOMAS. I think it is appropriate at this juncture in the Senator's remarks to add that if the plebiscite soon to be held in Silesia should result unfavorably to Germany there will be a still further diminution of her resources in iron and in coal.

Mr. McCORMICK. I thank the Senator.

Prof. Keynes, whom the New York World announces probably will be the chancellor of the exchequer, if a liberal-labor coalition succeeds the Lloyd-George cabinet, points out that perhaps an inevitable consequence of the treaty is the destruction of the German iron and steel industry through the restoration of Alsace-Lorraine to France It would seem that the authors of the reparation and economic clauses of the treaty sought their precedents in a very ancient, but until recently not very much admired, authority. They seem to have turned for their model to the fifth chapter of Exodus, wherein it is written that Pharaoh commanded that "Ye shall no more give the people straw to make brick, as heretofore."

Germany has merited bitter punishment, but, as Mr. Asquith has said—

> This is not statesmanship. It is not business or common sense. It is not that clean peace which always meant a peace that would end war. It is not that clean peace that all of us, without distinction of party, were demanding and clamoring for 18 months ago.

As it is written in the Book of Jeremiah:

> For they have healed the hurt of my people slightly, saying, "Peace, peace," when there is no peace. Were they ashamed when they had committed abomination? Nay, they were not at all ashamed, neither could they blush: Therefore shall they fall among them that fall: In the time of their visitation they shall be cast down, saith the Lord.

When other efforts to coerce Senators had failed, it was bruited abroad that this warrant for the economic ruin of Europe contained in its text some magic phrase which would cure the disorder in international exchanges, redress the balance of trade, imbue limitless issues of unsecured paper money with real value, and find for mankind a substitute for labor and a permanent alternative for taxation. Otherwise skeptic and prudent merchants, aye, and bankers, for a moment, were deluded by this crass falsehood. Happily, in London, Reginald McKenna, formerly chancellor of the exchequer, and, in Washington, CARTER GLASS, formerly Secretary of the Treasury, put an end to that delusion. In great part the fall of the franc, the lira, and the pound sterling in the American money market has been due to the false hope that the whole economic burden of the war could be placed by the treaty upon the shoulders of the vanquished peoples, even before they were ready to stand and bear it. The treaty itself, far from tending to relieve the distress in the international monetary exchanges, aggravates that distress. Manifestly, the treaty was intended to destroy in great part German trade and German industry. In so doing, it destroys German credit and the sources of German taxation. Who in America, banker or modest investor, would buy the German bonds provided for under the indemnity clauses of the treaty knowing that German industry was to be destroyed by the very treaty which required the issue of the bonds? Thus it is that the French budget, predicated upon false hopes of indemnities, has come to imply a deficit and continued inflation of the currency, with a disastrous result to the exchanges.

Mr. President, there are many reasons for the growing condemnation of this treaty, for the growing demand for its revision. For one I have opposed consenting to its ratification, because I believe that the ratification by the United States will not further, but will prevent, either the revision of the treaty of peace with Germany or the substantial amendment of the covenant of the League of Nations to make it safe for America to enter it. It is precisely because the Senate has refused to ratify that Europe has announced that she would accept any reservations which the Senate might see fit to make to the covenant. It is our abstention which has emboldened Englishmen of all shades of opinion now to propose a revision of the terms of indemnity. Let us not delude ourselves. As the most powerful mind in this Senate has pointed out, a reduction in the sum of reparations or indemnities may be agreed to only with the consent of the interested Governments and by the unanimous agreement of the reparations commission.

If Germany default, whether deliberately and by chicane or by inability to pay, the period for the military occupation of the territory to the west of the Rhine may be extended. The French prime minister, recognizing that French opinion which demands the continued separation from Germany of the territory west of the Rhine, has given notice, according to the press, that France intends, even without consultation with her European allies, to prolong the period of French control in the Rhenish Provinces. American ratification, and above all American ratification if it be inclusive of article 10 in any sense, not only guarantees the conquests of the ages in Asia, but pledges American bayonets to enforce, against any uprising in Europe, the assessment and levy of the last penny under the decision, the secret decision, of the reparations commission.

Mr. President, I shall presently, on another day, ask the Senate to consider the powers of the reparations commission and the relation of the secret treaties to the instrument before us. To-day, let me read the published statement of the Senator from Massachusetts:

> After four months of careful consideration and discussion, the reservations were presented to the Senate. They were purely American in their character, designed solely to Americanize the treaty and make it safe for the United States.
>
> Those reservations as presented to the Senate will stand. There is no room for further compromise between Americanism and the super-government presented by the league. All I ask now is that we may have the opportunity to lay those reservations before the American people. To that great and final tribunal alone would I appeal.
>
> I wish to carry those reservations into the campaign. I wish the American people to read and study them. They are not like the covenant of the league. They are simple.
>
> I do not see that there is one of them to which any American can object. I want the people to see them, understand them, and think of them in every household, on every farm, in every shop and factory throughout the land. Then let them decide. (New York Times, Nov. 21, 1919.)

The venerable Senator from Massachusetts sits here now in succession to a great son of the old Commonwealth, a great Senator and a great American, whose name, by common consent, stands at the head of the roll of all those who ever in this Chamber served the American people. He was beloved and revered in his time. His name to-day is cherished above all others who have been Senators, not for the compromises which he made to secure his own ambition, nor for the others contrived as he thought to preserve the Union, but for his uncompromising defense of the Constitution of the United States, whether it were assailed by those who would destroy it through secession or by another who threatened it by an act of usurpation.

> I feel the magnitude of this question. We are coming to a vote which can not fail to produce important effects on the character of the Senate and the character of the Government.

Fourscore years ago and more thus spoke, yonder in the old Hall of the Senate, the greatest of all Senators.

> Unhappily, sir, the Senate finds itself involved in a controversy with the President of the United States. * * *
>
> It is not to be concealed that the Senate is engaged against imposing odds. It can sustain itself only by its own prudence and the justice of its cause. It has no patronage by which to secure friends; it can raise up no advocates through the dispensation of favors, for it has no favors to dispense. Its very constitution, as a body whose members are elected for a long term, is capable of being rendered obnoxious, and is daily made the subject of opprobrious remark. * * *
>
> The fathers accomplished the Revolution on a strict question of principle. * * * They went to war against a preamble. They fought seven years against a declaration. They poured out their treasures and their blood like water, in a contest against an assertion which those less sagacious and not so well schooled in the principles of civil liberty would have regarded as barren phraseology, or mere parade of words. They saw in the claim of the British Parliament a seminal principle of mischief, the germ of unjust power; they detected it, dragged it forth from underneath its plausible disguises, struck at it; nor did it elude either their steady eye or their well-directed blow till they had extirpated and destroyed it to the smallest fiber. On this question of principle, while actual suffering was yet afar off, they raised their flag against a power, to which, for purposes of foreign conquest and subjugation, Rome, in the height of her glory, is not to be compared; a power which has dotted over the surface of the whole globe with her possessions and military posts, whose morning drum beat, following the sun and keeping company with the hours, circles the earth with one continuous and unbroken strain of the martial airs of England.

So said Daniel Webster. A greater danger than he faced calls us to duty. Let us fortify ourselves against acrid passion, mad ambition, misunderstanding, and greed. Let us arm ourselves with good conscience and calm reason. Let us be steadfast, or children who now play about our knees, mothers some day, will live to hate our memories because here we dug the graves of their still unborn sons.

The PRESIDING OFFICER. Applause in the galleries is forbidden. The question is on the adoption of the amendment to the first reservation.

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Gronna	McCormick	Smoot
Beckham	Hale	McCumber	Spencer
Brandegee	Harding	McKellar	Stanley
Calder	Harris	McNary	Sterling
Capper	Harrison	Moses	Sutherland
Chamberlain	Henderson	Nelson	Thomas
Colt	Hitchcock	New	Townsend
Culberson	Johnson, S. Dak.	Norris	Trammell
Curtis	Jones, N. Mex.	Nugent	Underwood
Dial	Jones, Wash.	Overman	Wadsworth
Dillingham	Kendrick	Page	Walsh, Mont.
Elkins	Keyes	Phipps	Warren
Fernald	King	Pittman	Watson
Fletcher	Kirby	Ransdell	Wolcott
France	Knox	Sheppard	
Frelinghuysen	Lenroot	Simmons	
Gore	Lodge	Smith, Ga.	

Mr. McKELLAR. The Senator from Virginia [Mr. SWANSON] and the Senator from Tennessee [Mr. SHIELDS] are detained by illness in their families.

The Senator from Massachusetts [Mr. WALSH] is absent on account of illness of a member of his family.

The Senator from Arizona [Mr. ASHURST], the Senator from California [Mr. PHELAN], the Senator from Ohio [Mr. POMERENE], and the Senator from Arkansas [Mr. ROBINSON] are detained on official business.

Mr. HARRIS. The senior Senator from South Carolina [Mr. SMITH] is absent on account of illness.

Mr. GRONNA. I have been requested to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent because of illness.

The PRESIDING OFFICER. Sixty-five Senators having answered to the roll call, there is a quorum present.

Mr. McCUMBER. Mr. President, as I must leave to-morrow, I want to submit a very few remarks upon one or two features of this treaty, and especially on the aspect as it now presents itself, I think, to the American people.

The vast majority of the people of the United States are asking the American Senate to unite in some kind of a reservation that will enable the treaty to be acted upon favorably. I think that is almost a universal sentiment throughout the country. They are tired of this eternal disagreement on matters that are not at all substantial. They are tired of this child's play of obstinacy of factions, when the obstinate disposition seems to center upon a matter that is not at all important. There is no substantial difference to-day between the reservations supported by each of the two factions which alone are responsible for the failure of the ratification of this treaty. There are a number of Senators to-day who are ready to vote for the Lodge amendments, and then vote to put the treaty through with the so-called Lodge amendments. Those same Senators are ready to-day to vote for the so-called Taft substitute for reservation No. 2, and they are willing to support the bipartisan reservation to article 10. They are willing to support either of these, because they mean exactly the same thing; and I defy any Senator to point out to me any substantial difference between the so-called Lodge reservation to article 10 and the so-called Taft reservation to article 10. There is no difference whatever in legal effect between these two, which the Democratic members say they are willing to support, and they say they are willing to support either one of two which they propose and the Lodge reservation.

I will take up first the Taft reservation.

Our position as Senators, I must admit, is not a very enviable one. A number of Senators whom we call the radical reservationists declare that they will not vote for the treaty unless it contains the so-called Lodge reservations in their exact form, without a single change in words, even though there is no change in the meaning. On the other hand, there are a number of Democratic Senators who say they want the treaty, but they will not vote for it unless it contains their reservation to article 10, which they denominate the Taft reservation, even though the Taft reservation means exactly the same thing as the Lodge reservation.

Mr. HITCHCOCK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. McCUMBER. I yield.

Mr. HITCHCOCK. I hope the Senator will not say that the Taft reservation is our reservation. The only reservation that the Senators on the minority side have agreed upon as our reservation was the reservation which I presented here after it was submitted to the Democratic caucus. That was a purely interpretative reservation. What we have said is that we will abandon our reservation and accept either the reservation proposed by the former Republican President, Mr. Taft, or the reservation devised and formulated in the bipartisan conference of Democrats and Republicans, jointly. We say we are willing to accept either of those as a compromise. They are not our propositions. To me, they are distasteful.

Mr. McCUMBER. Yes; I understand that. I am not considering whether they constitute the Democratic proposition. The Democratic standpoint was to have no reservations. That was their proposition, and I am not criticizing them for it; but the point is that they say in their signed statement that they are willing, for the purpose of compromise, to accept the Taft reservation to article 10, but they are not willing to accept the so-called Lodge reservation to article 10, although they both mean the same thing. Now, my criticism is aimed at both of these factions who refuse to get together. Neither side will agree to vote for a proposition that is put forth by the other faction, even though it means substantially the same thing as the one presented.

Mr. McCORMICK and Mr. WALSH of Montana addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Dakota yield; and if so, to whom?

Mr. McCUMBER. I yield first to the Senator from Illinois, because he rose first.

Mr. McCORMICK. I only rise to beseech my friend, the Senator from Nebraska, as he disavows Mr. Taft's plans to advance this treaty, not to impute them to us, even in the moment of his disavowal. I speak for the mild brethren as well as for the irreconcilable ones.

Mr. McCUMBER. I now yield to the Senator from Montana.

Mr. WALSH of Montana. Mr. President, I do not like to admit that either the so-called Taft reservation or the reservation worked out by the bipartisan committee is in substance identical with the Lodge reservation; but if the Senator is correct in that view, it seems to me that the strictures directed against the Democratic Members may be equally urged against the Republican Members.

Mr. McCUMBER. I just stated that my criticism was aimed as strongly against one faction as the other. I think I made that clear.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. McCUMBER. Just a minute. There are a sufficient number of Members of these two irreconcilable factions to constitute more than one-third of the Senate, and if they refuse to compromise or come together upon a matter in which I insist there is no substantial difference, of course, we can get no treaty.

I now yield to the Senator from Nebraska.

Mr. HITCHCOCK. Mr. President, the Senator, I am sure, will not accuse this side of the Chamber of failing to compromise when we are offering two methods, either of which would be a compromise; but can the Senator point out on the other side of the Chamber any Senator who is offering any method of compromise?

Mr. McCUMBER. Why, the Lodge reservation was a compromise reservation. It differed very materially from the original Lodge reservation. It did not go as far as I would like to have it go in order to reach a compromise, but it was nevertheless a substantial compromise as compared with the original Lodge reservation; so it is hardly fair to say that there has been no compromise on this side.

Mr. HITCHCOCK. Ah, Mr. President, there may have been compromises among Senators on the other side of the Chamber, but that Lodge reservation received every vote upon the other side of the Chamber, and it was opposed by almost every vote on this side of the Chamber. Now, a compromise can not be made simply on one side of the aisle. A compromise must be a compromise between the two sides; and I ask the Senator again, can he point out a single proposition from any Senator on the other side of the Chamber that looks in the direction of a

compromise? Is not the sole situation to-day that Senators on the other side of the aisle are demanding surrender from this side of the aisle?

Mr. McCUMBER. Mr. President, if the Members on the other side of the aisle propose a reservation which to my mind means exactly the same thing as the one proposed on this side, I do not think it is a surrender on either side if they get together and adopt either one of the reservations. I think one of them ought to be adopted. I have no objection to adopting the Taft reservation or the bipartisan reservation, because I can not see any difference between them and the Lodge reservation, and I think the reading American people understand the situation fully; but if they do not know exactly where the line of demarcation between these two factions is located, they ought to know that there is no real line of demarcation between them except the determination of each faction to have its own sweet way.

Now, I am going to take up these two reservations and consider them from the beginning to the end.

For instance, one reads—that is the Lodge reservation—

The United States assumes no obligation—

And so forth. The other reads:

The United States declines to assume any obligation—

And so forth. Now, think of Senators of the United States refusing to get together because one wants to use the words "The United States assumes no obligation" and the other wishes to use the words "The United States declines to assume any obligation"! That fairly illustrates the situation as we approach it to-day in the Senate of the United States. I want, right here, to read in full the so-called Lodge reservation No. 2 to article 10, and then the other offered by the other side of the Chamber as a substitute.

The Lodge reservation, as will be remembered, was the creature of compromise. I for one am satisfied with this Lodge reservation as I would be satisfied with the Taft reservation or the so-called bipartisan reservation. Now, the Lodge reservation reads:

The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

Now, take the Taft reservation.

Mr. WALSH of Montana. Mr. President, before the Senator leaves that part of the subject, he has referred a number of times to the Lodge reservation in relation to article 10 being a compromise.

Mr. McCUMBER. I will not say it was a compromise between Democratic Senators and Republican Senators, because I regard this not as a partisan question at all, but it was a compromise between those who desired very radical reservations and those who desired no reservations, or those that were not radical. In that sense it was the creature of a compromise.

Mr. WALSH of Montana. I asked for information. I never knew that anyone on this side of the Chamber was in any wise whatever consulted with reference to the character of that reservation.

Mr. McCUMBER. Individually, yes; they were consulted because I talked myself with a good many Senators on the other side who are in sympathy with me in wanting to get reservations that would secure a sufficient number of votes to ratify the treaty, and I did the best I could to strike off the rough corners from the original reservation to article 10.

Mr. WALSH of Montana. I am very glad to have the information, because I never before knew that anyone on this side of the Chamber was even consulted as to its language before the Lodge reservation was reported to the Senate.

Mr. McCUMBER. I will say to the Senator that I consulted a goodly number of Senators on the other side.

I have read the Lodge reservation, and I want to now read the reservation which members on the other side say they will accept as a compromise. Let us see if we find any real difference in them.

The so-called Taft reservation reads:

The United States declines to assume any legal or binding obligation to preserve the territorial integrity or political independence of any other country under the provisions of article 10 or to employ the military or naval forces of the United States under any article of the treaty for any purpose; but the Congress, which, under the Constitution, has the sole power in the premises, will consider and decide what moral obligation, if any, under the circumstances of any particular case, when it arises, should move the United States in the interest of world peace and justice to take action therein, and will provide accordingly.

Now, both these reservations must be construed in the light of other articles of the treaty. Remember that both of them refer only to article 10. Under the Lodge reservation, of course "the United States assumes no obligation to preserve the territorial integrity or political independence of any other country under the provisions of article 10." Under the Taft reservation, "the United States declines to assume any legal or binding obligation to preserve the territorial integrity or political independence of any other country under the provisions of article 10."

What real difference is there between these two propositions? To be sure, the Lodge reservation says "no obligation." The Taft reservation says "no legal or binding obligation." You may say that the words "moral obligation" are necessarily included in the Lodge reservation. The only obligation, however, Mr. President, which comes into existence must arise by virtue of the agreement, and the agreement alone can make it a legal or a binding obligation; and if there is no legal or binding obligation, there can not possibly be any moral obligation to do that which you have stated that you will not be legally bound to do.

Now, wherein do these two differ? It is a mere play upon words to assume that there is any real difference between these two reservations.

Mr. COLT. Mr. President——

Mr. McCUMBER. I yield to the Senator from Rhode Island.

Mr. COLT. If the Senator will pardon me, might I express it in this way? A treaty is a contract. We are therefore speaking about a contractual obligation. It is because it is a contractual obligation that it is binding, and when you take this contractual obligation out of the contract there is nothing left of the contract.

Mr. McCUMBER. Neither a moral obligation nor any other obligation.

Mr. COLT. It only confuses the mind to speak of moral obligations, because in a broad sense all treaties are moral obligations. A treaty is a contract between sovereign nations and is as binding as any other contract. When you except yourself from the obligations of a contract the contract falls.

I merely wanted to suggest that inasmuch as a treaty is a contract, the obligation is contractual, and to my mind that clears the atmosphere.

Mr. McCUMBER. Certainly. I thank the Senator. We agree entirely. If the contract declares that there shall be no legal or binding obligation upon the part of any country or any party to that compact to do a certain thing, then there is no moral obligation, of course, to do it, because the only obligation there is arises from the contract obligation.

But I desire to carry this further in a comparison of the two reservations. The Lodge reservation further reads "or to employ the military or naval forces of the United States under any article of the treaty for any purpose." The Taft reservation reads "or to employ the military or naval forces of the United States under any article of the treaty for any purpose." There again the two reservations are exactly the same. The Lodge reservation, however, includes the words "or to interfere in any controversy between nations, whether members of the league or not." Now, the Taft reservation omits these quoted words, but this refusal to be obligated to interfere in controversies between nations, whether members of the league or not, is limited under the Lodge reservations to the provisions of article 10, and as both the Lodge and the Taft reservations declare that the United States will not assume any—and I put emphasis upon the word "any"—obligation to preserve the territorial integrity or political independence of any other country under the provisions of that article, they can not possibly interfere in controversies between nations, whether members of the league or not, under the provisions of that article. Therefore the two are not at all at variance.

Under the Lodge reservation the United States assumes no obligation "unless in any particular case Congress, which under the Constitution has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide." The Taft suggested reservation declares, as I have shown, exactly the same obligation and goes on to say, "But Congress, which under the Constitution has the sole power in the premises, will consider and decide what moral obligation, if any, under the circumstances of any particular case, when it arises, should move the United States in the interests of world peace and justice to take action therein, and will provide accordingly."

What earthly difference is there between that declaration contained in the Lodge reservation, "unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the mili-

tary or naval forces of the United States, shall by act or joint resolution so provide," and the Taft reservation which I have just quoted? There is no difference whatever in the meaning of those two provisions. In both instances it is left for Congress to decide, not now but when the occasion arises, whether it will move at all in the matter. Both reservations declare absolutely that no obligation shall be assumed under the provisions of article 10 to preserve the territorial integrity or political independence of any other country. Both of them leave it for Congress to decide when the occasion arises what the duty of the United States shall be in the premises. The only obligation left under article 10 by either or both of these reservations is the obligation to respect the territorial integrity and political independence of every other nation.

Mr. KING. Mr. President——

Mr. McCUMBER. I yield to the Senator from Utah.

Mr. KING. Does the Senator take the position—and I ask for information—that there may not arise a moral obligation between nations not predicated upon a legal obligation or growing out of legal considerations?

Mr. McCUMBER. If there is any kind of a moral obligation, it is left in both of these reservations to be determined by Congress at the time. Let me say, as I have tried to make clear before, when you by contract declare that you shall not be obliged to do a certain thing, there is no moral obligation under the contract to do the thing, but there may be other things outside that may arise at any time which will make it morally obligatory upon you to do just exactly what you said would not be an obligation against you. But under the treaty and under the reservations there is no moral obligation to do the thing referred to.

Mr. KING. Will the Senator permit a further interruption?

Mr. McCUMBER. Certainly.

Mr. KING. The Senator will recall that frequently during the debate attempts were made to differentiate between legal obligations existing between governments and moral obligations, and, as I recall it, some of the Senators and some publicists and writers who were discussing the treaty declared that there were no legal obligations existing between nations; that there were only moral obligations; that international law itself created no legal obligation between nations, but that moral obligations alone arose between nations.

Now, assuming that such views and declarations are founded in logic, in law, or rest upon any valid basis, does not the Senator see that the Lodge reservation is an express negation of any moral obligation, whereas the Taft reservation does recognize if not the probability at least the possibility of a moral obligation, yet, of course, committing to Congress the right to determine whether the moral obligation arose?

Mr. McCUMBER. Let me say to the Senator in answer that the original Lodge reservation as it was drawn did negative any moral obligation whatever. That was changed. It was changed in such a manner that the Lodge reservation left it to Congress to determine what our moral duty would be when the occasion arose. Now, under the Lodge reservation, while it declares that the United States assumes no obligation to preserve the territorial integrity or political independence of any other nation, it does not say that the United States will not do so if it sees fit so to do. It leaves the matter entirely up to Congress, and that is exactly what the Taft reservation does. It says that there shall be no obligation to preserve the territorial integrity or political independence of any other country, but it leaves to Congress the right to determine whether a moral issue may arise at the time, and the Lodge reservation leaves it exactly in the same way. Let me give a little illustration right here.

We were under no legal obligation to free Cuba from Spain. The American people felt that they were under a moral obligation to do so, because the acts of Spain in the treatment of her dominions on this side of the ocean, and especially this island of Cuba, were such that we believed it demanded a war on the part of the United States to free Cuba from Spain.

Mr. KING. Will the Senator yield again?

Mr. McCUMBER. Certainly.

Mr. KING. I do not quite agree with the Senator as to the facts in the illustration which he gave. If I may be pardoned for a digression, I think we went to war against Spain primarily because the rights of American citizens had been and were being invaded and the sovereignty of this Nation had been assailed. But, waiving that and coming to the point we are now discussing, does not the Senator think—and I do not believe the point I am suggesting is mere casuistry—that there would be a difference upon the part of the determining forces or factors—that is, the Governments or their agencies—when they were called upon to decide whether there was a moral obligation or not, if in the one instance there had been a positive affirmation that there was no moral obligation and in the other instance there was a negative statement—that is to say, a statement which did not declare that there was no moral obligation, but left it for the determinators or factors when the circumstance arose to decide whether there was a moral obligation?

Mr. McCUMBER. But the Senator is not giving a parallel case, because the Lodge reservation says nothing about a moral obligation. It simply says there shall be no obligation. The difference is that the Lodge reservation says the United States assumes no obligation, and the other reservation says that the United States assumes no binding or legal obligation. That is the difference, as I understand it, between the two.

Mr. KING. If the Senator will excuse me once more—and I apologize for trespassing upon his time—the Lodge reservation, with all its implications, goes further than the Senator indicates. "The United States assumes no obligation." That means neither moral nor legal nor binding obligation, whereas the Taft reservation, impliedly at least, in the last two lines of the reservation indicates that there may be a moral obligation arising out of the treaty. So it would seem that there is a distinction between the Lodge reservation and the Taft reservation.

Mr. McCUMBER. I do not think the Senator, as a lawyer, would ever say that there was a moral obligation to perform something in a contract which the parties in the contract said they would not agree to perform. If there is a moral obligation, it is entirely dehors the contract, it has nothing to do with it, and it will not have any relation to it under either of these agreements.

What I insist upon is that a declaration that the United States assumes no obligation means exactly the same in law as though the United States had declared that it assumed no legal or binding obligation. I think the Senator would be compelled to agree with me upon that construction. However, returning now to the moral obligation, there is a moral obligation in article 10 that is not affected by either of these reservations.

Mr. COLT. Mr. President, will the Senator permit me to interrupt him?

Mr. McCUMBER. I will.

Mr. COLT. In considering the treaty it only confuses the mind to speak of legal or moral obligations. The question in a treaty is a question of contract. In a contract you are bound to do the thing which you contract to do, and a treaty is a solemn contract between sovereign States. At law, the difference between a moral and a legal obligation is the difference in the means of enforcement, or the sanction. A legal obligation in municipal law is enforced by the sanction of compulsion. An international obligation or contract is enforced by the sanction of the conscience, or public opinion; therefore, it is termed a "moral obligation," because it can not be enforced by compulsion. To my mind, looking at a treaty as a contract, this whole distinction between moral and legal only confuses the mind. A treaty is a contract enforced by a moral sanction or by public opinion, and when you get outside of the contract you have nothing left except the general moral sense of the community. It is the treaty contract which it is important here to consider. When you get outside of that contract you drift simply into the position in which we are to-day, of intervening in any case where we thought we ought to intervene. I beg the Senator's pardon for interrupting him.

Mr. McCUMBER. I thank the Senator for his interruption.

Mr. WALSH of Montana. Will the Senator yield to me?

Mr. McCUMBER. I will yield to the Senator.

Mr. WALSH of Montana. As I myself, in the bipartisan conference, proposed the Taft reservation as a substitute for the Lodge reservation, I should like to say, if the Senator will permit me, that I do not concede the two reservations to be identical in substance; and I should like, for the information of the Senate, to state my own view about it. It is that under the Lodge reservation, when a question arises that would otherwise fall under article 10, Congress may or may not take the matter up for consideration; it does not bind itself to do so. Under the Taft reservation Congress does not obligate itself to assume any obligation at all, but it does obligate itself to take the matter up, and decide and determine it. That is my view about the distinction between the two reservations. I also desire to inquire of the Senator, if he is of the opinion that there is no difference between them at all, whether he would not be very glad to join the Senators upon this side in voting to substitute the Taft reservation?

Mr. McCUMBER. I will say to the Senator from Montana that I shall be glad to join with anyone and with any party that will present a reservation upon which we can agree and in support of which 64 votes can be secured.

Mr. WALSH of Montana. The Senator and I stand upon exactly the same ground.

Mr. McCUMBER. That is my position, and I do not care by whom such a reservation may be presented.

Mr. LENROOT. Will the Senator yield to me?

Mr. McCUMBER. I yield.

Mr. LENROOT. The Senator from Montana [Mr. WALSH] has referred to the fact that on the bipartisan conference he proposed this reservation and gave it a construction then which is the same as his construction now. I am sure the Senator from Montana will admit, however, that his colleagues upon the conference upon that side did not concur in the construction which he himself gave to the reservation.

Mr. WALSH of Montana. No; I am not prepared to admit that. I heard no dissent from that view.

Mr. LENROOT. I think the Senator was present when I asked some of his colleagues whether they concurred in that construction, and they declined to say that they did.

Mr. WALSH of Montana. But none of them dissented from my view as expressed on the matter. I am sure of that.

Mr. LENROOT. Perhaps I had better put it this way: They declined to approve the construction given by the Senator from Montana.

Mr. WALSH of Montana. They declined to express themselves on the question asked by the Senator from Wisconsin.

Mr. LENROOT. That is true; but, inasmuch as it has been referred to, I desire also to say that when it was asked whether the Senator's colleagues would agree to consider a verbiage that would make clear the Senator's construction they declined to do so.

Now, I should like to ask the Senator from North Dakota one other question, as to his construction of this reservation and whether the term "moral obligation" is a moral obligation arising under article 10 of the treaty or a moral obligation arising out of the particular facts and circumstances of a dispute occurring under the provisions of article 10. Will the Senator answer me that question?

Mr. McCUMBER. They both refer to article 10. That is the construction that I tried to call attention to in the very beginning, that, while there was a difference in the wording, they both refer to article 10, and not the general moral obligation that may exist under any other article of the treaty.

Mr. LENROOT. Do I understand from the Senator from North Dakota that the moral obligation that Congress would decide in a particular case would be a moral obligation arising under article 10 or a moral obligation arising under the facts of a particular case?

Mr. McCUMBER. It would have to arise out of the facts in the particular case, because, as I have said, there would be no moral obligation under the so-called Taft reservation. It must be a moral obligation arising outside of that part of the treaty itself. I think that answers from my standpoint the suggestion made by the Senator from Montana [Mr. WALSH].

The Senator suggests that under the Taft reservation, at least, Congress would be bound to consider the matter, whereas under the Lodge reservation it would not be bound to consider it. That might possibly be true if we had entirely eliminated article 10; but there is another provision in article 10 which, to my mind, makes it absolutely necessary for the Congress of the United States to take some kind of action.

It is this: Neither of these reservations destroys the first part of article 10, namely, that every nation a party to this compact undertakes to respect the territorial integrity and political independence of every other nation a party to the compact. Suppose there are 35 such nations, every one of them agreeing that it will not make a war of conquest against another nation; suppose that Germany should be a party to the compact and should proceed, either with or without notice, to make a war of conquest against Belgium or France or Russia. Under the treaty and under the League of Nations immediately that matter is made a matter of concern to every other member who is a party to the compact. Therefore, it would be the duty of every other member, made so by positive enactment, to take the matter up and to exert its influence in the method prescribed under the terms of the League of Nations to prevent the rupture. So, in either instance I call the Senator's attention to the fact that there would be the same obligation to take up and consider the matter. My own belief is that, so long as we leave that soul and heart of article 10 in the compact, any nation that attempts to violate it without any semblance of justice will find that the teeth will be forthcoming from the other nations to enforce the compact.

Mr. WALSH of Montana. Mr. President, will the Senator permit another interruption?

Mr. McCUMBER. Certainly.

Mr. WALSH of Montana. I do not think the Senator really can contend that a declaration that a matter that is of concern to the United States is equivalent to an undertaking upon its part that it will take that matter up and consider it. We often get letters from our constituents about a matter. I receive one, and I answer, "The matter about which you write is a matter of very great concern to me." That is an altogether different thing from saying in answer to my constituent that I am considering the matter with reference to taking some action to relieve the situation.

Mr. McCUMBER. But if the Senator will re-read the entire League of Nations chapter, he will find there is a provision that it is a duty to bring the matter before the council, and, of course, the council represents the several different countries. Therefore, the question must have consideration by the United States, which would be a member of the council, and that in itself, of course, would require the United States to take some cognizance of what the council recommended in the particular instance.

Mr. WALSH of Montana. The Senator is now talking about the council, but the reservation refers not to action by the council but to action by the Congress of the United States.

Mr. McCUMBER. The point that I am trying to make is that the Congress of the United States, under a treaty by which it had agreed that the matter should be referred to the council, and that it would then consider what the council recommended, would be required to take it up; that means to consider it, which consideration is imposed by other provisions of the treaty; that is all. So I see no real difference between the two.

What is said of the suggested Taft reservation applies equally to the so-called bipartisan reservation. There is no substantial difference between either of them and the Lodge reservation—I say "substantial difference"—and there is no justifiable excuse on the part of either party or faction to the dispute in the Senate not accepting the proposal of the other.

Mr. President, this is not a partisan question, and yet it seems eternally to be considered from that standpoint. No partisan advantage can possibly be had by following the stubborn, uncalled-for, and uncompromising attitude. There is surely enough good sense in the American people to know that there is no justification on either side for the failure to come to an agreement when they are as near an agreement as these two reservations would indicate.

Mr. President, before closing I wish to speak of another feature of the reservations. While I voted for the resolution of ratification with all of the so-called Lodge reservations, I have not modified my views in the least concerning the improper wording of some of the reservations. I think reservation 14 ought to be changed, and I think Senators ought to agree to the change, first, because it is a needless and discourteous statement of the case to our neighbor, Canada, and to Australia and New Zealand; and, secondly, because it puts a construction upon article 15 contradictory to its terms and contradictory to the construction universally conceded, by a declaration that we will not be bound if either the dominant nation or its provinces exercise a power which both are prohibited from exercising under the treaty.

No one, so far as I know, to-day contends in any case where the British Empire or any one of its constituent parts is a party to the dispute that both the dominant country and all its parts are not excluded from any vote whatsoever. That eliminates all argument based upon the assumption that in a dispute with the United States the British Empire would have 6 votes and the United States only 1. As a matter of fact, neither of them has any vote whatever. This is the view taken by the British Empire itself, as evidenced by the statement of Viscount Grey, as follows:

> To any provision which makes it clear that none of those British votes can be used in a dispute likely to lead to a rupture in which any part of the British Empire is involved no exception can be taken. That is the only reasonable interpretation of the covenant as it now stands.

The President says that is the construction that was given to it by every country which joined in the Versailles conference.

> If any part of the British Empire is involved in a dispute with the United States, the latter will be unable to vote, and all parts of the British Empire precisely, because they are partners, will be parties to that dispute, and equally unable to vote.

That ought to settle that reservation, and any reservation pertaining to that portion of the treaty ought not to be inserted which would give the treaty an interpretation contrary to that which all agree to be the proper interpretation.

Reservation No. 14 goes out of its way in its second declaration by assuming that in such a dispute, say between this country and the British Empire, the Empire would have 6 votes, and then provides that if she exercises that right we will not be bound by it.

Why so provide when the treaty provides differently and says it has no vote whatever?

Beginning with line 16, page 6 of reservations, it states that the United States—

assumes no obligation to be bound by any decision, report, or finding of the council or assembly arising out of any dispute between the United States and any member of the league if such member or any self-governing dominion, colony, empire, or part of empire united with it politically has voted.

Well, now, inasmuch as neither can vote, what is the use of inserting in that reservation a declaration that must necessarily be offensive to Canada and Australia and South Africa? It assumes, Mr. President, that under the provisions of the treaty these parts of empire in a dispute with the United States would have the right to vote, and then proceeds to declare that if they exercise that right we will not be bound by it. All of that part, beginning with the word "and," on page 15, down to the end, should be stricken out as misleading and as misinterpretive of the provisions of the league.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. McCUMBER. I yield.

Mr. LENROOT. The Senator has given a construction that I think never has been given the treaty before, and I should like to ask the Senator, if the United States had a dispute with Japan, how many votes would the British Empire have?

Mr. McCUMBER. I have been discussing the case where the British Empire and any other country had a dispute. If the United States had a dispute with Japan, each member of the council or of the assembly would have a vote. Canada and Australia are members of the assembly. I have not denied that, and I am willing to meet that by any proper safeguard, if any is thought necessary.

Mr. LENROOT. But the Senator has stated that the part of the reservation to which he now objects was absolutely surplusage and had no place in it. The point I make is that in case the United States had a dispute with Japan the British Empire would have six votes. In case the British Empire had a dispute with Japan the United States would have one vote.

Mr. McCUMBER. In case the United States had a dispute with Japan, I think we could count upon Canada as being with us. We could count almost absolutely upon Australia being with us, and the United Kingdom would never control them against us. So, also, we would have Cuba. We would have nearly all, if not every one, of the South American countries with us, and the Central American countries, possibly with the exception of Mexico, and, in my opinion, we would absolutely dominate the question.

Mr. WADSWORTH. The Senator is optimistic.

Mr. McCUMBER. Not a bit more so than the facts justify.

Mr. LENROOT. Mr. President, will the Senator yield once more?

Mr. McCUMBER. Just a minute. The Senator from New York says I am optimistic. Why did Cuba declare war against Germany? Why did Haiti declare war against Germany? Why did some ten or a dozen others, including Uruguay and Paraguay and Bolivia and these other South American countries, declare war against Germany? They did not furnish a dollar. They did not furnish a soldier. They could give the enemies of Germany no support, unless it be a moral support. I will tell you why. The United States just requested them to do so, and they complied; and do you think the United States would fail to dominate those countries if we desired to do so? I do not for a single moment.

Mr. LENROOT. Will the Senator yield again?

Mr. McCUMBER. I yield.

Mr. LENROOT. I should like to ask the Senator why it is that in construing the treaty where any member of the British Empire is a party to the dispute the Senator takes the position that it is so clear that in such a case they would all act together that a proper construction of the treaty would exclude all of them, and then when it gets to every other case he says it is equaly clear that they will not act together?

Mr. McCUMBER. Why, Mr. President, simply because in a dispute with a part of an empire you have a dispute with the whole empire, and the terms of the treaty declare that the parties to the dispute are excluded from both. That is the difference, and it is admitted by Lord Grey. It is the construction given by us that if the British Empire or any one of its constituent members is a party to the dispute, it excludes every one of them. That is the right construction, and that is why I say that it will exclude every one of them; but I say that where the British Empire is not a party to the dispute they would not be excluded, and they would not be excluded because she is not a party, and then Canada or Australia or South Africa would have their votes if the matter was before the assembly.

Mr. LENROOT. Well, let us see. Will the Senator yield further?

Mr. McCUMBER. I yield.

Mr. LENROOT. In such a case, where the British Empire as an empire would be interested in deciding a dispute in a certain way, why does not the Senator, by the same reasoning, necessarily hold that the individual members of the empire would vote in the interest of the empire as a whole?

Mr. McCUMBER. Because the facts would be different. What are they? Suppose a question arose between two countries with reference to Japanese or oriental immigration. Suppose that Great Britain should side with Japan. I am referring now to the single vote of the British Isles. Suppose that the United Kingdom should decide, in a case of that kind, the same as India would decide. The Senator does not believe for a single moment that she would control Canada in her favor as against Japanese immigration. I do not. Lord Grey himself says that Canada generally would be found on the side of the United States on those questions.

Mr. LENROOT. The Senator has given one illustration. Let me give him another. Suppose the "open door" in China were involved. Where does the Senator think that Canada and Australia, the individual members of the British Empire, would be—with the home government of Great Britain or with the United States?

Mr. McCUMBER. It would depend upon what the question was. I think they would be with the United States if we wanted to maintain the "open-door" policy, and we do. Great Britain wants to maintain the "open-door" policy. So I can see no difference between the countries upon that question.

But I agree with the second proposition of the Senator's reservation, provided it is couched in terms that are proper. I admit that whatever kind of a treaty we put through, the parties on the other side of the ocean will accept. I am perfectly willing to admit that; but, Mr. President, in the settlement of a disagreement with my neighbor I might impose terms that would be acceptable to him and which at the same time would be most selfish on my part.

Let us suppose that I have a dispute with my neighbor, and we agree that we will submit the dispute, not to arbitration, but to a commission for investigation; but I say to my neighbor: "If John Doe and Richard Roe shall sit in that commission and vote, I will not be bound by it." Now, he may say: "I accept that because I think you will do what is right, because of my confidence in your integrity." Nevertheless, I would think it would be extremely selfish upon my part to say: "I will await the decision, and if the decision is against me, then I will repudiate it. If it is in my favor, all right. I simply reserve the right to repudiate it afterward." I think that if I have any reason to believe that John Doe and Richard Roe will not act fairly in this controversy that I purpose to submit, I should say when I submit it that I will not be bound by their action or that I will be bound by it. I think I ought to give notice to those two people, John Doe and Richard Roe, that they are not to vote, and I ought to do it when the matter is submitted and not reserve the right to repudiate their judgment without making any objection before I submit my case.

That was my objection to that feature. Now, I think that could be modified by a declaration that the United States reserves the right to enter an objection to any of these countries voting upon this particular question at the time the matter is submitted. I think that is the fair thing to do, and I do not think we ought to ask for anything different.

Mr. President, I admit that Lord Grey thinks that that will not make any difference. He trusts the United States; but at the same time the word that comes from Canada does not agree with Lord Grey upon that subject. I admit that it is the British Empire, acting through the home Government, which will accept this treaty, and Canada may not be able to help herself; but I think we ought to treat our good neighbor a little more courteously than we are doing by this reservation.

I want to read the further statement of Lord Grey, referring to these self-governing countries:

But as regards their rights to vote where they are not parties to the dispute there can be no qualification, and there is a very general admission that the votes of the self-governing dominions would in most cases be found on the same side as that of the United States.

I think that is true.

Again, he says:

It may be sufficient to observe that the reservation of America does not in any way challenge the right of the self-governing dominions to exercise their votes. Nor does it state that the United States will necessarily reject a decision in which those votes have been cast. It is therefore possible—and I think it is even probable—that in practice no dispute will ever arise.

I think he has correctly stated the situation. I do not believe there will be any dispute where Canada will differ materially from the United States; but you can protect our rights if you think they would be endangered by a Canadian vote without taking the position that we will submit a question and if we find it has not been decided the way we want it, then we will repudiate the decision.

Here is an article I take from the New York Tribune of this morning, from Ottawa:

OTTAWA, *February 15.*

N. W. Rowell, acting secretary of state for external affairs, declared emphatically to-night that Canada would never consent to ratification of the peace treaty by the United States if the Lenroot reservation was adopted in its original form or with the proposed amendment. Mr. Rowell, who also is president of the privy council, outlined Canada's position in a speech delivered before a mass meeting of war veterans. The Lenroot reservation would deprive Canada of her independent voting power in the League of Nations.

"If the United States Senate should adopt the Lenroot reservation," the secretary said, "either in its original form or amended as now suggested, and should also adopt the preamble as proposed, Canada, as one of the nations of the British Empire and a party to the treaty, would be called upon to decide what action she should take under these conditions.

"There can be no possible doubt what Canada's decision will be. She can not and will not consent to any impairment of her status and voting rights under the treaty. Therefore, when final action on the treaty is taken by the Government of the United States, if the ratification can only become effective on Canada's assent thereto, the ratification can not go into effect so far as Canada is concerned, as Canada will not give that assent.

"Canada has made her position perfectly clear to the proper authorities in London, and she has asked them to make her position clear to the authorities in Washington. We have done this in the interests of good understanding between the United States and Canada.

"The reasons why Canada can not assent are so obvious that they need hardly be mentioned. I shall only mention one. Canada, by the free action of her own government and the whole-hearted cooperation of her own people, raised 600,000 men to take part in this war. She mortgaged her future to carry the burdens which her participation in the war involved. The flower of her youth lie buried in France and Flanders, and thousands more are maimed for life in order that Canada, as one of the free nations of the Britannic Commonwealth, might make her contribution to the cause of liberty and the restoration of the world's peace.

"In the light of these facts, it is inconceivable that any Government in Canada could be so false to both the living and the dead and to Canada's future as to give the assent of Canada to a proposal which would deprive Canada of the position and status won for her by her soldiers on the field of battle, and accorded to her at the peace conference by the enlightened judgment of nations, particularly in the case when full status and voting rights are granted, and we think properly granted, to several nations of the American Continent, which either by reason of treaties with the United States or of economic necessity are dependent upon her, nations which took no part in the war and whose combined population probably does not exceed that of Canada."

I think, Mr. President, that is a strong plea for the rights of Canada. She can not fail to take notice of the fact that black Liberia, with a few hundred thousand population, that never did one thing in the war, is given a vote; that black Haiti, with about 400,000 population, declaring war because the United States asked her to do so, would have a vote; that Panama would have a vote; and that Cuba, Nicaragua, Paraguay, and Bolivia would each have a vote, none of which furnished a soldier or a dollar, and yet Canada should be refused a vote in the assembly; and that is the only place she has a vote.

Mr. LENROOT. Will the Senator yield?

Mr. McCUMBER. Certainly.

Mr. LENROOT. I am sure the Senator will agree with me that this reservation does not in any wise impair the right of Canada to vote. It affects only the right of Canada to bind the United States by her vote. The Senator has read this extract from a speech, and this language which he himself has just read could not have escaped the attention of the Senator:

> Canada has made her position perfectly clear to the proper authorities in London, and she has asked them to make her position clear to the authorities in Washington. We have done this in the interests of good understanding—

And so forth.

The Senator knows that while Canada through this undersecretary or assistant secretary claims the right to bind the United States by her vote, she can not even communicate with the United States except through the authorities at London. Does not the Senator think that when Canada can justly ask the right to bind the United States by her vote she at least ought to be able to communicate with the United States Government in some other way than through the British ambassador?

Mr. McCUMBER. Mr. President, that raises a question that has been discussed over and over again upon the floor of the Senate. I need only answer that Canada voted herself into this war. Great Britain did not vote her into it. Canada shouldered the debt burdens of the war; they are a mortgage on Canada's future. Canada furnished her 500,000 soldiers to battle in France. Canada left about 100,000 of them buried in France. Now, all that Canada asks is that she shall have the right in the assembly that black Haiti has, and I, for one, whether she is connected as part of the British Empire or not, think she has earned the right.

Mr. LENROOT. Will the Senator yield further?

Mr. McCUMBER. In just a moment. Remember that she can not vote in the council, because it is the British Empire alone that is represented in the council where——

Mr. LENROOT. Oh, no.

Mr. McCUMBER. I differ with the Senator upon that.

Mr. LENROOT. Then the Senator differs with the President of the United States and Lloyd-George, too.

Mr. McCUMBER. No; I do not differ with either of them.

Mr. LENROOT. I wish to ask the Senator this question: He speaks of Canada having the same vote as Haiti. She asks the same right to bind the United States. She asks equality with the United States at the same time she is enjoying the privileges and protection of the British Empire. Whenever Canada wants to bind the United States with the full powers that the United States exercises, the United States will be very glad to welcome Canada when she declares her independence and assumes the full rights and prerogatives of a nation.

Mr. WILLIAMS. Mr. President——

Mr. McCUMBER. I yield to the Senator from Mississippi.

Mr. WILLIAMS. Does not Haiti's vote in the assembly bind Great Britain just as much as Canada's vote in the assembly binds us, and is not Haiti absolutely more subjected in her foreign relations to us than Canada is to Great Britain?

Mr. McCUMBER. And can you not include Cuba?

Mr. WILLIAMS. And Panama.

Mr. McCUMBER. Yes; and Panama.

Mr. WILLIAMS. And Guatemala and Nicaragua.

Mr. McCORMICK. Mr. President——

Mr. McCUMBER. I yield to the Senator from Illinois.

Mr. McCORMICK. I only wish to ask the Senator from North Dakota, whom I am sure seeks to be fair as between his own country and the British Empire, to bear in mind that if Haiti, Santo Domingo, Cuba, and Panama each have a vote, so also have India, Siam, the Hedjez, Persia, and Portugal, as dependent if not more dependent upon the decision of Downing Street than Canada, which may not address a communication to the Government of the United States.

Mr. McCUMBER. I answer the Senator in this way: If you were to deny to independent countries their right to vote——

Mr. McCORMICK. These are not independent countries which I have enumerated.

Mr. McCUMBER. We will see whether they are. If you are to deny to independent countries the right to vote because they are friendly to some other power or because some power, by reason of its geographical situation, would dominate them, I am afraid you would have no treaty. If you are going to measure the strength of the United States with what she can get on this side of the ocean with what Great Britain could muster on the other side of the ocean, I think we would beat her two to one when we came to the enumeration of votes; but I do not think that that is the basis on which we should make the distinction. If I saw any way by which we could increase them all and make them all alike, I certainly would not object to it, if we would not have an unwieldy body; but the moment you go beyond the present treaty and provide for any one country having six votes that it can cast en bloc every other country will ask for the same privilege.

If I believed that Great Britain could at all times cast all six votes en bloc, it might raise entirely a different question. But I realize the Canadian side of it. Even Great Britain admits them rather as partners than as colonies, and says that they no longer exist as colonies. I appreciate the condition at Versailles when Canada, which had fought valiantly during the war, said "I want as much influence in world policies as Haiti."

Mr. McCORMICK. Mr. President, I have no doubt the Senator sees the Canadian point of view. He has seen it from the beginning of this debate. But I wonder if he heard the complaint of the French delegates to the labor conference that Mr. Barnes was able to deliver the votes of the British Empire in that congress en bloc? It is not that anyone wishes to deny to Canada a vote; it is that in default of an equal number of votes to the United States the Senator from Wisconsin seeks to establish some equality between the two great powers.

Mr. McCUMBER. I do not think that there is any difference between the Senator from Wisconsin and myself on what we want to accomplish. It is rather the different way in which we arrive at the same thing, whether we should recognize, at least, the right of Canada to vote, and in recognizing that

right do it with a good grace and say she is entitled to it, or whether we shall say beforehand that we shall repudiate, if a decision happens to be different from what we would like it, any decision if Canada votes for it. That can not but be offensive.

Mr. McCORMICK. Let me ask the Senator another question.

Mr. McCUMBER. Let me give the Senator two reservations which I think would cover that freely and fully. I will yield first to the Senator for his question.

Mr. McCORMICK. In order that the Senator's point of view may be met by these reservations, would he be willing to condition our ratification of the treaty and our adhesion to the league upon a grant to each of the major powers of six votes, and failing that grant within six months to terminate our connection with the league?

Mr. McCUMBER. I hope it will not terminate the league in six months if we enter into it. I think it will be six months before we get the matter decided, but I hope we will give it a fair trial.

Mr. McCORMICK. Will the Senator answer my question? Would he be willing to condition our continuance in membership upon the adoption of that as an amendment to the covenant?

Mr. McCUMBER. By a reservation in the treaty?

Mr. McCORMICK. Precisely.

Mr. McCUMBER. I would not.

Mr. WILLIAMS. Giving Haiti six votes?

Mr. McCORMICK. No; giving the six major powers six votes apiece.

Mr. McCUMBER. I would not, because then the next six would ask for the same thing.

Now, let us see if we can not meet the situation here.

First, we want to know whether, when we have a dispute with any member of the British Empire, the dispute is with the entire British Empire. We can meet that by a reservation if there is any doubt. There has never been any doubt in my mind as to the meaning of that, and I think that we practically all agree to that at the present time. I do not think the United States, if we ever enter into this agreement, will admit for a moment that if we have a dispute with Great Britain that either of us can vote at all, Great Britain or any of her constituent members; but to make that doubly clear, if we could have a reservation of this kind, I would not object to it, and I do not object to the first part of the Senator's reservation, which means the same thing, namely:

> That the United States understands and so construes the provisions of the covenant of the League of Nations that when a case referred to the council or the assembly involves a dispute between one member of the league and another member whose self-governing dominions, colonies, or parts of empire are also represented in the body to which the case is referred, or involves a dispute between one member and any such dominion, colony, or part of empire, both the disputant members, including the dominant or principal country and all its said dominions, colonies, and parts of empire, are to be excluded from voting upon any phase of the dispute.

I do not think there is any question that that is a fair construction, but to make that doubly certain I would favor either the reservation of the Senator from Wisconsin covering the same subject or this. Let us see how we can meet the other. With the slightest modification I think the Senator's reservation could be made perfectly agreeable and yet at the same time have the same force and effect it now has. Suppose it were amended to read thus:

> The United States reserves the right, upon the submission of any dispute to the council or assembly, to object to any member and its self-governing dominions, dependencies, or possessions having in the aggregate more than one vote; and in case such objection is made the United States assumes no obligation to be bound by any election, finding, or decision in which such member and its said dominions, dependencies, and possessions have in the aggregate cast more than one vote.

That is the Senator's own reservation, with the exception that it makes it incumbent upon us at the time of the submission to elect whether we will be bound or not. I think in honor we ought to elect at that time and not say to the other nations of the world that we will exercise our election after the case has been decided and the votes have been cast. I do not think it is a proper position to take on our part, no matter though it would be accepted by other countries.

Now, Mr. President, I want to say a word about another feature of the treaty that has been discussed by the Senator from Pennsylvania [Mr. KNOX] and others concerning the hardships imposed upon the German Empire by the treaty. I confess some surprise in noting what seems to me a very decided change in the attitude of some Senators from that indicated at the time the war was in progress as to what terms should be imposed upon the country which was responsible for the millions of deaths and the billions of indebtedness.

At the time the war was in progress the Senate seemed to be united in its conviction that there should be no terms of peace until Germany had been compelled to agree to a reparation to the full extent of her ability to make that reparation. That is all we asked at that time, and that is all that has been asked since. That she should return the looted property of the devastated countries. Does anyone object to that to-day? That she should surrender for trial those who have been guilty of atrocious crimes contrary to the rules of civilized warfare? Does anyone object to that to-day? What has there been to change this attitude? Is there a single Senator who does not believe that Germany, and Germany alone, is responsible for the war? Is there a single Senator who does not believe that Germany ought to make reparation to the full extent of her power? Of course she can not pay all the enormous war debt. No nation on earth could do it.

No one expects her to do so, no one is attempting to impose it upon her. You talk about enslaving a nation. You can not enslave the German people. I do not think anyone has ever dreamed of doing anything of the kind. You can not obtain reparation from Germany beyond that which Germany is able to pay. You can not get blood out of a stone. You can not take from Germany that which Germany neither possesses now nor can possess herself of in the future. You can not exact money from Germany even to pay one-tenth the part of the devastation caused by Germany unless Germany can earn the money to make the payment.

Now, Mr. President, instead of the treaty being hard upon Germany, while it holds her responsible entirely for all the costs of the war, it nevertheless declares that it does not expect to collect from Germany those costs, but it does expect Germany to do what she can in the way of reparation. I want to read a few of the sections bearing directly upon that part of the treaty.

Let us take article 233:

> The amount of the above damage for which compensation is to be made by Germany shall be determined by an Inter-Allied Commission, to be called the reparation commission and constituted in the form and with the powers set forth hereunder and in Annexes II to VII, inclusive, hereto.
>
> ARTICLE 234.
>
> The reparation commission shall after May 1, 1921, from time to time, consider the resources and capacity of Germany, and, after giving her representatives a just opportunity to be heard, shall have discretion to extend the date, and to modify the form of payments, such as are to be provided for in accordance with article 233.

Does that look as though there was an intent to enslave Germany, or simply to ask Germany to do what she reasonably can do to repair the awful damages which she has caused to the world?

Again, let us take subdivision (b) on page 267 of the treaty:

> In periodically estimating Germany's capacity to pay, the commission shall examine the German system of taxation, first, to the end that the sums for reparation which Germany is required to pay shall become a charge upon all her revenues prior to that for the service or discharge of any domestic loan, and, secondly, so as to satisfy itself that, in general, the German scheme of taxation is fully as heavy proportionately as that of any of the powers represented on the commission.

Is that a hardship upon Germany? In our civil courts if one individual by trespass destroys the property of another the courts will assess him for the entire damages, no matter how poor he may be or how rich the party may be whose premises have been devastated; but in this case it is decided that we shall not follow the civil rule; that all we shall ask of Germany is that she pay as heavy taxes in order to make reparation as she imposed upon the other countries in order to defend themselves against her. In Heaven's name, could anything be more just to a conquered country?

Can those who are so solicitous of the German interests as against the interests of the Allies object that in assessing what Germany, the country which caued all this havoc, should pay she should tax herself a sum which would be as high as the taxes imposed upon the other countries which had to defend themselves against her? If Germany compelled France, Italy, and Great Britain by her acts of destruction to levy a tax of 25 per cent to defend themselves, is there anything wrong in requiring Germany to levy a tax of 25 per cent on her people to pay the reparation which she ought to pay? That is all this treaty exacts.

To my mind, Mr. President, that is letting Germany off extremely easy in the matter of taxation. We have no right to assume that the commission will go beyond that. The treaty makers would have been justified in exacting a heavier tribute from Germany; but all they have exacted from her is that she must tax herself a sum equal to that which she forced upon the people of other countries.

If we can not trust the commission, let the United States appoint a good man on the commission. There are Senators here who desire us to entirely abandon Germany, to abandon the whole scheme of reparation, to leave the Allies to determine that question, and then sit back here complaining that they are too harsh. Let us take our part, then, in fixing the reparation and see that the terms are not unduly harsh as against the German Empire.

Let us not forget right here a few other salient facts bearing on this question. While France and Belgium and other countries were devastated, not one foot of German territory was injured, not one single factory was destroyed; every resource that she had at the time she entered into war is still within her territory. Of course, she has lost some of her territory, but that territory is not freed, under the provisions of the treaty, from its just share of the indebtedness.

But it is urged that Germany has not the ships which she had previously. Why, Mr. President, when we were carrying 92 per cent of all of our foreign commerce in foreign bottoms we had an enormous balance of trade in our favor. There will be ships enough to carry the German commerce. The only difference will be that instead of paying the sums to German-owned ships she will be compelled to pay her freightage to ships which are owned by other countries, just as we have been doing for the last 60 or 70 years. We have lived under it, and we have not regarded it as a great hardship.

Why, Senators, German submarines sunk more Norwegian ships than they sunk of French or Italian or any other country's ships except those of Great Britain. She sent to the bottom of the ocean during this war more Norwegian sailors than she sent to the bottom of either French or Italian sailors. Now, after the war is over, after recalling her devastation against a neutral country that was helping her in every way by giving her its agricultural products, I think she can not complain if she has to pay a few Norwegian ships for carrying her commerce. There will be plenty of them to carry the German commerce to every portion of the world.

Again, there is talk about Germany being a weak country to-day. Mr. President, in 5 years, in my opinion—certainly in 10 years—Germany will be one of the strongest countries in Europe. Why? Because of the industrious and economical character of her people. The German people are not afraid of work. They may have socialistic tendencies; they may have paternalistic ideas; but they will work. They will work 10 hours a day or they will work 12 hours a day, and they will work 100 per cent efficient. If you can meet that kind of competition with any labor working seven or eight hours a day, with a half-day holiday on Saturday, and only 65 per cent efficient, you will do more than I believe you will ever be able to do.

Remember another thing bearing upon the matter of taxation to meet the demands of reparation. Germany went into this war with an idea that she would tax her own people just as little as possible; that she would run the war on paper money, and when she was victorious she would put the screws on her defeated enemies and compel them to pay in good gold her entire war indebtedness and as much more as she could exact. She therefore taxed her people but very lightly, and, of course, now that she is defeated, the German paper mark is at a very low value. While she was comparatively free from taxation, the other nations of the world, not knowing whether they would be able to dictate terms of peace, taxed their people to the limit during the war, and then borrowed in addition all they could possibly borrow. They had to borrow from foreign nations. Germany owes no debt to any extent to any foreign nation. Great Britain, France, Italy, and Russia all owe the United States huge sums. At this point I wish to present a table showing the comparative taxation of Great Britain and the United States during the last year of the war. The table was made in April, 1919, after the close of the year 1918, and is as follows:

Country.	Estimated prewar national wealth.	Taxation for 1918.	Per cent of prewar national wealth.	Per capita tax.
United Kingdom	$85,000,000,000	$3,816,000,000	4.5	$86.13
Germany	78,000,000,000	1,750,000,000	2.2	22.88
United States	220,000,000,000	4,370,000,000	1.9	39.13

It thus appears that the United States taxed its people one and one-half times more than Germany taxed hers and that Great Britain taxed hers almost four times as much. Is it unfair to say to Germany, "While you taxed your people almost nothing during the war, while you conducted the war upon paper money and without borrowing a dollar outside, you ought to pay in reparation a sum equal to the taxes that were imposed by the other nations upon their people"? All this commission is going to ask is that henceforth, until the German debt fixed by the commission is paid, Germany shall tax herself as much as these other nations have taxed themselves. If there is anything brutal or anything wrong in that, I confess I fail to see it. On the contrary, I think the reparation commission will be generous, and more than generous, in their dealings with Germany, and I wish them to be so.

I think the sooner we forget the war the better; the sooner we eliminate the animosities growing out of the war the better. I wish to see a league of nations; I want Germany in that league of nations, and I want to give her the opportunity which her capabilities will insure to her. If we can not compete with her then, it will be our own fault, and she will be entitled to the world's markets, and I think, Mr. President, she will get her share the moment she gets a stable government, free from the blighting influence of bolshevism. I do not think that we need to worry that the reparation commission is going to inflict a penalty upon the German people greater than they can bear.

Mr. LODGE. Mr. President, I had intended when I called up the treaty this morning to say a word in regard to pairs. On a question of such great moment as the treaty of peace I think no one can wish that it should turn on any loss of votes because of the absence of Senators or because of any juggling of pairs. I think that we should take the same course that was adopted with reference to the suffrage amendment, when there was an understanding on both sides that a pair should be arranged for any Senator who was absent on account of personal illness or on account of illness or death in his family. I merely mention this now, because I think the whips on both sides who are intrusted with this matter should see to it that some such arrangement is made. I think that is only fair and proper.

Mr. WILLIAMS. Mr. President, I wish to ask the Senator a question. Of course, the Senator means equal pairs upon the question of the adoption of reservations and amendments?

Mr. LODGE. Certainly, and double pairs upon the question of ratification.

Mr. WILLIAMS. When it comes to the final question of ratification pairs would be arranged on a basis of two to one.

Mr. LODGE. They would be arranged upon a basis of two to one, of course. That is the understanding I wish to have. I merely mention it now, because I think it is important that that should be understood. None of us wish to reach a decision of this question by any accident.

Mr. WILLIAMS. I suggest that the Senator ask unanimous consent to the effect he has indicated.

Mr. LODGE. Pairs are outside the rules, and I do not think I have any right to ask unanimous consent. I think all I can do is to state the understanding which I hope will be arrived at.

Mr. KING. Mr. President, I have sent word to the Senator from Nebraska [Mr. HITCHCOCK], and I expect him here in a moment. If the Senator cares to present the matter again, I suggest that he do so when the Senator from Nebraska returns.

Mr. LODGE. Pairs are wholly outside the rules, as I have stated. Pairing is a matter between individual Senators.

Mr. KING. I appreciate that fact, but I should be glad to see some satisfactory arrangement made.

Mr. LODGE. I have no doubt the matter will be arranged as it was in the case of the suffrage amendment.

Mr. SMITH of Georgia. I have no doubt any such arrangement will be carried out on this side.

Mr. LODGE. I merely wanted to make the suggestion.

Mr. SMITH of Georgia. I am sure we will be glad to see that the final action represents the thought of the Senate.

Mr. LODGE. Absolutely.

Mr. President, in regard to the change in the first reservation which I moved this morning, I wish to say a very few words. The first amendment is the amendment to reservation No. 1, relating to withdrawal from the league. As it was agreed to by the Senate, the last part, which is the only part in controversy, is wholly ineffective. It provides that notice of withdrawal by the United States may be given by a concurrent resolution of the Congress of the United States. The purpose of that reservation was that the Houses of Congress should have the right to give notice of withdrawal, and that result is not obtained by the language of the reservation as it stands. Under the Constitution it is clear to me that any resolution requiring the concurrent action of the two Houses must be signed by the President, and although I know that Mr. Calhoun made an argument in regard to it, I do not see that under the rigid language of the Constitution his interpretation can be sus-

tained. In other words, the words "concurrent resolution" would leave it as the words "joint resolution," where it is now; for no one doubts that a joint resolution of the two Houses, signed by the President, would be sufficient to terminate any treaty or to give a notice of withdrawal from the league.

This league is an experiment, to speak of it in the most flattering language that I can command, and as an experiment I think it is well that there should be some relaxation in the methods of withdrawal. The purpose, if I may repeat myself, is to give that power to the Houses of Congress as well as to the President. The President has not the power specifically under the Constitution. The Constitution is silent in regard to it; but the President has exercised the power, as in the case when President Taft gave notice of the termination of the treaty with Russia without action by either branch of Congress. There may be some doubt about that power, but it has been exercised by the President, and it might easily be exercised again.

In the case of the league, the objection was made that it was a reflection on the President the way it was framed. It certainly was not intended to be so, because the rule of this President is limited by time to a comparatively short period. It is aimed at all future Presidents. It has been amended so as to give the power to the President alone definitely to withdraw from the league, or to the two Houses alone; and in using the language of the Constitution in regard to the passage of an amendment to the Constitution, which is confessedly beyond the power of the President, I think we make it clear.

It is now worded so that it shall read:

And notice of withdrawal by the United States may be given by the President or by Congress alone whenever a majority of both Houses may deem it necessary.

Personally, I have no objection whatever to conferring that power, so far as it can be conferred, upon the President alone, and I think it very important that the same power should be reserved to the two Houses. If we are going to have this reservation at all, it ought to be made effective, and I think it is of the utmost importance that the two Houses should have the right to give notice of withdrawal, and I am perfectly willing to leave it with the President. I will admit that I do not mind facilitating withdrawal, but that is the purpose of this change in the reservation. It has, in the first place, the merit of making it effective, which it is not now; and, in the second place, it does give the Congress a power which I think ought to be conferred upon it.

I only desired to make this explanation in regard to the first change in the reservation.

Mr. President, I have no intention of making a speech. I merely desired to explain the reservation, and unless some other Senator desires to go on at this time—as I understand the Senator from Colorado [Mr. THOMAS] is to speak on the treaty, and of course would prefer to speak to-morrow——

Mr. HITCHCOCK. Mr. President, before the Senator takes any further action, I should like to have printed the following alternative reservations in the usual form.

Mr. LODGE. Are those the reservations the Senator was kind enough to hand to me?

Mr. HITCHCOCK. Yes.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

ALTERNATIVE COMPROMISE RESERVATIONS.

On behalf of 40 Senators, Mr. HITCHCOCK, as a means of promoting ratification of the treaty, proposed the following reservations to article 10, either of which will be supported by them:

BIPARTISAN CONFERENCE RESERVATION.

"The United States assumes no obligation to employ its military or naval forces or the economic boycott to preserve the territorial integrity or political independence of any other country under the provisions of article 10, or to employ the military or naval forces of the United States under any other article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war, shall by act or joint resolution so provide. Nothing herein shall be deemed to impair the obligation in article 16 concerning the economic boycott."

MR. TAFT'S SUGGESTED RESERVATION.

"The United States declines to assume any legal or binding obligation to preserve the territorial integrity or political independence of any other country under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose; but the Congress, which, under the Constitution, has the sole power in the premises, will consider and decide what moral obligation, if any, under the circumstances of any particular case, when it arises, should move the United States in the interest of world peace and justice to take action therein, and will provide accordingly."

Whichever of the above reservations is preferred by supporters of the treaty on the majority side will, as a compromise, be acceptable to us.

Mr. McCUMBER. Has the Senator an alternative reservation for this reservation, No. 1?

Mr. HITCHCOCK. No; I have not. I have not offered any amendment to the pending reservation. Those I have offered relate to article 10.

Mr. McCUMBER. Mr. President, I do not know whether this is the amendment that was substantially agreed to by the bipartisan committee or not.

Mr. LODGE. It is not. There was some discussion of the matter there. The proposition was made to substitute the word "joint" for "concurrent," and this was offered as another proposition, and there it was left. There was no agreement in regard to it.

Mr. HITCHCOCK. I think the conference was fairly evenly divided between using the words "joint resolution" and adopting the method suggested by the Senator from Massachusetts.

Mr. LODGE. It was before the bipartisan conference, and discussed somewhat, but no conclusion was reached, and I desired to submit it because I thought it was a great improvement, a necessary improvement, in the reservation as it stands.

Mr. McCUMBER. Mr. President, if the Senator will allow me, I think it is an improvement from the standpoint of those who want to get out of the league as easily as possible. That is, you place it up either to Congress or to the President.

Mr. LODGE. I do.

Mr. McCUMBER. It has always been my view that there should be a legal act of Congress; that the President and the Congress should unite upon legislation that would take us out of the league, just exactly as they should unite upon any other character of legislation; that it was equally important. I must confess that I do not like the idea of giving the President, whether it is this President or some future President, the sole power, without any act of Congress, to say that we shall be in this league or we shall be out of it. Congress and the country might want to be in, and the President could take us out. It seems to me—I say it with all fairness and earnestness—that it ought to be done by a joint or a concurrent resolution, and that we ought not to give the power to the President alone—a power that is not given him by the Constitution—to take us out of a treaty which required both the President and the Senate to put us in.

Mr. LODGE. Mr. President, the President on more than one occasion—I know on one, and I think on others—has exercised that power, which the complete silence of the Constitution warrants him in doing, I suppose, although I imagine it never has been settled by any definite action. He has exercised the power of terminating a treaty. Of course, if he can terminate a treaty he can terminate a portion of a treaty.

Mr. McCUMBER. May I ask the Senator if he has exercised that power where the power to terminate it was not given in the treaty itself?

Mr. LODGE. The power is not given to terminate this one. It is only a power to give notice.

Mr. McCUMBER. Oh, I have no doubt but that we can give the President the power to terminate the treaty; but the point I made was that I do not think we ought to place it in the power of one man to speak for the entire Nation and take us out of a treaty that required two-thirds of the Senate and the President combined to put us in.

Mr. LODGE. Mr. President, of course, there we come to a distinct difference. The Senator thinks it is desirable to tie us as tightly as possible into this experiment by a two-thirds vote. I do not. I think the Congress alone ought to have the power to withdraw by a majority vote, and I am perfectly willing to give the same power to the Executive, who has charge of a large part of our foreign affairs and all the initiation of our foreign policies. I have no objection to trusting the President generally with the power to withdraw from the league if he thinks fit.

Mr. McCUMBER. If the Senator will allow me, I want to correct one impression that he has of my position, namely, that I would require a two-thirds vote to take us out. On the contrary, I think we can change a treaty by an act of Congress when it is passed by the Congress of the United States and signed by the President.

Mr. LODGE. Ah, yes.

Mr. McCUMBER. That would require only a majority vote.

Mr. LODGE. Yes; if you had the President's signature.

Mr. McCUMBER. Well, I would have it.

Mr. LODGE. But if you did not have the President's signature it would require a two-thirds vote, which is what I am aiming at. I want to give to Congress the power to withdraw from the league by a majority vote. I am perfectly willing to give the same power to the President. As I said, I am not interested in limiting the power of withdrawal from what at best is an experiment.

Mr. President, to return to what I was saying, I have no desire to continue. I have no speech to make. The Senator from Colorado [Mr. THOMAS] desires to speak, I understand, in the morning. If no other Senator wishes to speak now, I move that we return to legislative session.

The motion was agreed to.

LANDS AT MILITARY POSTS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 8819) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WADSWORTH. I make the usual motion, and ask that conferees be appointed by the Chair.

Mr. SMITH of Georgia. Mr. President, in the original House bill there was a provision which required the immediate dismantling of Camp Gordon. The Senate bill postpones any action upon that camp for a year and a half in order that the requirements of the Government in connection with it might have an opportunity for full consideration. We did not discuss the subject before the Senate. However, before the subcommittee of the Senate which had the bill under consideration I appeared and presented certain reasons which to me seemed conclusive why this camp should not be dismantled at the present time; and I ask leave of the Senate to print substantially what I then said, or most of what I said before the subcommittee, in the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The matter referred to is as follows:

STATEMENT OF SENATOR HOKE SMITH, OF GEORGIA, BEFORE THE SENATE SUBCOMMITTEE ON MILITARY AFFAIRS.

Senator SMITH. I only wish at this time to refer to the latter part of the provision of the bill applicable to Camp Gordon. I do not ask that any appropriation be made for Camp Gordon, but I wish to call attention to some of the reasons why it would be unwise at this time to take any steps toward scrapping Camp Gordon.

I am deeply interested in the retention of Camp Gordon because it is the logical place for the camp in which will be located the men who hereafter enlist for service in the Army from Georgia, Florida, Alabama, and several other southeastern and Gulf States.

We have adopted the policy of making enlistment attractive to privates by furnishing a short course of two years, divided between military training and vocational training. If the vocational training is handled with the earnest purpose of sending the young men back to civil life greatly helped by their two-year course in the Army, there will be no difficulty about obtaining volunteers. To really get the benefit of this system the camps must be intelligently located, as near as possible to the residence of the boys. The location and work done in these camps will largely control the character of volunteers.

There should be no expense to the Government about maintaining the camps, for the vocational training of the boys should cover all the work needed for the maintenance of the camp, and the boys should do the work of maintenance. Painting, carpentering work, and electrical work should all be taught the privates, and this instruction should be combined with the practical work of camp maintenance.

Some would naturally take courses in agriculture, and 250 acres, intensively cultivated by the soldiers, should furnish much that was needed in the camp.

Camp Gordon is preeminently suited for the purposes I have suggested, and also, on account of its transportation facilities, for moving the soldiers to any part of the country east of the Mississippi where they might temporarily be needed.

In the winter of 1915–16 Gen. Wood was commander of the Southeastern Division. He told me then that as a part of the permanent policy of the War Department he intended to recommend the establishment of a camp near Atlanta for a division of troops, it being the central distributing point between the Potomac and the Mississippi Rivers, and this being a city of such size and with such a variety of entertainment and opportunity for occupation that it was especially desirable as the point for such a location in the southeastern States.

In this connection, I will mention that it is the center of the railroad systems of the southeast, and from it to New Orleans it is 12 hours, to Chicago it is less than 24 hours, to Washington about 20 hours, and all the main lines of the southeast come into Atlanta and have through connections from Atlanta to all points east of the Mississippi.

The Government has invested at Camp Gordon, in round figures, $12,000,000, and the portion which provides for housing and caring for a division of troops is practically permanent in its character.

The buildings are constructed chiefly of heart pine, underpinned with cedar and cypress. The quarters for the men are well provided with baths and toilet rooms.

The base hospitals will accommodate 1,500 patients and the convalescent hospitals as many more. The operating wards and laboratories are fitted throughout with modern equipment. The kitchens, toilets, and everything about the base hospital are constructed upon improved sanitary plans.

The laundry, I am advised, is equipped with modern machinery and steam sterilizers.

In many places I found concrete floors and hard wall plaster for side walls.

There is a complete system of sewerage throughout the camp. Surface water is received in basins and carried off through terra-cotta storm water pipes to the outskirts of the camp. The sewage of the camp is emptied into an antiseptic tank where filtration takes place, and the water is finally discharged free from pollution. The sewerage system of the camp, I am advised, cost $1,250,000. The water supply is by a direct connection from the city of Atlanta supply, the city of Atlanta having extended a large main to the camp at a cost to the city of $250,000.

Provisions for fighting fires are excellent.

In the camp, I am advised, there is a permanent reservoir for 200,000 gallons of water.

There are, I think, 60 miles of macadamized roads in the camp.

There is an excellent electric system throughout the camp, with 25 miles, I am told, of poles and service wires.

Warehouses have been constructed along the Southern Railroad along the edge of the camp to carry supplies for 40,000 troops. These warehouses are well constructed with ample trackage facilities, with concrete approaches, and with fire-proof walls at close intervals.

An engineer who had charge of construction on the ground went over the property with me, and from him and from others I am advised that the plant at Camp Gordon could not now be duplicated for $16,000,000.

I understand that the committee which visited Camp Gordon were impressed with the fact that there was no rifle range left at Camp Gordon. I think an investigation will show that the rifle range used during the mobilization of troops was up the Southern road quite a distance, and the War Department declined to buy it before the 1st of July because the prices asked for the land were considered excessive and because a better place for a rifle range was located by Army officers in June closer to camp, but the purchase was not concluded before the 1st of July, so it was not made.

This newly located rifle range is 2 miles from the camp and can be purchased at reasonable figures. The city of Atlanta spent $250,000 to carry to the camp the same water supply that is used by the city, and if the United States needs 1,000 acres or more for a rifle range and does not wish to pay for it I am quite sure it will be furnished without rental for as long as it is needed.

What I wish to impress upon the committee is that, our military policy not yet having been decided upon, to dismantle this one great central camp between the Potomac and the Mississippi would be a blunder. It may be that at the end of 12 months, when our final military plans are determined upon, you will conclude we do not need a military camp at Gordon. My own view is that under our new policy of giving vocational training to privates in the Regular Army in time of peace, as well as military training, the men should have the opportunity of being stationed as near as practicable to their homes if we wish the best character of men to volunteer as privates in the Army. There ought to be in each one of the divisions mapped out by the War Department a camp for the training of soldiers and for the vocational training that will be furnished in connection with military training.

In Georgia, Wheeler at Macon, Hancock at Augusta, and part of Chickamauga have been dismantled. This is the only large camp that still remains. I think there is but one more between the Potomac and the Mississippi semipermanent in its construction, and that is at Columbia, S. C. All the other Infantry camps with lumber or brick construction south of the Potomac and between the Atlantic and the Mississippi have, I believe, been dismantled.

I understand some thought Camp Benning meets the entire requirement for troops in the Southeast. This view is erroneous. Camp Benning is to be the national training school for Infantry officers. Provision there is made for no permanent troops, but for those who come and go from all parts of the country. If Camp Benning were to be enlarged to take care of Infantry, to provide housing and other equipment for the Infantry of the section, it would cost $10,000,000 not now necessary for Camp Benning.

The southeastern section, between the Potomac and the Mississippi, will need provision for the troops of the locality. Camp Gordon was selected by the War Department as the permanent camp to be retained for troops from Georgia, Florida, Alabama, and one or two other States. It in no way conflicts with Benning, but, rather, its proximity to Camp Benning adds to its value.

At Camp Gordon you have buildings erected from heart pine, a little rough, but durable; you have a perfectly equipped hospital; you have a perfect system of sanitation; you have excellent warehouses; you have water mains and sewage all over the property; and you have nearly 3,000 acres of land, all paid for.

There were a number of buildings started at Camp Gordon not long before the armistice, with a view of accommodating a large number of additional troops, that are not necessary for any permanent system.

I only wanted to submit to the committee at this time the view that to throw away practically what has cost $12,000,000, before you know what your military policy will be and before you have decided what you will need, would be economically most unsound.

I went all over the camp a few days ago with the engineer who had immediate charge in the field of construction, and he has given me an elaborate report on the work. He was a civil engineer employed there on construction; he supervised the work; he went over it with me and called my attention to its durability and to its general character. My only request is that the latter part of that provision—scrapping Camp Gordon—be not concurred in by the Senate.

I think the chances are nine out of ten you will find you will certainly need this camp. To throw it away for what it would bring dismantled with the serious probability, if not certainty, that you will need it, would be a great waste.

Senator CAPPER. How many men are at that camp?

Senator SMITH. I was told on my visit there were over 2,000 men, and there are quite a number of men in the hospital. The hospitals are now being used. The base hospital accommodates fifteen hundred men and the convalescent hospital that many or more.

The subcommittee of the House in their report seem to be of the impression that the ground was not available at this camp for training. It is true there is no target range at the camp. I have already discussed the lack of a target range, and am confident a satisfactory target range can be obtained at a reasonable price or on terms satisfactory to the Government.

The drill grounds in this camp were sufficient to train the Eighty-second Division, and the splendid record of this division in Europe is reasonable proof that they were well drilled.

I am confident Army experts will sustain my view that the only additional land required is the target range.

Senator SHEPPARD. How long have you had this camp, Senator SMITH?

Senator SMITH. It was built at the first of the war.

Senator SHEPPARD. At Camp Gordon?

Senator SMITH. Yes. Before you came in I stated Gen. Wood, in the winter of 1915–16, was the commander of the Southeastern Division, and I think he made a formal report on the subject. He told me he intended to recommend the establishment at Gordon of a divisional camp as a part of the permanent distribution of troops in time of peace, it being the best point between the Potomac and the Mississippi Rivers for such purpose.

The VICE PRESIDENT. The question is on the motion of the Senator from New York.

The motion was agreed to; and the Vice President appointed Mr. WADSWORTH, Mr. SPENCER, Mr. LENROOT, Mr. CHAMBERLAIN, and Mr. SHEPPARD conferees upon the part of the Senate.

ADJOURNMENT.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 17, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 16, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O, Thou Great Jehovah, imminent in all the works Thou hast wrought, attested, in the light of the farthest star that illumines space; in the tiniest flower that blooms on the lonely mountain top; in the most forlorn heart inspired to action.

The world is passing through a trial of greatest magnitude and we call upon Thee for faith, hope, love to guide us, potent factors in the affairs of men, that truth, liberty, justice, mercy, love, may prevail. In the spirit of the Master. Amen.

The Journal of the proceedings of Saturday, February 14, 1920, was read and approved.

LEAVE OF ABSENCE.

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent for indefinite leave of absence for my colleague, Mr. FORDNEY, on account of illness in his family.

The SPEAKER. Is there objection?

There was no objection.

SALE OF GERMAN SHIPS—REFERENCE OF PETITIONS.

Mr. WALSH. Mr. Speaker, I ask that certain petitions which are being filed opposing the sale of former German ships, and which have been referred to the select committee to investigate the Shipping Board, be hereafter referred to the Committee on the Merchant Marine and Fisheries. It seems to me that that is the proper committee to which they should go, as it has legislative jurisdiction, a thing that the select committee does not have. These petitions involve a matter which might possibly require legislation, and while the select committee is investigating certain phases of the matter which is the subject of the petitions, I am sure that the Committee on the Merchant Marine and Fisheries, presided over by my colleague [Mr. GREENE], is the proper committee to take cognizance of these matters.

Mr. GARNER. Mr. Speaker, may I ask the gentleman a question? Why not have those already sent to the select committee sent to the Committee on the Merchant Marine and Fisheries, so that that committee will have them all in one place?

Mr. WALSH. If this reference is made, it is my intention then to ask a rereference of those that have already been referred to the select committee to the Committee on the Merchant Marine and Fisheries.

The SPEAKER. The Chair will state that he will follow the suggestion of the gentleman from Massachusetts and in the future will so refer such petitions.

Mr. WALSH. Then I ask unanimous consent that certain petitions opposing the sale of these German ships which have been already referred to the committee to investigate the Shipping Board be rereferred to the Committee on the Merchant Marine and Fisheries.

The SPEAKER. Without objection, it will be so ordered.

Mr. GARD. Mr. Speaker, reserving the right to object, is it not the practice to have all of these petitions referred under the guidance of the Speaker, so that the Speaker may refer them to the committees he thinks proper?

The SPEAKER. That is correct, and the Speaker, under that practice, has referred some of them to the committee on investigation, but the chairman of that committee having suggested that he thinks they should go to the other committee, the Speaker in the future will refer them to the Committee on the Merchant Marine and Fisheries.

Mr. MANN of Illinois. Mr. Speaker, I take it that under the rule the Member filing the petition makes the reference.

Mr. WALSH. The Member usually does.

The SPEAKER. These are petitions which are usually referred by the Member himself.

Mr. GARD. They may be sent, I suspect, where they are directed by the introducer of the petition.

The SPEAKER. When they are filed without any reference, then the Speaker, through the Clerk, refers them. Without objection, the request of the gentleman from Massachusetts will be agreed to.

There was no objection.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. PORTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 11960, the Diplomatic and Consular appropriation bill, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the Diplomatic and Consular appropriation bill, with Senate amendments, disagree to all of the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I desire some information, if possible. It has been reported through the press that the President, through proper order, has made provision for entering into the United States of Mexican labor without passport fees or payment of the head tax to meet the agricultural emergency in Texas and possibly in some of the other States. I want to know whether that is an order that has any definiteness to it and upon which the people may depend. There is a great scarcity of labor in the State of Texas just now, and it is almost impossible for farmers and stockmen to get help of any kind, within any reasonable limit, both as to the required number of employees and wages demanded, and they would like to know what they may depend upon in the future. If the gentleman can give us any light on that subject, I would be glad to have it.

Mr. JOHNSON of Washington. Mr. Speaker, if the gentleman from Pennsylvania will permit, I think this statement will answer the gentleman from Texas. The Secretary of Labor on February 12 in a very short order continued the regulations as they existed on January 1, 1920, lifting certain provisions of the law with regard to passports, head tax, and illiteracy with respect to laborers from contiguous territory coming into the border States and into Florida. The Secretary finds his authority under a certain provision which is found in the last part of section 3 of the present immigration laws.

Mr. BLANTON. And that is to last how long?

Mr. JOHNSON of Washington. Until further notice—through this crop season, I imagine.

Mr. SNELL. Mr. Speaker, will the gentleman tell me whether that applies to Canada?

Mr. JOHNSON of Washington. It does. The order is as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, February 12, 1920.

To the COMMISSIONER GENERAL OF IMMIGRATION:

Pending action by Congress on proposed legislation in re admission of laborers for agricultural pursuits to meet conditions such as are claimed to exist in States on the northern and southern borders and in the State of Florida, you are hereby directed, until further instructed, to put in force in States on said borders and in the State of Florida the regulations existing January 1, 1920, relating to the admission of laborers in States on the southern border and in Florida.

W. B. WILSON, *Secretary.*

Mr. BLANTON. Would not a proclamation of peace destroy that order?

Mr. JOHNSON of Washington. I think not. The order is issued on account of other than a war emergency.

Mr. BLANTON. The gentleman from Massachusetts wants to know what this committee has to do with it. This particular bill has to do with passports, and said order would exempt Mexican laborers from paying the $10 per head, which means much to our Texas people.

Mr. JOHNSON of Washington. No; it has nothing to do with that. The immigration law provides that the Secretary of Labor under certain conditions may remove these restrictions.

Mr. BLANTON. And we may expect that order to last through the present crop year. That is what our Texas people want.

Mr. JOHNSON of Washington. Yes. There is nothing in this bill that affects that.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. MONDELL. Mr. Speaker, reserving the right to object, there are some Senate amendments on this bill that I think are not entirely in harmony with the view the House has in respect to the matters affected. I feel confident that the conferees will give consideration to the views of the House in connection with those matters, and my own hope is that some of these amendments will not be agreed to.

The SPEAKER. Is there objection?

Mr. MADDEN. Mr. Speaker, reserving the right to object. I wish to call the attention of the House to the fact that a certain amendment in the bill provided for a charge of $10 a head for passports to those desiring to leave the United States, which, it is said, will raise quite a large sum of money. At the same time the Senate inserted amendments increasing the amount of appropriations $700,000, and I would like to ask the chairman of the Committee on Foreign Affairs whether it is the intention of the conferees to permit this $700,000 to remain in the bill on the theory that the revenue received from the passport clause will meet these additional expenditures?

Mr. PORTER. Mr. Speaker, it is the purpose of the conferees to carry out the intention of the House as expressed in the House bill and oppose any increase——

Mr. GARNER. If the gentleman will permit, does the amendment referred to by the gentleman from Illinois provide that the moneys collected for the passports shall be turned into the Treasury or shall be kept by the State Department for expenditure?

Mr. PORTER. The money is paid directly into the Treasury.

Mr. GARNER. Then the question as to there being a profit from that to the State Department would not be taken into consideration?

Mr. MADDEN. No; the only question is whether or not the Committee on Foreign Affairs of the House would feel that, inasmuch as the revenue was to be derived from that source, they would be more liberal in the matter of appropriations, and that is one of the things to which I am opposed.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Chair appoints the following conferees: Mr. PORTER, Mr. ROGERS, and Mr. FLOOD.

EXTENSION OF REMARKS.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an article by former President Taft which appears in the papers this morning relative to the powers and duties of Cabinet officers.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by inserting an article by ex-President Taft appearing in the morning papers. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, I want to direct the attention of the gentleman from Massachusetts [Mr. WALSH] to this request. Mr. Taft is quite prolific with his articles, as we all observe, in the morning newspapers. Now, I think it should be understood that where one of the articles of Mr. Taft tickles the fancy of some one on this side, and which probably takes a lick at somebody on that side, that he should be permitted to put it in the RECORD, and I merely call the attention of the gentleman to it at this time so that there will be no controversy in the future in reference to printing these articles in the CONGRESSIONAL RECORD.

Mr. KITCHIN. I desire to call the attention of the House to the fact that print paper is very scarce, and it costs a lot to print, and if they are going to print all of ex-President Taft's letters it will cause a very much larger shortage in print paper. [Laughter.]

Mr. LONGWORTH. I will say to my friend there seems to be some serious difference of opinion in certain quarters as to the rights and duties of Cabinet officers.

Mr. KITCHIN. I do not think there is much difference of opinion; if that is all, I would object——

Mr. LONGWORTH. It is for the illumination of the gentleman and the other Members of the House and for the information of the country.

Mr. WINGO. Mr. Speaker, reserving the right to object, I want to call the attention of the gentleman from Ohio to the fact that I read this article very hurriedly and there is one statement in there that shows that the ex-President evidently read the correspondence between the President and the Secretary of State very hurriedly, because there is a misstatement of fact. I know it is not intentional on the part of ex-President Taft. He has drawn a conclusion based upon that. I was going to compare it to-day, and I would not want it to go into the RECORD and be circulated if it is a misstatement of fact.

Mr. LONGWORTH. I submit the article for what it is worth. Of course, the gentleman would have opportunity, perhaps, later to correct any misapprehension.

Mr. WINGO. If we should undertake to refute all the misstatements of leading Republicans, public business would be impeded indefinitely, and for that reason I shall object for the present.

Mr. ANDREWS of Nebraska. Mr. Speaker, I renew my request to extend my remarks in the RECORD by printing an address of my own on Abraham Lincoln.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD by printing an address delivered by him on Abraham Lincoln. Is there objection?

Mr. WALSH. Well, Mr. Speaker——

Mr. GARD. Mr. Speaker, is this the same address the gentleman from Indiana objected to the other day?

Mr. ANDREWS of Nebraska. Yes, sir.

Mr. GARD. I understand the gentleman delivered it before some organization of the Grand Army of the Republic?

Mr. ANDREWS of Nebraska. I delivered it before the Grand Army of the Republic last Friday evening.

Mr. WINGO. I hope my friend will not object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Davey bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD on the Davey bill. Is there objection? [After a pause.] The Chair hears none.

Mr. TAYLOR of Colorado. Mr. Speaker, I asked unanimous consent, when the gentleman from Illinois [Mr. MANN] was in the chair last Saturday, to extend in the RECORD some telegrams from some cattlemen in my home county on the Agricultural bill. Some of those telegrams I did not get until yesterday, and I should like to ask permission to insert them in the RECORD now.

The SPEAKER. Is there objection?

Mr. WALSH. The gentleman from Colorado [Mr. TAYLOR] got unanimous consent to extend his remarks by inserting a telegram, as I understand it, which he then had. Now, undoubtedly, the balance of these telegrams will probably be simply cumulative and to the same effect. I do not think at this late date we ought to fill up the RECORD with them.

Mr. TAYLOR of Colorado. They are from some half dozen stockmen's associations, who urge the Committee on Agriculture to come there and examine the facts. They ask to have a hearing. The telegrams are not extensive at all. They set forth their conditions and the reasons why there should be no increase in the charge for grazing cattle on the forest reserves. The telegrams are to me from the most prominent stockmen in the State, whom I have known for many years, and I feel that the House should have the benefit of their judgment.

Mr. WALSH. It is dangerous to put telegrams in the RECORD inviting committees to visit——

Mr. MADDEN. Mr. Speaker, reserving the right to object, did I understand the gentleman from Colorado to say that these telegrams he wishes to put in the RECORD are telegrams that the people in Colorado notified him they were going to send?

Mr. TAYLOR of Colorado. Yes, sir.

Mr. MADDEN. How did they notify him? By mail?

Mr. TAYLOR of Colorado. They wired me, and then called the stockmen's meeting, and did not get around to sending them until after the bill had passed. I feel that they contain information the House and especially the Agricultural Committee ought to have.

Mr. WALSH. What information can the House get from these now, the bill having passed with the very amendment in there that most of them were interested in?

Mr. TAYLOR of Colorado. They want the House to know the conditions, and they want the committee to come there and investigate and hold a hearing. They present the matter very fairly, and I really feel that the telegrams ought to go in the RECORD. They are not lengthy at all and the question of grazing fees and the attempt to commercialize the grazing on the forest reserves is not settled by the passage of that bill. The cattlemen have got a right to be heard now or some time before the rights are adversely affected.

The SPEAKER. Is there objection?

Mr. JOHNSON of Washington. Mr. Speaker, I object.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to insert in the RECORD two articles by Mr. Taft indorsing the League of Nations and asking the Republicans in the Senate to agree upon the treaty.

Mr. WINGO. Mr. Speaker, I object.

UNANIMOUS-CONSENT CALENDAR.

The SPEAKER. To-day the Unanimous Consent Calendar is in order, and the Clerk will report the first bill.

LEAVE OF ABSENCE TO OFFICERS OF THE COAST GUARD.

The first business on the Calendar for Unanimous Consent was the bill (S. 3202) granting leave of absence to officers of the Coast Guard, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, I ask that the bill be reported.

Mr. GARD. Reserving the right to object——

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to grant leave of absence without pay to such officer or officers of the United States Coast Guard as he may deem advisable, and to permit him or them to accept employment with the Venezuelan Government with such compensation and emoluments as may be agreed upon between the Venezuelan Government and such officer or officers thus granted leave of absence.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, reserving the right to object, the report on this bill is not very extensive. I was wondering whether the gentleman had supplemented it with any additional report; and if not, if he will advise us more particularly concerning the bill than appears in the small report as to what the bill is intended to do?

Mr. DALE. Mr. Speaker, I would say to the gentleman from Ohio that I have not supplemented it with any report. I will be glad to state what I know about the facts.

About a year ago the Venezuelan Government asked their minister here in Weshington to see if he could obtain from our Coast Guard an officer, and have him sent to the Venezuelan Government to act in the capacity of architectural director in the national navy yard at Puerto Cabello, and arrangements were made with the Navy Department, under which at that time the Coast Guard was being operated, it having been transferred from the Treasury Department to the Navy Department during the war, and an officer from the Coast Guard was detailed to go there. But they discovered there was no authority under which he could be transferred; that he would have to resign. Now, the Coast Guard officials were very anxious to keep this man in the service and keep all the men in the service that they had—these officers particularly. They did not want them to resign, and the request came from the Coast Guard itself to obtain authority under which they could allow one of these officers, or two of them, as the case might be, to be transferred to the Venezuelan Government, without pay, and transferred under leave of absence, so that at the end of their period of service of a few months or a year or so they might come back into the Coast Guard Service of our Government.

Now, this matter was submitted to the State Department, and the State Department recommended it. They recommended it because of some reasons that perhaps it might not be public policy to state here on the floor, but they thought if the Venezuelan Government wanted our officers there it might have a good influence over that Government and Governments in that locality to have one of them there. Not only that, but they thought it might be beneficial to both Governments if the Venezuelan Government could have the advantage of our system of conducting affairs in our Coast Guard.

Mr. GARD. Do I understand that one officer had already been detailed by the Navy Department and had given service to the Venezuelan Government in his capacity?

Mr. DALE. No, sir. He had not gone to the Venezuelan Government. Arrangements had been made for the transfer of this officer from our Coast Guard to the Venezuelan Government, but he did not go, because they discovered there was no authority under which it could be done.

Mr. GARD. How many officers is it contemplated to send down there?

Mr. DALE. At the present time it is contemplated to send only one officer; possible a little later two; but only one or two.

Mr. GARD. It seems there is some difficulty in keeping the best men under the naval appropriations now in the service. I had the idea that possibly this bill might be a little broad, inasmuch as it authorizes leave of absence to an officer or officers of the Coast Guard, placing it in the discretion of the President, possibly, to send more than should be sent, it resting in the discretion of some one.

Mr. DALE. I may be mistaken about this, but it is my impression that these officers are not under the Navy Department at all. They are under the Treasury Department.

Mr. ANDREWS of Nebraska. Mr. Speaker, will the gentleman yield at that point?

Mr. DALE. I yield to the gentleman from Nebraska.

Mr. ANDREWS of Nebraska. Mr. Speaker, during the war time the Coast Guard was transferred to the Navy Department and acted under the orders of that department. At the conclusion of military operations the officers of the Coast Guard were returned to the Treasury Department and are permanent officers of the Treasury Department.

Mr. GARD. In that event they are now under the Treasury Department?

Mr. ANDREWS of Nebraska. Yes; they are now, an order having been issued for their return since the signing of the armistice.

Mr. HICKS. Mr. Speaker, will the gentleman yield for a question?

Mr. DALE. I yield to the gentleman from New York.

Mr. HICKS. Will this officer who goes down to Venezuela have to swear allegiance to the Venezuelan Government?

Mr. DALE. No; not at all. They go there under leave of absence. They draw no pay from this Government. They are paid by the Venezuelan Government. At the end of their service in Venezuela they come back here.

Mr. HICKS. Is the arrangement contemplated somewhat similar to the arrangement now in vogue in regard to our marines in the island of Haiti? As the gentleman knows, we have marines there who are a part of the gendarmery of Haiti, who are receiving pay from the United States Government and in addition are getting a stipend from the Haitian Government. They are, for all practical purposes, Haitian troops.

Mr. DALE. No; I understand the marines are acting in Haiti as station marines while they are there, and they are acting under a treaty. The matter was adjusted, as I understand it, by a treaty between this Government and the Government of Haiti.

Mr. HICKS. Will this officer detailed to Venezuela be a Venezuelan officer while on leave?

Mr. VAILE. Mr. Speaker, will the gentleman yield?

Mr. DALE. Yes.

Mr. VAILE. I think he is simply under contract with the Venezuelan Government, as a civil employee would be. We do not think he should be required to lose his place and rank in the service of the United States when he returns.

Mr. HICKS. He would not be a Venezuelan officer?

Mr. DALE. I understand not. I am very sure he simply goes as an instructor.

Mr. ANDREWS of Nebraska. Mr. Speaker, will the gentleman yield again?

Mr. DALE. I yield.

Mr. ANDREWS of Nebraska. These men in the Coast Guard Service now are the men who formerly constituted the Revenue-Cutter Service——

Mr. HICKS. And the Life-Saving Service.

Mr. ANDREWS of Nebraska. The Revenue-Cutter Service was a separate branch by itself. The Life-Saving Service was another special branch by itself. Those two divisions in the Treasury were consolidated under the title "Coast Guard Service." Now, these men who go are the men who belong to what we formerly designated as the Revenue-Cutter Service, and that service was the police force for the collection of customs duties as we all understand it.

Mr. DALE. The gentleman from Ohio [Mr. GARD] asked me some other question, I think, a while ago.

Mr. GARD. No; I did not ask any particular question. I asked to be enlightened concerning the report, and the gentleman has given information which has satisfied me.

Mr. DALE. I did not want to ignore the question. I would say that in discussing this matter with the Treasury Department the Treasury Department referred to the shortage of officers, to which the gentleman from Ohio has just made reference, and said they were very anxious for a bill of this kind to pass, because they thought it would prevent the resignation of these officers. They feared that the officers, if they were not given leave of absence under which they could take on this service temporarily, might be induced to leave the service. The inducement would be large enough from the Venezuelan Government to warrant their resigning from the service of our Government.

Mr. GARD. Would the gentleman be willing to accept as an amendment the insertion of the word "civil" in line 7, so that it would appear that they were accepting civil employment?

Mr. DALE. I think it would be civil employment. I have the impression that the insertion of the word "civil" would do no harm.

Mr. GARD. I suggest that because of the inquiry of the gentleman from New York [Mr. HICKS] as affecting the status of these men if they leave the United States service to go into the service of Venezuela as officers of the navy, because that is practically what it amounts to. What is their international status?

Mr. DALE. Well, in their request for this officer they ask for an engineer of experience to accept an appointment in their navy yard at Puerto Cabello. Now, if they ask for an engineer to accept an appointment in the navy yard, I will say frankly to the gentleman from Ohio I do not know whether the word "civil" would be fatal to their object or not, but if not I have no objection to it.

Mr. GARD. My question was based on the inquiry of the gentleman from New York as to what would be the status of an American officer detailed to the Venezuelan Government and serving as an officer of the Venezuelan Navy in the navy yard.

Mr. DALE. I do not know whether it would be similar to the marines or not. I know that the marines are in the Haitian service, and they wear the Haitian uniform.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. DALE. Certainly.

Mr. MANN of Illinois. The Coast Guard Service has control over what is really the Life-Saving Service and the Revenue-Cutter Service, I take it, and that is what I want to ask about. This man would be employed to help install or instruct in reference to the life-saving service, or probably the construction of small vessels used in the revenue service or coast-guard service of Venezuela. Is not that the purpose?

Mr. DALE. The gentleman from Illinois has stated the purpose for which these men are asked to go to Venezuela almost exactly as the request was made.

Mr. MANN of Illinois. They want an expert?

Mr. DALE. Yes.

Mr. MANN of Illinois. We have plenty of experts?

Mr. DALE. Yes.

Mr. MANN of Illinois. They want to borrow an expert for use in their coast-guard and life-saving service?

Mr. DALE. Yes.

Mr. MANN of Illinois. I do not see why we should object to that.

The SPEAKER pro tempore (Mr. WALSH). Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to grant leave of absence, without pay, to such officer or officers of the United States Coast Guard as he may deem advisable, and to permit him or them to accept employment with the Venezuelan Government with such compensation and emoluments as may be agreed upon between the Venezuelan Government and such officer or officers thus granted leave of absence.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. DALE, a motion to reconsider the vote by which the bill was passed was laid on the table.

FLATHEAD INDIAN ALLOTMENTS.

The next business on the Calendar for Unanimous Consent was the bill (S. 2454) for the relief of certain members of the Flathead Nation of Indians, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN of Illinois. Reserving the right to object, I should like to hear from the gentleman in charge of the bill.

As I understand this bill it is proposed to allot to the Flathead Indian children, who have not heretofore received allotments, proportionate allotments in accordance with those that have already been made, and that 40 acres of each allotment shall be inalienable.

Mr. EVANS of Montana. That is correct, Mr. Speaker.

Mr. MANN of Illinois. Just for information, knowing that this has been the custom in the past, what will happen when the land runs out and more children are born after that?

Mr. EVANS of Montana. There will be no further allotments made.

Mr. MANN of Illinois. Well, I do not know. I think there have been some cases where in that event we were asked to buy land to make allotments or to furnish money compensation for lack of land. I believe this has been the practice for years. I never could see much justice in it, I am frank to say that. That is what it does, as I understand.

Mr. EVANS of Montana. That is what it does; yes.

Mr. MANN of Illinois. Is this character of legislation principally designed to benefit the children who were brought into the world after the original allotment or to encourage the parents to have more children?

Mr. EVANS of Montana. Mr. Speaker, I can not answer the gentleman's question.

Mr. HASTINGS. If the gentleman will permit, this legislation is really in effect to move up the date of the making up of the roll, in order to take care of some after-born children. This is a Senate bill, but the representation made before the House Indian Committee was that there is plenty of land to take care of these children. If the land is not allotted to these children, there is some provision whereby it may be sold to settlers, and the department is very desirous of having these later-born Indian children take allotments before the lands are sold.

Mr. MANN of Illinois. Now, as a matter of fact, where allotments have been to all of the Indians, including all the minors up to a certain date, the balance of the land belongs to the whole tribe, and if a sale of land is made it is for the benefit of the tribe. Then when we bring the allotment down to date we take the land away from those who do not have more children and practically give it to those who have large families of children.

Mr. HASTINGS. Answering the gentleman, of course the date as of which the roll was made up was an arbitrary date. Congress could have fixed any other date. If this change is made it will be because Congress believes that instead of fixing the former date the time ought to be moved up to the present date. The amount that would be received for this land if sold would be inconsiderable. If the land is allotted to the children, it goes to the various families anyhow, and I understand from the representations made to the department and by them to the committee that this is in the interest of the Indians, that the Indians want it, and that there is no protest from them. I understand also from representations made by members of the Senate Committee on Indian Affairs that it is very desirable that this legislation should be enacted.

Mr. MANN of Illinois. I remember how ardently my distinguished friend from Oklahoma the other day spoke in favor of the proposition to remove all restrictions from Indians——

Mr. HASTINGS. No.

Mr. MANN of Illinois. Whenever they become competent.

Mr. HASTINGS. With that condition; yes.

Mr. MANN of Illinois. I usually state a thing fairly accurately when I get through. But here is a proposition which keeps the restrictions on, no matter how competent the Indian may become.

Mr. HASTINGS. Yes; but the gentleman from Illinois will also remember that in the last Indian appropriation bill we provided for three competency commissions. The purpose is to have these competency commissions go among the various Indian tribes, including this tribe, and to release the competent Indians in all the tribes.

Mr. MANN of Illinois. It will not release them in this case, because here is a provision in this bill, proposed by way of amendment, that 40 acres shall remain inalienable during the lifetime of the allottee. It does not make any difference how competent he may be, he can not sell the property, mortgage it, or otherwise dispose of it during his life. What does my distinguished friend from Oklahoma say about that after his ardent speech of the other day?

Mr. HASTINGS. I believe if any Indian is declared by a competency commission to be competent, and that is approved by the Secretary of the Interior, that Indian ought to be placed upon a plane with the white man. The gentleman asks me a question, and I make that frank answer.

Mr. MANN of Illinois. What does the gentleman say, then, to this proposed amendment that 40 acres shall remain inalienable and nontaxable during the lifetime of the allottee? That will mean in some cases 70 or 80 years from now.

Mr. CARTER. If the gentleman will permit a suggestion from me, I will say that that amendment ought to be changed so that the allottee would not have to come to Congress to get his restrictions removed, but it ought to be left with the Secretary of the Interior rather than with Congress to determine, because that is an administrative matter.

Mr. MANN of Illinois. The gentleman from Oklahoma [Mr. CARTER], then, is of the opinion that we ought not to put in a

provision that certain property shall remain inalienable and nontaxable for 60 or 70 or 80 years, depending upon the length of the life of the allottee?

Mr. CARTER. If the gentleman from Illinois will permit me——

Mr. MANN of Illinois. Certainly.

Mr. CARTER. I will tell him what I think ought to be done in this case. These are children born since the allotment was made. I think the allotments ought to be inalienable and nontaxable during their minority, and after that time I think the Secretary of the Interior should not be denied the right to remove restrictions, if they are found competent, after attaining their majority.

Mr. BEE. Will the gentleman from Illinois yield for me to ask a question of the gentleman from Oklahoma?

Mr. MANN of Illinois. I will.

Mr. BEE. Would the gentleman accept an amendment that it should not be salable during minority, but after the man becomes of age, in case he is found competent, it may be sold?

Mr. CARTER. The gentleman knows that this is not my bill, but I think that would be a wholesome provision and ought to be placed in the bill.

Mr. MANN of Illinois. I was not raising objection against the views of gentlemen, but I think Congress ought to legislate along the same line on two bills which it considers on two successive days.

Mr. WALSH. Mr. Speaker, reserving the right to object, what does it propose to do with children who are born during the year following the one year after the passage of this act?

Mr. HASTINGS. There is no provision made for that. Of course, they will not be allotted any land unless Congress makes provision for it.

Mr. WALSH. I know; but why should we take one group of children who have been born since the act of 1904 and permit a year to elapse after the passage of this law, and then say now these children who are unfortunate enough to be born after that time will have to be treated on a different basis?

Mr. HASTINGS. I can not answer the gentleman. This is a Senate bill passed by the Senate, sent over to the House, and referred to the Indian Committee. The representation was made to the Indian Committee that there is plenty of land to allot to these children and that it is desirable to have it allotted to the Indian children rather than to be taken up by white settlers, in which event only a small amount would be paid.

Mr. WALSH. I notice that there are 600 children and 25,000 acres of land. They propose to give them 40 acres each, which will take up 24,000 acres. I was wondering why this particular group of 600 children are proposed to benefit from this legislation at this particular time. Why not look to the future, if this is a good policy, which I doubt; why not enact a broad, general law which will take care of the children as they come along?

Mr. HASTINGS. It might be, although I can not answer specifically, that as to the other Indian reservations there would not be sufficient land. But here there will be no charge whatever on the Government, because there happens to be plenty of land to allot to the children.

Mr. WALSH. Does the gentleman believe that we are doing these children a benefit by passing this sort of legislation?

Mr. HASTINGS. I certainly do. It provides a home for them, and I think to provide a home for Indian children is much better than to give them the small amount that would be paid by the settlers for these lands.

Mr. WALSH. To permit them to have these 40 acres the gentleman thinks will tend to make them self-supporting, useful members of the community?

Mr. HASTINGS. I think it would be much better than to give them the equivalent in money. We are all hoping it will tend to make them self-supporting.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. WALSH. I will.

Mr. MANN of Illinois. I would like to ask the gentleman from Oklahoma. I notice in the report made by a commission to investigate irrigation projects on Indian lands that that report states that there are lands on the Flathead Reservation which should be permanently reserved for forestry purposes in order to protect the watershed and a number of streams, the saving of which is needed to irrigate Indian lands. Then, in answer to an inquiry made by the chairman, it was stated that if such is the case it would seem to be against the interest of the Flathead Indians to allow such lands to pass into private ownership, either to the settlers under the homestead law or by allotment to the Indians.

I notice that the Secretary of the Interior stated:

In view of the fact that in all probability the land which may be selected for watershed protection will consist largely of the mountainous part of the reservation, and that there is no probability that any Indian or homesteader will desire an allotment on such lands as the Forestry Service would use as a national forest, I do not see any good reason why action on Senate bill 2454 should be deferred until the commission indicated has made its report.

Mr. HASTINGS. That is what I was going to call attention to.

Mr. MANN of Illinois. Would it not be better to provide that no allotments should be made where it would interfere with the watershed protection and irrigation?

My observation in the world is that where somebody can get something of very small value which will interfere with other things of very large value, that he frequently does it in order to be bought out. Why not protect against that?

Mr. HASTINGS. That very question was raised before the Indian Committee by some of the western Members who are very familiar with the question that the gentleman from Illinois raises, and the bill went over for some time for further investigation. The department made the representation—I do not have the report before me and have not refreshed my memory from it—but I remember that the department made certain representations to the committee that there would be sufficient land to allot to the minor children without taking these lands necessary to protect the watershed referred to by the gentleman from Illinois.

Mr. MANN of Illinois. The Secretary says that there is no probability that any Indian or homesteader will desire an allotment of such lands as the Forestry Service would use as a national forest. It would seem to me the better way to do would be to protect that by a provision in the bill and not leave it to the probability of what some man wants, when his wants might interfere very materially with the interests of the tribe or of the Government.

Mr. HASTINGS. The department thought it could do it by regulation, by administration, and that it would have the power to do it by administration.

Mr. MANN of Illinois. They do not indicate it in this report.

Mr. HASTINGS. I know certain representations were made to the committee to that effect, and that induced us to report it favorable.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none, and the Clerk will report the bill.

Mr. WALSH. Mr. Speaker, this bill is on the Union Calendar.

The SPEAKER. The Chair has been considering the precedents, and he finds that it was held some years ago that when the House gave unanimous consent for the consideration of a bill it thereby dispensed with consideration of it under the Union Calendar. The Chair is disposed to follow that precedent, unless the House would rule otherwise..

Mr. WALSH. If that be so, then what is the difference between considering a bill by unanimous consent and suspending the rules?

The SPEAKER. There is this difference: This does not require a two-thirds vote, and, furthermore, the bill may be amended when it is considered under unanimous consent.

Mr. MANN of Illinois. And it requires unanimous consent to have it considered. Mr. Speaker, for a great many years it was the practice of the House, where a bill was on the Union Calendar and unanimous consent was given for its consideration, to consider the bill in the House. For some years after that, while Mr. CLARK was Speaker, he held that it still required unanimous consent to dispense with the consideration of the bill by the Committee of the Whole House on the state of the Union. If the Speaker announces his ruling on the subject, that, I think, disposes of it. We will know then that if unanimous consent be given, the bill is not to be considered in the Committee of the Whole House on the state of the Union, although I suppose a request might be made for unanimous consent to consider the bill without interfering with the right to go into the Committee of the Whole House on the state of the Union.

The SPEAKER. The Chair thinks that if any Member desires to go into the Committee of the Whole House he could state that and give unanimous consent only upon the condition that the bill would be considered in Committee of the Whole House on the state of the Union. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That during the period of one year from and after the approval of this act the Secretary of the Interior is hereby authorized, under existing law and under such rules and regulations as he may prescribe, to make allotments on the Flathead Reservation, Mont., to all unallotted living children enrolled with the tribe, enrolled or entitled to enrollment: *Provided*, That such allotments be made

from any unallotted or unsold lands within the original limits of the Flathead Indian Reservation, including the area now classified and reserved as timber lands, cut-over lands, burned or barren lands thereon; and patents issued for allotments hereunder for any lands from which such timber has not been cut and marketed shall contain a clause reserving to the United States the right to cut and market, for the tribal benefit, as now authorized by law, the merchantable timber on the lands so allotted: *Provided further*, That when the merchantable timber has been cut from any lands allotted hereunder the title to such timber as remains on such lands will thereupon pass to the respective allottees, and the Secretary of the Interior is hereby directed to withhold from sale or entry all lands unsold and unentered within the said reservation at the date of the passage of this act until allotments hereunder have been completed. All acts or parts of acts inconsistent herewith are hereby repealed.

With the following committee amendments:

Page 2, lines 14 and 15, after the word "completed," strike out "All acts or parts of acts inconsistent herewith are hereby repealed" and insert: "*Provided*, That not exceeding 40 acres of each allotment made under the provisions of this act shall be designated as a homestead, which shall be inalienable and nontaxable during the lifetime of the allottee unless otherwise provided by Congress and so evidenced in the patents issued for said allotments."

Mr. CARTER. Mr. Speaker, I offer the following amendment to the committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 2, line 18, after the word "the" in the committee amendment, strike out the remainder of the paragraph and insert in lieu thereof the following: "minority of the allottee and thereafter until such restrictions may be removed either by Congress or the Secretary of the Interior."

Mr. CARTER. Mr. Speaker, I ask that the amendment be reported as it will read if this be agreed to.

The SPEAKER. The Clerk will report the amendment as it would read if the amendment to the amendment were agreed to.

The Clerk read as follows:

Provided, That not exceeding 40 acres of each allotment made under the provisions of this act shall be designated as a homestead, which shall be inalienable and nontaxable during the minority of the allottee and thereafter until such restrictions may be removed either by Congress or the Secretary of the Interior.

The SPEAKER. Does the gentleman from Oklahoma desire to be heard upon his amendment?

Mr. CARTER. No.

Mr. WALSH. Mr. Speaker, I desire to ask the gentleman from Oklahoma a question. What is the idea in giving this alternative power to the Secretary of the Interior or to Congress? Under the provision which is on the Indian appropriation bill I take it that upon the report of these competency commissions the Secretary of the Interior could remove these restrictions.

Mr. CARTER. Yes.

Mr. WALSH. That being so, what is the necessity of putting in the words "by Congress"? Congress could do it anyway.

Mr. CARTER. Both Congress and the Secretary have the right to remove restrictions now and both perform that function quite often. Only a few days ago we passed a bill through the House known as the citizenship bill, by which these restrictions were removed by Congress from persons of less than half Indian blood. The words were placed there simply to conform to existing law and in order to show that Congress was not abdicating any right it had to remove restrictions. It would have that right anyway.

Mr. WALSH. Just to let these people know that if the Secretary of the Interior would not do it, then some enterprising Member of Congress from that locality would be glad to bring in such a measure?

Mr. CARTER. That might be true, though I had not that in mind, I will say to the gentleman.

Mr. WALSH. No; but I was wondering what was the necessity of putting in the words "by Congress."

Mr. CARTER. It was simply in order to show that no change was made in existing law with reference to the power of Congress in that regard.

Mr. WALSH. But we do change the existing law by providing that the Secretary of the Interior may remove the restriction.

Mr. CARTER. The Secretary of the Interior now has the right to remove the restrictions and so has Congress. We simply propose that we shall do in the future with reference to these things after these children become 21 years of age the same thing we are proposing to do now, but that until they become 21 years of age their lands shall remain nontaxable and inalienable. When it comes to taxation of Indian lands, the courts have held that after an Indian has been given land with a nontaxable status recited in the deed, the lands can not then be made taxable by Congress, until that nontaxable period expires. I think if we put this specific provision in the bill reserving to Congress and the Interior Department the right to remove restrictions after he attains his majority, that would obviate this perpetual continuation of the nontaxable status of the lands after he becomes of age.

Mr. WALSH. Does the gentleman think that the language here employed would require the Secretary of the Interior to act only after these competency commissions should consider the matter in accordance with the requirements in the annual Indian appropriation act, or will it give him the power to act without having it referred to him?

Mr. MANN of Illinois. It would not have any reference to that, because it runs out before this takes effect.

Mr. CARTER. The Secretary, under existing law, has two methods of removing restrictions. One is by filing application with the local agent that comes on down through the Indian Bureau to the Secretary. The other is by a competency commission, to which the gentleman has just alluded. I do not think this will interfere with either of those.

Mr. RHODES. Mr. Speaker, I just came on the floor, and I desire to ask the gentleman from Oklahoma whether or not the amendment he proposes changes in any way, substantially, the bill as it has been reported?

Mr. CARTER. It changes the committee amendment, I will say to the gentleman. I did not see him on the floor or I would have consulted with him——

Mr. RHODES. I just came on the floor.

Mr. CARTER. The gentleman will notice the committee amendment provides that these lands shall be inalienable and not taxable during the lifetime of the allottee, unless otherwise provided for by Congress. That would not mean, perhaps, that Congress has not the right in the future to provide that the Secretary of the Interior might remove these restrictions, but it is a specific legal statement which might cause litigation as to taxation. I thought, after these children attained their majority, that it would not be consistent policy to preclude the Secretary from removing restrictions from the competent ones among them, just as we do with others at the present time, and for that reason the amendment was proposed. It was brought out by the suggestions of the gentleman from Illinois, who called attention to the fact that this was inconsistent with the policy that we had been pursuing.

Mr. RHODES. I would like to ask the gentleman one further question. The gentleman is aware of the fact that this bill was held under consideration for some considerable time pending the request by the chairman of the committee [Mr. SNYDER] of the Secretary of the Interior for his approval or disapproval of this measure?

Mr. CARTER. Yes.

Mr. RHODES. Now, does the gentleman's amendment meet the approval of the Secretary of the Interior?

Mr. CARTER. Oh, I have not consulted with him. I feel sure he would not oppose it. It does not change the existing law with reference to the matter. It leaves the fixed policy of the Government with reference to these Indians the same as with all other Indians.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. RHODES. I do, if I have the floor.

Mr. MANN of Illinois. I think it has not been the policy of the Congress to make an allotment of Indian lands to an allottee and then provide in no case it shall be taxed or disposed of within the lifetime of the allottee. In this case allotments are to be made to children, some of whom will be born after the bill is passed, and make their 40 acres nontaxable and inalienable for a lifetime, which may be 40, 50, or 70, or 80 years in some cases. It never has been the policy of Congress to do that, I think. We did get quite tied up by the treaty in the Oklahoma cases with reference to taxation and then we could not change the nontaxable provisions. I called attention to this when the bill came up under the reservation of the right to object.

Mr. RHODES. May I state, Mr. Speaker, in response to the suggestion by the gentleman from Illinois, that this request came before the committee from a lady residing on the reservation, who had some personal interest in the tribe, and, as I understand, her objections were first made known to the Committee on Indian Affairs in the Senate and then to the Committee on Indian Affairs in the House. Then the whole matter was referred to the Secretary of the Interior, and after the matter was considered by the Secretary, I think he filed quite a lengthy report or a letter approving the proposition, and the committee accepted the suggestion as being proper and right in the case. We may not have acted with full knowledge, but——

Mr. HASTINGS. If the gentleman will permit, if the gentleman will read the amendment of the gentleman from Oklahoma, I feel perfectly sure he will have no objection to it, because it continues the restriction and makes the land inalienable and

nontaxable during minority or until Congress acts or the Secretary acts. That is the substance of it.

Mr. CARTER. I will say to the gentleman I have it here and I will read it——

Mr. RHODES. That will perhaps meet the question I raised, but may not meet the question raised by the gentleman from Illinois.

Mr. MANN of Illinois. Oh, yes.

Mr. CARTER. Mr. Speaker, I think if we will read it, it will expedite it. I ask unanimous consent that the Clerk again report the amendment.

The SPEAKER. Without objection, the Clerk will again report the amendment.

Mr. CARTER. I ask that the Clerk report the committee amendment as amended, and I ask unanimous consent to change my amendment by adding the word "further" after the word "Provided."

The SPEAKER. Without objection, the modification is agreed to. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CARTER to the committee amendment: Page 2, line 18, after the word "the," in the committee amendment, strike out the remainder of the paragraph and insert "minority of the allottee, and thereafter until such restrictions may be removed either by Congress or the Secretary of the Interior," so that as amended the committee amendment will read:

"*Provided further*, That not exceeding 40 acres of each allotment made under the provisions of this act shall be designated as a homestead, which shall be inalienable and nontaxable during the minority of the allottee and thereafter until such restrictions may be removed either by Congress or the Secretary of the Interior."

Mr. RHODES. I believe I like that better than the original form.

Mr. CARTER. That conforms to the policy.

The SPEAKER. The question is on the amndment to the amendment.

The question was taken; and the amendment to the amendment was agreed to.

The SPEAKER. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. RHODES, the motion to reconsider the vote by which the bill was passed was laid on the table.

WATER-SUPPLY OF LOS ANGELES, CALIF.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 406) amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California; and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, California, to the city of Los Angeles, Calif.," approved June 30, 1906.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WALSH. Mr. Speaker, I think this is one of the bills that ought to be considered in the Committee of the Whole House on the state of the Union, and unless it is I shall object to it.

The SPEAKER. Is there objection to the present consideration of the bill in the Committee of the Whole House on the state of the Union?

Mr. GARD. Mr. Speaker, this is a bill which, I take it after examination, is of very considerably broader scope than appears under the title of the bill, directing and authorizing the Secretary of the Interior to sell certain lands in the city of Los Angeles, Calif., for water purposes. I am calling the attention, first, of those who are proponents of the bill—and I do not desire to object unless it be necessary in the process of orderly legislation—to the letter of October 21, 1919, in which Assistant Secretary Riggs, of the Department of Agriculture, says:

Should a bill such as the general water-power bill which has passed the House and is now before the Senate be enacted, there will be no need of enacting special legislation to enable the city of Los Angeles to secure the rights of way which it requires for the completion of its power-development plan.

My understanding is, as the Secretary says, this water-power measure has passed the House and is now in conference between the Senate and House conferees, and I am asking, first, why the necessity now of pursuing this special legislation?

Mr. ELSTON. The gentleman will notice that in the following sentence of the report of Mr. Riggs it is stated that it does not appear under the provisions of the present bill that the city would obtain concessions inconsistent either with existing general legislation or with the legislation proposed under the water-power bill. I would take that to mean that, even if the water-power bill passed, the department would have no objections to the passage of the present bill, inasmuch as the matter would be only in the nature of duplication.

Now, I believe that it would be better to amend the act of 1906, as we do in the present bill, than it would be to rely on the water-power bill, which may never pass. If the gentleman will look at the present bill, he will see it merely amends the basic act in two or three sections and in particulars that are vital to the interests of the city.

Mr. GARD. It amends it in very radical detail, I am frank to say. It appears, and I have information to that effect, that it makes the reservation of practically 2,000,000 acres of land to the city of Los Angeles for a practically undetermined time. In the second place, it seeks to give official legislative sanction to the occupancy of a right of way which is extended from possibly some feet off of the right of way heretofore granted for a mile and a half. Of course, I understand the extension was made necessary by certain features which required the going away from the right of way heretofore granted and extending laterally beyond. But it involves a very considerable inquiry into what public lands are held in abeyance. Besides, it involves many questions in the department as to hydroelectric powers, with rights of usage by the city and rights of usage by persons who have cross lines. It involves also the questions of irrigation, which are very vital in the gentleman's State. And I think, in view of all these matters, it is not such a bill as should be considered upon the Calendar for Unanimous Consent.

Mr. ELSTON. I would like the gentleman to continue the discussion in this provisional way before he makes up his mind, because I think, with the knowledge he appears to have of the bill, he can be brought to see that it is a most important bill for the interests of the city of Los Angeles, and that if it passes it can not prejudice in any way any of the interests which the gentleman has mentioned.

The gentleman has mentioned irrigation interests and other interests that might be affected by what he calls this blanket reservation. Representatives of all these interests appeared before the committee, and I think the report states that those representatives and the interests affected are well satisfied with this bill.

I would plead with the gentleman to reserve his objection for a while, in order to afford further explanation of any matters he thinks are still in doubt.

Mr. WALSH. Will the gentleman from California yield?

Mr. ELSTON. Yes, sir.

Mr. WALSH. Would the gentleman object to adding a new section to the bill providing that the right to alter, amend, or repeal this act be expressly reserved?

Mr. ELSTON. There would be no question of that. As I recall, I think section 7 of the original act contains such a provision.

Mr. WALSH. It does, but that would not make it apply to a new section added to the bill.

Mr. TAYLOR of Colorado. As a matter of fact, the city has already spent something like $30,000,000, and is to spend some $20,000,000. They could not have a revocable permit and spend all that money on it.

Mr. WALSH. By a new section of this bill we are expressly making an additional grant, and Congress should not do that without reserving the right to alter, amend, or repeal it.

Mr. TAYLOR of Colorado. Not when the city has got to spend all this money on it.

Mr. WALSH. Without that in the bill you can not get it by here.

Mr. SINNOTT. That is in the original act.

Mr. WALSH. Yes; but it would not apply to the new section.

Mr. SINNOTT. It would still be left intact.

Mr. WALSH. I differ with the gentleman as to that.

Mr. MANN of Illinois. If it is in the original act what objection is there to putting it in the amendatory act?

Mr. WALSH. That is what I am asking.

Mr. ELSTON. Mr. Speaker, if gentlemen would discuss this matter for a moment I think——

Mr. GARD. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. GARD. Under the reservation, I presume I am entitled to the floor. I would like the gentleman from California [Mr. ELSTON] or the other gentleman from California [Mr. OSBORNE] to further explain the bill.

Mr. ELSTON. In regard to the blanket reservation that was contained in the original act, the effect of the present amendment is to curtail rather than enlarge this reservation.

Mr. WALSH. Mr. Speaker, I do not think we ought to discuss the merits of this bill simply to satisfy one or two questions under a reservation of a point of order. It seems to me the

merits ought to be discussed in the regular way. If the distinguished gentleman from Ohio [Mr. GARD] raises one or two objections I have no objection to the gentleman from California trying to explain away the gentleman's objection, but to go into the entire merits of the bill under a reservation of a point of order does not seem to me to be exactly regular.

Mr. RAKER. Mr. Speaker, let me call the gentleman's attention to the fact that that is just what the gentleman from California is doing.

Mr. WALSH. He will not do it very long if his colleague from California begins to ask questions. I do not demand the regular order.

The SPEAKER. Does the gentleman from California yield to the gentleman from California [Mr. RAKER]?

Mr. ELSTON. I yield.

Mr. RAKER. The question deals with irrigation and homesteads, affecting all this territory. A year ago the parties came here, and they are satisfied, I understand, with the provisions of the bill as it now stands.

Mr. ELSTON. I so stated to the gentleman from Ohio [Mr. GARD].

Mr. RAKER. So as to protect the city of Los Angeles as well as the homesteaders and any irrigationists who may desire to go in and develop water for irrigation.

Mr. ELSTON. That is the fact. Does the gentleman from Ohio desire a further explanation of the bill?

Mr. GARD. I do. If the gentleman desires to answer my question, I will be pleased to have him do it. If there is a demand for the regular order, I shall object.

Mr. ELSTON. If the gentleman would reserve that still, I would state that there was an original act passed in 1906 to enable the city of Los Angeles to take water from the Owens River and conduct it 240 miles to the city of Los Angeles. The intervening country is barren and largely desert land. It is not agricultural country at all. The bill gave the city of Los Angeles—I am speaking of the original bill—a blanket permit to lay out its conduits and construct its works over a territory as extensive as the territory mentioned in this bill.

The city entered upon the work and laid out in money something like $32,000,000 in constructing the works under the authority of the original bill passed in 1906. The time for completion fixed in the original bill of 1906 was not sufficient. It was a tremendous undertaking, one of the greatest ever undertaken by any municipality in the world's history. It took more than the time limited in the bill for them to construct their works and additions thereto.

One of the main objects of the present bill is to extend that time limitation over the same territory granted in the original bill. Now, the other object, as the gentleman has stated, is to correct the alignment of the aqueduct from the surveyed line accepted by the Secretary of the Interior. That survey was made, and it was found in the actual construction of the aqueduct, over 240 miles in length, that divergencies from the surveyed line had to be made. These divergencies varied from a few feet to probably less than a mile. I do not believe that any divergence exceeds a mile in width. This bill has for its object the validating of that divergence in the matter of the alignment of the aqueduct. The present bill is more restrictive of the rights of the city of Los Angeles than the old bill was. In amendment No. 1, mentioned in the conference report, and incorporated in section 2 of the bill, the gentleman will see that the rights of all other interests are protected. That includes the rights of power men, irrigationists, and any kind of interests that might want to go into that extensive territory for the purpose of obtaining rights of way.

The amendment to section 2 protects those people absolutely, gives them the right to a hearing, and the right to obtain rights of way. It further grants the privilege in this amendment of crossing the works of the city at any place; and it goes further than that. It not only gives the right of crossing but also of joint use for a certain limited distance, so that any other applicant could make application and be granted the right to use part of the city's works.

I think if the gentleman will read the present bill, he will see that it rather restricts the very extensive powers granted to the city in the original act.

Mr. RAKER. Will the gentleman yield?

Mr. ELSTON. Yes.

Mr. RAKER. Page 6, lines 19 to 25 of the bill read as follows:

Provided, That the lands affected hereby shall be subject to applications for homesteads, for rights of way for canals, ditches, or reservoirs, for the conveyance, delivery, or storage of water for irrigation, if same be filed in the proper United States land office prior to the filing of maps by the city of Los Angeles, showing the boundaries, location, and extent of the rights of way sought by said city.

The city of Los Angeles in its prior hearing upon the former bill, as well as in the hearing on this bill, was satisfied with and agreed to that provision of the bill without any question, to the end that homesteaders as well as irrigationists in that country shall be protected. Is that correct?

Mr. ELSTON. I think that is correct, and that answers fully the misgivings expressed by the gentleman from Ohio.

Mr. RAKER. I understand from our colleague, Capt. OSBORNE, who is also present with me now, that that is the position of the city of Los Angeles, and that they are perfectly willing to carry out this provision which I have just read.

Mr. OSBORNE. That is absolutely true.

Mr. RAKER. I want to say to the gentleman from Ohio that two years ago this same legislation was under consideration in S. 4023. The House amended the bill by inserting these provisions. The farmers and others in Inyo County came here and spent a month or two, and after many weeks of work the city of Los Angeles agreed to this amendment. They also came on this year, claiming that it involved 250,000 acres of irrigable land in another place, and as I understand it these parties are agreed and satisfied that this provision will protect them, and that it is proper legislation, and further that the amendment suggested by the committee on page 4, commencing with line 17, not only protects those who are there now, but those who may hereafter desire to file applications for water rights to irrigate some 250,000 acres of land.

This bill goes further than any bill that has ever been presented to the House, in that the right of way granted to the city of Los Angeles can not be exclusive, but that irrigationists and others who apply to the Secretary of the Interior can use it, so that the land can be used for both irrigating and power purposes.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. WALSH. Upon what does the gentleman base his statement that this right of way will not be exclusive?

Mr. RAKER. Commencing on page 4, line 17.

Mr. WALSH. Does the gentleman contend that that does not give the city an exclusive right of way, in view of other language in the bill?

Mr. RAKER. It is exclusive after they get it; yes. In other words, third parties make an application for a right of way, a reservoir, etc. They file their application. The Secretary of the Interior then notifies the city of Los Angeles. The city of Los Angeles comes forward with its application, and the Secretary of the Interior can say, "You shall both use this right of way for the benefit of everybody;" but if it interfered with or prevented the city of Los Angeles from completing and properly developing its right of way, why, of course, the application would have to be denied and ought to be denied, because they have been at work there for the last 12 years and have expended in the neighborhood of $32,000,000. They have a canal 240 miles long.

Mr. WALSH. That comes very near being an exclusive right.

Mr. RAKER. It is, under those circumstances.

Mr. WALSH. Well, under any circumstances.

Mr. RAKER. It would have to be exclusive under those circumstances.

Mr. SINNOTT. Is not the gentleman stating the case too strongly against the city?

Mr. TAYLOR of Colorado. Yes. That is not exclusive at all. Under the provision on page 5, anybody can come along, even after a hundred years, and run anything he pleases over this right of way.

Mr. RAKER. I said it was exclusive after it was granted, but not before. But the Secretary of the Interior is given an opportunity to adjust this matter, better than in any grant that has ever come before this House.

Mr. WALSH. The gentleman calls our attention to line 17, page 4, but he does not read the proviso on line 9, page 5.

Mr. RAKER. That is the same proviso.

Mr. WALSH. It happens to be another proviso.

Mr. RAKER. It says:

Provided further, That all rights of way herein and hereby granted and all other rights of way hereafter granted under general laws, for the purposes herein enumerated, over lands within the operation of this act, shall be with the reservation of the power to thereafter grant other rights of way by easement or permit, conflicting with such prior grants or permits for the purpose of permitting crossing of rights of way or for limited distances necessary common use of prior rights of way, under such conditions as the head of the department shall find necessary and shall determine to be properly protective against interference with and not detrimental to the construction, operation, and maintenance of the works of prior grantees or permittees.

And I want to call the attention of the gentleman to this fact——

Mr. WALSH. What does the gentleman now say—that it is exclusive or that it is not exclusive?

Mr. RAKER. It is not exclusive, of course.

Mr. WALSH. Which department does this refer to in this "provided further"?

Mr. RAKER. Both.

Mr. WALSH. Where it says—

Under such conditions as the head of the department shall find necessary?

Mr. RAKER. The two departments. Where the land is public land it goes to the Secretary of the Interior, and where it is national-forest land it goes to the Secretary of Agriculture, and there are both kinds of land in this grant.

Mr. WALSH. I would like to ask the gentleman from California [Mr. ELSTON]—not that I doubt the interpretation of the distinguished gentleman from California, Mr. RAKER—but in view of his explanation of this question, he having taken both positions on the matter, I would like to resolve a doubt that exists in my mind by asking the gentleman from California [Mr. ELSTON] if he agrees with his colleague that this refers to the heads of two different departments. I am referring to the language, line 17, page 5, "such conditions as the head of the department shall find necessary and shall determine to be properly protective against interference with and not detrimental to the construction, operation, and maintenance of the works," and so forth.

Mr. ELSTON. It is my impression that most of the applications will be filed with the Secretary of the Interior, and most of the approvals made by him. It is, however, a fact that a great deal of this land is covered by forest reserves, and, to the extent that rights of way are asked over the forest reserves, there would have to be some approval made by the Secretary of Agriculture. To that extent it would require the approval of the heads of the two departments.

Mr. RAKER. Page 2, line 1, grants the right of way over public lands and over reserves; so there are two heads of departments that must deal with the rights of way. There are two laws governing the subject, one granting jurisdiction to the Secretary of Agriculture over forest reserves and the other granting jurisdiction to the Secretary of the Interior over public lands.

Mr. GARD. Mr. Speaker, this seems to be of vital importance to the public, although the city of Los Angeles is mostly interested. I have not yet been satisfied that this bill should be considered on this calendar, and, in view of the extent of the holding back of lands made necessary by it, in view of the extensions of right of way, in view of the desire of the city apparently to create a tremendous water-power control out there, with little or no Government supervision and with no compensation, I am constrained to object.

The SPEAKER. Objection is made, and the Clerk will report the next bill.

PAYMENT OF PURCHASE MONEY ON HOMESTEAD ENTRIES IN THE FORMER COLVILLE INDIAN RESERVATION, WASH.

The next business on the Calendar for Unanimous Consent was House joint resolution 194, amending joint resolution extending the time for payment of purchase money on homestead entries in the former Colville Indian Reservation, Wash.

The SPEAKER. Is there objection?

Mr. CARTER. Mr. Speaker, reserving the right to object, I would like to know how this joint resolution comes to be reported from the Committee on the Public Lands.

Mr. SINNOTT. This bill was referred to the Committee on the Public Lands.

Mr. CARTER. It provides for extending payment on moneys which are to be placed in the Treasury of the United States to the credit of certain Indians, a matter over which the Committee on the Public Lands has no jurisdiction in the world. The jurisdiction is clearly with the Committee on Indian Affairs, and the Public Lands Committee should have taken notice of that.

Mr. SINNOTT. There was considerable question in the committee among members as to jurisdiction. The Committee on the Public Lands has more work than it can attend to, and we have no desire to enlarge its jurisdiction. But as the matter was explained to us the Indians have no interest in these lands.

Mr. CARTER. This does not deal with the lands; it deals with payment of moneys which belong to Indians.

Mr. SINNOTT. This is public land, and the Indians are reimbursed by the Federal Government. The Government reimburses itself by the sale of these lands.

Mr. CARTER. The gentleman is mistaken. These were surplus Indian lands left over after the allotments were made on the Colville Reservation and then sold under the homestead law.

Mr. SINNOTT. That is the way it was explained to us, and it was further shown to the committee that this was a real emergency matter. We hoped that the question would not be raised.

Mr. CARTER. That may be true, but bills ought to go to the proper committee. The Indian Committee appropriates every year from funds of these very Colville Indians for administration purposes. I do not know how the funds stand to-day; but assume that next year on account of this extension the Colville Indians have no money in the Treasury. What will Congress do? Will it refuse to appropriate for the agency? No; it will appropriate from the Treasury to carry on the activities, a thing which would not be done if the Indians had funds for administration purposes. So it may be that we are, by the passage of this bill, saddling an unnecessary and unfair expense on the Federal Treasury.

I have read the report, and I note that the Secretary's letter does not say a word as to whether these funds will be necessary for the upkeep of the agency next year. If the bill had come before the Committee on Indian Affairs, that would have been one of the first questions brought out, because the Committee on Indian Affairs has upon it the duty and responsibility of looking after these Indians, providing funds for their administration, which the Committee on the Public Lands has not. I think these bills ought to go to the proper committee. I dislike very much to object to this bill, but I gave notice on the last unanimous-consent day when a bill came in from Montana similar to this that unless the jurisdiction of the committee were more properly observed I should be constrained to object.

Mr. Speaker, on account of the statement made by the gentleman from Washington I am not going to object, but I can not stand here any longer and permit these things to go on in such manner as this, which lets a man in at the back door when he can not get in at the front door. I shall not object this time, but I will give notice that I shall object in the future.

Mr. WALSH. Mr. Speaker, I ask to have the bill reported before unanimous consent for its consideration is given.

The Clerk read as follows:

Resolved, etc., That the joint resolution entitled "Joint resolution providing additional time for the payment of purchase money under homestead entries within the former Colville Indian Reservation, Wash.," approved March 11, 1918, be, and it is hereby, amended by making the period of extension to be granted by the Secretary of the Interior three years instead of one year, but subject to all other conditions of said resolution.

With a committee amendment striking out all of page 1, after the enacting clause, from lines 3 to 10, inclusive, and inserting in lieu thereof the following:

That the joint resolution entitled "Joint resolution providing additional time for the payment of purchase money under homestead entries within the former Colville Indian Reservation, Wash.," approved March 11, 1918, be, and the same is hereby, amended to read as follows:

"That the Secretary of the Interior is hereby authorized to extend for a period of one year the time for the payment of any annual installment due, or hereafter to become due, of the purchase price for lands sold under the act of Congress approved March 22, 1906 (34 Stat., p. 80), entitled 'An act to authorize the sale and disposition of surplus or unallotted lands of the diminished Colville Indian Reservation, in the State of Washington, and for other purposes,' and any payment so extended may annually thereafter be extended for a period of one year in the same manner: *Provided*, That the last payment and all other payments must be made within a period not exceeding one year after the last payment becomes due by the terms of the act under which the entry was made: *Provided further*, That any and all payments must be made when due unless the entryman applies for an extension and pays interest for one year in advance at 5 per cent per annum upon the amount due, as herein provided, and patent shall be withheld until full and final payment of the purchase price is made in accordance with the provisions hereof: *And provided further*, That failure to make any payment that may be due, unless the same be extended, or to make any extended payment at or before the time to which such payment has been extended as herein provided, shall forfeit the entry and the same shall be canceled and any and all payments theretofore made shall be forfeited."

Mr. WALSH. Mr. Speaker, reserving the right to object, I desire to get a little further information in respect to this matter, though I dislike to take up the time, for I understand it is an emergency proposition. What is the effect of the proviso beginning in line 15, on page 2, in the committee amendment, that the last payment and all other payments must be made within a period not exceeding one year after the last payment becomes due by the terms of the act under which the entry was made, and what effect has that on the language immediately preceding to the effect that any payment so extended may annually thereafter be extended for a period of one year in the same manner? As I understand it, they can keep extending these payments for one year and indefinitely postpone the time of the last payment.

Mr. SINNOTT. I think the gentleman from Washington [Mr. WEBSTER] is more familiar with this than anyone else.

Mr. MANN of Illinois. They all have to come within the time fixed for the last payment.

Mr. SINNOTT. I understand that to mean that it can not be extended beyond the date of the last payment mentioned in the act.

Mr. WALSH. What does this extension granted in lines 14 and 15 apply to—

And any payment so extended may annually thereafter be extended for a period of one year in the same manner.

Mr. SINNOTT. For one year in the same manner, but in no event longer than the time of the ultimate payment mentioned in the act.

Mr. CARTER. Longer than one year after that.

Mr. SINNOTT. One year after that.

Mr. WALSH. I shall not object, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The Clerk will report the resolution.

The Clerk again reported the resolution with the committee amendment.

The SPEAKER. The question is on the committee amendment.

Mr. CARTER. Mr. Speaker, I offer the following amendment to the committee amendment.

The Clerk read as follows:

Page 2, line 6, after the word "authorized," insert the words "in his discretion."

Mr. SUMMERS of Washington. Mr. Speaker, there is no objection to that.

The SPEAKER. The question is on agreeing to the amendment to the committee amendment.

The amendment was agreed to.

The SPEAKER. The question now is on the committee amendment as amended.

The committee amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. WEBSTER, a motion to reconsider the vote by which the resolution was passed was laid on the table.

REFERRING CERTAIN INDIAN CLAIMS IN STATE OF WASHINGTON TO COURT OF CLAIMS.

The next business on the Calendar for Unanimous Consent was the bill (S. 157) authorizing the Indian tribes and individual Indians, or any of them, residing in the State of Washington and west of the summit of the Cascade Mountains to submit to the Court of Claims certain claims growing out of treaties and otherwise.

The SPEAKER. Is there objection to the present consideration of the Senate bill?

Mr. WALSH. Mr. Speaker, I ask that the bill be reported first.

The SPEAKER. The Clerk will report the bill.

The Clerk reported the bill, as follows:

Be it enacted, etc., That all claims of whatsoever nature, both legal and equitable, of the tribes and bands of Indians, or any of them, with whom any of the treaties of Medicine Creek, dated December 26, 1854; Point Elliott, dated January 22, 1855; Point-no-Point, dated January 26, 1855; the Quin-ai-elts, dated May 8, 1859, growing out of said treaties, or any of them, including claims for allotments of land, or the value thereof, which they failed to receive under any of said treaties; and that all claims of whatever nature, both legal and equitable, which the Muckelshoot, San Juan Island Indians; Nook-Sack Chinook, Upper Chehalis, Lower Chehalis, and Humptulip Tribes or Bands of Indians, or any of them (with whom no treaty has been made), may have against the United States shall be submitted to the Court of Claims, with right of appeal by either party to the Supreme Court of the United States for determination and jurisdiction, both legal and equitable, is hereby conferred upon the Court of Claims to hear and determine any and all suits brought hereunder and to render final judgment therein: *Provided*, That the right of appeal to the Supreme Court of the United States shall not extend to those tribes or bands of Indians, or any of them, with whom no treaty has been made: *Provided further*, That the court shall also consider and determine any legal or equitable defenses, setoffs, or counter claims which the United States may have against any of said tribes, bands, or individual Indians.

SEC. 2. That the Court of Claims shall advance the cause or causes upon its docket for hearing, and shall have authority to determine and adjudge all rights and claims, both legal and equitable, of said Indians, tribes or bands of Indians, or any of them, and of the United States in the premises, notwithstanding lapse of time or statutes of limitation.

SEC. 3. That suit or suits instituted hereunder shall be begun within five years from the date of the passage of this act by such Indians, tribe, tribes, or bands of Indians, as parties plaintiff, and the United States as the party defendant. The petition or petitions may be verified by attorney or attorneys employed by such tribes or Indians upon information and belief as to the facts therein alleged, and no other verification shall be necessary: *Provided*, That the attorney or attorneys of said tribes or bands of Indians, or any of them, shall be selected by the claimant Indian or Indians with the approval of the Secretary of the Interior and the Commissioner of Indian Affairs, and upon final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee, not to exceed 10 per cent of the recovery, to be paid to the attorneys employed by the said tribes or bands of Indians, or any of them, and the same shall be included in the decree and shall be paid out of any sum or sums found to be due said tribes.

With the following committee amendments:

Page 2, line 3, strike out the word "Island" and insert in lieu thereof the word "Islands."

Page 2, line 4, after the word "Nook-Sack" insert the word "Snattle."

Page 2, line 5, strike out the word "Chehalis" and insert the word "Chehalis."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MANN of Illinois. Mr. Speaker, reserving the right to object, there seems to be nothing in the report which would indicate the character of any claims which may be made in behalf of these Indians—nothing as to how many claims there are or how many may be involved in the claims. Has the gentleman from Pennsylvania [Mr. KELLY], who made the report, any information on that subject?

Mr. KELLY of Pennsylvania. Mr. Speaker, in response to the gentleman's inquiry, I would say that we did hold a hearing before the Indian Affairs Committee on this Senate bill and went into those matters. The bill provides for adjudicating the claims of certain tribes and bands in the State of Washington, west of the Cascade Mountains, that had entered into treaties with the United States Government, and providing for certain tribes and bands that did not enter into treaties. The original agreement in four different treaties, in 1854, 1855, and 1859, provided for the allotment of lands to these Indians, and the treaties were made on the understanding that each Indian would receive a home. When the final allotment was made the Indians received 7 acres each, not sufficient to provide a home. These Indians ceded lands to the Government which would average 1,800 acres each, and this land was used for homestead purposes and was largely settled by white settlers. The Indians made their claims and the response came that there were no lands for them whatever. They claim now they are entitled to the allotments the treaty agreement contemplated. The tribes and bands which never entered into treaty agreement say that, in all justice, they are entitled to a day in court also. The amount of the claims of those tribes and bands having treaty agreements is estimated at $150,000, and the number of persons involved is 2,400 or thereabout.

Mr. MANN of Illinois. If there are 2,000 persons involved and they are each to have a homestead of 80 acres, it certainly would amount to more than $150,000.

Mr. KELLY of Pennsylvania. I will say that other public lands have been set aside, but no action can be taken until a measure of this kind is passed, as I understand it. Much of this land is timberland. If it were allotted, there is land enough to almost provide the allotment for all the Indians concerned.

Mr. MANN of Illinois. These timberlands are rather valuable.

Mr. KELLY of Pennsylvania. They are; and that is the reason the Government has not made any arrangement for the allotment of the lands. However, the claims of the Indians should be adjudicated on a fair basis, regardless of the timber question involved.

Mr. MANN of Illinois. It may be; I will not say that it is not; I do not know anything about it; but there are very few of these claims that some enterprising attorney has not dug up by this time. The matter has been pending for years and the Department of the Interior does not seem to have very much information about the bill. If they have, they have kept it to themselves.

Mr. KELLY of Pennsylvania. The gentleman will admit that these Indians are entitled to all that the treaties allowed them at the time the Government made its agreement?

Mr. MANN of Illinois. Well, I do not admit that as a matter of right anybody has the right to sue the Government of the United States for both legal and what he may consider equitable claims; far from it. The Government concedes the right now for people to sue where they have legal claims. I suppose these people have no legal claim; I do not know.

Mr. KELLY of Pennsylvania. There are legal claims under treaty stipulations.

Mr. MANN of Illinois. If they are legal claims, that is one thing. But that is not what they seek. They always come in with a provision for the right to sue for what they call equitable claims, and nobody knows what an equitable claim is, and I think that we ought to know something about the character of the claim which we pass by special legislation and submit to the Court of Claims. I do not recall any instance before where we gave a blanket authority to sue the Govern-

ment of the United States in the Court of Claims without information as to the character of the claim and, to some extent at least, the amount which may be involved. Now, the gentleman from Pennsylvania states in his opinion $150,000 may be involved here.

Mr. KELLY of Pennsylvania. That was the estimate before the committee.

Mr. MANN of Illinois. And four treaties may be involved; yet the bill covers a great deal further than that, and it is not confined even to treaties.

Mr. HADLEY. Will the gentleman from Illinois yield?

Mr. MANN of Illinois. Certainly.

Mr. HADLEY. With reference to the estimate stated by the gentleman from Pennsylvania, if the gentleman will refer to the hearings the estimate is that $150,000 will be the aggregate of claims, as nearly as can be ascertained, growing out of the treaties only. However, it will be observed that the bill covers a number of tribes and bands that did not negotiate and were not included under the treaties. Now, apparently no one is able to state with certainty or satisfactory definiteness just what the aggregate of all the claims would amount to, because the department itself upon inquiry has made a statement substantially to that effect, which was in the record at the time of the hearings. Naturally that would be so unless there had been a very full survey in the case of each individual Indian, of whom it appears by the testimony there are 2,000 or more, because it would involve an estimate as to the amount paid and the amount which had been promised and the amount, as the gentleman suggests, which would be equitably due in consideration of depriving the Indians of their homes. The Indians had little homes at the time these treaties were negotiated and cleared up, tracts upon which they raised potatoes and other vegetables. When the white settlers came upon the scene they traded with them and they ceded, as was stated, about 1,800 acres, on the average, to the Government under these treaties with the understanding——

Mr. MANN of Illinois. Did they get paid for it?

Mr. HADLEY. I understand not.

Mr. MANN of Illinois. Upon what did they cede?

Mr. HADLEY. The land.

Mr. MANN of Illinois. I dare say there never was an Indian treaty made yet that did not purport to pay compensation for any land ceded by any Indian of the United States. The gentleman here says that is not in the treaty. I would like to have somebody look up the treaty first.

Mr. HADLEY. The treaty provided for the payment of all improvements, and there were some improvements upon these lands.

Mr. MANN of Illinois. The Government of the United States has never undertaken, as far as I have ever been able to discover, to take lands away from Indians without making any compensation.

Mr. KELLY of Pennsylvania. If the gentleman will read the hearings he will see this answer to his contention. Here is the statement of Mr. Griffin, who represented the Indians.

> Now, at the time these treaties were made the Oregon donation act was in effect. They were then giving to a single white man a half section of land and to a married man and his wife a full section of land in Oregon and Washington Territory, and those Indians ceded an average of 1,800 acres apiece.

Now, I call attention here to the promise of the Government:

> While the Government promised to give them their homes—not directly promising to give them allotments, but saying that the President might, when in his judgment the interests of the Indians would be advanced—they might allot to these Indians in severalty, giving the Indians allotments in accordance with the sixth section of the treaty with the Omahas.

Now, gentlemen, that is the understanding upon which these treaties were entered upon, and that understanding has never been carried out.

Mr. MANN of Illinois. That statement was made by the attorney seeking to prosecute the claim?

Mr. KELLY of Pennsylvania. Yes; and the only definite information, I will say, we were able to secure.

Mr. MANN of Illinois. Well, I know, but that is what I am making inquiry about. The only statement upon which the committee seemed to act was a statement made by the attorney seeking to prosecute the claims against the Government.

Now, it seems to me before we give special rights we ought to have some information concerning the matter. Why, attorneys make all sorts of wild claims, the best of them. The Lord knows what kind of claims some of them do make.

Mr. KELLY of Pennsylvania. The gentleman from Illinois will certainly admit that the Senate committee went into the matter at some length, and that the House committee did also.

Mr. MANN of Illinois. I dare say, without knowing anything about it, that the Senate committee never had a meeting on this bill.

Mr. KELLY of Pennsylvania. Oh, yes. They had a hearing, and the testimony taken in the same was printed.

Mr. MANN of Illinois. The hearing was held by one member of the Senate committee and reported by one member.

Mr. KELLY of Pennsylvania. The gentleman is in error. Both the subcommittee and the full committee considered the measure and reported it favorably.

Mr. MANN of Illinois. If more than two Members of the Senate ever considered the matter, I will withdraw what I have said.

Mr. KELLY of Pennsylvania. Seven Members are shown in the testimony to have taken part in the hearing. This is a technical proposition, and no one claims to understand the details of it. That must be brought out in court. The committee considered that the matter was important enough to be adjusted in a court of competent jurisdiction, and that is the purpose of the bill, to refer the whole case to the Court of Claims, and let them act on the legal and equitable grounds for the claims. I suggest the word "equitable" be used, because some tribes or bands would not have a strictly legal claim, but they were in the same area as the other Indians, and certainly are entitled to their day in court along with the others.

Mr. WALSH. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I yield.

Mr. WALSH. When were these treaties made?

Mr. KELLY of Pennsylvania. In 1854, 1855, and 1859.

Mr. WALSH. And some of these gentlemen still living feel that they have been outraged by not having homes provided for them?

Mr. KELLY of Pennsylvania. There are more than 2,000 involved, in tribes and separate bands, in Washington State, west of the Cascades.

Mr. WALSH. Where did they manage to eke out their existence all these many years?

Mr. KELLY of Pennsylvania. They have been having a miserable time, on the whole, because they have not had land on which to raise crops and have been forced to resort to all kinds of makeshifts to provide for their living. And they now ask for the right to take their claims before a court.

Mr. WALSH. Have they had these tracts of 7 acres during all this time, or is that what they seek?

Mr. KELLY of Pennsylvania. That was an allotment to certain Indians, not to all of them. Some of them were left without anything. And, more than that, some of them had little patches where they raised potatoes and other products which they sold to the white settlers. Those were taken away from them, and the Indians were rendered homeless and without protection, even without the cultivated lands of their own on which they had made a living up to that time.

Mr. WALSH. The gentleman makes out a very pitiful case, I admit.

Mr. HADLEY. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I yield to the gentleman.

Mr. HADLEY. The gentleman from Illinois [Mr. MANN] I believe has the floor.

I remember that the testimony in the hearings before the subcommittee—the subcommittee of the House—showed that in some cases Indian allotments had been made which have been canceled, and the allotments reverted to the Forest Service, and are now in the forest domain. The Indians that had had allotments made to them have no way in which to make claims and no court of competent jurisdiction to which to apply and prosecute such claims. There are a number of those claims, particularly in the case of the Suattle Tribe, testimony concerning which was included in the hearings before the subcommittee. There are a good many cases where timber has been cut from Indian lands, and for which they have no redress against the Government, lands which they thought they had owned, but from which they were afterwards crowded off and had to give up. They had to recede before the white settlers, whether they were under the treaty or not, and, while it is some 60 years, there are some of them that are still living who can testify from knowledge concerning the treaty negotiations, and while these live they ought to have an opportunity to establish before a court of competent jurisdiction a claim, if they have one. If they have not, the Government will not be injured. But I think they ought to have that opportunity.

Mr. MANN of Illinois. Of course, there is no Indian now who remembers any circumstance that occurred in 1854.

Mr. HADLEY. I will state to the gentleman from Illinois that I attended a meeting at which there were many of these Indians present who discussed their cases. I introduced a companion bill to this in the House, and I am somewhat familiar with the subject. The senior Senator from my State was also present at this meeting, and at that time there were two Indians present, very old ones, concerning whom it was

stated they were present at the time of the negotiation of one of the treaties mentioned in this bill.

Mr. MANN of Illinois. What is the use of saying you are going to decide legal rights by the recollection of a man who was a 10-year-old boy 70 years ago? The gentleman says 60, but it is 70, or it is nearer 70 than it is 60.

Mr. HADLEY. The gentleman undoubtedly has had experience in the trial of cases where men testified of their recollection of matters that occurred when they were 10 or 20 years of age.

Mr. MANN of Illinois. Nobody pays any attention to the recollection of what a 10-year-old boy remembers 60 or 70 years after the occurrence about a legal matter.

Mr. HADLEY. I desire to say that the Indians of whom I spoke were at least 20 years of age, or perhaps older than that, at the time of the negotiation of the treaty. They were quite old, it is true, but seemed to be quite in possession of their natural powers.

Mr. MANN of Illinois. Here is the situation: White settlers got the Government to make a treaty with the Indians. And usually the Government is very fair. The white settlers grabbed the land under the treaty which the Government is supposed to pay for in some way, and then after awhile the Indians living in the same community want to have a claim against the Government, and both unite in an effort to raid the Federal Treasury. The Government has made nothing out of it.

Mr. KELLY of Pennsylvania. The gentleman does not contend that those who were unjustly treated under the treaty have not a right to present their claims?

Mr. MANN of Illinois. Well, I do not have very much faith in claims of ill treatment now that was had 60 or 70 years ago, when no one knows what constitutes them and which claims have never been presented to anybody. Usually those things result from a vivid imagination as to what took place and what people now think ought to have taken place. These claims are 60 or 70 years old and never were presented, and there is not very much to them.

Mr. KELLY of Pennsylvania. The gentleman knows they could not have been presented. The only place to present them is to Congress.

Mr. MANN of Illinois. Oh, no. The gentleman is mistaken. We have any number of claims presented here that have been presented to the Department of the Interior, that have been argued and pushed and urged and presented to committees of Congress in the same way for many years past. Here is a claim in no way defined. It lets half a dozen tribes of Indians bring any suit they please against the United States upon what they say is an equitable claim. I think we ought to have more information. I do not know whether they ought to have the right to bring a suit or not.

Mr. WALSH. Is the gentleman referring to the vivid imagination of the Indian or of the attorney who represents him?

Mr. MANN of Illinois. I refer to the vivid imagination of anybody at 80 years of age who undertakes to tell what a legal proposition was when he was 10 years old.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. KELLY of Pennsylvania. Yes.

Mr. RHODES. I would like to inquire of the gentleman from Washington [Mr. HADLEY] how it came about that so small a homestead as 7 acres was allotted, as seems to have been done in this case? I never heard of an allotment for homestead purposes of so small an amount of land as 7 acres to any person. I would like to know how it came about in this case.

Mr. HADLEY. The gentleman from Pennsylvania [Mr. KELLY] has the hearings in his hand and he may be able to answer that question by reference to them.

Mr. KELLY of Pennsylvania. Gov. Stevens, who made the five treaties, promised to these Indians sufficient land for a home; but when the allotment was finally made there was not enough land for all the Indians at that time, but only enough land to give them 7.05 acres apiece, which, as the gentleman knows, is not sufficient ground for a farm home. That is all they were able to allot at that time. Since that time a certain tract has been set aside which would enable the Indians to have the 80 acres provided for in the Omaha treaty if we can get the adjudication in the courts.

Mr. MANN of Illinois. The gentleman from Pennsylvania says he understands that these Indians gave up 1,800 acres apiece, but there was not land to give them more than 7 acres apiece. The question is, What became of the 1,793 acres? It has not been settled upon. A large share of it is not settled on yet. Much less was settled upon when the allotment was made immediately following the treaty.

Mr. KELLY of Pennsylvania. When this allotment was made the Indians were to have 80 acres apiece. Finally, they got only 7 acres, but were again promised that they would receive what had been promised under the treaty.

Mr. MANN of Illinois. The promise may have been made, but there was no promise made in the treaty. I have a good deal of confidence in the judgment of the gentleman from Pennsylvania, who has not had quite as much experience about Indian claims as I have, and I wish he would take this bill back and reconsider the subject and find out what these claims are. If we knew what we were doing, I do not know that I would have any objection, but really I do not like legislating in the dark, as we are doing here.

Mr. KELLY of Pennsylvania. I will say to the gentleman that I am in agreement with him on many of these Indian claim bills, and I have objected to several of them and prevented their consideration by unanimous consent. I do think this is a little different from some of those with which the Indian Committee has dealt at different times. It appears, as the gentleman from Massachusetts [Mr. WALSH] describes it, a pitiful case, and it seems to me advisable that action should be taken at this time. Of course, if the gentleman objects, the Indian Committee will endeavor to go further into this matter.

Mr. PARRISH. Mr. Chairman, will the gentleman yield?

Mr. KELLY of Pennsylvania. Yes.

Mr. PARRISH. I would like to ask a question for information. I notice in the bill that you are offering—Senate bill 157—you provide that they shall bring their suits in the Court of Claims within five years from the date of the passage of this act.

Mr. KELLY of Pennsylvania. That amendment was put in at the recommendation of the Secretary of the Interior, I will say to the gentleman.

Mr. PARRISH. That bill, I notice, is reported favorably by the Committee on Indian Affairs.

Mr. KELLY of Pennsylvania. Yes; by the House committee.

Mr. PARRISH. I notice that the bill H. R. 10105 contains this proviso:

Provided, That suits be instituted within three years from the date of this act.

The original provision was five years. The committee amended it and made it three years. Why did the Committee on Indian Affairs make it five years in one case and three years in another?

Mr. KELLY of Pennsylvania. The reason was that this bill deals with a number of bands and tribes of Indians, 71 in all, who speak different languages. They have a kind of dialect of some 80 varieties up there, and as a result it has been very difficult to get at the facts which the gentleman from Illinois [Mr. MANN] is anxious to have. Therefore it was thought best to have a longer period in which these claims should be filed than in a case where a certain tribe forming one homogeneous whole was concerned and where the same language was spoken by all.

Mr. PARRISH. I will say that these claims appear to be rather old, and there ought to be some arrangement by which they would be forced to submit them to the Court of Claims, the same as in the other bill.

Mr. KELLY of Pennsylvania. This bill twice passed the Senate. Protection is provided for the Government, because it provides that the court shall consider and determine any legal and equitable defenses, set-offs, and counterclaims. The gentleman from Illinois knows that that is not exactly the same language used in other bills. In some cases it is provided that gratuities be considered. It is fair, in the judgment of the Senate Committee and the House Committee on Indian Affairs, and is brought here with the idea that it is a just measure, which will give these Indians a square deal—nothing more and nothing less.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The Clerk will report the next bill.

CLAIMS OF CHOCTAW, CHICKASAW, CHEROKEE, CREEK, AND SEMINOLE INDIANS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10105) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Indians may have against the United States, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, I ask that the bill be reported.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That jurisdiction be, and is hereby, conferred upon the Court of Claims to hear, examine, consider, and adjudicate any and all claims arising under or growing out of any treaty stipulation or

agreement of the United States with the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Indian Nations or Tribes, or any act of Congress, or of the executive departments, affecting their property, lands, or funds, which said Choctaw, Chickasaw, Cherokee, Creek, or Seminole Indian Nations or Tribes, or any band or organized group of Cherokee Indians or enrolled individual Indian members of aforesaid Indian nations, or their heirs, may have against the United States, and which claims have not heretofore been determined or adjudicated: *Provided*, That said Court of Claims shall also hear, examine, consider, and adjudicate any claims which the United States may have against said Indian nations or tribes, bands, groups, or individual claimants: *Provided further*, That the suits be instituted within five years from date of approval of this act: *Provided also*, That from decisions of the Court of Claims in said suits appeals may be taken as in other cases to the Supreme Court of the United States.

The Court of Claims shall have full authority by proper orders and process to bring in and make parties to such suits any or all persons deemed by it necessary or proper to the final determination of the matters in controversy.

The claim or claims of each of said Indian nations, tribes, bands, groups, or individual Indians, as the case may be, shall be presented separately or jointly by petition in the Court of Claims, and such action shall make the petitioner party plaintiff or plaintiffs and the United States party defendant. Such petition on the part of any such nation or tribe shall be verified by the attorney or attorneys employed to prosecute such claim or claims under contract or contracts with the principal chief or governor of the nation or tribe interested and approved by the Secretary of the Interior, and on the part of any band, group, or individual Indians by the attorney or attorneys employed by them, with the approval of the Secretary of the Interior.

A copy of the petition shall in each case be served upon the Attorney General of the United States, and he or some attorney from the Department of Justice, to be designated by him, is hereby directed to appear and defend the interests of the United States in said cases.

Any payment heretofore made by the United States on account of any claim sued upon may be pleaded as a set-off to any such claim, but may not be pleaded as an estoppel.

Any and all claims against the United States within the purview of this act shall be forever barred unless suit be instituted or petition filed in the Court of Claims within five years from the date of approval of this act, as provided herein. Upon the final determination of any suit or action instituted under this act the Court of Claims shall decree such amount or amounts as it shall find reasonable to pay the attorney or attorneys employed therein by any of the above-named Indian nations, tribes, bands, or groups, or individual Indians for their services and expenses, and in no case shall the aggregate amounts decreed by said Court of Claims be in excess of the amount or amounts stipulated in the contract of employment, or in excess of a sum equal to 15 per cent of the amount of recovery against the United States.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, I should like to ask somebody interested in the measure to give me some idea of how much money is involved in this legislation if it becomes a law. I understand these tribes are not very well fixed financially. I assume that some of these claims may involve considerable sums of money.

Mr. HASTINGS. If the gentleman from Massachusetts will permit me, I will take time enough to make a very brief statement.

Mr. WALSH. I wish the gentleman would do that.

Mr. HASTINGS. When this bill was first introduced, some two years ago, it provided only that the Cherokees might bring suit. The reason for that was that the affairs of the Cherokee Tribe were completely wound up. Their rolls were completed, their lands allotted, their moneys individualized, and all paid out. They stood in the relation to the Government of a ward to his guardian after the ward becomes of age. When the ward arrives at his legal majority, in every State of the Union, so far as I know, he has a right to inspect the final report of the guardian and to file any protest against any item that the court allows the guardian, and to have that heard before the court, with the right of appeal to some other court. That was the position that the Cherokees were in. As I have stated, their affairs have been wound up. In 1898 you passed what was known as the Curtis bill. You took charge of their lands and moneys—all of their funds. You paid them out of your Treasury. What we want to do is, now that their affairs are wound up, now that the tribe is about ready to go out of existence, now that the minor is of age, we want to inspect the books of the Government of the United States. We want to examine the report of our guardian and see if there is anything we want to object to, and we want the right to go into your courts and present any objection, with the right of appeal to the Supreme Court of the United States.

This bill did not pass last year. There came a new session of Congress. In the meantime legislation had been passed here winding up the affairs of the Creeks and the Seminoles. The gentleman may not be so familiar with it, but there is a clause in the Indian appropriation bill of last year providing for the winding up of the affairs of those tribes. The Creeks and Seminoles were added to the bill so as not to make "two bites of a cherry."

When the bill was referred to the Interior Department for a report the department thought that, inasmuch as the affairs of the Choctaws and Chickasaws were going to be wound up shortly, they ought to be added, and a new bill was introduced to cover them. That is the reason why this legislation has been introduced.

I can not tell the gentleman how much may be involved or how much these Indians may think the Government of the United States owes them or how many mistakes have been made, or whether any mistakes have been made. I am sorry that I can not be any more definite. But now that the affairs of these tribes are in course of being wound up, they feel that they ought to have the right to go into your own courts, and, in the event that they find that any errors have been made or that you owe them any money, that the matters may be settled definitely and finally, once and for all. That is shown in the letter by the department to Senator OWEN, which is embodied in this report, found on page 3. I should like to read to the gentleman just two paragraphs from it, although the letter is accessible to anybody who wants to read it in full.

> Claims of Indian tribes against the United States are constantly being brought to my attention by not only the Indians interested but by requests for reports on bills in Congress providing for submission of the claim of some particular tribe to the Court of Claims for adjudication.
>
> If the Cherokee, Creek, or Seminole Indian Nations, or tribes, or any recognized band or group thereof, or any individual Indian, believe they have, under treaty stipulations or agreements of the United States with said Indian nations or tribes, or under acts of Congress relating to Indian affairs, any valid claims against the United States, it seems to me that it would be no more than just that such claims should be referred to the Court of Claims to be heard and adjudicated.
>
> It is quite evident that the Indians will not be satisfied until they have their day in court, and the constant agitation of these claims is a bar to the satisfactory administration and final settlement of Indian affairs.
>
> Without passing upon the merit of the various claims, I see no objection to conferring jurisdiction upon the Court of Claims to hear and determine any claims which the Cherokee, Creek, or Seminole Indians may have against the United States under treaty stipulations or act of Congress relating to Indian affairs.

Now, with reference to this particular bill: After it was introduced and referred to the department for a report the department recommended certain amendments, and you will see that all of those amendments were adopted by the committee. Every amendment that was suggested by the Interior Department was in the nature of a protection to the Government, and every amendment was adopted by the Committee on Indian Affairs and is embodied in this bill.

Mr. WALSH. Will the gentleman state what the department means by saying that the lack of this legislation interferes with the administration of the business of the Bureau of Indian Affairs?

Mr. HASTINGS. The department unquestionably means that the representations by the Indians that the department was in error in allowing this amount or that amount, or any amount, take up more or less time of the department, and that it would be better to refer all of these matters to a court to which the Indians could go and where the Government itself would be represented by the Attorney General, with the right of appeal, so that these matters could all be settled once and for all.

Mr. WALSH. The gentleman states that the affairs of several of these tribes are about being wound up. The effect of this legislation would be to keep those affairs from being wound up, would it not?

Mr. HASTINGS. No; this will be like going into court and examining the final report of a guardian.

Mr. WALSH. There could not be any final report——

Mr. HASTINGS. If the final report is O. K'd, then that ends it.

Mr. WALSH. But if it is not O. K'd, then what?

Mr. HASTINGS. Then, if the Government of the United States, through its own court, says that report ought not to be O. K'd, that the Government is in error, that it owes these Indians certain amounts, and if the court gives judgment against the Government, does not the gentleman from Massachusetts believe that in equity and good conscience the Government ought to pay those amounts to the Indians?

Mr. WALSH. No; I do not believe that at all.

Mr. HASTINGS. On the other hand, if in the administration of Indian affairs the Government through its officers violated treaty provisions, paid out money it was not entitled to pay out, the Indians protesting against it, powerless to resist it, the gentleman does not believe that the Indians ought to have the right to go into your own court and have their matters decided by a court of competent jurisdiction?

Mr. WALSH. Oh, I have not said that.

Mr. MANN of Illinois. If the gentleman will yield I would like to ask where are these Indians located?

Mr. HASTINGS. The gentleman from Illinois knows as well as I do that they are located in the State of Oklahoma.

Mr. MANN of Illinois. I am under the impression that some are located in Florida and some in Mississippi.

Mr. HASTINGS. The gentleman is in error about that.

Mr. MANN of Illinois. In what respect—where is there any limitation?

Mr. HASTINGS. This confines them to the enrolled members of these tribes, and therefore they would have to be in Oklahoma. We were very careful to see that that provision was in there. I will call the gentleman's attention to the exact language if he wishes.

Mr. MANN of Illinois. Well, let us see about that. It provides:

That jurisdiction be, and is hereby, conferred upon the Court of Claims to hear, examine, consider, and adjudicate any and all claims arising under or growing out of any treaty stipulation or agreement of the United States with the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Indian Nations or Tribes, or any act of Congress, in relation to Indian affairs, which said Choctaw, Chickasaw, Cherokee, Creek, or Seminole Indian Nations or Tribes, or any band or organized group of Choctaw, Chickasaw, Cherokee, Creek, or Seminole Indians or enrolled individual Indian members of aforesaid Indian nations, or their heirs, may have against the United States and which claims have not heretofore been determined or adjudicated.

Now, there are a lot of Indians in Mississippi who are Choctaws or Cherokees——

Mr. HASTINGS. Choctaws.

Mr. MANN of Illinois. Who have been making a bitter fight in Congress for many years to get from the Choctaws of Oklahoma a part of the land which was conveyed to the Oklahoma Choctaws. I do not see why this bill does not confer upon the Choctaws of Mississippi the right to sue the Government of the United States and set up the claim that the Government conveyed to the Choctaws of Oklahoma money or land which they contend did belong to them, and that now the Government should reimburse them, notwithstanding the Government paid out the money.

Mr. HASTINGS. I feel sure that that construction could not be placed on the language in the bill.

Mr. MANN of Illinois. I am sure that that construction would be placed on the language in the bill.

Mr. HASTINGS. I am satisfied that the gentleman is mistaken. It refers to the Choctaws, Chickasaws, Cherokees, Creeks, or Seminole Indians, or enrolled individual Indian members of the aforesaid nations, which means a subdivision of these tribes. You have five tribes in Oklahoma. It refers to the tribes as a whole or a group or part of them.

We are willing to accept any kind of an amendment that will make that clear because no man on the Indian Committee or interested in the bill ever had the slightest thought that the language would permit Indians outside of Oklahoma to come in under this bill. We say the five tribes in Oklahoma, naming them, or a part of the tribes, and these Choctaws in Mississippi not being a part of the tribe, they could not come in. It could not include the Choctaws or Chickasaws or Cherokees outside of Oklahoma. We guarded, as we thought, in this language so that they could not bring that suit.

Mr. MANN of Illinois. I do not think the committee ever thought about this proposition, so it takes my friend from Oklahoma by surprise.

Mr. HASTINGS. I beg the gentleman's pardon, but the gentleman is mistaken. He has not taken me by surprise; we thought about that and discussed it. As a matter of fact, I will say to the gentleman that my colleague from Oklahoma [Mr. CARTER] took the bill up with me, and we especially discussed it with this particular thing in view before this was reported to the House.

Mr. MANN of Illinois. I have the highest respect for the two gentlemen from Oklahoma, but after the gentleman's statement I have a little less respect for their judgment than I had before.

Mr. HASTINGS. I am very sorry for that.

Mr. MANN of Illinois. Because the first description in here is merely a description of the Indian tribes which made the treaty, that is all. It provides for claims arising or growing out of any treaty stipulation or agreement with the United States with the Choctaw, Chickasaw, Cherokee, Creek, or Seminole Indian tribes. There is no question but that the treaty which was made in Mississippi was a treaty which covered all the Choctaw Indians. That is only a description of the character of the treaty. Now, you bring in a bill which says "or any band or organized group of Choctaw, Chickasaw, Cherokee, Creek, or Seminole Indians, or enrolled individual Indian members of the aforesaid Indian nations or their heirs," and so forth, may bring suit.

Mr. HASTINGS. Of the five tribes.

Mr. MANN of Illinois. It does not say anything about the five tribes. It does not say anything about Oklahoma. It does not say that this band or organization or group shall have an existing organization. Under this provision of the bill the Mississippi Choctaws, the Florida Seminoles, the Louisiana Cherokees can all bring suit against the Government and could claim that they were not enrolled, and the Government has to defend that suit, and, if it could not defend it successfully, under the treaty they would have to pay them, although they have paid somebody else the money. I think the bill ought to go over.

Mr. HASTINGS. I am perfectly willing to have the language stricken out and accept any amendment to make it absolutely clear that only organized groups or bands who are members of the tribe in Oklahoma. That was the intention of the committee, and that is the construction that we placed upon it. I contend that is the only legitimate construction that can be placed upon it, because those groups or bands must be part of the whole that is described in this bill.

Mr. MANN of Illinois. Here is a further proposition, to let any member of these tribes in Oklahoma bring suit against the Government—any member. That is opening the door pretty wide. Nobody knows what suits may be brought up. You could bring a suit against the Government because a man lost his leg, though torts are barred here, and the ordinary individual can not bring suit against the Government for any such things. This would permit these Indians to bring suits against the Government for a tort.

Mr. HASTINGS. I think the construction of the language in relation to Indian affairs as to which suit may be brought would limit it to that. Of course, you could not bring a suit for individual damages such as the gentleman describes.

Mr. MANN of Illinois. Why not?

Mr. HASTINGS. Because it is not permitted under the terms of the bill, as the gentleman will see if he reads it closely. They must be suits growing out of matters in relation with Indian affairs.

Mr. MANN of Illinois. The gentleman may be right about that.

Mr. HASTINGS. And with reference to the former objection, it is specifically understood that no Indian who is not a member of the five tribes, or any group that is not a part of the five tribes, can not bring these suits.

Mr. MANN of Illinois. They have as much right to bring suit against the Government as members of these tribes have. They were just as much the wards of the Government at one time as the Oklahoma Indians were, and more so.

Mr. HASTINGS. Yes; but their wardship ceased 50 or 60 years ago.

Mr. MANN of Illinois. Oh, we are just appropriating money on the ground that we are still their guardians.

Mr. HASTINGS. Oh, that is a pure gratuity.

Mr. MANN of Illinois. And it came from the Committee on Indian Affairs.

Mr. HASTINGS. It is a pure gratuity.

Mr. MANN of Illinois. Gratuity nothing! Why do you grant a gratuity? Because of some obligation that you assume. We now propose to build schoolhouses and drag them out of the public schools of Mississippi which they are now attending with success, where they want to go—for I have heard from a number of them on the subject—and force them to go into some public school run by the Indian Bureau, where they do not want to go. I think I shall ask to have this bill go over.

Mr. HASTINGS. Mr. Speaker, would the gentleman have any objection to letting it go over without prejudice.

Mr. MANN of Illinois. Oh, I have never any objection to a bill remaining on the calendar.

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

TRANSFER OF SURPLUS MOTOR-PROPELLED VEHICLES.

Mr. McKENZIE. Mr. Speaker, I move to suspend the rules and pass the bill S. 3037, with an amendment, striking out all after the enacting clause and inserting in lieu thereof the following, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Illinois moves to suspend the rules and pass with an amendment the Senate bill 3037, which the Clerk will report.

Mr. WALSH. Mr. Speaker, I think we would better have a quorum here if we are going to pass bills by suspension of the rules. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present. Evidently there is not.

Mr. MANN of Illinois. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Dent	Kleczka	Reavis
Anthony	Dooling	Knutson	Riordan
Bacharach	Dyer	Kreider	Rowan
Barkley	Eagan	Langley	Rowe
Blackmon	Edmonds	Larsen	Sanders, N. Y.
Booher	Elliott	Lazaro	Saunders, Va.
Brand	Esch	Lesher	Schall
Britten	Ferris	McClintic	Scully
Brumbaugh	Fields	McGlennon	Sears
Burke	Focht	McKiniry	Siegel
Butler	Fordney	McKinley	Sims
Caldwell	Fuller, Mass.	McLane	Smith, N. Y.
Campbell, Kans.	Gallagher	MacGregor	Snyder
Campbell, Pa.	Ganly	Maher	Stevenson
Cannon	Garland	Mann, S. C.	Sullivan
Caraway	Garrett	Martin	Taylor, Ark.
Carew	Goldfogle	Mead	Towner
Clark, Fla.	Gould	Minahan, N. J.	Vare
Clark, Mo.	Graham, Pa.	Moore, Va.	Vinson
Cleary	Hamill	Mott	Walters
Cooper	Hamilton	Neely	Ward
Copley	Haugen	Nicholls, S. C.	Watkins
Costello	Hill	O'Connell	Watson
Crago	Hutchinson	Parker	Whaley
Cramton	Johnson, Wash.	Pell	Williams
Cullen	Johnston, N. Y.	Porter	Wilson, Ill.
Curry, Calif.	Juul	Pou	Winslow
Darrow	Kennedy, Iowa	Radcliffe	Wright
Davey	Kennedy, R. I.	Rainey, Ala.	
Dempsey	Kettner	Rainey, H. T.	

The SPEAKER. On this vote 313 Members have answered to their names; a quorum is present.

Mr. MANN of Illinois. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The gentleman from Illinois [Mr. MCKENZIE] has moved to suspend the rules and pass a Senate bill with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. MCKENZIE moves to suspend the rules and pass the bill S. 3037, with an amendment striking out all after the enacting clause of the Senate bill and inserting in lieu thereof the following:

"That the Secretary of War be, and he is hereby, authorized and directed to transfer such motor-propelled vehicles and motor equipment, including spare parts, pertaining to the Military Establishment as are or may hereafter be found to be surplus and no longer required for military purposes, to (a) the Department of Agriculture, for use in the improvement of highways and roads under the provisions of section 7 of the act approved February 28, 1919, entitled 'An act making appropriations for the service of the Post Office Department for the fiscal year 1920, and for other purposes': *Provided, however*, That no more motor-propelled vehicles, motor equipment, and other war material, equipment, and supplies, the transfer of which is authorized in this act, shall be transferred to the Department of Agriculture for the purposes named in section 7 of said act than said Department of Agriculture shall certify can be efficiently used for such purposes within a reasonable time after such transfer; (b) the Post Office Department for use in the transmission of mails; and (c) the Treasury Department, for the use of the Public Health Service under the provisions of section 3 of the act approved March 3, 1919, entitled 'An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines.'

"SEC. 2. That the Secretary of War is hereby authorized and directed to transfer to the Department of Agriculture, under the provisions of section 7 of the act approved February 28, 1919, entitled 'An act making appropriations for the service of the Post Office Department for the fiscal year 1920, and for other purposes,' for use in the improvement of highways and roads, as therein provided, the following war material, equipment, and supplies pertaining to the Military Establishment as are or may hereafter be found to be surplus and not required for military purposes, to wit, road rollers, graders, and oilers; sprinkling wagons; concrete mixers; derricks; pile-driver outfits complete; air and steam drill outfits; centrifugal and diaphragm pumps with power; rock crushers; clamshell and orange-peel buckets; road scarifiers; caterpillar and drag-line excavators; plows; cranes; trailers; rubber and steam hose; asphalt plants; steam shovels; dump wagons; hoisting engines; air-compressor outfits with power; boilers; drag, Fresno, and wheel scrapers; stump pullers; wheelbarrows; screening plants; wagon leaders; blasting machines; hoisting cable; air hose; corrugated-metal culverts; explosives and exploders; engineers' transits, levels, tapes, and similar supplies and equipment; drafting machines; planimeters; fabricated bridge materials; industrial railway equipment; conveyors, gravity and power; donkey engines; corrugated-metal roofing; steel and iron pipe; wagons and similar equipment and supplies such as are used directly for road-building purposes.

"SEC. 3. That the Secretary of War is also hereby authorized and directed to transfer to the Department of Agriculture, for the use of the Forest Service, such telephone supplies pertaining to the Military Establishment which have been found to be surplus and no longer required for military purposes and are needed for the present use of the said service.

"SEC. 4. That freight charges incurred in the transfer of the property provided for in this act shall not be defrayed by the War Department, and if the War Department shall load any of said property for shipment the expense of said loading shall be reimbursed the War Department by the department to which the property is transferred by an adjustment of the appropriations of the two departments: *Provided, however*, That any State receiving any of said property for use in the improvement of public highways shall, as to the property it receives, pay to the Department of Agriculture the amount of 20 per cent of the estimated value of said property, as fixed by the Secretary of Agriculture or under his direction, against which sum the said State may set off all freight charges paid by it on the shipment of said property, not to exceed, however, said 20 per cent.

"SEC. 5. That the title to said vehicles and equipment shall be and remain vested in the State for use in the improvement of the public highways, and no such vehicles and equipment in serviceable condition shall be sold or the title to the same transferred to any individual, company, or corporation.

"SEC. 6. That the provisions of the act of July 16, 1914 (38 Stat., p. 454), prohibiting the expenditure of appropriations by any of the executive departments or other Government establishments for the maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles in the absence of specific statutory authority, shall not apply to vehicles transferred, or hereafter to be transferred, by the Secretary of War to the Department of Agriculture for the use of the department under the provisions of this act, or under the provisions of section 7 of the act of February 28, 1919, referred to in section 1 hereof: *Provided, however*, That nothing in this act contained shall be held or construed to modify, amend, or repeal the provisions of the last proviso under the item entitled 'Contingencies of the Army,' as contained in the act entitled 'An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes,' approved July 11, 1919, except as to direction for the transfer of those articles enumerated in section 2 hereof."

Also by amending the title to read as follows:

"An act to authorize the Secretary of War to transfer certain surplus motor-propelled vehicles and motor equipment and road-making material to various services and departments of the Government, and for the use of the States."

The SPEAKER. Is a second demanded?

Mr. HARRISON. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Virginia demands a second.

Mr. MCKENZIE. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman from Illinois is entitled to 20 minutes and the gentleman from Virginia is entitled to 20 minutes.

Mr. MCKENZIE. Mr. Speaker, I shall only detain the House for a few moments. The first attempt to distribute the surplus automobiles in the hands of the War Department was made in the Post Office appropriation bill making appropriations for the year 1920. A little later that provision was modified by a section in the sundry civil bill and later on another modification was inserted in the military appropriation bill for the same year. These three provisions all being in the law led to great confusion. The department heads finally called upon the Judge Advocate General for an opinion. He rendered an opinion which was not very satisfactory, so they called upon the Attorney General of the United States for an opinion. He rendered an opinion, both of which opinions are found in the report upon this bill. Now, Mr. Speaker and gentlemen of the House, this bill is an attempt after many months of argument to harmonize the various provisions of law and make it possible for the War Department to turn over to the Department of Agriculture the thousands of dollars worth of surplus roadmaking material now on hand and to enable the Secretary of Agriculture to distribute that surplus to the various States under the provisions of the law enacted some years ago governing the building of highways in the various States.

Mr. LANHAM. Will the gentleman yield?

Mr. MCKENZIE. I do.

Mr. LANHAM. I understand the present provision of law permits the use of these trucks and other road-making vehicles only on roads on which Federal aid is given. Now, under the provisions of this law when these vehicles are distributed to the States can they be used for general road-making purposes whether Federal aid is being given for the project or not?

Mr. MCKENZIE. It is understood by Members of the committee that when the machines are turned over to the States the title vests in the States, and they will have absolute control over these various machines without interference on the part of the Federal Government.

Mr. LANHAM. And they can be used upon roads that even are not being contributed to by Federal aid in their construction?

Mr. MCKENZIE. I would assume so.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. MCKENZIE. I will.

Mr. NEWTON of Minnesota. As I understand it these different articles, the property of the Government, are eventually turned over to the States and become the property of the States. Now, do the States pay anything to the Federal Government at all for the property?

Mr. MCKENZIE. I was just coming to that.

Mr. NEWTON of Minnesota. If the gentleman will kindly explain.

Mr. MCKENZIE. If the gentleman will permit, section 4 of this bill provides that the respective States shall pay to the Secretary of Agriculture 20 per cent of the estimated value of the various articles turned over to the States as estimated under the direction of the Secretary of Agriculture.

Mr. BEE. Will the gentleman yield?

Mr. McKENZIE. But the States have the right of setting off against the 20 per cent whatever freight charges they may have to pay in having these articles delivered, inasmuch as it is provided in the bill that the War Department shall not be responsible for the payment of freight.

Mr. BEE. Will the gentleman yield for a question?

Mr. McKENZIE. Yes.

Mr. BEE. I do not want to interrupt the gentleman if he has a general statement to make in connection with the subject——

Mr. McKENZIE. No; go right ahead.

Mr. BEE. As I understand the Senate has passed this bill?

Mr. McKENZIE. The Senate has passed a certain bill.

Mr. BEE. And now the House is substituting everything after the enacting clause?

Mr. McKENZIE. Yes.

Mr. BEE. Now, would it disturb the gentleman's argument very briefly to state the difference between the Senate and the House bill, in order that Members may understand?

Mr. McKENZIE. I will say to the gentleman from Texas that perhaps the most important difference between the two bills is section 4 of the House bill, which provides for the payment of 20 per cent of the estimated value by the States to the Federal Government and which the Committee on Military Affairs of the House deemed was but just and equitable to the Federal Government and also to the respective States.

Mr. SNELL. Will the gentleman yield for a question?

Mr. MANN of Illinois. Will the gentleman yield?

Mr. McKENZIE. I yield to my colleague.

Mr. MANN of Illinois. As I understand, the motion now is to pass the Senate bill, inserting in lieu of the provisions of the Senate bill the language of the bill H. R. 12507, reported from the Committee on Military Affairs on February 14? Is that correct?

Mr. McKENZIE. That is correct; and the purpose of that is to expedite the enactment of the law.

Mr. MANN of Illinois. But the amendment offered is an amendment which has been reported unanimously as a separate bill by the Committee on Military Affairs?

Mr. McKENZIE. Yes, sir.

Mr. SNELL. What is the reason for deducting the freight without pay to the Federal Government?

Mr. McKENZIE. The purpose of that is this, that the Federal Government will load it and consign it to the various points of shipment. When the freight arrives at the point of consignment the authorities in that particular State will pay the freight. If there is any surplus left after the freight is paid that will be forwarded to the Secretary of Agriculture.

Mr. SNELL. They only pay 20 per cent of the estimated value. Why should they not pay that to the Federal Government when it is loaded on the cars?

Mr. McKENZIE. I will state to the gentleman that I do not care to go into a discussion with him on that point, because I think we might agree.

Mr. MONDELL. Is not this true, that the provision relative to the payment of freight is a provision that equalizes the cost? For instance, the State of South Carolina in obtaining a large amount of material within its borders would get it absolutely free unless there were a charge. The State of New York, getting that same material, would pay 20 per cent and a freight charge that would probably be more than 20 per cent. So New York in that case would be paying twice as much as the State of South Carolina.

Mr. SNELL. I will say to the gentleman we will be perfectly willing to do that.

Mr. MONDELL. But why should there not be an equitable provision here?

Mr. SNELL. An equitable provision would be for every State to pay exactly the same thing.

Mr. MONDELL. If the gentleman will allow me, when the bill was reported the State paid nothing. Now, out of this the State pays 20 per cent. It would not be fair to make a charge of 20 per cent and then say that California, shipping stuff from Camp Devens, in Massachusetts, should pay 20 per cent and then pay the freight across the continent.

Mr. SNELL. Did you ever hear of any such provision as that before as to any kind of goods?

Mr. MONDELL. This is a matter of equity, anyway.

Mr. SNELL. There is no equity at all.

Mr. MANN of Illinois. Is it not caused by the fact that this material is mostly at the extreme eastern portion of the country on account of the war, and if it is to be a gift, and in a way it is a gift, it ought to be on even terms, and not give the State of New York the benefit of paying nothing but the 20 per cent and then California have to pay 20 per cent and the freight for transporting it to California?

Mr. McKENZIE. My colleague has the right idea.

Mr. GOODYKOONTZ. Will the gentleman from Illinois yield?

Mr. McKENZIE. I will.

Mr. GOODYKOONTZ. I want to inquire of the gentleman from Illinois if the committee has taken into consideration this fact, that in certain States of the United States the legislature meets only once in two years, and some of them have a budget system? The fact is that many of them do not have a surplus from which they could pay the 20 per cent. For instance, in West Virginia we are bound hand and foot by a budget system, and we have either got to wait until January of next year or else call a special session of the legislature, that will cost $60,000, so as to avail ourselves of the benefit of the provisions of this act.

Mr. McKENZIE. In reply to the gentleman from West Virginia, I will say to him that the Committee on Military Affairs gave full and thorough consideration to the very question he is now raising, and we wondered if there was any State in the Union that did not have a contingent fund from which they could take enough of money to pay such freight, how they ever build any roads in that State. If they have no road fund in the State of West Virginia, it is about time they were getting it, and I say that with all due respect. I want to say, further, that we felt perhaps there might be a State that was so handicapped, but that, even so, there would be some patriotic citizen in the State, some banker, some man who had a little money, who would come forward and give his State credit under such circumstances, and, therefore, we did not feel it was proper to make any exception to the law, for the reason stated.

Mr. GOODYKOONTZ. Just one other question. It seems to me like taking the money out of one pocket and putting it into another.

Mr. McKENZIE. That is true.

Mr. GOODYKOONTZ. Why should you impose the 20 per cent liability on a State when that State under its constitution and laws does not happen to have on hand any fund applicable for any such purpose?

Mr. McKENZIE. I will state to the gentleman that it may work a hardship here and there, but there would be some one who would certainly come forward, as I have stated.

Mr. BEE. Does the gentleman from Illinois think that all the States in the Union ought to wait because one State in the Union has not a contingent fund on hand to take advantage of this proposition? That is the proposition of the gentleman from West Virginia [Mr. GOODYKOONTZ].

Mr. McKENZIE. I certainly do not.

Mr. LONGWORTH. Will the gentleman from Illinois yield?

Mr. McKENZIE. I will.

Mr. LONGWORTH. I would like to ask the gentleman what authority under existing law the War Department has for the disposition of this so-called surplus material? I will put it in another way. The department now has the right to sell such material as is declared to be surplus. Can it sell at less than an appraised price? Is the authority unlimited?

Mr. McKENZIE. I will say to the gentleman from Ohio that he will probably remember we appointed a director of sales, a gentleman from Philadelphia, who has charge of the sale of surplus material in the War Department; and what other authority there is, except the authority in the sundry civil bill, I do not know.

Mr. LONGWORTH. Now, what I am trying to get at is, how far is that authority limited? Is the Secretary authorized to sell any surplus at any price he sees fit?

Mr. McKENZIE. I do not know as I can answer the gentleman truthfully on that. But, judging from what has happened in the past, I will assume that he is correct in his assumption that they have the power to sell at whatever price they may determine upon.

Mr. LONGWORTH. Then, if that is true, is there any necessity for this legislation?

Mr. McKENZIE. I think so.

Mr. LONGWORTH. It provides he may sell at 20 per cent of some appraised price; but if he has unlimited authority to sell, why could he not sell now at that price?

Mr. McKENZIE. I will say to the gentleman from Ohio that it is not the amount of money by the sale of this property that we are so much interested in as in the distribution of it throughout the various States of the Union.

Mr. LITTLE. Now, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. LITTLE. I want to ask the gentleman a question. First, let me suggest that a State can not expect to get this stuff unless it has money enough to pay the freight. If it has that, it can take care of the other. In some States the 20 per cent will not pay the freight, which it is really intended to equalize. Now, I would like to know where the bulk of this material is located and about how long after the bill becomes a law it will be available to the States.

Mr. McKENZIE. I can not tell the gentleman where the bulk of it is located, but I am inclined to think if he will go into any camp in the United States where they have put up three huts he will find road-making machinery there—machinery to build roads.

Mr. LITTLE. How soon will it be available?

Mr. McKENZIE. Mr. Speaker, how much time have I used?

The SPEAKER. Fifteen minutes.

Mr. LITTLE. Will it be available immediately? Will the gentleman answer that question?

Mr. McKENZIE. Yes. Now, Mr. Speaker, I yield one minute to the gentleman from Wyoming.

The SPEAKER. The gentleman from Wyoming is recognized for one minute.

Mr. MONDELL. Mr. Speaker, the only important change in this bill as now proposed from the bill reported sometime ago is a charge of 20 per cent to the States and a provision for an offset of the freight paid, not to exceed 20 per cent. The charge of 20 per cent is very important, in order to discourage States in the vicinity of this material from acquiring material that they do not greatly need because they can get it for nothing.

The offset of the freight charge is provided because that makes the distribution more equitable. To a certain extent it equalizes the cost to the States far from the localities where this material is stored with the cost to the States in the immediate vicinity of the same.

Mr. McKENZIE. Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. The gentleman from Virginia [Mr. HARRISON] is recognized for 20 minutes.

Mr. HARRISON. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. CANDLER].

The SPEAKER. The gentleman from Mississippi is recognized for five minutes.

Mr. CANDLER. Mr. Speaker, I thank the gentleman from Virginia [Mr. HARRISON] for his kindness. I am glad this bill is up for consideration, and I sincerely hope it will secure the unanimous vote of the House.

As to the provision for 20 per cent of the value to be paid by the several States to be set off with the freight charges to which reference was made, I believe if I had the opportunity I would oppose it. But we all know when a motion is made to suspend the rules and pass a bill it is impossible to amend the bill except by unanimous consent, when considered under that procedure, and therefore we will have to accept this bill as it is presented or reject it. I trust, because of its importance, we will take advantage of the present opportunity and promptly pass it. There is no opportunity to amend it under the present circumstances, and if one State pays 20 per cent all should pay it and that will make it equitable and just. I am advised that the State highway commissions of the several States do not seriously oppose the requirement of the payment of this 20 per cent in the manner provided.

The first legislation on this subject, as you will recall, was passed when we incorporated on the Post Office appropriation bill for the fiscal year ending June 30, 1920, a provision to the effect—

That the Secretary of War be, and he is hereby, authorized in his discretion to transfer to the Secretary of Agriculture all available war material, equipment, and supplies not needed for the purposes of the War Department, but suitable for use in the improvement of highways, and that the same be distributed among the highway departments of the several States to be used on roads constructed in whole or in part by Federal aid, such distribution to be made upon a value basis of distribution the same as provided by the Federal aid road act, approved July 11, 1916: *Provided*, That the Secretary of Agriculture, at his discretion, may reserve from such distribution not to exceed 10 per cent of such material, equipment, and supplies for use in the construction of national forest roads or other roads constructed under his direct supervision.

That was the first legislation on the subject. Following that, on the sundry civil appropriation bill for the fiscal year ending June 30, 1920, there was additional legislation, as follows:

SEC. 5. The Secretary of War is authorized to transfer any unused and surplus motor-propelled vehicles and motor equipment of any kind, the payment for same to be made as provided herein, to any branch of the Government service having appropriations available for the purchase of said vehicles and equipment: *Provided*, That in case of the transfers herein authorized a reasonable price not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage, shall be determined upon, and an equivalent amount of each appropriation available for said purchase shall be covered into the Treasury as a miscellaneous receipt, and the appropriation in each case reduced accordingly: *Provided further*, That it shall be the duty of each official of the Government having such purchases in charge to procure the same from any such unused or surplus stock if possible: *Provided further*, That hereafter no transfer of motor-propelled vehicles and motor equipment, unless specifically authorized by law, shall be made free of charge to any branch of the Government service.

Then subsequent to that there was a provision in the Army appropriation bill for the fiscal year ending June 30, 1920, as follows:

Provided further, That in addition to the delivery of the property heretofore authorized to be delivered to the Public Health Service, the Department of Agriculture, and the Post Office Department of the Government, the Secretary of War be, and he is hereby, authorized to sell any surplus supplies, including motor trucks and automobiles now owned by and in the possession of the Government for the use of the War Department, to any State or municipal subdivision thereof, or to any corporation or individual, upon such terms as may be deemed best.

This is the history of this legislation to date.

There is some apparent conflict in the provisions which somewhat confused the Secretary of War. This last provision authorized him to sell any surplus supplies, including motor trucks and automobiles owned by and in the possession of the Government for the use of the War Department, to any State or municipal subdivision thereof, or to any corporation or individual, upon such terms as might be deemed best.

That gave the Secretary of War authority to sell surplus supplies, over and above those authorized to be distributed to the Department of Agriculture, the Post Office Department, and to the Public Health Service, on such terms as he might deem best.

The provision in the sundry civil bill forbids distribution not "authorized by law." It was contended that the provision in the Post Office bill remained the "authority of law" for the continuance of the distribution, and the Attorney General so held in an official opinion. There has been, however, some confusion. The Military Affairs Committee believes that the pending bill, if passed, will remove all confusion and make plain and certain the wishes of Congress in regard to the distribution of the various kinds of vehicles, trucks, articles, and materials useful in the building of good roads, and make the law simple and easy to administer and thereby secure prompt action on the part of the department in distributing them. To make certain prompt action, this bill, when it becomes law, will require the distribution of this property to these various departments where they certify it is needed. It will not only authorize, but it will direct, the Secretary of War to make the distribution without unnecessary delay. The other legislation permitted discretion to be exercised. The supplies that are to go to the Department of Agriculture are to be used for road-making purposes in the various States of this Union. There is no more important work to-day to the American people than the construction of good roads. That is being demonstrated in every progressive State. In my State at the present time there is pending before the legislature a bill, recommended by our retiring governor, Hon. T. G. Bilbo, and our present governor, Hon. Lee M. Russell, providing for the issuance of $25,000,000 of State bonds, the proceeds thereof to be used for the construction of good roads in the State of Mississippi in cooperation with the National Government. A similar bill is pending before the Alabama Legislature. The Legislature of the State of Arkansas has authorized about $100,000,000 in bonds for road building. The same thing is going on in many, yes, in very many, other States of the Union. This indicates the widespread and earnest interest of the American people in the building of good roads. Therefore, wherever we can aid, through the cooperation of the National Government, the several States in the construction of good roads, there is nothing we can do that will contribute more directly to their development, their welfare, their prosperity, and the happiness, convenience, and comfort of the people than to encourage and help this good work.

For these reasons I am glad that this bill is presented at this time, removing the discretion which was formerly vested in the Secretary of War, and requiring the distribution of this property. It was bought for war. We will make it a great benefit and blessing in peace. [Applause.] A great deal of it has been lying waste, deteriorating in value. It should have been distributed a long time ago. If the discretion had not been conferred and we had in our legislation kept our wishes clear and certain, it would have been distributed before this time. This bill takes away all discretion, makes our wishes for this distribution clear, and not only authorizes the Secretary of War but specifically and unequivocally directs him to at once distribute this property in accordance with the terms of this

bill. Let the bill pass. It will do a marvelous amount of good all over the country. It will help much in stimulating and assisting road building and thereby give additional assurance to the people that the Government is in real earnest in helping them in every way possible in improving and building the highways of the Republic. We have delayed too long now. Let us pass this bill and prevent further delay. [Applause.]

Mr. HASTINGS. Mr. Speaker, will the gentleman yield?

Mr. CANDLER. Yes; with pleasure always, to my good friend from Oklahoma.

Mr. HASTINGS. Can the gentleman give us any estimate as to the aggregate value of the property that would be available for distribution under the terms of this bill?

Mr. CANDLER. I regret that I have not the accurate figures in my possession at the present moment.

Mr. Speaker, I have, from my entrance in public life, been a consistent and persistent advocate of Government aid for good roads. I have voted for every bill passed by Congress making an appropriation for the purpose when I had the opportunity to do so. I am ready to vote for future appropriations for this good cause. Let the good work go on until splendidly improved highways traverse, if possible, every neighborhood in this great country. They will put the schoolhouses nearer the children, the towns and the farms nearer together, the churches nearer the homes, and in many other ways contribute to the comfort, prosperity, and happiness of all the people. I hope the pending bill will pass without a dissenting vote. [Applause.]

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. HARRISON. Mr. Speaker, I ask to be recognized for five minutes.

Gentlemen, this bill is the one to which I called the attention of the House the other day when the House had under consideration the Agricultural appropriation bill. I think it is a bill of very great importance to road construction in this country. It is a bill that I have been trying, for my part, to get before the House for a long time. It is merely supplementary to legislation that is already on the statute books. We passed a statute requiring this material to be turned over to the public highway commissions of the States, and the Secretary of War was authorized to do so. It seems to me if he had been disposed to have done so he could have done so without any further legislation. But on the assumption that the provision of the law that we have already enacted is too general in its terms, the distribution of this property has been withheld, so it has become necessary to make it absolutely specific, in order that the War Department may know what material is necessary for road construction. The provision of the statute is to distribute this property equitably, according to quality and quantity, amongst the States according to the provisions of the good-roads act. Just as the money is distributed, so is this property to be distributed.

Mr. SNELL. Will the gentleman yield for a question right there?

Mr. HARRISON. Yes.

Mr. SNELL. Will the gentleman state specifically how it is distributed? Can any State buy all it wants, or is there a limit?

Mr. HARRISON. There is a limit, according to the terms of the good-roads act. The good-roads law provides how the money shall be distributed amongst the States, and this simply says that the property that we hereby direct to be distributed shall be distributed in exactly the same way—equitably according to quantity and quality.

Mr. REAVIS. Will the gentleman yield to me?

Mr. HARRISON. Yes.

Mr. REAVIS. The assignment under this bill has already been made by Mr. MacDonald, head of the National Highway Commission. It is to be distributed among the various States in accordance with their needs.

Mr. HARRISON. Yes.

Mr. REAVIS. So that the distribution is absolutely equitable between all of them?

Mr. HARRISON. Yes. All we want to try to do is to tell the War Department what is material necessary for road construction.

Mr. ALMON. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. ALMON. Twenty per cent of the estimated value of the property is required to be paid by the States for freight charges.

Mr. HARRISON. The object of that is this, and it seems to me it is just, to pool the freight charges. Some of this property is located in New York, for instance, and California may want some of it. Now, if California had to pay the freight across the continent, she would have to pay probably more than the property was worth, whereas if Philadelphia wanted her share of the same property she would have to pay a very limited amount in order to get it. So it was thought only just to distribute the freight charges amongst all the States, and that was reached by making the freight charge 20 per cent on the fair valuation of the property. Out of this pool the freight charges are paid, and each State pays its proportion of the freight. The property is located, as I understand it, in many sections of the United States, in various places. A considerable amount of it was property that was at the seaports ready for transportation across the sea when the armistice stopped its transportation.

Mr. BRIGGS. Will the gentleman yield for a question?

Mr. HARRISON. Yes.

Mr. BRIGGS. As I understand it, the Department of Agriculture under the allotment of motor trucks heretofore made has already distributed among many of the States practically their full quota of those motor trucks, while other States have not had more than 5 per cent of their quota.

Mr. HARRISON. It may be so.

Mr. BRIGGS. In those instances the States that have gotten their full quota will not be subjected to any such provision, and will not be required to pay this 20 per cent, and it can not be an equitable distribution. I should like to know about that.

Mr. HARRISON. I yield to the gentleman from Nebraska [Mr. REAVIS] to answer that question.

Mr. REAVIS. If the gentleman will permit me, the Department of Agriculture has so far as possible made the distribution of motor trucks to those States and those highway commissions that were ready to do the work. The larger percentage of distribution that has been made to some States has been made by reason of the fact that those States were ready to go to work, while other States were not ready, and, having no storage facilities, have been waiting until their plans are completed, at which time they will receive their motor trucks.

Mr. HARRISON. In other words, the old law will govern as to motor trucks. Under that the States paid the freight on the motor vehicles, and as some have been distributed under that plan all will be.

Mr. REAVIS. This is for road equipment.

Mr. BRIGGS. In the first section it provides for the distribution of motor-propelled vehicles.

Mr. REAVIS. The distribution will be absolutely equitable, because it is being made under Mr. MacDonald, Chief of the Bureau of Public Roads, who has apportioned among the States the amount that each State will require, and is sending to each State its proportion when that State makes requisition for it and is ready to use it.

Mr. BRIGGS. So there will be no inequality?

Mr. REAVIS. No inequality.

Mr. HARRISON. Not only that, but I will say that as to those States that have already gotten their motor vehicles without the payment of the 20 per cent freight charge there are not any of them that have gotten their share of the other material that is described in section 2.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. GREENE of Vermont. The effect of the whole thing is that the 20 per cent charge begins with the road equipment.

Mr. HARRISON. Yes.

Mr. GREENE of Vermont. There is no 20 per cent charge on any of the motor trucks that have already gone out or that are to go out?

Mr. HARRISON. That is correct.

Mr. GREENE of Vermont. The 20 per cent begins with the road equipment that is to go out to all the States.

Mr. DOWELL. Under what terms have the States received these motor vehicles heretofore?

Mr. HARRISON. Under the same terms as this act provides. That is, they are distributed according to the provisions of the good-roads act, just as the money that is appropriated by Congress is distributed to the States.

Mr. DOWELL. Under this 20 per cent provision?

Mr. HARRISON. No. As my friend from Vermont [Mr. GREENE] has explained, that applies to this other material.

Mr. DOWELL. And not to the motor trucks?

Mr. HARRISON. That is what we understand.

Mr. GREENE of Vermont. That is what we understood in the committee.

Mr. DOWELL. It applies to motor trucks under this bill.

Mr. GREENE of Vermont. Whatever may be the exact phraseology, the policy under which the supplemental bill was framed was that the 20 per cent charge should begin with the distribution of the new material authorized for the first time by this bill, and that the quota to be completed of former material, such as motor trucks, would be completed without re-

gard to the 20 per cent charge. If that idea is not expressly conveyed by the language in the text of the bill, it is a matter for future consideration. That was the understanding.

Mr. BRIGGS. Does the gentleman think the language in the bill, section 4, is sufficiently clear to make it plain that this bill only applies to material and not to undistributed motor trucks? Because if it does apply to undistributed trucks, the State will have to pay the freight on them.

Mr. GREENE of Vermont. I quite concede the point, and I was only speaking of the policy as it was explained to us.

Mr. HARRISON. That can be equalized when they distribute the other material.

Mr. BRIGGS. I do not think the bill contemplates that. They can not take out 20 per cent for motor trucks already delivered.

Mr. HARRISON. I think that if gentlemen will study the bill they will find that there is no inequality. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. QUIN.]

Mr. QUIN. Mr. Speaker, there should be no misunderstanding nor any misgiving touching this bill. The gentleman from Illinois [Mr. MCKENZIE] and the gentleman from Virginia [Mr. HARRISON], my colleagues on the Military Committee, have explained the provisions of the bill fully to you. What harm could there come if a State received all this equipment which is enumerated in section 2?

Section 2 provides:

That the Secretary of War is hereby authorized and directed to transfer to the Department of Agriculture, under the provision of section 7 of the act approved February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year 1920, and for other purposes," for use in the improvement of highways and roads, as therein provided, the following war material, equipment, and supplies pertaining to the Military Establishment as are or may hereafter be found to be surplus and not required for military purposes, to wit, road rollers, graders, and oilers; sprinkling wagons; concrete mixers; derricks; pile-driver outfits complete; air and steam drill outfits; centrifugal and diaphragm pumps with power; rock crushers; clamshell and orange-peel buckets; road scarifiers; caterpillar and dragline excavators; plows; cranes; trailers; rubber and steam hose; asphalt plants; steam shovels; dump wagons; hoisting engines; air-compressor outfits with power; boilers; drag, Fresno, and wheel scrapers; stump pullers; wheelbarrows; screening plants; wagon loaders; blasting machines; hoisting cable; air hose; corrugated-metal culverts; explosives and exploders; engineers' transits, levels, tapes, and similar supplies and equipment; drafting machines; planimeters; fabricated bridge materials; industrial railway equipment; conveyors, gravity and power; donkey engines; corrugated-metal roofing; steel and iron pipe; wagons and similar equipment and supplies, such as are used directly for road-building purposes.

Now, why is that not honest, just, and fair? Your committee endeavored to be just and fair. We are very sorry that the bill has been held up so long. The Committee on Military Affairs recognized the importance of this matter and the importance of good-roads construction, which is going on in every progressive State in this Union.

Some gentlemen have complained, and justly so, of various kinds of surplus war material being left out in the weather and going to waste. Recognizing that fact, the Committee on Military Affairs has seen fit to turn all of this equipment over to the different departments, and under this bill each State gets its quota, providing it pays 20 per cent of the value for freight charges. Who can complain of that?

The gentleman from West Virginia [Mr. GOODYKOONTZ] says that West Virginia can not come in under the provisions of this bill. The gentleman from Illinois [Mr. MCKENZIE] explained that we could not afford to hold up 47 States, keep them out of their material, for West Virginia to wake up and take advantage of this road fund.

Why, the gentleman from West Virginia could get half a dozen rich men in his State to put up the money and so get this material with which to construct good roads in that State. I hope he will not oppose the passage of this bill, because Mississippi, Louisiana, Illinois, California, and New York and all the other States can not afford to wait because West Virginia is not prepared for good roads. I am sorry, and I hope my good friend from West Virginia will see some of the rich men in his State and get them to put up the money. I hope he will follow my suggestion. The legislature of that State will make it good, and all they will have to do is to pay 5 per cent on the money.

What we want is for every State in the Union to have its fair share, and when we figured it out, with 20 per cent to be put up by the State that gets this construction material and machinery in order to guarantee the freight charges so that the Government of the United States would not be out anything, we thought we were doing the best thing for the taxpayers of the Nation. I know where the people of one State actually had the gall to ask the Federal Government to build sheds to cover the road material the Government gave to them. We can not go out and do everything for the States. We are willing to give them what road material and equipment the Government has if they will pay the freight charges. Who will ask us to do more? They might ask us to furnish a fireman to fire the engine and furnish the gasoline. Good gracious, men, if we give this material to the States provided they pay the freight charges, they ought to have progressive spirit enough to operate the machinery and build the good roads so that the farmer can haul his products to town and the pleasure riders may have decent roads.

This is an important matter and I hope that no man on the floor when he comes to vote will vote against it. Every man in every big city of the country and in the rural sections is deeply interested. Why should any man oppose it when the Government has all this surplus material scattered over and about throughout the United States lying idle and we put it to a good constructive use? Why should we compel them to go to the factory and buy new when the Government has all this splendid machinery and splendid material which can be put to work helping the farmers and improving country life in every section of the United States? [Applause.]

Mr. HARRISON. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. TILLMAN].

Mr. TILLMAN. Mr. Speaker, the legislature of my State in a recent special session provided for the issuance of about $100,000,000 in bonds for the purpose of road building. This bill is a proper one and provides for a just distribution of governmental surplus motor-propelled vehicles and motor trucks to be used by the different States in road building. The United States Government should assist the States in the important enterprise of highway construction, and this measure provides an equitable method of divesting title to this property from the Federal Government and vesting title to the same in the different States for use in the improvement and construction of public highways. The bill is rather indefinite as to the length of time each State shall have in which to signify its intention to avail itself of the right to pay the Department of Agriculture the amount of 20 per cent of the estimated value of the equipment assigned to it, but perhaps there is an implied understanding that each State shall have a "reasonable time" in which to comply with this provision. There should be no opposition to this just measure.

Mr. HARRISON. Mr. Speaker, I yield to the gentleman from Nevada [Mr. EVANS].

Mr. EVANS of Nevada. Mr. Speaker, the committee is highly commended for section 4 of this bill. The freight arrangement is ideal in purpose to furnish this much-needed material upon a basis of entire equality between States, while 20 per cent may not fully cover expense bill to Nevada. It is a wide step in the right direction, causing hope that Nevada's great distance and extreme freight charge will be remembered and recognized more fully in the future than in the past.

Mr. MCKENZIE. Mr. Speaker, I yield four minutes to the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Speaker and gentlemen of the House, I had not seen this bill until a moment ago, because it has only recently been introduced. I think it contains a manifest injustice. I do not think the desires and wishes of the committee are reflected in the bill with reference to the distribution of motor vehicles in this particular: Some States have received practically their full quota without compensation; some States have received but a very small proportion of their quota. This bill contains a charge of 20 per cent for all material hereafter to be delivered. If such charge is made for motor vehicles, it will result in some States paying for them while other States have received them without charge. I am going to ask unanimous consent at the appropriate time to offer an amendment excepting motor vehicles from the 20 per cent.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. REAVIS. Yes.

Mr. LONGWORTH. If I understand this bill, the 20 per cent does not apply to motor vehicles.

Mr. REAVIS. Unfortunately it does. The intention was, as given to me by the committee, that it was not to apply, but on page 4, section 4, you will find in line 10 the following language:

Provided, however, That any State receiving any of said property for use in the improvement of public highways shall, after the property is received, pay to the Department of Agriculture the amount of 20 per cent of the estimated value of said property—

And so forth. That comprehends motor vehicles, of course.

Mr. LONGWORTH. No; I think not. I think that would refer to section 2. I do not think that would refer back to section 1.

Mr. REAVIS. There may be some doubt about that, but we either ought to do it here or it ought to be done in the Senate, and I am in favor of doing the right thing here. There is not a man listening to me who is not delighted that the time has come when it is possible to do what we are doing by this bill. This equipment was purchased originally for war purposes, to assist in the destruction of those things, both material and spiritual, that we have been toiling for centuries to produce. We have now come to a time, and we are all thankful for it, when we can make another disposition of this material, where we can utilize it in building up civilization rather than in tearing it down. We are, in a literal sense, beating swords into pruning hooks. The 20 per cent charge on this material, as provided by the bill, will, I believe, meet the approval of the highway commissions of the States. They are willing to pay it. Some of these highway commissions adjacent to the city of Washington have been making a grab game out of this material. It has come to my attention, and there is no dispute on the proposition, that some commissions close to Washington have made requisitions for motor trucks for which they had to pay nothing, have run them out of the camps under their own power and landed them at home, and have then traded them for Cadillac limousines in which to joy ride rather than to utilize for the purpose of building roads. When that was called to our attention Mr. MacDonald compelled those people to make a trade back and get their motor trucks. If the State highway commission was compelled to pay a reasonable price for this it will stop its being a grab game and will insure the Government's receiving a little money for it, and will also be an assurance that it will be utilized for the purpose of road building, and that is the purpose of this Congress.

Mr. Speaker, I ask unanimous consent in my time to amend this bill by inserting in line 12, page 4, following the word "receives," the words "except motor vehicles."

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent to so amend the bill.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to amend the bill in the manner in which the Clerk will report.

Mr. SAUNDERS of Virginia. Mr. Speaker, I would like to have some information as to the effect that this bill has.

The SPEAKER. The Clerk will first report the proposed amendment.

The Clerk read as follows:

Page 4, line 12, after the word "receives," insert the words "except motor vehicles."

The SPEAKER. The gentleman from Nebraska asks unanimous consent to incorporate in the original motion the amendment just reported. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, what class of vehicles does the gentleman desire to except—automobiles or trucks?

Mr. REAVIS. Motor trucks. They are not sending automobiles to these highway commissions, and in answer to the gentleman's question let me state that there are some States that have received as high as 80 per cent of their assignment and quota of motor trucks, and they have received it absolutely free of charge, except the freight. Other States have received less than 10 per cent. If you charge the States 20 per cent for their motor vehicles, you are not dealing fairly, because the same disposition was not made with reference to the 80 per cent States.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield?

Mr. REAVIS. Yes.

Mr. GREENE of Vermont. I am in sympathy with the purpose of the gentleman's amendment, but I think it is already accomplished in the text of the bill, and it was because the committee thought the same had been accomplished that they did not propose the amendment the gentleman asks to have incorporated.

Mr. REAVIS. In response to the gentleman, it is very likely that the gentleman is entirely correct in what he says. I have just arrived in Washington on a late train and I had not read the bill until a moment ago, and on looking over section 4 my first impression was and is that the 20 per cent applied to motor vehicles as well. If the gentleman is certain that the bill does not make that 20 per cent apply to motor vehicles, I have no desire to have this amendment considered.

Mr. BRIGGS. Is there any harm that can be done by inserting it?

Mr. REAVIS. Only that it would be useless, superfluous language, that we ought not to have, in the interest of good legislation, if there is no necessity for it.

Mr. BRIGGS. Does not this very dispute indicate that there is a divergence of opinion about it?

Mr. REAVIS. I am not in a position to dispute what the gentleman from Vermont says. In any event, this bill is going to conference, and if we put this amendment in they can thrash it out in conference so that those States that have received only a proportion of motor trucks will be fully protected.

Mr. SAUNDERS of Virginia. Where would that amendment be inserted?

Mr. REAVIS. On page 4, line 12. There are several prints of this bill now on the floor. The bill being considered is the bill H. R. 12507. The language of the bill is:

Provided, however, That any State receiving any of said property for use in the improvement of public highways shall, as to the property it receives, pay to the Department of Agriculture the amount of 20 per cent of the estimated value of said property, as fixed by the Secretary of Agriculture or under his direction, against which sum the said State may set off all freight charges paid by it on the shipment of said property, not to exceed, however, said 20 per cent.

Mr. SAUNDERS of Virginia. Why was that 20 per cent put in there at all?

Mr. REAVIS. The 20 per cent was put in there for two purposes.

Mr. SAUNDERS of Virginia. Why not strike it out?

Mr. REAVIS. It was put in there for two purposes. One of the purposes was to stop what was evidently becoming a grab game on the part of some highway commissions that were located adjacent to the camps where the motor vehicles were and where the equipment was.

They were under no expense except for freight; they took them whether they needed them or not. Now, there would be another result accomplished: The States 600, 800, or 1,000 miles from the camp where the automobiles were, when they took the trucks, they took them without charge except the freight. The result of it was that the State close to the camp got its material for much less than the State far removed.

Mr. SAUNDERS of Virginia. But the practice the gentleman speaks of was the fault of the Agricultural Department because no commissioner had the right to take these goods whether located close to the point of distribution or remote from it.

Mr. REAVIS. It is the fault of nobody, I will say to the gentleman from Virginia, because the assignment was made to that State. They made a requisition for these motor vehicles on the theory that they were needed for the purpose of road building. Some of them got motor trucks—not many—and then traded them for Packards or Cadillac limousines, on the theory that their engineers had to be carted from one road-building project to another, and it turned into a sort of grab game on the part of certain commissioners, and it was only the fault of State commissioners who were prostituting the purpose of the legislation.

Mr. MONDELL. Mr. Speaker, the bill was very thoroughly dicussed in all of its provisions during the time allowed under the rule. The gentleman from Virginia was here, I imagine, and I am sure heard the discussion. As I understand, the question is the disposition of the unanimous-consent request of the gentleman from Nebraska.

The SPEAKER. This is all by unanimous consent, of course.

Mr. SAUNDERS of Virginia. I will say to the gentleman from Wyoming that, unfortunately, I did not know, so far as I was personally concerned, that this matter was to come up and I did not hear the discussion. I just came in and was trying to ascertain from the gentleman from Nebraska the purpose of his amendment. I do not know that I am necessarily against the amendment, but I am certainly against any amendment to perpetrate something which I do not apprehend, and I am not going to agree to any such amendment so far as I am concerned.

Mr. HARRISON. Will the gentleman allow me a minute?

Mr. SAUNDERS of Virginia. Yes.

Mr. REAVIS. Mr. Speaker, I would like to have my request submitted.

The SPEAKER. The question is, Is there objection?

Mr. SAUNDERS of Virginia. If the idea is to force action on it here now I shall object.

The SPEAKER. Objection is made. The question is, Will the House suspend the rules and pass the Senate bill as amended?

Mr. BRIGGS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BRIGGS. To ask unanimous consent that in line 11, page 4, after the word "property," the words be inserted "described in section 2." That relates to the property and road material described.

Mr. McKENZIE. Mr. Speaker, with all due respect to the gentleman and his amendment, I object.

The SPEAKER. Objection is made. The question is on suspending the rules and passing the bill.

The question was taken, and the Speaker announced the ayes had it.

Mr. GARD. Division, Mr. Speaker.

The House again divided; and there were—ayes 142, noes 5.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

Mr. MCKENZIE. Mr. Speaker, I move to lay the bills H. R. 9412 and H. R. 12507 on the table, both being bills relating to the same subject.

The motion was agreed to.

WATER SUPPLY FOR MISCELLANEOUS PURPOSES ON RECLAMATION PROJECTS.

Mr. TAYLOR of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (S. 796) in the form it is reported from the Committee on Irrigation of Arid Lands.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 796) for furnishing water supply for miscellaneous purposes in connection with reclamation projects.

Be it enacted, etc., That the Secretary of the Interior in connection with the operations under the reclamation law is hereby authorized to enter into contract to supply water from any project irrigation system for other purposes than irrigation, upon such conditions of delivery, use, and payment as he may deem proper: *Provided*, That no such contract shall be entered into except upon a showing that there is no other practicable source of water supply for the purpose: *Provided further*, That no water shall be furnished for the uses aforesaid unless the delivery of such water shall not be detrimental to the water service for such irrigation project, nor to the rights of any prior appropriator.

The Clerk read the committee amendments, as follows:

Page 1, line 8, after the word "proper" insert "*Provided*, That the approval of such contract by the water-users' association or associations shall have first been obtained."

Page 2, line 5, after the word "said" strike out the word "unless" and insert the word "if."

Page 2, line 5, after the word "shall" strike out the word "but."

Page 2, line 7, after the word "appropriator" insert "*Provided further*, That the moneys derived from such contract shall be covered into the reclamation fund and be placed to the credit of the project from which such water is supplied.

Mr. MANN of Illinois. Mr. Speaker, the Clerk read the bill and then read the committee amendments, a very natural thing to do. I think the general practice is where a motion to suspend the rules is made to read the bill as the motion proposes to pass it. That is the only intelligent way we can understand it. I ask that the bill be read as though it was reported including the committee amendments.

Mr. GARD. Mr. Speaker——

The SPEAKER. The Clerk will report the bill in the manner indicated.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior in connection with the operations under the reclamation law is hereby authorized to enter into contract to supply water from any project irrigation system for other purposes than irrigation, upon such conditions of delivery, use, and payment as he may deem proper: *Provided*, That the approval of such contract by the water-users' association or associations shall have first been obtained: *Provided*, That no such contract shall be entered into except upon a showing that there is no other practicable source of water supply for the purpose: *Provided further*, That no water shall be furnished for the uses aforesaid if the delivery of such water shall be detrimental to the water service for such irrigation project, nor to the rights of any prior appropriator: *Provided further*, That the moneys derived from such contracts shall be covered into the reclamation fund and be placed to the credit of the project from which such water is supplied.

The SPEAKER. Is a second demanded?

Mr. WALSH. Mr. Speaker, I demand a second.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman from Colorado has 20 minutes and the gentleman from Massachusetts has 20 minutes.

Mr. TAYLOR of Colorado. Mr. Speaker, this is a very short and very plain bill. It has passed the Senate twice. As chairman of the Committee on Irrigation of Arid Lands I reported it out of the committee in the last Congress. This bill is in identically the same language as the one which I reported out a year ago.

We were unable to pass it in the Sixty-fifth Congress, because there were a large number of other bills ahead of it and we never reached it on the calendar. All there is to the bill is this: There are some 30 Government irrigation reclamation projects throughout the West. The reclamation law, strictly speaking, does not allow them to use water for any other than irrigation purposes. As these various reclamation projects have become settled up and developed it has become almost imperatively necessary for them to use some water occasionally for various other purposes than irrigation. For instance, on some of the projects there are sugar-beet factories, alfalfa mills, saw mills, and a great variety of enterprises that are of very great importance toward the convenience, welfare, and development of this country, and yet they are not irrigation uses, and there is no law authorizing the Secretary of the Interior to grant permission to take or use any water whatever for any of such very beneficial purposes. There are some of them where the railroads run across the projects and where there is no authority or way of obtaining any water to run the engines, and they have to sink wells or carry and store water in tanks for the purpose of obtaining water for the railway engines that cross the projects. And there are many other small, some of them temporary, but important uses. The bill itself is heartily recommended by the Interior Department, and it came to me, as I recollect it, from the Reclamation Service or the Interior Department originally when I was chairman of the committee in the last Congress, and, as I stated, I reported it out as such, with the same amendments and in the same language as at the present time.

Nearly all the Senators and Representatives from the Western States are interested in having this bill passed as speedily as possible in the interest of the development of their respective reclamation projects and for the relief of the conditions on various reclamation projects. The bill expressly provides no water can be delivered for any purpose to the detriment of the water service for the irrigation project and that this water shall not be used when it is needed for irrigation. It also expressly provides it shall not be used except the use of it is approved by and agreed to by the water users themselves, so they will always have the matter in their control. It further provides that whatever charges there are, whatever collections or fees or rentals there may be, from all such uses of this water shall go directly into the reclamation fund of that project.

There is a further restriction that no water can be granted for any of these various miscellaneous purposes except upon a showing that there is no other practicable source of water supply for the purpose. So it would seem as though it were safeguarded as much as possible and that there can be no reasonable objection to the people on these projects getting every beneficial use possible out of the water, especially when most of this domestic power for manufacturing use will be at times of the year when the ranchmen are not irrigating; that is, in the fall and winter, when the water, if it is not running into the reservoirs, would probably be running to waste. "The campaign," or running time, of a beet-sugar plant is in the late fall and winter, when no one is irrigating.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. TAYLOR of Colorado. Certainly.

Mr. MANN of Illinois. Do I understand that under the existing law water from an irrigation project can not be used for domestic purposes.

Mr. TAYLOR of Colorado. There is no water appropriated by or adjudicated to a project under the reclamation law expressly for domestic purposes. Of course, the settlers on a project do use water for domestic purposes, for household use, and for stock, but there is no authority or law recognizing or authorizing the use of water for manufacturing or any other of these miscellaneous uses that they want water for.

Mr. MANN of Illinois. I notice in the report of the committee on this bill the statement, which I suppose was approved, where a small quantity of water is very much needed for some domestic or other use not strictly within irrigation.

Mr. TAYLOR of Colorado. Yes.

Mr. MANN of Illinois. Is the law relating to reclamation so confined that people who use water for domestic purposes use it illegally?

Mr. TAYLOR of Colorado. Well, it is generally conceded throughout the West that it is not an illegal use of water appropriated for irrigation purposes to drink some of it or water stock or for ordinary household purposes; that it is a very necessary and common-sense use. But in the amount of water allowed to—that is, the appropriations which are granted to—these various reclamation projects, my understanding is that there is no specific amount adjudicated to them for domestic purposes; that they have to take it out of that irrigation right.

The Secretary of the Interior in his report says:

Under the present law there is no authority for furnishing water for other than irrigation purposes for agricultural or town-site uses.

Whatever "irrigation purposes for agricultural or town-site uses" means is only what the present law allows.

Mr. MANN of Illinois. Suppose a man wants to start a cheese factory on one of these irrigation projects, is there no way that he can even get water for washing out his cheese house?

Mr. TAYLOR of Colorado. No, sir. I do not think washing out a cheese house would, strictly speaking, be either an irriga-

tion or a town-site use. We have quite a number of alfalfa mills and they can not get any water for their use.

Mr. MANN of Illinois. Is there not any provision for water for a city or a town?

Mr. TAYLOR of Colorado. I do not know how far "town-site uses" would go. But if the town entered upon a municipal plant or use of water for any special commercial purposes, I think they have got to get it from some other source, the way the law is now.

Mr. MANN of Illinois. Oh, well, they can not get it from any other source.

Mr. MONDELL. Will the gentleman yield to me?

Mr. MANN of Illinois. In just a second. I want to ask this question: Where a town grows up on one of these reclamation projects the law is such that the town can not be permitted to obtain any portion of the water saved for irrigation for domestic use or town use—for putting out a fire in a burning house, perhaps?

Mr. TAYLOR of Colorado. I think they can drink all they want or use it for household and stock purposes, and undoubtedly put out a fire with it and use it in limited quantities for domestic purposes. But under the present law the use is certainly very limited, and I do not think it is very definitely defined. I know it does not authorize the uses I am attempting to provide for in this bill.

Mr. MANN of Illinois. Not for the fire department?

Mr. TAYLOR of Colorado. I do not believe the present law is as extensive as the gentleman thinks it is.

Mr. MANN of Illinois. I do not agree with the gentleman at all. If that is correct, it is the craziest bit of legislation that was ever put over.

Mr. TAYLOR of Colorado. I am not positive at all as to just what things water on a project can and can not be used for, or just how much or when under all circumstances. Irrigation may and does by custom allow, as I have said, some limited use besides spreading it on the ground to grow crops. It is a question of how far the term "town-site uses" goes. I am trying to enact this law so as to prevent any questions of that kind causing trouble.

Mr. MANN of Illinois. I am in sympathy with the gentleman on this bill, so far as that is concerned, but not that portion of it which would permit the water users to take away the right to the use of water by a factory that had been constructed with their consent.

Mr. TAYLOR of Colorado. Any use that is now recognized and in operation for irrigation or town-site uses would not be taken away from them; any beneficial uses they are now making that come rightfully under those headings would not be disturbed by this law. But no private citizens or corporations can have any vested right to water from a project under the present law, as I understand it, for a commercial or manufacturing plant, or anything of that kind.

Mr. MANN of Illinois. If they permit a town to get water, in the course of time there will be towns there that will have a town water supply.

Mr. TAYLOR of Colorado. They ought to have a town water supply, but they can not use that for manufacturing purposes under the present law.

Mr. MANN of Illinois. I think they could, but I do not know. Certainly they ought to be able to do so.

Mr. TAYLOR of Colorado. They ought to do so, but they do not. That is the reason why we ask for the passage of the bill, so that a town or anybody else can make every possible use of the water that will not be detrimental to the irrigation, and pay the project for the use of it.

Mr. MONDELL. Will the gentleman yield to me a little time?

Mr. TAYLOR of Colorado. Yes. How much time does the gentleman desire?

Mr. MONDELL. I would like five minutes.

Mr. TAYLOR of Colorado. Certainly; I yield the gentleman from Wyoming five minutes.

Mr. MONDELL. Mr. Speaker, the inquiries of the gentleman from Illinois [Mr. MANN] would seem to indicate that irrigation laws are not clear and definite; but that is not true. These water rights are a matter of State grant, and not a Federal grant.

Mr. MANN of Illinois. That is an old contention. I do not agree with that.

Mr. MONDELL. The Federal statute books contain laws that expressly declare these water rights shall be taken and acquired in accordance with State law. The very law that we are amending, under which these rights are taken, carries that provision, and it is written elsewhere in our statutes. Under the law of irrigation there is no individual ownership of water. The water belongs to all of the people; and the State, as representing all of the people, provides the legislation under which the use and the distribution of the water are had. The Secretary of the Interior, or some one for him, goes to the proper State officer, just as any other individual would, and makes an application for a water right to irrigate a certain tract of land, the description of which he gives. If there is water available, and unclaimed and unused by others, the State officer who has jurisdiction of such matters grants to the Secretary of the Interior the right to divert the water for the purpose of the irrigation of the land which he describes, and for no other purpose, except that under the law of irrigation the use by the irrigator for domestic purposes is considered an irrigation use. The farmer, having the right to irrigate his land, has the right to use the water for all the ordinary purposes of his farm and his stock.

The Secretary, acting as the agent, as the trustee, for the future owners of the lands for the irrigation of which the water right is secured, has no authority to make any agreement relative to the use of the water except for the purposes of irrigation. He has no authority except as we give him authority as an agent to do what any other agent could do under the State law; and we provide here that, acting as the agent or the trustee of these people, he may, of the water diverted under the State law, provide for its use for certain purposes incidental to the use for irrigation, as gentlemen have suggested these uses, as, for instance, for a factory, for a railway to fill its reservoirs, and so forth.

Those contracts, when made, may be perpetual, and there is nothing in this law that reads otherwise, or for certain purposes they may be seasonal and more or less temporary.

The Secretary could not take from a factory the water which has been agreed to be delivered to it unless the agreement so provided; but if the factory ceases to do business, the right ceases and becomes reinvested in the people of the State as a whole, and only invested in another as it may be invested under State law.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield there, if he has time?

The SPEAKER. Does the gentleman yield?

Mr. MONDELL. If I had time, I would be glad to. There must, it seems, be legislation of this kind in order to authorize the Secretary of the Interior, the trustee for the future landowners, to make this distribution of the water.

The SPEAKER. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Will the gentleman from Colorado give me one minute more, if he has the time? In that case I will be glad to answer any questions the gentleman from Illinois may ask.

Mr. TAYLOR of Colorado. I yield to the gentleman one minute.

The SPEAKER. The gentleman from Wyoming is recognized for one minute more.

Mr. MONDELL. The gentleman from Illinois [Mr. MANN] asks what a town would do on one of these irrigation projects. It would do either one of several things. It would either secure a separate right for domestic purposes and then apply for a right to run its water through the canals of the project, or it would make arrangement for the use of a part of the water appropriated, in which case the water right should be amended or the town would condemn a part of the water of the project for the use of the town, because the right to use water for domestic purposes is a preference right, and the law of every irrigated section gives the right to condemn water, used for irrigation, for purely domestic purposes. Ordinarily the method pursued would be to ask for a right from the same source, and with it the right to carry water through the canals of irrigation enterprise.

This matter is not without its difficulties and embarrassments, and it is not without hesitation that we from the irrigated section of the country are persuaded to vote for it, though our doubts and our hesitations arise out of fears quite different from those expressed by gentlemen from sections where irrigation is not practiced. We can not through Federal enactments give the Secretary of the Interior, or anyone else, authority to utilize to any considerable extent for other purposes waters appropriated and diverted for irrigation. It is true, however, that these diversions are ordinarily made for irrigation and domestic purposes, but the domestic purposes thus contemplated are necessarily domestic purposes more or less incidental to the primary purpose of irrigation.

I realize that there is always the danger under legislation of this sort that some Secretary of the Interior, or officer acting under him, may become possessed of the notion that he has the

right to sell and peddle about water for a variety of purposes, quite unrelated to the irrigation enterprise, and it is entirely possible to imagine a situation in which an officer not fully conscious of the limitations of his authority might endeavor to do things quite in conflict with the spirit of the irrigaton laws. Such action would, of course, be voidable, but in any event much harm might be done.

It is the hope of those of us from the irrigated portions of the country who vote for this legislation that the officers of the Interior Department will construe and execute this law mindful of the limitations of their authority and of Federal authority generally over the use of water within a State, and avoid the pitfalls that lie in the way should this statute be construed as purposed or intended, or understood, to in any way authorize the use or disposition of water otherwise than in strict accordance with the water laws of the States.

The SPEAKER. The time of the gentleman from Wyoming has again expired.

Mr. TAYLOR of Colorado. Mr. Speaker, I yield five minutes to the gentleman from Montana [Mr. EVANS].

The SPEAKER. The gentleman from Montana is recognized for five minutes.

Mr. EVANS of Montana. Mr. Speaker, this bill seems to me to be perfectly clear and simple. As suggested by those that have preceded me, the water on an irrigation project is controlled by the Secretary of the Interior. The present Federal statute provides that the water upon a reclamation project shall be used for two purposes—for irrigation purposes and for townsite purposes. It makes no provision for the use of that water for any commercial purpose whatever. As these projects develop there are always more commercial uses to which the water could be put for the weeks and months in which the water runs to waste. This bill will facilitate the use of the water when it can not be used for irrigation purposes.

Now I will read you a letter received a few months ago from a State senator from my State. He writes:

MISSOULA, MONT., *November 6, 1919.*

Hon. JOHN M. EVANS,
House of Representatives, Washington, D. C.

MY DEAR MR. EVANS: Some time ago I wrote Senator MYERS in relation to his Senate bill No. 796, relative to the leasing of water from Government irrigation projects, asking him the status of same. I am now in receipt of reply, in which he advises that same passed the Senate and has been favorably reported by the committee in the House.

I am much interested in this bill, for the following reasons: Last year we put in a saw and planing mill plant 1 1/10 miles north of Pablo, on the Flathead Branch. As water had been obtained at many points in the vicinity of the place where we located the mill, we took it for granted that we would be able to secure water there. However, after sinking between 350 and 400 feet we were never able to get enough water to anywhere near keep our boiler supplied. It has cost thousands of dollars with no result at all. The Government ditch is only a few hundred yards from us, and 1 inch of water from this would save us around $400 or $500 per month, as we have to haul practically all water used at our mill in tanks by team from other sources of supply.

I wish you would look over this bill carefully and if you see no objections in the bill I would be glad, indeed, if you would give your support and try and urge its passage as soon as possible. It would certainly be a great relief to us if we could buy from the Government a small amount of water and pipe same to our mill.

Thanking you in advance, and with kind personal regards, I remain,
Very respectfully,

W. H. SMEAD, *President.*

Now, there is a concrete instance where, if the Government could sell that water to a man who wanted to run a sawmill on his own project, it could save individuals considerable money. They could recoup the funds of the irrigation project to that extent.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. EVANS of Montana. Yes.

Mr. MONDELL. The gentleman has used the word "sell." Nobody owns the water in that section of the country. I simply call attention to the use of the word because of the fact that people get an erroneous idea of what is done. This is not a sale of water, as my friend knows. It is a provision under which water can be used for a specific purpose.

Mr. EVANS of Montana. It is a sale of the use of the water. Nobody owns water in that section of the country. Under what is called a "usufruct" of the water you have the right to use it for a beneficial purpose if it is not needed for the purpose of irrigation. Nobody owns absolutely the water in our country, but he owns the right to use it under certain conditions. The Secretary of the Interior controls that water. The owner of a factory wants it for a particular purpose. The Secretary says, "No; you can not use it for an alfalfa mill, or a sugar factory, or a sawmill, or an engine." This bill is for the purpose of allowing the Secretary to let those people have water under conditions when we have a surplus of water running into the sea, and it provides that it can be done not only with the consent of the Secretary of the Interior, but with the consent of the people who own the land surrounding it, and the funds accruing therefrom shall go into the funds of that particular irrigation project.

Mr. WALSH. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. RAKER].

The SPEAKER. The gentleman from California is recognized for five minutes.

Mr. RAKER. Mr. Speaker and gentlemen of the House, this bill was before the Committee on Irrigation of Arid Lands two years ago. The Senate passed the same bill then as it has passed this time. The House committee then placed on the bill the amendments that are on this bill at the present time. The first will be found commencing with line 8 of page 1, and the second amendment on line 7 of page 2. Without those amendments the bill would be extremely dangerous. It borders on danger now, but I believe the amendments will protect it.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. RAKER. In a moment. It is all right, but this will give the Secretary of the Interior power to dispose of hydroelectric energy, use it on irrigation projects, which is a right that should not be given to any man without the consent of the water users who have the interest in it. It is important, but I believe it has been provided for by this amendment to the end that the water users will not consent unless they secure a fair and reasonable consideration for that use. The right in the Government in each one of these instances is identical with the private appropriator.

Mr. KINKAID. Will the gentleman yield?

Mr. RAKER. Certainly.

Mr. KINKAID. Does not the gentleman from California consider that this protects the rights of the water users, that their rights are safeguarded by this amendment, and that there is no loophole left open whereby the privilege granted may be abused?

Mr. RAKER. I think that is so.

Mr. KINKAID. Is it not made as safe and secure as legislation can make it?

Mr. RAKER. I think it is, because it will not only protect the water users but the right to dispose of the hydroelectric energy, as well as any surplus water. The hydroelectric energy of the Roosevelt Dam was sufficient to pay the whole cost of the dam. Had that been given away, the whole value would have been given away. Not only in regard to that, but the small factory or any other enterprise which should be developed ought to pay a reasonable cost for the use of the water, and it should not be granted unless the water users are satisfied with it.

Mr. KINKAID. Does not the gentleman from California believe that the amendment sought by this bill is greatly in the interest of all the water users, and because of the community of interests existing between them and every local industry that might seek to secure water under the provisions of the bill?

Mr. RAKER. Yes.

Mr. KINKAID. There is such an interdependence and community of interests of all the users of water and industries and agents with which they deal.

Mr. RAKER. When the Secretary presents the matter whether water should be authorized to be used for hydroelectric energy or for a mill or any enterprise or any other purpose, it will be submitted to the vote of the irrigationists in that district and they will have an opportunity to canvass the entire matter and see that their interests are protected and that there is a reasonable and fair return paid for the use of the water that belongs to their enterprise.

Mr. MADDEN. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. MADDEN. If they used the water for the development of hydroelectric energy, it would not destroy the water?

Mr. RAKER. No; but some of these projects might develop hydroelectric power that would justify and pay the original cost. The people of that project have paid for it.

Mr. MADDEN. But they would not waste the water; they do not drink the water.

Mr. RAKER. Ordinarily not.

The SPEAKER. The time of the gentleman from California has expired.

Mr. WALSH. Mr. Speaker, I yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, the gentleman from Massachusetts has yielded me time, although I am not opposed to the bill. If anybody is opposed to the bill and wants the time, I am willing to yield. I would like to get a little information about the form of the bill which provides that the Secretary may make a contract with some one else, to be approved by the water users' association, and then provides that no water shall be furnished for uses aforesaid if the delivery of such

water shall be detrimental to the water service for such irrigation projects. Is that a limitation, or a condition, or a direction?

Mr. TAYLOR of Colorado. I think it is all three.

Mr. MANN of Illinois. Is it a limitation on the Secretary or a direction to the Secretary?

Mr. TAYLOR of Colorado. I think it is an authority and a direction to the Secretary and also a limitation. He is authorized, upon condition that, first, he has the approval of the water users; second, that there is no other source of supply; third, that the proceeds shall go to the project, to enter into contracts to supply water for other purposes than irrigation, limited, however, by the proviso that no water shall be furnished for the uses "other than irrigation" if the delivery of such water shall be detrimental to the water service for such irrigation project.

Mr. MANN of Illinois. Does it limit his authority so that if he makes a contract contrary to this provision the contract is illegal, or is it a mere direction to the Secretary to be careful and not make such a contract?

Mr. TAYLOR of Colorado. I think the Secretary is given a certain and limited and specific authority and directed as to how and upon what conditions he can exercise it, and he can not have any more authority or discretion than the law gives him, and if he exceeds the plain limitations of the law I think his contract to that extent would be illegal.

Mr. MANN of Illinois. Let us get at this question. There are few, if any, reclamation projects where all the land subject to irrigation is now being irrigated. Is not that correct?

Mr. TAYLOR of Colorado. Yes, sir; some of the land is very rough.

Mr. MANN of Illinois. Here comes a proposition at one of these places to put up a sawmill or a cheese factory, or some other manufacturing institution which is desirable to be located there. The Secretary makes a contract and it is approved by the water users' association. Subsequently, when all the land is being irrigated, it is discovered that there is not water enough. Is this contract that has been made illegal?

Mr. TAYLOR of Colorado. My understanding of the bill and the report of the Interior Department is that whatever water is allowed to be used by this bill could not be so contracted or used as to be detrimental to the use of the water for irrigation purposes at all. Everyone would have to contract with the Secretary and also with the water users in the light of their authority under this law. Possibly the water users might be estopped from repudiating their own unauthorized contract. But there is very little likelihood of that condition arising. Contracts issued under this law will have to be subject to this law, and everyone must know that they can not interfere with necessary irrigation.

Mr. MANN of Illinois. How does the gentleman mean by not interfering with irrigation—that it can be used and then turned into the irrigating ditch and be used for irrigation?

Mr. TAYLOR of Colorado. Yes. The water can often be used for power or some other beneficial use and then returned to the stream or canal and used for irrigation again.

Mr. WELLING. If the gentleman will yield?

Mr. MANN of Illinois. I yield.

Mr. WELLING. I have in mind an irrigating project where there is a sugar factory that needs 8 second-feet of water during the whole part of October, November, December, and perhaps until the 15th of January. Now, the water that is stored there under the reclamation project is not of one earthly bit of good for irrigation purposes during that particular season of the year. It does not take anything away from the water for irrigation purposes to use it for the sugar factory; but unless the Secretary has the authority lawfully to divert 8 second-feet of water for the use of this sugar factory, it can not operate in that territory.

Mr. MANN of Illinois. I understand; and that is the reason why I am in favor of the bill. But supposing the water is used at a time when it does affect irrigation, then what is the legal effect of this provision of the bill?

Mr. WELLING. So far as the sugar factory is concerned, its use for the purposes of the factory could not interfere with the use of the water for irrigation, because the sugar factory does not begin until after the irrigation season is over. I am not able to answer the gentleman with reference to the legal effect if water is used in July or August.

Mr. TAYLOR of Colorado. I will try to answer the gentleman's question. It says here—

That the Secretary of the Interior in connection with the operations under the reclamation law is hereby authorized to enter into contract to supply water from any project irrigation system for other purposes than irrigation upon such conditions of delivery, use, and payment as he may deem proper.

And then it provides that no such contract shall be entered into except upon a showing that there is no other practical source of water.

Mr. KINKAID. That is covered by the next proviso.

Mr. TAYLOR of Colorado. Yes.

The SPEAKER. The time of the gentleman has expired.

Mr. WALSH. I yield to the gentleman one minute.

Mr. TAYLOR of Colorado. The proviso says:

That no water shall be furnished for the uses aforesaid if the delivery of such water shall be detrimental to the water service for such irrigation projects or to the rights of any prior appropriator.

In other words, they shall not give a man any water if the delivery of it is detrimental to the water service for such irrigation project.

Mr. MANN of Illinois. But suppose they have given it to him, and then it is shown that it is detrimental, what will be the effect?

Mr. TAYLOR of Colorado. The irrigation rights would come in and take it away. They have a proviso right in the State law.

Mr. MANN of Illinois. Does the gentleman think then that if after the contract is made it is shown that there is not water enough for irrigation purposes, they can take the water away from the man who has built a factory, on the understanding that he is to have the water?

Mr. TAYLOR of Colorado. A man can not have the understanding that he can have the water if it is needed for irrigation. Under this law he can not in good faith get any such contract, and if he did I think any water user under the project could obtain an injunction to prevent both the Secretary of the Interior and that man from using any of the water in any way that would interfere with irrigation rights, be in violation of this law.

Mr. MANN of Illinois. The gentleman from Wyoming said these were irrevocable and forever. I can not tell from the reading of the bill.

Mr. WALSH. Mr. Speaker, I am opposed to the measure, possibly because I do not understand the irrigation system of the country, but I doubt whether we should repose authority in the Secretary of the Interior, under whose jurisdiction the irrigation and reclamation projects have been placed, and then say that when he is administering the affairs of this great project he must administer them in a way that certain water users dictate. That is what we are doing in this legislation.

[At this point Mr. CLARK of Missouri entered the Hall and was greeted with applause.]

Mr. WALSH. Mr. Speaker, lest this tremendous outburst of enthusiasm should appear in the RECORD as an expression of approval of the remarks I have made, I desire to note that the distinguished gentleman from Missouri [Mr. CLARK] is back from Elba and that the applause is by way of a greeting to him.

Mr. BLANTON. And in recognition of the Democratic victory out there, and if the gentleman from Massachusetts [Mr. WALSH] needs any water to enable him to swallow that bitter pill, somebody ought to get him a glass.

Mr. WALSH. Let it also appear that the incident could not pass without the gentleman from Texas butting into the RECORD.

Mr. Speaker, I would like further to say that I doubt the propriety of our embarking upon a program which will permit water for reclamation purposes to be diverted under contract, stored in reservoirs for sugar factories, alfalfa mills, railroads, and other purposes. It will be done under contract, and after that has been done under contract approved by the water users, when they have a large quantity of water stored in their reservoirs if dry times come among the water users I do not believe that they can go and take that water away from the people who are entitled to it under the contract, and I believe it will result in establishing a precedent whereby these irrigation systems on these reclamation projects will be used for purposes much beyond the scope and intent of the original legislation.

They say now that some of the locomotives on the railroads passing through these projects sometimes run out of water, and they want this irrigation system so utilized that they can furnish water to the railroads. If that be the case, the railroads ought to be able to establish their own water stations and they ought not to be permitted to build reservoirs and store quantities of this water under contract between the department and themselves, with the approval of the water users, and keep it there all of the time, because a drought may occur, or something may happen to the system, and the water users will be deprived of the use of the water, because it will be in a reservoir of the railroad under a contract entered into and there would be no way of recovering it. I submit that it will be turning this system

of reclamation projects and the water supply for it into commercial purposes. A lot of these promoters will go out there with beautifully illustrated literature—and while the gentleman from Colorado [Mr. TAYLOR] and the gentleman from Idaho [Mr. SMITH] smile rather audibly, I know that those promoters wander at large through the States of those gentlemen; and if they find it is easy to make contracts to get this water under this legislation, you will find that it will be used to encourage the establishment of all sorts of industrial enterprises which from the natural lack of water would never be thought of, and that the reclamation project will become a secondary consideration. That is my objection to the measure, despite the persuasive arguments of the gentlemen who know very much more about it than I do. I believe we are establishing a dangerous precedent here, and that we ought not to permit these contracts to be entered into whereby this water may be so diverted.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. MADDEN. I was interested in the gentleman's statement to the effect that he objected to the water being stored in reservoirs, particularly if a dry time should come—that there might be difficulty. I think it might be well enough to call the attention of the gentleman to the fact that the dry time is here and everybody is on the water wagon. [Laughter.]

Mr. WALSH. The gentleman does not advance that seriously as an argument in favor of this legislation?

Mr. MONDELL. Is not that quite as serious an argument as the gentleman from Massachusetts has been advancing?

Mr. WALSH. Oh, the gentleman is now entering the field of comparison, and he knows what the scholar says with respect to comparisons.

Mr. BAER. Mr. Speaker, will the gentleman yield?

Mr. WALSH. I yield to the reclamation expert from the Dakotas.

Mr. BAER. I think the gentleman's argument good in respect to the reservoir. Take a proposition where farmers get their water supply from the melting snow on the mountains. Suppose some commercial enterprise comes in and exhausts the water in the reservoirs before the spring planting comes on. The gentleman from Colorado says they would have to obtain an injunction in order to stop commercial users from using the water. The gentleman from Massachusetts is an able lawyer and he knows how long it takes to get injunction proceedings. The gentleman knows how it delays matters. They would exhaust all of the water in the reservoir, and the farmers would not have any supply for agriculture.

Mr. WALSH. Yes; or it might evaporate.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. BLANTON. I wanted to see if the gentleman from Massachusetts will permit the gentleman from Missouri [Mr. CLARK] to tell the House what the people of Missouri think about Republican rule in Congress?

Mr. WALSH. Yes; I would be very glad to have him tell the House, but I notice that he probably anticipated the request, for he has disappeared. [Laughter.] Mr. Speaker, for the reasons I have given, including the few side remarks that have been injected by gentlemen who are so enthusiastic about diverting the great Federal reclamation projects and irrigation systems to commercial interests, I am opposed to the proposed bill.

Mr. EVANS of Nevada. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. EVANS of Nevada. Does the gentleman feel that there need be any alarm in view of the provision that if the delivery of the water shall be detrimental to the water service——

Mr. WALSH. Oh, the water may have been delivered long before the urgent need for it arises. Hundreds of thousands of gallons of water may have been delivered to some commercial enterprise, and later something may happen to the system. Then they can not get the water back.

Mr. EVANS of Nevada. The gentleman realizes that it comes under the Secretary of the Interior?

Mr. WALSH. Yes; if the water users approve it. The very men who are interested in this project may be the water users, and they will be the ones to bring the pressure to bear upon the Secretary to enter into this contract. I hope the bill will not pass.

The SPEAKER. The gentleman's time has expired. All time has expired. The question is on the motion of the gentleman from Colorado to suspend the rules and pass the amended bill.

The question was taken.

Mr. WALSH. Division, Mr. Speaker.

The question was taken, and the Chair announced that the ayes were 62, the noes 9.

Mr. WALSH. Mr. Speaker, I think on such an important question as this—Mr. Speaker, I do not dare to make the point.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent that the bill H. R. 406, to which unanimous consent was not given this morning for consideration, be placed at the bottom of the Unanimous Consent Calendar.

The SPEAKER. The gentleman from California asks unanimous consent that the bill referred to be permitted to remain at the bottom of the Unanimous Consent Calendar. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Mr. Speaker, on behalf of the timid gentleman from Massachusetts [Mr. WALSH] I would like to make the point of order of no quorum right now.

The SPEAKER. The gentleman from Texas makes the point of order of no quorum present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p. m.) the House adjourned to meet to-morrow, Tuesday, February 17, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Chief of Bureau of Efficiency, transmitting report on the Federal Government's activities in the promotion of foreign commerce (H. Doc. No. 650), was taken from the Speaker's table and referred to the Committee on Foreign Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GRAHAM of Illinois, from the Committee on Expenditures in the War Department, submitted a report (No. 637) on expenditures in the War Department—aviation, which said report was referred to the House Calendar and ordered printed with illustration.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BEE, from the Committee on Claims, to which was referred the bill (H. R. 12333) for the relief of Albert T. Huso, reported the same without amendment, accompanied by a report (No. 636), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 12425) for the relief of Orlando Ducker, major and surgeon in the War with Spain, and the same was referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FULLER of Illinois: A bill (H. R. 12556) limiting the number of pages of newspapers, magazines, and other periodicals entitled to transmission in the mails as second-class matter; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 12557) to prohibit the export of wood pulp and print paper for the period of one year; to the Committee on Interstate and Foreign Commerce.

By Mr. MICHENER: A bill (H. R. 12558) authorizing the Secretary of War to donate to the village of Manchester, Washtenaw County, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRITTEN: Joint resolution (H. J. Res. 295) calling attention to a violation of the Monroe doctrine; to the Committee on Foreign Affairs.

By the SPEAKER: Memorial of the Senate of the Commonwealth of Massachusetts, urging the President of the United States to defer the proposed sale of the ships of the German

merchant fleet taken by the United States during the late war; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of South Carolina, regarding the Armenian situation; to the Committee on Foreign Affairs.

By Mr. DOMINICK: Memorial of the Legislature of the State of South Carolina, regarding the Armenian situation; to the Committee on Foreign Affairs.

By Mr. ROGERS: Memorial of the Senate of the Commonwealth of Massachusetts, urging the President of the United States to defer the proposed sale of the ships of the German merchant fleet taken by the United States during the late war; to the Committee on the Merchant Marine and Fisheries.

By Mr. TAGUE: Memorial of the Senate of the Commonwealth of Massachusetts, urging the President of the United States to defer the proposed sale of the ships of the German merchant fleet taken by the United States during the late war; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 12559) granting an increase of pension to Eugene B. Dwight; to the Committee on Invalid Pensions.

By Mr. BLAND of Virginia: A bill (H. R. 12560) granting a pension to Willie Lee; to the Committee on Pensions.

By Mr. CANTRILL: A bill (H. R. 12561) granting a pension to Margaret Smallwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12562) granting a pension to James Baker; to the Committee on Pensions.

By Mr. CASEY: A bill (H. R. 12563) to place the name of Jedediah C. Paine upon the unlimited retired list of the Army; to the Committee on Military Affairs.

By Mr. DICKINSON of Missouri: A bill (H. R. 12564) granting an increase of pension to James W. Titus; to the Committee on Pensions.

By Mr. FERRIS: A bill (H. R. 12565) granting an increase of pension to William J. Givens; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 12566) granting an increase of pension to James E. Wilson; to the Committee on Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 12567) granting a pension to Charlotte F. Perrin; to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 12568) granting a pension to Lennie Ann Shunk; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 12569) granting an increase of pension to Clara A. Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12570) granting a pension to Robert Gardner; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 12571) granting an increase of pension to William J. Degnan; to the Committee on Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 12572) granting a pension to Mary Long; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 12573) granting a pension to Rufus Dewitt; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 12574) granting an increase of pension to Alice Jewett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12575) granting an increase of pension to Ruth Posey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12576) granting a pension to Henry Gregg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12577) granting a pension to James Lynch; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1579½. By the SPEAKER (by request): Petition of Worthington Ireland and 83 others, opposed to the sale of the 30 former German ships; to the Committee on the Merchant Marine and Fisheries.

1580. Also (by request), petition of the Manufacturers and Dealers' League of the City and State of New York, opposing the enactment and enforcement of the eighteenth amendment to the Constitution of the United States; to the Committee on the Judiciary.

1581. Also, petition of 89 residents of the District of Columbia, opposing sale of the 30 former German ships, etc.; to the Committee on the Merchant Marine and Fisheries.

1582. By Mr. BABKA: Petition of Federal Employees' Union No. 73, Cleveland, Ohio, favoring higher pay for Steamboat-Inspection Service; to the Committee on Reform in the Civil Service.

1583. By Mr. BURROUGHS: Petition of Benjamin W. Groce, secretary Local Union No. 1147, United Textile Workers of America, in opposition to the spreading of propaganda intended to destroy the existing form of our Government; to the Committee on the Judiciary.

1584. By Mr. FESS: Petition of Ohio Woman Suffrage Association against universal military service and training; to the Committee on Military Affairs.

1585. By Mr. FULLER of Illinois: Petition of sundry citizens of the State of Illinois, protesting against the sale of the German ships; to the Committee on the Merchant Marine and Fisheries.

1586. By Mr. GALLIVAN: Petition of the customs employees of Massachusetts, urging the passage of House bill 12046; to the Committee on Appropriations.

1587. Also, petition of the Boston Chamber of Commerce, opposing the Gronna bill, etc.; to the Committee on Agriculture.

1588. Also, petition of 300 citizens of Massachusetts, protesting against the sale of the former German ships and also for an investigation, etc.; to the Committee on the Merchant Marine and Fisheries.

1589. By Mr. MAHER: Petition of American Association of Engineers in support of the Keating Commission; to the Committee on Reform in the Civil Service.

1590. Also, petition of Three hundred and seventh Infantry Post of the American Legion, favoring universal military training; to the Committee on Military Affairs.

1591. By Mr. MOORE of Ohio: Petition of Federal Employees' Union, No. 73, Cleveland, Ohio, favoring higher pay for Steamboat-Inspection Service; to the Committee on Reform in the Civil Service.

1592. By Mr. O'CONNELL: Petition of Twenty Year Club, Watervliet Arsenal, N. Y., urging support of the Army pay bill; to the Committee on Military Affairs.

1593. Also, petition of American Association of Engineers in support of the Keating Commission; to the Committee on Reform in the Civil Service.

1594. Also, petition of Three hundred and seventh Infantry Post of the American Legion, favoring universal military training; to the Committee on Military Affairs.

1595. Also, petition of sundry citizens of the State of New York, protesting against the sale of the German ships; to the Committee on the Merchant Marine and Fisheries.

1596. By Mr. RANDALL of California: Petition of 150 members of the First Methodist Episcopal Church of Long Beach, Calif., urging the passage of the Sims bill relative to gambling, etc.; to the Committee on Interstate and Foreign Commerce.

1597. By Mr. SIEGEL: Petition of the Rotary Club of New York City in regard to pay of customhouse employees in the city of New York; to the Committee on Appropriations.

1598. By Mr. SMITH of Idaho: Petition of sundry citizens of Castleford, Idaho, urging the enactment of House bill 262; to the Committee on Interstate and Foreign Commerce.

1599. Also, petition of Idaho State Federation of Labor, Pocatello, Idaho, opposing the Cummins and Esch bills; to the Committee on Interstate and Foreign Commerce.

1600. Also, petition of laborers of Idaho Falls, Idaho, opposing House bill 11430 and Senate bill 3317; to the Committee on the Judiciary.

1601. By Mr. TAGUE: Petition of 92 citizens of Boston, Mass., protesting against the sale of the German ships taken by the United States during the recent war; to the Committee on the Merchant Marine and Fisheries.

1602. By Mr. VAILE: Petition of American Legion, Marcellus H. Chiles Post, No. 41, Denver, Colo., urging favorable action on the Jones-Raker bill, providing relative rank for nurses; to the Committee on Military Affairs.

1603. By Mr. WINSLOW: Petition of 77 residents of the fourth Massachusetts congressional district opposing the sale of the former German ships by the Government; to the Committee on the Merchant Marine and Fisheries.

1604. Also, petition of sundry citizens of Melville, Mass., favoring the enactment of the Sims bill (H. R. 262); to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *February 17, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou dost rule all things through the changeless order of Thine own will and providence. Thou hast given to us the changeless principles upon which we are to build our lives. We lift our hearts to Thee that we may be put in accord with the divine will. We come to the source of truth. If any of us scorn the truth, we pray Thee to give us special illumination. If any of us doubt the ultimate triumph of the truth, give us the inspiration that Thy grace alone can supply. Help us to consecrate ourselves to the truth, that Thou hast revealed to us through Thy Son. We ask for Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

RELIEF OF CONTRACTORS (S. DOC. NO. 224).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, recommending that the proposed appropriation of $500,000 in the pending second deficiency appropriation bill for "relief of contractors" be increased to $1,000,000, which was referred to the Committee on Appropriations and ordered to be printed.

UNITED STATES HOUSING CORPORATION (S. DOC. NO. 225).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of Labor submitting supplemental estimate of appropriation in the sum of $300,000 required by the United States Housing Corporation for operation of projects, fiscal year 1920, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 796) for furnishing water supply for miscellaneous purposes in connection with reclamation projects, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 2454) for the relief of certain members of the Flathead Nation of Indians, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 3037) to authorize the Secretary of War to transfer, free of charge, certain surplus motor-propelled vehicles and motor equipment to the Department of Agriculture, Post Office Department, Navy Department, and the Treasury Department for the use of the Public Health Service, and certain other surplus property to the Department of Agriculture, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a joint resolution (H. J. Res. 194) amending joint resolution extending the time for payment of purchase money on homestead entries in the former Colville Indian Reservation, Wash., in which it requested the concurrence of the Senate.

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Harris	McKellar	Smith, Md.
Beckham	Harrison	McLean	Smoot
Borah	Henderson	McNary	Spencer
Brandegee	Hitchcock	Moses	Sterling
Calder	Johnson, S. Dak.	Nelson	Sutherland
Capper	Jones, N. Mex.	New	Thomas
Colt	Jones, Wash.	Norris	Townsend
Culberson	Kellogg	Nugent	Trammell
Curtis	Kendrick	Overman	Underwood
Dial	Keyes	Page	Wadsworth
Dillingham	King	Pittman	Walsh, Mont.
Elkins	Kirby	Pomerene	Watson
Fernald	Knox	Ransdell	Williams
Fletcher	Lenroot	Reed	Wolcott
France	Lodge	Sheppard	
Frelinghuysen	McCormick	Simmons	
Hale	McCumber	Smith, Ga.	

Mr. DIAL. I desire to announce that my colleague [Mr. SMITH of South Carolina] is detained by illness. I ask that this notice may continue for the day.

Mr. CURTIS. I wish to announce the absence of the Senator from Iowa [Mr. KENYON], the Senator from Delaware [Mr. EDGE], and the Senator from Louisiana [Mr. GAY] on business of the Senate.

Mr. SMITH of Maryland. I desire to announce that the Senator from Wyoming [Mr. WARREN], the Senator from Illinois [Mr. SHERMAN], and the Senator from Colorado [Mr. PHIPPS] are detained at a meeting of the Appropriations Committee.

Mr. McKELLAR. The Senator from California [Mr. PHELAN], the Senator from Arkansas [Mr. ROBINSON], and the Senator from Arizona [Mr. ASHURST] are absent on official business.

The Senator from Rhode Island [Mr. GERRY] is detained at home by illness.

The Senator from Virginia [Mr. SWANSON] and the Senator from Tennessee [Mr. SHIELDS] are detained by illness in their families. The Senator from Massachusetts [Mr. WALSH] is detained by the illness of a member of his family.

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. There is a quorum present.

PETITIONS AND MEMORIALS.

Mr. KEYES presented a memorial of Carders' Local Union No. 1147, United Textile Workers of America, of Manchester, N. H., remonstrating against the spreading of propaganda proposing to overturn the present form of government in the United States, which was referred to the Committee on the Judiciary.

Mr. CAPPER presented a petition of Luka Post No. 304, Grand Army of the Republic, Department of Kansas, of Oak Hill, Kans., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented memorials of sundry citizens of McPherson County, Marion County, and Kiowa County, and of Spring Creek Union Grange No. 1682, Patrons of Husbandry, of Sedan, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. TOWNSEND presented a memorial of the Pattern Makers' Association, of Detroit, Mich., and a memorial of Cigarmakers' Local Union No. 22, of Detroit, Mich., remonstrating against the passage of the so-called Sterling sedition bill, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Michigan, praying for the speedy ratification of the League of Nations, which was ordered to lie on the table.

Mr. PHELAN presented a petition of Post No. 13, American Legion, of Pasadena, Calif., praying for the enactment of legislation giving rank to Army nurses, which was referred to the Committee on Military Affairs.

DEFICIENCY APPROPRIATIONS.

Mr. WARREN. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 12046) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, and I submit a report (No. 426) thereon. I wish to say that I shall undertake to call up the bill for consideration to-morrow.

The VICE PRESIDENT. The bill will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 3928) relating to the ships acquired from Germany, and for other purposes; to the Committee on Commerce.

By Mr. NUGENT:

A bill (S. 3929) permitting all members of the Officers' Reserve Corps of the Army, Regular Army Reserve, Naval Reserve Force, and the United States Marine Reserve Corps to purchase supplies from the commissary stores of the Army and Navy; to the Committee on Military Affairs.

By Mr. SPENCER:

A bill (S. 3930) authorizing the Secretary of War to donate to the city of Fulton, Callaway County, Mo., a captured German supergun; to the Committee on Military Affairs.

ARTICLE BY DR. CHARLES W. ELIOT.

Mr. FLETCHER. Mr. President, I ask to have printed in the RECORD an article appearing in the New York Times of Sunday last, by Dr. Charles W. Eliot, of Cambridge, Mass., on the subject of Senate obstructionists' estimate of the people.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 15, 1920.]

SENATE OBSTRUCTIONISTS' ESTIMATE OF THE PEOPLE—DR. ELIOT CALLS IT THE LOWEST EVER MADE BY NATIVE OR FOREIGNER, AND SAYS SENSELESS APPREHENSIONS HUMILIATE AMERICA.

[By Dr. Charles W. Eliot, president emeritus of Harvard University.]

The Senate obstructionists to ratification apparently hold the opinion that the American people are too dull to see that their interest in the travail of the world is now just what it was in April, 1917, when they went to war eagerly and unanimously on behalf of arbitration of international quarrels—a characteristic American doctrine for a century past—reduction of armaments, security for small nations, safety for all democracies, and strong international means of preventing war by physical force as well as public opinion. Three years ago the American people could draw the logical conclusion from the sinking of the *Lusitania*, the presence of German submarines off Nantucket, and the proposal of Herr Zimmermann that Japan and Mexico should unite to attack Texas, New Mexico, and Arizona. They then saw the menace of the German power to our freedom. They saw that Great Britain and France were staggering under the German assaults, and hurried to the rescue. But now the Senate obstructionists seem to think that they can lead the people of this country to believe that the objects for which America fought are attained, that the old despotisms are crushed, and the new ones will destroy themselves; that America has no interest in helping Europe or Asia to peace and order, and may safely withdraw to isolation and the care of her own material interests on her own territory. America first! This is the lowest estimate of the intelligence and good sense of the American people that has ever been made by native or foreigner. That such an estimate should be made by public men who had the means of watching the way the minds and hearts of the common and uncommon people in the United States worked in 1917 and 1918 would seem incredible, but is a humiliating fact.

The obstructionists also believe that the American people relapsed into gross selfishness when the fighting stopped, and are now ready to do the best they can for themselves, without concern for either the miseries and terrors or the trembling hopes of Europe and of humanity. The obstructionists actually urge the people to abandon the altruistic motives which have governed them for three years past, and to be henceforth selfish and hard-hearted. Safety first! Save yourselves! Never mind these others who have fallen among thieves and are left half dead. Never was a sympathetic and generous people more misunderstood and misinterpreted by a group of their own elected servants.

The obstructing Senators express great anxiety lest the assembly or the council of the league should in some way impair the rights of the American Congress or interfere with our domestic affairs. Such fears indicate that those who feel them either do not understand the meaning of the few short articles of the covenant of the League of Nations or have failed to attain to an adequate conception of the influence America has had in the preparation of the treaty and covenant or will have in carrying them into gradual execution, an influence solidly based on the immense resources of the country and the enterprising spirit of the people in both peace and war. What little Americans they are who harbor such baseless and fantastic fears! Did any power interfere with the United States before she proved herself the strong power she is now everywhere known to be? What power in Europe, Asia, or Africa will think it expedient to assail or try to circumvent the constitutional rights of the legislative branch of the most powerful and resourceful State in the whole league? One would suppose that these timorous Senators were thinking of what might happen to some weak or backward State at the hands of the big international association.

Some of the obstructing Senators are much concerned because the United States is to have only one vote in the international assembly, like France and Italy; whereas the British Empire is to have one vote, and Canada, Australia, South Africa, New Zealand, and India will also have one vote each, making six votes in all for the actual governments of British derivation. But what have we to fear from that equitable arrangement? Did not those peoples help to win the war? Canada, Australia, South Africa, and New Zealand are intense democracies which are much more likely to agree and act with us than with France or Italy, or even Great Britain, in the international discussions of the future. Moreover, decisions at any meeting of the assembly or of the council require unanimous consent, so that each single member has an absolute veto on any proposed action in either body. (Art. 5.) What a blind jealousy or faint-hearted apprehension must lie behind this objection to ratification!

The obstructing Senators have exhibited an extraordinary timidity about the means of withdrawing from the League of Nations. The covenant of the league contemplates a permanent league which is to carry out through a long series of years the new international policies which are admirably described in the preamble to the covenant, as follows:

> The high contracting parties, in order to promote international cooperation and to achieve international peace and security by the acceptance of obligations not to resort to war; by the prescription of open, just, and honorable relations between nations; by the firm establishment of the understandings of international law as the actual rule of conduct among Governments; and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another agree to this covenant of the League of Nations.

Nevertheless, these high contracting parties, in order not to bind themselves to perpetual membership in the new League of Nations, provided in the last sentence of article 1, a natural, peaceful means of withdrawal from the league, as follows:

> Any member of the league may, after two years' notice of its intention so to do, withdraw from the league, provided that all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of withdrawal.

This is just such an amicable arrangement as reasonable partners in a business firm might make to provide for the withdrawal of any member of the firm who for any reason might wish to withdraw. At the proviso in this sentence the obstructing Senators took intense alarm and have insisted that no power but the United States should have any right to decide whether the obligations of the United States under the covenant shall have been fulfilled. The obligations of the United States which most excited their alarm resulted from article 10, which declares as follows:

> The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression or in case of any threat or danger of such aggression the council shall advise upon the means by which this obligation shall be fulfilled.

The council is to "advise" only, not give orders. The obligation of members of the league to "respect and preserve as against external aggression the territorial integrity and existing independence of all members of the league" is, of course, essential to the effective promotion of "international cooperation" and to the achievement "of international peace and security." An essential part of the treaty relates to the new boundaries of European nations, old and new, and it is obvious that the fruits of the military victory won by the allied and associated powers will not be reaped unless these boundaries are substantially preserved. The objects for which America made her sacrifices of men and treasure will not be attained unless Alsace-Lorraine goes back to France, Poland is reconstructed, and Italia irredenta is restored to the Kingdom of Italy. Still, the freedom of action of the United States is not threatened; the council can only advise the cooperating nations what to do.

The obstructing Senators are appalled at the possible cost to America of this obligation to maintain these new boundaries, a cost, they think, which might be determined by the council and not by the Government of the United States. They declare that neither the assembly nor the council should be allowed to say whether or not the United States had fulfilled all its obligations when it wishes to withdraw from the league, or to determine the contribution the United States should make to the preservation of the new national boundaries which the treaty creates. They apparently can not see that the covenant and treaty do not abridge the future freedom of action of the people of the United States, or of any other people represented in the league. Suppose the council of the league entertains the opinion that the United States has not fulfilled all its obligations at the moment when it would like to withdraw from the league, what can the council do to prevent the withdrawal of the United States? No decision of the council can be made which the United States does not like, for the council can take no action whatever without the consent of the United States, since unanimity is required for council action. The United States has an absolute veto on every decision of the council. Suppose the council to entertain the opinion that in order to preserve the boundaries fixed by the treaty the United States ought to send over a million men to fight in Europe. If the Government or Congress of the United States does not assent to that measure the council can not enforce its own view. The obstructing Senators are not fighting any real danger to American institutions or American freedom. They are shuddering at spooks and bogies of their own summoning.

But perhaps one might conceive that this League of Nations, through its assembly, council, or international court, might nefariously contrive some amendment of the covenant or treaty to which they might hold that the United States was bound. Even this apprehension is absolutely excluded by article 26 of the covenant, which describes the careful mode in which amendments to the covenant may be effected. The last sentence of the article is as follows:

> No such amendment shall bind any member of the league which signifies its dissent therefrom; but in that case it shall cease to be a member of the league.

Three reservations out of 14 are apparently intended to protect citizens of the United States from interference by the league with their personal business relations, property rights, and valued privileges of associations. Such interferences could only proceed from the council of the league or from commissions created or superintended by that council. But how could they possibly proceed from the council directly or indirectly? There sits at every meeting the representative of the United States of America, holding an absolute veto on every decision of the council. It is incredible that the American representative should allow to pass any measure which could possibly affect the property rights or legitimate privileges of citizens of the United States. Again, a senseless apprehension and futile precautions against imaginary dangers are exhibted without shame by American Senators! What a humiliation for the country before the wondering world!

The American people by a great majority wish to "carry on" heartily and strongly until the ends for which they went to war are measurably attained. They do not propose to count the money or the work which "carrying on" will cost. If they were disposed to do so, they would have to take account of the opinion held by competent economists, engineers, and sanitarians that the cost to America of "quitting" now would be vastly greater than the cost of "carrying on." They do not propose to abandon the cause for which thousands of American youth died on French soil in 1918. They mean to try resolutely and patiently to abolish militarism, prevent war, promote liberty under law, and so make the world a happier place to live in. They cry aloud to all obstructionists: We wish to get into the League of Nations and stay in. It is the best hope of the desolated and distracted world. We wish to help put into operation at once the ameliorating and restoring provisions of the league and treaty combined. Let us have no more heartless delays or meaningless discussions. Ratify the covenant and treaty, and let us Americans get to work at utilizing and multiplying the manifold good in them.

CHARLES W. ELIOT.

CAMBRIDGE, MASS., *February 12, 1920.*

PRICE OF WHEAT.

Mr. MCCORMICK. Mr. President, I offer a letter which I ask to have printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONTINENTAL AND COMMERCIAL
NATIONAL BANK OF CHICAGO,
Chicago, February 7, 1920.

Hon. MEDILL MCCORMICK,
United States Senate, Washington, D. C.

MY DEAR MR. SENATOR: It has been brought to my attention that the Committee on Agriculture of the United States Senate has favorably reported the Gronna bill, which, if passed, will do away with the Government guaranty affecting the price of wheat to June 1 this year. It seems to me that the Government is under a very strict moral obligation to abide by the guaranty which it made, covering the marketing until June of this year of the wheat crop grown in 1919. The farmer was encouraged greatly to increase his acreage by reason of the law fixing a minimum price, and it would be decidedly unjust to the farmer to repeal this statute and have the repealing act become effective as proposed.

Not only did Congress and the administration agree to protect the grower in the marketing of his wheat, but, through the inadequacy of transportation, it has been impossible to market the wheat produced last year, as we are reliably informed by our constituents that at least 200,000,000 bushels have failed to reach the markets because of lack of transportation facilities. The inability of the railroads to handle the grain offered has been due to several reasons, the principal ones being shortage of proper rolling stock, congestion at terminals, and the general disorganization growing out of the coal strike. Certainly the holders ought not to be denied the minimum guaranty on wheat held back for this reason.

Contracts have been entered into between elevator owners and millers which would in effect be abrogated by the passage of the bill now under consideration. If it should become law it would entail heavy loss by these interests, but still heavier and more widespread loss upon the agricultural community. The farmer would have every right to regard this as a breach of trust.

I very much hope that you will give this your earnest consideration, because I believe that the enactment of the Gronna bill would be very unfortunate.

Yours, very truly, RALPH VAN VECHTEN,
Vice President.

SALE OF SHIPS.

Mr. WALSH of Montana. Mr. President, in the course of some remarks yesterday by the Senator from Arizona [Mr. ASHURST] reference was made to the disposition of certain German ships which for a time were sailed under the American flag, including the *Imperator* and other vessels of like character. Without saying so, perhaps the Senator left the impression that these ships had become the property of the United States, and that they had been given away, as the Senator expressed it, by the Shipping Board. I think a plain statement of the facts in reference to the matter will be helpful, and I desire to put into the RECORD at this time a letter addressed to me by Raymond B. Stevens, of the Shipping Board. We never did have any title to those ships. They never belonged to us in any sense whatever. They came to us under the terms of the armistice, which provided as follows:

In order to secure the provisioning of Germany and of the rest of Europe the German Government shall take all necessary steps to place the German fleet for the duration of the armistice under the control and the flags of the allied powers and the United States, who shall be assisted by a German delegate. This arrangement shall in no wise affect the final disposal of such vessels. The Allies and the United States shall, if they consider this necessary, replace the crews either entirely or in part, and the officers and crews so replaced shall be repatriated to Germany.

These, Mr. President, were not the ships which were seized by the United States in its ports or elsewhere. They were ships which were voluntarily turned over by the German Government, ships lying in her ports after the war was over, pursuant to the terms of the armistice, to be divided among the Allies as should be determined. The allocation of these ships was made by what was known as the allied maritime council, our representative upon that council in London being Mr. Raymond B. Stevens, a member of the Shipping Board, heretofore referred to. When these ships were thus turned over to the Allies the United States asked for a number of them to be used as transports to aid in the transportation of our soldiers abroad to their homes in this country. Pursuant to this request the *Imperator* and the other ships referred to by the Senator from Arizona were by the allied maritime council turned over to the United States for temporary use as transport ships. When they were no longer required for that purpose the ships, under the direction of the allied maritime council, were turned over to Great Britain for use until final disposition of them should be made by the treaty or the representatives of the allied powers.

The suggestion is made that they ought to be distributed, and probably they will be distributed, in the proportion in which the various allied countries lost ships by submarine warfare, credit being given to Germany on the reparation account. Of course, in any distribution upon such a basis Great Britain will receive a very high percentage and the United States a comparatively low percentage, the losses of American tonnage being relatively small.

Mr. JONES of Washington. Mr. President——

Mr. WALSH of Montana. I yield to the Senator.

Mr. JONES of Washington. As I understand it, the ships that are particularly involved in this controversy, and which it is proposed to sell, are the interned ships in our ports.

Mr. WALSH of Montana. Undoubtedly; the Senator is quite correct about that; but the Senator from Arizona, in making his argument yesterday in support of his resolution, stated that not only were those ships about to be sold at an inadequate price but that the Shipping Board had actually given away gratis a number of other ships, including the *Imperator*.

I ask to have printed in the RECORD the following letter from Mr. Stevens concerning this subject.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SHIPPING BOARD,
Washington, February 16, 1920.

Hon. THOMAS J. WALSH,
United States Senate.

MY DEAR SENATOR: One of the conditions of the extension of the armistice was that all German ships in German ports, both cargo ships and passenger ships, should be turned over to the Allies for their use pending the final disposition of the ships by the peace conference. It was further agreed among the Allies that pending such disposition the control of these ships should be in the hands of the allied maritime transport council or in the transport executive, which afterwards took the place of the transport council. The transport executive was authorized to distribute these ships among the different Governments for immediate use. It was distinctly understood that this did not carry with it any title to the ships or any right to retain them permanently. The nation receiving the ships, or any part of them, was to fly on the ships not only the flag of that nation

but the flag of the allied maritime transport council. Under this plan the transport executive assigned certain passenger ships to the United States Government for the purpose of transporting American troops. When this service was completed by the United States Government, these ships were turned over, at the direction of the transport executive, to Great Britain for use by that Government until their title was finally disposed of by the peace conference.

I understand the agreement arrived at for the final disposition of all these enemy ships, including the passenger ships in question, was that they should be put into a common pool and distributed among the European Allies in proportion to their submarine losses. Under this rule undoubtedly the greater proportion of these ships will eventually go to England, as England suffered by far the greatest losses through the submarine warfare. The United States does not share in that distribution, because we have retained, with the permission of the Allies, all the enemy ships seized in our ports at the time we entered the war. It can not be said that the United States has been treated unfairly in the distribution of the German ships, since the ships retained by us are greater than our total losses, whereas the share of the German tonnage received by other nations is substantially less than their losses.

The Shipping Board in surrendering these German passenger ships which had been used for the transportation of troops gave up no rights of the United States. It merely carried out an express agreement which had been entered into by all the Allies, including ourselves, previous to the assignment of these ships to us for our use.

Very sincerely, yours, R. B. STEVENS,
Vice Chairman.

DEMOTION OF ARMY OFFICERS.

Mr. HARRISON. Mr. President, I ask unanimous consent to have printed in the RECORD the interview given by the senior Senator from Oregon [Mr. CHAMBERLAIN] on the policy of the General Staff in relation to the demotion of Army officers.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the New York Tribune, Jan. 25, 1920.]

INJUSTICE HAS DEMORALIZED THE ARMY, SAYS CHAMBERLAIN—CONDUCT OF THE WAR DEPARTMENT DECLARED TO BE CHARACTERIZED BY UNFAIRNESS—NOT MERELY POOR PAY IS THE CAUSE OF THE PRESENT DISSATISFACTION.

WASHINGTON, D. C.

That the morale of the Army can not long stand up under the injustices being committed in the matter of demotions and promotions is the belief of Senator GEORGE E. CHAMBERLAIN, of the Military Affairs Committee of the Senate. Senator CHAMBERLAIN has been one of the frankest critics of conditions in the Army, and it was for that reason the Tribune asked him for an answer to the question:

"What is the matter with the Army?"

One of the explanations most frequently heard is that the pay is too small. That is not the true one; or, rather, not the fundamental one, according to Senator CHAMBERLAIN. Asked just what the trouble was as he saw it, the Oregon Senator made the following statement:

"What is the matter with the Army? Why are so many officers resigning? Why are there such bitter complaints about the Army by the Army officers themselves? Many answers have been made, but the most frequent one is that the pay is too low. But is that the prime reason? I don't think so.

"The old Army of the eighties and nineties was poorly paid, poorly fed, poorly housed, and existed under other conditions that would seem barbarism to the present Army of to-day. And yet that old Army had a high morale, was proud of itself, and, when called upon to go into a war unprepared as to numbers and equipment, won the unstinted praise of every observer, foreign and domestic, by its superb bearing on the fever-haunted soil of Cuba, as well as on the western plains.

"The basis of morale in the Army, as everywhere else, is honesty and fair dealing by those in power. How, then, can we expect the Army to have any morale at all when it is the victim of unfairness so flagrant as to seem impossible except among savages?

THOUSANDS DEMOTED.

"Nearly one year ago the War Department began to demote Regular Army officers from their temporary rank and thus return them to their proper grades in the Regular Army. They began with major generals and brigadier generals, so that soon a number of Regular officers who had won distinction in France found themselves majors and lieutenant colonels, and even captains in a few instances, while hundreds—yes, literally thousands—of their juniors continued in the grades of lieutenant colonel and colonel. Complaint elicited only the reply that some injustices must inevitably result during the demobilization of 3,500,000 men, but that all would be corrected before demobilization was complete. These officers were drawing $50 to $100 a month less pay than their juniors—some junior by as much as 19 years—and yet not a great deal of complaint was made, because they thought the War Department sincere in saying the condition would soon be corrected.

"But was it corrected? To the everlasting shame of the War Department it must be said that not only has the condition been unchanged but the unfairness of the demotions has been emphasized by still more unfair promotions.

"To-day there are hundreds of Regular majors and lieutenant colonels who served with the greatest distinction on every field in France who daily serve with juniors who outrank them by one or two grades and who draw from $50 to $100 more pay a month for doing work of far less importance and responsibility. And these older men are the ones who have grown families to support and those other extra expenses that come with advancing years and a growing acquaintance. Honesty and fair dealing! To these men those words are only a mockery.

"The Chief of Staff in February, 1919, refused to promote these demoted officers so as to put them in their relative places in the Army, saying it was not the policy to make any promotions. But what then? A little later the road was cleared for promotions 'where the officers were on work commensurate with the increased rank.' Did the demoted brigadier generals profit by this? I have heard of only two instances, both in the office of the Chief of Staff—Lieut. Col. John W. Barker, who was promoted to full colonel until he was relieved from the office of the Chief of Staff and ordered to the General Staff College, when he was again demoted to lieutenant colonel; also, the still worse case of the Chief of the Personnel, in the office division of the Chief of Staff, who was demoted to the grade of major from that of brigadier general October 31, 1919, and promoted back to the grade of colonel the next day, November 1, 1919.

"Lest you think this picture overdrawn, here are a few of those demoted from the grade of brigadier general, together with their present rank, while there are hundreds, and in some cases probably more than a thousand officers, both regular and emergency, from civil life, who still outrank the officers named.

"Lieut. Col. C. W. Kutz, at present Engineer Commissioner of the District of Columbia, was graduated from West Point in 1893 near the head of his class. He served with great credit and even distinction until the outbreak of the World War. He was sent to France in July, 1917, and did such excellent work with a regiment of American railroad engineers back of Verdun that the French decorated him and the United States made him a brigadier general. On February 5, 1918, he was demoted to lieutenant colonel, which grade he still holds.

A CONTRAST.

"Contrast his case with that of Col. James G. Steese, also of the Corps of Engineers, but who was graduated from West Point in 1907, 14 years after Lieut. Col. Kutz. Col. Steese served only in the United States in the personnel division, first of the Engineer Department, but later in the office of the Chief of Staff. Col. Steese was given a distinguished service medal and is still a full colonel. Then there is Col. John M. Wright, also of the Corps of Engineers, who did not serve outside the United States during the war, but who remained a full colonel until he resigned January 1, 1919.

"Maj. Leroy T. Eltinge, who served throughout the war on Gen. Pershing's staff, first on operations and then as bridagier general and assistant chief of staff of the American Expeditionary Forces, with all the responsibilities of that office, is now assistant commandant of the Army Staff School at Fort Leavenworth, Kans., with the rank and pay of a major. Justice and fairness?

"Maj. Hugh A. Drum, who served throughout the war, first on Gen. Pershing's staff and then as chief of staff of the First Army all through the terrible days of the Argonne, now commandant of the Army Staff School at Fort Leavenworth, with the rank of major.

"Maj. Malin Craig, brigadier general and chief of staff of the First Army Corps and later of the Third Army throughout the war and later occupation of Germany, now major at the General Staff College at Washington.

NOW AN INSTRUCTOR.

"Lieut. Col. Paul B. Malone, Infantry, served with great distinction in France, first in the training section of the General Staff and later, first as colonel and then as brigadier general, in the line through nearly all the heavy fighting of the war. Now a lieutenant colonel and assistant commandant of the Infantry school at Camp Benning, Ga., where at least one officer

is serving as instructor with the full rank of colonel, but who graduated from West Point 16 years after Col. Malone.

"Or, as a last example, Maj. Harold B. Fiske, West Point graduate, 1897, went to France as one of the very first. Served with great distinction first as assistant and later as chief of the training division of Gen. Pershing's staff with the rank of brigadier general. Now a major of Infantry somewhere in the South.

"These examples could be multiplied by the hundreds. And yet in Washington on the General Staff nearly all the officers still retain emergency rank of one to three grades above their actual rank.

"That the Army is not utterly disorganized speaks volumes for its inherent honesty and loyalty, but no organization under the sun can stand such glaring evidences of favoritism and unfairness for an indefinite period.

"And yet the Chief of Staff and the Chief of General Staff, who are responsible for these injustices, go before Congress and urge promotion by selection, saying that while in the past favoritism might have been practiced, it could not occur under present and future conditions. 'Oh, duty, honor, country'—the motto of West Point, and indeed the whole Army—what shameful days! What black ogres loom up in the future, when the uneducated and untrained in love of country shall realize the depths of infamy to which some have sunk, who for long years were trained in thy meaning!

"The Secretary of War has called into conference some of the higher officers of the Army to attempt to equalize this situation. They should be able to work out the problem, and every friend of the Army hopes they will be able to do so."

UNIVERSAL MILITARY TRAINING.

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Mr. H. H. Gross, of Chicago, to farmers of Oklahoma, and an answer to that letter from the president of the State Farmers' Union, Hon. John Simpson.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter and answer are as follows:

UNIVERSAL MILITARY TRAINING LEAGUE,
Chicago, January 19, 1920.

Mr. D. K. HIEBERT,
Weatherford, Okla.

DEAR SIR: I thank you very much for your letter of the 15th. I think I will have it framed and hang it in my office as a literary production. If there were not so many misspelled words in it, and so many meaningless sentences, one might have some respect for your opinion.

I question very much whether you have a copy of the bill, or, if you have, whether your judgment would be good regarding it. The American Legion, representing 4,000,000 boys, at their convention in Minneapolis, indorsed universal training. State after State convention did the same thing. I sent out circular letters to hundreds of boys in different parts of the country, and 95 per cent were favorable to the proposition. You do not know what you are talking about!

I know this: There is a definite and vicious propaganda being carried forward, with Russian and probably German money, to break down the morale of the American people, lull them into a sense of false security by the statement that there are to be no more wars and that we may as well chance the future as we did the past; and an effort is being made to get in their work in the various industries.

By the way, I was told a few days ago that quite a number of men in your neck of the woods came pretty nearly going to jail for attempting to interfere with the selective draft. Do you know who they are?

As to the merits of the question, the administration favors universal military and vocational training. Gen. Pershing does so, and every military man in the country. The Members of Congress who have been on the committees and spent months in investigating the subject all know it is the thing to do. Some of them are afraid of their constituents and so hesitate.

Do you not think you are assuming a great deal to pass arbitrarily upon one of the great questions of the world, that is being urged by men who are 100 per cent loyal—men of experience, men who know enough to realize that the safety of this Nation requires that it should be in a position to defend itself, and if it is in that position no other nation will trouble it?

I hope you know more about farming than you know about legislation. As far as I am concerned, this ends our correspondence; say what you like or do what you please.

Yours, truly,

H. H. GROSS, *President.*

FARMERS' EDUCATIONAL AND
COOPERATIVE UNION OF AMERICA,
OKLAHOMA DIVISION,
February 9, 1920.

Mr. HOWARD H. GROSS,
Chicago, Ill.

DEAR SIR: Your letter of January 19 to Mr. D. K. Hiebert, of Corn, Okla., is a splendid illustration of the arrogance and insolence of militarism. I know this old farmer. He and his wife and children in the heat and dirt of the long summer days produced wheat each year of the terrible war sufficient to feed 500 soldier boys every day of that time.

Now, during that awful two years you never produced a loaf of bread. All you did to win the war was hot-air service, four-minute speeches in 10-cent theaters. So far as whipping the Kaiser, it would have been easier to do if you had been dead, for what you ate would have fed a soldier.

Mr. Gross, there are so many old farmers in this country who spell like D. K. Hiebert that it spells defeat for the "compulsory military training" program you and your associates are trying to saddle on the taxpayers of this Nation.

Mr. Gross, the farmers are on the job, ready to meet you and your league in any kind of a contest from a spelling match up.

Yours, truly,

JOHN SIMPSON.

AMENDMENT OF THE RULES.

Mr. TOWNSEND. Mr. President, yesterday I gave notice of a proposed amendment to the rules, which went over. Pursuant to that notice I ask that the resolution which I send to the desk be referred to the Committee on Rules.

The VICE PRESIDENT. Will the Senator have it read?

Mr. NORRIS. Let it be read.

Mr. TOWNSEND. I shall be glad to have it read.

The VICE PRESIDENT. It will be read.

The resolution (S. Res. 308) was read, as follows:

Resolved, That Rule XXII, Standing Rules of the Senate, be, and the same is hereby, amended by adding a new paragraph, as follows:

"All debate when any matter is, under the rules, properly before the Senate shall be confined to such matter, and the question as to whether such debate is pertinent or not shall, when the point of order is made, be decided by the Presiding Officer without debate; and if his decision is not overruled on appeal, and is that the Senator having the floor is not speaking in order, such Senator shall take his seat and shall not speak again except upon the subject before the Senate."

Mr. KNOX. What is the procedure asked? Is the resolution to be referred?

The VICE PRESIDENT. It will be referred to the Committee on Rules and printed.

ACTIVITIES OF FOURTH ASSISTANT POSTMASTER GENERAL.

Mr. KING. I offer the following resolution and ask that it be read and referred to the Committee on Post Offices and Post Roads.

The resolution (S. Res. 309) was read, as follows:

Whereas it has been reported that the Fourth Assistant Postmaster General has circularized hundreds of thousands of agriculturists in the United States and submitted questionnaires to them relating to diverse subjects: Therefore be it

Resolved, etc., That the Postmaster General be, and he is hereby, directed to inform the Senate what authority said Fourth Assistant Postmaster General had for his said action and what appropriation had theretofore been made to cover the expenses of such proceedings upon his part.

Mr. KING. I merely wish to say, Mr. President, that I know of no authority to support what I understand has been done by the official referred to in the resolution and with respect to the matter to which the resolution refers. Officials are too prone to extend their authority and to engage in activities entirely outside of their legitimate field. I shall be glad if the committee will at an early date recommend the adoption of the resolution.

The VICE PRESIDENT. The resolution will be referred to the Committee on Post Offices and Post Roads.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 194. Joint resolution amending joint resolution extending the time for payment of purchase money on homestead entries in the former Colville Indian Reservation, Wash., was read twice by its title and referred to the Committee on Public Lands.

TREATY OF PEACE WITH GERMANY.

Mr. LODGE. I move that the Senate proceed, as in open executive session, to the consideration of the treaty of peace with Germany.

The motion was agreed to; and the Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

The VICE PRESIDENT. The pending question is the amendment offered to the first interpretation or reservation or amendment by the Senator from Massachusetts [Mr. LODGE].

Mr. THOMAS. Mr. President, the pending treaty with Germany comprises 15 separate parts, of which 2, part 1 and part 13, are devoted to the League of Nations. The importance of that subject during all discussions of the treaty, both in and out of the Senate, has largely overshadowed the remainder of the treaty, whose provisions are of equal concern to the country.

On the 22d of July last the senior Senator from New Hampshire [Mr. MOSES], and on the 29th of August following the junior Senator from Pennsylvania [Mr. KNOX], in two addresses of remarkable ability, directed the attention of the Senate to the political, military, and economic features of the treaty, which comprise the terms of peace between the Allies and Germany. Those speeches should have impressed the people of the United States with the great and controlling fact that the treaty comprises more—very much more—of concern to the peoples of the world than the mere subject of the proposed League of Nations, and that in and through the enforcement of its penalties the purposes to be subserved by the league would, in all probability, not only be defeated, but converted into an instrument making for a renewal of universal conflict.

Unfortunately, the public mind then, as now, absorbed by the problem of the league and unmindful of the parts of the treaty, either overlooked these graphic portrayals of the treaty for peace, or ascribed their luminous and accurate descriptions to a spirit of hostility to the league, or charged their authors with an unpatriotic sympathy for Germany, discreditable alike to their citizenship and their official duties. Hence it is appropriate that these features of the treaty be again reviewed, that the document in its entirety may be fully appreciated before a final vote is taken upon it.

The time which has elapsed between the presentation of the treaty to the Senate and the present is without precedent as regards final action upon an international document; but deplorable as this is said to be, I think that it has had at least one beneficial effect, in that the prejudices, the preferences, and the excitements aroused by its presentation and consideration by the Senate and people have partially subsided. They may now dispassionately concentrate their opinions and their reflections upon the treaty as a whole; and I am satisfied, Mr. President, when that shall be done, the insistence of the Senate upon full discussion, whatever the results upon the final determination of the treaty, will be commended and not condemned, for the treaty not only proposes to establish a League of Nations to which shall be committed the destiny of the peoples of the world, but it also makes final adjustment of all demands and controversies immediately affecting Germany and her allies. It therefore constitutes both a treaty of peace between the warring nations and a treaty designed to effectuate the permanent and lasting peace of the world; a treaty of penalties coupled with a treaty of universal and continuing international harmony; a treaty of penalties between combatants combined with a treaty of negotiation between all nations comprising vastly different objects and affecting the future of all the nations.

It is my purpose this morning, Mr. President, to direct the attention of the Senate once more, although I can not hope to do so as exhaustively and effectively as it has been done by others, to some economic features of the agreement imposed upon Germany, their character, and the probability or improbability of their ultimate execution, leaving to the judgment of the Senate the very important question whether, independently of the League of Nations, this document should command the assent of a two-thirds majority of the Senate of the United States.

On yesterday the distinguished Senator from North Dakota [Mr. MCCUMBER], in his very illuminating and exhaustive address to the Senate, said:

> I confess some surprise in noting what seems to me a very decided change in the attitude of some Senators from that indicated at the time the war was in progress as to what terms should be imposed upon the country which was responsible for the millions of deaths and the billions of indebtedness.
>
> At the time the war was in progress the Senate seemed to be united in its conviction that there should be no terms of peace until Germany had been compelled to agree to a reparation to the full extent of her ability to make that reparation.

And that is true. From the commencement to the close of the war the people of the United States, their passions inflamed and their resentments aroused, took the attitude and made the demands which an individual under the influence of the same passions would assert against his adversary. Nay, the whole allied world, including nations great and small, their sensibilities influenced by repeated outrages, voiced a universal sentiment of vengeance and reprisals against the enemy. The spirit of væ victis, whose application in the centuries past has been the fruitful cause of nearly all the wars of civilization, then dominated all other considerations.

But from the 22d day of January, 1917, down to the conclusion of the armistice the voice of the President of the United States rose clearly and constantly above the universal chorus of retribution. He, speaking for America and the Allies, outlined the terms of peace to be demanded as essentials to the accomplishment of the objects of the conflict and to the permanent peace of the world. It was these sentiments which finally appealed to the conscience and the economic conditions of our enemies and forced their unqualified acceptance of his terms. When that acceptance became an accomplished fact the terms thereof bound each party to the compact legally and morally to the other. They formed, or should have formed, the clear, unyielding basis of every covenant to be written into the treaty which they foreshadowed. To understand clearly the situation, immediately preceding the armistice it is important that we should turn back for a moment to those utterances of the President which were translated into the preliminary formulas of peace. Four announcements at different times by Mr. Wilson constitute the composite conditions of an allied peace. These were accepted by the Central Empires, whereupon this war was terminated. Anterior to these utterances was one which the President made in this Chamber upon the 22d day of January, 1917, which, of course, antedated our entrance into the war. At that time he expressed the view that a lasting peace—

> must be a peace without victory. It is not pleasant to say this. I beg that I may be permitted to put my own interpretation upon it and that it may be understood that no other interpretation was in my thought. I am seeking only to face realities and to face them without soft concealments. Victory would mean peace forced upon the loser, a victor's terms imposed upon the vanquished. It would be accepted in humiliation, under duress, at an intolerable sacrifice, and would leave a sting, a resentment, a bitter memory upon which terms of peace would rest, not permanently but only as upon quicksand. Only a peace between equals can last. Only a peace the very principle of which is equality and a common participation in a common benefit. The right state of mind, the right feeling between nations, is as necessary for a lasting peace as is the just settlement of vexed questions of territory or of racial and national allegiance.

I do not refer to this announcement to create, even by implication, the thought that it should have been binding upon the Allies in their negotiation with Germany, except as the sentiment was reflected in after-war announcements. But the statement contains the germs of an eternal truth, written upon the cenotaphs of every treaty in recorded history which ignored its verities.

After we entered the war the new conditions necessarily relieved the country and the President from any commitments theretofore made, and especially those made in the sincere desire that our neutrality might lead to the end of the bloodiest war in history; but after our declaration of war and on the 8th day of January of the following year the President delivered his address embodying the famous 14 points, about which the world has since heard so much and concerning which it seems to have done so little. Mr. Wilson then said:

> The program of the world's peace, therefore, is our program; and that program, the only possible program, as we see it, is this:
>
> I. Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.
>
> II. Absolute freedom of navigation upon the seas outside territorial waters alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.
>
> III. The removal, so far as possible, of all economic barriers, and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.
>
> IV. Adequate guaranties given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.
>
> V. A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the government whose title is to be determined.

The sixth, seventh, and eighth points relate, respectively, to Russia, to Belgium, and to French territory which had been invaded, so it is not necessary to read them. The ninth and the tenth refer to the frontiers of Italy, and to—

> The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development.

The eleventh relates to the Balkan States; the thirteenth to the establishment of an independent Polish State—

> which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.

The fourteenth point recites that—

> A general association of nations must be formed under specific covenants for the purpose of affording mutual guaranties of political independence and territorial integrity to great and small States alike.

On the 5th day of February of the same year Lloyd-George, speaking for the British Government, virtually accepted the President's peace principles, and on the 8th they were discussed, respectively, by the chancellors of Germany and of Austria-Hungary.

Thereupon the President, on the 11th day of February, addressed the two Houses in joint session regarding the attitude of the chancellors of the two Central Powers upon the subject. This, Mr. President, the second of the President's announcements, and to which I think reference has not been specifically made in our discussions, is very important, equally so with any of the series.

The President on that occasion, among other things, so declared himself:

I mean only that those problems each and all affect the whole world; that unless they are dealt with in a spirit of unselfish and unbiased justice, with a view to the wishes, the natural connections, the racial aspirations, the security, and the peace of mind of the peoples involved, no permanent peace will have been attained. They can not be discussed separately or in corners. None of them constitutes a private or separate interest from which the opinion of the world may be shut out. Whatever affects the peace affects mankind, and nothing settled by military force, if settled wrong, is settled at all. It will presently have to be reopened.

Is Count von Hertling not aware that he is speaking in the court of mankind, that all the awakened nations of the world now sit in judgment on what every public man, of whatever nation, may say on the issues of a conflict which has spread to every region of the world? The Reichstag resolutions of July themselves frankly accepted the decisions of that court. There shall be no annexations, no contributions, no punitive damages. Peoples are not to be handed about from one sovereignty to another by an international conference or an understanding between rivals and antagonists. National aspirations must be respected; peoples may now be dominated and governed only by their own consent. "Self-determination" is not a mere phrase. It is an imperative principle of action, which statesmen will henceforth ignore at their peril.

The President then formulated four principles, not differing from those previously declared, but rather supplementary to and a development of them. He says:

The principles to be applied are these:

First, that each part of the final settlement must be based upon the essential justice of that particular case and upon such adjustments as are most likely to bring a peace that will be permanent;

Second, that peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game, even the great game, now forever discredited, of the balance of power; but that

Third, every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned, and not as a part of any mere adjustment or compromise of claims amongst rival states; and

Fourth, that all well-defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new or perpetuating old elements of discord and antagonism that would be likely in time to break the peace of Europe and consequently of the world.

On the 4th of July following, the President, in an impressive discourse at the tomb of Washington, again announced certain conditions essential to a satisfactory and lasting peace. He said:

There can be but one issue. The settlement must be final. There can be no compromise. No halfway decision would be tolerable. No halfway decision is conceivable. These are the ends for which the associated peoples of the world are fighting and which must be conceded them before there can be peace:

I. The destruction of every arbitrary power anywhere that can separately, secretly, and of its single choice disturb the peace of the world; or, if it can not be presently destroyed, at the least its reduction to virtual impotence.

II. The settlement of every question, whether of territory, of sovereignty, of economic arrangement, or of political relationship, upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery.

III. The consent of all nations to be governed in their conduct towards each other by the same principles of honour and of respect for the common law of civilized society that govern the individual citizens of all modern states in their relations with one another, to the end that all promises and covenants may be sacredly observed, no private plots or conspiracies hatched, no selfish injuries wrought with impunity, and a mutual trust established upon the handsome foundation of a mutual respect for right.

IV. The establishment of an organization of peace which shall make it certain that the combined power of free nations will check every invasion of right and serve to make peace and justice the more secure by affording a definite tribunal of opinion to which all must submit and by which every international readjustment that can not be amicably agreed upon by the peoples directly concerned shall be sanctioned.

These great objects can be put into a single sentence. What we seek is the reign of law, based upon the consent of the governed and sustained by the organized opinion of mankind.

These great ends can not be achieved by debating and seeking to reconcile and accommodate what statesmen may wish, with their projects for balances of power and of national opportunity. They can be realized only by the determination of what the thinking peoples of the world desire, with their longing hope for justice and for social freedom and opportunity.

I come now to the President's fourth declaration, that of September 27, 1918, at New York. This is of special importance because of the emphasis laid upon it by the German authorities in their acceptance of the President's terms of peace. I shall not attempt to quote the entire document, although it may well be considered from its beginning to its close as comprising the propositions and conditions which finally moved the powers warring against us to an acceptance of terms and to subsequent negotiations for ending the war.

The President here said, among other things:

It is of capital importance that we should also be explicitly agreed that no peace shall be obtained by any kind of compromise or abatement of the principles we have avowed as the principles for which we are fighting. There should exist no doubt about that. I am, therefore, going to take the liberty of speaking with the utmost frankness about the practical implications that are involved in it.

If it be in deed and in truth the common object of the Governments associated against Germany and of the nations whom they govern, as I believe it to be, to achieve by the coming settlements a secure and lasting peace, it will be necessary that all who sit down at the peace table shall come ready and willing to pay the price, the only price, that will procure it, and ready and willing, also, to create in some virile fashion the only instrumentality by which it can be made certain that the agreements of the peace will be honored and fulfilled.

That price is impartial justice in every item of the settlement, no matter whose interest is crossed; and not only impartial justice, but also the satisfaction of the several peoples whose fortunes are dealt with.

And so forth.

Later on, the President says—and these are noble words—

First. *The impartial justice meted out must involve no discrimination between those to whom we wish to be just and those to whom we do not wish to be just. It must be a justice that plays no favorites and knows no standard but the equal rights of the several peoples concerned.*

Second. No special or separate interest of any single nation or any group of nations can be made the basis of any part of the settlement which is not consistent with the common interest of all.

Third. There can be no leagues or alliances or special covenants and understandings within the general and common family of the League of Nations.

Fourth. And more specifically, there can be no special, selfish, economic combinations within the league and no employment or any form of economic boycott or exclusion except as the power of economic penalty by exclusion from the markets of the world may be vested in the League of Nations itself as a means of discipline and control.

Fifth. All international agreements and treaties of every kind must be made known in their entirety to the rest of the world.

The President then adds this profound reflection:

Special alliances and economic rivalries and hostilities have been the prolific source in the modern world of the plans and passions that produce war. *It would be an insincere as well as insecure peace that did not exclude them in definite and binding terms.*

Thus spoke the President upon the 27th day of September. Nine days afterwards the German chancellor dispatched his first note to the President. It bears the signature of Prince Maximillian:

The German Government requests the President of the United States to take in hand the restoration of peace, acquaint all the belligerent States of the request, and invite them to send plenipotentiaries for the purpose of opening negotiations.

It accepts the program set forth by the President of the United States in his message to Congress on January 8, and in his later pronouncements, especially his speech of September 27, as a basis for peace negotiations. With a view to avoiding further bloodshed, the German Government requests the immediate conclusion of an armistice on land and water and in the air.

Mr. President, I well remember the effect of that momentous communication upon the public opinion of America. In general, it was apprehensive lest the President conclude negotiations with Germany unfavorable to America and inconsistent with complete victory. I do not recall that this expression was voiced in the Senate. Many newspapers, however, expressed it, and it became a general, common sentiment.

The President replied upon the 8th of October, two days afterwards; and just here let me ask permission to insert this entire diplomatic negotiation in the RECORD, although I shall quote from it very briefly. It is of immense importance, however, and enables us properly to comprehend the economic features of the treaty, and their divergence from the preliminary agreement between the warring nations.

There being no objection, the matter referred to was ordered to be printed in the RECORD.

Mr. THOMAS. Mr. Lansing, on behalf of the President, acknowledges the note, and also propounds certain questions:

Does the Imperial Chancellor mean that the Imperial German Government accepts the terms laid down by the President in his address to the Congress of the United States on January last, and subsequent addresses, and that its object in entering into discussions would be only to agree upon the practical details of their application?

The President feels bound to say, with regard to the suggestion of an armistice, that he would not feel at liberty to propose a cessation of arms to the Governments with which the Government of the United States is associated against the Central Powers so long as the armies of those powers are upon their soil. The good faith of any discussion would manifestly depend upon the consent of the Central Powers immediately to withdraw their forces everywhere from invaded territory. *The President also feels that he is justified in asking whether the Imperial Chancellor is speaking merely for the constituted authorities of the Empire who have so far conducted the war.*

On the 12th of October, four days afterwards, the German reply was received, from which I quote:

The German Government has accepted the terms laid down by President Wilson in his address of January 8 and in his subsequent addresses on the foundations of a permanent peace of justice. Consequently, its object in entering into discussions would be only to agree upon practical details of the application of these terms.

The rest I will not read, but will print it in the RECORD.

On the 14th of October the President, through Mr. Lansing, made public his reply to the last note. He says:

The unqualified acceptance by the present German Government and by a large majority of the German Reichstag of the terms laid down by the President of the United States of America in his address to the Congress of the United States on January 8, 1918, and in his subsequent addresses, justifies the President in making a frank and direct statement of his decision with regard to the communications of the German Government of October 8 and 12, 1918.

The reply is quite elaborate, and refers to details which perhaps are not of sufficient importance to justify my detaining the Senate in reading all of them; but he says, also:

It is necessary, also, in order that there may be no possibility of misunderstanding, that the President should very solemnly call the attention of the Government of Germany to the language and plain intent of one of the terms of peace which the German Government has now accepted. It is contained in the address of the President delivered at Mount Vernon on July 4 last. It is as follows:

"The destruction of every arbitrary power anywhere that can separately, secretly, and of its single choice disturb the peace of the world, or, if it can not be presently destroyed, at least its reduction to virtual impotency."

He then insists that the old or prevailing form of government must be modified so as to comply with that condition, since otherwise there could be no safety in continuing the negotiation.

On the 20th of October, speaking for the German Government, Solf replied, accepting the condition of evacuation of occupied territory as a preliminary to peace negotiations.

The suggestions of the President are answered at length; some of his charges with regard to unlawful warfare are challenged, and the document concludes with this sentence:

The question of the President, with whom he and the Governments associated against Germany are dealing, is therefore answered in a clear, unequivocal manner by the statement that the offer of peace and an armistice has come from a Government which is free from any arbitrary and irresponsible influence and is supported by the approval of an overwhelming majority of the German people.

On the 23d of October the President answered this communication at length, from which I quote:

Having received the solemn and explicit assurance of the German Government that it unreservedly accepts the terms of peace as laid down in his address to the Congress of the United States on January 8, 1918, and the principles of settlement enunciated in his subsequent addresses, particularly the address of September 27, and that it desires to discuss the details of their application and that this wish and purpose emanated not from those who have hitherto dictated German policy and conducted the present war on Germany's behalf but from ministers who speak for a majority of the Reichstag and for an overwhelming majority of the German peoples; and having received also the explicit promises of the present German Government that the humane rules of civilized warfare will be observed both on land and sea by the German armed forces, the President of the United States feels that he can not decline to take up with the Governments with which the Government of the United States is associated the question of an armistice.

He then replies to the German communication at considerable length, and closes with this statement:

If it must deal with the military masters and the monarchial autocrats of Germany now, or if it is likely to have to deal with them later in regard to the international obligations of the German Empire, it must demand not peace negotiations but surrender.

On the 27th of October the German chancellor replied in a very brief note, saying that—

The German Government has taken cognizance of the answer of the President of the United States. The President is aware of the far-reaching changes which have been carried out and are being carried out in the German constitutional structure, and that peace negotiations are being conducted by a people's government in whose hands rests both actually and constitutionally the power to make the deciding conclusions. The military power are also subject to it. The German Government now awaits proposals for an armistice which shall be the first step toward a just peace as the President has described it in his proclamation.

At or before this time the President communicated these letters from the German Government to the allied powers, and prior to the 5th of November he had received appropriate replies. So upon that date he addressed a communication to the German Government which constitutes the understanding solemnly entered into between the United States and the allied powers acting through the agency of the President of the United States and all the powers engaged in war against the United States acting through the agency of the German chancellery. It is, therefore, important, Mr. President, that this entire document be fully considered. Fortunately, it is brief. It reads:

From the Secretary of State to the minister of Switzerland, in charge of German interests in the United States.

DEPARTMENT OF STATE, *November 5, 1918.*

SIR: I have the honor to request you to transmit the following communication to the German Government:

"In my note of October 23, 1918, I advised you that the President had transmitted his correspondence with the German authorities to the Governments with which the Government of the United States is associated as a belligerent, with the suggestion that *if those Governments were disposed to effect peace upon the terms and principles indicated* their military advisers and the military advisers of the United States be asked to submit to the Governments associated against Germany the necessary terms of such armistice as would fully protect the interests of the peoples involved and insure to the associated Governments the unrestricted power to safeguard and enforce the details of the peace to which the German Government had agreed, provided they deemed such an armistice possible from the military point of view.

"The President is now in receipt of a memorandum of observations by the allied Governments on this correspondence, which is as follows—

That memorandum is quoted in the letter. I read it:

"'The allied Governments have given careful consideration to the correspondence which has passed between the President of the United States and the German Government. Subject to the qualifications which follow *they declare their willingness to make peace with the Government of Germany on the terms of peace laid down in* the President's address to Congress of January, 1918, and the principles of settlement enunciated in his subsequent addresses. They must point out, however, that clause 2, relating to what is usually described as the freedom of the seas, is open to various interpretations, some of which they could not accept. They must, therefore, reserve to themselves complete freedom on this subject when they enter the peace conference.

"'Further, in the conditions of peace laid down in his address to Congress of January 8, 1918, the President declared that invaded territories must be restored as well as evacuated and freed, and the allied Governments feel that no doubt ought to be allowed to exist as to what this provision implies. *By it they understand that compensation will be made by Germany for all damage done to the civilian population of the Allies and their property by the aggression of Germany by land, by sea, and from the air.*'"

That is the end of the allied note. Its acceptance of the German offer is emphasized by the exceptions which they carved out of it. It is, if possible, made the more binding because of its reservation of the freedom-of-the-seas clause of the President's proposal and the construction it demands for the restoration proviso:

I am instructed by the President to say that he is in agreement with the interpretation set forth in the last paragraph of the memorandum above quoted. I am further instructed by the President to request you to notify the German Government that Marshal Foch has been authorized by the Government of the United States and the allied Governments to receive properly accredited representatives of the German Government, and to communicate to them the terms of the armistice.

Accept, sir, the renewed assurances of my highest consideration.

(Signed) ROBERT LANSING.

MR. HANS SULZER,
Minister of Switzerland, in charge of German interests in the United States.

Six days afterwards the armistice became an accomplished fact, because and only because these negotiations had finally led up to a distinct and specific understanding, a contract if you please, an agreement, a covenant mutually binding upon all of the parties to it, and which should have constituted the basis of all subsequent negotiations relating to the terms of settlement and the restoration of peace.

Mr. President, much has been said about the enormity of Germany's crimes, to all of which I gave the freest assent. Much has been said about the impossibility of the application of any adequate human punishment for them, and to that I also agree. Had the war terminated in a complete conquest, or had the German Government been told by the President during these negotiations that its unconditional surrender was demanded, that it was too late to accept his terms, that the changing fortunes of war had placed Germany and her allies at our mercy, and that they must therefore lay down their arms unconditionally and content themselves with any terms that we might offer, I could readily understand how a peace of penalties would have been justified by the dispassionate verdict of posterity; but we foreclosed ourselves against such an arrangement in the good moment that the President's letter of November 5 was delivered to the German authorities.

The President's terms of peace became by virtue of that fact the covenant between the warring nations, the measure and the limit of negotiations, the basis of all that should have proceeded therefrom.

In other words, the position of the United States in this particular was that of a contractor, an obligee, all of whose preliminary terms had been accepted and a few of which had been modified in the interest of its allies. If, therefore, the treaty of peace, which the Senate is called upon to ratify, squares with these conditions it is our duty to accept it. If, on the other hand, a treaty has been negotiated in disregard of many of these solemn covenants and obligations, then we must accept the treaty, if at all, upon some assurance or with the hope that in the future its penalties and severities may be mitigated, and that Germany shall not be held to the full and literal performance

of all that has been imposed upon her or accept the consequences embodied in its voluminous recitals.

Mr. President, this preliminary statement has been somewhat tedious, but I deem it essential to a full or even to a partial understanding of many of the terms of the document. We must judge it in the light of history and of obligation. We must test it by the supreme and everlasting principles of equity and international justice, and that we should do, as far as it is in human nature possible to accomplish the task, with our minds entirely free from the passions and animosities which the horrible events of the war engendered and probably perpetuated.

I should, perhaps, before proceeding with the terms of the treaty, call the attention of the Senate to one incident which I overlooked. It is the cablegram from Premier Lloyd-George to President Wilson almost immediately after his dispatch of the letter of November 5. Mr. George said:

My heartiest thanks for your kindly message. I am certain that the ideals of our two countries regarding international reconstruction are fundamentally the same. I feel sure that at the peace conference we shall be able to cooperate fruitfully to promote the reign of peace *with liberty and true democracy throughout the world.*

That is somewhat general, but nevertheless a reaffirmation of the acceptance by the British Government of the terms and conditions under which the armistice was finally declared.

I have not the slightest doubt in the world that at the time of the armistice and for some time subsequent the allied Governments fully intended to observe their obligations and to stand by the President's propositions of peace. Unfortunately early in the month of December the British minister concluded to go to the country, as they call it, and a general election was called for that month. Evidently the Government had taken no note of, or had little heeded, the state of British public opinion. Britain had just emerged breathless and almost exhausted from the greatest war of her history. A vast proportion of her property had been swallowed up in the great conflict. The angel of death had imprinted its bloody cross upon the lintels of almost every household, and the terrible passions and animosities engendered by that awful conflict were then perhaps at their climax. Public sentiment demanded revenge and miscalled it justice. This demand became so insistent that Mr. George, himself a candidate for reelection, bent before the storm, and receding from or forgetting the pledged word of his Government, assured his great constituency that in the making of the treaty Germany should be compelled to make reparation to the utmost farthing. One of his great subordinates declared that by the treaty Germany should be squeezed as a lemon; and, further, that she "should be squeezed so hard we could hear her pips squeak"—language not elegant but entirely expressive. The election resulted in the vindication of Mr. George and his ministry, but it also carried with it a virtual repudiation of many of the provisions of the agreement for peace.

France, smarting under the same conditions many times aggravated and in mortal terror of her hereditary foe, was similarly inspired. The feelings of her people found not perhaps an electioneering vent, but it found full expression in the columns of every newspaper and from the lips of every public speaker and statesman in the Republic.

This was the atmosphere which enveloped the President of the United States when he entered the great city of Paris amid the plaudits of its millions of grateful population. It was an atmosphere filled with every phase of bitterness against the conquered, and hostile to the demands of justice founded upon the terms and conditions of the surrender.

The congress met and after the deliberations of months it finally presented to the German Government, whose delegates were not given a hearing, the document which I hold in my hand. That Government was required to take it as it was offered or hostilities would be renewed and the armies of the Allies would occupy their country. The treaty in the latter part of June was accepted under those conditions, although vigorous protest was made against some of its provisions, to which I will later call attention.

Let me now, Mr. President, proceed to a consideration of some of the salient features of this miscalled negotiated peace.

The second part of the treaty is devoted to the Saar Basin; a bit of territory that has been German since the fourteenth century; a bit of territory which during that long period of time was under French domination for a few months only; a bit of territory as essentially German as Paris is essentially French; but a bit of territory containing inexhaustible quantities of coal, necessary for the proper development of the iron mines of Lorraine. France demanded it, not as reparation, the recitals of article 45 to the contrary notwithstanding, for the destruction of her own mines, because that is provided for elsewhere in the treaty; she demanded it because the coal measures of that section were essential to the proper and prosperous development of the reacquired iron deposits of Alsace-Lorraine; and she got it; she is given it by article 45 of the treaty, which appears at page 24 of the Senate print of that document:

As compensation for the destruction of the coal mines in the north of France—

I have called your attention to the fact that that compensation is elsewhere provided for in the treaty—

and as part payment toward the total reparation due from Germany for the damage resulting from the war, Germany cedes to France in full and absolute possession, with exclusive rights of exploitation, unencumbered and free from all debts and charges of any kind, the coal mines situated in the Saar Basin as defined in article 48.

Under the annex it is provided:

1.

From the date of the coming into force of the present treaty all the deposits of coal situated within the Saar Basin, as defined in article 48 of the said treaty, become the complete and absolute property of the French State.

* * * * * * *

The transfer will apply also to the debts owing for products delivered before the entry into possession by the French State, and after the signature of the present treaty, and to deposits of money made by customers, whose rights will be guaranteed by the French State.

Again, on page 28, it is provided:

11.

The mines and other immovable property which become the property of the French State may never be made the subject of measures of forfeiture, forced sale, expropriation, or requisition, nor of any other measure affecting the right of property.

There is a repurchase clause. Germany may, under certain conditions, of which France is largely the arbiter, after the lapse of 15 years, repurchase these deposits from France, upon a price to be agreed upon as provided in the treaty, by paying therefor the sum required in cash and in gold. The value of these mines is to be credited to Germany on the French indemnity by the reparation commission, which is the only provision favorable to Germany that can be found in the part covering the Saar Basin.

Mr. President, I think no man will question the right of the Allies to demand restitution and replacement from Germany. There is nothing in the agreement, there should be nothing in it, to militate against that proposition; but of the Saar Basin transaction it must be said that it is the application to Germany of the same character of restitution which she herself in 1871 imposed upon France. In other words, it is the repetition of the old Alsace-Lorraine episode with the parties reversed. I remember, as a young man, 21 years of age, reading French, British, and American press regarding the Alsace-Lorraine outrage. I recall the predictions then made that such a peace bred another war, and that war as soon as the recuperating energies of France justified her conviction that she could triumph.

The doctrine of revanche, passing from father to son from generation to generation among the French people, was born of that injustice, then and always condemned by the verdict of enlightened public opinion, and the righting of which became an essential to any peace which the Allies, through the fortunes of war, might be able to dictate. However, notwithstanding this fact, and in the face of the preliminary conditions of the peace which I have emphasized, the Versailles conference yielded to the demand of France, and more than three-quarters of a million of people, whose right of self-determination was not even suggested, together with this enormously valuable property, has passed, in my judgment, to the perpetual dominion of the French Republic, conditioned only upon the probability that Germany, when sufficiently powerful—Germany possessing the same elements of human nature—will inevitably renew hostilities, with Saar Basin instead of Alsace-Lorraine as the battle cry of her millions. I can find nothing, Mr. President, in all of the negotiations leading up to the proposed peace that, even by indirection, can justify the disregard of this principle.

What I say concerning the Saar Basin may be said with equal truth of the German colonies. Mr. President, the German colonies in Africa and in the Pacific aggregated 1,027,620 square miles, or about four times the area of the State of Texas. They are prolific in natural resources. They had been secured by the German people largely as the result of political negotiation; at any rate, they were confirmed by treaties between herself and other great powers possessing property in Africa. In one instance her possessions in the Pacific Ocean were recognized by negotiations with the Government of the United States. I refer to the Samoan Islands. The revenue of those colonies in 1914 aggregated $14,297,000; the expenditures were $35,375,000; their aggregate population was 13,777,300.

On the 8th day of January, 1918, the President declared as one of his 14 points that colonies should be dealt with from a standpoint of fairness and justice—I do not pretend to quote

his exact language—and with due consideration for the peoples inhabiting them.

I thought, and many others felt, that under the terms leading to the armistice, the colonies might have been very properly used to compensate some of the Allies for the damages inflicted upon them by the war, and that by such a solution of the problem the transfer would relieve Germany of a part of her indemnity and be more than satisfactory to the countries which were the recipients; but the treaty provides by article 119:

Germany renounces in favor of the principal allied and associated powers all her rights and titles over her oversea possessions.

And for which, of course, she gets no credit, either by the Reparation Commission or by any of the principal allied and associated powers.

Under the treaty the United States becomes the owner of an undivided one-fifth interest in all of this vast territory, and, of course, upon the assumption that they would be dealt with by a League of Nations for the benefit and welfare of the inhabitants thereof; but the unfortunate truth is that, owing to a secret treaty between Japan and Great Britain, the former Government has acquired possession and control of all of them north of the Equator. All the remainder—and if I make a misstatement here I hope some Senator better informed will correct me—have passed to the British. They are to-day held under the British flag and occupied by British garrisons, as much a part of the British Empire as any of her other African or South Sea possessions.

Mr. KNOX. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Pennsylvania?

Mr. THOMAS. I yield.

Mr. KNOX. To indicate how partial that provision of the treaty is which gave over to the allied and associated powers all the overseas possessions of Germany, which treaty was signed in June, the fact is that on the 6th of May preceding the signing of the treaty the former German colonies were partitioned out to Japan, to Great Britain, and to France.

Mr. THOMAS. I thank the Senator for his valuable addition to the discussion, because it serves to emphasize the statements I have made concerning them.

These colonies owed an aggregate debt of $32,410,000, which was not assumed by the allied powers; in other words, they took the colonies and left Germany to pay the debt.

If we are treating with Germany, Mr. President, as a conquered nation deserving all the punishment that the power and vengeance of the Allies can inflict upon her, well and good; if, on the other hand, by our negotiations based upon our own terms we had agreed to extend the benefit of these terms to her, then I contend that no man living can justify the disposition made of the German colonies by this treaty.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. THOMAS. Certainly.

Mr. NORRIS. The treaty does not provide, does it, that Germany is to pay the debts of the various colonies?

Mr. THOMAS. It is silent on the subject, I think. I make that statement with some reservation. The treaty is so long and so involved that I can not retain it all in my memory.

Mr. NORRIS. Would it not follow, then, that the various colonies would assume their own debts?

Mr. THOMAS. That does not follow.

Mr. NORRIS. Does the Senator think, for instance, that if a colony in Africa had issued bonds, the colony would not owe the bonds but that Germany would owe them?

Mr. THOMAS. I do not understand that the colonial indebtedness is a bonded one, although it may be.

Mr. NORRIS. I may be mistaken about it. I should like to get correct information.

Mr. THOMAS. It is stated by a British author, whose book has recently attracted great attention—I allude to Mr. John Maynard Keynes—that, while the colonies are taken over by the Allies, the debt remains as a charge against Germany. It may be that this authority may not be reliable, but such as it is I give it to the Senate.

I come now, Mr. President, to the subject of reparation, and I may say that almost the entire treaty of peace with Germany may be translated in terms of reparation, restoration, restitution, and replacement. These four R's are made to spread over the entire nation, and under one or another of its forms all these demands may be postulated.

Reparation forms the subject of part 8, beginning at page 91, of Senate Document No. 49. By article 231—

The allied and associated Governments affirm and Germany accepts the responsibility of Germany and her allies for causing all the loss and damage to which the allied and associated Governments and their nationals have been subjected as a consequence of the war imposed upon them by the aggression of Germany and her allies.

This is obviously true.

By article 232—

The allied and associated Governments recognize that the resources of Germany are not adequate after taking into account permanent diminutions of such resources which will result from other provisions of the present treaty, to make complete reparation for all such loss and damage.

The allied and associated Governments, however, require, and Germany undertakes, that she will make compensation for all damage done to the civilian population of the Allied and Associated Powers and to their property during the period of the belligerency of each as an allied and associated power against Germany by such aggression by land, by sea, and from the air.

So far so good; that is a repetition of one of the 14 points accepted by Germany and as modified by the Allies on the 5th of November; but there is added to it this pregnant clause:

And in general all damage as defined in Annex I hereto.

That I will comment upon hereafter.

In accordance with Germany's pledges, already given, as to complete restoration for Belgium, Germany undertakes, in addition to the compensation for damage elsewhere in this part provided for, as a consequence of the violation of the treaty of 1839, to make reimbursement of all sums which Belgium has borrowed from the Allied and Associated Governments up to November 11, 1918, together with interest at the rate of 5 per cent per annum on such sums.

And we should make no complaint of that; it is a perfectly legitimate claim; it amounts in the aggregate to about twelve hundred and fifty millions of American dollars—or rather, I should say, dollars calculated in American coinage, because all the debt is not to us. The sum is larger than the indemnity imposed by Germany upon France in 1871, which, as I recall, was a thousand million dollars, or five milliards of francs.

This amount shall be determined by the reparation commission, and the German Government undertakes thereupon forthwith to make a special issue of bearer bonds to an equivalent amount payable in marks gold, on May 1, 1926, or, at the option of the German Government, on the 1st of May in any year up to 1926. Subject to the foregoing, the form of such bonds shall be determined by the reparation commission. Such bonds shall be handed over to the reparation commission, which has authority to take and acknowledge receipt thereof on behalf of Belgium.

In order to emphasize the power of the reparation commission, the next article, article 233, declares:

The amount of the above damage for which compensation is to be made by Germany shall be determined by an interallied commission, to be called the reparation commission and constituted in the form and with the powers set forth hereunder and in Annexes II to VII, inclusive, hereto.

Every demand that is to be recognized as a claim against Germany and made payable and paid under this treaty is to be determined by this commission, from whose conclusions there is and will be no appeal.

Mr. President, I do not pretend to be familiar with all history, and certainly not with the terms of treaties negotiated in the past between contending nations, but I think I am safe in asserting that never before have reparations and indemnities been thus provided for; that never before have the victors created an independent body and armed it with such tremendous and overwhelming authority over and control of the vanquished enemy. If there is anything in the letter of the President of November 5, 1918, to justify it, I have been unable to discover the passage. I shall refer, however, more fully to the reparation commission in connection with my consideration of Annex II.

Sections 234 to 242, inclusive, have reference to the subject of reparation. Section 236 makes Germany agree—

to the direct application of her economic resources to reparation as specified in Annexes III, IV, V and VI, relating, respectively, to merchant shipping, to physical restoration, to coal and derivatives of coal, and to dyestuffs and other chemical products; provided always that the value of the property transferred and any services rendered by her under these annexes, assessed in the manner therein prescribed, shall be credited to her toward liquidation of her obligations under the above articles.

In other words, the entire application of all her economic resources is pledged to the carrying out of the terms of the treaty, and by section 240 Germany further agrees to provide for the salaries and expenses of the commission—that is, the reparation commission—and of such staff as it may employ.

Now, when we consider the vast powers of this commission, which virtually constitutes a receivership for 70,000,000 people, exclusive of Austria, and which is required to keep in constant touch with and control over the economic structure of those people, not for one but for a nameless number of years, tell me, if you please, of what its civil-service list will comprise? Will it not be the equivalent of the German civil-service list? Can it keep in touch with the interests and resources of that

vast population unless it is represented, and fully represented, in every village, every community, every crossroads, and practically upon every man in the Empire? And when you consider that this reparation commission has also the same charge over Austria and Bulgaria and Hungary that it is given over Germany in this treaty, whereby both its power and its need of employment is increased by 50 per cent, tell me, if you please, what the burden upon Germany of all these expenditures will be without being permitted a voice in regard to either employment or compensation?

I do not know what the experience of other Senators is, but my influence has been requested by more than a dozen individuals anxious to serve this commission as soon as it is appointed. I have no doubt that the unemployed of every nation, and many of those employed, will congregate around the headquarters of this commission—which, by the way, is to be in Paris performing its duties, therefore vicariously. I have an idea that the number of appointments will not be strictly limited to the needs of the service, especially when somebody else must make the compensation. If there is anything in the negotiations leading up to the armistice which justifies this situation I am unable to find it. If this is a peace of vengeance, so be it; for one can not too frequently reiterate the fact that the offenses of Germany are beyond the power of human punishment. If it is good policy for the Allies, that might justify it; but that it is not even good policy, if it were justice, can easily be demonstrated.

Article 233 indicates the indeterminate character of the indemnity; and that, to my mind, is its worst feature. The Allies do not know what they will obtain. Germany does not know what her exactions are to be. A determinate sum of dimensions beyond the power of the conquered to pay would, in my judgment, be infinitely preferable to an indeterminate amount to be hereafter fixed upon and ascertained by an independent commission before which Germany may be heard, but can not vote; for in the one the nation paying the indemnity knows precisely what it has to pay, as in the case of the Franco-Prussian treaty, where the Prussian exaction was 5,000,000,000 francs. What greater calamity can rest upon a nation, especially after waging a great war, than the consciousness of an overpowering obligation, the amount and the terms of which are absolutely unknown? If human ingenuity can devise any punishment for Germany at all adequate with her offenses against civilization, this would approach the standard.

Let me call attention now for a moment to article 241. So much in this document relates to pains, penalties, and conditions that it is impossible, even with elaborate notes, to observe everything; but section 241, although short, caps the climax of the reparations sections or part of the treaty:

> Germany undertakes to pass, issue, and maintain in force any legislation, orders, and decrees that may be necessary to give complete effect to these provisions.

No matter what this reparation commission may determine, no matter what judgments it may pass, no matter how vast its staff of civil-service employees or how tremendous its possible exactions, Germany must crystallize them all into legislation of her own, and place behind their enforcement the sanction of her own laws and the authority of her own Government.

It may be necessary; I have no doubt it is essential if all these covenants are to be performed; but he who contemplates the possibility of a lasting and permanent peace by the establishment of friendly and amicable relations between the various nations of the earth, and bound together by a league wherein all may have a voice, and who at the same time imagines that a treaty of this character can comport with or produce these ideal conditions, is more of an enthusiast than am I; for I do affirm, Mr. President, that the basic principles of our poor human nature are immutable. Our loves, our hates, our passions, our sentiments, our emotions, are largely the same from generation to generation. Man has not the power to place such obstructions as these in a treaty and expect to overcome their inevitable consequences by any combination of nations, however constructed, or however lofty the sentiments upon which it may be founded. Just as surely as the restrictive and oppressive covenants of the Franco-Prussian treaty contained within themselves the germs of the last war, just so surely will their repetition against Germany bear the same bitter and bloody and awful fruit; the same causes operating upon the same human material must inexorably lead to the same result.

I recall that in 1870 the great German historian, Mommsen, was asked by a Frenchman what the immediate, concrete causes of the war were, and Mommsen replied: "You will find them in the history of the reign of Louis XIV." Prior to the days of Napoleon had the magnificent monarch sowed the seeds of that terrible harvest which culminated in the awful conflict of 1870-71; but we have learned nothing from it. The same old human nature which inspired Bismarck to the accomplishment of his treaty inspired Clemenceau and Lloyd-George to the creation of this one. I will not include the President. I am satisfied that the lofty principles, the motives, purposes, and ideals punctuating the addresses of the President, which I quoted this morning, animated him throughout the negotiation of this treaty, and that he yielded with much reluctance to these conventions, hoping that they might be cured or corrected by the League of Nations, upon the creation of which his heart was then, and is now, irrevocably set.

Now, as to compensation. Bear in mind, if you please, the clarification of one of the 14 points in the letter of November 5. Perhaps I had better refer to it again:

> Further, in the conditions of peace * * * the President declared that invaded territories must be restored as well as evacuated and freed, and the allied governments feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensation will be made by Germany for all damage done to the civilian population of the Allies and their property by the aggression of Germany by land, by sea, and from the air.

That is perfectly plain—compensation to the *civilian population* as the result of German aggression by land, by sea, and from the air.

Annex I is devoted to compensation. It consists of 10 paragraphs. I will not read all of them. The first four have reference to damage caused to civilian population plus damages by any kind of maltreatment of prisoners of war. In other words, the first three items of compensation are in strict accord with the agreement of November 5 and made applicable to the civilian population, and also in accord with the President's assertion of February 7 that there should be no punishments and no indemnities, while the fourth indemnifies maltreated prisoners of war.

Subdivison 5, however, recites:

> As damage caused to *the peoples of the allied and associated powers*—

All of them. That would include the people of the United States.

> All pensions and compensation in the nature of pensions to naval and military victims of war (including members of the air force), whether mutilated—

And so forth.

> (6) The cost of assistance by the Governments of the allied and associated powers to prisoners of war and to their families and dependents.
>
> (7) Allowances by the Governments of the allied and associated powers to the families and dependents of mobilized persons or persons serving with the forces.

This annex thus enlarges the covenant of November 5 as to damages by extending it to *all of the people and all the armies of the allied and associated powers.* Not a pension, no financial assistance of any sort granted to any of their people by Great Britain, by France, by Italy, by Belgium, by the United States, by Japan, but that is to be returned in kind or in value under the provisions of paragraphs 5, 6, and 7 of Annex I, and based upon the French rate of pensions and allowances then existing.

It has been said here with much pride, in which I have participated, that, however bad the treaty may be, the United States has made nothing out of it. Yet the United States under these provisions may demand from Germany the return of every penny which they have advanced or which they may advance by way of pensions and allowances during the war and because of it.

I wish some mathematician would calculate for me the amount of compensation which these items will impose upon Germany if they are enforced, tell me how she is to pay them, and then tell me how they are to be squared with the negotiations to which we have been solemnly committed by the common consent of all the Allied powers engaged in the war.

So much, Mr. President, for the manner in which the Allied and Associated Powers have construed, if I may use so polite an expression, their covenant with the Central Powers. It can be neither condoned nor justified.

Annex II defines the powers of the commission. Before I refer to that subject I want to call attention to a pamphlet which was forwarded to me yesterday from the pen of Mr. Miller, who signs himself as the legal adviser of the American representatives to the Paris conference. The article is a criticism of some of the conclusions of Mr. John Maynard Keynes, to whose book I have referred. It is a wonderful book, Mr. President. I do not vouch for its authority, but I believe it can be read with profit by every man, woman, and child in the United States, who can verify its accuracy at their leisure.

Mr. David Hunter Miller, legal adviser of the American peace commission, takes issue with Mr. Keynes upon a subject which makes criticism of it appropriate in connection with Annex II.

I call attention first to the facts which Mr. Miller cites in extenuation of the character of the treaty. He says:

Public sentiment is a fact. To yield to a wrong public sentiment may be a crime, but to adopt a course which, without yielding, permits sentiment to change and passions to cool is the part of wisdom.

He then refers to the conduct of the British election campaign and to the excitements which it created, the animosities which it aroused against Germany, and then delivers himself of this remarkable utterance:

The question presented to the framers of the treaty was whether the existence of this delusion—

That is the delusion of the popular mind—

should be recognized by a form of the treaty which did not increase Germany's obligation to pay, but which left time for appreciation of realities by the allied peoples, or whether they should adopt another form of treaty and shock and enrage the sentiment of a public, suffering, depressed, and almost hysterical. The framers of the treaty chose the former course.

I do not wish to reflect upon Mr. Miller, whom I do not know, and who may be the ablest of advisers, but if this were a specimen of the counsel which he gave the commission I can better understand some of the conclusions which our delegates reached, because he virtually says that the Versailles congress on account of this hostile public sentiment had to do one of two things—defy it or deceive it; and under the circumstances they concluded to deceive it by pretending to comply with its requirements, feeling that they would be enlightened only when too late to help themselves. That may be a good thing in politics, although even there not entirely justifiable, but in a great congress dealing with the fate of nations I can not avoid the conclusion that it would have been better, far better, to have called the excited public mind of these countries to the unquestioned basis of the negotiations leading up to the armistice and adhering rigidly to their requirements.

But Mr. Miller continues:

Articles 231 to 233 relate simply to the total amount which Germany owes. As to payment, they are controlled wholly by annex 2 of part 8.

Which lead me to believe that Mr. Miller has forgotten the treaty, for the articles to which he refers are those which expressly clothe the reparation commission with authority to ascertain the amount owed by Germany, whether for restitution, for replacement, or for reparation, while annex 2 of part 8, instead of referring to payments, defines the powers and duties of the reparation commission.

Mr. Miller also declares that there is a practically fixed indemnity in the treaty amounting, according to his figures, to $13,101,000,000. He gets at it by this remarkable process:

I have called this the real indemnity, for it is of the utmost importance to distinguish the debt of Germany from the payment prescribed by the treaty.

It is not what Germany owes us, but what she is going to pay that matters, and that payment he says is "solely by means of bonds—which are extinguished pro tanto by deliveries of coal, ships, and so forth.

It is this vital distinction which Mr. Keynes misses. No bonds other than the 60,000,000,000 marks can be issued until the reparation commission is satisfied that Germany can meet the interest and sinking fund obligations thereof.

Mr. Miller also says:

The debt, so far as it is not to be paid, either principal or interest, is a figment of the imagination. It is the payment that matters, and nothing else.

That is to say, what we propose to obligate Germany for is of no consequence. What we are making her pay in bonds is the measure and limit of her responsibility.

Yet I find among other things in Annex II that—

Further issues by way of acknowledgment and security may be required as the commission subsequently determines from time to time.

I also find on page 101, in paragraph 23 of Annex II, the provision that, not when all payment is made, but—

When all *the amounts due* from Germany and her allies under the present treaty or the decisions of the commission *have been discharged and all sums received, or their equivalents, shall have been distributed* to the powers interested, the commission shall be dissolved.

I again suspect that this very capable gentleman is either not familiar with or has forgotten certain provisions of the treaty which absolutely overthrow his conclusions. It is not the bonds that we propose to exact from Germany which constitute the limit of her obligation. If it were, we could understand the amounts, and so could she. If it were, paragraph 23, which I have just read, means nothing. If it were, then article 430 never should have appeared in the treaty. Let us read that for a moment:

In case, either during the occupation or after the expiration of the 15 years referred to above, the reparation commission finds that Germany refuses to observe the whole or part of her obligations under the present treaty with regard to reparation, the whole or part of the areas specified in article 429 will be reoccupied immediately by the allied and associated forces.

That article is in part 14 entitled "Guarantees" and succeeds the article which provides for the occupation of what I think is called Rhenish Prussia, or that part of Germany which lies west of the Rhine. Here provision is made that if Germany fails in the performance of her obligations, not in the payment of her debt but in the performance of her obligations, her territory may be reoccupied indefinitely or until she shall recognize and perform them.

I am unable to derive much comfort from this document, which, in the language of Mr. Lincoln on a memorable occasion, seems to be "explanatory of explanations previously explained."

But Mr. Miller emphasizes the fact that the commission can only act unanimously, and that there can be no increase of these bond issues or of other obligations except it acts unanimously. If that were strictly so, it would relieve the situation somewhat, but unfortunately it is not true as to the crux of my discussion.

I read from page 99 of the Senate document:

On the following questions unanimity is necessary:

(a) Questions involving the sovereignty of any of the allied and associated powers or the cancellation of the whole or any part of the debt or obligations of Germany.

(b) Questions of determining the amount and conditions of bonds or other obligations to be issued by the German Government and of fixing the time and manner for selling, negotiating, or distributing such bonds.

(c) Any postponement, total or partial, beyond the end of 1930 of the payment of installments falling due between May 1, 1921, and the end of 1926, inclusive.

(d) Any postponement, total or partial, of any installment falling due after 1926 for a period exceeding three years.

(e) Questions of applying in any particular case a method of measuring damages different from that which has been previously applied in a similar case.

(f) Questions of the interpretation of the provisions of this part of the present treaty.

All other questions shall be decided by the vote of a majority.

Turning back for a moment to article 233, where the commission is endowed with the authority and duty to determine the amount of damage, and so forth, *there is no imposition of unanimity.* In other words, in the fixing of obligations a majority of the commission control, but in the matter of postponing payment or an additional issue of bonds unanimity is required. How then can it be said that the debt can not be increased by the reparation commission unless they act unanimously, unless we confuse the term "debt" or "obligation" with the term "bond issue," which obviously are distinct and separate conditions?

Let me now hurriedly proceed with Annex II, fixing the powers of the commission. I shall not read it all. Paragraph 12, consisting of paragraphs (a) to (f) inclusive, gives specific power and also wide latitude as to its control and disposition of the whole reparation problem as dealt with in this part of the present treaty. I have read the provision as to voting. I shall refer to but one more of them, although comment might be made with profit on each of them.

Paragraph 21 provides that—

No member of the commission shall be responsible, except to the Government appointing him, for any action or omission as such member. No one of the allied or associated Governments assumes any responsibility in respect of any other Government.

The commission is made not only supreme but it is irresponsible. As a commission its reports may be revised by no man, the only restraint imposed upon it by the treaty being that each Government shall have control over its own member thereof. Is it to be supposed that Great Britain or France or Belgium or Italy or Serbia will punish its member of the commission because of its moderation? All France has been led to believe that her debts will be paid and her currency redeemed by the German indemnity, thanks to this policy of deception which Mr. Miller glorifies.

A great portion of the British public believe the same thing, and Italy very largely. It is because of that conviction, artificially and falsely stimulated, that the currency complexities and problems of those countries to-day so very seriously threaten the economic structure of these great powers. But when the fact appears, as it must appear, that the enormity of these exactions, instead of bringing compensation will, doubtless, result in bankruptcy, when these people learn, as they must learn, that they must meet their obligations by a system of severe and excessive taxation and that the golden stream will not flow perpetually from Germany into their coffers, the economic, social, and political consequence may be better imagined than described. That, indeed, Mr. President, may be said to be the first bitter fruitage of these covenants.

I have called attention to the fact that the reparation commission, consisting of seven in number, of which four or five—four, I believe—will constantly act, is to have its permanent bureau or headquarters in Paris. Its proceedings are to be

private; its powers are without limitation. Its members are given all diplomatic immunities. It is to be dissolved only when the last obligation imposed upon the Central Powers shall have been performed. It is required to keep in touch with and to acquire information regarding the whole economic life of the Central Powers—their manufactures, their agriculture, their banking, their transportation. In the event the Belgian indemnity is not paid in gold as required, they are given the power to seize any property, private or public, they please for that purpose—property existing before the war, property created during the war, or property amassed after war—and devote it to the liquidation of that demand.

This commission may enter the countinghouse of the merchant and take his goods; it may go into the banks and seize its coin; it may invade the manufactories and take possession of their product or machinery and remove them; it may acquire the remaining ships spared to Germany for her commerce. All these things it may do, so far as regards the Belgian indemnity, and it may do them with absolute impunity.

Did any commission or government, Mr. President, ever exist with its capital in an alien and hostile country, governing distant people without responsibility, the administration of whose powers was kept free from tyranny and oppression? Is it conceivable that such a government can be even popular?

The American Revolution was the glorious fruit of the tyrannies and oppressions of a distant governing power; yet, with that historical illustration to guide its footsteps, the Versailles congress placed the economic future, and therefore the political and industrial future, of 70,000,000 people in the hands of seven men, stationed in the capital of a hostile country, and given absolute powers of domination over a subject people. The Kaiser in the plentitude of his power, aye, Ivan the Terrible at the height of his infamous reign, the despotic administration of the Cæsars—none of those approached either the assertion or the exercise of so tremendous authority. Here is an autocracy compared with which those that have been dethroned were graphic examples of liberty and moderation. Here is a power which, while it may not directly decree the right of life and death, may, through its administration, desolate cities, communities, and provinces. I do not say it will do so; I am satisfied it will not; but if I interpret history aright, it is a terrible truth, justified by the experiences of nations and of individuals and sanctified by the blood of generations, that absolute power can not safely be intrusted in the hands of any man or of any body of men; yet we have created an organization compared with which the League of Nations, the power of which so many regard with apprehension, becomes comparatively innocuous, for by this commission a receivership has been created for two insolvent nations, empowered to administer their affairs for the benefit of creditors, whose claims the receiver is required to fix, and which until fixed remain indefinite and indeterminate; not impartial receivers appointed by an impartial tribunal but receivers belonging to and representing the nationalities whose demands make the receivership a requisite to their realization. Human nature, Mr. President, may be proof against the temptations and requirements of such a proposition, but the great American Republic, which pledged its honor to our adversaries in the letter of its President of November 5, 1918, should never lend the sanction of its approval to the establishment of such an authority. No such stain should tarnish the escutcheon of our country. Yet that is what we shall do in the event we shall determine to approve this treaty.

I think it is self-evident that Germany can only pay as her resources permit her. She must pay in specie or commodities. If the specie now in the German banks is removed, the very small and insufficient support upon which her gigantic monetary system is based will have been removed. The mark to-day, worth upon its face 23.8 cents, passes current at from 2 to 3 cents. When the reparation commission requires, if it does require, the transfer of the remaining stock of gold in Germany—and, by the way, the treaty forbids her exportation of any gold during its continuance—the result not only upon her monetary system but upon her business condition is too obvious to require comment. So she must pay in commodities; in other words, she must pay with such surplus as she may be able to produce beyond her own bare means of existence; and this she must exchange with those countries which are needing them and which are able to pay for them. In order to do this, even in small degree, it is obvious that her industries must be rehabilitated. But the treaty deprives her of 75 per cent of her iron resources. I am not complaining of that; that is just; she is deprived of them because they are located in Alsace-Lorraine, which France has had returned to her as an element of complete and tardy justice.

Another key industry has been largely despoiled, and that is coal. If the plebescite about to be held in Silesia shall result adversely to Germany, then that depletion will be considerably in excess, as I now recall, of 30 per cent. The Senator from Illinois [Mr. MCCORMICK] yesterday directed attention to the vast quantities of coal which Germany is required for a certain number of years to supply to France, to Belgium, to Luxemburg, and to Italy. It is not necessary, therefore, for me to repeat that; but all these things are cumulative upon Germany's powers of recuperation. If she has, comparatively speaking, no iron ore, her iron industries can only be revived by importations; if the great bulk of her coal must go by way of restitution—and that is all right also—the chances are that the 19,000,000 tons of coal hitherto furnished to Austria will be no longer available; and her manufacturing powers will be heavily curtailed; but the prime fact with regard to reparation is that this situation, instead of building up and stimulating, decreases and depresses all avenues of German production. If she must depend upon her commerce for reparation, she must not only produce the goods essential to that purpose but she must also be able to transport them, either in her own or in foreign bottoms. The treaty makes provision with regard to German shipping, however, and to that I will in this connection refer. Much of it was captured in foreign ports—foreign as regards to Germany—during the war; much of it she has since surrendered; but Annex 3, of part 8, provides:

> The German Government, on behalf of themselves and so as to bind all other persons interested, cede to the allied and associated Governments the property in all the German merchant ships which are of 1,600 tons gross and upward; in one-half, reckoned in tonnage, of the ships which are between 1,000 tons and 1,600 tons gross; in one-quarter, reckoned in tonnage, of the steam trawlers; and in one-quarter, reckoned in tonnage, of the other fishing boats.

These are to be credited upon reparation account, but it can easily be perceived what the effect of stripping that country bare of her merchant marine will have upon her powers of recuperation. You can not expect the workman to measure up to his requirements if you deprive him of his tools, nor the merchant of his commerce if you deprive him of his customers.

> The German Government will, within two months of the coming into force of the present treaty, deliver to the reparation commission all the ships and boats mentioned in paragraph 1.

But it may be said Germany may build ships; she has immense shipyards; she has men by the thousands skilled in the art of ship construction, and she can easily replace this tremendous drain upon her merchant marine. Paragraph 5, however, provides:

> (a) Within three months of the coming into force of the present treaty the reparation commission will notify to the German Government the amount of tonnage to be laid down in German shipyards in each of the two years next succeeding the three months mentioned above.

They may, if they see fit, designate the entire productive capacity of the German shipyards for this reparation during that period. They must, as to each of the three succeeding years, produce an amount of tonnage not to exceed 200,000 gross tons.

Of course, the depredations of the submarines were terrible; they were inhuman; they were indefensible; they destroyed allied and neutral shipping by the millions of tons. Naturally replacement is desirable; but if it comes by way of replacement in kind instead of fixed indemnities of money, it can only come as the treaty provides, first, by taking possession of practically all of the shipping of the country, or, second, by new construction, or both; and here we have relied upon both.

Now, apart from the coal which is to be delivered—and which, as I say, was amplified yesterday—I call attention to certain other drains to be made upon Germany's natural resources; and I commend this part of the treaty particularly to that class of the public which to-day are shivering, actually or by pretense, over the specter of an aroused German competition. I read from Annex 6:

> Germany accords to the reparation commission an option to require as part of reparation the delivery by Germany of such quantities and kinds of dyestuffs and chemical drugs as the commission may designate, not exceeding 50 per cent of the total stock of each and every kind of dyestuff and chemical drug in Germany or under German control at the date of the coming into force of the present treaty.
>
> This option shall be exercised within 60 days of the receipt by the commission of such particulars as to stocks as may be considered necessary by the commission.

In addition to that she must deliver to France during the next three years 35,000 tons of benzol, 50,000 tons of coal tar, and 30,000 tons of sulphate of ammonia.

Oh, ye dye men, who before the Finance Committee of the Senate have drawn such gloomy pictures of the terrors of the coming German dye competition, whose imagination sees boatload after boatload steaming with full power across the wide waste of the Atlantic Ocean, who demand embargoes and prohibitory tariffs to protect and preserve their industry from this destructive competition—let me ask if you know anything about the economic clauses of the pending treaty? If you do, pray tell

me, if you can, after these deliveries to France, derived from a diminishing coal product, how much material Germany will retain in order to enable her to carry out and accomplish her fell commercial purpose?

But let us proceed:

Germany further accords to the reparation commission an option to require delivery during the period from the date of the coming into force of the present treaty until January 1, 1920, and during each period of six months thereafter, until January 1, 1925, of any specified kind of dyestuff and chemical drug up to an amount not exceeding 25 per cent of the German production of such dyestuffs and chemical drugs during the previous six months' period.

These clauses remind me of the old darky's coon trap. He set it in a peculiar way, and some one asked him why. "Because," he said, "I want to catch that animal if he is a-comin' or a-gwine"; and so with German chemicals.

Three. For dyestuffs and chemical drugs delivered under paragraph 1, the price shall be fixed by the commission, having regard to prewar net export prices and to subsequent increases of cost.

For dyestuffs and chemical drugs delivered under paragraph 2, the price shall be fixed by the commission, having regard to prewar net export prices and subsequent variations of cost or the lowest net selling price of similar dyestuffs and chemical drugs to any other purchaser.

Four. All details, including mode and times of exercising the options and making delivery and all other questions arising under this arrangement, shall be determined by the reparation commission. The German Government will furnish to the commission all necessary information and other assistance which it may require.

Five. The above expression, "dyestuffs and chemical drugs," includes all synthetic dyes and drugs and intermediate or other products used in connection with dyeing, so far as they are manufactured for sale.

That would seem to be ample; but, in order to make good measure, it is further provided that—

the present arrangement shall also apply to cinchona bark and salts of quinine.

Neither of which, I believe, is produced in Germany.

Will Germany be able to meet her indemnities, therefore, by her export trade in chemicals and dyestuffs? Before the war they amounted to a little over $51,000,000 in the highest year of exportation. With this emasculated remainder it will be a remarkable performance, in my judgment, if during the period of the operation of this particular clause she will be able to manufacture enough for her own purposes.

Mr. President, modern commerce depends largely upon means of communication. In these days the thoughts of men are transported around the world in an instant of time; and Germany, as a commercial nation, provided and equipped herself with the modern methods of communication, to the end that her great business might prosper. But by Annex 7 she is made to renounce—

On her own behalf and on behalf of her nationals in favor of the principal allied and associated powers all rights, titles, or privileges of whatever nature in the submarine cables set out below, or any portions thereof.

Then follows a list of cables reaching almost every point of importance in the world. Under this treaty, those are taken absolutely from Germany and from her nationals, and the renunciation is made in favor of the United States, Great Britain, France, Italy, and Japan. She may communicate, of course, by using these lines under foreign control, by contributing to their exchequer on the one hand and revealing all of her commercial secrets upon the other. She may trade, but she does so at a disadvantage which places her completely at the mercy of her conquerors and diminishes pro tanto her powers either of recuperation or of replacement.

Part IX refers to financial clauses, or is so entitled. I shall take but little time regarding that and merely emphasize the recitals of one or two articles. The first provides that—

Subject to such exceptions as the reparation commission may approve, a first charge upon all the assets and revenues of the German Empire and its constituent States shall be the cost of reparation and all other costs arising under the treaty or any treaties or agreements supplementary thereto or under arrangements concluded between Germany and the allied and associated powers during the armistice or its extensions.

Then follows the prohibition against the export of gold to which I have referred.

All other of the above costs—

Says article 249—

shall be paid in gold marks.

Article 251 fixes priorities. The first is—

The cost of the armies of occupation, as defined under article 249, during the armistice and its extensions.

The second is—

The cost of any armies of occupation, as defined under article 249, after the coming into force of the present treaty.

The third is—

The cost of reparation arising out of the present treaty—

Which includes, of course, the expenses of the enormous civil-service force which the reparation commission must inaugurate if they are to perform their duties.

The fourth covers—

The cost of all other obligations incumbent on Germany under the armistice conventions or under this treaty or any treaties or conventions supplementary thereto.

The costs of the armies of Allies in occupation, the costs of the execution of the receivership; all these things are first liens upon the resources of Germany, and, of course, must precede the principal part of her burden, which is indemnification.

We have, therefore, concretely stated—

1. The payment of all advances to Belgium.

2. The cost to the Allies of the war, including pensions and allowances, whether they relate to their civil or their military populations.

3. The surrender of these various items to which I have referred, and others which might be mentioned; and, of course, she must also conduct her own civil administration, an expenditure which before the war was very considerable, even after you have excluded the cost of the Army and Navy. What wonder, therefore, Mr. President, that these indemnities should be so indefinite and so enormous in their aggregate?

But let me turn, because the tax upon my strength tells me that I must soon conclude, to the economic clauses found on pages 117 to 122, inclusive; and to these, also, I will refer very briefly.

Article 267 provides that—

Every favor, immunity, or privilege in regard to the importation, exportation, or transit of goods granted by Germany to any allied or associated State or to any other foreign country whatever shall simultaneously and unconditionally, without request and without compensation, be extended to all the allied and associated States.

In other words, if Germany for any reason sees fit to make a special arrangement or treaty with any country in the world, and it is to her interest to bestow some particular favor or privilege upon that nation in order to secure the agreement, the same privilege automatically applies to all the allied and associated powers. If Germany to-morrow should, in her extremity, see fit to make a treaty, we will say, with Denmark, a contiguous neighbor, and her necessity should require her to extend particular privileges to Denmark in order to secure a needed commerce, that privilege instantly becomes the property of all the allied countries; and I may say here that every provision is made for the entry into Germany, without excessive and sometimes without any tariffs, of all the goods of the allied nations, but corresponding privileges are not given to her. Indeed, under chapter 3 she is required—

To adopt all the necessary legislative and administrative measures to protect goods the produce or manufacture of any one of the allied and associated powers from all forms of unfair competition in commercial transactions.

We have heard much about unfair competition, and unquestionably Germany was a master hand at it before the war. Unfair competition should be repressed everywhere and under all circumstances.

But we do not agree to repress it in favor of Germany; we require Germany to repress it in favor of all of the allied countries. There is no reciprocity about it. On the contrary, article 281—in some respects one of the most remarkable articles in the treaty—provides in terms that—

If the German Government engages in international trade, it shall not in respect thereof have or be deemed to have any rights, privileges, or immunities of sovereignty.

In other words, German international trade, which must be the basis of her powers of reparation, must be conducted by Germany as a nation, if at all, just as the obscurest individual in France or Italy or the United States or England can do so. The advantages appertaining to nationality in commerce, the prestige to which every nation is entitled if endowed with any sort of power or self-respect, the individuality which it has the right to assume in all commercial transaction, is by this treaty taken from Germany; and the conclusion is and must be that under this treaty Germany as a commercial competitor of the allied nations is to be wiped out. We must conclude that under this treaty her reassertion of commercial supremacy will be absolutely impossible.

Unfortunately, Mr. President, this punishment, however merited, operates like a two-edged sword. I do not believe that it would make for the prosperity of Washington if 50,000 of its people were reduced to penury, or if they were forbidden, by practically prohibitive restrictions, from carrying on the ordinary affairs of life. Not only would our sympathy be aroused, but our self-interest would be quickened, as we perceived that such a condition, while terrible in its effects upon

those immediately concerned, is quite as serious to the rest of the community. Hence it would not be tolerated, and so with nations. If you destroy the power of a nation to sell you render it incapable of purchase. If you impoverish your neighbor from whatever motive, you deprive yourself and the community of the benefit of his prosperity. I do not think it would surprise the Senate to be told that Germany was our third best customer before the war, our exports to which amounted to over $425,000,000 and our imports from which were about one-third of that sum. Perhaps Senators from the South may be interested in knowing that the year before the war Germany's imports of cotton were over $151,000,000. Perhaps it will interest those living in the West to know that her imports of wool were $118,000,000 and of hides and skins $124,000,000, and that her total import trade was $2,692,000,000 as against $2,524,000,000 of her export trade.

Do you want to preserve that market or are our animosities so great and our disregard of our treaty obligations so complete that her destruction is preferable to her trade? If so, then the treaty should be ratified. If the people of the South desire to contract their market for cotton to the extent of over $150,000,000, and if others desire to make similar restrictions, then what the treaty does to Germany will give them complete and supreme satisfaction. If, on the other hand, we want her to pay, as she should pay, a large round sum by way of indemnity, or call it what you please, if we are even selfishly interested in the prosperity of over 70,000,000 of people, regardless of their offenses against humanity, then this treaty should never become effective. You may look at it from the standpoint of national honor or from that of national selfishness, if you please, or both, but you can not escape the conclusion in either instance.

Now, let me refer for a moment to Part XII, regarding ports and waterways, beginning on page 157 of the Senate print. This part of the treaty requires practically free ports for all allied and associated shipping in Germany, where—

> The seaports of the allied and associated powers are entitled to all favors and to all reduced tariffs granted on German railways or navigable waterways for the benefit of German ports or of any port of another power.

Free ports which are reciprocal are, in my judgment, a great international blessing. I wish they might have been established before the war. They can not be established too soon now in the interest of international trade. They can not be one-sided, however, for if they are it would be better not to create them at all.

This part of the treaty, however, is not wholly confined to the matter of free ports, but it internationalizes all the great rivers of Germany. It makes them open to the commerce of the world and practically without restriction. Jurisdiction over each of them is invested in a commission composed of nationals of all countries to which the rivers are tributary. But Germany is in the minority upon each commission, and therefore the Allies will control them. Our goods, our passengers, our commerce, destined to ports either in or on the other side of Germany, are given by the treaty the same facilities upon her great rivers that the American public to-day enjoys upon the Mississippi, that the people of Great Britain enjoy upon the Thames, or those of France upon the Seine.

Now, the internationalization of all the rivers in Europe controlled by impartial commissions would be a distinct international continental benefit, but the control by all others of the streams of one nation, subjecting them to burdens which can not be interfered with by the nation itself, may be punishment, and deserved punishment, but it is not justice if justice is to be considered, as it should be considered, in the preliminary arrangement of terms of peace.

There is one feature, however, of the river situation that I desire to emphasize before the Senate. Bear in mind that under the other provisions of the treaty 25 per cent of the river boats have been required to be surrendered by way of reparation.

Article 339 provides that—

> Germany shall cede to the allied and associated powers concerned, within a maximum period of three months from the date on which notification shall be given her, a proportion of the tugs and vessels remaining registered in the ports of the river systems referred to in article 331—

That is, the internationalized rivers—

> after the deduction of those surrendered by way of restitution or reparation, Germany shall in the same way cede material of all kinds necessary to the allied and associated powers concerned for the utilization of those river systems.

In addition to this 25 per cent we now take a proportion of the tugs and vessels and material of all kinds necessary to the allied and associated powers concerned for the utilization of the river systems. What that material is, its character, its locus, the extent to which it can be used, are all indefinite. Let us see who determines it. Listen, Senators:

> The number of the tugs and boats and the amount of the material so ceded and their distribution *shall be determined by an arbitrator or arbitrators nominated by the United States of America*, due regard being had to the legitimate needs of the parties concerned, and particularly to the shipping traffic during the five years preceding the war.

The United States, through the agency of whose President, representing all of the allied and associated powers, the preliminaries of the treaty were negotiated, and which pledged to the Central Powers before the armistice the application of the principles of the President's speech of January 8, and subsequently and particularly his address of September 27, 1918—this Government, whose sacred word was pledged to carry out the terms and conditions of that preliminary agreement, is by the treaty charged with the responsibility of determining how many of Germany's remaining tugs and boats and how much of this material essential for the utilization of these international streams shall be appropriated by the allied and associated powers. Is that consistent with the assurances which were given on the 5th day of November? If matters were reversed and this condition were made applicable to America by Germany, no argument would be required to convince the dullest mind in America of the irreconcilable inconsistency of such a provision with the understanding of November 5. Yet there it is written, and those who are prepared to accept the treaty and then trust in God and the League of Nations for justice regardless of our covenant are willing to take a greater chance than am I, for I do verily believe that if the treaty becomes effective under the sign manual of the Senate of the United States posterity will justly hold the Members of this body to full responsibility for accepting a treaty which in so many respects does violence to the understanding upon which, and upon which alone, any treaty could have been negotiated.

Mr. KING. Mr. President——

Mr. THOMAS. I yield to the Senator from Utah.

Mr. KING. I sympathize very much with some of the statements made by the Senator as to the severity of the terms of the treaty. But assuming for the sake of the argument that the armistice was based on the correspondence to which the Senator has referred and that the treaty utterly fails to live up to the letter and spirit of that correspondence and the declarations made by Mr. Wilson, to which the Senator has also referred, and assuming that the treaty is harsh and unduly severe upon Germany, does not the Senator believe that Germany's position will be very much better and that the terms of the treaty will be softened and its severities will be eviscerated if the United States becomes a signatory to the treaty and we enter into the league?

Mr. BORAH. Mr. President——

Mr. THOMAS. I yield to the Senator from Idaho.

Mr. BORAH. May I ask the Senator from Utah, in all sincerity, how that mode of reasoning can be adopted when it was the United States which became a participant in the making of the treaty and imposing the terms? We had an infinitely better opportunity to refuse to make the terms than we will have to change the terms after they have been ratified.

Mr. THOMAS. I am obliged to the Senator from Idaho for answering the question, to which I will add another observation. I am not concerned about the severity of the terms of the treaty on Germany. So far as Germany is involved I do not care so much how severe they may be, because, as I have said, she merits any punishment that may be imposed upon her. I am concerned for my own country, for the position which it assumed and in consequence of which the surrender was effected. I am not much of a hand, Mr. President, to accept an unsatisfactory agreement and then to depend upon time and chance and Providence for its amelioration.

I have a lively recollection that in 1899 or 1900 the distinguished leader of the party to which I belong resigned his commission in the Army, came to Washington, and by his influence secured ratification of the treaty with Spain, which delivered to the United States 20,000,000 of reluctant people and a huge outpost in the Orient, and which, in my judgment, was our first abandonment of the Monroe doctrine. That very able and enthusiastic statesman not only labored under the delusion but made all over the country the assertion that with the ratification of the treaty the American people would recognize the independence of the Philippines, fill their purse with treasure, and tell them to go on their way rejoicing. Yet I have a lively recollection that we still own the Philippines. They have been a burden to us ever since, and I doubt whether we shall ever get rid of them.

No; take no chances. A burnt child dreads the fire. In my judgment the way to meet this difficulty is to tell the world

why we object to the treaty and quit pivoting our discussion upon Part I, because in doing so we have emphasized the importance of that part out of all proportion to the rest of the treaty, moreover, and have delivered an opiate to the American people, unconsciously, of course, and dulled their senses to the merits of this document as a treaty of peace with Germany.

Now, the German commissioners at Versailles thus concluded their protest against the economic covenants of the treaty.

German democracy is thus annihilated at the very moment when the German people was about to build it up after a severe struggle—annihilated by the very persons who throughout the war never tired of maintaining that they sought to bring democracy to us. * * * Germany is no longer a people and a State, but becomes a mere trade concern placed by its creditors in the hands of a receiver, without its being granted so much as the opportunity to prove its willingness to meet its obligations of its own accord. The commission, which is to have its permanent headquarters outside Germany, will possess in Germany incomparably greater rights than the German Emperor ever possessed; the German people under its régime would remain for decades to come shorn of all rights and deprived to a far greater extent than any people in the days of absolutism of any independence of action, of any individual aspiration in its economic or even in its ethical progress.

Mr. President, I have tried in my own mind to formulate a fitting answer to this conclusion. I have been unable to do so when I contrast these phrases with the diplomatic correspondence which preceded the armistice and to which I devoted some time this morning.

I contend, Mr. President, in conclusion, that the terms of the treaty can not be made to square with the German-Allied pre-armistice understanding. I contend that the injustices and oppressions of the Franco-Prussian treaty formed the source of the recent war, and these we have sanctioned and multiplied manyfold in the economic clauses of the treaty. In the language of the President, have we been just to those to whom we did not wish to be just, or have we forgotten or disregarded the principles of that lofty and elevating sentiment? Have we considered what the blight of these conditions will be upon the enterprise and prosperity of the conquered peoples?

If, through an indefinite future, every dollar over the bare means of existence earned by every citizen of America were by some covenant, which we were obliged to accept, diverted from our pockets to a foreign treasury, there to be used to liquidate an obligation, the total amount of which no man could know, what effect would it have upon the morale, the integrity, the enterprise, and the future of the people of this Republic? Were we deprived of the energizing influence of the desire to succeed, which is the ambition of every free man and which underlies the foundation of progress and prosperity the world over, we would stagnate, then retrograde, then disappear as an independent people.

This treaty, in my judgment, must necessarily destroy the economic structure not only of Germany but of all the peoples of central Europe which are dependent upon and associated with it. Their means of progress and of production have been largely reduced, and in some instances have been almost totally destroyed. Their initiative must inevitably disappear under the oppressive burdens of these exactions. Their government will be a government in name only, for it is to be administered, subject to no protest or reproach upon their part, by this mighty commission, whose headquarters, by the treaty, are placed upon alien soil.

Do not forget, Senators, that these economic conditions are duplicated in the treaty soon to be laid before the Senate relating to Austria. That unhappy country, justly suffering in retribution for an awful crime, to-day presents a spectacle that must excite the sympathy and the commiseration of every well-directed mind.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. WALSH of Montana in the chair). Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. THOMAS. I yield.

Mr. NORRIS. I desire to suggest to the Senator from Colorado that before he concludes he put into his magnificent address, in order that those who will in the future read it may have it before them in the consideration of the other matters to which he has alluded, the constitution of the reparation commission, to which the Senator has referred.

Mr. THOMAS. Does the Senator mean the part of the treaty making provision for the reparation commission?

Mr. NORRIS. Yes. The Senator has referred to it very extensively, but he has nowhere stated exactly how that commission is constituted.

Mr. THOMAS. I shall be glad to do so, and I ask permission that I may insert it at this point.

The PRESIDING OFFICER. In the absence of objection, permission to do so will be granted.

The matter referred to is as follows:

ANNEX II.

1.

The commission referred to in article 233 shall be called "the reparation commission" and is hereinafter referred to as "the commission."

2.

Delegates to this commission shall be nominated by the United States of America, Great Britain, France, Italy, Japan, Belgium, and the Serb-Croat-Slovene State. Each of these powers will appoint one delegate and also one assistant delegate, who will take his place in case of illness or necessary absence, but at other times will only have the right to be present at proceedings without taking any part therein.

On no occasion shall the delegates of more than five of the above powers have the right to take part in the proceedings of the commission and to record their votes. The delegates of the United States, Great Britain, France, and Italy shall have this right on all occasions. The delegate of Belgium shall have this right on all occasions other than those referred to below. The delegate of Japan shall have this right on occasions when questions relating to damage at sea, and questions arising under article 260 of Part IX (financial clauses) in which Japanese interests are concerned, are under consideration. The delegate of the Serb-Croat-Slovene State shall have this right when questions relating to Austria, Hungary, or Bulgaria are under consideration.

Each Government represented on the commission shall have the right to withdraw therefrom upon 12 months' notice filed with the commission and confirmed in the course of the sixth month after the date of the original notice.

3.

Such of the other allied and associated powers as may be interested shall have the right to appoint a delegate to be present and act as assessor only while their respective claims and interests are under exmination or discussion, but without the right to vote.

4.

In case of the death, resignation, or recall of any delegate, assistant delegate, or assessor, a successor to him shall be nominated as soon as possible.

5.

The commission will have its principal permanent bureau in Paris and will hold its first meeting in Paris as soon as practicable after the coming into force of the present treaty, and thereafter will meet in such place or places and at such time as it may deem convenient and as may be necessary for the most expeditious discharge of its duties.

6.

At its first meeting the commission shall elect, from among the delegates referred to above, a chairman and a vice chairman, who shall hold office for one year and shall be eligible for reelection. If a vacancy in the chairmanship or vice chairmanship should occur during the annual period, the commission shall proceed to a new election for the remainder of the said period.

7.

The commission is authorized to appoint all necessary officers, agents, and employees who may be required for the execution of its functions, and to fix their remuneration; to constitute committees, whose members need not necessarily be members of the commission, and to take all executive steps necessary for the purpose of discharging its duties; and to delegate authority and discretion to officers, agents, and committees.

8.

All proceedings of the commission shall be private, unless, on particular occasions, the commission shall otherwise determine for special reasons.

9.

The commission shall be required, if the German Government so desire, to hear, within a period which it will fix from time to time, evidence and arguments on the part of Germany on any question connected with her capacity to pay.

10.

The commission shall consider the claims and give to the German Government a just opportunity to be heard, but not to take any part whatever in the decisions of the commission. The commission shall afford a similar opportunity to the allies of Germany, when it shall consider that their interests are in question.

11.

The commission shall not be bound by any particular code or rules of law or by any particular rule of evidence or of procedure, but shall be guided by justice, equity, and good faith. Its decisions must follow the same principles and rules in all cases where they are applicable. It will establish rules relating to methods of proof of claims. It may act on any trustworthy modes of computation.

12.

The commission shall have all the powers conferred upon it, and shall exercise all the functions assigned to it, by the present treaty.

The commission shall in general have wide latitude as to its control and handling of the whole reparation problem as dealt within this part of the present treaty and shall have authority to interpret its provisions. Subject to the provisions of the present treaty, the commission is constituted by the several allied and associated Governments referred to in paragraphs 2 and 3 above as the exclusive agency of the said Governments respectively for receiving, selling, holding, and distributing the reparation payments to be made by Germany under this part of the present treaty. The commission must comply with the following conditions and provisions:

(a) Whatever part of the full amount of the proved claims is not paid in gold, or in ships, securities, and commodities or otherwise, Germany shall be required, under such conditions as the commission may determine, to cover by way of guarantee by an equivalent issue of bonds, obligations or otherwise, in order to constitute an acknowledgement of the said part of the debt.

(b) In periodically estimating Germany's capacity to pay, the commission shall examine the German system of taxation, first, to the end that the sums for reparation which Germany is required to pay shall become a charge upon all her revenues prior to that for the service or discharge of any domestic loan, and secondly, so as to satisfy itself

that, in general, the German scheme of taxation is fully as heavy proportionately as that of any of the powers represented on the commission.

(c) In order to facilitate and continue the immediate restoration of the economic life of the allied and associated countries, the commission will as provided in article 235 take from Germany by way of security for and acknowledgement of her debt a first instalment of gold bearer bonds free of all taxes and charges of every description established or to be established by the Government of the German Empire or of the German States, or by any authority subject to them; these bonds will be delivered on account and in three portions, the marks gold being payable in conformity with article 262 of Part IX (financial clauses) of the present treaty as follows:

(1) To be issued forthwith, 20,000,000,000 marks gold bearer bonds, payable not later than May 1, 1921, without interest. There shall be specially applied toward the amortization of these bonds the payments which Germany is pledged to make in conformity with article 235, after deduction of the sums used for the reimbursement of expenses of the armies of occupation and for payment of foodstuffs and raw materials. Such bonds as have not been redeemed by May 1, 1921, shall then be exchanged for new bonds of the same type as those provided for below (paragraph 12, c, (2)).

(2) To be issued forthwith, further 40,000,000,000 marks gold bearer bonds, bearing interest at 2½ per cent per annum between 1921 and 1926, and thereafter at 5 per cent per annum with an additional 1 per cent for amortization beginning in 1926 on the whole amount of the issue.

(3) to be delivered forthwith a covering undertaking in writing to issue when, but not until, the commission is satisfied that Germany can meet such interest and sinking fund obligations, a further instalment of 40,000,000,000 marks gold 5 per cent bearer bonds, the time and mode of payment of principal and interest to be determined by the commission.

The dates for payment of interest, the manner of applying the amortization fund, and all other questions relating to the issue, management, and regulation of the bond issue shall be determined by the commission from time to time.

Further issues by way of acknowledgment and security may be required as the commission subsequently determines from time to time.

(d) In the event of bonds, obligations, or other evidence of indebtedness issued by Germany by way of security for or acknowledgment of her reparation debt being disposed of outright, not by way of pledge, to persons other than the several Governments in whose favor Germany's original reparation indebtedness was created, an amount of such reparation indebtedness shall be deemed to be extinguished corresponding to the nominal value of the bonds, etc., so disposed of outright, and the obligation of Germany in respect of such bonds shall be confined to her liabilities to the holders of the bonds, as expressed upon their face.

(e) The damage for repairing, reconstructing, and rebuilding property in the invaded and devastated districts, including reinstallation of furniture, machinery, and other equipment, will be calculated according to the cost at the dates when the work is done.

(f) Decisions of the commission relating to the total or partial cancellation of the capital or interest of any verified debt of Germany must be accompanied by a statement of its reasons.

Mr. THOMAS. Mr. President, Austria's indemnity also is indefinite; it is to be ascertained by the same commission in the same way, and the results, whatever they may be, are eagerly waited for by the countries which she has devastated, and particularly by Serbia and Italy. However much they may differ regarding Fiume, their interests and their hopes are identical when turned in the direction of Vienna. If ever a country, Mr. President, paid penance for its crimes, if ever a nation which drew the sword perished by the sword, if ever consequences due to the violation of the eternal laws of justice and of right were inflicted upon a great and mighty people, that people is the late powerful, puissant empire of Austria. To-day her people are starving, her women with their babes are perishing from hunger and cold and want in the streets of her mighty cities. Yet we are contemplating a treaty whose economic consequences must aggravate, if that be possible, the terrible measure of her misery and her want.

Mr. President, I was a boy at the close of the Civil War. I remember the passions of the Northern people aroused in fully as great a measure against the people of the South as were those of all our people against the Central Powers during and immediately after the recent war. It was seriously proposed in the Congress following Lee's surrender to reduce the Southern States to provinces; to make the Confederate uniform the badge of the convict in all the prisons of the land; to try and execute the late president of the Confederacy and his chief military officers for treason; to disfranchise the whites and to enfranchise the blacks; and to take the property left after war's destruction to remunerate the North for the tremendous expense of the war. Does anyone imagine that had that policy been effectuated, the integrity of the Union would long have been preserved? The great heart of the mighty people of the South responded to the music of the Union in the dread days of the Spanish and the German Wars; their sons and their treasures gladly and willingly merged with those of the North in upholding American institutions and the honor of the American ensign; but does anyone believe for a moment that that would have been possible had this policy of punishment and of vengeance been followed to its logical conclusions?

Mr. President, I can never forget the morning when the news flashed across the wires that the late president of the Confederacy had been fettered and imprisoned at Fortress Monroe. The feelings of the people of the South everywhere rose in spontaneous protest, in vindictiveness, in animosity toward the National Government, and even to-day those feelings have not fully subsided. No; after the bitterness engendered by the war was over the great heart of the North responded in sympathy and affection, in assistance and cooperation, to and with their stricken brethren of the late Confederacy, and, like the good Samaritan, they finally ministered unto them and lifted them to their feet. It required but the cry of war in 1898 to exhibit to the world the spirit of a reunited people bound in one common destiny and owing allegiance to a single flag—the result of forbearance, of sympathy, and of forgetfulness. We may contrast the one condition with the other, with much benefit to ourselves, and, I think, with an almost certain prescience that like creates like in human nature everywhere.

Mr. President, I shall doubtless be accused of an undue sympathy with the conquered powers. I have never yet endured the reproach of pro-Germanism, but I have no doubt it will be cast upon me on the morrow. I do not question that the enormities of Germany's crimes will be sung in chorus throughout the land as a complete and effective rejoinder to anything that may be offered against the oppressive covenants of this treaty.

I have been a reluctant speaker, Mr. President, upon this subject; I have shrunk from its consideration and indulged the hope that the task might fall upon other shoulders; but, inasmuch as the treaty is again before the Senate for consideration, and inasmuch as I have given many painful and anxious hours to its consideration since it was disposed of in November and have reached the convictions I have just expressed, I have felt it my duty as an American Senator to review these treaty requirements, whatever the consequences to myself might be.

To-day the only forum in the world in which the provisions of this treaty can be freely and fearlessly discussed, the only body holding the fate of the world in its hands and upon whose decision rest consequences reaching to the remotest generation, is the Senate of the United States, endowed by the Constitution with the powers and responsibility of passing upon and approving all contracts with foreign governments. It is a duty, Mr. President, transcendently beyond partisanship and personal considerations, the importance of whose proper performance, in my judgment, is the supreme requirement of an American Senator. All these considerations have conspired to induce me to make this poor presentation in the hope that before the document shall be ratified the Members of this body and the American people may understand that it comprises the League of Nations not only, but covenants and conditions which affect the future, the commerce, the economic integrity, the social structure, and, perhaps, the peace of the world, through those economic provisions which, in defiance of our pre-armistice agreement, have been crystallized into the body of this treaty, and which recognize and enforce we must, however odious the task, once we shall have pronounced our judgment in its favor and thus given it the sanction of our final approval.

APPENDIX.

PRINCE MAXIMILIAN'S NOTE, OCTOBER 6, 1918.

The German Government requests the President of the United States to take in hand the restoration of peace. *Acquaint all the belligerent States of the request* and invite them to send plenipotentiaries for the purpose of opening negotiations. *It accepts the program set forth by the President of the United States in his message to Congress on January 8, and in his later pronouncements, especially his speech of September 27, as a basis for peace negotiations.* With a view to avoiding further bloodshed the German Government requests the immediate conclusion of an armistice on land and water and in the air.

REPLY OF UNITED STATES THROUGH CHARGÉ D'AFFAIRES SWISS LEGATION.

OCTOBER 8.

SIR: I have the honor to acknowledge on behalf of the President your note of October 6 inclosing the communication from the German Government to the President, and I am instructed by the President to request you to make the following communication to the Imperial German Chancellor:

Before making reply to the request of the Imperial German Government, and in order that that reply shall be as candid and straightforward as the momentous interests involved require, the President of the United States deems it necessary to assure himself of the exact meaning of the note of the Imperial Chancellor. Does the Imperial Chancellor mean that the Imperial German Government accepts the terms laid down by the President in his address to the Congress of the United States on January last and subsequent addresses, and that its object in entering into discussions would be only to agree upon the practical details of their application?

The President feels bound to say with regard to the suggestion of an armistice that he would not feel at liberty to propose a cessation of arms to the Governments with which the Government of the United States is associated against the Central Powers so long as the armies of those powers are upon their soil. The good faith of any discussion would manifestly depend upon the consent of the Central Powers immediately to withdraw their forces everywhere from invaded

territory. The President also feels that he is justified in asking whether the Imperial Chancellor is speaking merely for the constituted authorities of the Empire who have so far conducted the war. He deems the answer to these questions vital from every point of view.

Accept, sir, the renewed assurances of my high consideration.

ROBERT LANSING.

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GERMAN REPLY, OCTOBER 12.

In reply to the questions of the President of the United States of America the German Government hereby declares:

The German Government has accepted the terms laid down by President Wilson in his address of January 8 and in his subsequent addresses on the foundations of a permanent peace of justice. Consequently its object in entering into discussions would be only to agree upon practical details of the application of these terms. The German Government believes that the Governments of the powers associated with the Government of the United States also take the position taken by President Wilson in his address. The German Government in accordance with the Austro-Hungarian Government for the purpose of bringing about an armistice declares itself ready to comply with the propositions of the President in regard to evacuation.

The German Government suggests that the President may occasion the meeting of a mixed commission for making the necessary arrangements concerning the evacuation. The present German Government which has undertaken the responsibility for this step toward peace has been formed by conferences and in agreement with the great majority of the Reichstag. The chancellor, supported in all of his actions by the will of this majority, speaks in the name of the German Government and the German people.

SOLF,
State Secretary of Foreign Office.

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LANSING TO OEDERLIN.

OCTOBER 14.

SIR: In reply to the communication of the German Government dated the 12th instant, which you handed me to-day, I have the honor to request you to transmit the following answer:

The unqualified acceptance by the present German Government and by a large majority of the German Reichstag of the terms laid down by the President of the United States of America in his address to the Congress of the United States on January 8, 1918, and in his subsequent addresses, justifies the President in making a frank and direct statement of his decision with regard to the communications of the German Government of October 8 and 12, 1918. It must be clearly understood that the process of evacuation and the conditions of an armistice are matters which must be left to the judgment and advice of the military advisers of the Government of the United States and the allied Governments, and the President feels it his duty to say that no arrangement can be accepted by the Government of the United States which does not provide absolutely satisfactory safeguards and guaranties of the maintenance of the present military supremacy of the Armies of the United States and of the Allies in the field. He feels confident that he can safely assume that this will also be the judgment and decision of the allied Governments.

The President feels that it is also his duty to add that neither the Government of the United States nor he is quite sure the Governments with which the Government of the United States is associated as a belligerent will consent to consider an armistice so long as the armed forces of Germany continue the illegal and inhumane practices which they persist in. At the very time that the German Government approaches the Government of the United States with proposals of peace its submarines are engaged in sinking passenger ships at sea; and not the ships alone, but the very boats in which their passengers and crews seek to make their way to safety; and in their present enforced withdrawal from Flanders and France the German armies are pursuing a course of wanton destruction which has always been regarded as a direct violation of the rules and practices of civilized warfare. Cities and villages if not destroyed are being stripped of all they contain not only, but of their very inhabitants. The nations associated against Germany can not be expected to agree to a cessation of arms while acts of inhumanity, spoliation, and desolation are being continued, which they justly look upon with horror and with burning hearts.

It is necessary also, in order that there may be no possibility of misunderstanding that the President should very solemnly call the attention of the Government of Germany to the language and plain intent of *one of the terms of peace which the German Government has now accepted.* It is contained in the address of the President delivered at Mount Vernon on July 4 last. It is as follows:

"The destruction of every arbitrary power anywhere that can separately, secretly, and of its single choice disturb the peace of the world; or, if it can not be presently destroyed, at least its reduction to virtual impotency."

The power which has hitherto controlled the German nation is of the sort here described. It is within the choice of the German nation to alter it. The President's words just quoted naturally constitute a condition precedent to peace, if peace is to come by the action of the German people themselves. The President feels bound to say that the whole process of peace will in his judgment depend upon the definiteness and the satisfactory character of the guarantees which can be given in this fundamental matter. It is indispensable that the governments associated against Germany should know beyond a peradventure with whom they are dealing. The President will make a separate reply to the Royal and Imperial Government of Austria-Hungary. Accept, sir, the renewed assurances of my high consideration.

ROBERT LANSING.

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GERMAN REPLY OCTOBER 20.

In accepting the proposal for an evacuation for occupied territories, the German Government has started from the assumption that the procedure of the evacuation and of the conditions of an armistice should be left to the judgment of the military advisers and that the actual standard of power on both sides in the field has to form the basis for arrangements safeguarding and guaranteeing this standard. The German Government suggests to the President that an opportunity should be brought about for fixing the details. It trusts that the President of the United States will approve of no demand which would be irreconcilable with the honor of the German people and with opening a way to a peace of justice.

The German Government protests against the reproach of illegal and inhumane actions made against the German land and sea forces and thereby against the German people. For the covering of a retreat destructions will always be necessary and they are carried out in so far as is permitted by international law. The German troops are under the most strict instruction to spare private property and to exercise care for the population to the best of their ability. Where transgressions occur in spite of these instructions the guilty are being punished. The German Government further denies that the German Navy in sinking ships has ever purposely destroyed lifeboats with their passengers. The German Government proposes with regard to all these charges that the facts be cleared up by neutral commissions.

In order to avoid anything that might hamper the work of peace the German Government has caused orders to be dispatched to all submarine commanders precluding the torpedoing of passenger ships, without, however, for technical reasons, being able to guarantee that these orders will reach every single submarine at sea before its return. As a fundamental condition for peace the President prescribes the destruction of every arbitrary power that can separately, secretly, and of its own single choice disturb the peace of the world. To this the German Government replies: Hitherto the representation of the people in the German Empire has not been endowed with an influence on the formation of the Government. The constitution did not provide for a concurrence of representation of the people in decisions of peace and war. These conditions have just now undergone a fundamental change. A new government has been formed in complete accordance with the principle of the representation of the people, based on equal, universal, secret, direct franchise.

The leaders of the great parties of the Reichstag are members of this Government. In the future no government can take or continue in office without possessing the confidence of a majority of the Reichstag. The responsibility of the Chancellor of the Empire to the representation of the people is being legally developed and safeguarded. The first act of the new Government has been to lay before the Reichstag a bill to alter the constitution of the Empire so that the consent of the representation of the people is required for decisions on war and peace. The permanence of the new system is, however, guaranteed not only by constitutional safeguards, but also by the unshakable determination of the German people, whose vast majority stands behind these reforms and demands their energetic continuance.

The question of the President, with whom he and the Governments associated against Germany are dealing, is therefore answered in a clear unequivocal manner by the statement that the offer of peace and an armistice has come from a Government which is free from any arbitrary and irresponsible influence and is supported by the approval of an overwhelming majority of the German people.

SOLF.

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PRESIDENT'S REPLY OCTOBER 23 TO SWISS CHARGÉ D'AFFAIRES.

SIR: I have the honor to acknowledge the receipt of your note of October 22, transmitting a communication, under date of October 20, from the German Government and to advise you that the President has instructed me to reply thereto as follows:

Having received the solemn and explicit assurance of the German Government that it unreservedly accepts the terms of peace as laid down in his address to the Congress of the United States on January 8, 1918, and the principles of settlement enunciated in his subsequent addresses, particularly the address of September 27, and that it desires to discuss the details of their application, and that this wish and purpose emanated not from those who have hitherto dictated German policy and conducted the present war on Germany's behalf, but from ministers who speak for a majority of the Reichstag and for an overwhelming majority of the German peoples, and having received also the explicit promises of the present German Government that the humane rules of civilized warfare will be observed both on land and sea by the German armed forces, *the President of the United States feels that he can not decline to take up with the Governments with which the Government of the United States is associated the question of an armistice.*

He deems it his duty to say again, however, that the only armistice he would feel justified in submitting for consideration would be one which should leave the United States and the powers associated with her in a position to enforce any arrangements that may be entered into, and to make a renewal of hostilities on the part of Germany impossible. The President has therefore transmitted his correspondence with the present German authorities to the Governments with which the Government of the United States is associated as a belligerent, with the suggestion that *if those Governments are disposed to effect peace upon the terms and principles indicated,* their military advisers and the military advisers of the United States be asked to submit to the Governments associated against Germany the necessary terms of such an armistice as will fully protect the interests of the peoples involved and assure to the associated Governments the unrestricted power to safeguard and enforce the details of the peace to which the German Government has agreed, provided they deem such an armistice possible from the military point of view. Should such terms of armistice be suggested, *their acceptance by Germany will afford the best concrete evidence of her unequivocal acceptance of the terms and principles of peace from which the whole action proceeds.*

The President would deem himself lacking in candor did he not point out in the frankest possible terms the reason why extraordinary safeguards must be demanded. Significant and important as the constitutional changes seem to be which are spoken of by the German foreign secretary in his note of October 20, it does not appear that the principle of a Government responsible to the Germany people has yet been fully worked out, or that any guaranties either exist or are in contemplation that the alterations of principle and of practice, now partially agreed upon, will be permanent. Moreover, it does not appear that the heart of the present difficulty has been reached. It may be that future war has been brought under the control of the German people, but the present war has not been, and it is with the present war that we are dealing. It is evident that the German people have no means of commanding the acquiescence of the military authorities of the Empire in the popular will; that the power of the King of Prussia to control the policy of the Empire is unimpaired; that the determinating initiative still remains with those who have hitherto been the masters of Germany.

Feeling that the whole peace of the world depends now on plain speaking and straightforward action, the President deems it his duty to say, without any attempt to soften what may seem harsh words, that the nations of the world do not and can not trust the word of those who have hitherto been the masters of German policy, and to point out once more that in concluding peace and attempting to undo the infinite injuries and injustices of this war the Government of the United States can not deal with any but veritable representatives of the German peo-

ple who have been assured of a genuine constitutional standing as the real rulers of Germany. *If it must deal with the military masters and the monarchical autocrats of Germany now, or if it is likely to have to deal with them later in regard to the international obligations of the German Empire, it must demand not peace negotiations but surrender.* Nothing can be gained by leaving this essential thing unsaid. Accept, sir, the renewed assurances of my high consideration.

LANSING.

—

GERMANY, *October 27.*

The German Government has taken cognizance of the answer of the President of the United States. The President is aware of the far-reaching changes which have been carried out and are being carried out in the German constitutional structure, and that peace negotiations are being conducted by a people's government, in whose hands rests, both actually and constitutionally, the power to make the deciding conclusions. The military powers are also subject to it. The German Government now awaits proposals for an armistice *which shall be the first step toward a just peace, as the President has described it in his proclamation.*

SOLF.

Mr. LODGE. I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Harris	McNary	Smith, Ga.
Beckham	Harrison	Moses	Smith, Md.
Borah	Henderson	Nelson	Smoot
Brandegee	Hitchcock	New	Spencer
Calder	Johnson, S. Dak.	Norris	Sterling
Capper	Jones, N. Mex.	Nugent	Sutherland
Colt	Jones, Wash.	Overman	Thomas
Curtis	Kellogg	Page	Townsend
Dial	Kendrick	Phelan	Trammell
Dillingham	Keyes	Phipps	Walsh, Mont.
Fernald	King	Pittman	Warren
Fletcher	Kirby	Pomerene	Watson
France	Knox	Ransdell	Williams
Gore	Lodge	Reed	Wolcott
Gronna	McCormick	Sheppard	
Hale	McKellar	Shields	

Mr. GRONNA. I have been requested to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent because of illness.

The PRESIDING OFFICER. Sixty-two Senators have answered to their names. A quorum is present.

Mr. BORAH. Mr. President, may I inquire how many Senators were found to be present?

The PRESIDING OFFICER. Sixty-two.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Massachusetts?

Mr. BORAH. I yield.

Mr. LODGE. I only desire to say that last evening when we adjourned we were considering the amendment which I have proposed to reservation No. 1, proposed simply with a view of making it effective in its second clause, it now being in my judgment ineffective, and I think the purpose of it will be perfectly clear to anyone who examines it. I do not desire to take any further time in discussing it myself, unless objections are made to it, when I may have something to say.

Mr. BORAH. So far as this particular amendment is concerned, I have not any desire to delay. It seems to facilitate getting out of this thing, if we are ever to get in. Therefore I have no objection to voting on it, if both sides are ready to vote.

Mr. KING. Mr. President, I think there are Senators absent who would like to be here when a vote is taken upon any of the reservations offered; and if the Senator from Idaho desires to submit some remarks I am sure they would be very glad, because it would give all an opportunity to be present when we proceed to vote.

Mr. BORAH. I suppose it is really fair, of course, that there should be a full attendance when we do vote. I did not know but that the amendment was going to be accepted without any controversy. If there is going to be a vote, I suppose there should be a full attendance.

Mr. BORAH. Mr. President, I shall occupy the time of the Senate for a short period only.

There was placed in the RECORD this morning an article by Dr. Charles W. Eliot, ex-president of Harvard University. In this article many statements appear which I assume the venerable professor intended to be derogatory of the Senate. Among other things he says:

> Again, a senseless apprehension and futile precautions against imaginary dangers are exhibited without shame by American Senators! What a humiliation for the country before the wondering world!

One might reply to Dr. Eliot in language similar to that in which he chose to express his views in this article. I think perhaps there is a better reply by stating a few facts, not upon my own authority, but upon the authority of those who are in much better position to know the facts than I.

Dr. Eliot contends that the objections which have been made to the treaty are purely imaginary; that they are made for the purpose of satisfying partisan feeling and personal antagonism, and are not based upon actual facts or conditions, or upon the real terms of the treaty or the covenant. Even while Dr. Eliot was writing his article the facts were fast transpiring which sustain all the contentions which have ever been made by those who are opposed to the treaty. He seems to have written his article several months ago, and perhaps only found an opportunity to publish it within the last few days, because the article has the appearance of writing upon the facts as they existed some five or six months ago, and is wholly a stranger to the facts as they exist at the present time. However, Dr. Eliot has never in all his writings disclosed any particular affection for facts. He is one of those voluminous contributors to the press who seem to think facts have no place in public discussions.

It has been contended by those who have advocated the league, particularly those outside of the Chamber, that those opposing the league have been uninformed, and have been acting from narrow partisan reasons. Day by day, however, those who are in a position to know the facts, who have studied the situation on the ground in Europe, who know the conditions as they exist there, are coming to sustain the view which has heretofore been advanced by the Senators who are now being so severely criticized by the doctor, I am going to call attention to statements from those who can not be charged with the motives which Prof. Eliot attributes to Senators, and who are in a much better position to know the facts than even those who have given study to the matter here on the floor.

A few days ago some one sent me this paper from Norway. It is an interview with the prime minister of Norway. It is rather an extended interview, and I am not going to insert it all in the RECORD—only a paragraph or so. He said, in regard to the Versailles treaty:

> I have not yet seen anything of peace. In my opinion the Vienna congress and the Holy Alliance was an innocent idyl as compared with the Versailles product.

Mr. WALSH of Montana. Mr. President——

Mr. BORAH. I yield.

Mr. WALSH of Montana. I have the impression that Norway has ratified the treaty. Can the Senator advise us as to that?

Mr. BORAH. I could not say; perhaps for the same reason that the Senate is being urged to ratify it.

Mr. WALSH of Montana. If that is the case, apparently the Norwegian Parliament does not concur with the prime minister.

Mr. BORAH. I am quoting the prime minister, not the Norwegian Parliament. He perhaps expressed his real view, and that Parliament may be, like other Parliaments, expressing somebody else's view.

I have here the views of another distinguished gentleman in Europe who has lately written on this subject. I presume most readers in this country are quite familiar with Dr. Dillon's writings. He has been a student of European affairs for 40 years, an instructor in some of the great European universities, was at the peace conference, and has written a number of books on subject matters which relate directly or indirectly to the affairs of Europe. He has now written a book upon the peace conference itself. I invite the attention of Dr. Eliot to this book. He will find in it a complete answer to practically all of the suggestions which he made in his article which was to-day published in the RECORD.

In the foreword Dr. Dillon said:

> The conference has transformed Europe into a seething mass of mutually hostile States powerless to face the economic competition of their overseas rivals and has left the very elements of society in flux.

Nothing has been said here which exceeds that as an indictment of the treaty. Yet it is stated by one who is now in Europe, who has lived there all his life, who has been a student of international affairs all his life, a man who has been and still is an advocate of a league of nations, who believes that a plan could be formulated by which peace could be reasonably permanently insured, and which could be successfully utilized for the purpose of settling disputes which might arise between the different nations of Europe. He is not, in other words, one of those persistently assailed characters who are known as irreconcilables. He is in favor of some kind of a league.

I read from page 384 of this book, which is something of a summing up of the entire situation:

> It is practices like these which ultimately determine the worth of the treaties and the covenant which Mr. Wilson was content to take back with him to Washington as the final outcome of what was to have been the most superb achievement of historic man. Of the new ethical principles, of the generous renunciation of privileges, of the righting of secular wrongs, of the respect that was to be shown for the weak, which were to have cemented the union of peoples into one pacific if not blissful family, there remained but the memory. No such bitter draught of disappointment was swallowed by the nations since the

world first had a political history. Many of the resounding phrases that once foretokened a new era of peace, right, and equity were not merely emptied of their contents but made to connote their opposites. Freedom of the seas became supremacy of the seas, which may possibly turn out to be a blessed consummation for all concerned, but should not have been smuggled in under a gross misnomer. The abolition of war means, as British and American and French generals and admirals have since told their respective fellow citizens, thorough preparations for the next war, which are not to be confined, as heretofore, to the so-called military States, but are to extend over all Anglo-Saxondom. "Open covenants openly arrived at" signify secret conclaves and conspirative deliberations carried on in impenetrable secrecy which can not be dispensed with even after the whole business has passed into history. The self-determination of peoples finds its limit in the rights of every great power to hold its subject nationalities in thrall on the ground that their reciprocal relations appertain to the domestic policy of the State. It means, further, the privilege of those who wield superior force to put irresistible pressure upon those who are weak, and the lever which it places in their hands for the purpose is to be known under the attractive name of the protection of minorities. Abstention from interference in the home affairs of a neighboring community is made to cover intermeddling of the most irksome and humiliating character in matters which have no nexus with international law, for if they had the rule would be applicable to all nations. The lesser peoples must hearken to injunctions of the greater States respecting their mode of treating alien immigrants, and must submit to the control of foreign bodies which are ignorant of the situation and its requirements. Nor is it enough that those States should accord to the members of the Jewish and other races all the rights which their own citizens enjoy—they must go further and invest them with special privileges, and for this purpose renounce a portion of their sovereignty. They must likewise allow their more powerful allies to dictate to them their legislation on matters of transit and foreign commerce. For the great powers, however, this law of minorities was not written. They are above the law. Their warrant is force. In a word, force is the trump card in the political game of the future as it was in that of the past. And M. Clemenceau's reminder to the petty States at the opening of the conference, that the wielders of 12,000,000 troops are the masters of the situation, was appropriate. Thus the war which was provoked by the transformation of a solemn treaty into a scrap of paper was concluded by the presentation of two scraps of paper as a treaty and a covenant for the moral renovation of the world.

At page 436, Dr. Dillon, in the concluding paragraph of his book, says:

Whatever the tests one applies to the work of the conference—ethical, social, or political—they reveal it as a factor eminently calculated to sap high interests, to weaken the moral nerve of the present generation, to fan the flames of national and racial hatred, to dig an abyss between the classes and the masses, and to throw open the sluice gates to the inrush of the waves of anarchist nationalities. Truth, justice, equity, and liberty have been twisted and pressed into the service of economico-political boards. In the United States the people who prided themselves on their aloofness are already fighting over European interests. In Europe every nation's hand is raised against its neighbor's and every people's hand against its ruling class. Every Government is making its policy subservient to the needs of the future war which is universally looked upon as an unavoidable outcome of the Versailles peace. Imperialism and militarism are striking roots in soil where they were hitherto unknown.

In a word, Prussianism, instead of being destroyed, has been openly adopted by its ostensible enemies, and the huge sacrifices offered up by the heroic armies of the foremost nations are being misused to give one-half of the world just cause to rise up against the other half.

Mr. President, if those paragraphs stood alone they might be regarded as merely the conclusions of one man, and therefore not of great weight, although they would have to be considered as the conclusions of a man peculiarly fitted to judge, but these conclusions are supported by some 400 pages of argumentative facts. While the Keynes book has been an exceedingly interesting and, to my mind, a very instructive and a very wonderful book, I think one may conclude that Dr. Dillon has traveled over a much larger territory, has exhibited a much wider knowledge of facts, and has presented an equally conclusive argument against the treaty itself.

I do not care how thoroughly a man has been committed to the idea that the treaty would bring peace, particularly as it is connected with the covenant, I venture to say that when he reads the facts as recorded in this volume, not the conclusions but the facts which support the conclusions, his faith will be greatly shaken. If such men as Dr. Eliot can find time to separate themselves from the fads and predilections of the past and conditions which they supposed to exist and which never did exist, to inquire into the real facts as they exist to-day, they will at least refrain from denouncing those who hold a different view. I recognize the right of any man to hold a different opinion than my own concerning this great question, but when men are denounced as insincere, as moved by mere partisan feeling and personal prejudice, it is not inappropriate to call attention to the fact that such statements are generally made by those who have no real information with which to entertain the public. At a time when the most independent and best-informed minds of Europe are revealing to the world an array of facts and conditions which condemn the whole treaty, which seem conclusively to show that unless the treaty is wholly and radically changed, and unless the league is built upon democratic instead of autocratic principles disaster must follow, Dr. Eliot and his kindred spirits indulge in querulous diatribes, and reiterate arguments long since refuted by current events.

These advocates of the league, ignoring the things which are happening as a result of the treaty, ignoring conditions indescribable, of famine and chaos superinduced by the treaty, continue to fondle theories long ago exploded by actual facts.

Mr. HITCHCOCK. Mr. President——

Mr. BORAH. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. The Senator speaks of many facts set forth by the author of that book. Do they relate to the League of Nations or to the terms of the treaty with Germany?

Mr. BORAH. They relate to both.

Mr. HITCHCOCK. Can the Senator give an illustration as to how the facts may affect the League of Nations?

Mr. BORAH. I am not sure that I can turn to it hastily, but I rather think I can find it.

Mr. HITCHCOCK. I rather assume from what the Senator has read that the injustices, animosities, and disturbed conditions in Europe to which he refers have nothing to do with the League of Nations but relate only to the terms of the treaty with Germany.

Mr. BORAH. The argument of the author has largely to do with the treaty. The Senator is correct in that proposition; but as the Senator goes through the book, and, I think, before I get through reading it, he will find that the author is of the opinion that the covenant itself is, first, wholly inadequate to remedy the situation, and, secondly, that it is based upon a wrong principle. For instance, he contends that the covenant utterly fails to provide for disarmament. He contends, secondly, that the whole theory of the covenant is that of force based upon the military power of the five great nations of the earth, that it is designed to hold 900,000,000 people in subjection to the dictation of some 300,000,000 people. You will find that interwoven through the book, because it does not hesitate to deal with the entire situation; in fact, he denounces most directly and vividly the interweaving of the two propositions together. He says that the treaty is founded upon vengeance, upon punishment; that the league is supposed to be founded upon the very opposite principle of arbitration and of equity and justice; and that, therefore, the two propositions are in direct conflict and irreconcilable, and that they should never have been associated together.

Mr. REED. Mr. President——

Mr. BORAH. I yield to the Senator from Missouri.

Mr. REED. I take it from the question of the Senator from Nebraska that he is of the opinion that this author's criticism is irrelevant because it is aimed at the peace treaty proper, and that, therefore, it can have no connection with the League of Nations.

I should like to call attention to the fact that on March 4, 1919, when the President started to return to Europe, he announced to the country that he proposed to go to Europe and bring back a League of Nations, and that Senators would find the league so interwoven with the peace treaty that they could not dissect the one from the other. If that is the case, then the treaty and the league being inextricably mixed and mingled together, the vice of one is necessarily the vice of the other.

Mr. HITCHCOCK. Will the Senator from Idaho tolerate another interruption?

Mr. BORAH. Certainly.

Mr. HITCHCOCK. I realize that what the Senator from Missouri says is true, but I understood that the Senator from Idaho was seeking to confound Dr. Eliot of Harvard by citing something by this author concerning conditions in Europe, and I was drawing attention to the fact that those conditions were not produced by the league which Dr. Eliot was discussing, but were produced, if at all, by the terms of the other parts of the treaty which Dr. Eliot was not discussing.

Mr. REED. And which the league is to enforce, and in the enforcement of which it is to become an active instrumentality.

Mr. BORAH. Mr. President, on page 409 Dr. Dillon says:

Such a system may be wise and conducive to the highest aims, but it can hardly be termed "democratic." The military powers who command 12,000,000 soldiers will possess a majority in the council. The secretariat alone will be permanent, and will naturally be appointed by the great powers.

Instead of abolishing war, the conference described its abolition as beyond the power of man to compass. Disarmament, which was to have been one of its main achievements, is eliminated from the covenant. As the war that was to have been the last will admittedly be followed by others, the delegates of the great powers worked conscientiously, as behooved patriotic statesmen, to obtain in advance all possible advantages for their respective countries by way of preparing for it. The new order, which in theory reposes upon right, justice, and moral fellowship, in reality depends upon powerful armies and navies. France must remain under arms, seeing that she has to keep watch on the Rhine. Britain and the United States are to go on building warships and aircraft, besides training their youth for the coming Armageddon. The article of the covenant which lays it down that "the members of the league recognize that the maintenance of peace requires the reduction of national armaments to the lowest point

consistent with national safety," is, to use a Russian simile, written on water with a fork. Britain, France, and the United States are already agreed that they will combine—

Referring to the special alliance—

to repel unprovoked aggression on the part of Germany. That evidently signifies that they will hold themselves in readiness to fight, and will therefore make due preparation. This arrangement is a substitute for a supernational army, as though prevention were not better than cure; that it will prove efficacious in the long run very few believe.

One clear-visioned Frenchman writes: "The inefficacy of the organization aimed at by the conference constrains France to live in continual and increasing insecurity, owing to the falling off of her population." He adds: "It follows from this abortive expedient—if it is to remain definitive—that each member State must protect itself or come to terms with the more powerful ones, as in the past. Consequently, we are in presence of the maintenance of militarism and the régime of armament." This writer goes further and accuses Mr. Wilson of having played into the hands of Britain. "President Wilson," he affirms, "has more or less sacrificed to the English Government the society of nations and the question of armaments, that of the colonies, and that of the freedom of the seas." This, however, is an overstatement. It was not for the sake of Britain that the American statesmen gave up so much; it was for the sake of saving something of the covenant. It was in the spirit of Sir Boyle Roche, whose attachment to the British constitution was such that to save a part of it he was willing to sacrifice the whole.

The arbitration of disputes is provided for by one of the articles of the covenant; but the parties may go to war three months later with a clear conscience and an appeal to right, justice, self-determination, and the usual abstract nouns.

On page 421 he says:

By debarring the masses from participation in a grandiose scheme, the success of which depends upon their assent, the Governments are indirectly but surely encouraging secret combined opposition, and in some cases Bolshevism. The masses resent being treated as children after having been appealed to as arbiters and rescuers. For four and a half years it was they who bore the brunt of the war, they who sacrificed their sons and their substance. In the future it is they to whom the States look for the further sacrifices in blood and treasure which will be necessary in the struggles which they evidently anticipate. Well, some of them refuse these sacrifices in advance. They challenge the right of the Governments to retain the power of making war and peace. That power they are working to get into their own hands and to wield in their own way, or at any rate to have a say in its exercise. And in order to secure it some sections of the peoples are making common cause with the Socialist revolutionaries, while others have gone the length of Bolshevism. And that is a serious danger. The agitation now going on among the people, therefore, starts with a grievance. The masses have many other grievances besides the one just sketched—the survivals of the feudal age, the privileges of class, the inequality of opportunity.

On page 413 the author declares:

On the Monroe doctrine, in connection with the League of Nations, the less said the soonest mended. But one can not well say less than this: That any real society of peoples such as Mr. Wilson first conceived and advocated is as incompatible with "regional understandings like the Monroe doctrine" as are the maintenance of national armaments and the bartering of populations. It is immaterial whether one concludes that a society of nations is therefore impossible in the present conjuncture or that all those survivals of the old State system are obsolescent and should be abolished. The two are unquestionably irreconcilable.

Then he quotes the late Secretary of State, as follows:

I consider the League of Nations at present as entirely useless. The great powers have simply gone ahead and arranged the world to suit themselves. England and France, in particular, have gotten out of the treaty everything they wanted. The League of Nations can do nothing to alter any unjust clauses of the treaty except by the unanimous consent of the league members. The great powers will never consent to changes in the interests of weaker peoples.

In view of things lately transpiring, I think it unnecessary to comment.

Mr. HITCHCOCK. Is that attributed to Secretary Lansing?

Mr. BORAH. Yes; it is attributed to Secretary Lansing and he gives his authority in a footnote. I think the Senator will find that to be correct. Interesting, is it not?

Mr. BRANDEGEE. What is the date of the publication of the volume from which the Senator from Idaho is reading?

Mr. BORAH. The Senator from Connecticut asks the date of the publication of the book. The date of the publication does not appear, but it has just been printed; it has just come into the book stores. The title of the book is "The Peace Conference." It has a vast amount of information which seems to be in the possession of everyone except the Senate of the United States. If the Senate will indulge me, I want to read a rather extended discussion of the question of religious equality and racial equality.

The center of interest during the drafting of the covenant lay in the clause claiming the equality of religions, which Mr. Wilson was bent on having passed at all costs, if not in one form then in another. This is one example of the occasional visibility of the religious thread which ran through a good deal of his personal work at the conference. For it is a fact—not yet realized even by the delegates themselves—that distinctly religious motives inspired much that was done by the conference on what seemed political or social grounds. The strategy by the eminent American statesman to have his stipulation accepted proceeded in this case on the lines of a humanitarian resolve to put an end to sanguinary wars, rather than on those which the average reformer, bent on Kultural progress, would have traced. Actuality was imparted to this simple and yet thorny topic by a concrete proposal which the President made one day. What he is reported to have said is briefly this: "As the treatment of religious confessions has been in the past, and may again in the future be, a cause of sanguinary wars, it seems desirable that a clause should be introduced into the covenant establishing absolute liberty for creeds and confessions." On what, Mr. President," asked the first Polish delegate, "do you found your assertion that wars are still brought about by the differential treatment meted out to religions? Does contemporary history bear out this statement? And, if not, what likelihood is there that religious inequality will precipitate sanguinary conflicts in the future?" To this pointed question Mr. Wilson is said to have made the characteristic reply that he considered it expedient to assume this nexus between religious inequality and war as the safest way of bringing the matter forward. If he were to proceed on any other lines, he added, there would be truth and force in the objection which would doubtless be raised that the conference was intruding upon the domestic affairs of sovereign States. As that charge would damage the cause, it must be rebutted in advance. And for this purpose he deemed it prudent to approach the subject from the side he had chosen.

This reply was listened to in silence and unfavorably commented upon later. The alleged relation between such religious inequality as has survived into the twentieth century and such wars as are waged nowadays is so obviously fictitious that one can hardly understand the line of reasoning that led to its assumption or the effect which the fiction could be supposed to have on the minds of those legislators who might be opposed to the measure on the ground that it involved undue interference in the internal affairs of sovereign States. The motion was referred to a commission, which in due time presented a report. Mr. Wilson was absent when the report came up for discussion, his place being taken by Col. House. The atmosphere was chilly, only a couple of the delegates being disposed to support the clause—Roumania's representative, M. Diamandi, was one, and another was Baron Makino, whose help Col. House would gladly have dispensed with, so inacceptable was the condition it carried with it. Baron Makino said that he entirely agreed with Col. House and the American delegates. The equality of religious confessions was not merely desirable, but necessary to the smooth working of a society of nations such as they were engaged in establishing. He held, however, that it should be extended to races, that extension being also a corollary of the principle underlying the new international ordering. He would therefore move the insertion of a clause proclaiming the equality of races and religions. At this Col. House looked pensive. Nearly all the other opinions were hostile to Col. House's motion.

The reasons alleged by each of the dissenting lawgivers were interesting. Lord Robert Cecil surprised many of his colleagues by informing them that in England the Catholics who are fairly treated as things are, could not possibly be set on a footing of perfect equality with their Protestant fellow citizens, because the constitution forbids it. Nor could the British people be asked to alter their constitution. He gave as instances of the slight inequality at present enforced the circumstance that no Catholic can ascend the throne as monarch nor sit on the wool sack as lord chancellor in the upper house.

M. Larnaude, speaking in the name of France, stated that his country had passed through a sequence of embarrassments caused by legislation on the relations between the Catholics and the State, and that the introduction of a clause enacting perfect equality might revive controversies which were happily losing their sharpness. He considered it, therefore, inadvisable to settle this delicate matter by inserting the proposed declaration in the covenant. Belgium's first delegate, M. Hymans, pointed out that the objection taken by his Government was of a different but equally cogent character. There was reason to apprehend that the Flemings might avail themselves of the equality clause to raise awkward issues and to sow seeds of dissension. On those grounds he would like to see the proposal waived. Signor Orlando, half seriously, half jokingly, reminded his colleagues that none of their countries had, like his, a Pope in their capital. The Italian Government must therefore proceed in religious matters with the greatest circumspection, and could not lightly assent to any measure capable of being manipulated to the detriment of the public interest. Hence, he was unable to give the motion his support. It was finally suggested that both proposals be withdrawn. To this Col. House demurred, on the ground that President Wilson, who was unavoidably absent, attached very great weight to the declaration—

We must have great respect for the discretion of Col. House, in view of things which have happened here lately—

to which he hoped the delegates would give their most favorable consideration. One of the members then rose and said: "In that case, we had better postpone the voting until Mr. Wilson can attend." The suggestion was adopted. When the matter came up for discussion at a subsequent sitting, the Japanese substituted "nations" for "races."

In the meantime the usual arts of parliamentary emergency were practiced outside the conference to induce the Japanese to withdraw their proposal altogether. They were told that to accept or refuse it would be to damage the cause of the future league without furthering their own. But the Marquis Saionji and Baron Makino refused to yield an inch of their ground.

A conversation then took place between the premier of Australia, on the one side, and Baron Makino and Viscount Chinda, on the other, with a view to their reaching a compromise. For Mr. Hughes was understood to be the leader of those who opposed any declaration of racial equality. The Japanese statesmen showed him their amendment and asked him whether he could suggest any modifications that would satisfy himself and them. The answer was in the negative. To the argument of the Japanese delegates the Australian premier is understood to have replied: "I am willing to admit the equality of the Japanese as a nation, and also as individuals man to man. But I do not admit the consequence that we would throw open our country to them. It is not that we hold them to be inferior to ourselves, but simply that we do not want them. Economically they are a perturbing factor, because they accept wages much below the minimum for which our people are willing to work. Neither do they blend well with our people. Hence we do not want them to marry our women. Those are my reasons. We mean no offense.

"Our restrictive legislation is not aimed specially at the Japanese. British subjects in India are affected by it in exactly the same way. It is impossible that we should formulate any modification of your amendment, because there is no modification conceivable that would satisfy us both."

The Japanese delegates were understood to say that they would maintain their motion, and that unless it passed they would not sign the document. Mr. Hughes reported that if it should pass he would refuse to sign it. Finally the Australian premier asked Baron Makino whether he would be satisfied with the following qualifying proviso: "This affirmation of the principle of equality is not to be applied to

immigration or nationalization." Baron Makino and Viscount Chinda both answered in the negative and withdrew.

The final act is described by eyewitnesses as follows: Congruously with the order of the day, President Wilson having moved that the city of Geneva be selected as the capital of the future league, obtained a majority, whereupon he announced that the motion had passed.

Then came the burning question of the equality of nations. The Polish delegate arose and opposed on the formal ground that nothing ought to be inserted in the preamble which was not dealt with also in the body of the covenant, as otherwise it would be no more than an isolated theory devoid of organic connection with the whole. The Japanese delegates delivered speeches of cogent argument and impressive debating power. Baron Makino made out a very strong case for the equality of nations. Viscount Chinda followed in a trenchant discourse, which was highly appreciated by his hearers, nearly all of whom recognized the justice of the Japanese claim. The Japanese delegates refused to be dazzled by the circumstance that Japan was to be represented on the executive council as one of the five great powers, and that the rejection of the proposed amendment could not therefore be construed as a diminution of her prestige. This consideration, they retorted, was wholly irrelevant to the question whether or not the nations were to be recognized as equal. They ended by refusing to withdraw their modified amendment and calling for a vote. The result was a majority for the amendment. Mr. Wilson thereupon announced that a majority was insufficient to justify its adoption, and that nothing less than absolute unanimity could be regarded as adequate. At this a delegate objected: "Mr. Wilson, you have just accepted a majority for your own motion respecting Geneva; on what grounds, may I ask, do you refuse to abide by a majority vote on the amendment of the Japanese delegation?" "The two cases are different," was the reply. "On the subject of the seat of the league unanimity is unattainable." This closed the official discussion.

Some time later, it is asserted, the Roumanians, who had supported Mr. Wilson's motion on religious equality, were approached on the subject, and informed that it would be agreeable to the American delegates to have the original proposal brought up once more. Such a motion, it was added, would come with especial propriety from the Roumanians, who, in the person of M. Diamandi, had advocated it from the outset.

But the Roumanian delegates hesitated, pleading the invincible opposition of the Japanese. They were assured, however, that the Japanese would no longer discountenance it. Thereupon they broached the matter to Lord Robert Cecil, but he, with his wonted caution, replied that it was a delicate subject to handle, especially after the experience they had already had. As for himself, he would rather leave the initiative to others. Could the Roumanian delegates not open their minds to Col. House, who took the amendment so much to heart? They acted on this suggestion and called on Col. House. He, too, however, declared that it was a momentous as well as a thorny topic and for that reason had best be referred to the head of the American delegation. President Wilson, having originated the amendment, was the person most qualified to take direct action. It is further affirmed that they sounded the President as to the advisability of mooting the question anew, but that he declined to face another vote, and the matter was dropped for good—in that form.

It was publicly asserted later on that the Japanese decided to abide by the rejection of their amendment and to sign the covenant as the result of a bargain on the Shantung dispute.

It is proper to say this conclusion is not fully accepted by the author.

Mr. REED. Mr. President——

Mr. BORAH. I yield to the Senator from Missouri.

Mr. REED. I desire to ask the Senator if he knows where the information came from as to the inner workings of the peace conference which this author is setting out? Is that part of the procès verbal that has been denied to the Senate?

Mr. BORAH. The author states here that it was by an eyewitness, but he does not name the witness.

Mr. PHELAN. Mr. President——

Mr. BORAH. I yield to the Senator from California, if the Senator from Missouri is through.

Mr. REED. I merely wanted to know whether the Senator from Idaho was aware of the source of the information.

Mr. PHELAN. Mr. President, I am in possession of that information, but I do not at the moment recall the source of it. I am advised that by reason of the attitude of the President and of the American representatives at the conference the request of the Japanese for favorable expression of racial equality was defeated. Do I understand from the reading of the Senator from Idaho that that is also his conclusion?

Mr. BORAH. Yes; it was defeated, although it carried by a majority vote.

Mr. PHELAN. Is the Senator disposed to believe that the American representatives opposed the resolution? The Senator does not reveal the vote by nations.

Mr. BORAH. No; the author does not. He simply says that the motion carried by a majority vote, but he does not state how they voted.

Mr. PHELAN. The Senator will recall that I asked him at the time this question was being discussed in Paris to join with me in a telegram on behalf of the Western States urging the American representatives to vote against the resolution, and I understand that the Senator from Idaho complied with that request and sent a telegram at that time. Is not that true?

Mr. BORAH. Yes; and I also sent one to the Senator. I replied to the Senator, stating what I would do.

Mr. PHELAN. I am well aware that I received a telegram from the Senator, but that is neither here nor there at this moment. The Senator is satisfied, however, from his reading of this history of the transaction that the American representatives responded to our request favorably?

Mr. BORAH. No; Mr. President, I do not know that they did and I do not know that they did not. I would think the Senator's telegram would have a great influence with them. I did not assume that mine would.

Mr. PHELAN. I shall endeavor to lay before the Senate tomorrow some information I have on this subject.

Mr. BORAH. I do not know whether they voted against it, and this book does not undertake to say. If the Senator has any information which satisfies him, I assume it will satisfy me.

Mr. THOMAS. If the Senator from Idaho will permit me, I can contribute this circumstance to the discussion: In a magazine called "Asia," which is published, I think, in New York, and devoted to Far Eastern interests, there is a communication from the pen of a newspaper correspondent who attended the conference at Versailles, Mr. Gallagher, a very reliable man, as I am informed, who says that the adverse vote—that is, the vote against the Japanese resolution—was that cast by President Wilson and Lloyd-George.

Mr. BORAH. I presume that is true from the ruling which the President made with reference to requiring unanimity. [Laughter.]

Mr. REED. Mr. President, I should like to contribute this item to the discussion of a question that ought not to be in doubt and would not be in doubt if the proceedings of the peace conference had been laid before the Senate and had not been withheld. I read now from the CONGRESSIONAL RECORD, which contains an article from the Washington Post of April 20, 1919:

In an astonishingly frank interview Baron Goto declared that Japan considered herself the spokesman of all oriental peoples, and, having already obtained the support of President Wilson, would not give up her fight for racial equality.

"Both President Wilson and Col. House voted with Japan for racial equality at the peace conference," Goto said.

I do not know whether that newspaper statement is correct, but it was put in the CONGRESSIONAL RECORD as long ago as September 22 and has remained up to this day, so far as I know, without official denial. I do not stand sponsor for the statement now, because I do not know, but is it not manifest to Senators that we ought to have the minutes of the proceedings of the peace conference laid before us, to the end that we may act in the light of the facts as developed by those minutes and not be left to haphazard statements and to guesswork?

Mr. PHELAN. Mr. President, may I ask the Senator from what journal he read and by whom the article is signed?

Mr. REED. The quotation in the RECORD is from the Washington Post of April 20, 1919.

Mr. PHELAN. And who inserted it in the RECORD?

Mr. REED. I will answer the Senator in a moment. [A pause.] I believe I inserted it in the RECORD myself. I had not noticed that, but I hope that will not detract from the authenticity of the article in the Senator's opinion. [Laugher in the galleries.] At least I hope——

The VICE PRESIDENT. Just a moment. Demonstrations are not permitted in the galleries, and if repeated the Chair will instruct the Doorkeeper to clear the galleries.

Mr. REED. At least I hope it will not entirely destroy the reputation of the Washington Post for truth and veracity.

Mr. PHELAN. Mr. President, it seems from the remarks of the Senator from Idaho and from his various citations that the American representatives, including the President and Col. House, opposed the resolution of the Japanese for racial equality. I think the weight of the evidence which has been laid before us just now bears out that conclusion. The Senator from Missouri sees fit on top of that to introduce an unsigned article from the Washington Post of an ancient date. Of course, I do not reflect upon the Washington Post or upon the Senator from Missouri when I say that the Senate has evidently been imposed upon. The Senator from Missouri accepts his version, because he says that to date it has not been denied; but must the President and the peace conference take cognizance of everything that is published in the Washington Post? I was present——

Mr. REED. Mr. President——

Mr. PHELAN. One moment. I was present in the Senate long before I was a Member, when a Senator from California, Hon. Stephen M. White, was rebuked by John Sherman. John Sherman said:

You are a new Member of this body, and you have introduced a document which, upon investigation, I find is not authentic. I warn you that the Senate of the United States is a dignified body and that it is not accustomed to being imposed upon, nor will it brook such conduct in the future.

The old gentleman, the dean of the Senate, then sat down, and I am sure the Senator, new to this body, learned a lesson which would be very valuable to us in these days, when almost every-

thing, as the Vice President knows, is introduced into the RECORD without verification. I therefore resent the submission, in contradiction to what the learned Senator from Idaho has said, of a newspaper clipping to prove that the Senator from Idaho is probably in error. I am convinced, from documents I have, that the version given by the Senator from Idaho is the correct version, and I trust that it will stand upon the record of the Senate as demonstrating to us the loyalty which our representatives showed in a matter which is of vital importance to the United States.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho further yield to the Senator from Missouri?

Mr. BORAH. I do.

Mr. REED. I really regret that I was not in the Senate to hear this lecture, delivered by an ancient Senator to a modern Senator who happened to come in, so that I might have drunk from the same fountain of wisdom that has so long inspired the Senator from California.

If we do not have the evidence in the case at first hand, who is to blame? Who suppressed the evidence? The Foreign Relations Committee asked for the procès verbal. It was refused by the President. The legal inference arising from the suppression of a fact is well known. It is that the fact would injure if made known. In addition to that, when the President invited the Foreign Relations Committee to appear before him, he was interrogated directly with regard to this matter. From the testimony before the Foreign Relations Committee, on August 20, I read a quotation.

The President referred to the fact that the Japanese had presented a resolution for racial equality, but rather as an expression of opinion or hope, and it was not pressed for action:

Senator JOHNSON of California. May I ask, if permissible, how the representatives of the United States voted upon that particular proposition?

The PRESIDENT. Senator, I think it is very natural you should ask that. I am not sure that I am at liberty to answer, because that touches the intimacy of a great many controversies that occurred in that conference, and I think it is best, in the interest of international good understanding, that I should not answer.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Montana?

Mr. BORAH. I yield.

Mr. WALSH of Montana. I should like to remind the Senator from Missouri, while he is discussing these matters, of a circumstance which I am sure he will recall. At the very outset of the proceedings of the peace conference at Versailles the question came up as to what degree of publicity should be given to the proceedings there. It was universally stated in the papers at the time, and I have no doubt in accordance with the fact, that the President of the United States had voted to give the widest publicity to what was transpiring and that he had been outvoted by the other members.

Mr. REED. I am afraid the Senator from Montana has just violated the rule laid down by the Senator from California [Mr. PHELAN] by quoting newspaper accounts, and is liable to a lecture the same as I received.

Now, Mr. President, I agree with this proposition: We were all given to understand that the President was going over there to conduct these negotiations openly. It was to be "open covenants, openly arrived at." The first great disappointment we met with was that they were secret covenants, secretly arrived at, behind locked doors. We were then told that after the agreements had been made the public would be taken into confidence and the whole world would be advised of what had taken place, but that has never yet transpired. That hope died like so many other hopes.

Now, that leaves the Senate in this sort of situation: It asked for the records. They were refused. The President has been asked to speak and has declined. We have nothing left, then, to go to except newspaper statements or the statements of men who have some inside source of information. It is almost inconceivable to me that the Washington Post would print an absolute and unqualified statement that a great Japanese statesman in the city of New York had made a statement which he did not make, and print that statement when he was in the city of New York, where he could deny it, and would undoubtedly deny it, if it were untrue.

The statement I have read did not appear alone in the Washington Post, but, as my recollection goes, it was published broadcast throughout the country, having been sent out over the wires generally, and I have never heard it denied to this moment.

I do not know whether the Senator from Idaho has faith in the view that the Senator from California states, namely, that the author of this work leans to the opinion that the President of the United States voted against the Japanese proposal of racial equality. I do not so understand him, but I possibly misunderstood him.

Mr. BORAH. The author does not assume to state how the President and the American delegates voted. I drew my inference from the proposition that the President declared that in order to carry it out it had to be unanimous. Whereas he had a short time before ruled that a majority could carry as to the capital, he held that it had to be unanimous so far as this question of racial equality was concerned. I naturally infer that the President was not in favor of racial equality, but the author does not say it. I am drawing my inference now from the author, leaving outside these facts which have been adduced by Senators on the other side.

Mr. PHELAN. But the Senator mentioned the President and Col. House by name as having voted against the resolution. Was he not quoting the author?

Mr. BORAH. Oh, no; I did not say that they had voted against it.

Mr. PHELAN. I think the Senator mentioned their names in that connection. I may have misunderstood him.

Mr. BORAH. I will look at the page, so that I will not make any mistake about it.

Mr. PHELAN. Well, of course, the inference is direct that if the Japanese objected to the ruling of the President in favor of unanimity on one vote and against unanimity on the other, they were resenting the vote which he had cast.

Mr. BORAH. That was the inference which I drew, but the author does not assume to state how the President or anyone else voted. He does state, however, that the President ruled that the vote had to be a unanimous vote, and from that I drew the inference which I stated to the Senator from California.

Mr. President, we have been discussing this question of secrecy, and I think it time to refer to a paragraph or two in regard to that, and then I will dismiss the subject for this evening, with the hope that all the ex-Presidents will read this book and get acquainted with the facts.

Mr. SMITH of Georgia. Mr. President, there are some of us who do not know much about the author. Could the Senator from Idaho, just in a word, tell us who the author is, besides his name?

Mr. BORAH. I stated in the beginning——

Mr. SMITH of Georgia. The Senator has mentioned the fact that he had lived in Europe and was a distinguished writer. To what nationality does he belong?

Mr. BORAH. I understand that he is an English-born citizen. He has spent a great deal of time in Russia. He lived in Russia for years, and was connected with a university there, and has since traveled about Europe, corresponding for journals all over the world. He has written a number of books, such as the Russian Collapse, and so forth.

Mr. SMITH of Georgia. He is an Englishman?

Mr. BORAH. Yes; I so understand. I know nothing about him except what I have gathered from reading his articles.

Mr. THOMAS. Mr. President, he is and has been for years an acknowledged authority on Russian facts.

Mr. BORAH. Yes; I think so.

Mr. MOSES. Mr. President, possibly I can shed some light on the subject from personal acquaintance with Dr. Dillon. He is the son of an Irish father and a French mother; was educated in various universities in Europe; for a time held the chair in Russia in the University of Kharkov; was for many years the Petrograd and Russian correspondent of the London Telegraph, and was the near eastern correspondent for that journal. He has traveled widely all over the world. He has been in this country many times, his longest sojourn being at the time of the Portsmouth peace conference. He has contributed to the Nineteenth Century and the Fortnightly Review, and has been known as an authority on Russian, near eastern, and European affairs for more than 20 years.

Mr. BORAH. I thank the Senator.

Referring to the question of secrecy, and before I read from the author, allow me to say that I have never undertaken to find out who was responsible for the secrecy at Versailles; and, so far as my view of the situation is concerned, it really does not concern me as to who was responsible. I only know that there was the utmost secrecy. Now, one of two things happened. Either the President consented to the secrecy and was a party to depriving the American people of the facts, or else the European delegates controlled the American delegation in regard to the matter; and, so far as the American people are concerned, the injury is just as great in one instance as in the other. It does not make any difference what particular individual or individuals was or were responsible for it. Just as

soon as we crossed the ocean and began to do business with the European diplomats, instead of Americanizing the Europeans, the Europeans Europeanized us; and that is precisely what will happen when we join the league.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. BORAH. I do.

Mr. BRANDEGEE. When the proces verbaux, which are the minutes of these proceedings, had been exhibited to the committee of the French Senate or House, I have forgotten which, they were about to be exhibited to the entire House; and I asked the late Secretary Lansing, when he appeared before the Committee on Foreign Relations, why they had not been exhibited, and he said it was because the President had cabled, through the State Department, to M. Clemenceau stating that he wanted them kept secret and did not want them shown.

Mr. BORAH. Mr. President, I thank the Senator from Connecticut.

Dr. Dillon, who was at Versailles, speaking of the question of censorship and secrecy, says:

> Never was political veracity in Europe at a lower ebb than during the peace conference. The blinding dust of half truths cunningly mixed with falsehood and deliberately scattered with a lavish hand obscured the vision of the people, who were expected to adopt or acquiesce in the judgments of their rulers on the various questions that arose.
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> If the falsehoods circulated and the true facts suppressed were to be collected and published in a volume, one would realize the depths to which the standard of intellectual and moral integrity was lowered.
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> The censorship was retained by the great powers during the conference as a sort of soft cushion on which the self-constituted dispensers of fate comfortably reposed. In Paris, where it was particularly severe and unreasonable, it protected the secret conclave from the harsh strictures of the outside world, concealing from the public not only the incongruities of the conference, but also many of the warnings of contemporary history. In the opinion of unbiased Frenchmen no such rigorous, systematic, and shortsighted repression of press liberty had been known since the Third Empire as was kept up under the rule of the great tribune whose public career had been one continuous campaign against every form of coercion. This twofold policy of secrecy on the part of the delegates and censorship on the part of the authorities proved incongruous as well as dangerous. * * *

Now, Senators, here is a statement of fact:

> It was characteristic of the system that two American citizens were employed to read the cablegrams arriving from the United States to French newspapers. The object was the suppression of such messages as tended to throw doubt on the useful belief that the people of the great American Republic were solid behind their President, ready to approve his decisions and acts, and that his cherished covenant, sure of ratification, would serve as a safe guaranty to all the States which the application of his various principles might leave strategically exposed. In this way many interesting items of intelligence from the United States were kept out of the newspapers, while others were mutilated, and almost all were delayed. Protests were unavailing.

Now, Mr. President, this is what happened at Versailles. They had two Americans who read the news from America and eliminated from the French press that which they did not desire; they had two or more Frenchmen who eliminated the news that they did not wish to come to America; so that the facts were kept from the people upon the Western and upon the Eastern Hemispheres.

As I said a moment ago, I do not care who is responsible for it. I know that there sat a body dealing with a stupendous affair of more concern to the people at large than any other transaction which has taken place in a century, and there was a systematic, well-organized, and effectual scheme to keep from the people on both continents the facts in regard to it. No more secretive body ever convened. The conspirators at Vienna were not so secretive nor so determined that the facts should never be known to the people at large.

Mr. NORRIS. Mr. President——

Mr. BORAH. I yield to the Senator from Nebraska.

Mr. NORRIS. Will the Senator permit me to read an observation made upon that point by the Senator from Pennsylvania [Mr. KNOX], who does not appear to be in the Chamber at this moment? It was made on the 11th of November, 1919, in the Senate Chamber in an interruption when I was talking on the treaty. I was speaking then of the secrecy of the Versailles conference, and the Senator from Pennsylvania said:

> Mr. KNOX. Did the Senator from Nebraska notice in yesterday's publications that Clemenceau's principal secretary in a public speech in Bordeaux had stated that the reason why the sessions were held in secret was because the President of the United States insisted upon it as against his own judgment?

Mr. LODGE. "His own judgment," meaning Clemenceau's?

Mr. NORRIS. The words "his own judgment" refer, of course, to Clemenceau.

Mr. BORAH. I remember that. I read from page 102:

> Publicity was none the less strongly advocated by the plenipotentiaries in their speeches and writings. These were as signposts pointing to roads along which they themselves were incapable of moving. By their own accounts they were inveterate enemies of secrecy and censorship. * * *
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> During the fateful days of the conference preventive censorship was practiced with a degree of rigor equaled only by its senselessness. As late as the month of June the columns of the newspapers were checkered with blank spaces. "Scarcely a newspaper in Paris appears uncensored at present," one press organ wrote. "Some papers protest, but protests are vain." "Practically not a word as to the nature of the peace terms that France regards as most vital to her existence appears in the French papers this morning," complained a journal at the time when even the Germans were fully informed of what was being enacted. On one occasion Bonsoir was seized for expressing the view that the treaty embodied an Anglo-Saxon peace; on another, for reproducing an interview with Marshal Foch that had already appeared in a widely circulated Paris newspaper. By way of justifying another of these seizures the French censor alleged that an article in the paper was deemed uncomplimentary to Mr. Lloyd-George.
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> The editor replied in a letter to the British Premier affirming that there was nothing in the article but what Mr. George could and should be proud of. In fact, it only commended him "for having served the interests of his country most admirably and having precedence given to them over all others."

But that was the thing that Mr. George did not want known at that particular time.

> The letter concluded: "We are apprehensive that in the whole business there is but one thing truly uncomplimentary, and that is that the French censorship, for the purpose of strangling the French press, should employ your name, the name of him who abolished censorship many weeks ago."
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> Every conceivable precaution was taken against the leakage of information respecting what was going on in the council of ten. Notwithstanding this, the French papers contrived now and again during the first couple of months to publish scraps of news calculated to convey to the public a faint notion of the proceedings, until one day a nationalist organ boldly announced that the British premier had disagreed with the expert commission and with his own colleagues on the subject of Danzig and refused to give way. This paragraph irritated the British statesman, who made a scene at the next meeting of the council.

There is—

He is reported to have exclaimed—

some one among us who is unmindful of his obligations.

And while uttering these and other much stronger words he eyed severely a certain mild individual, who is said to have trembled all over during the philippic. He also launched out into a violent diatribe against various French journals which had criticized his views on Poland and his method of carrying them in council, and he went so far as to threaten to have the conference transferred to a neutral country.

On page 107 the author says:

> No secretaries were admitted to its gatherings—

That is, the council of five—

> and no official minutes of its proceedings were recorded. Communications were never issued to the press. It resembled a gang of benevolent conspirators whose debates and resolutions were swallowed up by darkness and mystery. Even the most modest meeting of a provincial taxpayers' association keeps minutes of its discussions. The world parliament kept none. Eschewing traditional usages, as became naive shapers of the new world, and ignoring history, the five, four, or three shut themselves up in a room, talked informally and disconnectedly without a common principle, program, or method, and separated again without having reached a conclusion.

Then he gives illustrations. These paragraphs not only have their bearing upon the things which have gone by but they bear also upon the present situation. A few days ago, February 11, the council of the League of Nations met in London. The first step taken after that body of distinguished men met was to close the doors and to proceed absolutely in secrecy. They have now established a precedent that the body to which we are supposed to send a representative, and I presume to which we are supposed to send delegates, being a body representing different nations, if the same rule applies, will be carrying on its business from time to time in the utmost secrecy. That which is a quasi legislative body, a judicial body, a body which represents the most vital interests of our people and of other peoples, has initiated its historic beginning by establishing the same secrecy which prevailed at Versailles.

In my opinion, Mr. President, the rule which they invoked at Versailles and the reason why they invoked it will apply just as thoroughly to every meeting of the council. The reason why they invoked it was because they said they were dealing with the affairs of different nations, that discussions would lead to bitterness, to estrangement, and to ill-feeling. That rule will apply throughout the history of the league. So we are facing the proposition, Mr. President, of sending to Europe to sit in that conclave our representatives upon whom the doors will be closed just as completely as they were closed upon our representatives at Versailles. Not only did we disregard the rule with reference to "open covenants openly arrived at" at Versailles, but we have established a system which is to be based upon secrecy throughout its entire life. This league was born in secrecy, and it is to continue its business in secrecy. Here is a body of men whom the people can neither select, elect, or recall sitting in secret in one of the courts of Europe and dealing with

matters involving the lives of millions. Could autocracy go further! It is little wonder that the common people of Europe are everywhere turning against the whole scheme, as Dr. Dillon so graphically demonstrates.

Mr. LODGE. The hour of 5 o'clock having arrived, I move that the Senate, as in legislative session, adjourn.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 18, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 17, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Imbue us, we beseech Thee, our Father in heaven, with grace sufficient unto the needs of the hour, that these Thy servants may move forward to the tasks before them with clear perceptions, pure ideals, and unbiased minds, that their work may be to the good of our people and thus in harmony with Thy will. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. VINSON, by unanimous consent (at the request of Mr. CRISP), was granted leave of absence from Saturday indefinitely on account of illness.

HOUSE BILL WITH SENATE AMENDMENTS REFERRED.

Under clause 2 of Rule XXIV, House bill of the following title, with Senate amendments, was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

H. R. 11927. An act to increase the efficiency of the personnel of the Navy and Coast Guard through the temporary provision of bonuses or increased compensation; to the Committee on Naval Affairs.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Richmond, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 8819) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WADSWORTH, Mr. SPENCER, Mr. LENROOT, Mr. CHAMBERLAIN, and Mr. SHEPPARD as the conferees on the part of the Senate.

THE SEDITION LAW.

Mr. SHERWOOD. Mr. Speaker, I have a letter from the editor of the Toledo News-Bee, one of the largest circulating independent journals in northern Ohio, relating to the sedition bills now before Congress. This letter is short and terse and illuminating. I ask unanimous consent, therefore, to print it in the RECORD.

The SPEAKER. The gentleman from Ohio asks unanimous consent to print in the RECORD the letter to which he refers. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object—and I shall not object, inasmuch as the request comes from the distinguished gentleman from Ohio—I wish to say that I could offer many letters from many other editors of many other prominent newspapers who are in favor of a proper sedition bill being passed in order to rid this country of anarchy. I do not object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The following is the letter referred to:

THE TOLEDO NEWS-BEE,
Toledo, Ohio, February 10, 1920.

Gen. I. R. SHERWOOD,
House of Representatives, Washington, D. C.

MY DEAR GENERAL: I have just read a communication from Attorney General Palmer to Chairman CAMPBELL, of the Committee on Rules, in which he acknowledges authorship of the bill introduced by Representative DAVEY, of Ohio, "defining sedition, the promoting thereof, providing punishment therefor, etc."

Defining sedition, the Davey bill says:

"Whoever, with the intent to levy war against the United States or to cause the change, overthrow, or destruction of the Government, or of any of the laws or authority thereof, or to cause the overthrow or destruction of all forms of law or organized government, or to oppose, prevent, hinder, or delay the execution of any of the laws of the United States, or the free performance by the United States Government of any of its officers, agents, or employees of its or his public duty, commits or attempts or threatens to commit any act of force against any person or any property, or any act of terrorism, hate, revenge, or injury against the person or property of any officer, agent, or employee of the United States, shall be deemed guilty of sedition," etc.

By confining this definition of sedition to one of its causes, it would read as follows:

"Whoever, with the intent * * * to cause the change, overthrow, or destruction of the Government or any of the laws or authority thereof, * * * or to oppose, prevent, hinder, or delay the execution of any law of the United States, or the free performance by the United States Government or any one of its officers, agents, or employees of its or his public duty, commits, or attempts or threatens to commit, any act of force against any person or any property of any officer, agent, or employee of the United States, shall be guilty of sedition," etc.

Then section 2 says that—

"Whoever makes, displays, writes, prints, or circulates, or knowingly aids or abets the making, displaying, writing, printing, or circulating of, any sign, word, speech, picture, design, argument, or teaching which advises, advocates, teaches, or justifies any act of sedition as hereinbefore defined, or organizes, or assists, or joins in the organization of, or becomes or remains a member of, or affiliated with, any society or organization, whether the same be formally organized or not, which has for its object, in whole or in part, the advising, advocating, teaching, or justifying of any act of sedition as hereinbefore defined, shall be deemed guilty of promoting sedition," etc.

This bill is prepared by Attorney General Palmer and introduced in Congress at a time when the public mind is centered on an antired campaign that borders on hysteria. At the same time, efforts are being made in Congress to secure legislation that would make it a crime for workingmen to strike. Also at a time when the Government is about to enforce the Volstead Act.

I cite these facts to illustrate the use that might be made of the proposed sedition law, in the hands of the legal department of the Government, with a fanatical Puritan at its head.

My own belief is that much of the antired hysteria is camouflage, and that the real purpose of such laws is to crush organized labor, to destroy the right of collective bargaining, and to strengthen the arm of the Anti-Saloon League, which comes mighty near being to-day the real Government of the United States.

You can see how even accidental force or violence in a labor disturbance, or even in political excitement during a campaign to change obnoxious laws, might result in prosecution and conviction for sedition. Or how assault and battery by one or a few excited individuals might lead to the prosecution and persecution of hundreds of innocent members of an organization because they had advocated the change of some law.

It is not necessary to go into all the particulars of how such a law might lead to the most outrageous tyranny and injustice. The danger stands out all through the bill.

To all intents and purposes the Anti-Saloon League to-day is a holding company for both old political parties. It has terrorized politicians and the press. It has resulted in mediocre Congresses and State legislatures by making the supreme test of a legislator's fitness either his wetness or his dryness. In this particular the booze traffic is quite as selfish and tyrannical as the dry machine, for in dependable wet districts all that was required of a legislator was that he be dependably wet, and in dry districts that he be dependably dry. Anyhow, I am not concerned here about the controversy between the wets and drys. I am more concerned about the larger matter of real democracy and liberty. And I consider these so-called sedition bills as a real menace to liberty.

There is another phase of the general situation to which I invite your attention. Consider first the fact that the Anti-Saloon League is the cleverest, shrewdest, and most efficient political machine ever built up in this country. Then consider this fact: Quite recently 880 Protestant preachers of up-State New York issued an address to the Protestant preachers of New York City, in which they scolded the New York City preachers for not doing their duty toward maintaining the Anti-Saloon League as "the agency of all the churches of State and Nation." Of the 880 up-State preachers, 421 were Methodists (the church in which I was born and raised), and next in strength came the Baptists and Presbyterians.

I do not question the perfect right of all of them to advocate and fight for prohibition, nor their right to insist on enforcement of the eighteenth amendment. I am merely dealing with political tendencies that may have to do with our larger liberties. And I suggest that if the Anti-Saloon League, with all its vast power, is the political arm of the organized evangelical churches, and at the same time controls the church organization, then we have in effect a combination of church and State in control of Government, and that combination always has been, and always will be, a menace to liberty, no matter what church it happens to be.

Isn't it about time somebody had the intelligence, the love of liberty, and the guts to stand up in Congress and fight for liberty—for the return to the real meaning of our constitutional guarantees—for the Democracy of Thomas Jefferson?

Sincerely,

N. D. COCHRAN.

REFERENCE OF NAVY PAY BILL.

Mr. KELLEY of Michigan. Mr. Speaker, I ask that the bill H. R. 11927, the Navy pay bill, be taken from the Speaker's table and referred to the Committee on Naval Affairs.

The SPEAKER. That will be done under the rule.

FRANCES C. PADGETT.

Mr. IRELAND. Mr. Speaker, by direction of the Committee on Accounts I ask for the consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The chairman of the Committee on Accounts submits a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 437.

Resolved, That there shall be paid out of the contingent fund of the House to Frances C. Padgett, widow of William L. Padgett, late an employee of the House of Representatives, a sum equal to six

months of his compensation as such employee, and an additional amount, not exceeding $250, to defray the expenses of the funeral of said William L. Padgett.

Mr. IRELAND. Mr. Speaker, in offering this resolution I wish to direct the attention of the House to the fact that if it receives favorable action the House will be setting a precedent. Under the present arrangement the committee had no alternative save to regard the clerks to Members of the House as employees of the House, since they are now on the roll. The beneficiary in this instance is the widow of the former clerk of the Committee on Naval Affairs and later the secretary or clerk to the gentleman from Tennessee [Mr. PADGETT]. It is a clearly defined case. We have had only one other coming to the committee since the new arrangement as to clerks. This is in all points legitimate, in the mind of the committee, and we had no alternative under the conditions save to take the course we did in recommending favorable action.

Mr. WALSH. Will the gentleman yield?

Mr. IRELAND. I yield.

Mr. WALSH. What is the precedent where the clerk should happen to be unmarried?

Mr. IRELAND. It would go to the administrator of his estate or executor—the legal representative of his estate. There is no precedent in this instance. I have another resolution to offer, something on that order.

Mr. WALSH. Do you allow the funeral expenses in a case where the clerk dies unmarried?

Mr. IRELAND. We never have allowed them to any clerk in the past, but now they can not but be regarded as employees of the House and placed on the same basis as any other employee—a doorkeeper or a janitor or those serving in similar positions. And that has been the custom in the past as to the latter employees.

Mr. HASTINGS. Will the gentleman yield a moment to me?

Mr. IRELAND. Certainly.

Mr. HASTINGS. I am on the Committee on Accounts, and I wanted to supplement what the chairman has said. Now, in answer to the inquiry or suggestion made by the gentleman from Massachusetts [Mr. WALSH], the committee had decided that where there are no direct dependents the amount would not be paid in any case, and we wanted to establish that as a precedent, and I thought that the chairman ought to call the attention of the House to that. Now, if there is any employee of the House on the roll that has dependents, then the precedent we have heretofore followed in Congress unanimously, allowing six months' pay and funeral expenses, would be followed, and that would follow with reference to clerks of Members who are placed on the roll and who are employees. In other words, we place them in the same position as we do other employees here. But it is agreed by the committee that it would not recommend for anyone, either for clerks to Members or other employees of the House, to pay the six months' pay to the administrator or anybody else, unless they had dependents. In other words, if an employee were a single person and had no direct dependents, then we would pay nothing but the funeral expenses, and not the six months' allowance.

Mr. GARNER. Will the gentleman yield, so that I may ask the gentleman from Oklahoma a question?

Mr. IRELAND. Yes.

Mr. GARNER. The gentleman from Oklahoma understands that the clerks of the Members of the House are now in existence by virtue of a temporary law, one that is not permanent. I mean by that that on a point of order raised when the next legislative bill is under consideration, it would go out, if any Member of the 435 Members desires to make the point of order.

Mr. MANN of Illinois. What item?

Mr. GARNER. The item providing for clerk hire. And the result will be that the present law will authorize $1,200, whereas under the present arrangement there is a provision for $3,200 for clerk hire. Now, I want merely to suggest to the gentleman from Oklahoma and his colleague that this will not be considered as a precedent for relatives of clerks of Members provided these clerks are not on the roll.

Mr. HASTINGS. Certainly not.

Mr. GARNER. I am merely calling the attention of the gentleman to that. When you come back to the original law as it exists now, the law on the statute books authorizing clerk hire, you find it is $1,200 a year, and the persons employed are not on the roll under the present law. But under the provision carried in the last bill there is a provision for $3,200 for them, provided they go on the roll.

Mr. WALSH. May I ask the gentleman whether that was not done by resolution?

Mr. PARRISH. Mr. Speaker, I would say to the gentleman that in my opinion that is permanent law.

Mr. GARNER. I do not understand that it is permanent law.

Mr. IRELAND. Does not the gentleman from Texas regard them as employees of the House under the present arrangement?

Mr. GARNER. They are. I think the gentleman is correct. But if it is merely an allowance to the membership for clerk hire and they are not on the roll their dependents would not be entitled to this.

Mr. HASTINGS. I think the gentleman from Texas is becoming unduly excited about this. I have no doubt this will be made permanent law, and when that time comes I am sure the Committee on Accounts will follow the precedent that is established.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. BLACK. I want to ask the gentleman what annual compensation was this clerk receiving and what amount will this resolution entail?

Mr. IRELAND. That has nothing to do with it.

Mr. BLACK. It would have something to do with the amount. I understand it is six months' pay.

Mr. IRELAND. It is determined by the figure at which he was on the roll. I can not from memory tell the gentleman, although I had a memorandum of the amount in the committee.

Mr. BLACK. Under the present arrangement some Members have one clerk and some have two. Some Members will have a clerk on the roll at $3,000 and another will have a clerk on the roll at $2,000. In the event of the death of one who has dependents, under an arrangement of this kind the dependents in one case would get $1,500, six months' pay, and the dependents in the other case would get only $1,000, or one-half of $2,000. When the bill was before the House I endeavored by an amendment to fix the salary of a clerk to a Member at a flat $2,000 and then allow the maximum amount of the other clerk to be $1,200. Under the other arrangement there is no uniformity at all.

Mr. IRELAND. That is probably true.

Mr. HASTINGS. There is no uniformity now. The committee has just followed the precedent established for many years in the House.

Mr. BLACK. That is to pay different employees of the same class.

Mr. HASTINGS. Whatever the employees get, their dependents are paid six months, whether it be much or little, whether $50 a month or $250.

Mr. BLACK. The point I want to emphasize is this: For instance, the stenographers of the House receive the same pay, and if they should die their dependents would receive the same compensation; but under the law that we passed in the House there is a widely different range of salaries, and I think we ought to amend the law and make these secretaries receive the same pay or a uniform salary.

Mr. KITCHIN. Mr. Speaker, will the gentleman yield for a question?

Mr. IRELAND. Yes, sir.

Mr. KITCHIN. Is the beneficiary in this case the widow of a deceased clerk?

Mr. IRELAND. Yes, sir.

Mr. KITCHIN. Does the resolution make the money payable to the widow?

Mr. IRELAND. Yes, sir.

Mr. KITCHIN. I understood the gentleman to say it was to go to the estate.

Mr. IRELAND. If I said so, it was in error. It is the widow.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. GARD. Under the new arrangement, is it a fact that this particular clerk is held to be a House employee under the rules of the House?

Mr. IRELAND. Yes, sir.

Mr. GARD. And therefore these rulings to which we have adhered in cases of death apply to this case?

Mr. IRELAND. Yes, sir; and I think that was the thought of the committee, and, I think, unanimously.

Mr. GARD. Persons in this class are appointed, and this man, I think, was appointed by the Representative in Congress. They are House employees only in the sense that they are on the rolls of the House.

Mr. IRELAND. Yes; but is not that sufficient?

Mr. GREENE of Vermont. Will the gentleman yield right there?

Mr. IRELAND. Yes.

Mr. GREENE of Vermont. That is exactly the point that occurred to me when this original legislation was on its passage, that if we ever consented that our secretaries and office employees should go on the rolls of the House, we by that much lost our jurisdiction over them as personal employees, in the sense and character originally intended, answerable to us and to our district. By that legislation they came on the way of eventually getting into the civil-service scheme and become gradually lost as a part of the public-office, public-patronage jobs, and the next step would be, instead of appointing them ourselves, they would have to take an examination, and some one else would appoint them for us.

Mr. IRELAND. The House alone is responsible, I may say to the gentleman.

Mr. GARD. I shall not object to the small amount of money involved in this case, which is probably an extreme case, but there is much in the contention of establishing a precedent here as to whether persons in this class are House employees or personal employees. My contention is that one's secretaries or employees in one's office are his personal employees, and that the House has no control over them and should not have any control over them. If putting them on the roll is sufficient to take them out of the personal-employees class and make them employees of the House, it should be so understood.

Mr. IRELAND. Yes; but their compensation is payable directly to the clerk and not to the Members. Probably the preponderance of the evidence proves they are employees of the House.

Mr. GARD. I do not think so. I do not think they should be, at least.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. MANN of Illinois. Are there any precedents in regard to the payment of this amount to clerks of committees? Of course we have had clerks of committees for a great many years. It would seem very singular if none had ever died while Congress was in session.

Mr. CLARK of Missouri. I would like to ask the gentleman a question. Is it not true that for several years—I have forgotten when the habit began—when one of these clerks died his widow or dependent got half a year's compensation?

Mr. MANN of Illinois. I made the inquiry as to whether there are any precedents to that effect. I do not recall. But the clerks to Members under existing law come within about the same purview as the clerks to the committees. The clerks to committees were never appointed by the House. They were appointed by the chairmen of the committees. It is true that under the rules of the House a committee could override a chairman, although I think that never was done. When I was chairman I never consulted the committee about the appointment of a clerk.

Mr. KITCHIN. I do not recall myself, but I recollect that when Mr. Courts, the clerk to the Committee on Appropriations, died, did we not appropriate something?

Mr. GARD. We did.

Mr. MANN of Illinois. I was not here at the time. The gentleman from Ohio says we did. Certainly it was proper that we should have.

Mr. MADDEN. In the case of Mr. Courts, late clerk to the Committee on Appropriations, a year's salary was given.

Mr. GREENE of Vermont. If the gentleman will permit me to follow what he has just said, the relations of a clerk to a committee are more naturally toward the organization of the House itself, but the relations of a clerk to a Member are peculiarly and exclusively personal, and the relation of both of them is to the district from which they come.

Mr. KITCHIN. But under the joint resolution passed in the last session the clerks to Members go on the pay roll and they become employees of the House.

Mr. GREENE of Vermont. I understand that is a technicality which once admitted we put it out of our hands to have the opportunity to recover our personal control and our personal relationship.

Mr. KITCHIN. Not at all, because the resolution provides that the Member may remove his clerk at any time. I want to call the attention of the gentleman to the fact that we ought to have a law on this subject. The gentleman from Texas [Mr. GARNER] called attention to the fact that there is no law, and this should impress us with the fact that we ought to have a law carrying out in substance the joint resolution passed at the last session.

The joint resolution of July 11, 1919, simply purported to control the appropriation made in the preceding legislative appropriation bill. That joint resolution reads:

That the appropriation in the legislative, executive, and judicial appropriation act approved March 1, 1919, for clerk hire for Members, Delegates, and Resident Commissioners may be paid by the Clerk of the House of Representatives to two persons to be designated by each Member, Delegate, and Resident Commissioner, the names of such persons to be placed on the roll of the employees of the House—

And so forth.

Showing that that joint resolution applied only to that legislative act, which appropriated $3,200 for clerk hire for each Member. So this impresses me with the fact that the House ought really to have a law on the statute books defining what the clerks should be, what they should get, and what appropriation we should make; and I suggest to the gentleman from Illinois [Mr. IRELAND] that his committee prepare a bill and submit it to the House.

Mr. HASTINGS. The Committee on Accounts has no jurisdiction over such a bill as that. Such jurisdiction belongs to the Committee on Appropriations.

Mr. KITCHIN. That committee has jurisdiction of appropriations only. I suggest that the Committee on Accounts take it up and give the House something to work on.

Mr. IRELAND. We have such a bill prepared.

Mr. MANN of Illinois. I suggest to the gentleman from North Carolina that since we abolished the Committee on Acoustics there is no committee of the House which under the rules would have jurisdiction of that matter. I do not know whether the Committee on Acoustics would have had or not.

Mr. KITCHIN. I think the Committee on Accounts can assume that jurisdiction and no other committee will try to take it away from it.

Mr. GARNER. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. GARNER. If the gentleman from Illinois will introduce a bill embodying the suggestions of the gentleman from North Carolina, the Speaker will have to refer that bill to some committee.

Mr. MANN of Illinois. I suppose so, and that would give the committee jurisdiction, but the main trouble in the past about this matter has been the fact that it has come before the House in an appropriation bill, the Committee on Appropriations not having jurisdiction of legislative matters, and no other committee of the House having jurisdiction of this matter under the rules, so that no one has paid any attention to it. If somebody introduces such a bill, the Speaker will have to refer it.

Mr. GARNER. If some gentleman makes a point of order against this item in the legislative bill, I think the simplest way to get at it is for the Appropriations Committee to draw a proper legislative provision and let the Rules Committee bring in a rule making it in order, and let every man take his responsibility then as to voting for that particular provision in the bill.

Mr. KITCHIN. I do not think any Member of the House will object to the Committee on Accounts taking jurisdiction. My opinion is that it would be better for that committee to take jurisdiction rather than the Appropriations Committee.

Mr. MADDEN. They are very liberal.

Mr. MANN of Illinois. If they bring out a bill they will probably have to get a special rule in order to get it considered. It might be reached after a while.

Mr. KITCHIN. While the Committee on Rules are not as active or diligent as they ought to be, I think they would give a special rule for it.

Mr. MANN of Illinois. What delights me is to have my Democratic friends urge that matters be brought before the House by special rule.

Mr. KITCHIN. Nor do I think anyone would object to a unanimous request to consider such a bill. I do not want to reflect on the Committee on Rules, but I must say it does seem to me that they are mighty dull of comprehension. They do not seem to understand the plainest, simplest bills before them.

Mr. MANN of Illinois. Then why do you want them to pass upon these matters?

Mr. KITCHIN. I am going to urge them now to attend to their business more diligently. For instance, the Ways and Means Committee unanimously reported out a bill to appropriate $50,000,000, being the profits that the Grain Corporation made in selling wheat to Europe—to appropriate that $50,000,000 for the relief of the starving people in Austria and Armenia.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. KITCHIN. Yes.

Mr. MADDEN. I should like to ask the gentleman from North Carolina whether the Committee on Ways and Means unanimously certified to the profit which they said was made?

Mr. KITCHIN. The Ways and Means Committee of course did not certify to that, but we had the evidence of the Treasury Department and of Mr. Hoover.

Mr. MADDEN. What evidence did the committee have; just a statement of somebody?

Mr. KITCHIN. Just the statement of Mr. Hoover and of the Treasury Department, which was the best evidence we could get, and all that was necessary, that the Grain Corporation had a profit of $50,000,000.

Mr. MADDEN. I should like to ask a further question.

Mr. IRELAND. This has very little to do with the question under consideration. Mr. Speaker, I move the adoption of the resolution.

The SPEAKER. This is all out of order.

Mr. KITCHIN. I want the Committee on Rules to report out a rule making that bill in order, but they will not consider it.

Mr. IRELAND. Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The question being taken, on a division (demanded by Mr. IRELAND) there were—ayes 116, noes 13.

Accordingly the resolution was agreed to.

SPECIAL EMPLOYEE OF THE HOUSE.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution.

The Clerk read as follows:

House resolution 325.

Resolved, That the salary of one special employee of the House be $1,800 per annum: *Provided*, That the said salary be paid out of the contingent fund of the House of Representatives until otherwise provided for by law.

Mr. WALSH. Mr. Speaker, I make a point of order that that is not a privileged resolution.

Mr. IRELAND. Why?

Mr. WALSH. Mr. Speaker, I will reserve the point of order.

Mr. IRELAND. This has to do with one of the doorkeepers that has been employed in the House a great many years, and was, I believe, through a special act put on the roll. He is at present drawing a compensation of $1,500. This increases his salary $300 and makes it $1,800.

Mr. DOWELL. Will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. DOWELL. Why does not the resolution name the employee? Why is it so indefinite?

Mr. IRELAND. The resolution was passed last November when I had been called home on a sad mission, and I can not give the gentleman the information.

Mr. DOWELL. It seems to me that as the resolution reads it could apply to anyone. I think it ought to be specific, so that we would know where it applied.

Mr. IRELAND. I think so, too, but the committee did not amend it.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. IRELAND. Yes.

Mr. GREEN of Iowa. It seems to me that instead of naming the employee it should name the position.

Mr. DOWELL. That is what I mean.

Mr. MANN of Illinois. It does name the position—a special employee. Is this a minority employee?

Mr. IRELAND. No.

Mr. MANN of Illinois. If it was I should be perfectly willing to pay what is necessary. The resolution is not privileged. The Committee on Accounts does not have jurisdiction to fix the salary of employees. It can not report a privileged resolution fixing a salary. The Committee on Accounts could provide that there should be a certain amount paid out of the contingent fund, which would increase the salary of this employee. Automatically, under the rules of the House, that would authorize the Committee on Appropriations to provide an appropriation at an increased salary. But this is legislation; it fixes the salary of the employee at $1,800 and is not privileged. Who is the employee?

Mr. IRELAND. George Jenison.

Mr. MANN of Illinois. He has been here ever since the Republicans came in in the Fifty-fourth Congress.

Mr. KINCHELOE. Will the gentleman yield?

Mr. IRELAND. I will.

Mr. KINCHELOE. What is the salary of the other doorkeepers?

Mr. IRELAND. They may not all be drawing the same, but I think it is $1,800.

Mr. KINCHELOE. Do not some get $1,500?

Mr. IRELAND. Yes.

Mr. KINCHELOE. They also get the bonus.

Mr. IRELAND. Yes. I want to say that I am not responsible for the phraseology of the resolution.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent that the resolution may be considered now.

Mr. MADDEN. I object to that.

Mr. WALSH. Mr. Speaker, I make the point of order that the resolution is not privileged.

The SPEAKER. The gentleman from Massachusetts makes the point of order that the resolution is not privileged. The Chair sustains the point of order.

JAMES CLARK.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution.

The Clerk read as follows:

House resolution 305.

Resolved, That James Clark be appointed special messenger to serve in and about the House, under the direction of the Doorkeeper, at a salary of $125 per month, to be paid out of the contingent fund of the House, until otherwise provided for.

Mr. WALSH. Mr. Speaker, I make the point of order that the resolution is not privileged.

Mr. MANN of Illinois. Clearly the resolution is a privileged resolution.

The SPEAKER. The Chair will hear the gentleman from Massachusetts.

Mr. WALSH. As I caught the reading of the resolution, it provides by legislation for a new position, naming the incumbent.

Mr. MANN of Illinois. Mr. Speaker, it provides for a new position, naming the incumbent, the compensation to be payable out of the contingent fund of the House, which is the very purpose of the Committee on Accounts. They have the right to bring in resolutions of that kind.

The SPEAKER. The Chair will overrule the point of order.

Mr. WALSH. Mr. Speaker, I raise the question of consideration.

The SPEAKER. The gentleman from Massachusetts raises the question of consideration.

The question was taken; and the Chair being in doubt, the House divided, and there were 126 ayes and 5 noes.

Mr. WALSH. I make the point of no quorum.

The SPEAKER. The gentleman from Massachusetts makes the point of no quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 318, nays 8, answered "present" 3, not voting 99, as follows:

YEAS—318.

Ackerman	Dale	Hamilton	Lea, Calif.
Almon	Dallinger	Hardy, Colo.	Lee, Ga.
Anderson	Darrow	Hardy, Tex.	Little
Andrews, Nebr.	Davis, Minn.	Harrison	Lonergan
Anthony	Davis, Tenn.	Hastings	Luce
Ashbrook	Denison	Haugen	Lufkin
Aswell	Dewalt	Hawley	Luhring
Ayres	Dickinson, Mo.	Hayden	McAndrews
Babka	Dickinson, Iowa	Hays	McArthur
Baer	Dominick	Heflin	McClintic
Bankhead	Donovan	Hernandez	McDuffie
Barbour	Doremus	Hersey	McFadden
Barkley	Doughton	Hersman	McGlennon
Bee	Dowell	Hickey	McKenzie
Benham	Drane	Hicks	McKeown
Benson	Dunbar	Hoch	McLane
Black	Dupré	Holland	McLaughlin, Mich.
Bland, Ind.	Eagle	Howard	McLaughlin, Nebr.
Bland, Mo.	Echols	Huddleston	MacCrate
Bland, Va.	Edmonds	Hudspeth	Magee
Blanton	Elliott	Hull, Iowa	Major
Boies	Elston	Hull, Tenn.	Mann, Ill.
Bowers	Emerson	Humphreys	Mansfield
Briggs	Evans, Mont.	Husted	Mapes
Brinson	Evans, Nebr.	Igoe	Mays
Brooks, Pa.	Evans, Nev.	Ireland	Mead
Browne	Fairfield	Jacoway	Merritt
Browning	Fess	Johnson, Ky.	Michener
Brumbaugh	Fisher	Johnson, Miss.	Miller
Buchanan	Focht	Johnson, S. Dak.	Minahan, N. J.
Burdick	Foster	Johnston, N. Y.	Monahan, Wis.
Burke	Frear	Jones, Pa.	Montague
Burroughs	Freeman	Jones, Tex.	Moon
Byrnes, S. C.	French	Kahn	Mooney
Byrns, Tenn.	Fuller, Ill.	Kearns	Moore, Ohio
Campbell, Pa.	Gallagher	Keller	Moore, Va.
Candler	Gandy	Kelley, Mich.	Moores, Ind.
Carss	Gard	Kelly, Pa.	Morgan
Carter	Garland	Kendall	Morin
Casey	Garner	Kettner	Mott
Chindblom	Glynn	Kiess	Mudd
Christopherson	Godwin, N. C.	Kincheloe	Murphy
Clark, Mo.	Goodall	Klag	Neely
Classon	Goodwin, Ark.	Kinkaid	Nelson, Mo.
Cleary	Goodykoontz	Kitchin	Nelson, Wis.
Coady	Graham, Ill.	Kleczka	Newton, Minn.
Cole	Green, Iowa	Lampert	Newton, Mo.
Collier	Greene, Mass.	Langley	Nicholls, S. C.
Connally	Greene, Vt.	Lanham	Nichols, Mich.
Copley	Griest	Lankford	Nolan
Cullen	Griffin	Layton	O'Connell
Currie, Mich.	Hadley	Lazaro	Ogden

Oldfield	Riddick	Smithwick	Vare
Oliver	Robinson, N. C.	Steagall	Venable
Olney	Robsion, Ky.	Stedman	Vestal
Osborne	Rodenberg	Steele	Voigt
Padgett	Rogers	Steenerson	Volstead
Paige	Romjue	Stephens, Miss.	Ward
Park	Rose	Stephens, Ohio	Wason
Parrish	Rouse	Stevenson	Webster
Peters	Rubey	Stiness	Welty
Phelan	Rucker	Stoll	Whaley
Platt	Sabath	Strong, Kans.	Wheeler
Porter	Sanders, Ind.	Strong, Pa.	White, Kans.
Pou	Sanders, La.	Summers, Wash.	White, Me.
Purnell	Sanford	Sumners, Tex.	Williams
Quin	Saunders, Va.	Sweet	Wilson, Ill.
Radcliffe	Schall	Swope	Wilson, La.
Rainey, J. W.	Scott	Tague	Wilson, Pa.
Raker	Sells	Taylor, Ark.	Wingo
Ramsey	Sherwood	Taylor, Colo.	Winslow
Ramseyer	Shreve	Taylor, Tenn.	Wise
Randall, Calif.	Sims	Thomas	Woods, Va.
Randall, Wis.	Sinclair	Thompson	Wright
Rayburn	Sinnott	Tillman	Yates
Reavis	Slemp	Tilson	Young, N. Dak.
Reed, N. Y.	Small	Timberlake	Young, Tex.
Reed, W. Va.	Smith, Idaho	Tincher	Zihlman
Rhodes	Smith, Ill.	Upshaw	
Ricketts	Smith, Mich.	Vaile	

NAYS—8.

Bacharach	Good	James	Madden
Box	Harreld	Longworth	Walsh

ANSWERED "PRESENT"—3.

Clark, Fla.	Crisp	Hulings

NOT VOTING—99.

Andrews, Md.	Dunn	Kennedy, R. I.	Riordan
Begg	Dyer	Knutson	Rowan
Bell	Eagan	Kraus	Rowe
Blackmon	Ellsworth	Kreider	Sanders, N. Y.
Booher	Esch	Larsen	Scully
Brand	Ferris	Lehlbach	Sears
Britten	Fields	Lesher	Siegel
Brooks, Ill.	Flood	Linthicum	Sisson
Butler	Fordney	McCulloch	Smith, N. Y.
Caldwell	Fuller, Mass.	McKinley	Snell
Campbell, Kans.	Gallivan	McKinley	Snyder
Cannon	Ganly	McPherson	Sullivan
Cantrill	Garrett	MacGregor	Temple
Caraway	Goldfogle	Maher	Tinkham
Carew	Gould	Mann, S. C.	Towner
Cooper	Graham, Pa.	Martin	Treadway
Costello	Hamill	Mason	Vinson
Crago	Hill	Mondell	Walters
Cramton	Hoey	O'Connor	Watkins
Crowther	Houghton	Overstreet	Watson
Curry, Calif.	Hutchinson	Parker	Weaver
Davey	Jefferis	Pell	Welling
Dempsey	Johnson, Wash.	Rainey, Ala.	Wood, Ind.
Dent	Juul	Rainey, H. T.	Woodyard
Dooling	Kennedy, Iowa	Reber	

So the House determined to consider the resolution.

The Clerk announced the following pairs:

Until further notice:

Mr. KNUTSON with Mr. BELL.

Mr. FORDNEY with Mr. CRISP.

Mr. TOWNER with Mr. GARRETT.

Mr. MCKINLEY with Mr. PELL.

Mr. ANDREWS of Maryland with Mr. CLARK of Florida.

Mr. GRAHAM of Pennsylvania with Mr. BLACKMON.

Mr. MONDELL with Mr. SISSON.

Mr. KRAUS with Mr. MANN of South Carolina.

Mr. SANDERS of New York with Mr. CALDWELL.

Mr. FULLER of Massachusetts with Mr. WELLING.

Mr. SNELL with Mr. BRAND.

Mr. LEHLBACH with Mr. EAGAN.

Mr. HUTCHINSON with Mr. SEARS.

Mr. MCPHERSON with Mr. HAMILL.

Mr. PARKER with Mr. ROWE.

Mr. COOPER with Mr. GALLIVAN.

Mr. JOHNSON of Washington with Mr. RAINEY of Alabama.

Mr. KREIDER with Mr. CARAWAY.

Mr. ELLSWORTH with Mr. WEAVER.

Mr. BUTLER with Mr. SMITH of New York.

Mr. KENNEDY of Iowa with Mr. DAVEY.

Mr. TINKHAM with Mr. FIELDS.

Mr. TREADWAY with Mr. BOOHER.

Mr. WATSON with Mr. LARSEN.

Mr. SNYDER with Mr. FERRIS.

Mr. MASON with Mr. CANTRILL.

Mr. BEGG with Mr. OVERSTREET.

Mr. ROWE with Mr. LESHER.

Mr. GOULD with Mr. MCKINLEY.

Mr. ESCH with Mr. DENT.

Mr. COSTELLO with Mr. VINSON.

Mr. MCCULLOCH with Mr. CAREW.

Mr. WALTERS with Mr. DOOLING.

Mr. WOOD of Indiana with Mr. MAHER.

Mr. JEFFERIS with Mr. LINTHICUM.

Mr. CRAGO with Mr. SULLIVAN.

Mr. WOODYARD with Mr. SCULLY.

Mr. CAMPBELL of Kansas with Mr. WATKINS.

Mr. DEMPSEY with Mr. RIORDAN.

Mr. BROOKS of Illinois with Mr. O'CONNOR.

Mr. DUNN with Mr. HENRY T. RAINEY.

Mr. CANNON with Mr. FLOOD.

Mr. CRAMTON with Mr. GOLDFOGLE.

Mr. BRITTEN with Mr. MARTIN.

Mr. CURRY of California with Mr. GANLY.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. IRELAND. Mr. Speaker——

Mr. MANN of Illinois. Mr. Speaker——

Mr. IRELAND. Mr. Speaker, I yield to my colleague.

Mr. MANN of Illinois. Was this resolution presented at the request of the minority side of the House? Has it the approval of the minority leader?

Mr. IRELAND. I think so; I am positive.

Mr. MANN of Illinois. It is to give an additional minority employee of the House?

Mr. IRELAND. That is the purpose of it; yes, sir.

Mr. MANN of Illinois. I take it that the minority now have the same number of employees which the Republican minority had when the Democrats were in control of the House. Now, what reason is there for an additional minority employee? I hope some minority Member will give us the information.

Mr. KITCHIN. Will the gentleman yield?

Mr. MANN of Illinois. I will yield.

Mr. KITCHIN. I will say to the gentleman that this gives the minority of this Congress exactly the number which the minority had in the last four Congresses under such a resolution, except for two Congresses, the Sixty-third and Sixty-fourth, the minority had one more than this resolution gives. When the Democrats came in, they found two gentlemen on the roll under a resolution similar to this—Mr. Jennison and Mr. Chauncey, as I remember. The Democrats kept them on under that resolution. They have been here for some time. We knew they were Republicans, but we felt that we ought not to put them out.

Mr. MANN of Illinois. Oh, well, neither Mr. Jennison nor Mr. Chauncey was a minority employee of the House. They never were under the jurisdiction in any way whatever of the minority leader of the House.

Mr. KITCHIN. Nor will Mr. Clark be under the jurisdiction of the minority leader, but under the jurisdiction of the House, just as Mr. Jennison and Mr. Chauncey were. This resolution, as I understand it—I never looked at it—is in exactly the same language as the resolution under which Mr. George Jennison was appointed.

Mr. MANN of Illinois. I know Mr. George Jennison was appointed as a special employee of the House by resolution appointing him as a special employee or providing for a special employee—I do not remember now—as far back as the Fifty-fourth Congress. That is before I was a Member of the House; and under the rulings of the Chair allowing the Committee on Appropriations to make appropriations for special employees an appropriation for years was made to pay the special employee named in the resolution of a certain date, and he stayed on during the Republican rule in the House. When the Democrats came in they never discovered there was such a place, and I did not call it to their attention, but saw to it that the appropriation was made. Now he is kept as Doorkeeper; nobody was opposed to it. Mr. Chauncey was kept here because he had been here 50 years under both Republican and Democratic rule—was not charged to the minority. Now, I am perfectly willing, as far as I am concerned, always to give the minority all the employees it wants, and I thought, to be frank with you, when I was the minority leader that I had all the minority employees that the minority could well make use of. Now you want more.

Mr. KITCHIN. Now, will the gentleman just let me make a statement? The gentleman does not exactly know all that the Democrats knew when they got control of the House in 1910. The Democrats knew Mr. George Jennison, a life-long Republican, held a place under a resolution, and they knew that Mr. Chauncey, a life-long Republican, held a place until he died, under a resolution. Let me tell the gentleman the facts. When we first organized the House, when we got control in the Sixty-second Congress, I asked Mr. UNDERWOOD to call the Ways and Means Committee together, which was the organization committee of the Democrats, to consider the status of Mr. Jennison and Mr. Chauncey. I told the committee about these two old employees. I told it that they were Republicans and that they had been here so long that it would seem cruel to turn them out or to stop the appropriations, and I got a resolution through the Ways and Means Committee appointing me a committee of one to go to the patronage committee, consisting of Dr. FOSTER, Mr.

HUMPHREYS, and Mr. DOREMUS, and insist to them upon not considering those two places as patronage for distribution, and to recommend to the caucus the continuance on the rolls of those two gentlemen. I went before the patronage committee in behalf of Mr. Jennison and Mr. Chauncey. They were kept on the rolls. I then went to the Committee on Appropriations in that Congress in their behalf. Mr. Jennison remembers, and every year while the Democrats had control of the House I went in person to the chairman and asked him to take care of the appropriation for them until Mr. Chauncey died, and thereafter every year in behalf of the appropriation for Mr. Jennison. Now, these are the facts about it.

Mr. MANN of Illinois. Oh, well, I went to the Committee on Appropriations, too, and the Committee on Appropriations in this matter follow in their appropriations the appropriations of the preceding year as far as the employees of the House are concerned. Now, Mr. Jennison was a good employee of the House and was no older an employee than a large number of the other employees of the House when the Democrats came in. Very many of them had been here since the Fifty-fourth Congress. Mr. Chauncey was an employee of the House for 50 years, under both Republican and Democratic rule——

Mr. KITCHIN. And I saw to it that he was kept in the manner I have explained.

Mr. MANN of Illinois. The Democrats did not know, and I think nobody else knew. What is this employee for? I may say to the gentleman we have kept a Democratic employee of the House as a reading clerk, and I suppose having done that if we come in again after a while somebody will say we ought to have three reading clerks because we kept a Democratic employee.

Mr. KITCHIN. I will say this: That as I understand it—and I am pretty certain it is true, because I have been told it is—this resolution is in the exact form under which Mr. Jennison got his place and held it and the resolution under which Mr. Chauncey held his place until he died. Now, they were both Republicans. Mr. Clark has been in the employ of the House for 8 or 10 years when the Democrats were in. It is now asked that the Republicans of the House put and keep Mr. Clark in under the identical kind of resolution under which the Democrats kept two Republicans in. I think we should have some comity between this side and that and let this resolution pass.

Mr. MANN of Illinois. The gentleman knows how I feel about it. The gentleman says it is the same form of resolution. That has nothing to do with it. It is the same form of resolution that provides for——

Mr. KITCHIN. If we keep Mr. Jennison, and we should keep him, we can put this Mr. Clark on, and he would not be a minority employee controlled by the minority, but a House employee, like Mr. Jennison.

Mr. MANN of Illinois. It is the form of resolution under which the present minority employees of the House are employed.

Mr. KITCHIN. But they are given to the minority as such and controlled by the minority.

Mr. MANN of Illinois. That is what we want to get at. So far as the majority side of the House is concerned, I doubt very much whether they need the services of Mr. Clark.

Mr. KITCHIN. We knew that we did not need actually the services of Mr. Jennison or Mr. Chauncey, but we kept them on, and their services were rendered to the House, not to the majority or to the minority.

Mr. MANN of Illinois. But the gentleman seeks to say that the minority does not need his services, but wants to charge him to us.

Mr. KITCHIN. I do not say that. He will be a House employee, not named by the minority, not controlled by the minority, not serving the minority, but, like Mr. Jennison, controlled by the House and serving the entire House.

Mr. MANN of Illinois. They are all under the control of somebody.

Mr. KITCHIN. But the others are given to the minority, and the minority controls them.

Mr. MANN of Illinois. This resolution will remain the resolution of the House not merely until the end of this Congress but until the end of time, unless it is repealed by the recipient himself.

Mr. KITCHIN. So with Mr. Jennison and so with Mr. Chauncey. It can only be binding on this Congress. Each Congress must act on it on the appropriation. And we can repeal it at any time we desire. This Congress can stop the appropriation at any time.

Mr. HUMPHREYS. The gentleman from Illinois understands that the two gentlemen just named are not the only Republicans that were kept in the organization. There were numbers of them.

Mr. KITCHIN. We kept five or more Republicans in. I do not recall all now; Mr. Sabine is one.

Mr. MANN of Illinois. The illustration given by the gentleman from North Carolina [Mr. KITCHIN] that those were kept in is given only to fool those who do not know. It does not fool me.

Mr. KITCHIN. Does the gentleman deny what I stated about going to the committee and getting the committee to make an appropriation for them?

Mr. MANN of Illinois. It certainly would be far from me to deny any statement of fact which the gentleman makes.

Mr. HUMPHREYS. I want to say this, that the Republicans have done it and the Democrats did it in recent years when they controlled the House. We kept quite a number of Republicans on the roll.

Mr. MANN of Illinois. It would have been wiser had you kept more of them.

Mr. HUMPHREYS. I do not say that to influence gentlemen in this particular instance. We had Mr. Grayson and Mr. Sabine and Mr. Cook and a number of them.

Mr. MANN of Illinois. I understand you had a number kept on. Do you remember any instance where you by special resolution named a Republican employee of the House during your eight years of administration?

Mr. HUMPHREYS. Well, we named minority employees.

Mr. MANN of Illinois. Well, I offered the resolution for that. But this is not to appoint a minority employee.

Mr. HUMPHREYS. We created an additional place, at the earnest request of the Republican side, in the cloak room, to look after the telephones, at a salary of $1,500. The gentleman understands that.

Mr. MANN of Illinois. Certainly.

Mr. HUMPHREYS. My recollection is that there were two pair clerks on that side and one on this side.

Mr. MANN of Illinois. Yes. We had two pair clerks and you had one, theoretically. They were minority employees, and you have the same now.

Mr. HUMPHREYS. We do not have them now, but we hope to have them in the future.

Mr. KITCHIN. This report was unanimous, and it was also unanimous in giving the Sergeant at Arms an extra man two or three months ago.

Mr. KING. Will the gentleman from Illinois [Mr. IRELAND] yield?

Mr. IRELAND. Certainly.

Mr. KING. Who is this Mr. Clark that is mentioned? Is he the gentleman that served in the Members Gallery for so long?

Mr. IRELAND. Yes.

Mr. KING. I do not know what his politics are, but I know he is the best man that has ever been up in the gallery. He has been courteous and kind and efficient to the Members' wives and their relatives, and others, and everyone of them, so far as I have had converse with them, would like to see this old gentleman have his place back, and I think it is fair and square that he should have it.

Mr. McLAUGHLIN of Michigan. Will the gentleman from Illinois yield?

Mr. IRELAND. Certainly.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, when the first session of this Congress began I was, unfortunately for myself, made a member of the committee on patronage. We found that Mr. Clark was employed as one of the doorkeepers in the gallery; that he had been faithful and efficient, his services satisfactory to all those who had come in contact with him. But that he was more so than the rest of the doorkeepers I deny. Others were and are as good as he, every one of them. Now, it was up to our committee necessarily to determine whether or not Mr. Clark should remain. Pressure was brought to bear on us to keep him, and as long as we could keep him we did. He remained in his place until the pressure naturally made from this side of the House for the appointment of a Republican became so strong that the place had to be given to one entitled to Republican patronage. I learned at that time that the question of whether or not Mr. Clark should be retained in some position in the House as one of the minority employees was brought up in the minority caucus and it decided in favor of another man.

Mr. KITCHIN. The gentleman is mistaken. We had no caucus on that matter.

Mr. McLAUGHLIN of Michigan. It was in some way taken up and determined by minority Members, and they decided that of all places at their disposal there was none for Mr. Clark. However, since leaving the door up there he has been employed

on one of the doors in the House Office Building, and he is there now. The position he occupied as doorkeeper in the gallery pays, as all others of similar character are paid, $1,180 per annum, with a bonus of $240, which increases the salary to that extent. I have no objection to this resolution. I am willing to see the minority receive another appointment if they show they need it, but inasmuch as Mr. Clark was so long employed at the salary of $1,180 and was so anxious to keep it, and evidently will be satisfied with that salary, I question very much the wisdom of providing by resolution for his employment at $125 per month, certainly as his employment will be permanent; and if a motion to amend is in order, I shall move to amend by making the salary $1,180 per annum instead of $125 per month.

The SPEAKER. The gentleman from Michigan offers an amendment, which the Clerk will report.

Mr. MANN of Illinois. Mr. Speaker, the gentleman has not yielded the floor to offer an amendment.

The Clerk read as follows:

Strike out "$125 per month" and insert "$1,180 per annum."

The SPEAKER. The Chair did not hear the gentleman from Illinois.

Mr. MANN of Illinois. I say the gentleman did not get the floor to offer an amendment.

The SPEAKER. That is correct.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. BLANTON. Mr. Speaker, it is an extraordinary circumstance when any man appreciates attention paid to his wife by some other man. [Laughter.] But I am sure that there is not a married Representative in this House who sat in the Sixty-fifth Congress who does not highly appreciate the special, courteous attention that Mr. Clark paid to his wife and to the wife of each one of us in finding them seats in the gallery during the last session. You can not find any Member's wife who sought seats up in the gallery who was not accommodated frequently by Mr. Clark at times when seats were at a premium. I am sure the House will do as little as could be expected in passing this resolution.

Mr. UPSHAW. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes; I first yield to the gentleman from Massachusetts.

Mr. WALSH. I do not question the fact that Mr. Clark is a very courteous and accommodating employee, but I doubt, Mr. Speaker, if we are justified in appropriating money on the basis that some employee was courteous and accommodating to members of our families. We ought to look further than that. I think if gentlemen will inquire into this a little further they will find there has been in the past quite a fair sized row on the minority side of the House over this particular piece of patronage, a row in which some other employee is involved, and that the minute this gentleman goes on the roll some other gentleman as a minority employee will go on the roll at $1,800 per annum. Gentlemen, of course, must realize that this man is being appointed as a special messenger at $125 per month when all the veterans who are carried on the soldiers' roll under that title are getting $1,180 per annum.

Now, I want to say this: I have seen no indication of a need of further special employees round about the House. We have got a great many of them here now, even on the majority side, that are incompetent, and I think if we could get a little more efficiency out of some of these employees that we already have we would do well to insist upon it rather than to increase their number. I have not heard one suggestion made that there is need for an additional employee.

Oh, it is a small matter, $1,500 plus the bonus. It does not amount to very much. This has been pending since September 2, 1919, and the pressure is so great that it is strange that we have not terminated it heretofore. It may be that the lack of authorization for this special employee is what is the matter with the minority side of the House, and what has been the matter with them during all these months since September. But I submit that the time has come for us to indicate a little real economy, even though it involves a curtailment of our expenses for our own convenience and comfort here as Members of the House, and unless there is some urgent reason given why we should embark upon this policy in order to settle some disagreement upon the minority side and create an additional position I intend to vote against the resolution, and in doing so I do not believe that I can be considered as not appreciating the faithful service of the gentleman as doorkeeper in the Members' gallery in the Sixty-fourth Congress and prior to that. But there has not been a bit of evidence given to the House that I have heard—I have listened to the discussion—of any need for another special messenger to be employed at the request of the minority, particularly when you mention him by name, and even if there is, there has been no sufficient reason given why he should receive a larger salary than those who are carried on the roll under the same name, including some of the veterans of the Civil War who are getting only $1,180. I am opposed to the resolution.

Mr. KITCHIN. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. KITCHIN. Who introduced this resolution? Was it the gentleman from Illinois [Mr. RODENBERG]?

Mr. IRELAND. The gentleman from Illinois [Mr. RODENBERG].

Mr. KITCHIN. Special messengers holding positions similar to this are not drawing $1,180, but $1,500, are they not?

Mr. IRELAND. Yes, sir.

Mr. UPSHAW. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

The SPEAKER. How much time does the gentleman yield?

Mr. UPSHAW. I want only two minutes.

Mr. IRELAND. I yield two minutes.

Mr. UPSHAW. Mr. Speaker and gentlemen, I think it has been a very beautiful indication to see the disposition of mind and heart, irrespective of party lines, to honor this noble old man who has walked into the hearts of all of us for many years. If the women of Washington could vote, they would all vote for Uncle Jimmie Clark. His heart is as golden as his hair is white. Let us honor him with this beautiful recognition. [Applause.]

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. I yield three minutes to the gentleman.

The SPEAKER. The gentleman from Kansas is recognized for three minutes.

Mr. LITTLE. Mr. Speaker, there is a feature of this matter which I think should challenge the attention of the House, and I think the time has come when the House should understand it. This thing of putting an employee permanently on the roll very often results in losing a very good employee, who ceases to be an employee of the House in the sense in which it should be understood and becomes a permanent attendant to the House, but independent of the House.

I have found, unfortunately, not personally but through a representative, that some of these people who are put on the roll permanently by law get an idea that they are permanent factors here, far surpassing the Members themselves. The other day a lady from my office went to one of these men and inquired for something that my office was entitled to, and was rather rudely told that there was not any there. On a further inquiry as to why there should not be something of that kind as the law provided for each Member of Congress she was told very impudently that there were too many Members of Congress around here now. That seemed to please the deputies under that employee and brought a loud laugh, and the lady was further insulted by a repetition of the remark. "There are too many Members of Congress around here now." Now, I begin to think that there are too many clerks around here now who have life jobs; that if the clerks of this House were amenable to appointment at each Congress, just like everybody else, some of them might have more manners and more sense and be more inclined to think they were servants of the House and not masters. This man to whom I refer is put on by law to stay as long as he lives, and he ought to be put off. I shall probably not seek to have it done, because he is like some of the rest, a poor old man dependent upon his job; but, gentlemen, we make a mistake when we put anybody on this roll for life. By doing that you lose a very good clerk, and he thinks he is running the House and ceases to be a servant of the House. We ought to conduct our business here according to law and treat all men alike. If this employee knows a lot of Congressmen who are superfluous, he should give us the benefit of his judgment and perhaps all can persuade our extra men to go home. If he can not, he should be given a chance to retire himself. He simply has a bad case of swelled head.

Mr. KEARNS. Will the gentleman mind stating to the House the name of that employee?

Mr. LITTLE. I had rather not. I do not care to seem to criticize a poor old man, but I think there ought to be a general rule adopted.

Mr. KEARNS. The gentleman ought to give the name of the man who insulted this lady in this way, and he ought to be removed from office.

Mr. LITTLE. Well, if the circumstances were different, I would see him about that myself.

Mr. UPSHAW. The gentleman makes the best kind of an argument why Mr. Clark should be put in this place.

Mr. LITTLE. Oh, Mr. Clark has always been a perfect gentleman.

Mr. UPSHAW. Absolutely so.

Mr. LITTLE. I am not arguing against Mr. Clark. He is one of the men that ought to be put on.

Mr. IRELAND. Mr. Speaker, I ask for a vote on the resolution.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield to me for the purpose of offering an amendment?

Mr. IRELAND. In a few moments. Gentlemen of the House, I would like to go on record as strictly opposed to this sort of a resolution in principle, or anything approaching it, as I was opposed at heart to the one previously offered. There is no reason on earth why unusual courtesy to our wives or our visitors in the galleries should be such a rare thing that it must be rewarded. It should be the rule and not the exception, though, as the gentleman has said, it is most commendable. I am sure also that we will never get anywhere with such matters so long as almost every Member of the House has some special pet whose salary he wants raised, or for whom he wants a special position created. I have found out that the Committee on Accounts is the football for the House to kick all over the lot whenever it pleases, and for almost any purpose. But the circumstances of this particular case are peculiar. An agreement or purported agreement was said to exist between the leaders of the House, and there is a disagreement on the part of the leaders of the House and their 200 assistants on each side as to just what that agreement was; and I am very strongly determined to preserve the good faith of the situation and favor this resolution. Just so long as this House indulges in this practice of special resolutions, just so long we are going to have this continual wrangling every time one of them comes up. I am sure that if the beneficiary of this resolution knew of the commotion he was creating this morning he would, in his modest and humble nature, be very much embarrassed.

Resolutions have been offered, and are pending, by the Committee on Accounts for a survey of the employees of the House and an effort to catalogue them, to establish some system to better define their salaries and duties; but apparently the attitude of the House is decidedly against any systematic or business management of its own immediate affairs. As far as the question of economy is concerned, you could dissipate the entire contingent fund of the House and not save to your Government any appreciable fraction of what you might save by lopping off some single item in some appropriation bill.

The situation as it stands is anything but agreeable and is very regrettable, but the House is to blame for it. Just so long as we continue this practice we are going to have this same trouble that has risen here to-day.

I hope this resolution may pass and that we may be relieved from similar occurrences in the future, and that they will not come up again to the embarrassment of the committee.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. IRELAND. I promised to yield to the gentleman from Michigan to offer an amendment.

The SPEAKER. The gentleman from Illinois yields to the gentleman from Michigan [Mr. McLAUGHLIN] to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 1, line 2, after the word "serve," insert the words "during the Sixty-sixth Congress."

The SPEAKER. The question is on agreeing to the amendment.

The question being taken, the amendment was agreed to.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I offer another amendment.

The SPEAKER. The gentleman offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. McLAUGHLIN of Michigan: Line 3, page 1, after the word "of," strike out "$125 per month," and insert in lieu thereof "$1,180 per annum."

The SPEAKER. The question is on agreeing to the amendment.

The question being taken, on a division (demanded by Mr. McLAUGHLIN of Michigan) there were—ayes 53, noes 163.

Accordingly the amendment was rejected.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 218, noes 25.

Accordingly the resolution was agreed to.

JOSEPH HAGBERG.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution.

The Clerk read as follows:

House resolution 277.

Resolved, That there shall be paid, out of the contingent fund of the House, to Joseph Hagberg, brother of Julia Hagberg, late an employee of the House of Representatives, a sum equal to six months of her compensation as such employee, and an additional amount, not exceeding $250, to defray the expenses of the funeral of said Julia Hagberg.

With the following committee amendment:

Page 1, line 4, strike out the words "equal to six months of her compensation as such employee, and an additional amount."

Mr. MADDEN. Will the gentleman yield?

Mr. IRELAND. Yes.

Mr. MADDEN. I would like to ask the gentleman whether he considered that Joseph Hagberg was a dependent of Julia Hagberg.

Mr. IRELAND. Certainly not.

Mr. MADDEN. It seems to me that there ought not to be such a resolution as this reported.

Mr. IRELAND. This resolution is exactly in line with the one previously voted on, save, as the gentleman from Oklahoma explained, it gives no additional compensation to the legal representative of the deceased, and only pays the funeral expenses up to an amount not exceeding $250. It is a case where we did not believe there were dependents.

Mr. CHINDBLOM. Mr. Speaker, this clerk was employed in my office. She came from Chicago in May last and she died in the month of August. Her surviving relatives are two brothers and a niece, all of them of the working class. I do not know whether she contributed anything in her lifetime to the support of any of them, but I do know that out of her little estate, amounting to a few hundred dollars, the funeral expense was a large item. Two hundred and fifty dollars here allowed will not exceed the additional expense of caring for and shipping her remains to her home.

Mr. IRELAND. Mr. Speaker, I move the adoption of the amendment.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

W. L. BRAGG.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution.

The Clerk read as follows:

House resolution 442.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to W. L. Bragg, clerk to the late Hon. Walter A. Watson, a Representative in Congress from Virginia at the time of his death, December 24, 1919, the sum of $266.67, being an amount equal to one month's salary of a clerk of a Representative in Congress.

Mr. BLACK. Will the gentleman yield?

Mr. IRELAND. I will.

Mr. BLACK. That illustrates the point that I wanted to emphasize a while ago, that this clerk was evidently on the roll at $3,000 a year, and receives $266.67, whereas a great many of the Members' clerks are on the rolls at $2,000, and in a similar case would receive $166.67.

Mr. IRELAND. This is the usual resolution to pay one month's salary to the clerk of a deceased Member.

Mr. BLACK. I simply wanted to emphasize the lack of uniformity in the pay of these clerks.

Mr. IRELAND. It is the fault of the House and not of the committee. We had no other way than to provide for one month's salary at the rate at which the clerk was on the roll.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

EXTENSION OF REMARKS.

Mr. ANDREWS of Nebraska. Mr. Speaker, I ask unanimous consent to print in the RECORD an address delivered before the Nebraska constitutional convention last Friday by my colleague [Mr. REAVIS].

The SPEAKER. The gentleman from Nebraska asks unanimous consent to print in the RECORD an address by his colleague [Mr. REAVIS] before the Nebraska constitutional convention. Is there objection?

Mr. GARD. Reserving the right to object, upon what subject?

Mr. ANDREWS of Nebraska. In relation to the subject matter under consideration by the constitutional convention, and incidentally the legislation now pending in Congress.

Mr. GARD. Yes; but upon what subject?

Mr. ANDREWS of Nebraska. Particularly railroad legislation from a constitutional standpoint.

Mr. GARD. Does it incorporate the gentleman's report on war expenditures?

Mr. ANDREWS of Nebraska. It does not.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICKETTS. Mr. Speaker, I ask unanimous consent to print in the RECORD a speech made by my colleague [Mr. THOMPSON], of the fifth district of Ohio, at the Lincoln day banquet on February 12.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McDUFFIE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Agricultural appropriation bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD on the Agricultural appropriation bill. Is there objection?

There was no objection.

Mr. FOCHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on Lincoln's anniversary.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

MILITARY ACADEMY BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12467) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes.

The motion was agreed to.

Accordingly the committee resolved itself into Committee of the Whole House on the state of the Union, with Mr. HUSTED in the chair.

The CHAIRMAN. General debate on the bill having been concluded, the Clerk will read the bill for amendment under the five-minute rule.

The Clerk read as follows:

PERMANENT ESTABLISHMENT.

For pay of seven professors, $26,500.

Mr. LITTLE. Mr. Chairman, I make a point of order that there is no law authorizing that appropriation, and I do so for the purpose of getting some information.

The CHAIRMAN. Will the gentleman from Kansas state his point of order?

Mr. LITTLE. I make the point of order that there is no law authorizing the appropriation, and I do so primarily for the purpose of securing the idea of the committee as to what they base it on.

Mr. ANTHONY. I think the gentleman will find that there is abundant law for the payment of the salaries of the seven professors, and has been even as far back as the founding of the academy, and amplified by legislation from time to time.

Mr. LITTLE. Yes; but as to the amount.

Mr. ANTHONY. The amount of the pay is based on supplementary legislation that specifies that the professors at the Military Academy shall have the pay and rank of a lieutenant colonel for less than 10 years' service and of a colonel for more than 10 years' service.

Mr. LITTLE. I hardly think that is the law that governs this.

Mr. ANTHONY. I think it is.

Mr. LITTLE. It may be that I am wrong, but I have been unable to find it. It was the law some years ago, but I find here in the act of August 29, 1916, that the Secretary of the Navy is authorized to employ at the Naval Academy such number of professors and instructors, including one professor as librarian, as, in his opinion, may be necessary for the proper instruction of the midshipmen, and that the professors and instructors so employed shall receive such compensation for their services as may be prescribed by the Secretary of the Navy. That is the only authority I can find.

Mr. ANTHONY. The gentleman is now talking about the Naval Academy.

Mr. LITTLE. Yes.

Mr. ANTHONY. This item refers to the Military Academy.

Mr. LITTLE. I understand; but where is a similar provision for the Army?

Mr. ANTHONY. Section 1336, as amended by section 4 of the act of June 23, 1879, provides that each of the professors at the Military Academy whose service as professor at the academy exceeds 10 years shall have the pay and allowances of a colonel, and all other professors shall have the pay and allowances of a lieutenant colonel, and that the instructors of ordnance, science of gunnery, and of practical engineering shall have the pay and allowances of a major.

Mr. LITTLE. Will the gentleman give me the date of that law?

Mr. ANTHONY. June 23, 1879.

Mr. LITTLE. There is a later law than that on the subject. Is that the law under which the gentleman bases this?

Mr. ANTHONY. I think it is.

Mr. LITTLE. As I said primarily, I do not do this for the purpose of obstructing the legislation, because I think those men ought to be paid, but I would like to know on what authority they pay them. I withdraw the point of order on this item, and I shall investigate it. Of course, I understand that when I withdraw the point of order I waive it.

The CHAIRMAN. The gentleman from Kansas withdraws the point of order, and the Clerk will read.

The Clerk read as follows:

For pay of one commandant of cadets (colonel) in addition to his regular pay, $1,000.

Mr. LITTLE. Mr. Chairman, I make the point of order against this item for the pay of the commandant, and I would like to know on what authority it is based.

Mr. ANTHONY. The law authorizes the pay and rank of a lieutenant colonel at the academy for the officer in command of the cadet corps.

Mr. LITTLE. Will the gentleman please cite the law?

Mr. ANTHONY. I am not an index of the laws of the United States. The corps of cadets has been almost doubled in number, until the commandant of the corps of cadets now commands 12 companies, the command of a colonel. Therefore, we are providing that he shall have the pay of a colonel instead of the pay of a lieutenant colonel. We are doing that because of the enlargement of the corps.

Mr. LITTLE. Where is the law that authorizes the committee to do that? It is in the books somewhere if there is such a law.

Mr. QUIN. I would say to the gentleman that that is a decrease of $100 over what it has been before.

Mr. LITTLE. That does not answer the point of order at all. Perhaps they did not have any authority to give him any money at all.

Mr. QUIN. Oh, yes.

Mr. LITTLE. If there is such a law, just cite it to me.

Mr. ANTHONY. What does the gentleman want to know?

Mr. LITTLE. I want to know where any law exists that authorizes the committee to pay the commandant at the rate of the pay of a colonel, in addition to his regular pay, $1,000.

Mr. ANTHONY. I just told the gentleman that the law authorizes us to pay him the compensation of a lieutenant colonel, but we are changing that in this bill so as to give him the pay of a colonel because his command has been increased to the command of a colonel.

Mr. LITTLE. Do I understand, then, that the gentleman realizes that there is no authority of law for this, and that this is a change made here?

Mr. ANTHONY. That is correct.

Mr. LITTLE. Very well. I just wanted to call the attention of the Chair to the fact that gentlemen are doing this in violation of law, and that they are making law in this bill. Under the circumstances I do not insist on the point of order. But the War Department should ask and the Military Committee should propose laws to authorize the appropriations necessary. The military arm of this Government must learn to obey the law.

Mr. STEVENSON. Mr. Chairman, I want to ascertain if it is the proposition of the Military Affairs Committee to give this colonel $1,000 additional, and if it is their expectation that he will get the thousand dollars additional after they pass this bill, and to give him another thousand dollars for which there is a bill pending.

Mr. ANTHONY. Let me say to the gentleman that the officer who holds the present place of commandant at West Point has the rank of major in the Regular Establishment, and this thousand dollars makes up the difference between the pay of a major, which he has anyway, and the pay of a colonel, which he would have under this provision as commandant, during his service at West Point only.

Mr. STEVENSON. Why is it worth more to serve at West Point than it is to serve in Washington?

Mr. ANTHONY. It is considered a little more arduous and to be a more important position.

Mr. STEVENSON. I think it is a very choice place; a very easy place. Do I understand that the man who actually discharges that duty is a major?

Mr. ANTHONY. He is a major in the Regular Establishment.

Mr. STEVENSON. And he is to have the pay of a major plus $1,000?

Mr. ANTHONY. No; he is to have the temporary rank of a colonel while in command of the corps at West Point and also the pay of a colonel, and the difference between his pay as major and the pay of a colonel is $1,000.

Mr. STEVENSON. Then he gets the pay of a colonel now, which, along with his commutation of quarters, heat, and light, makes him get about $6,127; is that right?

Mr. ANTHONY. No; it is not. He would have to be of the longest length of service to get such pay as that.

Mr. STEVENSON. Mr. Chairman, I move to strike out the paragraph.

Mr. ANTHONY. If he is furnished quarters by the Government, he would get no commutation at all, and he is furnished quarters.

Mr. STEVENSON. Then, instead of commutation of quarters, he gets $3,500 and $290 heat, and you propose to add $1,000 to that?

Mr. ANTHONY. He is provided with heat by the Government at West Point.

Mr. STEVENSON. Then he is not out anything for quarters or heat or light, but he is paid at least $4,000; that is the base pay——

Mr. ANTHONY. Of a colonel.

Mr. STEVENSON. Of a colonel, and then you give him another $1,000 and that is $5,000——

Mr. ANTHONY. No; the gentleman is in error. The officer in question is a major in the Regular Establishment. He would draw $3,000 a year as major, and while he is on duty at West Point in the grade of colonel we provide that he shall have $1,000 a year more, making up the difference in the pay.

Mr. BEE. That is giving him a colonel's pay?

Mr. STEVENSON. Under a proposed bill, which is on the calendar for action, he will have another $1,000 added if we pass that bill increasing the salary. Is not that true? Are you going to give that salary increase and then increase his salary as colonel or major?

Mr. ANTHONY. I suppose this officer would get any proportionate increase Congress would make, but I do not know what Congress is going to do.

Mr. STEVENSON. There is a bill pending recommending a 20 per cent increase.

Mr. ANTHONY. In the event it passed, then he would get 20 per cent increase in the grade of major.

Mr. QUIN. If the gentleman will yield, the reason this man is in the position of colonel is because of the increased corps at West Point. He is a commander not of a battalion, as formerly, but of an increased corps, making it necessary for him to have the title of colonel. That is the reason this is done, and this is not an additional salary at all——

Mr. BEE. Will the gentleman permit?

Mr. QUIN. I will.

Mr. BEE. Do I understand this man now on duty at West Point is a major, drawing a major's pay, and he is serving as colonel?

Mr. QUIN. That is the idea.

Mr. BEE. This simply adds $1,000 to his major's pay which he otherwise would not get?

Mr. QUIN. Certainly; he would be deprived of the $1,000.

Mr. BEE. He would be doing a colonel's work as commander of the entire Corps of Cadets on a major's pay?

Mr. QUIN. That is the idea.

Mr. HARRISON. I will say to the gentleman this item has been carried in every appropriation bill for the Military Academy for years; that is, there has been an increased allowance made between the pay the man actually has in the Army and that of the temporary rank which he holds at West Point. This has been carried every year. The commandant up there has a great many duties to perform that an ordinary colonel does not and he has a great many expenses to incur which other colonels do not. This item is an actual decrease made in the appropriation of last year.

Mr. STEVENSON. Mr. Chairman, I wanted to get at how sincere this spasm of economy is which has denied a hearing before this House of the disabled emergency officers who have come back from France and are languishing around in the hospitals all over the country and who are getting allowances when discharged of about $75 a month. I want to know how this spasm of economy is going to be applied to the balance of the Army when these officers are being discriminated against in the way they are and not being allowed anything like the compensation that the officers of the Regular Army who are disabled are allowed. I have had a bill pending before the Committee on Military Affairs for two months, and now they are like Pontius Pilate. When he did not want to do anything, he raised the question of jurisdiction and sent the prisoner to Herod, in this case the steering committee, and because of the great cry for economy at this time I can not get any action anywhere for about 3,000 officers of the emergency Army who have been disqualified for any service at all, and I wanted to see if this economy was going to be applied all down the line.

Mr. Chairman, I withdraw the pro forma amendment now, because I have the information which I desired.

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, the gentleman stated that his bill, to which he referred, had been referred to the steering committee. The gentleman is in error. The steering committee has no jurisdiction over bills before the committees of the Congress. The steering committee has not considered that bill in any way. The bill was referred, I think, erroneously to the Committee on Military Affairs. My understanding is that there is still some question between the members of the Committee on Military Affairs and the Committee on Interstate and Foreign Commerce relative to jurisdiction over the measure. My personal opinion is that it belongs properly to the Committee on Interstate and Foreign Commerce, and I am sure that just as soon as the question of jurisdiction shall be settled that the matter will be taken up for consideration by the committee to which it is finally referred. But I want to say to my friend who introduced that bill, without definitely expressing an opinion as to what should be done with it, that the proposal it involves is no such simple matter as he seems to imagine. I think if he will go back into the RECORDS of the Congress following the Civil War he will find just such legislation as that was proposed relative to volunteer officers of the Civil War, and that legislation is still before the Congress unacted upon. In other words, the Congress of the United States refused to retire the volunteer officers of the Civil War, and the Congress refused to do it because of facts like this: Two men from a community in an emergency join the Army to serve their country. Through good fortune, one becomes an officer and the other remains a private. They both serve well. They are both wounded. Their disability is equal. I think there is a good deal of question whether there is any change of sentiment in America now from the sentiment so often expressed in the past in regard to such a case. The men having volunteered to serve their country, or having been called to serve their country in an emergency, not being men of the Regular Establishment, shall the one who wore the shoulder straps receive compensation four or five times as great as that of his brother and his friend who served in the ranks?

I express no final, conclusive, or definite opinion on the subject. But I want to suggest to my friend that it is a matter with regard to which there is something to be said on both sides. I am inclined to think we are not giving sufficient compensation to the men who bore the brunt of the battle and were incapacitated, but I am strongly inclined to think that the compensation should be the same to every man who went into the National Army, without regard to what his rank happened to be.

It will, of course, be claimed that the officers of the National Army should be placed on an equality with the officers of the Regular Establishment as regards retirement or retirement pay. We can only do that by giving that status to all officers whether incapacitated or not. If we do that, we emphasize rather than reduce the inequality among the men of the National Army.

Mr. McKENZIE. Mr. Chairman, I move to strike out the last three words.

I do not take the floor, Mr. Chairman, for the purpose of making a defense of the Committee on Military Affairs, but I do deny that that committee is trying to "pass the buck" to some other committee on the matter of taking care of the wounded and diseased soldiers of our Army. The gentleman from South Carolina [Mr. STEVENSON] well knows that when we entered the war the Committee on Interstate and Foreign Commerce was given jurisdiction of the compensation to be paid to soldiers, and, as a matter of fact, the Committee on Military Affairs has no jurisdiction over a man when he is once discharged from the Army. That committee has jurisdiction of soldiers and officers. But if we are permitted under the rules of the House to take jurisdiction of the matter of giving greater care to the unfortunate of our Army, we would gladly accept the responsibility.

But I want to say to the members of this committee that the gentleman from South Carolina in his first bill provided that all the disabled officers of the Great War should be given a

retired status the same as if they had been officers in the Regular Army. That is a proposition that is not sound in principle, and I doubt very much whether that bill will ever be enacted into a law any more than the bill which the gentleman from Wyoming [Mr. MONDELL] spoke of, and that has been pending before Congress almost since the close of the Civil War, providing for putting the officers of the Union Armies upon the retired list and giving them the same pay as men who are commissioned in the Regular Army.

When our friend found that that would not work he introduced another bill, and that bill has in it, in my judgment, the germs of injustice and inequality, for it provides that these officers, while they shall not be placed upon the retired list, shall receive the pay of a retired officer in the Regular Establishment of the same grade. That means that the man who was fortunate enough, through friends or through pull, to get a commission as a colonel would get as retired pay the compensation of a retired colonel, while the man who lived next door to him and served as a captain in the Army and suffered the same character of disability would get the pay and allowances of captain. To me that would be an injustice between the officers.

All this talk about the fact that an officer holding a commission of a higher grade entitles him to greater compensation for wounds received in battle does not appeal to me. There should be no distinction between the officers and the privates when it comes to paying them for loss sustained in the defense of this great Government of ours. And the private soldier who lost a limb in the Argonne Forest is entitled, in my judgment, to as much compensation as the officer who ordered him to go over the top for like disability. And when that legislation comes up in this House, and I hope it will come up soon, to give these unfortunate citizens of ours who were our soldiers greater consideration than they are given at present, I trust they shall be treated all alike as citizens who have received the same character of injury in the defense of our country, and that the bill introduced by the gentleman from South Carolina will be laid upon the table, and a bill representing justice and equity to all these men shall be enacted into law by this Congress. [Applause.]

Mr. STEVENSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am delighted at least to have some information. The gentleman from Wyoming said that the steering committee had nothing to do with the bill to which I referred. The clerk of the Committee on Military Affairs informed me two weeks ago that the question of whether that committee should consider it or whether it should be referred to some other committee had been submitted to the steering committee, and up to this good morning he was unable to inform me whether they had ever gotten a decision, but informed me—at least he sent me word—that they had gotten no decision from the steering committee.

Mr. MONDELL. Will the gentleman yield?

Mr. STEVENSON. I will.

Mr. MONDELL. My personal opinion was asked in regard to the matter some time ago, and I immediately said that in my opinion the bill belonged with the Committee on Interstate and Foreign Commerce, and I so stated to the chairman of the Committee on Military Affairs and the chairman of the Committee on Interstate and Foreign Commerce. There is no question about it.

Mr. STEVENSON. I did not know that the gentleman was the steering committee. Having received the information that the steering committee had done nothing, I took it that they had eliminated him. However that may be, the gentleman says he wants a proper bill brought up and discussed; that everybody must be put on an equality. Let us see for a minute. The man in the Regular Army who is a private and the man who was in the emergency Army as a private and a drafted man, get exactly the same compensation to-day. There is no discrimination. But the officer in the Regular Army, a first lieutenant, if you will, who lost his arm, and a first lieutenant who has served in the emergency force and lost an arm, are not put on the same basis. He gets about $30 a month. The first lieutenant in the Regular Army, who has gotten a knee hurt, for instance, in the same regiment, is retired at $157 a month. Now, you talk about injustice. My proposition is to put the officers who suffered disability in the Army all on the same footing in so far as compensation is concerned, and if that is injustice I will meet the gentlemen wherever they want to make it an issue.

How many would it amount to? The gentleman says there has been a bill here to retire the officers of the Civil War. Yes; to retire all the officers, not the wounded and disabled, but to retire them all. That has always been the proposition. The proposition that I make is to compensate those only who are disabled. How many of them are disabled? Thirty-one hundred altogether of officers were disabled, according to the report made the other day, and a certain per cent of them, probably 1,000 of them, were Regular Army officers, leaving about 2,100 of them to be provided for. And yet you say to a young man like this one poor boy we have back here, "Your injuries, because you were only in the emergency Army, do not entitle you to but a third of what your companion, who happened to be a professional officer, is entitled to for a much less injury."

Now, is there justice in that? I say there is not, and the distinguished gentleman from Illinois [Mr. MCKENZIE] knows there there is not, and he knows that his position is fallacious absolutely.

There is another reason why it is improper to make that arrangement, and that is this: Most of the Army were drafted men. The volunteers who were in the private ranks went into the Regular Army and the drafted men went into the emergency Army. The officers were older men, who largely volunteered and won their commissions, have greater responsibilities and greater incumbrances, and they are not in the same class as those who were called, because when the executive boards who drafted the men called the men before them the man who had dependents was excused, and therefore the men who went into the ranks as privates in the emergency Army were not men who have dependents, like most of the officers.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. STEVENSON. Mr. Chairman, I would like to have three minutes more.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to proceed for three minutes more. Is there objection?

Mr. MONDELL. Mr. Chairman, of course this is all out of order. The gentleman discussed the matter for five minutes, and I made a five-minute statement. He has replied in five minutes. It seems to me that is about all that the gentleman should ask out of order.

Mr. STEVENSON. I just wish to complete my statement. I have taken less than 60 minutes in the Sixty-sixth Congress.

The CHAIRMAN. Does the gentleman from Wyoming object?

Mr. MONDELL. No; I do not. Let the gentleman conclude his statement.

Mr. STEVENSON. Do not, then.

Mr. MONDELL. But I shall have to object, Mr. Chairman, if there is any further discussion outside of the bill.

Mr. STEVENSON. Mr. Chairman, the drafted man, if he was brought before the exemption officers and showed that he had a dependent, was excused. The officers who went to the training camps went there voluntarily, and most of them had dependents, and most of them had large responsibilities, and therefore they are not in the same class.

Now, I just want to call the attention of the distinguished gentleman from Illinois [Mr. MCKENZIE] to the fact that they are right now proposing to increase by 20 per cent the pay of the officers of the Regular Army. They are here every day working for an increase in the pay of the officers of the Regular Army, and they have got a schedule here that will run a captain up to something like $3,683 a year. Now, does he think it fair that a captain who lost his right arm, who had his power to make a living destroyed, who goes back and finds his business gone and himself incapable of reestablishing it, should be set down to $1,200 a year while these captains of the Regular Army are going to be increased?

Mr. MCKENZIE. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. MCKENZIE. I will say to my friend that I do not think that would be just, but I think it would be unjust to send that captain home with the pay that he has got, and send a private home, suffering from the same affliction, and give him only one-fourth of what you give the captain.

Mr. STEVENSON. It is an impossibility to give him one-fourth. If the man is a private in the ranks and is totally disabled and has dependents he would get $100 a month. If a first lieutenant is totally disabled and gets the pay of a retired lieutenant in the Regular Army he will get $157 a month until you increase it, as you propose to do, and then he would get $180 per month. You are setting an example of injustice which this country is rendering to about 2,500 men who led their men in the front ranks in France and went down before the enemy's guns and suffered irremediable injury by saying that they are not entitled to the compensation of the rank at which Regular Army officers are retired, and it is a matter that will not be sanctioned by a just populace. You also say that it is unjust to give an emergency officer who is disabled more than an emer-

gency private. You give the Regular Army officer who is disabled the same increase over the private of the Regular Army, which you criticize in my bill as to emergency officers and men. How can you justify one and condemn the other?

The CHAIRMAN. The time of the gentleman from South Carolina has again expired. The Clerk will read.

The Clerk read as follows:

For pay of three battalion commanders (majors) in addition to pay as captains, $1,800.

Mr. LITTLE. Mr. Chairman, I make a point of order on this paragraph. There is no authority of law for making this appropriation. I make the point of order that there is no authority of law for keeping battalion commanders there at all.

Mr. MORIN. The law provides for the salaries of officers detailed and on duty at West Point. Their salary is fixed. This salary is fixed at the pay of captain. The salary there is authorized under the same law as was quoted by the gentleman from Kansas [Mr. ANTHONY], which gives the officers detailed at West Point the pay specified and increased rank. He is now a captain, and he is authorized to be paid as of the rank of major.

Mr. LITTLE. What is the authority for the battalion commanders?

Mr. MORIN. The corps of cadets is organized there as a battalion.

Mr. LITTLE. How many cadets are there at West Point now?

Mr. MORIN. After the last examination, when about 100 were found deficient, there were 660 cadets.

Mr. LITTLE. That would not make a battalion, let alone three battalions.

Mr. MORIN. Three classes graduated last year, which materially reduced the number of cadets at the academy. In June we expect to enter about 500 cadets, to bring the Corps of Cadets up to about 1,200.

Mr. LITTLE. That would be all the law provides. That would be a battalion. The law is found in Eleventh Statutes, page 333. I have it in my hand. The commandant of cadets is a man whose salary we raised by $1,000. It is provided in the law that he shall have immediate command of the battalion of cadets and shall be instructor in the tactics of artillery, cavalry, and infantry. In violation of the law we have raised his salary $1,000. I think that would be all right if he is worth anything. There is only one battalion at West Point that I ever heard of. The gentleman from Pennsylvania [Mr. MORIN] says they are going to fill it until they have a battalion. I find here that the commandant of cadets shall have immediate command of "the battalion of cadets."

I do not know any reason why there should be three officers there commanding each a battalion. The work of a battalion commander in time of peace is practically perfunctory. In time of war he is a very active man, but the headquarters work is practically all done by the colonel's office and the colonel's adjutant. The captain's office does the company paper work, the colonel's office does the regimental work, and the battalion commander is not of very much utility except in time of battle, when he is a very useful man if he is any account at all. I do not know of any reason why there should be three battalion commanders there. If the gentleman is going to say that 1,200 men will make a regiment, and that we hope to have 1,200 there, and if they are going to divide it in the old fashion into three battalions of 400 each—and I suppose that is what he is going to say—where is there any authority of law for three battalion commanders? It is just as I have read it to you, and says that "the battalion" shall be commanded by the commandant of cadets. There is no law for three battalion commanders.

Mr. McKENZIE. Of course, the gentleman from Kansas has in mind the tactical organization of a field regiment, which does not apply exactly at West Point; but we will have something over 1,200 cadets there, which will constitute a regiment, making it necessary to have a colonel in command; and if you have a colonel in command and it is a regimental organization, you will have your battalion commanders.

Now, while I am on my feet I want to say that the gentleman from Kansas will probably make the same criticism of a number of the following paragraphs, where it appears that the officer gets an increase of pay. Now, that is either founded in law or regulation—I am not prepared to say which, because we did not look the matter up, not thinking the question would be raised; but it has been the practice for a number of years that when an officer is detailed to West Point he is given the pay of the next grade above the one in which he is commissioned, and that goes all the way down the line from the commandant to the second lieutenants.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. BEE. Do I understand the gentleman from Kansas to take the position that there is no necessity for a battalion commander in time of peace, but that there is a necessity for a battalion commander in time of war? I clearly understood the gentleman to make that statement.

Mr. LITTLE. I did not say that. I said he did not have much to do in time of peace; that his duties were somewhat perfunctory. He is very useful in time of war.

Mr. BEE. That may be very true in time of peace, but how can you train men for war except by training them in time of peace?

Mr. LITTLE. This thing of taking men out and drilling them is a very small part of the making of an army, and after it is once done there is not much more of it to do. The colonel's office and the captain's office have a considerable amount of paper work to do, but the paper work of the regiment is done in those two places.

Mr. BEE. It is done by the sergeant major.

Mr. LITTLE. The adjutant does it, and the sergeant major helps.

Mr. BEE. The sergeant major does it.

Mr. LITTLE. The battalion commander has a sergeant major, too, and those people do not have much to do.

I do not know why 1,200 men at West Point should have three majors commanding battalions, but that is not the point. I am making the point of order that even if there ought to be that many, there is no law for it. The gentleman says it has been the custom at military headquarters, every time a man goes to West Point, to raise his salary. That is what I am challenging, principally. Where is the law for it? Who is running this Government, anyway—the Congress of the United States or the War Department?

Mr. BEE. Does the gentleman challenge it on the ground that it is not necessary?

Mr. LITTLE. On the ground that there is no law for it. I have made the point of order that there is no law authorizing it.

Mr. BEE. The gentleman is not challenging it because the duties of a commandant at West Point, in the instruction of those young men in the art of war, are not more important than the usual duties of an Army officer?

Mr. LITTLE. No. In addition to making the point of order, I say that the duties of a major in command of a battalion at West Point do not amount to anything. They do not need him there at all.

Mr. GREENE of Vermont. The gentleman with his military experience does not conclude that all that these battalion commanders at West Point do is to take charge of their respective battalions when they are on parade, does he?

Mr. LITTLE. What else do they do?

Mr. GREENE of Vermont. There are various functions which they perform.

Mr. LITTLE. It is easy to say so. You mean "functions" they attend, perhaps.

Mr. GREENE of Vermont. That is why I am trying to state it.

Mr. LITTLE. Go on; say something harder, then.

Mr. GREENE of Vermont. They serve as tactical officers, as instructors, and perform multifarious duties under the direction of the commandant. They do not simply wait around for the evening parade in order to take command of a battalion.

Mr. LITTLE. I do not see any evidence here that a battalion commander is an instructor, and I do not see anything relating to it except this clause which says that the commandant of the cadets shall have immediate command of the battalion of cadets. That tells who is to have command of them, and it is not one of these fellows. It says he shall be instructor in the tactics of artillery, cavalry, and infantry. If they want either of these fellows, why do not they make a law and bring it in here and ask Congress to decide it. Who is making these laws anyway, the Congress or some department?

Mr. GREENE of Vermont. May I state to the gentleman——

Mr. LITTLE. In just a minute. We are told that they have been advancing these salaries every time a man is sent down there. I suppose they would be better off if they went outside of the Army and got trained teachers to instruct these boys anyway. But a man gets a little stand in and a little pull, and then he is sent to West Point to teach, and the minute he gets there he gets his pay raised. I do not know whether he is competent or not. Sometimes he is and sometimes he is not. I want to say that I do not believe the teachers of mathematics are any good, because their pupils are failing all the time, and every time a teacher has pupils who are failing all the time he is not a capable teacher, and he ought to be fired. If he can not teach he ought to give way to somebody who can. Anybody can teach the smart boys. It is the dumb boys and the average

boys that they are employed to teach. The others do not need any teaching.

Mr. GREENE of Vermont. In the gentleman's reference to the foundation law, which has reference to the corps as a battalion, it ought to be taken into consideration that subsequent laws have increased the corps beyond the size of a battalion.

Mr. LITTLE. Where is the subsequent law?

Mr. GREENE of Vermont. Subsequent laws providing for the number of cadets.

Mr. LITTLE. I have all the laws here.

Mr. GREENE of Vermont. The gentleman has the codification of the law.

Mr. LITTLE. This is a Federal Code up to 1919.

Mr. GREENE of Vermont. There have been different acts by which we have increased the number of cadets that can be appointed to West Point, and they have enlarged and increased the body of cadets beyond the size of a battalion.

Mr. LITTLE. Acts during the last Congress? Everything back of the last Congress is in this little book. It is true that the laws of the United States are so scattered and so roughly and crudely drawn that it is mighty hard for anybody to tell what they are. I am trying to find out about this.

Mr. BEE. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. BEE. Is not the blessed day coming when the Committee on the Revision of the Laws, of which the gentleman from Kansas is chairman, is going to report the necessary measure for the codification of those laws? Because we of the House turn to the gentleman from Kansas in reference to matters relating to the revision of the laws as a Mohammedan turns toward Mecca.

Mr. LITTLE. I thank the gentleman. I hope so, and if the gentleman will stay with me and insist on it, we will find out where the law is authorizing this. If we find any, the committee will know where that is. I make the point of order that there is no law authorizing three battalion commanders, and no law authorizing the raising of the salary $600 each.

The CHAIRMAN. Does the gentleman from Kansas wish to be heard on the point of order?

Mr. ANTHONY. No; I have no knowledge on the matter.

The CHAIRMAN. The gentleman from Kansas makes the point of order against the language, in line 23, page 2, that it is not in order under subdivision 2 of Rule XXI on the ground that there is no law to authorize the appointment of three battalion commanders.

Mr. LITTLE. And the further point of order that there is no law that authorizes the raising of the salaries, even though there was a law authorizing the appointment.

The CHAIRMAN. The Chair has been unable to discover any statute law authorizing the appointment of three battalion commanders.

Mr. LITTLE. I have no objection to reserving the point of order and allow them to investigate further.

The CHAIRMAN. The matter has been debated some time, and it might as well be disposed of now.

Mr. GREENE of Vermont. Will the Chair allow me to make this suggestion. I have not the text of the latest codification of the military laws and so I am unable to cite the chapter and verse. But it is a fact that with very little ground law to start with the institution at West Point has been maintained by authority given in the law to the War Department to make regulations, not only for the organization of the academy, but for the board of instructors and the military unit itself. The statute, according to my recollection and understanding, has never been laid down as to what shall and shall not be the character of the military organization. So this does not violate existing law.

The CHAIRMAN. If it creates a new law it violates the rule.

Mr. GREENE of Vermont. Not if it authorizes the same things to be done by regulation.

Mr. BEE. Will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. BEE. Is it not true that the law with reference to West Point is very brief?

Mr. GREENE of Vermont. Absolutely.

Mr. BEE. And everything that has grown up at the institution from the day of its foundation has grown up by regulation under the War Department and not by statute law.

Mr. GREENE of Vermont. That is exactly what I intended to state.

Mr. BEE. There is nothing now in the existing law that would prohibit the appointment of three officers as commanders of battalions, and therefore it would not be subject to a point of order because it is not a question of foundation law but merely a question of carrying out existing regulations.

Mr. GREENE of Vermont. So much so that there is little foundation law about West Point. It is true to this extent that the institution itself was originally founded as an engineer school, but years ago it ceased to function exclusively as an engineer school and the curriculum and policy since have been changed, not always specifically by statute, but under the blanket authority to the War Department to keep the institution up to date.

Mr. BEE. May I make the further suggestion that if the law creating the Military Academy simply provides that Congress shall establish an academy, describing its character, for education of young men as soldiers, would it be necessary to prescribe for every separate head or branch of this institution any more than it would in the establishment of the University of Texas, for instance, created by law and a constitution, be necessary to specify every branch and class that should go into that university—the law, medicine, engineering, mechanical, electrical, and how many professors it should be, and what the instructors should be paid?

If so, the books would be so large that none who runs may read; but the organic law having established the academy, Congress having authorized the War Department to carry it on, why is it not within the power of the Committee on Military Affairs to report a bill that provides for the battalion commanders and for pay of instructors of artillery and such other provisions without having them written into organic law?

Mr. ANTHONY. Mr. Chairman, I think we have found a section of law which covers the paragraph which the gentleman from Kansas makes the point of order against. I refer the Chair to section 1331 of the Revised Statutes, which provides that the supervision and charge of the academy shall be in the War Department, under such officer or officers as the Secretary of War may assign to duty. He has assigned three battalion commanders, and the committee is appropriating for them in accordance with this authorization. I think the contention of the gentleman from Vermont [Mr. GREENE] about the broad powers of the War Department is very well taken.

Mr. LITTLE. Mr. Chairman, that is not the law. That was the law when the Revised Statutes were passed 41 years ago. The law now is that the United States Military Academy at West Point, in the State of New York, shall be constituted as follows: "There shall be one superintendent, one commandant," and so on down, and it states specifically just what there shall be. When that is done, that disposes of the other contention. There is a law that the Secretary of the Navy shall appoint a lot of professors and instructors, but there is no such law for the department of the Army, as the gentleman from Kansas [Mr. ANTHONY] stated a few moments ago. Congress has specifically said what they shall have there. The gentleman from Texas [Mr. BEE] suggests that we can not go into minute details. We can go as far as we wish and as far as Congress deems best.

The CHAIRMAN. Does the gentleman from Kansas [Mr. LITTLE] contend that section 1331 of the Revised Statutes has been repealed?

Mr. LITTLE. Yes.

The CHAIRMAN. If it has been repealed, will he cite the Chair to the statute which repeals it?

Mr. LITTLE. Yes; I have it in my hand. There was a provision 41 years ago that the Secretary should go ahead and run the academy. Since then Congress has passed a different law, and Congress has specifically stated how the academy shall be run. That repeals the other law. The probability is that this act contains somewhere a direct repeal; but if not, it would be an implied repeal.

In the Twenty-ninth Statutes, page 8, it is provided that the United States Military Academy at West Point, in the State of New York, shall be constituted "as follows," and then it goes on to specify that there shall be one superintendent, one commandant of cadets, one senior instructor, and so forth, and so on down, winding up with the master of the sword and the teacher of music. In addition to that there is provision for professors and for an instructor of English history, and so on. The law provides for 10 assistant instructors. The bill here provides for 12. I am unable to find any authority for that, but I did not make the point of order. I selected this because it is of no material value anyway. Here are three fellows who do not do anything anyway, and I think the law should be strictly followed. These cadet companies are run by cadet captains as in all military schools. The gentleman from Texas [Mr. BEE] says that if we never said anything about it, just told them to go ahead, they could, but it is the duty of Congress to go somewhat into detail,

and Congress has done that. That is the way State universities are conducted.

Mr. BEE. Oh, I never said anything of the kind, I will say to my learned friend. He so construes what I said.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman from Kansas yield?

Mr. LITTLE. Yes.

Mr. MANN of Illinois. In very recent years the number of cadets at West Point Academy has been very materially increased. I do not know whether the increase has been twofold or threefold. Is it the contention of the gentleman from Kansas that there is a law fixing the number of instructors so that there can be no more instructors appropriated for now, with this large increase of cadets, than could have been appropriated for before the increase was made?

Mr. LITTLE. How late was this increase?

Mr. MANN of Illinois. It has been within the last few years. Until only a few years ago each Member of Congress named one cadet, each Senator named a few, and the President named a few, and there were a few named, perhaps, by the Secretary of War. I do not remember now whether a Member of Congress named two or three.

Mr. GREENE of Vermont. We could have two in the institution at the same time. They went in at the rate of two years apart, so that every second year we had an appointment.

Mr. MANN of Illinois. There has been a very material increase in the number, has there not?

Mr. ANTHONY. It has been doubled.

Mr. LITTLE. In effect that is my contention.

Mr. MANN of Illinois. That there can be no increase without previous legislation by Congress?

Mr. LITTLE. In effect that is it. I have allowed several items to go by.

Mr. MANN of Illinois. But somebody else might not allow them to go by hereafter. I wanted to get at the gentleman's contention.

Mr. SAUNDERS of Virginia. Mr. Chairman, in respect to the suggestion that there ought to be an increase in the teaching force at West Point by reason of the increased number of cadets at that institution, I wish to say that the suggestion presents a question of policy and not one of authority, or power. The statute cited by the gentleman from Kansas [Mr. LITTLE] very clearly establishes the personnel of the official body at West Point so far as it is authorized by express law.

The Chair asked whether the statute cited by the gentleman from Kansas [Mr. ANTHONY] had been repealed, or not. Apparently there has been no repeal of this statute in express terms. But it is not necessary to effect a repeal, for a subsequent statute to state in terms that all antecedent statutes are repealed. If there is an inevitable conflict beween the subsequent statute, and the antecedent statute, so that they can not stand together, then there is a repeal by implication, just as absolute, as if the antecedent statute had been specifically repealed. The statute cited by the gentleman from Kansas, and the older statute on which the gentleman from Kansas [Mr. ANTHONY] relies, can not stand together. The subsequent statute specifically fixes the personnel and that personnel can not be enlarged by the antecedent statute. The two statutes being in necessary conflict, the later expression of legislative intent must prevail.

In other words the subsequent statute must of necessity operate a repeal by implication of the antecedent act.

Mr. HARRISON. Mr. Chairman, I ask the attention of the Chair to this question. I am not well versed on parliamentary law and do not claim to be, but here is a statute which authorizes military instruction at West Point. The statute authorizes a number of cadets to be appointed to that school. How can they receive military instruction if they are not organized into military units and if they are organized into military units necessary for instruction, how can they be so organized if they can not have the officers?

Mr. SAUNDERS of Virginia. But they must be organized according to law.

Mr. HARRISON. Now, here is an academy with 1,300 cadets. It is necessary to organize them into companies, into battalions, and into a regiment in order that they may receive the military instruction which that academy is established to give. How can they be if they are not authorized to have the proper officers for their military instruction? The implication of law carries all incidental authority which is necessary to effectuate the purposes of the statute. It would be idle to provide for military instruction by statute and then to hold the necessary appropriation for instruction not authorized.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Kansas [Mr. LITTLE] makes the point of order against the paragraph, beginning with line 23, on page 2, that the paragraph is not in order under subdivision 2, Rule XXI, on the ground that there is no authority of law for this item. It is not for the Chair to pass upon the desirability of this provision of the bill, or necessarily upon its effect upon the conduct of the Military Academy. If there are defects in the law, the Committee on Military Affairs may remove those defects by appropriate legislation, but in an appropriation bill you must show some authority. That is the clear intendment of the rule. It is not necessarily specific authority, it may be general, but it must be one or the other. Now, the committee refers to a statute general in form enacted many years ago which places the supervision and charge of the academy in the War Department under such officers as the Secretary of War may assign to that duty, but there is a subsequent statute which has been referred to which specifically sets forth the personnel at the academy, the number of officers, professors, etc., and the Chair has been unable to find and the committee has not referred the Chair to any statute which authorizes the appointment of three battalion commanders at the Academy. The Chair is therefore constrained to rule that there is no existing law authorizing this appropriation, and therefore sustains the point of order.

The Clerk read as follows:

For pay of 16 instructors of Cavalry, Artillery (Field and Coast), and Infantry tactics (captains), in addition to pay as first and second lieutenants, $6,400.

Mr. LITTLE. Mr. Chairman, I make the point of order that there is no authority for these 16 instructors of Cavalry, Artillery, and so forth, with increased pay.

The CHAIRMAN. Did the gentleman make the point of order?

Mr. LITTLE. Yes, sir.

The CHAIRMAN. Will the gentleman state his point of order?

Mr. LITTLE. The point of order is that there is no authority of law for the increased pay of these men and that there is no authority of law for 16 instructors. Some time ago I said there was only authority of law for 10 of these assistant professors that I could find. I would like to hear from the committee on this; there may be authority of law, but I have not found it.

Mr. McKENZIE. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. McKENZIE. Of course the gentleman from Kansas understands these men who are detailed down there are regular men in the Regular Establishment. It is immaterial so far as this Government is concerned whether they are at West Point or at Kalamazoo. The only difference is that if they are used as instructors they get the pay of the next higher grade and you save——

The CHAIRMAN. Will the gentlemen raise their voices? The Chair can not hear.

Mr. LITTLE. The gentleman says that it does not make any difference as to their detail as to pay, but they are getting much nicer jobs at West Point than anywhere else. Why raise their salaries?

Mr. GREENE of Vermont. I desire to ask the gentleman whether he makes the point of order on the additional pay or to including instructors at all?

Mr. LITTLE. Both of them. Where is the authority for the 16 instructors? I am aware that they are entitled to some, but I have not been able to find any authority for 16.

Mr. GREENE of Vermont. Upon what ground does the gentleman base his contention that the point of order lies because we have exceeded a certain number? If so, what is the number we have exceeded?

Mr. LITTLE. I do not remember at the moment how many; the gentleman can find out for himself. I make the point of order on the whole thing. It may be there is authority for this, but it occurred to me that the last time I looked over it I did not find it. I may add, Mr. Chairman, I found this War Department has just gone on—go as they please anyway—and I think the law now should begin to be enforced. We have a Board of Ordnance and Fortification up here that they have had ever since 1888 without any authorization of law and for which we have appropriated thousands and thousands of dollars every year. I think the military government ought to be subordinate to the civil, and I think that the servants of the Congress of the United States should follow its laws.

Mr. GREENE of Vermont. If I may be permitted to suggest, the Military Academy bill ever since I have been in Congress has never been questioned in this respect because it was understood it was a living and growing institution and that from time to time its technical organization or academic organization changed with the character of the times and their demands.

Under the blanket powers of the War Department to regulate the institution in its details it has seemed to the Congress to be wise not to question every time whether there was specific statute authorizing the thing that is asked to be appropriated for——

Mr. LITTLE. That is what I am objecting to. I think the Military Affairs Committee ought to question it.

Mr. GREENE of Vermont. But I am talking about the policy on the floor of this House that ever since I can remember, beginning with the Sixty-second Congress, nobody has raised this question, inasmuch as the Committee on Military Affairs has never brought out a recommendation for an appropriation exceeding what was apparently on the face of it a reasonable number of people to conduct properly the functions of that growing institution, and the increased numbers from year to year were equitable.

But within the time of the last Congress itself this institution has been more than doubled in the number of its cadets, and it follows as a logical sequence they will have to stand some increase in the number of instructors.

Mr. LITTLE. Why do you not bring in a law before Congress?

Mr. GREENE of Vermont. If this can be passed as it is there will be no necessity for bringing in a law.

Mr. LITTLE. Mr. Chairman, in order to save time and help along, and, God knows, these boys need instruction, I am going to withdraw the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Seven privates, first class, at $33 each per month, and 21 privates, second class, at $30 each per month, $10,332.

Mr. DOWELL. Mr. Chairman, first I will make a point of order against the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DOWELL. I make the point of order against the paragraph beginning at line 13 and ending at line 15, on page 4, on the ground that same is not authorized by law.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. DOWELL. As to this provision, I am unable to know how under the general provisions of the law the private soldier has any part in the instruction at West Point. I maintain that under the general provisions the private soldier is not provided for in the law.

Mr. GREENE of Vermont. I think the gentleman will find, if the Chair will permit me, that these private soldiers are a part of the Army detachment that has been, in some form of organization or another, on duty at the United States Military Academy for a long time. There is an enormous amount of Army property, such as ordnance stores, and ordnance itself, cannon, rifles, and also horses and stables, and all sorts of things.

Mr. DOWELL. If that be true, Mr. Chairman, then they should be provided for under the general military bill and not under this bill. I concede that the private soldier is provided for in the Regular Military Establishment.

Mr. GREENE of Vermont. If the gentleman will further permit, it has been the practice for I do not know how long to keep the pay roll of the United States Military Academy, so far as these permanent details are concerned, upon a separate basis from that of the Regular Establishment. West Point has a different accounting.

Mr. DOWELL. It is clearer that it does not come within this bill. This is an appropriation for the Military Academy and not for the Military Establishment.

Mr. GREENE of Vermont. It is for the soldier who is on duty at the academy.

Mr. DOWELL. But he is only on duty by virtue of an assignment.

Mr. GREENE of Vermont. That is true of all of them.

Mr. DOWELL. He may be assigned to any place. That is true. The private soldier is assigned to any point that his superior officer desires to assign him.

Mr. GREENE of Vermont. May I suggest to the gentleman what may clear up his mind, if I am able to do so, that the regular army appropriation bill does not carry the money for the people who are on duty at West Point, and so they are carried in this.

Mr. DOWELL. That is the point I want to make. The private soldier at West Point should be provided for in the regular military bill. I find in this bill there is provision for nearly 1,000 private soldiers at West Point and there is also provision for two or three hundred noncommissioned officers.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. DOWELL. Certainly.

Mr. MANN of Illinois. Does the gentleman understand that this is a part of the band?

Mr. DOWELL. There are a few in the band.

Mr. MANN of Illinois. I mean in this item.

Mr. DOWELL. In this item it is provided for 50 enlisted men.

Mr. MANN of Illinois. The item as read?

Mr. DOWELL. I do not understand that.

Mr. MANN of Illinois. This is the way the bill reads.

Mr. DOWELL. The bill does not indicate that they are a part of the band.

Mr. MANN of Illinois. The bill does indicate it. Here is the situation. It says "For pay of field musicians: 1 sergeant, $672; 2 corporals, at $36 each per month, $864;" and a certain number of privates. They all come within the definition of field musicians. Now, the other privates come later in the bill under the heading "For pay of service detachment." Then there is a provision for a lot of other privates. These privates that are mentioned are part of the band. Now, what the necessity is I do not undertake to say.

Mr. DOWELL. I find just above, if the gentleman will permit, there are 15 enlisted musicians and then 20 enlisted musicians and then 15 more enlisted musicians for the band. Then I find in the section that I have just read 7 private soldiers and 21 private soldiers.

Mr. MANN of Illinois. These are field musicians, separate, possibly, from the band. They may be buglers; I do not know.

Mr. DOWELL. I do not know what they are.

Mr. MANN of Illinois. They are not the ordinary private soldiers.

Mr. DOWELL. So far as this bill is concerned, they are private soldiers.

Mr. LITTLE. The gentleman from Illinois [Mr. MANN] has suggested these are members of the band. I notice in the band, according to the last law I can find, there are only to be 50 enlisted men, and before you get to this place it shows there are 50 enlisted men. In line 3 there are 15, and in line 5 there are 15 more, and in line 7 there are 20. The law I have in my hand says the band shall consist of one teacher, an enlisted man, and a sergeant, and of the enlisted musicians in the band, 15 shall receive $51 a month, and 15 shall receive $44 a month, and the remaining 20 shall get so much. That only allows, so far as I have gotten, 50 of them. I do not find anything about buglers.

Mr. BAER. Will the gentleman from Kansas yield?

Mr. LITTLE. I will.

Mr. BAER. What are these bands for? Are they for the dances and balls they give over there?

Mr. LITTLE. They ought to turn them out when the congressional committee comes up, I should say.

Mr. BAER. Well, they do not. I think the gentleman from Iowa has got into the right place with his point of order.

Mr. GREENE of Vermont. If I may suggest, the reason why these appropriations are carried in this bill is that the general annual appropriation bill for the Army does not carry them, except for the officers themselves. I should have said that when I spoke of this same thing before.

Mr. DOWELL. This also applies to the noncommissioned officers who are scattered throughout this bill?

Mr. GREENE of Vermont. No. The pay roll is charged off against the academy as if it were by itself, on a separate foundation. The officers are detailed to it, and a large part of the enlisted strength at the academy is there on a permanent job as if at a permanent military post.

Mr. DOWELL. Does the gentleman agree with the gentleman from Illinois [Mr. MANN] that these are musicians in this first paragraph, in line 10?

Mr. GREENE of Vermont. That is field musicians. That is part of the tactical organization, and not part of the band.

Mr. LITTLE. The law I refer to provides for only 22 privates for that. There may be 28 according to this bill.

Mr. GREENE of Vermont. There may be a discrepancy as to the number. There may be somebody extra who plays the cymbals. They may be smuggled into the band in some way, but we did not think it was big enough to pay any attention to it.

Mr. DOWELL. The gentleman may think it does not amount to much when he puts an army at West Point having no apparent purpose.

Mr. GREENE of Vermont. In the use of the word "apparent" the gentleman from Iowa is in error. They have the care and custody of millions of dollars' worth of property, and their experience and aptitude as enlisted men are valuable. They serve as demonstrators and instructors to these cadets.

Mr. DOWELL. Does the gentleman mean to say that the private soldier instructs the cadets?

Mr. GREENE of Vermont. He is a demonstrator and instructor. The apparatus which the young man at West Point is taught to oversee in action and to use himself is demonstrated and explained by the noncommissioned officers and by the enlisted men who are in charge of that property and who in that sense serve as instructors.

Mr. BAER. How many of these men are assigned to run the automobiles in which the officers ride around there?

Mr. DOWELL. Are these men used to march back and forth in front of the cadets to instruct them?

Mr. GREENE of Vermont. That is not the sense in which I meant to describe their service as demonstrators and instructors.

Mr. McKENZIE. Some of these men take care of horses, and things like that.

Mr. DOWELL. There is provision in this bill for all the men necessary to take care of the horses and all the other work that is to be done. That is all included.

Mr. GREENE of Vermont. Some of the most competent instructors in equitation in the Army are old noncommissioned officers. They are frequently given charge of the classes themselves, the supervisors of those classes being only nominally invested with those duties in their capacity as commissioned officers. These old-time cavalrymen are often the actual instructors of the young men in horsemanship.

Mr. LITTLE. How about the fellows that draw the big salaries for doing that?

Mr. GREENE of Vermont. They do not draw the big salaries for that. They draw their salaries as commissioned officers. They have the general oversight of the instruction.

Mr. DOWELL. The gentleman will recognize that in this bill the committee has provided for all the instructors necessary in every branch. Ample provision has been made for every instructor in every branch. These private soldiers and these noncommissioned officers do not come within the long list of instructors.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREENE of Vermont. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Vermont moves to strike out the last word.

Mr. GREENE of Vermont. I shall not take up the full five minutes.

I think, Mr. Chairman, that this point of order comes here as a surprise and is not particularly well fortified, at least by the practice of the House during a great many years, regardless of whether one may be able at this moment to cite the exact statutes to contradict it.

There has accumulated at the Military Academy at West Point in all these years a great amount of military supplies and stores and ordnance and equipment of all kinds used in the Army. The very purpose of their assembly there is in order that the young students or cadets at the academy may have an opportunity to see in operation the various things that they are subsequently to be called upon to use professionally, and upon their graduation to be held responsible for themselves. The very purpose of their assembly there is that the young men may not only use them but that they may acquire competency to operate them. That property includes an accumulation of all kinds of ordnance, animals, machinery, and transportation, and all that kind of thing, which the young officer upon his graduation has to take charge of for himself. All this property should not be permitted to lie at the post uncared for. It has to have the same scrupulous care by day and by night as it would when in use in the Army itself and as it would if it were cared for by the same men who now take care of it from West Point. The ordnance and machinery and equipment are being cared for and slushed and greased properly, and the young cadet, instead of doing that work himself at a particular time, has turned to another lesson in the book or to some other piece of apparatus that he is in charge of. The necessity for the care and custody of this property is no different from what it would be if it were in one of the line divisions in a camp or on the field or elsewhere.

Mr. QUIN. Mr. Chairman, I thoroughly agree with the gentleman from Vermont [Mr. GREENE]. Having heard the remarks of the gentlemen on the other side, it seems to me that these points of order are dilatory. There certainly can not be any foundation for a point of order which would have the effect of depriving us of instructors at the Military Academy, or points of order against the units organized there, or points of order against the necessary enlisted men who are there.

This institution has been founded upon special statutes. It has grown up step by step. The Army appropriation bill does not carry the enlisted men for the Military Academy, but for years and years this same policy has been pursued that is pursued in this bill, and the gentleman from Iowa [Mr. DOWELL] and the gentleman from Kansas [Mr. LITTLE], coming up in a manner to cut down and cut the heart out of the West Point Military Academy, would have this United States without trained officers, would have the United States helpless, and would have the academy up there, with the cadets appointed by Congressmen and Senators and the President of the United States, deprived of instructors to teach them.

West Point is an Army post, and the gentleman from Iowa and the gentleman from Kansas would have all the property there and the post there stripped of enlisted men. The enlisted men there serve the same purpose that they serve at any other Army post in the United States.

Do these men cost the American Government any more at West Point than they would serving at any other post in this country? The very purpose for which these men are put there is to protect the property and to be a part of the means of instructing these young cadets who will graduate from that institution and in after life be officers to command soldiers in special units. It is the law now and ought to continue to be the law, and these attacks by points of order should not be made nor should they be seriously considered. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, I am unable to agree with my colleague from Kansas [Mr. LITTLE] on this point of order. Beyond all question the Committee on Military Affairs has authority to report bills for carrying on the Military Academy. Beyond all question it has authority to report a bill carrying every item ordinarily connected with the proper conduct and maintenance of the Military Academy. Now, in order to carry on the Military Academy and properly understand the art of war, it is not only necessary to have all the inanimate paraphernalia connected with military operations, but also that the various ranks of men should be there who are used in the actual operations of war. I am not a military expert, but it is well known that field musicians are used in every army, and I venture to say that every military academy in the world of any standing has field musicians attached to it. In order for the young men to understand their business properly and know what to do with field musicians and how to manage and use them and what their duties are, it is necessary to have them at the academy. We all understand that the duties of field musicians extend very much beyond the playing of a musical instrument.

For these reasons it seems to me it is very clear that field musicians should be attached to a military academy, and the general authority for the carrying on of the Military Academy would seem to me sufficient to authorize this appropriation.

Mr. TILSON. Mr. Chairman, a word on the point of order. This bill is not entirely consistent in its make-up. We have here a number of officers provided for, but their pay is not carried in this bill, except their extra pay. Their regular pay is provided for in the Army appropriation bill. There are a considerable number of enlisted men in the service detachment at West Point, and their pay is carried in this bill. This inconsistency has run on in this way for many years, but the worst that can be said of it is that it is not consistent. If a point of order is directed against the pay of the enlisted men being carried in this bill, perhaps it should be sustained as a matter of law and parliamentary procedure in this House, but it is only a matter of taking it out of this bill and putting it into the regular military appropriation bill, because, if not carried in this bill, the pay of these noncommssioned officers and enlisted men would have to be provided for in the Army appropriation bill. It would simply make this bill so much smaller and the Army bill so much larger. As a matter of convenience and in order to show what the expenditure has been at the Military Academy the pay of the enlisted men at the academy has been carried on this particular bill for years. It seems to me that as a matter of cost-account keeping the pay of the officers ought to be carried in this bill, too, but it is not a matter of vital importance.

Mr. BAER. Will the gentleman yield?

Mr. TILSON. I yield to the gentleman from North Dakota.

Mr. BAER. I know the gentleman was a colonel in the Army. Now, when he was in the Army did he have privates as chauffeurs to run around with him? I think that ought to be cut out.

Mr. TILSON. Unfortunately I never obtained the exalted rank which at that time would have entitled me to an automobile. So I never had a chauffeur to run around with me.

Mr. BAER. They have quite an army of them, and we need them in other branches of the service instead of acting as chauffeurs.

Mr. TILSON. I doubt if the chauffeur privilege is abused at West Point at all. I believe that is one place where that privilege has not been seriously abused.

Mr. LITTLE. Mr. Chairman, I should like to call the attention of the Chair to the specific statute. The gentleman from Iowa [Mr. GREEN] suggested that we ought to be allowed to appropriate whatever is necessary to run the academy. As the Chair said a few minutes ago, we might do that if there was a law for it, but we have made a law which provides for certain things and not for others.

The gentleman from Iowa [Mr. DOWELL] has made a point of order against lines 13, 14, and 15, which provide for 7 privates and 21 privates, making 28 in all. Now, I have in my hand the extract from the law of 1918, chapter 108, which states that there shall be 50 enlisted men in the band. Now, if you will look up above you will find, in lines 3 to 5, that there is a provision for 50 enlisted men in the band, which finishes that.

Mr. GREENE of Vermont. I do not understand that a field musician is a member of the band.

Mr. LITTLE. All right. Now, in 1908 the act of May 28 provided, in addition to or a part of the band, for some field musicians. But another act was passed, which I just read, chapter 108, Fortieth Statutes. That provides for a band, but says nothing about the field musicians, and I am inclined to think that by implication the rest of this field-musician business was abolished and repealed, and ceased to be the law.

Mr. TILSON. Mr. Chairman——

Mr. LITTLE. Wait a minute. But even if that is not so, then the law of 1908 obtains, and I turn to it and I find that there were then provided 22 privates, at $180. Now, there is a good deal of difference between 22 and 28 in law, and these people have just fudged over on us and added 6 men to whom they are not entitled. It is against the law and they are not entitled to them, and the point of order is well taken. There is no law authorizing 28.

Mr. TILSON. The gentleman surely remembers, from his military service, that the field musicians are not a part of the band at all. They are a part of the regular military organization.

Mr. LITTLE. I have conceded that and still have disposed of your case.

Mr. DOWELL. Mr. Chairman, I desire to withdraw the point of order.

The CHAIRMAN. The gentleman from Iowa withdraws the point of order.

Mr. LITTLE. I renew the point of order. In deference to the wishes of the Chair I will not ask him to make a ruling; but while reserving this point of order, let me say again, gentlemen, that my primary purpose in doing this is to remind the Military Committee that for many years they have been violating the law with impunity, and following the orders of the War Department with impunity, and proceeding to make law to govern the Army of this country in appropriation bills.

Mr. BEE. Will the gentleman from Kansas yield?

Mr. LITTLE. Yes.

Mr. BEE. May I make to my very placid friend this suggestion——

Mr. LITTLE. You are quite right——

Mr. BEE. It occurs to me from the discussion I have heard that the Military Academy appropriations have been carried along for many years without special law to cover the matters which have been introduced.

Mr. LITTLE. Everybody obeys the law but the Army.

Mr. BEE. Not necessarily the Army.

Mr. LITTLE. The Foreign Affairs Committee was in the same shape, I discovered the other day, and I expect there are a lot more.

Mr. BEE. Let me make this suggestion: The gentleman is going to demoralize the institution at West Point by his points of order if sustained. Why does not the gentleman serve notice on the distinguished gentlemen of the Military Affairs Committee that next year, when he is here, as he will be——

Mr. LITTLE. I thank the gentleman.

Mr. BEE. If they have not brought in a law to cover it, he will object and raise the points of order.

Mr. LITTLE. The only way to do it is to insist on it now.

Mr. BEE. But the gentleman is destroying the institution now by his points of order.

Mr. McKENZIE. Will the gentleman yield? Does not the gentleman from Texas think it would be a good idea to put the gentleman from Kansas on the Committee on Military Affairs to fill the vacancy?

Mr. BEE. I would amend that motion by making the gentleman from Kansas the whole committee.

Mr. GREENE of Vermont. Mr. Chairman, I want to ask the gentleman from Texas, if I may make the suggestion—a suggestion which may enable us to get through more rapidly—and that is I suggest unofficially and not by direction of the committee that there is already manifest in the Committee on Military Affairs a growing disposition to take up the matter of the reorganization of the Military Academy at West Point, after we have got through with the pressing business of this session, which now lies principally in a bill for the reorganization of the Army generally. We hope that perhaps next winter we can take up the matter in its entirety, look it over very carefully and prudently, and bring to the House some well-considered recommendation for a change which may be embodied in the general law. If, as we hope, a consummation of our expectations can be reached and we can in the meanwhile be indulged by carrying the institution along as the House has carried it for many years, it might expedite the business for the afternoon.

Mr. BEE. Will the gentleman permit a suggestion?

Mr. GREENE of Vermont. Certainly.

Mr. BEE. That is exactly what I had in mind in appealing to my friend from Kansas in reference to not making the points of order.

Mr. LITTLE. Mr. Chairman, after the encouraging statement of the gentleman from Vermont, a member of the Military Affairs Committee, I think I can say that I have achieved the result that I had in mind, and which I started out to obtain; and "Now, Lord, let Thy servant depart in peace," and you gentlemen go on with your bill. [Laughter.]

The Clerk read as follows:

Clothing not drawn due enlisted men on discharge, $5,000.

Mr. TILSON. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman in charge of the bill if this is a new detachment of the Signal Corps?

Mr. MORIN. Yes; this is a new detachment placed there on account of the development of the Signal Corps that has come about by reason of the war.

Mr. TILSON. Has there been any detachment in aviation at West Point?

Mr. MORIN. No.

Mr. TILSON. I suppose there would be some difficulty in finding a landing place at West Point?

Mr. MORIN. I doubt if there ever will be on that account.

The Clerk read as follows:

One chief clerk, $1,800.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out the last word for the purpose of inquiring why they need so many new additional clerks over the number that they already have.

Mr. MORIN. The reason given is the great increase in the corps of cadets.

Mr. MANN of Illinois. How many more will they have next year than they have now?

Mr. MORIN. They expect to have about 1,200 altogether.

Mr. MANN of Illinois. Have they not 1,200 now?

Mr. MORIN. No; 760. There is a class out; they graduated three classes last year. It is not filled up to the capacity of the academy.

Mr. MANN of Illinois. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For pay of two expert assistant civilian instructors in military gymnastics, fencing, boxing, wrestling, and swimming, $4,000.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman in charge of the bill a question. These last two expert civilian instructors, who seem to have demonstrated that muscle is worth as much or more than brain by getting as large a salary as the other instructors, do they also get quarters?

Mr. MORIN. Yes; they get quarters.

Mr. GREEN of Iowa. What do these instructors do—anything else besides give instruction in fencing, boxing, wrestling, and swimming, and act as coaches for football?

Mr. MORIN. They have regular classes every day, and, in addition to the regular hours specified in which they have classes, at certain hours of the day they give individual instruction to the cadets. They are kept pretty busy all the time.

Mr. GREEN of Iowa. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For pay of two oilers for power plant (increase of $720 submitted), $1,440.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out, in lines 11 and 12, the words in parentheses, "increase of $720 submitted."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 13, lines 11 and 12, after the word "plant," strike out the words in parentheses, "increase of $750 submitted."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For pay of chapel organist and choirmaster, $1,500.

Mr. GARD. Mr. Chairman, I move to amend on page 14, line 3, by striking out the figures "$1,500" and inserting in lieu thereof the figures "$2,000."

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 14, line 3, after the word "choirmaster," strike out the figures "$1,500" and insert in lieu thereof the figures "$2,000."

Mr. MANN of Illinois. Mr. Chairman, on that I reserve the point of order.

Mr. GARD. Mr. Chairman, if there is one person more than another who by his work has established himself firmly in the hearts of the young men at West Point and those who go there as visitors, I think it is the present organist at the Military Academy. The man who is there now has been there for some years. He occupies the dual position of organist and choirmaster. I speak of him because of my intimate personal knowledge of him and the fact that I have known him since his early boyhood. I know that his work as organist and choirmaster at West Point is of such pronounced excellence that he should be paid a reasonable and fair compensation. On page 12 of the bill there is provision made for pay of two civilian instructors in military gymnastics, fencing, boxing, wrestling, and swimming at $4,000, which would be $2,000 each.

Certainly the man who is acting organist and choirmaster at the Military Academy and who receives but $1,500, should be put upon a parity at least with those who contribute to the physical well-being of the boys there, for this man contributes not alone to their physical but their mental, moral, and spiritual well-being. It is a well-recognized fact that the music in the chapel under the direction of Mr. Mayer, the man of whom I speak, is not excelled at similar institutions in this or any other country. It is something that is not as spectacular, I agree, as those who may serve upon the parade ground, but it is a matter which sinks deeply into the minds and hearts of the young men who are of the corps of cadets at West Point. There is not one there who does not respect, who does not love, this man, and the great desire of everyone there, I know, is to see him retained. He is staying there at a very considerable financial sacrifice. I do not speak of that, however, because that is a matter personal to himself. I offer the amendment which I have offered, to which the gentleman from Illinois reserves the point of order, because I think the most excellent service of the man, which has been recognized by those in command at the post and I think by members of the Military Affairs Committee, should be recognized by the Congress also, and that he may have this slight addition to his salary, so that his compensation will be at least measurably commensurate with the services rendered.

The CHAIRMAN. Does the gentleman from Illinois make the point of order?

Mr. MANN of Illinois. I make the point of order.

The CHAIRMAN. The statute provides for the office of choirmaster, but does not fix the salary. Therefore, under the precedents of the House, the salary is fixed by the amount carried in the previous appropriation bill. As this amendment seeks to increase that amount, it is new legislation and out of order. The Chair sustains the point of order.

Mr. JONES of Pennsylvania. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee a question. Turning to page 12 we find a provision for one professional civilian instructor in military gymnastics, fencing, boxing, wrestling, and swimming, whose pay is $1,500. Then immediately following that there is an item for pay of two expert assistant civilian instructors in military gymnastics, fencing, boxing, wrestling, and swimming, $4,000, which is $2,000 each. Why are the assistants worth more than the principal?

Mr. MORIN. One of those assistants is instructor in wrestling.

Mr. JONES of Pennsylvania. The same duty seems to be assigned in the case of each. That seems to be military gymnastics, fencing, boxing, wrestling, and swimming. The principal is paid $1,500 and each of the assistants is paid $2,000.

Mr. MORIN. The assistants are experts, and have been there for a long time. The boxing instructor is Tom Jenkins, who has been there for 16 years. He was at one time the champion wrestler of this country. His salary has been increased from time to time.

Mr. JONES of Pennsylvania. The assistants are worth more than the principal?

Mr. MORIN. They are both experts, and they are worth more.

The Clerk read as follows:

For maintenance of one automobile, $300.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word, for the purpose of asking a question. Is it possible that there is only one automobile out there?

Mr. MORIN. No; there are more than one.

Mr. GREEN of Iowa. This item is for maintenance of one automobile. Is the maintenance of the others carried somewhere else?

Mr. MORIN. No; that is an automobile assigned to some particular officer. They have provided him with an automobile, and this is for the maintenance of it.

Mr. GREEN of Iowa. I do not object to the amount at all, because I think it is proper, but I was wondering if the gentleman's committee has succeeded in cutting them down to one automobile.

Mr. MORIN. No; we are adding one.

Mr. GREEN of Iowa. How many have they there?

Mr. MORIN. I could not answer that. That particular automobile is in the department of practical engineering. These automobiles are assigned to the different departments.

Mr. GREEN of Iowa. And the gentleman is unable to advise me how many automobiles are there?

Mr. MORIN. I do not know the number.

Mr. EVANS of Nevada. Mr. Chairman, will the gentleman yield?

Mr. MORIN. Yes.

Mr. EVANS of Nevada. Can the gentleman tell me whether the people provided for here have in addition to the pay the bonus of $240?

Mr. MORIN. The gentleman refers to the employees of the Military Academy?

Mr. EVANS of Nevada. Yes; those who have been enumerated on the previous pages.

Mr. MORIN. I do not so understand.

Mr. EVANS of Nevada. The gentleman is not certain?

Mr. MORIN. I do not think so.

The Clerk read as follows:

For purchase of machines, tools, etc., for practical instruction of cadets in wood and metal working, $500.

Mr. TILSON. Mr. Chairman, I move to strike out the last word for the purpose of asking the reason for certain changes in the bill. Many words are left out of what has heretofore been carried in the bill and the words "and so forth" inserted. Is not the gentleman afraid that language may be misunderstood?

Mr. MANN of Illinois. Where is it?

Mr. TILSON. Bottom of page 19. The words "and so forth" are added. The language included heretofore "lanterns," "matches," and a number of other articles, which are stricken out, and the words "and so forth" carried. This instance is in line 13, page 19.

Mr. MANN of Illinois. Take, for instance, page 19, line 7, "Department of law, books, stationery, and so forth, $850." The gentleman from Connecticut is well aware that every once in a while every one of these departments run into a construction of the statute by the Auditor or Comptroller of the Treasury.

Mr. TILSON. I am aware of that fact, and was just wondering in reference to the construction of this language. The reason why I am inquiring is the fear that we might run into the same thing by the use of the words "and so forth."

Mr. MANN of Illinois. No; that has been the language used in various appropriation statutes for years, and authorizes the use of money for similar things which might be considered to be about the same character; whereas without some such language the comptroller was frequently compelled to hold that you can not use money for one purpose for which Congress evidently may have designed it but did not say so.

Mr. TILSON. How much leeway will this give the officer in charge of the expenditure?

Mr. MANN of Illinois. I should say, where we provide for the purchase of books, stationery, and so forth, that would permit the purchase of ink and possibly pens.

Mr. TILSON. Would not these articles come under stationery?

Mr. MANN of Illinois. No; they would not—not strictly speaking. I do not think they would under the ruling of the auditor or the comptroller.

Mr. McKENZIE. Is the gentleman trying to get the words "and so forth" taken out?

Mr. MANN of Illinois. No; I think they ought to remain in. I know that Congress at one time, or several times, took out the words "and so forth" without knowing much about it, and as a result of it they have been at times prohibited from purchasing these ordinarily necessary articles which could have been purchased under the language "and so forth." It is impossible in many cases to describe all the items which may be necessary to be purchased—little things, office supplies, and things of that sort. Take, for instance, nibs which you use to fasten papers together, if that be the term—I do not know whether that is correct or not—but paper fasteners; they would not be covered by the term "stationery," and yet, in fact, they are the same character of stuff, for wherever people use stationery they use those fasteners.

Mr. TILSON. My inquiry was prompted by the fact that in a considerable number of cases in this bill a number of articles in detail have been left out and the language of the bill thereby much reduced by the use of the words "and so forth."

Mr. MANN of Illinois. In these items there has been nothing left out.

Mr. TILSON. No; but in some other items of the bill.

Mr. MANN of Illinois. That may be.

Mr. TILSON. A number of other items.

Mr. MANN of Illinois. This saves the enumeration at the risk of not correctly enumerating and enlarging the scope of the appropriation.

Mr. GREENE of Vermont. I think the gentleman from Connecticut will bear out the suggestion the words "and so forth," followed down in connection with the words in the paragraph, will themselves have a restrictive meaning, and as not by any means being general terms, the words "and so forth" meaning a continuation of the same kind of articles as already specified.

Mr. TILSON. I have no objection if it will serve the purpose. In fact, I favor a liberal interpretation of statutes for disbursing officers, giving them a wide range of discretion. I was wondering if the words "and so forth" would do it and whether they would pass the auditor and comptroller.

Mr. MANN of Illinois. I think they will.

The Clerk read as follows:

For water pipe, plumbing, and repairs, $8,000.

Provided, That $1,000 of this appropriation be, and the same is hereby, made immediately available.

Mr. OLNEY. Mr. Chairman, I move to strike out the last word, and since as a member of the committee I have had no time to speak on this bill I ask unanimous consent that I may speak for 12 minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to speak for 12 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. OLNEY. Mr. Chairman, also with the indulgence of the Chair that I may speak a little out of order in an attempt to controvert the statistics given by the leader of the majority on universal military training. It is a little out of order but I am going to ask the indulgence of the committee if it will allow me to speak out of order for that length of time.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. DOWELL. Mr. Chairman, before the gentleman proceeds I desire to reserve a point of order on the proviso.

The CHAIRMAN. The gentleman reserves a point of order on the proviso.

Mr. OLNEY. Mr. Chairman, I want to say for the benefit of the gentleman from Wyoming [Mr. MONDELL] that I told him an hour or so ago that I was to address the committee in an attempt to correct his figures which he made last week in the case of universal military training throughout the country, so it is a fair field and I would not want to take any undue advantage of the gentleman.

Mr. Chairman, the leader of the majority has made such gross misstatements with regard to the cost of universal training to the Government that as a strong advocate of such legislation I am constrained to challenge and correct his figures. In preliminary remarks before the House he stated that universal military training would cost the United States $1,000,000,000 a year, and I quote his speech from the RECORD of Tuesday, January 27, page 2119:

> The fact is that a system of universal compulsory military training could not be inaugurated in America and operated for the first year for less than $1,000,000,000, and could not be carried on thereafter for less than $1,000,000,000, and these figures are conservative and based upon facts so well known that the least informed citizen may readily grasp them.

Subsequently, a few days later, we should give him credit for revising his figures to $600,000,000. It was the same majority leader who a few weeks ago was reported in the press as opposing any increase at the present time in the salaries of officers of the Army and Navy, in spite of the glaring evidence that many of our most efficient officers are resigning daily on account of inability to make both ends meet and the morale and efficiency of the War and Navy Departments is rapidly breaking down, due to the small compensation of the officers. There is such a thing as false economy, and it is a very narrow and near-sighted policy, indeed, which would deny our splendid officers in the Army and Navy a reasonable promotion in salaries which have been stationary for a dozen years.

The least this Congress could do would be to favorably act on the Wadsworth-Crago bills, which substantially increase the pay of officers 31 per cent, although it would not meet with the increased cost of living since 1908, which has advanced approximately 100 per cent. I have tried to use the same consistency in consideration of the Military Academy bill, believing it to be poor economy to withhold appropriations recommended for West Point for the upkeep, development, and enlargement of the Military Academy due to the entrance and matriculation of a greater number of students than ever before.

The cost of the soldier to the United States in 1915, including all overhead charges, was about $1,000 a year, while to-day, as accurately as can be figured by the Finance Division of the War Department, the cost of a soldier per year is about $1,700, in spite of figures given in the House that the soldier cost the Government $2,000.

My maiden speech on military policies delivered in the House of Representatives nearly four years ago advocated universal military training and the continuation and propagation of summer military camps, "a la Plattsburg," and even those most prejudiced against the system of intensive training will acknowledge the splendid effectiveness of the summer military training camps which sent over to France 60,000 well-trained officers during the Great War.

I am to-day just as enthusiastic for the incorporation of universal training into military law as I was four years ago.

Mr. FESS. Will the gentleman yield?

Mr. OLNEY. I will if I can get an extension of time at the close of my speech. Although the memorable Democratic caucus a week ago went on record by a vote of 108 to 17 against such legislation, I do not propose to allow an obituary to be read over a body which is not yet dead and is far from being buried. It would seem not to be a breach of etiquette to disclose to the Members how our committee stands on universal military training, and according to careful poll there are 10 members for and 9 against, with 1 member doubtful. However, I would frankly state my opinion to you that besides an overwhelming sentiment on my side of the House against, there is doubtless a majority sentiment against universal training on the Republican side of the House. Therefore, while on the surface universal military training may be doomed in this session of the Sixty-sixth Congress, its friends, loyal and legion, must keep the subject alive, rekindling the camp fires, so that eventually we will incorporate into law a provision creating the citizen soldier. I predict that if universal military training is not incorporated into law during this session of Congress it will always be an animate body, a real, virile issue, and, while temporarily passive, will confront us as a live, burning issue until finally enacted into law. I believe in the provision for universal military training as outlined in the Wadsworth bill, and which I hope will be written into the Kahn bill, more as a civil asset than as a military necessity. The Great War taught us more than we perhaps can appreciate the value of medical attention and the intensive training to the American youth, improving to a remarkable degree his morale, mentality, and physical development. Along with universal military training the Government proposes to give courses in vocational training, to give instruction in English, reading, writing, and arithmetic to those who can not speak the English language and to those who have not had the advantages of elementary education. The purpose of the Government is to produce better, loyal Americans through universal military training, obedience to law, and respect for our institutions, and these good intentions are being provided just as much for the benefit of one as it is for all, for you and for me, who some day will send our children to

serve in camp four months of intensive training between the ages of 18 and 21. The Ninetieth Division Association of the United States Army went on record unanimously several months ago indorsing the policy of universal military training, and it is composed of men from Texas and Oklahoma. There seems to be a strong sentiment individually among members of the American Legion favoring such a policy, and many of the American Legion posts collectively have gone on record unanimously indorsing the incorporation of universal military training into the Army reorganization bill.

I have figures prepared by Gen. Lord, head of the Finance Division of the War Department, which as accurately as possible disclose the annual cost of universal military training to the United States for a period of four years, and they are so widely at variance from Mr. MONDELL'S figures they are worthy of comparison. This table which I am about to read to the Members was computed several weeks ago, and it is only fair to state that since that time, or at least since the last statistics, subsistence of the soldier has increased from 53 to 58 cents per day. It should be taken into consideration that the War Department, irrespective of the program outlined for universal military training, has recommended the retention of certain camps and cantonments in the United States as a means of future preparedness, and said camps and cantonments can adequately train half a million men a year. Furthermore, the War Department at the present time has on hand an amount of material and equipment amply sufficient to provide for the training of its citizen soldiers. Instead of costing the United States $1,000,000,000 a year, the cost of training in the calendar year 1921, as required by section 51 of Senate bill 3688, would be a little less than $100,000,000; and, in order that the House may be accurately informed, I will ask your indulgence while I submit the following figures, which can not be refuted, since they come from the highest office of finance in the War Department.

Cost of training, as required by section 51 of S. 3688.

	Calendar year 1921, 350,000 men.	Calendar year 1922, 400,000 men.	Calendar year 1923, 450,000 men.	Calendar year 1924 and thereafter, 465,000 men.
(a) Cost of transportation to and from places of training, 572 miles, at 3½ cents per mile	$7,070,000	$8,008,000	$9,009,000	$9,309,300
(b) Per diem allowance of subsistence in going to and returning from place of training, 2 days, at $2.25 per day	1,575,000	1,800,000	2,025,000	2,092,500
(c) Cost of subsistence while undergoing training, at 53 cents per day per man	22,260,000	25,400,000	28,620,000	29,574,000
(d) Cost of clothing while undergoing training, at an annual cost of $85.66 per year per man	9,993,666	11,421,333	12,849,000	13,277,300
(e) Cost of laundry while undergoing training, at $1 per month per man	1,400,000	1,600,000	1,800,000	1,860,000
(f) Cost of medical attendance (including dental treatment), at a cost of $23 per year per man	2,683,333	3,066,666	3,450,000	3,565,000
(g) Cost of upkeep of quarters and for heat and light, at $30.40 per year per man	3,546,666	4,053,333	4,560,000	4,712,000
(h) Equipment, at an annual cost of $237.02 per man	27,652,333	31,602,666	35,553,000	36,738,100
(i) Pay, at the rate of $5 per month per man	7,000,000	8,000,000	9,000,000	9,300,000
(j) Increase in items (c), (d), (e), (f), (g), (h), and (i), assuming that 15 days will be necessary for enrollment, mobilization, and demobilization and that 10 per cent of the men will continue to train for two months under section 51 of the bill (0.175 of total of these items)	13,043,800	14,900,200	16,770,600	17,329,620
(k) Local boards, 2,000 of not less than 3 members each to be paid not exceeding $4 per day for 15 days	3,600,000	3,600,000	3,600,000	3,600,000
Total	99,824,798	113,452,198	127,236,600	131,357,820

In conclusion, I am in favor of a progressive decrease in the Regular Army, say, 5 per cent each year for a period of 10 years from the enlisted strength. Since the contemplated regular force of enlisted men is about 250,000, we would have under this plan a Regular Army of 150,000 10 years hence, large enough for all purposes in the Regular Establishment, with the National Guard and the citizen soldier as the second line of defense.

In another generation we will have built up a small but efficient Regular Army, and as an auxiliary defense we will have reorganized the National Guard and trained a citizen army, which should appeal to us all as the most economic and democratic system in the national defense. [Applause.]

Most of us realize that the Republic of Switzerland has had in vogue, and it has been on the statute books of that country for more than 40 years, a law for universal military training, and the real reason why the great German Imperial Government did not attack Switzerland was not on account of its natural barriers of defense——

The CHAIRMAN. The time of the gentleman has expired.

Mr. OLNEY. May I have two minutes more?

Mr. GARD. Mr. Chairman, I ask that the gentleman have five minutes.

Mr. OLNEY. I will ask for only three minutes.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Massachusetts be extended for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. I would like to ask the gentleman a question in that connection. In the schools of Washington, D. C., there are 21 cadet companies, filled by boys who have volunteered to enter that service, and it is a splendid training which they receive. What more does the gentleman want than the kind of military training that the boys can receive in cadet companies throughout our land?

Mr. OLNEY. It is only the same argument that was used when the conscription bill came before Congress. This is compulsory, and it is intended to benefit the youth of every State in the Union, and not have it voluntary.

Mr. Chairman, I was speaking of the Swiss system, and saying that the great German Imperial Government did not dare to attack that country, not on account of its natural barriers of defense, but because it had a well-trained army under universal military training of 250,000 men in active service and 250,000 in reserve.

Most of you know, perhaps, that Switzerland prior to 1914 captured 17 out of 18 international marksmanship trophies. Perhaps you are acquainted with the little story of when 30,000 of the Swiss guards that were under universal military training for a period of three or four months appeared in Germany before the former Emperor in review, and when the German Emperor said to the Swiss general, "What would happen to your little band of 30,000 Swiss guards if they are surrounded by 60,000 of my Prussian guards?" The Swiss general answered very quickly, "We would just have to shoot twice; that is all." [Applause.]

Mr. FESS. Will the gentleman yield now?

Mr. OLNEY. Yes.

Mr. FESS. I was interested in what the gentleman was saying about increasing the pay. That is one of the things that is disturbing everybody. If the high-cost level, which I think is abnormal, but which is likely to remain, is going to remain, and we increase the pay of the Army and the Navy and necessarily would have to increase the pay for all Government employees, what are we going to do in order to avoid losing our scientific men in the Government service who are going out of it now for better pay and going from the service generally? And if we attempt to lift the pay to this high-cost level, how much is it going to require?

Mr. OLNEY. I will say to the gentleman from Ohio that several members of our committee are in favor of the Wadsworth-Crago bill, which provides an increase of 10 per cent in base pay for officers in the Army, Navy, and Marine Corps, and an increase in subsistence which practically gives the officer an increase of 31 to 33 per cent. Under the bill which we have passed we have provided for an increase in base pay of only 20 per cent, which, to my mind, does not meet the situation.

Mr. FESS. That answers what we have done. What are we going to do——

Mr. OLNEY. Do you mean how are we going to provide the revenue?

Mr. FESS. What I am concerned about is, what is to be the additional charge upon the Treasury, and how are we going to get the money? If we increase the pay in the Army we will increase it in the Navy, and we ought to increase pay all along the line, and what is going to be the rule of the increase in all Government service?

Mr. OLNEY. If you are asking for figures, I can not say offhand what it would cost the Treasury Department to comply with the Wadsworth bill, but I would think it would be something like $20,000,000 to $25,000,000. But in speaking of increases, it seems to me that the Government is not increasing its Federal employees in the same ratio and proportion which private industry is increasing the pay of its employees to-day.

Mr. FESS. That is true.

Mr. OLNEY. And I think we ought to conform to that proposition in order to keep our faithful and efficient employees in the Government.

Mr. FESS. If we do not increase it, it appears that we are going to lose the best service. Now, how much must we increase it to avoid losing them? I think it is a practical problem that is quite distressing. What about the school-teachers, for example?

Mr. OLNEY. The school-teachers, too, in the District of Columbia and elsewhere ought to be raised in conformity with the high cost of living since 1908. And I may state to the gentleman the pay of the officers in the Army has remained stationary since 1908 while the cost has increased 100 per cent since that time.

Mr. EVANS of Nevada. I do not want to appear impertinent, but I would like to ask the gentleman if he believes that this system he proposes will produce a finer soldier than Sergt. Yorke?

Mr. OLNEY. I think Sergt. Yorke probably had six months of intensive training before he acquired the efficiency he did acquire. [Applause.]

Mr. DOWELL. Mr. Chairman, I reserve a point of order on the proviso in line 3. I would like to have the gentleman in charge of the bill explain the necessity for making this immediately available.

Mr. MORIN. I will say as to this item that some of the pipes have been frozen up during the winter, and we want to be able to make those repairs as soon as the weather permits. This money is necessary in order to do that. Otherwise we would have to wait until July.

Mr. DOWELL. Does the $1,000 apply to the $8,000 appropriation?

Mr. MORIN. It comes out of that.

Mr. DOWELL. It is part of the $8,000?

Mr. MORIN. Yes. Otherwise it could not apply until the 1st of July.

Mr. DOWELL. I withdraw the reservation of the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Repairs and improvements to the laundry machinery, etc., to be expended without advertising, and to be immediately available, $35,000.

Mr. DOWELL. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Iowa reserves a point of order on the last paragraph, beginning on line 25, page 20.

Mr. DOWELL. May I inquire of the gentleman in charge of the bill the necessity of making this $35,000 immediately available and also for the expenditure without advertising?

Mr. MORIN. That is really an addition to the laundry, and they want to be able to begin work on it as soon as the weather permits. The quartermaster at West Point takes charge of the work there himself. Under a special act he can authorize the completion of the building-extension program. When he asks for bids on these buildings and thinks the bids are too high he does the work himself, and in many instances he saves thousands of dollars to the Government. That is why he wants to be able to go on with this work. When he gets the estimates and thinks they are higher than the cost at which he could do the work himself he goes ahead and takes the men and does it himself.

Mr. DOWELL. Mr. Chairman, reading from the hearings on this paragraph, I find that the testimony shows that it is not imperative that this item be made immediately available, and it occurs to me that this money should be used in the ordinary way in which appropriations are made.

Mr. MORIN. It will delay the completion of the new laundry that was authorized in last year's appropriation bill. As I understand it, the laundry building that we appropriated for last year is nearly complete. Now they want machinery to equip it with, and if the language "to be immediately available" is not included here it will compel the academy authorities to wait until July 1 to equip the laundry, that is now ready to receive the machinery.

Mr. DOWELL. Is there any reason why it should be done without advertising and without receiving bids?

Mr. MORIN. Only the reason that they feel they can go into the open market to better advantage.

Mr. DOWELL. Will the gentleman read from the hearings where Gen. McArthur says it is not necessary to have this provision? That is not the exact language.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. DOWELL. Yes.

Mr. BEE. Has the gentleman ever been in New York in the month of July?

Mr. DOWELL. Yes.

Mr. BEE. Ought they not to have a laundry there before that? The effect will be to deprive these boys of the laundry.

Mr. DOWELL. The hearings that I have read indicated that it was not necessary. Of course, that is a different proposition. Will the gentleman from Pennsylvania just read the statement of Gen. MacArthur on this item?

Mr. MORIN. On what page?

Mr. DOWELL. At the top of page 81.

Mr. MORIN. I read:

Gen. MACARTHUR. I think that is perfectly correct, and if these are not special things we could advertise.

Mr. WISE. Unless there is some special reason why this should not go under that general rule.

Col. TIMBERLAKE. That is the way everything connected with the laundry and cadet mess for the last several years has been conducted, and if you will look you will find another article there connected with the cadet laundry. The next one, "Repairs and improvements to laundry machinery, and so forth, to be expended without advertising."

Gen. MACARTHUR. Of course, those are special things.

Mr. WISE. Do you want that immediately available now?

Col. TIMBERLAKE. No, sir.

I think he refers to the item of repairs and improvements to the laundry. The machinery, and so forth, is to be procured without advertising.

Mr. DOWELL. And it does not refer to this item?

Mr. MORIN. He says:

We do not want it especially struck out, but it could be struck out. That is identically the way it was last year.

Mr. DOWELL. The gentleman from Kansas has stated that the laundry is ready for the machinery, and that the machinery is ready to be put in. If that be true, I do not want to prevent the progress of this work, and I will withdraw the point of order.

The CHAIRMAN. The gentleman from Iowa withdraws the point of order.

Mr. MANN of Illinois. I reserve the point of order.

Mr. OLNEY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MANN of Illinois. I withdraw the point of order, Mr. Chairman, and move to amend, page 21, line 1, by striking out the word "to" where it first occurs and inserting "which may."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 21, line 1, strike out the word "to," after the word "fourth," and insert in lieu thereof the words "which may."

Mr. MANN of Illinois. Mr. Chairman, the purpose of the amendment is not to require them to spend the money without advertising, not to forbid them to advertise if they want to, but to permit them to purchase without advertising if they desire to. I do not think they should be forbidden to advertise if they can, by advertising, get the people to do the work.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. BLANTON. A division, Mr. Chairman. I want a record on it.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 31, noes 3.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For repairs to quarters of steward of cadet mess, to be expended without advertising, $150.

Mr. MANN of Illinois. Mr. Chairman, I move to amend by striking out the word "to" and insert the words "which may."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report. Will the gentleman state the line?

Mr. MANN of Illinois. On the paragraph just read.

Mr. TIMBERLAKE. Line 12.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 22, line 12, strike out the word "to" the second time in the line and insert the words "which may."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Repairs to cadet barracks, $15,000.

Provided, That this appropriation be, and the same is hereby, made immediately available.

Mr. DOWELL. Mr. Chairman, I reserve a point of order against the proviso in lines 19 and 20.

The CHAIRMAN. The gentleman from Iowa reserves the point of order.

Mr. DOWELL. I desire to suggest to the gentleman in charge of the bill that from the reading of it one would judge that it was a deficiency bill. I want to know the reason for this item in particular being necessary at the present time.

Mr. MORIN. Repairs to the cadet barracks are repairs to the old barracks. On or about the 12th of June, when the class is graduated, they move into camp. The cadets then leave the barracks and do not return until about the 1st of September. It requires all the time while they are away to repair the barracks. If we do not make this money immediately available they will have to wait until after the 1st of July before beginning repairs. This gives them about two weeks additional time in which to make the repairs.

Mr. TILSON. Would it not be well to begin some time or other to make the appropriation a little bit larger, so as to carry it over until June 30 of the next fiscal year, so that this proviso, which is always subject to a point of order and always likely to lead the committee into trouble, might be omitted?

Mr. DOWELL. That is what occurs to me, that this appropriation should be made for the fiscal year beginning July 1, and that instead of making numerous items immediately available some provision should be made for taking care of them in such way that they could be covered in the regular appropriation bill. Upon the statement of the gentleman I withdraw the point of order.

The CHAIRMAN. The gentleman from Iowa withdraws his point of order. The Clerk will read.

The Clerk read as follows:

The Secretary of War is hereby directed to turn over to the United States Military Academy without expense all such surplus material as may be available and necessary for the construction of temporary buildings, also surplus tools and matériel for use in the instruction of cadets at the academy: *Provided*, That in the allotment of surplus tools and matériel by the War Department to the various governmental agencies provided by law preference shall be given to the needs of the academy: *And provided further*, That to cover the cost of labor in the construction of such temporary buildings there is hereby appropriated the sum of $10,000.

Mr. MANN of Illinois. Mr. Chairman, I make a point of order on the first proviso, beginning in line 10.

Mr. McKENZIE. Mr. Chairman, we concede that it is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN of Illinois. Then I move to amend, in line 13, by striking out the word "and" before the word "provided" and by striking out the word "further" after the word "provided."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 25, line 13, strike out the word "and" before the word "provided" and strike out the word "further" after the word "provided."

The amendment was agreed to.

The Clerk read as follows:

Provided, That the Superintendent of the Military Academy is hereby authorized to lease to any corporation, company, or individual land on the United States Military Academy reservation at West Point upon which to erect a hotel and necessary buildings in connection therewith, in accordance with plans and specifications to be approved by him, and upon such terms, conditions, and reservations, and containing such covenants and conditions as may be agreed upon in such lease by said corporation, company, or individual, and the said Superintendent of the Military Academy and approved by the Secretary of War; said lease to be for a term of not exceeding 50 years and to provide for just compensation to the lessees for the construction of said hotel, appurtenances, and equipments to be paid to said lessees at the termination of said lease: *Provided further*, That the provisions of an act making appropriations for the expenses of the Military Academy for the fiscal year 1920, and for other purposes, approved March 4, 1919, authorizing the Secretary of War to allow any corporation, company, or individual to erect on the United States Military Academy reservation at West Point, N. Y., a hotel in accordance with plans and specifications to be approved by the Superintendent of the United States Military Academy are hereby repealed.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph in order to get some information. What is the necessity for repealing the legislation contained in the Military Academy appropriation act for the present fiscal year?

Mr. ANTHONY. I will say to the gentleman that under the former authorization the officers were unable to get anyone to erect a hotel in conformity therewith, so that the superintendent of the academy has recommended this new language, which is more liberal than the terms under which we sought to have the hotel erected last year. He has asked us to adopt it, in the hope that we can get a suitable hotel building erected on the ground.

Mr. WALSH. This provides for leasing for the term of 50 years. I assume that the plans and specifications will not be very different than those provided in the existing law.

Mr. ANTHONY. No; and they would have to be approved by the War Department. Under the amendment that we adopted last year, at the end of the lease term the property was to go to the United States Government. Under this new amendment, as the gentleman will see, we provide that the hotel building shall belong to the owners, or that they shall be recompensed by the United States Government for the value thereof.

Mr. WALSH. It seems to me that when we are going to give investors the right to erect a hotel there for a long term of years, during the term of that lease they will have taken in sufficient receipts to compensate them for all their expenditures, so that the property ought to go to the United States.

Mr. ANTHONY. That is a question of considerable doubt. I will say that the question as to whether such a hotel would be commercially profitable when operated under such stringent regulations as the War Department would provide is a matter of grave doubt, and the officials thought we would have to make a much more liberal proposition than the one which we embodied in our amendment of last year, in order to get anyone to consider it.

Mr. MANN of Illinois. The gentleman may have stated what I want to know. Why did they not get the hotel built under the provisions of the current law?

Mr. ANTHONY. At the time the provision was inserted it was supposed that some admirers of Gen. Pershing were going to raise the money to construct a hotel and name it the Pershing Hotel in his honor. But for some reason that endeavor fell through. The gentleman from Illinois at my right says they would not permit a building to be built of that kind as a monument.

Mr. MANN of Illinois. Was not the reason given when the bill was under consideration last year? The item has been under consideration in this bill for a number of years.

Mr. TILSON. The real reason why the hotel was not built was because of the restrictions put upon it in the previous act, one to the effect that at the end of 50 years the building should belong to the Government, and the other, which was perhaps the more deadly provision, that the superintendent of the academy or somebody else should have the right to fix the rates, which made it an impossible proposition for any hotel man to take up.

Mr. DONOVAN. Will the gentleman yield?

Mr. TILSON. Yes; but I have not the floor.

Mr. DONOVAN. Has it been stated how much the proposition for the proposed hotel was to amount to in dollars and cents?

Mr. MORIN. Between four and five hundred thousand dollars. That was the estimate three years ago; but probably it is much more than that now.

Mr. DONOVAN. I understand that that would revert to the Government at the end of 50 years.

Mr. MORIN. Under the last provision it would, but under this provision they may terminate the lease at any time that is agreeable to the Government and the lessee.

Mr. DONOVAN. With a compensation proportionately.

Mr. MORIN. Yes.

Mr. EVANS of Nevada. May I ask the gentleman a question?

Mr. MORIN. Certainly.

Mr. EVANS of Nevada. Does not the gentleman feel that this is rather loose language with reference to the compensation?

Mr. MORIN. No; that would be in accordance with an agreement with the War Department when they originally enter into the lease. At the end of 15 or 20 years the Government may want to take it back and ask the occupant to remove it, or they may enforce regulations under which the occupant might not want to operate the hotel and could not operate it profitably.

Mr. DONOVAN. If the gentleman will yield, the proposal is to give the Government the right of election, if it so decides, that it needs the ground and to award an equity to investors which will recompense them for the sum invested.

Mr. MORIN. Yes.

Mr. LINTHICUM. What amount of rental is proposed?

Mr. MORIN. We do not propose any amount of rental. The Government really ought to build the hotel, although we have been unable to get an appropriation for that purpose. We may be able to get some one to build a hotel and under these conditions. My judgment is that the Government ought to build the hotel itself.

Mr. GREENE of Vermont. Is the gentleman from Massachusetts still reserving the point of order?

Mr. WALSH. I am.

Mr. GREENE of Vermont. I would like to suggest something that goes to the merits of the question and not strictly to the

point of order. It is perfectly well understood by everybody at West Point for a number of years that there is no money to be made out of any hotel venture in that locality. The original installation of a hotel was based on the fact that the reservation is visited only by families of cadets and various public officials of governments that come to inspect our system of Army education, and there was need of some means of housing people who were guests. For that reason the present hotel was put up years ago. It is disgraceful and worse than an old, abandoned sawmill, one might almost say. It has been the butt and jest and ridicule of thousands, and has exposed us to humiliation and shame for years. Everybody understands it. It is not a commercial venture that will attract anybody to invest capital, because there is no steady guaranteed return on the capital. It is only used periodically for the visits by families of cadets who come along in the spring, just about graduation or otherwise occasionally. There is no other means of housing people unless they go away down to New York City. So, as a matter of fact, the man who puts up such a building and runs it at a moderate rate, if he breaks even at the end of 50 years will do better than probably anybody has done yet.

Mr. WALSH. Mr. Chairman, will the gentleman permit an inquiry?

Mr. GREENE of Vermont. Certainly.

Mr. WALSH. If this hotel is not going to be run at a profit, how does the gentleman think somebody is going to put four or five hundred thousand dollars into a building with a provision in the law that at the end of the lease the Government can pay him for the building?

Mr. GREENE of Vermont. I am frank to say that the very language we have written into this bill does not hold out to any business man any tempting inducement to invest his money, but we have been led to believe from time to time that certain men who were interested in West Point as a national institution will be glad to do something along this line. I recall some report about one man, or, rather, the family of one man, who had a son there as a cadet who died, and there was some idea on their part for a time of helping to erect this hotel as something in the line of a memorial to the son. While that seems to us as practical men, in the consideration of this bill, a good deal out of the way as a tangible resource for the Government to depend upon, still that is about the only kind of expectation on which we can base any hopes.

Mr. WALSH. Does not the gentleman think this language will simply result in putting up an expensive building there and be an invitation for the Government later on to come in and contribute to take care of a deficit in its running expenses?

Mr. ANTHONY. Oh, no.

Mr. WALSH. The gentleman says no; but if this is not going to be a paying venture there will be a swarm of interested people down here saying, "Oh, you have permitted this beautiful structure to be built, and this man can not make it pay, and we ought to have quarters for Baron Ipecac or somebody else who is going to visit here, and we can not get anybody to run the place."

Mr. GREENE of Vermont. Oh, the gentleman means Baron Figtree.

Mr. DONOVAN. And probably the Countess Paregoric will be with him.

Mr. WALSH. And it would simply result in an appropriation being carried for that purpose.

Mr. GREENE of Vermont. Will the gentleman permit the suggestion that we have undertaken to write into this language the same safeguards that we write into far more important undertakings involving the expenditure of money, that no building shall be put up there or contract made for it without the specific approval in detail of the Secretary of War?

Mr. WALSH. Oh, that is a proper limitation, surely. How many people can the present tavern up there accommodate?

Mr. GREENE of Vermont. I do not know, but some one suggests less than a hundred. I know I have visited it several times and have always sworn each time that I would never go again.

Mr. WALSH. Perhaps it might be a salutary influence to have such a structure as that up there as a public hotel.

Mr. MORIN. In order to accommodate a hundred guests they have to sleep five and six in a room on cots.

Mr. GREENE of Vermont. It is apparent to anyone who has ever visited West Point that this would be entirely out of the reach of commercial possibilities as a hotel enterprise. West Point itself is situated in such a part of the country with relation to New York City or to the larger cities above that it is not a place where travelers would naturally stay overnight. It presents no commercial possibilities in that way. There is nothing at West Point except the Military Academy to attract anyone to go there, so that the result would be that the patronage at the hotel would be limited to people largely of direct family connection with the cadets, and they usually go there all about the same time, just about graduation time, or make an incidental visit throughout the year in case of the sickness of a cadet. There would be no certainty of a more or less fixed income on the part of the hotel man. There is nothing to tempt anybody to put any money in such a venture unless there be something like a liberal concession on the part of the Government that one can have a fair opportunity at least to get the money back when the 50 years have gone by.

Mr. CHINDBLOM. How far is it in miles to a decent hotel?

Mr. GREENE of Vermont. Oh, New York City is the only near-by place.

Mr. WALSH. How far is that in miles?

Mr. GREENE of Vermont. Somebody said 75 miles.

Mr. WALSH. That is a long, tedious journey; it would probably take about two hours to go to New York, and they would probably go to New York anyhow because——

Mr. GREENE of Vermont. Well, I hope to live to see the day when the distinguished gentleman from Massachusetts has several sons of his own at West Point and is visiting them there, and then I may stand somewhere on an observation point and observe him trying to enjoy the convenience of getting his meals "down town" in New York 75 miles away. [Laughter.]

Mr. MORIN. I would like to say to the gentleman from Massachusetts that the quartermaster informed us that in conference with some hotel men in New York it was suggested that if the language was changed as it is in this bill that they might make a proposition to the War Department to build a hotel at West Point. Now, I want to cite one instance that I know about myself.

Mr. WALSH. From this indicated generosity, will not they know that if they run behind they will get the Committee on Military Affairs to come in here and recommend us to make up the deficit?

Mr. MORIN. I for one would recommend a Government hotel now.

Mr. WALSH. That is a different proposition.

Mr. MORIN. But I would like to state this for the information of the gentleman in reference to the necessity for the hotel there——

Mr. WALSH. I concede the necessity. The pathetic report of the gentleman from Vermont has convinced me of the necessity for a hotel there.

Mr. MORIN. I would like to state this instance which I personally witnessed: I was there one night about 10 o'clock in the office when a lady came in there from the State of Washington. She had a son at the academy who was seriously ill in the hospital. She had made the trip all the way there to see him. When she arrived at the desk she registered and asked the clerk to give her a room. He said, "The only thing I can give you is a cot in a room with six other persons." That lady had come all the way from the State of Washington to see her son, who was in a serious condition. We ought to have a hotel, and the Government ought to build it.

Mr. WALSH. I do not understand why that man is not reaping a large harvest. Mr. Chairman, I make the point of order on the paragraph.

Mr. McKENZIE. We concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Provided further, That section 1318, Revised Statutes, be, and the same is hereby, amended to read as follows: "Appointees shall be admitted to the academy only between the ages of 17 and 22 years, except in the following case: That during the calendar years 1919 and 1920 any appointee who has served honorably and faithfully not less than one year in the armed forces of the United States or allied armies in the late war with Germany, and who possesses the other qualifications required by law, may be admitted between the ages of 17 and 24 years: *Provided*, That whenever any member of the graduating class shall fail to complete the course with his class by reason of sickness, or deficiency in his studies, or other cause, such failure shall not operate to delay the admission of his successor."

Mr. DOWELL. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, line 16, after the figures "1919" insert a comma, strike out the word "and," and after "1920" insert the word "and" and the figures "1921."

Mr. GARD. Will the gentleman yield for a question?

Mr. DOWELL. Certainly.

Mr. GARD. Why does the gentleman strike out the figures "1919"?

Mr. DOWELL. They should go out.
Mr. GARD. I can not see any reason why.
Mr. DOWELL. I am unable to understand how "1919" is material here because that has already passed. I submitted the name of an applicant who was a few months over 22, and he was rejected, though the examination takes place in March, 1920, so that I assume there can be no one appointed in 1919 coming within the provisions of this bill.
Mr. BEE. Will the gentleman yield?
Mr. DOWELL. Certainly.
Mr. BEE. I understand that there are about 10 or 12 young men who will be affected by this matter if you strike out the figures "1919."
Mr. DOWELL. If that is true, I have been treated unfairly, because I submitted the name where the applicant was a few months over 22 and he was rejected by the department, and I am unable to understand how anyone else could secure an appointment.
Mr. BEE. Was not that under existing regulations? If he was over 22, there was no relief?
Mr. DOWELL. That is true.
Mr. BEE. This would afford relief and let him get in?
Mr. DOWELL. It will not give relief, because the examination comes before this bill will pass. He can not avail himself of the 1920 examination that takes place here the 1st of March.
Mr. MORIN. Was he a soldier?
Mr. DOWELL. He was.
Mr. MORIN. And he would come under the provisions of this?
Mr. DOWELL. He would come under it if it had been enacted in time.
Mr. MORIN. We could not enact it until the bill came into the House.
Mr. DOWELL. That can not apply until 1920, and if we are to increase the age to 24, he can be appointed in 1921 and still get in the age limit.
Mr. MORIN. Has the gentleman made an appointment in the place of this one?
Mr. DOWELL. I have. He having been rejected, I appointed another.
The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. DOWELL].
The question was taken, and the Chair announced that the ayes seemed to have it.
Mr. BLANTON. Division, Mr. Chairman.
The committee divided.
Mr. GARD. Mr. Chairman, a parliamentary inquiry. Did the amendment offered by the gentleman strike out the figures "1919"?
The CHAIRMAN. The Chair understands it did not.
Mr. DOWELL. The amendment, I will say to the gentleman from Ohio, was not made. I was merely suggesting that it should come out.
Mr. GARD. Does the gentleman desire to make it?
Mr. DOWELL. If there is no objection, I do make it.
Mr. TAYLOR of Colorado. Has the Committee on Military Affairs considered not to have any provision regarding the appointment of boys to West Point similar to what they have?
The CHAIRMAN. Will the gentleman suspend a moment so that the Chair can announce the result of the last vote? On that vote there were—ayes 46, noes 2.
So the amendment was agreed to.
Mr. DOWELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.
The CHAIRMAN. The gentleman from Iowa asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.
Mr. MORIN. Mr. Chairman, I move that the committee do now rise and report the bill to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.
The motion was agreed to.
Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HUSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12467, the Military Academy appropriation bill, and had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.
Mr. MORIN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.
The previous question was ordered.
The SPEAKER. Is there a separate vote demanded on any amendment? If not, the Chair will put them in gross.
The amendments were agreed to.
The bill as amended was ordered to be engrossed and read a third time, and was read the third time.
The SPEAKER. The question is on the passage of the bill.
Mr. BLANTON. Division, Mr. Speaker.
The House divided; and there were—ayes 49, noes 5.
So the bill was passed.
On motion of Mr. MORIN, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVES OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:
To Mr. HICKS, for three days, on account of official business.
To Mr. VENABLE, for three days, on account of official business.

EXTENSION OF REMARKS.

Mr. MORIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.
The SPEAKER. Is there objection? [After a pause.] The Chair hears none.
Mr. MORIN. Mr. Speaker, the Committee on Military Affairs in considering this bill, having in mind the policy of economy which this Congress is pursuing, reduced the amount asked for in the original estimates from $6,778,637.20 to $2,141,712.70, which is $131,219.20 below the amount appropriated last year, making a total reduction of $4,636,924.50. By so doing they have checked the building program now going on at the Military Academy, which makes provisions for the increased corps of cadets, and I fear this may hamper the administration of the academic and military instruction during the coming year. Be this as it may, if they can pinch through this year without serious injury to the academy, we can give them all the money necessary to complete the building program next year, and the injury will have been only temporary at the most.
There is a provision in this bill, which I sincerely hope will pass, fixing the period of instruction at the academy at the prewar course of four years. This I regard as more important than any other feature of the bill, as it preserves the aims and purpose of the institution.
The purpose which West Point was intended to serve and has well served in the past was to give the education and technical knowledge necessary to an accomplished Army officer, accompanied by severe mental and physical training and discipline, and to send them into the Army as a life profession, so that the country at all times might have available highly trained men acquainted with the theory of campaigns and of Army organization, strategy, minor tactics, logistics, and all the operations of war.
Any such result in developing men to the desired point in the directions stated can only be obtained by the long experience in service of educated men who make the Army a life profession; if the most that can be taught at the best military schools precedes the actual Army experience, the shorter that experience need be for the individual to reach the desired state of competency. That this class of men is invaluable to our country was abundantly shown in the Civil War, but it is not necessary to go beyond the present to prove their worth. The Regular Army officers have been the moving and inspiring spirits of all the military machinery created since America entered the World War. By competence and good sense these Regular Army men completely dominated our great national Army; with the exception of some good men from the old militia organizations who had given years to State service, these Regular officers, mainly West Point men, filled nearly all the higher posts.
The effort has been and still is to instill into our Army the discipline and the sense of duty which have come to be known as the West Point spirit. This is what Gen. Pershing called for when he said: "Give them the West Point discipline"; "send men with the West Point spirit and discipline." These Regular Army men in the higher posts, through their West Point and subsequent training, had all the knowledge necessary to their positions and lacked only the actual practice of handling large masses in battle. Their fuller knowledge, largely acquired by training at West Point, had been the equivalent of practice even in directing large numbers on the field of battle.
The object of West Point has been to prepare and have these men on hand—to have men ready and competent to lead; its work has been for the future and not for the immediate present. The change now ordered in the course of instruction by the War Department completely reverses the former purpose of the academy, and instead will turn out uneducated soldiers for squad leaders and platoon commanders who will have had only a fraction of the education for which the academy is provided. Neither can the spirit of West Point nor the high sense of duty which has become the hall mark of West Point be acquired.

The young men who are to be graduated from West Point after but two years' stay there entered the academy to receive an education, with the view of making the Army a profession, of entering the Regular Army as educated officers, with the greater prospect of future promotion which a West Point education and training would give. This change at West Point, therefore, inflicts a grievous wrong upon the 272 young men whom it is proposed to graduate next June and who are to be deprived of the opportunities that they were promised, invited, and encouraged to accept, and at the same time deprives the future service of properly trained officers. Besides perverting the aims of the academy and wronging the young men who entered the academy with those aims in view, this action completely breaks and destroys the high and noble traditions of the institution—traditions the like of which, in many respects, no other institution has developed; for without the time element of the education the acquisition of this spirit is forfeited. The honored "esprit" of over a hundred years' growth is completely shattered without, so far as I can learn, consultation with any of the many able graduates whose opinions were readily available. I do not believe that the interests of the Government are served by the change or that there is the least demand for it by the country. It seems to have been the decision of one or two men, who may or may not be infallible. So far as I can learn, the desire of the department in graduating the present first class with but two years' instruction, and thus changing the fundamental methods and purpose of the academy, is to turn out a class each year. This I do not believe is the desire of Congress nor the desire of the country. The turning out of a few hundred additional uneducated second lieutenants, 19 and 20 years in age, is not turning out graduates of West Point; it is not serving the best interests of the Government, and I sincerely hope that Congress will express itself on this question, assume the responsibility which is ours, and put the academy back on the prewar course of four years, and by so doing preserve the most fundamental and valuable features of West Point training, that of subjecting all to precisely the same course of instruction and development, and thereby bring about the military efficiency which has so long characterized the West Point graduate.

Educated Army officers with trained and disciplined minds are an asset to any nation; a first and most invaluable factor in securing such officers is a good military school.

The Military Academy at West Point has existed, grown, and continually developed for over 100 years, and for the past 50 years, at least, has been universally recognized as without a superior, and with but one or possibly two equals in the whole world.

The traditions of the academy and the glorious records of its graduates have produced an "esprit de corps" of inestimable value in creating and developing the fundamental elements of manhood which have come to be recognized as the hall-marks of West Point.

Is this unsurpassed institution, with its glorious records and its ennobling traditions, to be changed by the swipe of the pen from one of the foremost military schools of the world in permanent educational worth to a temporary military supply station for hastily equipped and poorly educated junior officers 19 and 20 years of age?

I do not believe that the change is for the best interests of the service or that there is the slightest desire in the country to see this famous institution degraded. The change is a step toward defeating "preparedness" for the future by stopping the supply of properly educated officers. As a matter of material economy, it is a loss to the Government to convert a plant established for a higher order of work to a lower order. Those things which have been laboriously built up at West Point during 100 years of able administration will be sacrificed and the best interests of the Government not served if we permit the elimination of an institution which years of effort alone can reestablish.

Mr. Speaker, I wish to read and insert as part of my remarks the following telegram, which I received from Gen. John J. Pershing, recommending the return to the four-year course:

HOUSTON, TEX., *February 5, 1920.*

Hon. JOHN M. MORIN,
House of Representatives, Washington, D. C.:

Reference your telegram, I favor four-year course at Military Academy; reasons, in brief, follow: The courses covered and standard required on graduation can not be lowered without grave injury to the service. Result of shortening course would inevitably be the gradual raising of entrance requirements until only boys having had one year of college could enter. This would tend to limit cadets to those financially able to attend college. This, in turn, would adversely affect democratic character of Corps of Cadets, which has always been one of its greatest assets. Examination of records shows that heretofore cadets have come from all walks of life, and I believe that it is essential that this be continued. My third reason for favoring the four-year course is that it is my belief that four years is none too great a time for the character forming, which has always been the greatest advantage of West Point.

PERSHING.

It is my desire to call the attention of the Members of Congress to a letter received from the commandant of the Royal Military College at Kingston, Ontario, advising the Committee on Military Affairs that the Royal Military College was returning to the former course of four years. This academy is considered by the most prominent English military authorities as the best institution of its kind under the British Government, and its high standard has been attained after the adoption of the West Point system. The letter referred to follows:

THE ROYAL MILITARY COLLEGE OF CANADA,
KINGSTON, ONTARIO.

As requested by you, I forward herewith copy of the Royal Military College regulations, together with a copy of the report on the examination for admission held last June.

I also forward a copy of the amended syllabus of work to be covered at the entrance examination to be held in June next. This is necessary, as commencing with the next college session, next September, the course at this college is to be a four-year one instead of the three-year one now in force.

This change will have the dual effect of modifying the syllabus for the entrance examination, 1920, shown in the accompanying report, and of lessening the age limit. Paragraph 8 of the inclosed regulations is, therefore, amended to read as follows:

"To be eligible, candidates must not be less 'than 16 or over 19 years of age on the date of' entering the college."

Yours, very truly,

EDEL GREENWOOD,
Major, Staff Adjutant, Royal Military College.

For further information permit me to insert a carefully prepared report by the academic board, discussing the relative advantages and disadvantages of three and four year courses which was submitted to the War Department on December 13, 1918:

From: The General Committee.
To: The Superintendent United States Military Academy.
Subject: Course of study at the United States Military Academy.

1. In compliance with the third and fourth paragraphs, War Department letter of November 16, 1918 (file No. 351.1, West Point), the general committee submits the following report covering the suggestions therein relative to a revision of the course of study at the Military Academy.

2. In its deliberations upon the proposed revision of the curriculum the general committee has been guided by its conception of the functions of the Military Academy. The functions are to graduate young men capable of at once performing the duties of junior officers and with the fundamental moral and mental training which will insure them the ability to use their rational faculties to the fullest advantage under the varied conditions of the service, such ability being the most useful result of education, and which with after years of development will enable them competently to fill positions of leadership and high responsibility. In the military profession the graduates of the Military Academy should set the standard of the Army. Upon the standard depends the ability of the country to organize and employ without undue wastage its military resources.

3. With these functions of the Military Academy constantly in mind, the general committee is unanimous in the opinion that the quality of the graduates is of far greater importance than the number. Even should Congress in its reorganization of the Army largely increase the peace establishment, the committee believes that it would be a mistake to allow the need for a large number of junior officers to force a general lowering of the Military Academy standards.

It has never been the policy of the Government to draw its officers exclusively from the Military Academy. Indeed, it is doubtful whether such a policy would be desirable. The opportunity offered to enlisted men and to graduates of other institutions to gain commissions has been an inspiration to many and has resulted in the addition of a large number of efficient officers to the Army. By the existing policy, however, in which the Military Academy graduates form only a part of the officers, the necessity for the high quality of its graduates is accentuated, as it should be their province to set the standards of professional training and character for the whole Army. Any plan, then, which would result in lowering the standards of the Military Academy graduates would react injuriously on the Army as a whole.

4. The importance of this emphasis upon quality is revealed by the experience of the war which has just ceased: The enormous expansion of the Army, involving complicated duties of organized equipment, transportation, supply, training, and leadership, required a large number of general officers of ability. For the supply of such officers the Government naturally and rightly looked first to the graduates of the Military Academy. From such graduates of 30 or more years of service the Government selected most of its general officers.

5. In support of the statement just made, the following statistics are given from the best information available:

Class.	Number in active service.	General officers.	Percentage.
1880	13	9	69.2
1881	19	13	68.4
1882	11	10	90.9
1883	22	16	72.7
1884	20	15	75.0
1885	13	11	84.6
1886	36	25	69.4
1887	36	26	72.2
1888	26	23	88.5
1889	28	14	50.0
1890	35	22	62.9
1891	40	17	42.5
1892	43	12	27.9

The average percentage appointed general officers from the classes of 1880 to 1888, inclusive, is 76.8.

6. From the facts cited in paragraphs 4 and 5, it is evident that in attempting to fulfill its immediate functions the Military Academy is also training the material for future general officers in times of crisis and capable in the meanwhile of maintaining a high standard of professional efficiency in the Regular Army. If the graduation requirements are lowered to a point where the fundamental education and training are an insufficient foundation upon which to build, then the graduates of the Military Academy will no longer be able to qualify themselves for the positions they must fill in peace and war. The emphasis in the past upon quality rather than quantity and the present urgent recommendation of the committee that this emphasis be maintained in the future are thus justified.

7. The course of study at the Military Academy has been mathematical and scientific, and it should continue so. The military profession is scientific and technical in character, far more so than formerly and certainly to become increasingly so in the future. The committee thinks that the profession of an officer in our Army is more likely to demand men of character and logical power than simply men of information and knowledge; the committee is convinced that the power and habit of clear, exact, and logical thought engendered by the proper study of mathematics and in the application of mathematical principles and processes to mechanics, engineering, electricity, ordnance, and other practical sciences are the assets that can be provided our graduates, and the academy should supply them. The work of the graduates in this war, as in our past wars, has proved that the character of the course of study is essentially sound. The system has been adequately tested, and it has stood the tests. Graduates from all parts of the classes have shown their ability to develop the professional knowledge required, even though such development after graduation from the academy has been allowed to be largely individual and voluntary. No radical change in the system of the Military Academy should be made. Preserving the present character, the course should be developed and improved in every way possible. Such development and improvement the various heads of the departments are continually striving to introduce.

8. The criticism that a course of mathematical and scientific character contains subject matter not apparently of direct application in this or that branch of the service is answered by the fact that the Military Academy is not training or educating officers for only a particular branch of the service, nor does it claim to prepare a finished product in any branch of the service. It is giving a sound basis of education, which by proper effort upon the part of a young officer can be readily expanded to meet any other minor scientific activities of the service; of such activities there always have been and must continue to be a large number in the hands of line officers. This basic education is also the foundation upon which any officer may safely build in preparing himself for the duties and responsibilities of higher command. The value of the Military Academy to the country is being judged to-day in large part by the work of its graduates of 30 or more years ago; not upon what was actually taught them as cadets, but upon the adequacy of their mental training and character, as a foundation for their later development.

9. If the character of the course of study is to remain essentially mathematical, and the course itself is to remain essentially scientific and technical, as the committee believes they should, then no material change should be made in the relative times devoted to the scientific and to cultural subjects. The course is now all that the average cadet can carry, and any increase in one subject can only be accomplished by a corresponding decrease in some other. The mathematical and scientific subjects constitute a logical and continuous development, of which no step can be omitted. Any increase of the cultural subjects would necessitate the omission of some of the scientific subjects, a change which, in the opinion of the committee, would do a great deal more harm than good.

10. If the course of study at the Military Academy is to be shortened to three years, it can be done in one of three ways:

(a) By a complete change in the whole character of the course.

(b) By cutting off a year at the end of the present course.

(c) By cutting off a year at the beginning of the present course.

11. If plan (a) is advocated, it must be with a view to the substitution, in a shortened course, of some cultural subjects for the mathematical and scientific subjects. In considering this plan it should be remembered that the military profession is more closely akin to the various branches of the engineering profession than to any other. For many years the Military Academy was the leading technological and scientific school of the country, graduating men who led in all the engineering activities of our country at the same time that it was sending forth such soldiers as Grant and Lee, Sherman and Joseph E. Johnston, George H. Thomas and Stonewall Jackson, and others. The importance and technical nature of the duties of our Engineer officers is well known, but the great variety of minor engineering activities that are often required of line officers is not generally known.

The duties of line officers in our Army are more varied and more comprehensive than in any other military service in the world; these are constantly detailed to duties requiring technical knowledge. The quartermasters of our service are, very many of them, line officers detailed to that duty; they build posts, quarters, and all the various utilities which pertain to posts, with all their mechanical accessories, and keep the same in constant repair. Then, too, owing to the smallness of our Engineer Corps and the fact of the great amount of civil work imposed upon it, line officers frequently have to perform the duties of engineers.

In field operations in time of war with our small Engineer Corps it is increasingly essential that many line officers should be capable of performing the duties of field engineers and be able to construct various forms of emergency bridges, field work, build roads, repair railways and telegraphs, erect temporary structures—in short, to meet the requirements of temporary exigency. In addition to this it is of the first importance that line officers should be able to conduct military topographical surveys and reconnoissances and prepare field maps. It is a matter of record that our line officers in recent years, as well as formerly, have performed every variety of scientific duty above enumerated and others not mentioned.

In this connection it is deemed hardly necessary to mention, but it should not be forgotten, that the technical nature of all the material appliances of war is far greater than ever before, and this applies to means of transport as well as to all weapons of combat, on land and in the air; if our officers are to be more than skilled craftsmen in the technical duties of the service, their mathematical and scientific attainments can not possibly be diminished.

The committee is convinced that for the purely practical purpose of being able to perform intelligently the duties likely to devolve upon graduates, as well as for the reasons given in paragraph 7, the course at the academy must be scientific rather than cultural. No engineering school would think of substituting cultural for necessary scientific studies.

Were this school being inaugurated for the first time, some of the issues here presented would lack the test of experience; but West Point has been tested by the varied exigencies of a century of national growth. From the beginning of the last century to the close of the present war in every important activity of the Nation's life the influence of its graduates has been felt and universally recognized, at critical times often directing and exerting a decisive influence. A full discussion of this subject can not be here undertaken, but the overwhelming evidence as to the efficiency of the academy's work shows that it is not the result of accident or chance; the worth of its individuality has been proven beyond a doubt. That committee is convinced that any experiment would be unwise which would disintegrate or materially modify the influences which result from the character and scope of its curriculum, its discipline, its traditions, and its admirable system of instruction, upon all of which depend the results of the academy's work.

12. If plan (b) is to be followed, the subjects covered during the last year of the present four-year course, including law, Spanish, ordnance and gunnery, and civil and military engineering (covering fortifications, army organization, and military history) will have to be omitted. These subjects can not be added to those taught in the earlier years of the course, for the work of those years is already as heavy as the average cadet can bear. Certain of these subjects, too, as ordnance and gunnery and civil engineering, rest upon the previous courses of study and can not be properly taught until the completion of those courses. All of these subjects except Spanish are essentially military, and their entire omission in the education of an officer would be inconceivable.

13. It may be suggested by some that these subjects of the last year of the Military Academy course can be taught in the service schools. The committee fails to see any advantage in such a system. The necessary plant is already available at the Military Academy; the students are under full control; their pay is that of cadets; the training and teaching staffs are already organized and efficient. The change of system would require the organization of new departments in the service schools, entailing a waste of effort by duplication, the supply of considerable equipment at large expense, and the payment of the students on the status of officers instead of that of cadets.

14. Under plan (c) the Military Academy course would be shortened to three years by increasing the entrance requirements to cover one year's work. The entrance requirements would then include algebra (complete), plane and solid geometry, plane trigonometry, English grammar, English composition and literature, history, geography, and beginners' French. Inasmuch as successful mastery of the advanced courses in the academy depends upon the thoroughness of instruction in the fundamental branches, the only proper test for entrance to such three-year course would be by examination. The only way by which qualified candidates can be secured in the various sections of the country for such a course is by State-wide competitive examinations.

Under the conditions thus set forth, namely, admission by State-wide competitive examinations covering algebra (complete), plane and solid geometry, plane trigonometry, English grammar, English composition and literature, history, geography, and beginners' French, the general committee could and would approve a three-year course, and believes that the academy could continue to graduate men well qualified for later development. These conditions are the only conditions upon which the general committee believes that it would be justified in recommending that a three-year course be established.

15. If the three-year course under the conditions indicated in paragraph 14 be considered desirable, certain practical difficulties must be faced and solved before attempting to put it into effect. If these difficulties do not permit of solution, the committee believes that the attempt to introduce a three-year course should be abandoned. These difficulties are as follows:

(a) Enlisted men would be no longer able to qualify. Even with the present requirements, very few enlisted men qualify; with increased requirements probably none could do so without extensive furloughs for special preparation.

(b) The entrance requirements would lose touch with the public free-school system, for few public schools cover thoroughly all the subjects in the proposed entrance requirements.

(c) Few of the most desirable class of young men would present themselves for examination. The class of young men who by their college work would be considered most desirable would normally have progressed so far toward completing their education for business or profession that they would not care to exchange their college for the Military Academy. Experience has shown that under peace conditions few young men leave college to enter the Military Academy; in the absence of compulsory military service no greater number is to be expected as a result of increased entrance requirements.

16. The question of the length of the course of study is thus seen to be dependent upon the question of whether there is any widespread desire on the part of young men of good scholastic ability to come to the Military Academy. The evidence presented by the many failures on the present entrance examinations and by the general character of the certificate now submitted for admission indicates that there is not. It seems probable that a substantial increase in the entrance requirements would bar much of the material now seeking admission, and the committee sees no reason to believe that any higher class of material would present itself if the requirements were raised.

The general committee believes that the difficulties mentioned in paragraph 15 are insurmountable.

17. If the War Department agrees with the committee in believing the difficulties involved in increasing the entrance requirements to be insurmountable, the committee is thoroughly convinced that the existing four-year course of a scientific and technical character should be followed in its essentials in the future. This present system is very desirable. The full period of the collegiate education is covered here, so that thoroughness can be required at all stages. It places the cadet under full control before he has developed beyond the impressionable stage in the majority of cases, so that the military discipline, physical training, and moral influences of the academy have their maximum effect.

18. In determining the length of the course at the Military Academy little weight should be given to any arguments based upon the lengths of the courses at foreign military schools. Compulsory military service enables entrance standards to be set at discretion and the material to be chosen with care. The Military Academy must continue to offer a collegiate education and be satisfied with the character of material attracted.

19. The committee does not feel justified in submitting at this time any recommendation based upon the relation of the Military Academy to the post-graduate schools. All of these schools are now closed, so far as their regular work is concerned, and the committee assumes that modifications of the former courses will be desirable as a result of the experience in this war. The committee believes that there should be thorough coordination of the work of the post-graduate schools with that of the Military Academy and to that end recommends that, as soon as conditions clear up enough to give some definite idea of what the future is to be, a board be appointed, on which the Military Academy and all branches of the service shall be represented, to formulate a general plan for the educational system of the Army. The members of this board should be officers of rank and experience. The system of education, while taking care of the immediate needs of each branch of the service, should also provide for the broader development of officers with a view to their general usefulness in high command. The committee hopes that in the system adopted, which must primarily take into account the needs of the multitude of officers who are nongraduates, a way may be found to provide for the continuous development of the graduates of the Military Academy.

20. In conclusion the general committee desires to call attention to the fact that continual modifications in the curriculum are being made as the necessity of adjusting the course to changed conditions becomes evident. The committee has at no time regarded the course as fixed and rigid. As examples of such modifications in very recent years the following may be mentioned: (a) Establishment of the department of military hygiene; (b) formation of the department of English and history; (c) development of practical shopwork in ordnance and gunnery; (d) reorganization of the instruction in drawing and military sketching; (e) changes in the department of chemistry, involving the omission of mineralogy and geology, the expansion of the work in electricity, and the preparation of a course in the principles of internal-combustion engines; (f) changes in the department of philosophy, involving the curtailment of work in astronomy, the introduction of fundamental instruction in physics, and the further development of the course of mechanics, including the mechanics of flight; (g) the temporary omission of Spanish and substitution of a longer course in French to meet the war emergency; (h) introduction of a supplementary course in minor tactics. The general committee earnestly desires that it should be recognized that the departments at the Military Academy are endeavoring constantly to adapt their work to the best interests of the service and the country.

[First indorsement.]

HEADQUARTERS UNITED STATES MILITARY ACADEMY,
West Point, N. Y., December 13, 1918.

TO THE ADJUTANT GENERAL OF THE ARMY,
War Department, Washington, D. C.:

1. This report is approved by the academic board and fully concurred in by the superintendent in reference to letter from The Adjutant General of the Army, November 16, 1918. (351.1.)

(Signed) S. E. TILLMAN,
Colonel, United States Army, Superintendent.

I also wish to include in my remarks an extract from the annual report of the Superintendent of the Military Academy for the year 1919:

EXTRACT FROM ANNUAL REPORT OF THE SUPERINTENDENT OF THE UNITED STATES MILITARY ACADEMY.

HEADQUARTERS UNITED STATES MILITARY ACADEMY,
West Point, N. Y., June 12, 1919.

From: The Superintendent, United States Military Academy.
To: The Adjutant General of the Army.
Subject: Annual Report of the Superintendent, United States Military Academy.

1. The last annual report of the superintendent was dated November 15, 1918, and contained the more important and essential facts connected with the administration of the academy during the previous academic year and up to that date. As therein stated, efforts at that time were being made to fill existing vacancies in the corps of cadets to the full accommodating capacity of the institution. Owing to the early graduation of three classes in 1918, the last two (second and third) on November 1, there was left on November 2 only the fourth class, the class that entered in June of that year, containing 425 members. The total number of appointees after the early graduations of November 1 was 337. These appointees were admitted without the usual mental tests and with the expectation and promise that they would be graduated the following June after having taken a greatly modified course of instruction at the academy. Owing to the termination of hostilities on November 11, the third class, consisting of 280 members, which had gone out on November 1, was returned to the academy on December 1, to remain under instruction until June of this year; this class returned to the academy on December 1 as commissioned officers unassigned. Concomitantly with the return of the third class to the academy and with the decision made as to its final departure, it was directed by the War Department that the courses of study and the exercises, arranged with the view of graduating the class which entered in June, 1918, in June, 1920, and the class which entered in November, 1918, in June, 1921. In accordance with the above indicated instructions the class of student officers (academy third class) left the academy a second time on June 11, receiving modified diplomas testifying to their accomplishments at the academy. The other two classes which entered (one in June and the other in November, 1918) are being given greatly modified and abridged courses, with the view of graduating them in June, 1920 and 1921, respectively.

After the above stated decision was made in December last with regard to the dates of graduation of the two cadet classes then in the academy, and also because of the termination of hostilities, an unusual number of resignations were tendered by the members of these classes, 24 resigning from the class admitted in June and 85 from that entering after November 1. In the case of the cadets who were admitted after November 1 no examinations were held until the following March. Due to the fact that these appointees were suddenly selected, allowed practically no time for preparation of any sort, admitted without the usual mental tests, and then obliged to undertake at the same time rather intensive training in both academic studies and military exercises, many of them failed to meet the reasonable requirements set at this March examination. At this March examination 73 of this class failed to reach the required standard. Many of the resignations, too, tendered by this class were due to the conclusion of the men that they were not prepared to master the course. The other cadet class which had been admitted in June also labored under serious disadvantages owing to the excitement attending changes in dates successively fixed for their graduation and the necessary modifications of their work accompanying these changes. After the June examinations, and at the time of my relief as superintendent, there remained in the June class 288 cadets and in the November class 139 cadets.

From the foregoing statement of the academic situations between September 1, 1918, and June 12, 1919, it is evident that the instruction was carried on under most unfavorable conditions. These conditions involved not only the disruption of the courses of study, but included frequent reliefs in the personnel of instructors, as well as their transfer from one department to another, thus requiring of them work for which they had little time for advanced preparation. The heads of departments met these most unusual and unsatisfactory conditions with the most zealous and praiseworthy efforts, and both they and their instructors deserve the highest commendations for entirely unselfish though sometimes unsatisfactory labor in trying to accomplish the best results and the highest benefit for the classes.

As soon as the armistice indicated a termination of hostilities the academic board began the consideration of ways and means to return the academy to more normal and, if possible, more satisfactory conditions, due consideration being had for the lessons of the war. A fully considered and carefully prepared report by the academic board, discussing the relative advantages and disadvantages of three and four year courses, was submitted to the War Department on December 13, 1918, with recommendations thereon. The recommendations of the board were not adopted, and on May 12, 1919, an order was issued by the War Department prescribing "that the course of instruction at the Military Academy be fixed for three years," and the superintendent was directed to have the academic board submit as soon as possible a revised course of study to embrace three years. The program for the new course of three years had not been completed at the time of my relief, June 12.

In submitting this my final report as superintendent of the academy and probably taking my last official action with reference to the institution after being connected with it for more than one-third of its existence, and at the end of the most unusual and eventful year in its history, and at the beginning of a new academic policy, if not desirable, it is certainly permissible to include a brief reference to the purposes, methods, and accomplishments of the academy up to the present time; for it may be safely assumed that the characteristics which have carried an institution through an unbroken existence of 117 years are worthy of record and also of consideration in connection with any similar purposes that may be attempted elsewhere, such as determining the principles which insure the best results in education, general or special.

The claims upon which the academy's honor and distinction rest must of necessity be curtailed to the extreme limit in this report.

The purpose of the Military Academy, stated in the briefest possible terms, has been training and development rather than education alone, by acquisition of knowledge, however varied; training and development of the natural faculties to the fullest extent through concentration of effort and thoroughness in accomplishment, at the same time requiring and engendering obedience and subordination to proper authority, thus molding character through consistent, thorough discipline, both mental and physical; the end hoped for being men of character and power rather than merely men of knowledge and information, as desirable as these latter possessions are admitted to be.

Washington, in the last letter that he wrote, says that he "ever" considered the establishment of a military academy as of "primary importance to this country, and while I was in the chair of the Government I omitted no proper opportunity of recommending it," etc. Washington favored West Point as the most appropriate site for such an institution, and as early as 1780 and 1781 he was instrumental in having military instruction given at this place. The Military Academy became the successor of this beginning; it was instituted and has continued for the purpose of educating professional soldiers and it is accordingly fitting that brief reference be made first to its record in this respect. Whether the accomplishments of the Military Academy support and justify fully its limited purposes and methods might rest entirely upon the records and achievements of graduates in military activities alone, but to all who agree with those able men who shaped and continued the West Point policy, viz, that the main and superior object of all education is training, discipline, and development rather than the simple acquisition of knowledge, the success of the academy's graduates in other than military lines may be also appropriately included in viewing the academy's returns to the country and the success of its methods.

Although the academy was founded in 1802, it did not take final, definite form until 1817; until this latter date it was without consistent and well-defined courses of study and at the beginning of the War of 1812 only 65 of its graduates were in service. A number of these young men did excellent and invaluable work in the construction of defensive works at important seaports and won for themselves great distinction at the time. For such works, on the defenses of New York, West Point's very first graduate was voted "a benefactor of the city of New York" and his portrait placed in the city hall. This same first graduate performed many duties of great importance. Of another one of those early graduates Gen. Scott said: "That, in my opinion, and perhaps in that of all the Army, he combined more genius and military science with high courage than any other officer who participated in the War of 1812," a most extraordinary and gratifying compliment. Still another of those early graduates who was engaged in this work became two years afterwards, in 1817, the great superintendent and father of the academy, Gen. Thayer. Equal distinction and recognition came to many others of these early graduates, and of those serving in the field one-fourth were killed or wounded.

The experiences of the War of 1812 were not without instruction to the Nation, and the Military Academy thereafter received more considerate treatment. Almost from the beginning of his administration as superintendent, Gen. Thayer had for several years the earnest and enlightened support of John C. Calhoun, the Secretary of War, and in a short time the framework of the academic system which has prevailed for over a century was firmly established.

At the breaking out of the Mexican War in 1846 there were slightly above 500 graduates of the academy in the service, and nearly an equal number in civil life, many of whom tendered their services to the War Department. With the exception of possessing a greater number of educated officers, the country was no better prepared for war in 1846 than it was in 1812, but in comparing the operations and results of the two wars the effects of the West Point education were unmistakable.

Very nearly three-fourths of the line officers in the Army at the opening of this war were graduates and nearly all of the officers of the staff corps. The brilliancy of the campaigns which brought this war to an early and victorious termination testifies to the perfection with which the operations were planned and carried out, and therefore to the skill of the regimental officers as well as to the soldierly ability of the commanding generals.

In addition to this evidence we have the direct and positive assertions of the then Secretary of War and of Gens. Scott and Taylor and other commanders that our "unexampled career of success" in this war was contributed to in an eminent degree by the graduates of the Military Academy.

As is well known, Gen. Scott, many years after the war, after abundant time for reflection, gave it as his fixed opinion "that but for the graduates of West Point the war between the United States and Mexico might, and probably would, have lasted four or five years, within its first half more defeats than victories falling to our share, whereas in less than two campaigns we conquered a great country and a peace without the loss of a single battle or skirmish."

The instances of gallantry, of professional skill and technical ability displayed by graduates in this war were entirely too numerous for special reference, but it is well known that the Mexican War gave the Military Academy a great reputation. In this war over one-fourth of the graduates in the service were killed or wounded.

Fourteen years after the close of the Mexican War there opened the greatest war in the world's history up to that time. Up to that date there existed no retirement list for officers of the Army and the senior ranking officers of the Army were not removed from the active list for age or incapacity. Partly due to this fact and to others not pertinent to mention here, and notwithstanding the brilliant record of the graduates in the Mexican War, notwithstanding the commendation that had been bestowed upon the academy graduates, nothwithstanding the continual growth of the academy in public favor up to the beginning of our Civil War, only one graduate of the Military Academy had been appointed to the full grade of brigadier general in the line and that one declined the appointment.

At the opening of this war, like all of our country's wars, military requirements were obliged to make compromises with political considerations, but within a year the magnitude of the struggle which had begun was recognized and such compromises were largely avoided or made as innocuous to military success as possible. Bearing the facts and the necessity just mentioned in mind, it will sufficiently demonstrate the part played by graduates in this great war to state a few of the striking results brought out thereby.

While there was not a single graduate of the grade of general officer in the line of the Army in January, 1861, in January, 1865, the names of graduates alone appear on this list. This position had been made the reward for successful command in the field.

"Every important battle of the war was commanded on one or both sides by graduates, generally both." "In a list of 60 of the more important battles and campaigns all but 5 were commanded on both sides by graduates. Of the five exceptions, the Army on the one side was commanded by a graduate, and in four of these exceptions he was victorious." At the end of the war all the armies on both sides were commanded by graduates, nearly all of the corps and a majority of the divisions and staff corps and supply organizations as well as many of the brigades.

Of the graduates in service on the Federal side one-third reached the general's grade and over one-half on the Confederate side. Those graduates in service on both sides who did not receive the general's star were performing services indispensable to their armies. One-third of all West Point graduates in the war were either killed or wounded.

The great national and international military distinction made by many of the graduates in this war greatly increased the prestige of West Point and made world wide its reputation, and at the same time justified the academic and military methods of the institution.

It was more than 30 years after the close of the Civil War when the Spanish War broke out, followed by the Philippine insurrection and the invasion of China. During these troubles the principal commands were held by nongraduates who were then in the senior position in the Regular Army. The graduates of the academy were subordinate commanders, and everywhere met the requirements of educated and skilled soldiers.

It is doubtful whether the American Army, officers and enlisted men, has ever received a higher, more eloquent, or more deserved compliment than that bestowed by the President through the Secretary of War in General Orders, No. 66, July 4, 1902, upon the service rendered by them up to that date in Cuba and the Philippines. This order should be consulted by all who would know the great achievements of the Army in those troubles.

The graduates of West Point were full participants in this service and shared in the glory and the praise so justly bestowed; they always and everywhere maintained and in many cases, too numerous to mention, added to the reputation of their alma mater.

From the early days of the Academy to near the end of the nineteenth century the Regular Army fought a pioneer war with the Indians in the Northwest, in Florida, and in the great western part of the country from the Canadian line to the borders of Mexico.

This service carried forward the borders of civilization and made possible the wonderful growth of our country. But generally it involved a life of isolation and dreary monotony, broken by periods of the most trying service and intense hardship. In this service are recorded some of the most astonishing military performances on record, involving endurance, determination, courage, and high sense of duty. For 40 years prior to the Civil War the great majority of the officers of the Regular Army were graduates and a very large proportion of them since that date, so that the graduates fully share the honors of this arduous, valuable, heroic, distinguished, and almost forgotten service.

Even in this extremely brief summary of the achievements of the academy's sons during the first century of its existence it would be inexcusable not to include some reference to the many important and distinguished services rendered by graduates in other than purely military lines. Under this heading we may place services of graduates as explorers, surveyors, builders, etc.

As is well known, West Point antedated the first technical school in this country, the Rensselaer Polytechnic, by 23 years, and these two institutions, as stated by President Gilman, of the Johns Hopkins, "were the only established places in this country for good technical instruction so late as 1847," when the Sheffield Scientific School was established. In considering the honors due the academy and in reckoning the achievements of our technically educated graduates we should not forget the profound influence of the academy as an example nor the great influence of our graduates as teachers in many institutions which followed the academy, besides their services now about to be mentioned.

As early as 1820 there were commenced explorations of the country previously unknown between the Mississippi and the Pacific Ocean, which explorations were continued almost uninterruptedly until the first transpacific railroad was finished in 1868. Engaged upon these explorations and services were scores and scores of graduates of the academy. Space does not permit the enumeration of these men by name. The graduates of the academy for the larger portion of this time possessed a monopoly of the knowledge necessary for these purposes. As has been truthfully stated, a modern railroad map of the West shows that graduates "blazed the way for the locomotive." In fact, nine-tenths of the recorded geographic knowledge of the great West prior to 1870 was due to the work of the Army, almost entirely performed or directed by graduates.

In the great international boundary surveys, the surveys of the Great Lakes, the latter being one of the most refined geodetic surveys of the world, graduates bore the responsibility and were the principal participants in the work.

Likewise, a graduate of the academy in 1843 was called upon to reorganize the important coast survey and was its distinguished head for 24 years. At his death the Secretary of the Treasury wrote: "No man within the present generation was more widely known in the practical walks of science * * * and his work has won the approbation of the leading learned bodies of the world, among whom his name has long been held in honor." This graduate made the survey one of the most renowned of the world.

Besides the surveys just mentioned, many other less accurate surveys were conducted by Army officers, covering large areas of territory in the West, to the great benefit of the people and Government. In 1878 the Chief of Engineers, writing to the Secretary of War, truthfully referred to these surveys in the following words: "Refined methods of topographical surveys were first used in the United States by Army officers in the performance of their varied duties; they were among the first to apply the refined methods of geodetic surveys; that from the time the Government had territories to explore, the exploration has been made mainly by them; that a large portion of the information contained in all the maps of the United States west of the Mississippi is due to their labors."

Besides the work above specified, the Government actually loaned the graduates of the academy for many other classes of work. In the construction of the first railroad in America, the Baltimore & Ohio, eight graduates of the academy were employed. Graduates of the academy were the chief engineers of at least a dozen of the earlier railroads in the eastern United States. One of them planned the Chesapeake & Ohio Canal and was president of the company. Another graduate in 1842 became the consulting engineer of the Russian Government, planned and equipped the Moscow & St. Petersburg Railroad, and was consulting engineer of the Neva Bridge.

The first railroad in Cuba and also the first in Mexico were built by graduates; several graduates were employed in completing the Panama Railroad. In the planning and operation of nearly all the railroads east of the Mississippi the services of graduates were largely employed.

Similarly in municipal engineering, especially in providing cities with water, in constructing public buildings, parks, and docks the services of graduates have been widely made use of, to the benefit of the country and distinction of the officers.

As an illustration we might note their services in connection with the Croton water supply of New York, Philadelphia water department, the supply of Washington City, the hygienic works in Memphis, in Cuba, and many other places. Many public structures, such as the Washington Monument, the Dome of the Capitol, and a large number of famous lighthouses testify to the competency of the graduates. The vast extent and the almost inestimable value to the country of the river and harbor works of the graduates can be only barely alluded to.

In strictly civil pursuits 20 per cent of the graduates who left the Army for civil life have attained what might be called distinction. Among this number may be cited 2 Presidents, 3 presidential and 2 vice presidential candidates, 4 members of the Cabinet of the United States, 1 ambassador, 14 ministers plenipotentiary, 12 consuls general and consuls, 24 Members of Congress, 17 governors of States and Territories, 46 presidents of colleges and universities, 14 regents and chancellors, and 87 presidents of railroads and corporations.

Two graduates achieved great distinction as practical astronomers, each having charge of the largest telescope of his time; 2 others became noted geologists, 3 distinguished physicians, and 6 distinguished clergymen, 1 a bishop in the Episcopal Church.

The graduates of the academy have contributed a variety of textbooks to the colleges and schools of the country, many of which met with wide use. While the West Point curriculum was never intended to develop literary production it can be confidently claimed that the writings of graduates, from the autobiographies of Grant and Sherman to the reports of our graduates on the late war, all possess the characteristics of good English in their brevity, directness, and lucidity.

A great American bibliographer has said that though our graduates are not trained as writers, "yet in the latter capacities they have left a mark upon the nineteenth century highly honorable to their alma mater and themselves." As he states, during the first century of the academy's life 4,120 men had graduated, and an incomplete bibliography of their writings shows 16,000 titles. Three graduates between 1865 and 1870 in unoccupied moments have, with considerable success, entered the field of fiction. Some of these productions have reached the highest standard of good literature.

It is not inappropriate here to refer to an investigation of the subject of the value of college education as a factor of success in life by Dr. J. H. Finley, then president of the College of New York City. He prepared a table giving the percentage of success for the total number of graduates from several institutions through various periods. His list contained 18 of our leading universities and colleges as well as West Point and Annapolis. The estimate for West Point and Annapolis covered the last 50 years of the nineteenth century. His analysis gave West Point the highest percentage of success. While recognizing that this conclusion must of necessity involve some uncertain assumptions, yet as it is the conclusion of an able and unprejudiced investigator, based upon the best available means of comparison, it may well be claimed as an honorable distinction for West Point.

This mere skeleton outline, which suggests only in very small part the full results that have followed from the academy's teaching during the first century of its existence, is thought fully to justify the great reputation of the academy as well as strongly to support the theory of education here adopted and the methods pursued in accordance therewith.

We may add much to this convincing record to append here the conclusion of that alert, observing, able, widely experienced statesman, Theodore Roosevelt, with regard to the academy at the centennial celebration of the academy in 1902. He said: "This institution has completed its first 100 years of life. During that century no other educational institution in the land has contributed as many names as West Point has contributed to the honor roll of the Nation's greatest citizens. * * * I claim to be a historian, and I speak simply in the spirit of one, simply as a reciter of facts, when I say what I have said. And, more than that, not merely has West Point contributed a greater number of the men who stand highest on the Nation's honor roll, but I think beyond question that, taken as a whole, the average graduate of West Point during this 100 years has given a greater sum of service to the country through his life than has the average graduate of any other institution in this broad land."

Since this opinion was passed on West Point's work 17 years have elapsed; there have been slight military troubles in Cuba and in the Philippines, more serious ones in Mexico. These have all been met and disposed of by the Army, and the latter one with the assistance of the National Guard, in the most creditable manner, with barely one or two exceptional instances. During this interval, too, the work of Army officers other than strictly military has been continued as in the last century: indeed, the civil duties of Army officers have been more numerous and varied than ever before. They have served with great credit to themselves and honor to the country as governors of Provinces, mayors of cities, superintendents of education, collectors of revenues, civil engineers, and in many other capacities. The river and harbor works have been continued. The interval, too, includes one of the greatest and most successful pieces of engineering construction in the history of the world, which was almost from its beginning conducted and carried to completion by Army officers—the Panama Canal.

Finally, the World War came, and our country has had an experience the like of which has never before been known in its history. The Regular Army, and the academy graduates in particular, are said to have had their way to the fullest extent in this great crisis. This is not strictly true, but they were, in the main, the directing forces in the great undertaking and readjustment by which it was attempted to convert 4,000,000 of civilians into soldiers, and this without preliminary preparation for the great undertaking. For the lack of such preparation as could have been made before the war neither the graduates nor the Army are responsible. Neither are they responsible for the fact that the Regular officers were not numerous enough to do thoroughly what they often saw was desirable and necessary under conditions for which they were not responsible.

An attempt quickly to convert a one-room railway station into the New York Grand Central Terminal without preliminary preparation, without abundant material and a large personnel would certainly result in confusion, loss of luggage, and production of ill temper.

But notwithstanding all the defects of haste, lack of early preparation, lack of personnel, and, in some cases, lack of competency, the great undertaking—the greatest of its kind in the world's history—was accomplished with creditable success; this can not be denied, and was fully demonstrated by our part in bringing the great war to a victorious conclusion.

It is impossible to conceive what would have happened had there been no graduates of the academy, no Regular Army officers, in the spring of 1917. If these officers are to be blamed and criticized for the friction, the loose wheels and the broken cogs in the war machine, they should also have the credit for the marvels accomplished in spite of the defects, which accomplishments many think are equal to or greater than any in our previous history.

Viewing the great war in the light of all the conditions, we may justly claim that our graduates have been true to the spirit of West Point and its motto, "Duty, Honor, Country," and we may properly add thereto, sacrifice, for at present the indications are that a greater proportion of the graduates of the academy have made the supreme sacrifice than any other class of officers engaged in the Great War.

At the close of the nineteenth century Dr. E. S. Holden, one of the ablest graduates of the academy, and greatly distinguished in many directions, after editing and preparing for publication the records of all graduates up to that time, wrote as follows: "These records prove in a most convincing way the splendid efficiency of the United States Military Academy as a training school for the American Army and demonstrate that the principles upon which it has been conducted are sound and sufficient and that for a period of nearly 100 years they have been carried out by competent and faithful hands. The country at large may well be proud of the records here presented, and no graduate can fail to feel a new pride in and gratitude to his alma mater in perusing them."

With full and accurate knowledge of the academy's work and of the achievements of its graduates during the 20 years that have elapsed since the above was written, there is no shadow of doubt that the conclusions of Dr. Holden apply with equal fitness at the present time. West Point has proved itself of incalculable value to the country, and its alumni may well be proud of its glorious record.

ADJOURNMENT.

Mr. MORIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes p. m.) the House adjourned until Wednesday, February 18, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Acting Chief of Engineers, report on preliminary examination and survey of Braden River, Manatee County, Fla.; to the Committee on Rivers and Harbors.

2. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Illinois River, Ill., from Ottawa to Utica; to the Committee on Rivers and Harbors.

3. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Coquille River, Oreg., from Myrtle Point to Coquille; to the Committee on Rivers and Harbors.

4. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Boston Harbor, Mass., with a view to the construction of an entrance channel through Short Beach, between Winthrop and Revere, connecting Broad Sound with the Charleston Navy Yard by way of Chelsea River; also with a view to the construction of a connecting ship channel from the proposed new entrance at Short Beach to South Boston; to the Committee on Rivers and Harbors.

5. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination and survey of Mamaroneck Harbor, N. Y. (H. Doc. No. 651); to the Committee on Rivers and Harbors and ordered to be printed.

6. A letter from the Secretary of War, transmitting reports descriptive of water terminals and transfer facilities in harbors and waterways under jurisdiction or being maintained by the United States, and explaining that a further report of investigations now in progress by the Board of Engineers for Rivers and Harbors (general subject of water terminals) will be transmitted at a later date (H. Doc. No. 652); to the Committee on Rivers and Harbors and ordered to be printed.

7. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examinations and survey of New York and New Jersey channels, with a view to securing a ship channel of increased width and depth necessary for the purposes of commerce from lower New York Bay, through Raritan Bay, Arthur Kill, Staten Island Sound, channel north of Shooters Island, and Kill Van Kull, to upper New York Bay (H. Doc. No. 653); to the Committee on Rivers and Harbors and ordered to be printed.

8. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examinations and survey of Pawtucket River, R. I., with a view to increasing the width of the channel through the ledge near Pawtucket (H. Doc. No. 654); to the Committee on Rivers and Harbors and ordered to be printed.

9. A letter from the Acting Secretary of Commerce, transmitting summary of reports in respect to accidents sustained or caused by barges while in tow through the open sea during the fiscal year 1919; to the Committee on the Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CHINDBLOM, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 3187) to dispose of a certain strip of public land in Waterville, Me., reported the same without amendment, accompanied by a report (No. 642), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DOUGHTON: A bill (H. R. 12578) making additional appropriations for the purpose of carrying out the Federal road-aid act approved July 11, 1916; to the Committee on Appropriations.

By Mr. DOMINICK: A bill (H. R. 12579) to divide the eastern district of South Carolina into four divisions and the western district of South Carolina into four divisions; to the Committee on the Judiciary.

By Mr. FERRIS: A bill (H. R. 12580) to authorize the city of Walters, Okla., to dispose of certain lands reserved for public purposes; to the Committee on the Public Lands.

By Mr. STEENERSON: A bill (H. R. 12581) granting the consent of Congress to the village and township of Shelly, Norman County, Minn., and the township of Caledonia, Traill County, N. Dak., to construct a bridge across the Red River of the North on the boundary line between said States; to the Committee on Interstate and Foreign Commerce.

By Mr. TILLMAN: A bill (H. R. 12582) granting additional compensation to all officers and enlisted personnel of the Army, Navy, and Marine Corps, including nurses; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: Resolution (H. Res. 465) directing the Secretary of the Interior to transmit to the House of Representatives certain information in connection with the proposed leasing of any of the lands of the Gila River Indian Reservation; to the Committee on Indian Affairs.

By Mr. BAER: Joint resolution (H. J. Res. 296) authorizing the appointment of a commission to confer with the Dominion Government or the Provincial Government of Quebec, Ontario, and New Brunswick, relative to the claims of the American interests now holding leases of Crown lands acquired prior to the passage of restrictive orders in council of the said Provinces; to the Committee on Appropriations.

By Mr. ROGERS: Memorial of the Commonwealth of Massachusetts, requesting the United States Shipping Board to cause the steamship *George Washington* to be repaired at the Charlestown Navy Yard; to the Committee on the Merchant Marine and Fisheries.

By Mr. GALLIVAN: Memorial of the Commonwealth of Massachusets, requesting the United States Shipping Board to cause the steamship *George Washington* to be repaired at the Charlestown Navy Yard; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Senate of the Commonwealth of Massachusetts, urging the President of the United States to defer the proposed sale of the ships of the German merchant fleet, and to consider the expediency of operating them under Government auspices; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 12583) granting an increase of pension to Martha McFarland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12584) granting a pension to William S. Denius; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12585) granting an increase of pension to James M. White; to the Committee on Pensions.

Also, a bill (H. R. 12586) granting a pension to John M. Eldt; to the Committee on Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 12587) granting an increase of pension to Sarah A. Willingham; to the Committee on Pensions.

By Mr. KRAUS: A bill (H. R. 12588) authorizing the payment of a claim to Toliver B. Clark; to the Committee on War Claims.

Also, a bill (H. R. 12589) granting a pension to William G. Lail; to the Committee on Pensions.

By Mr. McARTHUR: A bill (H. R. 12590) granting a pension to Robert Sweeney; to the Committee on Pensions.

By Mr. McFADDEN: A bill (H. R. 12591) granting an increase of pension to Michael Kilrow; to the Committee on Pensions.

By Mr. McPHERSON: A bill (H. R. 12592) granting an increase of pension to Rufus R. K. Hill; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 12593) for the relief of Benjamin F. Green; to the Committee on Claims.

By Mr. NICHOLS of Michigan: A bill (H. R. 12594) granting an increase of pension to Mary Jane Wilking; to the Committee on Invalid Pensions.

By Mr. OGDEN: A bill (H. R. 12595) granting a pension to Mary C. Hall; to the Committee on Pensions.

Also, a bill (H. R. 12596) granting a pension to Mary McJenkins; to the Committee on Pensions.

By Mr. RAMSEYER: A bill (H. R. 12597) granting an increase of pension to Joshua H. Ervin; to the Committee on Pensions.

By Mr. ROWAN: A bill (H. R. 12598) for the relief of the estate of Katherine O'Melia; to the Committee on War Claims.

By Mr. SMITHWICK: A bill (H. R. 12599) granting an increase of pension to Jesse Baird; to the Committee on Pensions.

Also, a bill (H. R. 12600) granting an increase of pension to James L. Henderson; to the Committee on Pensions.

Also, a bill (H. R. 12601) granting a pension to Thomas N. Collins; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 12602) granting an increase of pension to Sallie Lumpkins; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1605. By the SPEAKER: Petition of sundry citizens of Baltimore, Washington, and New York City, protesting against the sale of the former German ships, etc.; to the Committee on the Merchant Marine and Fisheries.

1606. By Mr. EMERSON: Petition of the Federal Employees' Union, in favor of increase in pay to steamboat inspectors, etc.; to the Committee on the Merchant Marine and Fisheries.

1607. By Mr. FULLER of Illinois: Petition of citizens of Rockford, Streator, La Salle, and Peru, Ill., opposing the sale of the 30 former German ships; to the Committee on the Merchant Marine and Fisheries.

1608. Also, petition of the National Association of Wholesale Druggists, relative to second-class postage rates; to the Committee on the Post Office and Post Roads.

1609. Also, petition of V. M. Johnson, general manager of the Free Sewing Machine Co., relative to pending railroad legislation, etc.; to the Committee on Interstate and Foreign Commerce.

1610. Also, petition of Duncan McDonald, president of the Illinois State Federation of Labor, opposing the Sterling-Graham sedition bills now pending; to the Committee on the Judiciary.

1611. By Mr. GALLIVAN: Petition of various citizens, opposing the sale of the former German ships, etc.; to the Committee on the Merchant Marine and Fisheries.

1612. By Mr. McGLENNON: Petition of the Men's Club of the Summit Avenue Methodist Episcopal Church, of Jersey City, N. J., relative to certain legislation; to the Committee on Military Affairs.

1613. Also, petition of the National Council of New Jersey, representing the Lithuanian population, relative to certain legislation; to the Committee on Foreign Affairs.

1614. Also, petition of the Jersey City Chamber of Commerce, relative to certain provisions in the pending railroad legislation, etc.; to the Committee on Interstate and Foreign Commerce.

1615. By Mr. O'CONNELL: Petition of National Wholesale Druggists' Association, New York City, opposing the repeal of the zone system; to the Committee on the Post Office and Post Roads.

1616. Also, petition of the Wholesale Coal Trade Association, New York City, protesting against the permit system governing the shipment of bituminous coal to tidewater ports; to the Committee on Interstate and Foreign Commerce.

1617. By Mr. RAKER: Petition of the San Francisco Chamber of Commerce, opposing the Gronna bill, relative to the wheat guaranty, etc.; to the Committee on Agriculture.

1618. Also, petition of the Commonwealth Club, of San Francisco, Calif., urging support of the appropriation for the work of stream gauging by the United States Geological Survey in California; to the Committee on Appropriations.

1619. Also, petition of the Water Front Employees' Union, of San Francisco, Calif., urging the passage of House bill 6659, etc.; to the Committee on the Post Office and Post Roads.

1620. By Mr. ROWAN: Petition of the One hundred and seventh Infantry Post, the American Legion, of New York City, urging universal military training, etc.; to the Committee on Military Affairs.

1621. Also, petition of the American Protective Tariff League, relative to certain legislation; to the Committee on Ways and Means.

1622. Also, petition of Adolph Lewisohn, of New York City, relative to lower taxes on profit and income; to the Committee on Ways and Means.

1623. Also, petition of the Three hundred and seventh Infantry Post of the American Legion, urging universal military training, etc.; to the Committee on Military Affairs.

1624. Also, petition of National Wholesale Druggists' Association, urging retention of zone postal rates; to the Committee on the Post Office and Post Roads.

1625. Also, petition of Twenty Year Club, Watervliet Arsenal, Watervliet, N. Y., favoring the Army and Navy pay bill; to the Committee on Military Affairs.

1626. Also, petition of American Association of Engineers, New York Chapter, in support of the Keating Commission; to the Committee on Reform in the Civil Service.

1627. Also, petition of American Fruit and Vegetable Shippers' Association, relating to the shipment of fruits and vegetables; to the Committee on Interstate and Foreign Commerce.

1628. Also, petition of the American Civil Liberties Union, of New York City, relative to certain editorial of the New York World of February 8, 1920; to the Committee on the Judiciary.

1629. Also, petition of the Michigan Manufacturers' Association, relative to more education and less radicalism, etc.; to the Committee on the Judiciary.

1630. Also, petition of the National Loyalty League of Springfield, Mo., relative to protection of life and property in case of riot, etc.; to the Committee on Military Affairs.

1631. Also, petition of the National Association of Tuberculosis, of New York City, relative to increase in pay for the personnel of the United States Public Health Service, etc.; to the Committee on Interstate and Foreign Commerce.

1632. Also, petition of T. C. Atkeson, representative of the National Grange, and others, relative to the views of farmers on national questions, etc.; to the Committee on Agriculture.

1633. By Mr. SINCLAIR: Petition of the Central Labor Union of Devils Lake, N. Dak., favoring Federal control of the railroads for a period of two years; to the Committee on Interstate and Foreign Commerce.

1634. Also, petition of the Central Labor Union of Devils Lake, N. Dak., opposing the passage of the Sterling-Graham peace-time sedition bills; to the Committee on the Judiciary.

1635. By Mr. STINESS: Petition of employees of Providence office of the Steamboat-Inspection Service, Providence, R. I., requesting an increase of salaries for the United States Steamboat-Inspection Service employees; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, *February 18, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, it is our privilege to call upon Thy name and to lift our hearts in reverence and in devotion to Thee. We thank Thee for the spiritual basis of life, for the great spiritual principles to which we may gather all our thought and all our plan of life, for the great spiritual forces that run through the current of human life and thought, making for the advancement of human civilization and the establishment of justice and peace among men. Grant us to-day those spiritual principles and forces that will keep us close to the thought of God. For Christ's sake. Amen.

On request of Mr. CURTIS and by unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Frelinghuysen	McLean	Smith, Md.
Beckham	Gay	McNary	Smoot
Borah	Hale	Moses	Spencer
Brandegee	Harris	Myers	Stanley
Calder	Harrison	Nelson	Sterling
Capper	Henderson	New	Sutherland
Chamberlain	Hitchcock	Nugent	Thomas
Colt	Johnson, S. Dak.	Page	Townsend
Culberson	Jones, N. Mex.	Phipps	Trammell
Curtis	Jones, Wash.	Pittman	Walsh, Mont.
Dial	Kellogg	Poindexter	Warren
Dillingham	Kenyon	Pomerene	Watson
Elkins	King	Ransdell	Williams
Fernald	Kirby	Sheppard	Wolcott
Fletcher	Knox	Sherman	
France	McKellar	Smith, Ga.	

Mr. DIAL. I wish to announce that my colleague [Mr. SMITH of South Carolina] is detained by illness. I ask that this announcement may continue for the day.

Mr. HARRISON. I desire to announce that the Senator from North Dakota [Mr. GRONNA] and the Senator from Wyoming [Mr. KENDRICK] are absent at a meeting of the Agricultural Committee.

Mr. CURTIS. I have been requested to announce the absence of the Senator from New Jersey [Mr. EDGE] on business of the Senate.

I wish also to announce that the Senator from Wisconsin [Mr. LENROOT] is detained from the Senate by illness.

Mr. MCKELLAR. The Senator from Virginia [Mr. SWANSON] is detained by illness in his family, the Senator from Rhode Island [Mr. GERRY] is detained at home by illness, and the Senator from Missouri [Mr. REED] is necessarily absent.

The Senator from Arizona [Mr. ASHURST], the junior Senator from North Carolina [Mr. OVERMAN], the Senator from California [Mr. PHELAN], the Senator from Arkansas [Mr. ROBINSON], the Senator from Alabama [Mr. UNDERWOOD], and the senior Senator from North Carolina [Mr. SIMMONS] are absent on official business.

The VICE PRESIDENT. Sixty-two Senators have answered to the roll call. There is a quorum present.

ESTIMATE OF APPROPRIATION (S. DOC. NO. 226).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior, submitting supplemental estimate of appropriation, in the sum of $10,000, required for a new ash tank and vacuum cleaner for boilers in the power plant of the old Land Office Building, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

FLATHEAD NATION OF INDIANS.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2454) for the relief of certain members of the Flathead Nation of Indians, and for other purposes, which was, on page 2, line 11, after the word "completed," to strike out the remainder of the paragraph and insert:

Provided further, That not exceeding 40 acres of each allotment made under the provisions of this act shall be designated as a homestead which shall be inalienable and nontaxable during the minority of the allottee and thereafter until such restrictions may be removed either by Congress or the Secretary of the Interior.

Mr. CURTIS. I move that the Senate concur in the House amendment.

The motion was agreed to.

RECLAMATION PROJECTS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 796) for furnishing water supply for miscellaneous purposes in connection with reclamation projects, which were, on page 1, line 8, after the word "proper," to insert "*Provided*, That the approval of such contract by the water users' association or associations shall have first been obtained"; on page 1, line 12, to strike out "unless" and insert "if"; on page 1, line 12, to strike out "not"; and on page 2, line 2, after "appropriator," insert "*Provided further*, That the moneys derived from such contracts shall be covered into the reclamation fund and be placed to the credit of the project from which such water is supplied."

Mr. MYERS. I move that the Senate concur in the amendments of the House.

Mr. SMOOT. May I ask the Senator a question first? I have not had a chance to examine the amendments made by the House. Will the Senator in a few words explain the amendments and their effect upon the bill as passed by the Senate?

Mr. MYERS. Mr. President, I shall be pleased to do so.

One amendment strikes out the word "not" and the word "unless" and inserts the word "if" in another place. It merely changes the wording and does not alter the meaning at all. It makes the meaning a little clearer.

Another amendment provides that any moneys derived from the disposition of water under the bill shall go to the benefit of the particular reclamation project to which the water belongs, which I think is proper.

Another amendment provides that no action shall be taken under this measure, that no water shall be contracted to be supplied, unless the Secretary of the Interior shall first consult any association of water users that there may be on the particular project and get their consent.

I am quite willing to accept the amendments. I think they are all right, and I move that they be concurred in.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 12467) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. WARREN. I present a resolution adopted at the fifty-fifth annual convention of the National Wool Growers' Association, an old and live association which has been in session at Salt Lake City, Utah. It is a matter of only 10 lines, and I ask that it may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

[Resolution adopted by the fifty-fifth annual convention of the National Wool Growers' Association, held in Salt Lake City, Utah, Jan. 21, 1920.]

"Whereas the armistice has been signed for over a year, and the country is full of unrest, and there is an uncertainty in regard to the future that should be allayed as soon as possible: Therefore be it

"*Resolved by the National Wool Growers' Association*, That the Senate of the United States as soon as possible should enact into binding statute the League of Nations pact, safe-

guarding American interests to the fullest extent by all the reservations that they deem necessary to secure this result. Reservations must be so strong as to leave no doubt as to any constitutional limits. The American Constitution must be preserved in all its Americanism and for the perpetuity of the Nation. If the league can not be passed in this condition, then declare the war at an end so far as the United States is concerned."

Mr. RANSDELL. I present a petition signed by a large number of customs employees at the port of New Orleans, La., requesting to have sufficient increase made in the appropriation in order that salaries on a par with those in private employ may be paid to customs employees in particular and to all Federal employees in general. I move that the petition be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. CAPPER presented memorials of sundry citizens of Argonia and Elk City and of McPherson County, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. PHELAN presented a resolution adopted by Lodge No. 820, Brotherhood of Railway Clerks, of Stockton, Calif., favoring an increase in the salary of railroad clerks, which was referred to the Committee on Interstate Commerce.

HAWAIIAN NATIONAL PARK.

Mr. POINDEXTER. From the Committee on Pacific Islands, Porto Rico, and the Virgin Islands I report back favorably without amendment the bill (H. R. 3654) to authorize the governor of the Territory of Hawaii to acquire privately owned lands and rights of way within the boundaries of the Hawaii National Park, and I submit a report (No. 428) thereon.

I will state that in substance it is a bill which authorizes the Territory of Hawaii to acquire detached pieces of private property lying within the Hawaii National Park at the expense of the Territory of Hawaii and without expense to the United States. A favorable report from the Secretary of the Interior is attached to the report of the committee; and I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the governor of the Territory of Hawaii is hereby authorized to acquire, at the expense of the Territory of Hawaii, by exchange or otherwise, all privately owned lands lying within the boundaries of the Hawaii National Park as defined by "An act to establish a national park in the Territory of Hawaii," approved August 1, 1916, and all necessary perpetual easements and rights of way, or roadways, in fee simple, over or to said land or any part thereof.

SEC. 2. That the provisions of section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended by an act approved May 27, 1910, relating to exchanges of public lands, shall not apply in the acquisition, by exchange, of the privately owned lands herein referred to.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RAILROAD LANDS FOR ROAD OR PARK PURPOSES.

Mr. PITTMAN. On behalf of the Committee on Public Lands I report back favorably without amendment the bill (S. 3484) authorizing certain railroad companies or their successors in interest to convey for public road or park purposes certain parts of their rights of way, and I submit a report (No. 427) thereon. As I intend to ask for the present consideration of the bill, I ask to have the report read. It is very brief.

The VICE PRESIDENT. The Secretary will read.

The Reading Clerk read the report, as follows:

The Committee on Public Lands, to whom was referred the bill (S. 3484) authorizing certain railroad companies or their successors in interest to convey for public-road or park purposes certain parts of their rights of way, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

The bill was referred to the Interior Department for consideration and recommendation. The department recommends that the bill be passed. The report of the department is hereto attached and made a part of this report.

This bill is practically identical with S. 2100, introduced by Senator NORRIS, of Nebraska, on the 18th day of June, 1919, and which became a law on October 10, 1919. The only material difference in the bill under consideration and Public No. 64, Sixty-sixth Congress, is that Public No. 64 extends only to the Union Pacific Railroad Co. and its successors and assigns, whereas the bill under consideration, upon the recommendation of the Secretary of the Interior, has been extended to all railroad companies who have obtained rights of way over the public domain and who are in a similar position with relation to the public as the Union Pacific Railroad.

The Secretary of the Interior approved the character of the legislation but deemed it wise to have one act passed rather than to have the time of Congress and the department taken up with the passage of several similar acts. Public No. 64, Sixty-sixth Congress, is as follows:

[Public No. 64, Sixty-sixth Congress. S. 2100.]

An act authorizing the Union Pacific Railroad Co., or its successors, to convey for public-road purposes certain parts of its right of way.

Be it enacted, etc., That the Union Pacific Railroad Co., or any of its successors or assigns, is hereby authorized to convey to any State, county, or municipality any portion of its right of way, to be used as a public highway or street: *Provided*, That no such conveyance shall have the effect to diminish the right of way of said railroad company to a less width than 50 feet on each side of the center of the main track of the railroad as now established and maintained.

Received by the President, October 10, 1919.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States has become a law without his approval.]

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DEPARTMENT OF THE INTERIOR,
Washington, January 15, 1920.

Hon. REED SMOOT,
Chairman Committee on Public Lands,
United States Senate.

MY DEAR SENATOR: In response to your request therefor, report is made on Senate bill No. 3484 as follows:

Said bill, entitled "A bill authorizing certain railroad companies or their successors in interest to convey for public road or park purposes certain parts of their rights of way," proposes to authorize all railroad companies to which grants for rights of way through the public lands have been made by Congress, or their successors in interest or assigns, to convey to any State, county, or municipality any portion of such right of way to be used as a public highway, street, or park, provided that no conveyance shall diminish the right of way to a less width than 50 feet on each side thereof.

Bills authorizing conveyances by railroad companies for public-road purposes have been introduced into the present Congress as follows:

Senate bill No. 2100, entitled "A bill authorizing the Union Pacific Railroad Co. or its successors to convey for public-road purposes certain parts of its right of way," upon which a report was made by me July 11, 1919, recommending the enactment of a substitute bill submitted authorizing all railroad companies to make such conveyances for public-road purposes. Prior to the receipt of said report, however, said bill passed the Senate, on July 8, 1919, and subsequently passed the House of Representtives, and was submitted to the President for his signature on October 10, 1919. The bill became a law October 22, 1919, without the signature of the President, being Public Law No. 64.

Senate bill No. 3104, entitled "A bill authorizing the Central Pacific Railroad Co. of California, or its successors or assigns, to convey for public road or park purposes certain parts of its right of way," upon which a report was made by me on October 24, 1919, renewing the recommendation made in said report of July 11, 1919, that a bill of a general character be enacted.

House bill 9825, entitled "A bill authorizing any land-grant railroad company or its successors to convey for public-road purposes certain parts of its right of way," upon which a report was made by me on November 8, 1919, recommending the enactment of the substitute bill proposed in connection with said report of July 11, 1919, in the place of said House bill No. 9825.

Senate bill No. 3272, entitled "A bill authorizing any land-grant railroad company or its successors to convey for public-road purposes certain parts of its right of way," which is identical in character and language with House bill No. 9825, and upon which a report was made by me on December 2, 1919, renewing the previous recommendations as to the enactment of general legislation.

Copies of these reports of July 11, 1919; October 24, 1919; November 8, 1919; and December 2, 1919, are attached hereto.

Except for the fact that the bill now under consideration is made applicable to conveyances for park purposes, it is identical in character and language with the substitute bill proposed by me in connection with said report of July 11, 1919. I would therefore recommend its enactment.

Cordially, yours,

FRANKLIN K. LANE, *Secretary.*

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DEPARTMENT OF THE INTERIOR,
Washington, December 2, 1919.

Hon. REED SMOOT,
Chairman Committee on Public Lands,
United States Senate.

MY DEAR SENATOR: In response to your request therefor, report is made on Senate bill No. 3272, as follows:

Said bill, entitled "A bill authorizing any land-grant railroad company or its successors to convey for public-road purposes certain parts of its right of way," is identical in character and language with House bill No. 9825, upon which report was made by this department November 8, 1919, copy of which is inclosed.

The recommendation made in said report that the substitute bill referred to therein be enacted is hereby renewed.

Cordially, yours,

ALEXANDER T. VOGELSANG,
Acting Secretary.

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DEPARTMENT OF THE INTERIOR,
Washington, November 8, 1919.

Hon. N. J. SINNOTT,
Chairman Committee on Public Lands,
House of Representatives.

MY DEAR MR. SINNOTT: In response to your request therefor, report is made on H. R. 9825, as follows:

Said bill, entitled "A bill authorizing any land-grant railroad company or its successors to convey for public purposes certain parts of its right of way," proposes to authorize any land-grant railroad company or any of its successors or assigns to convey to any State, county, or municipality any portion of its right of way to be used as a public highway or street, provided that no such conveyance shall have the effect to diminish the right of way to a less width than 50 feet on each side of the center of the main tract of the railroad as now established and maintained.

These bills authorizing railroad companies to convey portions of their rights of way for road and highway purposes have been introduced in the present Congress. Senate bill No. 2100 authorized the Union Pacific Railroad Co. to make conveyances of portions of its right of way for the purposes mentioned. A report was made by me on this bill on July 11, 1919, in which I recommended the enactment of a substitute applicable to all railroad companies to which grants for rights of way through the public lands have been made by Congress. On July 8, 1919, prior to the receipt of said report of July 11, 1919, the

bill as originally introduced was favorably reported by the Senate Committee on Public Lands and passed the Senate on the same date. It was introduced in the House of Representatives on July 9, 1919, and referred to the Committee on the Public Lands, which also made a favorable report July 29, 1919, recommending the enactment of the bill as originally introduced. The bill passed the House October 6, 1919, and on October 10, 1919, the enrolled bill was submitted to me for a report as to objections to the approval thereof.

Senate bill No. 3104 authorized the Central Pacific Railroad Co. to make conveyances of portions of its right of way for use as a public highway, street, or park. A report was made on this bill on October 24, 1919, in which I again renewed my recommendation that the substitute bill proposed in connection with my report of July 11, 1919, be enacted in place of this bill. Copies of said reports of October 24, 1919, and July 11, 1919, and of the proposed substitute bill are hereto attached.

The term "land grant railroad" has acquired a special meaning in the administration of the public land laws being applied to such railroads for which grants of public land to aid in the construction thereof were made similar to the grant made by the acts of July 1, 1862 (12 Stat., 489), and July 2, 1864 (13 Stat., 356), for the benefit of the Union Pacific and Central Pacific Railroad companies referred to in said report dated July 11, 1919. These acts contain grants for right of way purposes similar in character to that in section 2 of said act of July 1, 1862.

By the act of March 3, 1875 (18 Stat., 482), a grant of the right of way through the public lands of the United States was made to railroad companies organized as therein set forth to the extent of 100 feet on each side of the line of the road and also adjacent grounds for station buildings, depots, machine shops, sidetracks, turnouts, and water stations, not to exceed in amount 20 acres for each station to the extent of one station for each 10 miles of such road. Other acts, both general and specific in character, have made grants of rights of way through the public lands, some of them not exceeding in width 50 feet on each side of the line of road.

The use of the term "land grant railroad" is therefore confusing and might cause the bill here under consideration, if enacted, to be construed as applying to rights of way only granted by such acts of Congress by which grants of public lands were also made to aid in the construction of railroads. It is therefore recommended that the substitute bill proposed in connection with said report of July 11, 1919, on Senate bill No. 2100, be enacted in place of the bill now under consideration.

Cordially, yours,

F. K. LANE, *Secretary.*

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DEPARTMENT OF THE INTERIOR,
Washington, October 24, 1919.

Hon. REED SMOOT,
Chairman Committee on Public Lands,
United States Senate.

MY DEAR SENATOR: In response to your request therefor, dated October 8, 1919, report is made on Senate bill No. 3104, as follows:

Said bill, entitled "A bill authorizing the Central Pacific Railroad Co. of California, or its successors or assigns, to convey for public road or park purposes certain parts of its right of way," proposes to authorize said railroad company, or any of its successors or assigns, to convey to any State, county, or municipality any portion of its right of way to be used as a public highway, street, or park, provided that no conveyance shall diminish the right of way to a less width than 50 feet on each side of the main tract of the railroad as now established and maintained.

Except for the addition of the words "or park," on line 6 of said bill, it is identical in character and language with Senate bill No. 2100, on which a report was made by me on July 11, 1919, in which I recommended the enactment in the place thereof of a substitute bill applicable to all railroad companies to which grants for rights of way through the public lands have been made by Congress. A copy of said report is inclosed herewith.

It appears that said Senate bill No. 2100 was favorably reported by the Committee on Public Lands on July 8, 1919, prior to the receipt of said report of July 11, 1919, and passed the Senate on the same date. It was introduced in the House of Representatives on July 9, 1919, and referred to the Committee on Public Lands, which also made a favorable report July 29, 1919, recommending the enactment of the bill as originally introduced. It was subsequently passed by the House of Representatives, and on October 10, 1919, the enrolled bill was submitted to me for a report as to the objections to the approval thereof, and appears to be now before the President awaiting his signature.

The introduction of this bill applicable to the right of way of the Central Pacific Railroad Co. indicates the necessity of legislation applicable to all railroad companies, such as that proposed in my report of July 11, 1919, and I so recommend.

Cordially, yours,

FRANKLIN K. LANE, *Secretary.*

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DEPARTMENT OF THE INTERIOR,
Washington, July 11, 1919.

Hon. REED SMOOT,
Chairman Committee on Public Lands,
United States Senate.

MY DEAR SENATOR: In response to your request therefor report is made on Senate bill 2100, as follows:

Said bill, entitled "A bill authorizing the Union Pacific Railroad Co. or its successors to convey for public road purposes certain parts of its right of way," proposes to authorize said Union Pacific Railroad Co., or any of its successors or assigns, to convey to any State, county, or municipality any portion of its right of way, to be used as a public highway or street, provided that no conveyance shall diminish the right of way to a less width than 50 feet on each side of the center of the main track of said railroad as now established and maintained.

By the acts of Congress approved July 1, 1862 (12 Stat., 489), and July 2, 1864 (13 Stat., 356), a grant of lands was made to aid in the construction of said Union Pacific Railroad, among others, and by section 2 of the said act of July 1, 1862, a right of way through the public lands was granted to said company to the extent of 200 feet in width on each side of said railroad where it may pass over the public lands, including all necessary grounds for stations, buildings, workshops, depots, machine shops, switches, sidetracks, turntables, and water stations.

In the case of Northern Pacific Railway Co. *v.* Townsend (190 U. S., 267), the grant for said right of way was construed as follows:

"In effect the grant was of a limited fee, made on an implied condition of reverter in the event that the company ceased to use or retain the land for the purpose for which it was granted."

In the case of Rio Grande Western Railway Co. *v.* Stringham (239 U. S., 44), which was a suit to quiet title to a strip of land claimed and used by the railway company as a railroad right of way under the act of March 3, 1875 (18 Stat., 482), and to which the defendant asserted title to a patent for a placer mining claim, the court held:

"the right of way granted by this and similar acts is neither a mere easement nor a fee simple absolute, but a limited fee made upon an implied condition of reverter in the event that the company ceases to use or retain the land for the purposes for which it is granted and carries with it the incidents and limitations usually attending the fee," citing New Mexico *v.* United States Trust Co., 172 U. S., 171, 183; Northern Pacific Railway Co. *v.* Townsend, 190 U. S., 267, 271; United States *v.* Michigan, 190 U. S., 379, 392; Western Union Telegraph Co. *v.* Pennsylvania Railroad Co., 195 U. S., 540, 570.

The effect of the abandonment of a right of way, the grant for which was made to the Northern Pacific Railroad Co. by the act of July 2, 1864 (13 Stat., 365), was considered by the department in the case of E. A. Crandall (43 L. D., 556), in which it was held that upon the abandonment by the railway company of the right of way granted to it across the lands included in a homestead patent there under consideration the legal title to the lands of such right of way reverted to and became the property of the United States, and must so remain until some provision of statute has been made by Congress for its disposition.

Acts confirming the validity of conveyances made by certain railway companies for portions of their rights of way have heretofore been passed by Congress among which may be mentioned the acts of April 28, 1904 (38 Stat., 538); March 3, 1905 (33 Stat., 1014), and June 24, 1912 (37 Stat., 138).

A draft of a bill which is proposed as a substitute for the bill under consideration is herewith attached and it is recommended that it be enacted in the place of said bill which limits its object to conveyances made by the Union Pacific Railroad Co., or its successors or assigns.

Cordially, yours,

FRANKLIN K. LANE, *Secretary.*

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. WARREN. I do not want to object to the consideration of the bill if there is no debate to follow, but if it is to take any time I shall have to object, as I have given notice that I shall call up the deficiency appropriation bill this morning.

Mr. PITTMAN. I am sure there will be no debate. It is simply a repetition of an act that has become a law extended to another railroad.

Mr. WARREN. If it leads to no debate, I shall not object.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That all railroad companies to which grants for rights of way through the public lands have been made by Congress, or their successors in interest or assigns, are hereby authorized to convey to any State, county, or municipality any portion of such right of way to be used as a public highway, street, or park: *Provided*, That no such conveyance shall have the effect to diminish the right of way of such railroad company to a less width than 50 feet on each side of the center of the main track of the railroad as now established and maintained.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 3931) granting an increase of pension to Frank G. Vallereux (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 3932) granting a pension to Rose Mercer (with accompanying papers); to the Committee on Pensions.

By Mr. GAY (by request):

A bill (S. 3935) for the relief of certain estates; to the Committee on Claims.

By Mr. PHELAN:

A bill (S. 3936) granting an increase of pension to James A. Keefer (with accompanying papers); to the Committee on Pensions.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. RANSDELL. Mr. President, I introduce two bills to amend the Federal reserve act, and ask that they be referred to the Committee on Banking and Currency. Both bills propose to amend the same subject matter and purport to extend to State banks, which are members of the Federal Reserve System, in their transactions with Federal reserve banks all the rediscounting privileges now possessed by national banking associations. One incorporates in the original law the full text of the law as amended and the other merely amends the Federal reserve act by extending the above privileges to the member State banks without writing into the Federal reserve act the provisions of law relative to national banks.

Under existing law State banks are at a disadvantage with national banks, and the purpose of the amendment is to place

them on a parity. The principle of the amendment of the act has the approval of the Federal Reserve Board.

The bill (S. 3933) to amend paragraph 10 of section 9 of the Federal reserve act approved December 23, 1913, was read twice by its title and referred to the Committee on Banking and Currency; and

The bill (S. 3934) to amend paragraph 10 of section 9 of the Federal reserve act approved December 23, 1913, was read twice by its title and referred to the Committee on Banking and Currency.

ADDRESS BY ROME G. BROWN.

Mr. KELLOGG. Mr. President, I send to the desk an address made by Rome G. Brown, of the Minneapolis Tribune, before the Middlesex County Bar Association, at Boston, Mass., which I should like to have referred to the Committee on Printing with a view to having it printed as a public document. I do not ask to have it printed in the RECORD at this time.

The VICE PRESIDENT. It will go to the Committee on Printing.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on this day approved and signed the joint resolution (S. J. Res. 154) authorizing the Secretary of War, in his discretion, to turn over to the State of Kansas emergency hospital equipment to be used temporarily in emergency hospitals to be established in that State, and for other purposes.

RAILROAD CONTROL—CONFERENCE REPORT.

Mr. CUMMINS. Mr. President, I present the report of the committee of conference upon House bill 10453, commonly known as the railroad bill. I ask that it be printed in the RECORD, and I give notice that immediately after the House acts upon the report, if the report is adopted by the House, I shall ask consideration on the part of the Senate. It is probable that the House will dispose of the report on Saturday.

The report was ordered to be printed in the RECORD, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10453) to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment, insert the following:

"TITLE I.—DEFINITIONS.

"SECTION 1. This act may be cited as the 'Transportation act, 1920.'

"SEC. 2. When used in this act—

"The term 'Interstate commerce act' means the act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended;

"The term 'commerce court act' means the act entitled 'An act to create a commerce court, and to amend an act entitled "An act to regulate commerce," approved February 4, 1887, as heretofore amended, and for other purposes,' approved June 18, 1910;

"The term 'Federal control act' means the act entitled 'An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes,' approved March 21, 1918, as amended;

"The term 'Federal control' means the possession, use, control, and operation of railroads and systems of transportation, taken over or assumed by the President under section 1 of the act entitled 'An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes,' approved August 29, 1916, or under the Federal control act; and

"The term 'commission' means the Interstate Commerce Commission.

"TITLE II.—TERMINATION OF FEDERAL CONTROL.

"SEC. 200. (a) Federal control shall terminate at 12.01 a. m., March 1, 1920; and the President shall then relinquish possession and control of all railroad and systems of transportation then under Federal control and cease the use and operation thereof.

"(b) Thereafter the President shall not have or exercise any of the powers conferred upon him by the Federal control act relating—

"(1) To the use or operation of railroads or systems of transportation;

"(2) To the control or supervision of the carriers owning or operating them, or of the business or affairs of such carriers;

"(3) To their rates, fares, charges, classifications, regulations, or practices;

"(4) To the purchase, construction, or other acquisition of boats, barges, tugs, and other transportation facilities on the inland, canal, or coastwise waterways; or (except in pursuance of contracts or agreements entered into before the termination of Federal control) of terminals, motive power, cars, or equipment, on or in connection with any railroad or system of transportation;

"(5) To the utilization or operation of canals;

"(6) To the purchase of securities of carriers, except in pursuance of contracts or agreements entered into before the termination of Federal control, or as a necessary or proper incident to the adjustment, settlement, liquidation and winding up of matters arising out of Federal control; or

"(7) To the use for any of the purposes above stated (except in pursuance of contracts or agreements entered into before the termination of Federal control, and except as a necessary or proper incident to the winding up or settling of matters arising out of Federal control, and except as provided in section 202) of the revolving fund created by such act, or of any of the additions thereto made under such act, or by the act entitled 'An act to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918,' approved June 30, 1919.

"(c) Nothing in this act shall be construed as affecting or limiting the power of the President in time of war (under section 1 of the act entitled 'An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes,' approved August 29, 1916) to take possession and assume control of any system of transportation and utilize the same.

"GOVERNMENT-OWNED BOATS ON INLAND WATERWAYS.

"SEC. 201. (a) On the termination of Federal control, as provided in section 200, all boats, barges, tugs, and other transportation facilities, on the inland, canal, and coastwise waterways (hereinafter in this section called 'transportation facilities') acquired by the United States in pursuance of the fourth paragraph of section 6 of the Federal control act (except the transportation facilities constituting parts of railroads or transportation systems over which Federal control was assumed) are transferred to the Secretary of War, who shall operate or cause to be operated such transportation facilities so that the lines of inland water transportation established by or through the President during Federal control shall be continued, and assume and carry out all contracts and agreements in relation thereto entered into by or through the President in pursuance of such paragraph prior to the time above fixed for such transfer. All payments under the terms of such contracts, and for claims arising out of the operation of such transportation facilities by or through the President prior to the termination of Federal control, shall be made out of moneys available under the provisions of this act for adjusting, settling, liquidating, and winding up matters arising out of or incident to Federal control. Moneys required for such payments shall, from time to time, be transferred to the Secretary of War as required for payment under the terms of such contracts.

"(b) All other payments after such transfer in connection with the construction, utilization, and operation of any such transportation facilities, whether completed or under construction, shall be made by the Secretary of War out of funds now or hereafter made available for that purpose.

"(c) The Secretary of War is hereby authorized, out of any moneys hereafter made available therefor, to construct or contract for the construction of terminal facilities for the interchange of traffic between the transportation facilities operated by him under this section and other carriers whether by rail or water, and to make loans for such purposes under such terms and conditions as he may determine to any State whose constitution prohibits the ownership of such terminal facilities by other than the State or a political subdivision thereof.

"(d) Any transportation facilities owned by the United States and included within any contract made by the United States for operation on the Mississippi River above St. Louis, the possession of which reverts to the United States at or before the expiration of such contract, shall be operated by the Secretary of War, so as to provide facilities for water carriage on the Mississippi River above St. Louis.

"(e) The operation of the transportation facilities referred to in this section shall be subject to the provisions of the interstate-commerce act as amended by this act or by subsequent legislation, and to the provisions of the 'shipping act, 1916,' as now or hereafter amended, in the same manner and to the same extent as if such transportation facilities were privately owned and operated; and all such vessels while operated and employed solely as merchant vessels shall be subject to all other laws, regulations, and liabilities governing merchant vessels, whether the United States is interested therein as owner, in whole or in part, or holds any mortgage, lien, or interest therein. For the performance of the duties imposed by this section the Secretary of War is authorized to appoint or employ such number of experts, clerks, and other employees as may be necessary for service in the District of Columbia or elsewhere, and as may be provided for by Congress.

"SETTLEMENT OF MATTERS ARISING OUT OF FEDERAL CONTROL.

"SEC. 202. The President shall, as soon as practicable after the termination of Federal control, adjust, settle, liquidate, and wind up all matters, including compensation, and all questions and disputes of whatsoever nature, arising out of or incident to Federal control. For these purposes and for the purpose of making the payments specified in subdivision (a) of section 201, all unexpended balances in the revolving fund created by the Federal control act or of the moneys appropriated by the act entitled 'An act to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918,' approved June 30, 1919, are hereby reappropriated and made available until expended; and all moneys derived from the operation of the carriers or otherwise arising out of Federal control, and all moneys that have been or may be received in payment of the indebtedness of any carrier to the United States arising out of Federal control, shall be and remain available until expended for the aforesaid purposes; and there is hereby appropriated for the aforesaid purposes, out of any money in the Treasury not otherwise appropriated, $200,000,000 in addition to the above, to be available until expended.

"COMPENSATION OF CARRIERS WITH WHICH NO CONTRACT MADE.

"SEC. 203. (a) Upon the request of any carrier entitled to just compensation under the Federal control act, but with which no contract fixing or waiving compensation has been made and which has made no waiver of compensation, the President: (1) shall pay to it so much of the amount he may determine to be just compensation as may be necessary to enable such carrier to have the sums required for interest, taxes, and other corporate charges and expenses referred to in paragraph (b) of section 7 of the standard contract between the United States and the carriers, accruing during the period for which such carrier is entitled to just compensation under the Federal control act, and also the sums required for dividends declared and paid during the same period, including, also, in addition, a sum equal to that proportion of such last dividend which the period between its payment and the termination of the period for which the carrier is entitled to just compensation under the Federal control act bears to the last dividend period; and (2) may, in his discretion, pay to such carrier the whole or any part of the remainder of such estimated amount of just compensation.

"(b) The acceptance of any benefits by a carrier under this section—

"(1) Shall not deprive it of the right to claim additional compensation, which, unless agreed upon, shall be ascertained in the manner provided in section 3 of the Federal control act; but

"(2) Shall constitute an acceptance by the carrier of all the provisions of the Federal control act as modified by this act, and obligate the carrier to pay to the United States, with interest at the rate of 6 per cent per annum from a date or dates fixed in proceedings under section 3 of the Federal control act, the amount by which the sums received on account of such compensation, under this section or otherwise, exceed the sum found due in such proceedings.

"REIMBURSEMENT OF DEFICITS DURING FEDERAL CONTROL.

"SEC. 204. (a) When used in this section—

"The term 'carrier' means a carrier by railroad which, during any part of the period of Federal control, engaged as a common carrier in general transportation, and competed for traffic, or connected, with a railroad under Federal control, and which sustained a deficit in its railway operating income for that portion (as a whole) of the period of Federal control during which it operated its own railroad or system of transportation; but does not include any street or interurban electric railway which has as its principal source of operating revenue urban, suburban, or interurban passenger traffic or sale of power, heat, and light, or both; and

"The term 'test period' means the three years ending June 30, 1917.

"(b) For the purposes of this section—

"Railway operating income or any deficit therein for the period of Federal control shall be computed in a manner similar to that provided in section 209 with respect to such income or deficit for the guaranty period; and

"Railway operating income or any deficit therein for the test period shall be computed in the manner provided in section 1 of the Federal control act.

"(c) As soon as practicable after March 1, 1920, the commission shall ascertain for every carrier, for every month of the period of Federal control during which its railroad or system of transportation was not under Federal operation, its deficit in railway operating income, if any, and its railway operating income, if any, (hereinafter called 'Federal control return'), and the average of its deficit in railway operating income, if any, and of its railway operating income, if any, for the three corresponding months of the test period taken together, (hereinafter called 'test period return'): *Provided*, That 'test period return,' in the case of a carrier which operated its railroad or system of transportation for at least one year during, but not for the whole of, the test period, means its railway operating income, or the deficit therein, for the corresponding month during the test period, or the average thereof for the corresponding months during the test period taken together, during which the carrier operated its railroad or system of transportation.

"(d) For every month of the period of Federal control during which the railroad or system of transportation of the carrier was not under Federal operation, the commission shall then ascertain (1) the difference between its Federal control return, if a deficit, and its test period return, if a smaller deficit, or (2) the difference between its test period return, if an income, and its Federal control return, if a smaller income, or (3) the sum of its Federal control return, if a deficit, plus its test period return, if an income. The sum of such amounts shall be credited to the carrier.

"(e) For every such month the commission shall then ascertain (1) the difference between the carrier's Federal control return, if an income, and its test period return, if a smaller income, or (2) the difference between its test period return, if a deficit, and its Federal control return, if a smaller deficit, or (3) the sum of its Federal control return, if an income, plus its test period return, if a deficit. The sum of such amounts shall be credited to the United States.

"(f) If the sum of the amounts so credited to the carrier under subdivision (d) exceeds the sum of the amounts so credited to the United States under subdivision (e), the difference shall be payable to the carrier. In the case of a carrier which operated its railroad or system of transportation for less than a year during, or for none of, the test period, the foregoing computations shall not be used, but there shall be payable to such carrier its deficit in railway operating income for that portion (as a whole) of the period of Federal control during which it operated its own railroad or system of transportation.

"(g) The commission shall promptly certify to the Secretary of the Treasury the several amounts payable to carriers under paragraph (f). The Secretary of the Treasury is hereby authorized and directed thereupon to draw warrants in favor of each such carrier upon the Treasury of the United States for the amount shown in such certificate as payable thereto. An amount sufficient to pay such warrants is hereby appropriated out of any money in the Treasury not otherwise appropriated.

"INSPECTION OF CARRIERS' RECORDS.

"SEC. 205. The President shall have the right, at all reasonable times until the affairs of Federal control are concluded, to inspect the property and records of all carriers whose railroads or systems of transportation were at any time under Federal control, whenever such inspection is necessary or appropriate (1) to protect the interests of the United States, or (2) to supervise matters being handled for the United States by agents of the carriers, or (3) to secure information concerning matters arising during Federal control, and such carriers shall provide all reasonable facilities therefor, including the issuance of free transportation to all agents of the President while traveling on official business for these purposes.

"Such carriers shall, at their expense, upon the request of the President, or those duly authorized by him, furnish all necessary and proper information and reports compiled from the records made or kept during the period of Federal control affecting their respective lines, and shall keep and continue

such records and furnish like information and reports compiled therefrom.

"Any carrier which refuses or obstructs such inspection, or which willfully fails to provide reasonable facilities therefor, or to furnish such information or reports shall be liable to a penalty of $500 for each day of the continuance of such offense, which shall accrue to the United States and may be recovered in a civil action to be brought by the United States.

"CAUSES OF ACTION ARISING OUT OF FEDERAL CONTROL.

"SEC. 206. (a) Actions at law, suits in equity, and proceedings in admiralty, based on causes of action arising out of the possession, use, or operation by the President of the railroad or system of transportation of any carrier (under the provisions of the Federal control act, or of the act of August 29, 1916) of such character as prior to Federal control could have been brought against such carrier, may, after the termination of Federal control, be brought against an agent designated by the President for such purpose, which agent shall be designated by the President within 30 days after the passage of this act. Such actions, suits, or proceedings may, within the periods of limitation now prescribed by State or Federal statutes, but not later than two years from the date of the passage of this act, be brought in any court which but for Federal control would have had jurisdiction of the cause of action had it arisen against such carrier.

"(b) Process may be served upon any agent or officer of the carrier operating such railroad or system of transportation, if such agent or officer is authorized by law to be served with process in proceedings brought against such carrier and if a contract has been made with such carrier by or through the President for the conduct of litigation arising out of operation during Federal control. If no such contract has been made process may be served upon such agents or officers as may be designated by or through the President. The agent designated by the President under subdivision (a) shall cause to be filed, upon the termination of Federal control, in the office of the clerk of each district court of the United States, a statement naming all carriers with whom he has contracted for the conduct of litigation arising out of operation during Federal control, and a like statement designating the agents or officers upon whom process may be served in actions, suits, and proceedings arising in respect to railroads or systems of transportation with the owner of which no such contract has been made; and such statements shall be supplemented from time to time, if additional contracts are made or other agents or officers appointed.

"(c) Complaints praying for reparation on account of damage claimed to have been caused by reason of the collection or enforcement by or through the President during the period of Federal control of rates, fares, charges, classifications, regulations, or practices (including those applicable to interstate, foreign, or intrastate traffic) which were unjust, unreasonable, unjustly discriminatory, or unduly or unreasonably prejudical, or otherwise in violation of the interstate commerce act, may be filed with the commission, within one year after the termination of Federal control, against the agent designated by the President under subdivision (a), naming in the petition the railroad or system of transportation against which such complaint would have been brought if such railroad or system had not been under Federal control at the time the matter complained of took place. The commission is hereby given jurisdiction to hear and decide such complaints in the manner provided in the interstate commerce act, and all notices and orders in such proceedings shall be served upon the agent designated by the President under subdivision (a).

"(d) Actions, suits, proceedings, and reparation claims, of the character above described pending at the termination of Federal control shall not abate by reason of such termination, but may be prosecuted to final judgment, substituting the agent designated by the President under subdivision (a).

"(e) Final judgments, decrees, and awards in actions, suits, proceedings, or reparation claims, of the character above described, rendered against the agent designated by the President under subdivision (a), shall be promptly paid out of the revolving fund created by section 210.

"(f) The period of Federal control shall not be computed as a part of the periods of limitation in actions against carriers or in claims for reparation to the commission for causes of action arising prior to Federal control.

"(g) No execution or process, other than on a judgment recovered by the United States against a carrier, shall be levied upon the property of any carrier where the cause of action on account of which the judgment was obtained grew out of the possession, use, control, or operation of any railroad or system of transportation by the President under Federal control.

"REFUNDING OF CARRIERS' INDEBTEDNESS TO UNITED STATES.

"SEC. 207. (a) As soon as practicable after the termination of Federal control the President shall ascertain (1) the amount of the indebtedness of each carrier to the United States, which may exist at the termination of Federal control, incurred for additions and betterments made during Federal control and properly chargeable to capital account; (2) the amount of indebtedness of such carrier to the United States otherwise incurred; and (3) the amount of the indebtedness of the United States to such carrier arising out of Federal control. The amount under clause (3) may be set off against either or both of the amounts under clauses (1) and (2), so far as deemed wise by the President, but only to the extent permitted under any contract now or hereafter made between such carrier and the United States in respect to the matters of Federal control, or, where no such contract exists, to the extent permitted under paragraph (b) of section 7 of the standard contract between the United States and the carriers relative to deductions from compensation: *Provided*, That such right of set-off shall not be so exercised as to prevent such carrier from having the sums required for interest, taxes, and other corporate charges and expenses referred to in paragraph (b) of section 7 of such standard contract, accruing during Federal control, and also the sums required for dividends declared and paid during Federal control, including, also in addition, a sum equal to that proportion of such last dividend which the period between its payment and the termination of Federal control bears to the last regular dividend period: *And provided further*, That such right of set-off shall not be exercised unless there shall have first been paid such sums in addition as may be necessary to provide the carrier with working capital in amount not less than one twenty-fourth of its operating expenses for the calendar year 1919.

"(b) Any remaining indebtedness of the carrier to the United States in respect to such additions and betterments shall, at the request of the carrier, be funded for a period of 10 years from the termination of Federal control, or a shorter period at the option of the carrier, with interest at the rate of 6 per cent per annum, payable semiannually, subject to the right of such carrier to pay on any interest-payment day the whole or any part of such indebtedness. Any carrier obtaining the funding of such indebtedness as aforesaid shall give, in the discretion of the President, such security, in such form and upon such terms, as he may prescribe.

"(c) If the President and the various carriers, or any of them, shall enter into an agreement for funding, through the medium of car trust certificates, or otherwise, the indebtedness of any such carrier to the United States incurred for equipment ordered for the benefit of such carrier, such indebtedness so funded shall not be refundable under the foregoing provisions.

"(d) Any other indebtedness of any such carrier to the United States which may exist after the settlement of accounts between the United States and the carrier and is then due shall be evidenced by notes payable in one year from the termination of Federal control, or a shorter period at the option of the carrier, with interest at the rate of 6 per cent per annum, and secured by such collateral security as the President may deem it advisable to require.

"(e) With respect to any bonds, notes, or other securities, acquired under the provisions of this section or of the Federal control act or of the act entitled 'An act to provide for the reimbursement of the United States for motive power, cars, and other equipment ordered for railroads and systems of transportation under Federal control, and for other purposes,' approved November 19, 1919, the President shall have the right to make such arrangements for extension of the time of payment or for the exchange of any of them for other securities, or partly for cash and partly for securities, as may be provided for in any agreement entered into by him or as may in his judgment seem desirable.

"(f) Carriers may, by agreement with the President, issue notes or other evidences of indebtedness, secured by equipment trust agreements, for equipment purchased during Federal control by or through the President under section 6 of the Federal control act, and allocated to such carriers respectively; and the filing of such equipment trust agreements with the commission shall constitute notice thereof to all the world.

"(g) A carrier may issue evidences of indebtedness pursuant to this section without the authorization or approval of any authority, State or Federal, and without compliance with any requirement, State or Federal, as to notification.

"EXISTING RATES TO CONTINUE IN EFFECT.

"SEC. 208. (a) All rates, fares, and charges, and all classifications, regulations, and practices, in any wise changing, affecting, or determining, any part or the aggregate of rates, fares, or

charges, or the value of the service rendered, which on February 29, 1920, are in effect on the lines of carriers subject to the interstate-commerce act, shall continue in force and effect until thereafter changed by State or Federal authority, respectively, or pursuant to authority of law; but prior to September 1, 1920, no such rate, fare, or charge shall be reduced, and no such classification, regulation, or practice shall be changed in such manner as to reduce any such rate, fare, or charge, unless such reduction or change is approved by the commission.

"(b) All divisions of joint rates, fares, or charges, which on February 29, 1920, are in effect between the lines of carriers subject to the interstate-commerce act, shall continue in force and effect until thereafter changed by mutual agreement between the interested carriers or by State or Federal authorities, respectively.

"(c) Any land-grant railroad organized under the act of July 28, 1866 (chapter 300), shall receive the same compensation for transportation of property and troops of the United States as is paid to land-grant railroads organized under the land-grant act of March 3, 1863, and the act of July 27, 1866 (chapter 278).

"GUARANTY TO CARRIERS AFTER TERMINATION OF FEDERAL CONTROL.

"SEC. 209. (a) When used in this section—

"The term 'carrier' means (1) a carrier by railroad or partly by railroad and partly by water, whose railroad or system of transportation is under Federal control at the time Federal control terminates, or which has heretofore engaged as a common carrier in general transportation and competed for traffic, or connected, with a railroad at any time under Federal control; and (2) a sleeping car company whose system of transportation is under Federal control at the time Federal control terminates; but does not include a street or interurban electric railway not under Federal control at the time Federal control terminates, which has as its principal source of operating revenue urban, suburban, or interurban passenger traffic or sale of power, heat, and light, or both;

"The term 'guaranty period' means the six months beginning March 1, 1920;

"The term 'test period' means the three years ending June 30, 1917; and

"The term 'railway operating income' and other references to accounts of carriers by railroad shall, in the case of a sleeping car company, be construed as indicating the appropriate corresponding accounts in the accounting system prescribed by the commission.

"(b) This section shall not be applicable to any carrier which does not on or before March 15, 1920, file with the commission a written statement that it accepts all the provisions of this section.

"(c) The United States hereby guarantees—

"(1) With respect to any carrier with which a contract (exclusive of so-called cooperative contracts or waivers) has been made fixing the amount of just compensation under the Federal control act, that the railway operating income of such carrier for the guaranty period as a whole shall not be less than one-half the amount named in such contract as annual compensation, or, where the contract fixed a lump sum as compensation for the whole period of Federal operation, that the railway operating income of such carrier for the guaranty period as a whole shall not be less than an amount which shall bear the same proportion to the lump sum so fixed as six months bears to the number of months during which such carrier was under Federal operation, including in both cases the increases in such compensation provided for in section 4 of the Federal control act;

"(2) With respect to any carrier entitled to just compensation under the Federal control act, with which such a contract has not been made, that the railway operating income of such carrier for the guaranty period as a whole shall not be less than one-half of the annual amount estimated by the President as just compensation for such carrier under the Federal control act, including the increases in such compensation provided for in section 4 of the Federal control act. If any such carrier does not accept the President's estimate respecting its just compensation, and if in proceedings under section 3 of the Federal control act it is determined that a larger or smaller annual amount is due as just compensation, the guaranty under this paragraph shall be increased or decreased accordingly;

"(3) With respect to any carrier, whether or not entitled to just compensation under the Federal control act, with which such a contract has not been made, and for which no estimate of just compensation is made by the President, and which for the test period as a whole sustained a deficit in railway operating income, the guaranty shall be a sum equal to (a) the amount by which any deficit in its railway operating income for the guaranty period as a whole exceeds one-half of its average annual deficit in railway operating income for the test period, plus (b) an amount equal to one-half the annual sum fixed by the President under section 4 of the Federal control act;

"(4) With respect to any carrier not entitled to just compensation under the Federal control act, which for the test period as a whole had an average annual railway operating income, that the railway operating income of such carrier for the guaranty period as a whole shall not be less than one-half the average annual railway operating income of such carrier during the test period.

"(d) If for the guaranty period as a whole the railway operating income of any carrier entitled to a guaranty under paragraph (1), (2), or (4) of subdivision (c) is in excess of the minimum railway operating income guaranteed in such paragraph, such carrier shall forthwith pay the amount of such excess into the Treasury of the United States. If for the guaranty period as a whole the railway operating income of any carrier entitled to a guaranty under paragraph (3) of subdivision (c) is in excess of one-half of the annual sum fixed by the President with respect to such carrier under section 4 of the Federal control act, such carrier shall forthwith pay the amount of such excess into the Treasury of the United States. The amounts so paid into the Treasury of the United States shall be added to the funds made available under section 202 for the purposes indicated in such section. Notwithstanding the provisions of this subdivision, any carrier may retain out of any such excess any amount necessary to enable it to pay its fixed charges accruing during the guaranty period.

"(e) For the purposes of this section railway operating income, or any deficit therein, for the test period shall be computed in the manner provided for in section 1 of the Federal control act.

"(f) In computing railway operating income, or any deficit therein, for the guaranty period for the purposes of this section—

"(1) Debits and credits arising from the accounts, called in the monthly reports to the commission equipment rents and joint facility rents, shall be included, but debits and credits arising from the operation of such street electric passenger railways, including railways commonly called interurbans, as are not under Federal control at the time of termination thereof, shall be excluded;

"(2) Proper adjustments shall be made (a) in case any lines which were, during any portion of the period of Federal control, a part of the railroad or system of transportation of the carrier, and whose railway operating income was included in such income of the carrier for the test period, do not continue to be a part of such railroad or system of transportation during the entire guaranty period, and (b) in case of any lines acquired by, leased to, or consolidated with, the railroad or system of transportation of the carrier at any time since the end of the test period and prior to the expiration of the guaranty period, for which separate operating returns to the commission are not made in respect to the entire portion of the guaranty period;

"(3) There shall not be included in operating expenses, for maintenance of way and structures, or for maintenance of equipment, more than an amount fixed by the commission. In fixing such amount the commission shall so far as practicable apply the rule set forth in the proviso in paragraph (a) of section 5 of the 'standard contract' between the United States and the carriers (whether or not such contract has been entered into with the carrier whose railway operating income is being computed);

"(4) There shall not be included any taxes paid under Title I or II of the revenue act of 1917, or such portion of the taxes paid under Title II or III of the revenue act of 1918 as by the terms of such act are to be treated as levied by an act in amendment of Title I or II of the revenue act of 1917; and

"(5) The commission shall require the elimination and restatement of the operating expenses and revenues (other than for maintenance of way and structures, or maintenance of equipment) for the guaranty period, to the extent necessary to correct and exclude any disproportionate or unreasonable charge to such expenses or revenues for such period, or any charge to such expenses or revenues for such period which under a proper system of accounting is attributable to another period.

"(g) The commission shall, as soon as practicable after the expiration of the guaranty period, ascertain and certify to the Secretary of the Treasury the several amounts necessary to make good the foregoing guaranty to each carrier. The Secretary of the Treasury is hereby authorized and directed thereupon to draw warrants in favor of each such carrier upon the Treasury of the United States, for the amount shown in such certificate as necessary to make good such guaranty. An amount sufficient to pay such warrants is hereby appropriated out of any money in the Treasury not otherwise appropriated.

"(h) Upon application of any carrier to the commission, asking that during the guaranty period there may be advanced to it from time to time such sums, not in excess of the estimated amount necessary to make good the guaranty, as are necessary to enable it to meet its fixed charges and operating expenses, the commission may certify to the Secretary of the Treasury the amount of, and times at which, such advances, if any, shall be made. The Secretary of the Treasury, on receipt of such certificate, is authorized and directed to make the advances in the amounts and at the times specified in the certificate, upon the execution by the carrier of a contract, secured in such manner as the Secretary may determine, that upon final determination of the amount of the guaranty provided for by this section such carrier will repay to the United States any amounts which it has received from such advances in excess of the guaranty, with interest at the rate of 6 per cent per annum from the time such excess was paid. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum sufficient to enable the Secretary of the Treasury to make the advances referred to in this subdivision.

"(i) If the American Railway Express Co. shall, on or before March 15, 1920, file with the commission a written statement that it accepts all the provisions of this subdivision, the contract of June 26, 1918, between such company and the Director General of Railroads, as amended and continued by agreement dated November 21, 1918, shall remain in full force and effect during the guaranty period in so far as the same constitutes a guaranty on the part of the United States to such company against a deficit in operating income.

"In computing operating income, and any deficit therein, for the guaranty period for the purposes of this subdivision, the commission shall require the elimination and restatement of the operating expenses and revenues for the guaranty period, to the extent necessary to correct and exclude any disproportionate or unreasonable charge to such expenses or revenues for such period, or any charge to such expenses or revenues for such period which under a proper system of accounting is attributable to another period, and to exclude from operating expenses so much of the charge for payment for express privileges to carriers on whose lines the express traffic is carried as is in excess of 50.25 per cent of gross express revenue.

"For the guaranty period the American Railway Express Co. shall pay to every carrier which accepts the provisions of this section, as provided in subdivision (b) hereof, 50.25 per cent of the gross revenue earned on the transportation of all its express traffic on the carrier's lines, and every such carrier shall accept from the American Railway Express Co. such percentage of the gross revenue as its compensation. In arriving at the gross revenue on through or joint express traffic, the method of dividing the revenue between the carriers shall be that agreed upon between the carriers and such express company and approved by the commission.

"If for the guaranty period as a whole the American Railway Express Co. does not have a deficit in operating income, it shall forthwith pay the amount of its operating income for such period into the Treasury of the United States. The amount so paid shall be added to the funds made available under section 202 for the purposes indicated in such section.

"The commission shall, as soon as practicable after the expiration of the guaranty period, certify to the Secretary of the Treasury the amount necessary to make good the foregoing guaranty to the American Railway Express Co. The Secretary of the Treasury is hereby authorized and directed thereupon to draw warrants in favor of such company upon the Treasury of the United States for the amount shown in such certificate as necessary to make good such guaranty. An amount sufficient to pay such warrants is hereby appropriated out of any money in the Treasury not otherwise appropriated.

"Upon application of the American Railway Express Co. to the commission, asking that during the guaranty period there may be advanced to it from time to time such sums, not in excess of the estimated amount necessary to make good the guaranty, as are necessary to enable it to meet its operating expenses, the commission may certify to the Secretary of the Treasury the amount of, and times at which, such advances, if any, shall be made. The Secretary of the Treasury, on receipt of such certificate, is authorized and directed to make the advances in the amounts and at the times specified in the certificate, upon the execution by such company of a contract, secured in such manner as the Secretary may determine, that upon final determination of the amount of the guaranty provided for by this subdivision such company will repay to the United States any amounts which it has received from such advances in excess of the guaranty, with interest at the rate of 6 per cent per annum from the time such excess was paid. There is hereby appropriated out of any money in the Treasury not otherwise appropriated a sum sufficient to enable the Secretary of the Treasury to make the advances referred to in this subdivision.

"NEW LOANS TO RAILROADS.

"SEC. 210. (a) For the purpose of enabling carriers by railroad subject to the Interstate Commerce act properly to serve the public during the transition period immediately following the termination of Federal control, any such carrier may, at any time after the passage of this act and before the expiration of two years after the termination of Federal control, make application to the commission for a loan from the United States, setting forth the amount of the loan and the term for which it is desired, the purpose of the loan and the uses to which it will be applied, the present and prospective ability of the applicant to repay the loan and meet the requirements of its obligations in that regard, the character and value of the security offered, and the extent to which the public convenience and necessity will be served. The application shall be accompanied by statements showing such facts and details as the commission may require with respect to the physical situation, ownership, capitalization, indebtedness, contract obligations, operation, and earning power of the applicant, together with such other facts relating to the propriety and expediency of granting the loan applied for and the ability of the applicant to make good the obligation, as the commission may deem pertinent to the inquiry.

"(b) If the commission, after such hearing and investigation, with or without notice, as it may direct, finds that the making, in whole or in part, of the proposed loan by the United States is necessary to enable the applicant properly to meet the transportation needs of the public, and that the prospective earning power of the applicant and the character and value of the security offered are such as to furnish reasonable assurance of the applicant's ability to repay the loan within the time fixed therefor, and to meet its other obligations in connection with such loan, the commission may certify to the Secretary of the Treasury its findings of fact and its recommendations as to: the amount of the loan which is to be made; the time, not exceeding five years from the making thereof, within which it is to be repaid; the character of the security which is to be offered therefor; and the terms and conditions of the loan.

"(c) Upon receipt of such certificate from the commission, the Secretary of the Treasury, at any time before the expiration of 26 months after the termination of Federal control, is authorized to make a loan, not exceeding the maximum amount recommended in such certificate, out of any moneys in the revolving fund provided for in this section. All such loans shall bear interest at the rate of 6 per cent per annum, payable semiannually to the Secretary of the Treasury and to be placed to the credit of the revolving fund provided for in this section. The time, not exceeding five years from the making thereof, within which such loan is to be repaid, the security which is to be taken therefor, which shall be adequate to secure the loan, the terms and conditions of the loan, and the form of the obligation to be entered into, shall be prescribed by the Secretary of the Treasury.

"(d) The commission or the Secretary of the Treasury may call upon the Federal Reserve Board for advice and assistance with respect to any such application or loan.

"(e) There is hereby appropriated out of any moneys in the Treasury not otherwise appropriated the sum of $300,000,000, which shall be used as a revolving fund for the purpose of making the loans provided for in this section, and for paying the judgments, decrees, and awards referred to in subdivision (e) of section 206.

"(f) A carrier may issue evidences of indebtedness to the United States pursuant to this section without the authorization or approval of any authority, State or Federal, and without compliance with any requirement, State or Federal, as to notification.

"EXECUTION OF POWERS OF PRESIDENT.

"SEC. 211. All powers and duties conferred or imposed upon the President by the preceding sections of this act, except the designation of the agent under section 206, may be executed by him through such agency or agencies as he may determine.

"TITLE III.—DISPUTES BETWEEN CARRIERS AND THEIR EMPLOYEES AND SUBORDINATE OFFICIALS.

"SEC. 300. When used in this title—

"(1) The term 'carrier' includes any express company, sleeping car company, and any carrier by railroad, subject to the interstate commerce act, except a street, interurban, or suburban electric railway not operating as a part of a general steam railroad system of transportation;

"(2) The term 'adjustment board' means any railroad board of labor adjustment established under section 302;

"(3) The term 'labor board' means the railroad labor board;

"(4) The term 'commerce' means commerce among the several States or between any State, Territory, or the District of Columbia and any foreign nation, or between any Territory or the District of Columbia and any State, or between any Territory and any other Territory, or between any Territory and the District of Columbia, or within any Territory or the District of Columbia, or between points in the same State but through any other State or any Territory or the District of Columbia or any foreign nation; and

"(5) The term 'subordinate official' includes officials of carriers of such class or rank as the commission shall designate by regulation formulated and issued after such notice and hearing as the commission may prescribe, to the carriers, and employees and subordinate officials of carriers, and organizations thereof, directly to be affected by such regulations.

"SEC. 301. It shall be the duty of all carriers and their officers, employees, and agents to exert every reasonable effort and adopt every available means to avoid any interruption to the operation of any carrier growing out of any dispute between the carrier and the employees or subordinate officials thereof. All such disputes shall be considered and, if possible, decided in conference between representatives designated and authorized so to confer by the carriers, or the employees or subordinate officials thereof, directly interested in the dispute. If any dispute is not decided in such conference, it shall be referred by the parties thereto to the board which under the provisions of this title is authorized to hear and decide such dispute.

"SEC. 302. Railroad boards of labor adjustment may be established by agreement between any carrier, group of carriers, or the carriers as a whole, and any employees or subordinate officials of carriers, or organization or group of organizations thereof.

"SEC. 303. Each such adjustment board shall (1) upon the application of the chief executive of any carrier or organization of employees or subordinate officials whose members are directly interested in the dispute, (2) upon the written petition signed by not less than 100 unorganized employees or subordinate officials directly interested in the dispute, (3) upon the adjustment board's own motion, or (4) upon the request of the labor board whenever such board is of the opinion that the dispute is likely substantially to interrupt commerce, receive for hearing, and as soon as practicable and with due diligence decide, any dispute involving only grievances, rules, or working conditions, not decided as provided in section 301, between the carrier and its employees or subordinate officials, who are, or any organizations thereof which is, in accordance with the provisions of section 302, represented upon any such adjustment board.

"SEC. 304. There is hereby established a board to be known as the 'railroad labor board' and to be composed of nine members as follows:

"(1) Three members, constituting the labor group, representing the employees and subordinate officials of the carriers, to be appointed by the President, by and with the advice and consent of the Senate, from not less than six nominees whose nominations shall be made and offered by such employees in such manner as the commission shall by regulation prescribe;

"(2) Three members, constituting the management group, representing the carriers, to be appointed by the President, by and with the advice and consent of the Senate, from not less than six nominees whose nominations shall be made and offered by the carriers in such manner as the commission shall by regulation prescribe; and

"(3) Three members, constituting the public group, representing the public, to be appointed directly by the President, by and with the advice and consent of the Senate.

"Any vacancy on the labor board shall be filled in the same manner as the original appointment.

"SEC. 305. If either the employees or the carriers fail to make nominations and offer nominees in accordance with the regulations of the commission, as provided in paragraphs (1) and (2) of section 304, within 30 days after the passage of this act in case of any original appointment to the office of member of the labor board, or in case of a vacancy in any such office within 15 days after such vacancy occurs, the President shall thereupon directly make the appointment, by and with the advice and consent of the Senate. In making any such appointment the President shall, as far as he deems it practicable, select an individual associated in interest with the carriers or employees thereof, whichever he is to represent.

"SEC. 306. (a) Any member of the labor board who during his term of office is an active member or in the employ of or holds any office in any organization of employees or subordinate officials, or any carrier, or owns any stock or bond thereof, or is pecuniarily interested therein, shall at once become ineligible for further membership upon the labor board; but no such member is required to relinquish honorary membership in, or his rights in any insurance or pension or other benefit fund maintained by, any organization of employees or subordinate officials or by a carrier.

"(b) Of the original members of the labor board, one from each group shall be appointed for a term of three years, one for two years, and one for one year. Their successors shall hold office for terms of five years, except that any member appointed to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds. Each member shall receive from the United States an annual salary of $10,000. A member may be removed by the President for neglect of duty or malfeasance in office, but for no other cause.

"SEC. 307. (a) The labor board shall hear, and as soon as practicable and with due diligence decide, any dispute involving grievances, rules, or working conditions, in respect to which any adjustment board certifies to the labor board that in its opinion the adjustment board has failed or will fail to reach a decision within a reasonable time, or in respect to which the labor board determines that any adjustment board has so failed or is not using due diligence in its consideration thereof. In case the appropriate adjustment board is not organized under the provisions of section 302, the labor board, (1) upon the application of the chief executive of any carrier or organization of employees or subordinate officials whose members are directly interested in the dispute, (2) upon a written petition signed by not less than 100 unorganized employees or subordinate officials directly interested in the dispute, or (3) upon the labor board's own motion if it is of the opinion that the dispute is likely substantially to interrupt commerce, shall receive for hearing, and as soon as practicable and with due diligence decide, any dispute involving grievances, rules, or working conditions which is not decided as provided in section 301 and which such adjustment board would be required to receive for hearing and decision under the provisions of section 303.

"(b) The labor board, (1) upon the application of the chief executive of any carrier or organization of employees or subordinate officials whose members are directly interested in the dispute, (2) upon a written petition signed by not less than 100 unorganized employees or subordinate officials directly interested in the dispute, or (3) upon the labor board's own motion if it is of the opinion that the dispute is likely substantially to interrupt commerce, shall receive for hearing, and as soon as practicable and with due diligence decide, all disputes with respect to the wages or salaries of employees or subordinate officials of carriers, not decided as provided in section 301. The labor board may upon its own motion within 10 days after the decision, in accordance with the provisions of section 301, of any dispute with respect to wages or salaries of employees or subordinate officials of carriers, suspend the operation of such decision if the labor board is of the opinion that the decision involves such an increase in wages or salaries as will be likely to necessitate a substantial readjustment of the rates of any carrier. The labor board shall hear any decision so suspended and as soon as practicable and with due diligence decide to affirm or modify such suspended decision.

"(c) A decision by the labor board under the provisions of paragraphs (a) or (b) of this section shall require the concurrence therein of at least five of the nine members of the labor board: *Provided*, That in case of any decision under paragraph (b), at least one of the representatives of the public shall concur in such decision. All decisions of the labor board shall be entered upon the records of the board and copies thereof, together with such statement of facts bearing thereon as the board may deem proper, shall be immediately communicated to the parties to the dispute, the President, each adjustment board, and the commission, and shall be given further publicity in such manner as the labor board may determine.

"(d) All the decisions of the labor board in respect to wages or salaries and of the labor board or an adjustment board in respect to working conditions of employees or subordinate officials of carriers shall establish rates of wages and salaries and standards of working conditions which in the opinion of the board are just and reasonable. In determining the justness and reasonableness of such wages and salaries or working conditions the board shall, so far as applicable, take into consideration among other relevant circumstances:

"(1) The scales of wages paid for similar kinds of work in other industries;

"(2) The relation between wages and the cost of living;

"(3) The hazards of the employment;

"(4) The training and skill required;

"(5) The degree of responsibility;
"(6) The character and regularity of the employment; and
"(7) Inequalities of increases in wages or of treatment, the result of previous wage orders or adjustments.

"SEC. 308. The labor board—
"(1) Shall elect a chairman by majority vote of its members;
"(2) Shall maintain central offices in Chicago, Ill., but the labor board may, whenever it deems it necessary, meet at such other place as it may determine;
"(3) Shall investigate and study the relations between carriers and their employees, particularly questions relating to wages, hours of labor, and other conditions of employment and the respective privileges, rights, and duties of carriers and employees, and shall gather, compile, classify, digest, and publish, from time to time, data and information relating to such questions to the end that the labor board may be properly equipped to perform its duties under this title and that the members of the adjustment boards and the public may be properly informed;
"(4) May make regulations necessary for the efficient execution of the functions vested in it by this title; and
"(5) Shall at least annually collect and publish the decisions and regulations of the labor board and the adjustment boards and all court and administrative decisions and regulations of the commission in respect to this title, together with a cumulative index-digest thereof.

"SEC. 309. Any party to any dispute to be considered by an adjustment board or by the labor board shall be entitled to a hearing either in person or by counsel.

"SEC. 310. (a) For the efficient administration of the functions vested in the labor board by this title, any member thereof may require, by subpœna issued and signed by himself, the attendance of any witness and the production of any book, paper, document, or other evidence from any place in the United States at any designated place of hearing, and the taking of a deposition before any designated person having power to administer oaths. In the case of a deposition the testimony shall be reduced to writing by the person taking the deposition or under his direction, and shall then be subscribed to by the deponent. Any member of the labor board may administer oaths and examine any witness. Any witness summoned before the board and any witness whose deposition is taken shall be paid the same fees and mileage as are paid witnesses in the courts of the United States.

"(b) In case of failure to comply with any subpœna or in case of the contumacy of any witness appearing before the labor board, the board may invoke the aid of any United States district court. Such court may thereupon order the witness to comply with the requirements of such subpœna, or to give evidence touching the matter in question, as the case may be. Any failure to obey such order may be punished by such court as a contempt thereof.

"(c) No person shall be excused from so attending and testifying or deposing, nor from so producing any book, paper, document, or other evidence on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing, as to which in obedience to a subpœna and under oath, he may so testify or produce evidence, documentary or otherwise. But no person shall be exempt from prosecution and punishment for perjury committed in so testifying.

"SEC. 311. (a) When necessary to the efficient administration of the functions vested in the labor board by this title, any member, officer, employee, or agent thereof, duly authorized in writing by the board, shall at all reasonable times for the purpose of examination have access to and the right to copy any book, account, record, paper, or correspondence relating to any matter which the board is authorized to consider or investigate. Any person who upon demand refuses any duly authorized member, officer, employee, or agent of the labor board such right of access or copying, or hinders, obstructs, or resists him in the exercise of such right, shall upon conviction thereof be liable to a penalty of $500 for each such offense. Each day during any part of which such offense continues shall constitute a separate offense. Such penalty shall be recoverable in a civil suit brought in the name of the United States, and shall be covered into the Treasury of the United States as miscellaneous receipts.

"(b) Every officer or employee of the United States, whenever requested by any member of the labor board or an adjustment board duly authorized by the board for the purpose, shall supply to such board any data or information pertaining to the administration of the functions vested in it by this title, which may be contained in the records of his office.

"(c) The President is authorized to transfer to the labor board any books, papers, or documents pertaining to the administration of the functions vested in the board by this title, which are in the possession of any agency, or railway board of adjustment in connection therewith, established for executing the powers granted the President under the Federal control act and which are no longer necessary to the administration of the affairs of such agency.

"SEC. 312. Prior to September 1, 1920, each carrier shall pay to each employee or subordinate official thereof wages or salary at a rate not less than that fixed by the decision of any agency, or railway board of adjustment in connection therewith, established for executing the powers granted the President under the Federal control act, in effect in respect to such employee or subordinate official immediately preceding 12.01 a. m. March 1, 1920. Any carrier acting in violation of any provision of this section shall upon conviction thereof be liable to a penalty of $100 for each such offense. Each such action with respect to any such employee or subordinate official and each day or portion thereof during which the offense continues shall constitute a separate offense. Such penalty shall be recoverable in a civil suit brought in the name of the United States, and shall be covered into the Treasury of the United States as miscellaneous receipts.

"SEC. 313. The labor board, in case it has reason to believe that any decision of the labor board or of an adjustment board is violated by any carrier, or employee or subordinate official, or organization thereof, may upon its own motion after due notice and hearing to all persons directly interested in such violation, determine whether in its opinion such violation has occurred and make public its decision in such manner as it may determine.

"SEC. 314. The labor board may (1) appoint a secretary, who shall receive from the United States an annual salary of $5,000; and (2) subject to the provisions of the civil-service laws, appoint and remove such officers, employees, and agents; and make such expenditures for rent, printing, telegrams, telephone, law books, books of reference, periodicals, furniture, stationery, office equipment, and other supplies and expenses, including salaries, traveling expenses of its members, secretary, officers, employees, and agents, and witness fees, as are necessary for the efficient execution of the functions vested in the board by this title and as may be provided for by Congress from time to time. All of the expenditures of the labor board shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the chairman of the labor board.

"SEC. 315. There is hereby appropriated for the fiscal year ending June 30, 1920, out of any money in the Treasury not otherwise appropriated, the sum of $50,000, or so much thereof as may be necessary, to be expended by the labor board, for defraying the expenses of the maintenance and establishment of the board, including the payment of salaries as provided in this title.

"SEC. 316. The powers and duties of the Board of Mediation and Conciliation created by the act approved July 15, 1913, shall not extend to any dispute which may be received for hearing and decision by any adjustment board or the labor board.

"TITLE IV.—AMENDMENTS TO INTERSTATE COMMERCE ACT.

"SEC. 400. The first four paragraphs of section 1 of the interstate commerce act, as such paragraphs appear in section 7 of the commerce court act, are hereby amended to read as follows:

"'(1) That the provisions of this act shall apply to common carriers engaged in—

"'(a) The transportation of passengers or property wholly by railroad, or partly by railroad and partly by water when both are used under a common control, management, or arrangement for a continuous carriage or shipment; or

"'(b) The transportation of oil or other commodity, except water and except natural or artificial gas, by pipe line, or partly by pipe line and partly by railroad or by water; or

"'(c) The transmission of intelligence by wire or wireless;—

from one State or Territory of the United States, or the District of Columbia, to any other State or Territory of the United States, or the District of Columbia, or from one place in a Territory to another place in the same Territory, or from any place in the United States through a foreign country to any other place in the United States, or from or to any place in the United States to or from a foreign country, but only in so far as such transportation or transmission takes place within the United States.

"'(2) The provisions of this act shall also apply to such transportation of passengers and property and transmission of intel-

ligence, but only in so far as such transportation or transmission takes place within the United States, but shall not apply—

"'(a) To the transportation of passengers or property, or to the receiving, delivering, storage, or handling of property, wholly within one State and not shipped to or from a foreign country from or to any place in the United States as aforesaid;

"'(b) To the transmission of intelligence by wire or wireless wholly within one State and not transmitted to or from a foreign country from or to any place in the United States as aforesaid; or

"'(c) To the transportation of passengers or property by a carrier by water where such transportation would not be subject to the provisions of this act except for the fact that such carrier absorbs, out of its port-to-port water rates or out of its proportional through rates, any switching, terminal, lighterage, car rental, trackage, handling, or other charges by a rail carrier for services within the switching, drayage, lighterage, or corporate limits of a port terminal or district.

"'(3) The term "common carrier" as used in this act shall include all pipe-line companies; telegraph, telephone, and cable companies operating by wire or wireless; express companies; sleeping-car companies; and all persons, natural or artificial, engaged in such transportation or transmission as aforesaid as common carriers for hire. Wherever the word "carrier" is used in this act it shall be held to mean "common carrier." The term "railroad" as used in this act shall include all bridges, car floats, lighters, and ferries used by or operated in connection with any railroad, and also all the road in use by any common carrier operating a railroad, whether owned or operated under a contract, agreement, or lease, and also all switches, spurs, tracks, terminals, and terminal facilities of every kind used or necessary in the transportation of the persons or property designated herein, including all freight depots, yards, and grounds, used or necessary in the transportation or delivery of any such property. The term "transportation" used in this act shall include locomotives, cars, and other vehicles, vessels, and all instrumentalities and facilities of shipment or carriage, irrespective of ownership or of any contract, express or implied, for the use thereof, and all services in connection with the receipt, delivery, elevation, and transfer in transit, ventilation, refrigeration or icing, storage, and handling of property transported. The term "transmission" as used in this act shall include the transmission of intelligence through the application of electrical energy or other use of electricity, whether by means of wire, cable, radio apparatus, or other wire or wireless conductors or appliances, and all instrumentalities and facilities for and services in connection with the receipt, forwarding, and delivery of messages, communications, or other intelligence so transmitted, hereinafter also collectively called messages.

"'(4) It shall be the duty of every common carrier subject to this act engaged in the transportation of passengers or property to provide and furnish such transportation upon reasonable request therefor, and to establish through routes and just and reasonable rates, fares, and charges applicable thereto, and to provide reasonable facilities for operating through routes and to make reasonable rules and regulations with respect to the operation of through routes, and providing for reasonable compensation to those entitled thereto; and in case of joint rates, fares, or charges, to establish just, reasonable, and equitable divisions thereof as between the carriers subject to this act participating therein which shall not unduly prefer or prejudice any of such participating carriers.

"'(5) All charges made for any service rendered or to be rendered in the transportation of passengers or property or in the transmission of intelligence by wire or wireless as aforesaid, or in connection therewith, shall be just and reasonable, and every unjust and unreasonable charge for such service or any part thereof is prohibited and declared to be unlawful: *Provided*, That messages by wire or wireless subject to the provisions of this act may be classified into day, night, repeated, unrepeated, letter, commercial, press, Government, and such other classes as are just and reasonable, and different rates may be charged for the different classes of messages: *And provided further*, That nothing in this act shall be construed to prevent telephone, telegraph, and cable companies from entering into contracts with common carriers for the exchange of services.

"'(6) It is hereby made the duty of all common carriers subject to the provisions of this act to establish, observe, and enforce just and reasonable classifications of property for transportation, with reference to which rates, tariffs, regulations, or practices are or may be made or prescribed, and just and reasonable regulations and practices affecting classifications, rates, or tariffs, the issuance, form, and substance of tickets, receipts, and bills of lading, the manner and method of presenting, marking, packing, and delivering property for transportation, the facilities for transportation, the carrying of personal, sample, and excess baggage, and all other matters relating to or connected with the receiving, handling, transporting, storing, and delivery of property subject to the provisions of this act which may be necessary or proper to secure the safe and prompt receipt, handling, transportation, and delivery of property subject to the provisions of this act upon just and reasonable terms, and every unjust and unreasonable classification, regulation, and practice is prohibited and declared to be unlawful.'

"SEC. 401. The fifth, sixth, and seventh paragraphs of section 1 of the Interstate Commerce act, as such paragraphs appear in section 7 of the Commerce Court act, are hereby amended by inserting '(7)' at the beginning of such fifth paragraph, '(8)' at the beginning of such sixth paragraph, and '(9)' at the beginning of such seventh paragraph.

"SEC. 402. The paragraphs added to section 1 of the Interstate Commerce act by the act entitled 'An act to amend an act entitled "An act to regulate commerce," as amended, in respect of car service, and for other purposes,' approved May 29, 1917, are hereby amended to read as follows:

"'(10) The term "car service" in this act shall include the use, control, supply, movement, distribution, exchange, interchange, and return of locomotives, cars, and other vehicles used in the transportation of property, including special types of equipment, and the supply of trains, by any carrier by railroad subject to this act.

"'(11) It shall be the duty of every carrier by railroad subject to this act to furnish safe and adequate car service and to establish, observe, and enforce just and reasonable rules, regulations, and practices with respect to car service; and every unjust and unreasonable rule, regulation, and practice with respect to car service is prohibited and declared to be unlawful.

"'(12) It shall also be the duty of every carrier by railroad to make just and reasonable distribution of cars for transportation of coal among the coal mines served by it, whether located upon its line or lines or customarily dependent upon it for car supply. During any period when the supply of cars available for such service does not equal the requirements of such mines it shall be the duty of the carrier to maintain and apply just and reasonable ratings of such mines and to count each and every car furnished to or used by any such mine for transportation of coal against the mine. Failure or refusal so to do shall be unlawful, and in respect of each car not so counted shall be deemed a separate offense, and the carrier, receiver, or operating trustee so failing or refusing shall forfeit to the United States the sum of $100 for each offense, which may be recovered in a civil action brought by the United States.

"'(13) The commission is hereby authorized by general or special orders to require all carriers by railroad subject to this act, or any of them, to file with it from time to time their rules and regulations with respect to car service, and the commission may, in its discretion, direct that such rules and regulations shall be incorporated in their schedules showing rates, fares, and charges for transportation, and be subject to any or all of the provisions of this act relating thereto.

"'(14) The commission may, after hearing, on a complaint or upon its own initiative without complaint, establish reasonable rules, regulations, and practices with respect to car service by carriers by railroad subject to this act, including the compensation to be paid for the use of any locomotive, car, or other vehicle not owned by the carrier using it, and the penalties or other sanctions for nonobservance of such rules, regulations, or practices.

"'(15) Whenever the commission is of opinion that shortage of equipment, congestion of traffic, or other emergency requiring immediate action exists in any section of the country, the commission shall have, and it is hereby given, authority, either upon complaint or upon its own initiative without complaint, at once, if it so orders, without answer or other formal pleading by the interested carrier or carriers, and with or without notice, hearing, or the making or filing of a report, according as the commission may determine: (a) to suspend the operation of any or all rules, regulations, or practices then established with respect to car service for such time as may be determined by the commission; (b) to make such just and reasonable directions with respect to car service without regard to the ownership as between carriers of locomotives, cars, and other vehicles, during such emergency as in its opinion will best promote the service in the interest of the public and the commerce of the people, upon such terms of compensation as between the carriers as they may agree upon, or, in the event of their disagreement, as the commission may after subsequent hearing find to be just and reasonable; (c) to require such joint or common use of terminals, including main-line track or tracks for a reasonable distance outside of such terminals, as in its opinion will best meet

the emergency and serve the public interest, and upon such terms as between the carriers as they may agree upon, or, in the event of their disagreement, as the commission may after subsequent hearing find to be just and reasonable; and (d) to give directions for preference or priority in transportation, embargoes, or movement of traffic under permits, at such time and for such periods as it may determine, and to modify, change, suspend, or annul them. In time of war or threatened war the President may certify to the commission that it is essential to the national defense and security that certain traffic shall have preference or priority in transportation, and the commission shall, under the power herein conferred, direct that such preference or priority be afforded.

"'(16) Whenever the commission is of opinion that any carrier by railroad subject to this act is for any reason unable to transport the traffic offered it so as properly to serve the public, it may, upon the same procedure as provided in paragraph (15), make such just and reasonable directions with respect to the handling, routing, and movement of the traffic of such carrier and its distribution over other lines of roads, as in the opinion of the commission will best promote the service in the interest of the public and the commerce of the people, and upon such terms as between the carriers as they may agree upon, or, in the event of their disagreement, as the commission may after subsequent hearing find to be just and reasonable.

"'(17) The directions of the commission as to car service and to the matters referred to in paragraphs (15) and (16) may be made through and by such agents or agencies as the commission shall designate and appoint for that purpose. It shall be the duty of all carriers by railroad subject to this act, and of their officers, agents, and employees, to obey strictly and conform promptly to such orders or directions of the commission, and in case of failure or refusal on the part of any carrier, receiver, or operating trustee to comply with any such order or direction such carrier, receiver, or trustee shall be liable to a penalty of not less than $100 nor more than $500 for each such offense and $50 for each and every day of the continuance of such offense, which shall accrue to the United States and may be recovered in a civil action brought by the United States: *Provided, however*, That nothing in this act shall impair or affect the right of a State, in the exercise of its police power, to require just and reasonable freight and passenger service for intrastate business, except in so far as such requirement is inconsistent with any lawful order of the commission made under the provisions of this act.

"'(18) After 90 days after this paragraph takes effect no carrier by railroad subject to this act shall undertake the extension of its line of railroad, or the construction of a new line of railroad, or shall acquire or operate any line of railroad, or extension thereof, or shall engage in transportation under this act over or by means of such additional or extended line of railroad, unless and until there shall first have been obtained from the commission a certificate that the present or future public convenience and necessity require or will require the construction or operation, or construction and operation, of such additional or extended line of railroad, and no carrier by railroad subject to this act shall abandon all or any portion of a line of railroad, or the operation thereof, unless and until there shall first have been obtained from the commission a certificate that the present or future public convenience and necessity permit of such abandonment.

"'(19) The application for and issuance of any such certificate shall be under such rules and regulations as to hearings and other matters as the commission may from time to time prescribe, and the provisions of this act shall apply to all such proceedings. Upon receipt of any application for such certificate the commission shall cause notice thereof to be given to and a copy filed with the governor of each State in which such additional or extended line of railroad is proposed to be constructed or operated, or all or any portion of a line of railroad, or the operation thereof, is proposed to be abandoned, with the right to be heard as hereinafter provided with respect to the hearing of complaints or the issuance of securities; and said notice shall also be published for three consecutive weeks in some newspaper of general circulation in each county in or through which said line of railroad is constructed or operates.

"'(20) The commission shall have power to issue such certificate as prayed for, or to refuse to issue it, or to issue it for a portion or portions of a line of railroad, or extension thereof, described in the application, or for the partial exercise only of such right or privilege, and may attach to the issuance of the certificate such terms and conditions as in its judgment the public convenience and necessity may require. From and after issuance of such certificate, and not before, the carrier by railroad may, without securing approval other than such certificate, comply with the terms and conditions contained in or attached to the issuance of such certificate and proceed with the construction, operation, or abandonment covered thereby. Any construction, operation, or abandonment contrary to the provisions of this paragraph or of paragraph (18) or (19) of this section may be enjoined by any court of competent jurisdiction at the suit of the United States, the commission, any commission or regulating body of the State or States affected, or any party in interest; and any carrier which, or any director, officer, receiver, operating trustee, lessee, agent, or person, acting for or employed by such carrier, who knowingly authorizes, consents to, or permits any violation of the provisions of this paragraph or of paragraph (18) of this section, shall upon conviction thereof be punished by a fine of not more than $5,000 or by imprisonment for not more than three years, or both.

"'(21) The commission may, after hearing, in a proceeding upon complaint or upon its own initiative without complaint, authorize or require by order any carrier by railroad subject to this act, party to such proceeding, to provide itself with safe and adequate facilities for performing as a common carrier its car service as that term is used in this act, and to extend its line or lines: *Provided*, That no such authorization or order shall be made unless the commission finds, as to such extension, that it is reasonably required in the interest of public convenience and necessity, or as to such extension or facilities that the expense involved therein will not impair the ability of the carrier to perform its duty to the public. Any carrier subject to this act which refuses or neglects to comply with any order of the commission made in pursuance of this paragraph shall be liable to a penalty of $100 for each day during which such refusal or neglect continues, which shall accrue to the United States and may be recovered in a civil action brought by the United States.

"'(22) The authority of the commission conferred by paragraphs (18) to (21), both inclusive, shall not extend to the construction or abandonment of spur, industrial, team, switching or side tracks, located or to be located wholly within one State, or of street, suburban, or interurban electric railways, which are not operated as a part or parts of a general steam railroad system of tansportation.'

"SEC. 403. The fifteenth and sixteenth paragraphs of section 1 of the interstate commerce act, added to such section by the act entitled 'An act to amend the act to regulate commerce, as amended, and for other purposes,' approved August 10, 1917, are hereby amended by inserting '(23)' at the beginning of such fifteenth paragraph and '(24)' at the beginning of such sixteenth paragraph.

"SEC. 404. Section 2 of the interstate commerce act is hereby amended to read as follows:

"'SEC. 2. That if any common carrier subject to the provisions of this act shall, directly or indirectly, by any special rate, rebate, drawback, or other device, charge, demand, collect, or receive from any person or persons a greater or less compensation for any service rendered, or to be rendered, in the transportation of passengers or property or the transmission of intelligence, subject to the provisions of this act, than it charges, demands, collects, or receives from any other person or persons for doing for him or them a like and contemporaneous service in the transportation or transmission of a like kind of traffic or message under substantially similar circumstances and conditions, such common carrier shall be deemed guilty of unjust discrimination, which is hereby prohibited and declared to be unlawful.'

"SEC. 405. The first paragraph of section 3 of the interstate commerce act is hereby amended by inserting '(1)' after the section number at the beginning thereof.

"Section 3 of the interstate commerce act is hereby amended by adding after the first paragraph a new paragraph to read as follows:

"'(2) From and after July 1, 1920, no carrier by railroad subject to the provisions of this act shall deliver or relinquish possession at destination of any freight transported by it until all tariff rates and charges thereon have been paid, except under such rules and regulations as the commission may from time to time prescribe to assure prompt payment of all such rates and charges and to prevent unjust discrimination: *Provided*, That the provisions of this paragraph shall not be construed to prohibit any carrier from extending credit in connection with rates and charges on freight transported for the United States, for any department, bureau, or agency thereof, or for any State or Territory or political subdivision thereof, or for the District of Columbia.'

"The second paragraph of section 3 of the interstate commerce act is hereby amended to read as follows:

"'(3) All carriers, engaged in the transportation of passengers or property, subject to the provisions of this act, shall, according to their respective powers, afford all reasonable, proper, and equal facilities for the interchange of traffic between their respective lines, and for the receiving, forwarding, and delivering of passengers or property to and from their several lines and those connecting therewith, and shall not discriminate in their rates, fares, and charges between such connecting lines, or unduly prejudice any such connecting line in the distribution of traffic that is not specifically routed by the shipper.

"'(4) If the commission finds it to be in the public interest and to be practicable, without substantially impairing the ability of a carrier owning or entitled to the enjoyment of terminal facilities to handle its own business, it shall have power to require the use of any such terminal facilities, including main line track or tracks for a reasonable distance outside of such terminal, of any carrier, by another carrier or other carriers, on such terms and for such compensation as the carriers affected may agree upon, or, in the event of a failure to agree, as the commission may fix as just and reasonable for the use so required, to be ascertained on the principle controlling compensation in condemnation proceedings. Such compensation shall be paid or adequately secured before the enjoyment of the use may be commenced. If under this paragraph the use of such terminal facilities of any carrier is required to be given to another carrier or other carriers, and the carrier whose terminal facilities are required to be so used is not satisfied with the terms fixed for such use, or if the amount of compensation so fixed is not duly and promptly paid, the carrier whose terminal facilities have thus been required to be given to another carrier or other carriers shall be entitled to recover, by suit or action against such other carrier or carriers, proper damages for any injuries sustained by it as the result of compliance with such requirement, or just compensation for such use, or both, as the case may be.'

"SEC. 406. Section 4 of the interstate-commerce act is hereby amended to read as follows:

"'SEC. 4 (1) That it shall be unlawful for any common carrier subject to the provisions of this act to charge or receive any greater compensation in the aggregate for the transportation of passengers, or of like kind of property, for a shorter than for a longer distance over the same line or route in the same direction, the shorter being included within the longer distance, or to charge any greater compensation as a through rate than the aggregate of the intermediate rates subject to the provisions of this act, but this shall not be construed as authorizing any common carrier within the terms of this act to charge or receive as great compensation for a shorter as for a longer distance: *Provided*, That upon application to the commission such common carrier may in special cases, after investigation, be authorized by the commission to charge less for longer than for shorter distances for the transportation of passengers or property; and the commission may from time to time prescribe the extent to which such designated common carrier may be relieved from the operation of this section; but in exercising the authority conferred upon it in this proviso the commission shall not permit the establishment of any charge to or from the more distant point that is not reasonably compensatory for the service performed; and if a circuitous rail line or route is, because of such circuity, granted authority to meet the charges of a more direct line or route to or from competitive points and to maintain higher charges to or from intermediate points on its line, the authority shall not include intermediate points as to which the haul of the petitioning line or route is not longer than that of the direct line or route between the competitive points; and no such authorization shall be granted on account of merely potential water competition not actually in existence: *And provided further*, That rates, fares, or charges existing at the time of the passage of the amendatory act by virtue of orders of the commission or as to which application has theretofore been filed with the commission and not yet acted upon shall not be required to be changed by reason of the provisions of this section until the further order of or a determination by the commission.

"'(2) Wherever a carrier by railroad shall in competition with a water route or routes reduce the rates on the carriage of any species of freight to or from competitive points it shall not be permitted to increase such rates unless after hearing by the commission it shall be found that such proposed increase rests upon changed conditions other than the elimination of water competition.'

"SEC. 407. The first paragraph of section 5 of the interstate-commerce act is hereby amended to read as follows:

"'SEC. 5. (1) That, except upon specific approval by order of the commission as in this section provided, and except as provided in paragraph (16) of section 1 of this act, it shall be unlawful for any common carrier subject to this act to enter into any contract, agreement, or combination with any other common carrier or carriers for the pooling of freights of different and competing railroads, or to divide between them the aggregate or net proceeds of the earnings of such railroads, or any portion thereof; and in any case of an agreement for the pooling of freights as aforesaid each day of its continuance shall be deemed a separate offense: *Provided*, That whenever the commission is of opinion, after hearing upon application of any carrier or carriers engaged in the transportation of passengers or property subject to this act, or upon its own initiative, that the division of their traffic or earnings, to the extent indicated by the commission, will be in the interest of better service to the public, or economy in operation, and will not unduly restrain competition, the commission shall have authority by order to approve and authorize, if assented to by all the carriers involved, such division of traffic or earnings, under such rules and regulations, and for such consideration as between such carriers and upon such terms and conditions, as shall be found by the commission to be just and reasonable in the premises.

"'(2) Whenever the commission is of opinion, after hearing, upon application of any carrier or carriers engaged in the transportation of passengers or property subject to this act, that the acquisition, to the extent indicated by the commission, by one of such carriers of the control of any other such carrier or carriers either under a lease or by the purchase of stock or in any other manner not involving the consolidation of such carriers into a single system for ownership and operation, will be in the public interest, the commission shall have authority by order to approve and authorize such acquisition, under such rules and regulations and for such consideration and on such terms and conditions as shall be found by the commission to be just and reasonable in the premises.

"'(3) The commission may from time to time, for good cause shown, make such orders, supplemental to any order made under paragraph (1) or (2), as it may deem necessary or appropriate.

"'(4) The commission shall as soon as practicable prepare and adopt a plan for the consolidation of the railway properties of the continental United States into a limited number of systems. In the division of such railways into such systems under such plan, competition shall be preserved as fully as possible and wherever practicable the existing routes and channels of trade and commerce shall be maintained. Subject to the foregoing requirements, the several systems shall be so arranged that the cost of transportation as between competitive systems and as related to the values of the properties through which the service is rendered shall be the same, so far as practicable; so that these systems can employ uniform rates in the movement of competitive traffic and under efficient management earn substantially the same rate of return upon the value of their respective railway properties.

"'(5) When the commission has agreed upon a tentative plan, it shall give the same due publicity and upon reasonable notice, including notice to the governor of each State, shall hear all persons who may file or present objections thereto. The commission is authorized to prescribe a procedure for such hearings and to fix a time for bringing them to a close. After the hearings are at an end, the commission shall adopt a plan for such consolidation and publish the same; but it may at any time thereafter, upon its own motion or upon application, reopen the subject for such changes or modifications as in its judgment will promote the public interest. The consolidations herein provided for shall be in harmony with such plan.

"'(6) It shall be lawful for two or more carriers by railroad, subject to this act, to consolidate their properties or any part thereof, into one corporation for the ownership, management, and operation of the properties theretofore in separate ownership, management, and operation, under the following conditions:

"'(a) The proposed consolidation must be in harmony with and in furtherance of the complete plan of consolidation mentioned in paragraph (5) and must be approved by the commission;

"'(b) The bonds at par of the corporation which is to become the owner of the consolidated properties, together with the outstanding capital stock at par of such corporation, shall not exceed the value of the consolidated properties as determined by the commission. The value of the properties sought to be consolidated shall be ascertained by the commission under section 19a of this act, and it shall be the duty of the commission to proceed immediately to the ascertainment of such value for the properties involved in a proposed consolidation upon the filing of the application for such consolidation;

"'(c) Whenever two or more carriers propose a consolidation under this section, they shall present their application therefor to the commission, and thereupon the commission shall notify the governor of each State in which any part of the properties sought to be consolidated is situated and the carriers involved in the proposed consolidation, of the time and place for a public hearing. If after such hearing the commission finds that the public interest will be promoted by the consolidation and that the conditions of this section have been or will be fulfilled, it may enter an order approving and authorizing such consolidation, with such modifications and upon such terms and conditions as it may prescribe, and thereupon such consolidation may be effected, in accordance with such order, if all the carriers involved assent thereto, the law of any State or the decision or order of any State authority to the contrary notwithstanding.

"'(7) The power and authority of the commission to approve and authorize the consolidation of two or more carriers shall extend and apply to the consolidation of four express companies into the American Railway Express Co., a Delaware corporation, if application for such approval and authority is made to the commission within 30 days after the passage of this amendatory act; and pending the decision of the commission such consolidation shall not be dissolved.

"'(8) The carriers affected by any order made under the foregoing provisions of this section and any corporation organized to effect a consolidation approved and authorized in such order shall be, and they are hereby, relieved from the operation of the "antitrust law," as designated in section 1 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, and of all other restraints or prohibitions by law, State or Federal, in so far as may be necessary to enable them to do anything authorized or required by any order made under and pursuant to the foregoing provisions of this section.'

"SEC. 408. The paragraph of section 5 of the interstate commerce act, added to such section by section 11 of the act entitled 'An act to provide for the opening, maintenance, protection, and operation of the Panama Canal and the sanitation and government of the Canal Zone,' approved August 24, 1912, is hereby amended by inserting '(9)' at the beginning thereof.

"The two paragraphs of section 11 of such act of August 24, 1912, which follow the paragraph added by such section to section 5 of the interstate commerce act, are hereby made a part of section 5 of the interstate commerce act. The first paragraph so made a part of section 5 of the interstate commerce act is hereby amended by inserting '(10)' at the beginning thereof, and the second such paragraph is hereby amended by inserting '(11)' at the beginning thereof.

"SEC. 409. Section 6 of the interstate commerce act is hereby amended by inserting '(1)' after the section number at the beginning of the first paragraph, '(2)' at the beginning of the second paragraph, '(3)' at the beginning of the third paragraph, '(4)' at the beginning of the fourth paragraph, '(5)' at the beginning of the fifth paragraph, '(6)' at the beginning of the sixth paragraph, '(7)' at the beginning of the seventh paragraph, '(8)' at the beginning of the eighth paragraph, '(9)' at the beginning of the ninth paragraph, '(10)' at the beginning of the tenth paragraph, '(11)' at the beginning of the eleventh paragraph, '(12)' at the beginning of the twelfth paragraph, and '(13)' at the beginning of the thirteenth paragraph.

"SEC. 410. The third paragraph of section 6 of the interstate commerce act is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: '*Provided further*, That the commission is hereby authorized to make suitable rules and regulations for the simplification of schedules of rates, fares, charges, and classifications and to permit in such rules and regulations the filing of an amendment of or change in any rate, fare, charge, or classification without filing complete schedules covering rates, fares, charges, or classifications not changed if, in its judgment, not inconsistent with the public interest.'

"SEC. 411. The seventh paragraph of section 6 of the interstate commerce act is hereby amended by striking out the proviso at the end.

"SEC. 412. The two paragraphs under (a) of the thirteenth paragraph of section 6 of the interstate commerce act are hereby amended so as to be combined into one paragraph to read as follows:

"'(a) To establish physical connection between the lines of the rail carrier and the dock at which interchange of passengers or property is to be made by directing the rail carrier to make suitable connection between its line and a track or tracks which have been constructed from the dock to the limits of the railroad right of way, or by directing either or both the rail and water carrier, individually or in connection with one another, to construct and connect with the lines of the rail carrier a track or tracks to the dock. The commission shall have full authority to determine and prescribe the terms and conditions upon which these connecting tracks shall be operated, and it may, either in the construction or the operation of such tracks, determine what sum shall be paid to or by either carrier: *Provided*, That construction required by the commission under the provisions of this paragraph shall be subject to the same restrictions as to findings of public convenience and necessity and other matters as is construction required under section 1 of this act.'

"SEC. 413. Paragraph (c) of the thirteenth paragraph of section 6 of the interstate commerce act is hereby amended to read as follows:

"'(c) To establish proportional rates, or maximum, or minimum, or maximum and minimum proportional rates, by rail to and from the ports to which the traffic is brought, or from which it is taken by the water carrier, and to determine to what traffic and in connection with what vessels and upon what terms and conditions such rates shall apply. By proportional rates are meant those which differ from the corresponding local rates to and from the port and which apply only to traffic which has been brought to the port or is carried from the port by a common carrier by water.'

"SEC. 414. Section 10 of the interstate commerce act is hereby amended by inserting '(1)' after the section number at the beginning of the first paragraph, '(2)' at the beginning of the second paragraph, '(3)' at the beginning of the third paragraph, and '(4)' at the beginning of the fourth paragraph, and by inserting after the words 'transportation of passengers or property,' in the proviso in the first paragraph thereof, the words 'or the transmission of intelligence.'

"SEC. 415. Section 12 of the interstate commerce act is hereby amended by inserting '(1)' after the section number at the beginning of the first paragraph, '(2)' at the beginning of the second paragraph, '(3)' at the beginning of the third paragraph, '(4)' at the beginning of the fourth paragraph, '(5)' at the beginning of the fifth paragraph, '(6)' at the beginning of the sixth paragraph, and '(7)' at the beginning of the seventh paragraph.

"SEC. 416. Section 13 of the interstate commerce act is hereby amended by inserting '(1)' after the section number at the beginning of the first paragraph and '(2)' at the beginning of the second paragraph, and by adding at the end thereof two new paragraphs to read as follows:

"'(3) Whenever in any investigation under the provisions of this act, or in any investigation instituted upon petition of the carrier concerned, which petition is hereby authorized to be filed, there shall be brought in issue any rate, fare, charge, classification, regulation, or practice, made or imposed by authority of any State, or initiated by the President during the period of Federal control, the commission, before proceeding to hear and dispose of such issue, shall cause the State or States interested to be notified of the proceeding. The commission may confer with the authorities of any State having regulatory jurisdiction over the class of persons and corporations subject to this act with respect to the relationship between rate structures and practices of carriers subject to the jurisdiction of such State bodies and of the commission; and to that end is authorized and empowered, under rules to be prescribed by it, and which may be modified from time to time, to hold joint hearings with any such State regulating bodies on any matters wherein the commission is empowered to act and where the rate-making authority of a State is or may be affected by the action taken by the commission. The commission is also authorized to avail itself of the cooperation, service, records, and facilities of such State authorities in the enforcement of any provision of this act.

"'(4) Whenever in any such investigation the commission, after full hearing, finds that any such rate, fare, charge, classification, regulation, or practice causes any undue or unreasonable advantage, preference, or prejudice as between persons or localities in intrastate commerce on the one hand and interstate or foreign commerce on the other hand, or any undue, unreasonable, or unjust discrimination against interstate or foreign commerce, which is hereby forbidden and declared to be unlawful, it shall prescribe the rate, fare, or charge, or the maximum or minimum, or maximum and minimum, thereafter to be charged, and the classification, regulation, or practice thereafter to be observed, in such manner as, in its judgment, will remove such advantage, preference, prejudice, or discrimination. Such rates, fares, charges, classifications, regulations, and practices shall be observed while in effect by the carriers parties to such proceeding affected thereby, the law of any State or the decision or order of any State authority to the contrary notwithstanding.'

"SEC. 417. Section 14 of the interstate commerce act is hereby amended by inserting '(1)' after the section number at the beginning of the first paragraph, '(2)' at the beginning of the second paragraph, and '(3)' at the beginning of the third paragraph.

"SEC. 418. The first four paragraphs of section 15 of the interstate commerce act are hereby amended to read as follows:

"'SEC. 15. (1) That whenever, after full hearing, upon a complaint made as provided in section 13 of this act, or after full hearing under an order for investigation and hearing made by the commission on its own initiative, either in extension of any pending complaint or without any complaint whatever, the commission shall be of opinion that any individual or joint rate, fare, or charge whatsoever demanded, charged, or collected by any common carrier or carriers subject to this act for the transportation of persons or property or for the transmission of messages as defined in the first section of this act, or that any individual or joint classification, regulation, or practice whatsoever of such carrier or carriers subject to the provisions of this act, is or will be unjust or unreasonable or unjustly discriminatory or unduly preferential or prejudicial, or otherwise in violation of any of the provisions of this act, the commission is hereby authorized and empowered to determine and prescribe what will be the just and reasonable individual or joint rate, fare, or charge, or rates, fares, or charges, to be thereafter observed in such case, or the maximum or minimum, or maximum and minimum, to be charged (or, in the case of a through route where one of the carriers is a water line, the maximum rates, fares, and charges applicable thereto), and what individual or joint classification, regulation, or practice is or will be just, fair, and reasonable, to be thereafter followed, and to make an order that the carrier or carriers shall cease and desist from such violation to the extent to which the commission finds that the same does or will exist, and shall not thereafter publish, demand, or collect any rate, fare, or charge for such transportation or transmission other than the rate, fare, or charge so prescribed, or in excess of the maximum or less than the minimum so prescribed, as the case may be, and shall adopt the classification and shall conform to and observe the regulation or practice so prescribed.

"'(2) Except as otherwise provided in this act, all orders of the commission, other than orders for the payment of money, shall take effect within such reasonable time, not less than 30 days, and shall continue in force until its further order, or for a specified period of time, according as shall be prescribed in the order, unless the same shall be suspended or modified or set aside by the commission, or be suspended or set aside by a court of competent jurisdiction.

"'(3) The commission may, and it shall whenever deemed by it to be necessary or desirable in the public interest, after full hearing upon complaint or upon its own initiative without a complaint, establish through routes, joint classifications, and joint rates, fares, or charges, applicable to the transportation of passengers or property, or the maxima or minima, or maxima and minima, to be charged (or, in the case of a through route where one of the carriers is a water line, the maximum rates, fares, and charges applicable thereto), and the divisions of such rates, fares, or charges as hereinafter provided, and the terms and conditions under which such through routes shall be operated; and this provision, except as herein otherwise provided, shall apply when one of the carriers is a water line. The commission shall not, however, establish any through route, classification, or practice, or any rate, fare, or charge, between street electric passenger railways not engaged in the general business of transporting freight in addition to their passenger and express business, and railroads of a different character; nor shall the commission have the right to establish any route, classification, or practice, or any rate, fare, or charge when the transportation is wholly by water, and any transportation by water affected by this act shall be subject to the laws and regulations applicable to transportation by water.

"'(4) In establishing any such through route the commission shall not (except as provided in section 3, and except where one of the carriers is a water line), require any carrier by railroad, without its consent, to embrace in such route substantially less than the entire length of its railroad and of any intermediate railroad operated in conjunction and under a common management or control therewith, which lies between the termini of such proposed through route, unless such inclusion of lines would make the through route unreasonably long as compared with another practicable through route which could otherwise be established: *Provided*, That in time of shortage of equipment, congestion of traffic, or other emergency declared by the commission it may (either upon complaint or upon its own initiative without complaint, at once, if it so orders without answer or other formal pleadings by the interested carrier or carriers, and with or without notice, hearing, or the making or filing of a report, according as the commission may determine) establish temporarily such through routes as in its opinion are necessary or desirable in the public interest.

"'(5) Transportation wholly by railroad of ordinary live stock in carload lots destined to or received at public stockyards shall include all necessary service of unloading and reloading en route, delivery at public stockyards of inbound shipments into suitable pens, and receipt and loading at such yards of outbound shipments, without extra charge therefor to the shipper, consignee, or owner, except in cases where the unloading or reloading en route is at the request of the shipper, consignee, or owner, or to try an intermediate market, or to comply with quarantine regulations. The commission may prescribe or approve just and reasonable rules governing each of such excepted services. Nothing in this paragraph shall be construed to affect the duties and liabilities of the carriers now existing by virtue of law respecting the transportation of other than ordinary live stock, or the duty of performing service as to shipments other than those to or from public stockyards.

"'(6) Whenever, after full hearing upon complaint or upon its own initiative, the commission is of opinion that the divisions of joint rates, fares, or charges, applicable to the transportaton of passengers or property, are or will be unjust, unreasonable, inequitable, or unduly preferential or prejudicial as between the carriers parties thereto (whether agreed upon by such carriers, or any of them, or otherwise established), the commission shall by order prescribe the just, reasonable, and equitable divisions thereof to be received by the several carriers, and in cases where the joint rate, fare, or charge was established pursuant to a finding or order of the commission and the divisions thereof are found by it to have been unjust, unreasonable, or inequitable, or unduly preferential or prejudicial the commission may also by order determine what (for the period subsequent to the filing of the complaint or petition or the making of the order of investigation) would have been the just, reasonable, and equitable divisions thereof to be received by the several carriers and require adjustment to be made in accordance therewith. In so prescribing and determining the divisions of joint rates, fares, and charges the commission shall give due consideration, among other things, to the efficiency with which the carriers concerned are operated, the amount of revenue required to pay their respective operating expenses, taxes, and a fair return on their railway property held for and used in the service of transportation, and the importance to the public of the transportation services of such carriers; and also whether any particular participating carrier is an originating, intermediate, or delivering line, and any other fact or circumstance which would ordinarily, without regard to the mileage haul, entitle one carrier to a greater or less proportion than another carrier of the joint rate, fare, or charge.

"'(7) Whenever there shall be filed with the commission any schedule stating a new individual or joint rate, fare, or charge, or any new individual or joint classification, or any new individual or joint regulation or practice affecting any rate, fare, or charge, the commission shall have, and it is hereby given, authority, either upon complaint or upon its own initiative without complaint, at once, and if it so orders without answer or other formal pleading by the interested carrier or carriers, but upon reasonable notice, to enter upon a hearing concerning the lawfulness of such rate, fare, charge, classification, regulation, or practice; and pending such hearing and the decision thereon the commission, upon filing with such schedule and delivering to the carrier or carriers affected thereby a statement in writing of its reasons for such suspension, may suspend the operation of such schedule and defer the use of such rate, fare, charge, classification, regulation, or practice, but not for a longer period than 120 days beyond the time when it would otherwise go into effect; and after full hearing, whether completed before or after the rate, fare, charge, classification, regulation, or practice goes into effect, the commission may make such order with reference thereto as would be proper in a proceeding initiated after it had become effective. If any such hearing can not be concluded within the period of suspension, as above stated, the commission may extend the time of suspension for a further period not exceeding 30 days, and if the proceeding has not been concluded and an order made at the expiration of such 30 days the proposed change of rate, fare, charge, classification, regulation, or practice shall go into effect at the end of such period, but in case of a proposed increased rate or charge for or in respect to the transportation of property the commission may by order require the interested carrier or carriers to keep accurate account in

detail of all amounts received by reason of such increase, specifying by whom and in whose behalf such amounts are paid, and upon completion of the hearing and decision may by further order require the interested carrier or carriers to refund with interest to the persons in whose behalf such amounts were paid such portion of such increased rates or charges as by its decision shall be found not justified. At any hearing involving a rate, fare, or charge increased after January 1, 1910, or of a rate, fare, or charge sought to be increased after the passage of this act, the burden of proof to show that the increased rate, fare, or charge, or proposed increased rate, fare, or charge, is just and reasonable shall be upon the carrier, and the commission shall give to the hearing and decision of such questions preference over all other questions pending before it and decide the same as speedily as possible.'

"SEC. 419. The fifth paragraph of section 15 of the interstate commerce act is hereby amended by inserting '(8)' at the beginning of such paragraph.

"SEC. 420. Section 15 of the interstate commerce act is hereby amended by inserting after the fifth paragraph two new paragraphs, to read as follows:

"'(9) Whenever property is diverted or delivered by one carrier to another carrier contrary to routing instructions in the bill of lading, unless such diversion or delivery is in compliance with a lawful order, rule, or regulation of the commission, such carriers shall, in a suit or action in any court of competent jurisdiction, be jointly and severally liable to the carrier thus deprived of its right to participate in the haul of the property, for the total amount of the rate or charge it would have received had it participated in the haul of the property. The carrier to which the property is thus diverted shall not be liable in such suit or action if it can show, the burden of proof being upon it, that before carrying the property it had no notice, by bill of lading, waybill or otherwise, of the routing instructions. In any judgment which may be rendered the plaintiff shall be allowed to recover against the defendant a reasonable attorney's fee to be taxed in the case.

"'(10) With respect to traffic not routed by the shipper, the commission may, whenever the public interest and a fair distribution of traffic require, direct the route which such traffic shall take after it arrives at the terminus of one carrier or at a junction point with another carrier, and is to be there delivered to another carrier.'

"SEC. 421. Section 15 of the interstate commerce act is hereby further amended by inserting '(11)' at the beginning of the sixth paragraph, '(12)' at the beginning of the seventh paragraph, '(13)' at the beginning of the eighth paragraph, and '(14)' at the beginning of the ninth paragraph.

"SEC. 422. The interstate commerce act is further amended by inserting after section 15 a new section to be known as section 15a and to read as follows:

"'SEC. 15a. (1) When used in this section the term "rates" means rates, fares, and charges, and all classifications, regulations, and practices, relating thereto; the term "carrier" means a carrier by railroad or partly by railroad and partly by water, within the continental United States, subject to this act, excluding (a) sleeping-car companies and express companies, (b) street or suburban electric railways unless operated as a part of a general steam railroad system of transportation, (c) interurban electric railways unless operated as a part of a general steam railroad system of transportation or engaged in the general transportation of freight, and (d) any belt-line railroad, terminal switching railroad, or other terminal facility, owned exclusively and maintained, operated, and controlled by any State or political subdivision thereof; and the term "net railway operating income" means railway operating income, including in the computation thereof debits and credits arising from equipment rents and joint facility rents.

"'(2) In the exercise of its power to prescribe just and reasonable rates the commission shall initiate, modify, establish or adjust such rates so that carriers as a whole (or as a whole in each of such rate groups or territories as the commission may from time to time designate) will, under honest, efficient and economical management and reasonable expenditures for maintenance of way, structures and equipment, earn an aggregate annual net railway operating income equal, as nearly as may be, to a fair return upon the aggregate value of the railway property of such carriers held for and used in the service of transportation: *Provided*, That the commission shall have reasonable latitude to modify or adjust any particular rate which it may find to be unjust or unreasonable, and to prescribe different rates for different sections of the country.

"'(3) The commission shall from time to time determine and make public what percentage of such aggregate property value constitutes a fair return thereon, and such percentage shall be uniform for all rate groups or territories which may be designated by the commission. In making such determination it shall give due consideration, among other things, to the transportation needs of the country and the necessity (under honest, efficient, and economical management of existing transportation facilities) of enlarging such facilities in order to provide the people of the United States with adequate transportation: *Provided*, That during the two years beginning March 1, 1920, the commission shall take as such fair return a sum equal to 5½ per cent of such aggregate value, but may, in its discretion, add thereto a sum not exceeding one-half of 1 per cent of such aggregate value to make provision in whole or in part for improvements, betterments or equipment, which, according to the accounting system prescribed by the commission, are chargeable to capital account.

"'(4) For the purposes of this section, such aggregate value of the property of the carriers shall be determined by the commission from time to time and as often as may be necessary. The commission may utilize the results of its investigation under section 19a of this act, in so far as deemed by it available, and shall give due consideration to all the elements of value recognized by the law of the land for rate-making purposes, and shall give to the property investment account of the carriers only that consideration which under such law it is entitled to in establishing values for rate-making purposes. Whenever pursuant to section 19a of this act the value of the railway property of any carrier held for and used in the service of transportation has been finally ascertained, the value so ascertained shall be deemed by the commission to be the value thereof for the purpose of determining such aggregate value.

"'(5) Inasmuch as it is impossible (without regulation and control in the interest of the commerce of the United States considered as a whole) to establish uniform rates upon competitive traffic which will adequately sustain all the carriers which are engaged in such traffic and which are indispensable to the communities to which they render the service of transportation, without enabling some of such carriers to receive a net railway operating income substantially and unreasonably in excess of a fair return upon the value of their railway property held for and used in the service of transportation, it is hereby declared that any carrier which receives such an income so in excess of a fair return, shall hold such part of the excess, as hereinafter prescribed, as trustee for, and shall pay it to, the United States.

"'(6) If, under the provisions of this section, any carrier receives for any year a net railway operating income in excess of 6 per cent of the value of the railway property held for and used by it in the service of transportation, one-half of such excess shall be placed in a reserve fund established and maintained by such carrier, and the remaining one-half thereof shall, within the first four months following the close of the period for which such computation is made, be recoverable by and paid to the commission for the purpose of establishing and maintaining a general railroad contingent fund as hereinafter described. For the purposes of this paragraph the value of the railway property and the net railway operating income of a group of carriers, which the commission finds are under common control and management and are operated as a single system, shall be computed for the system as a whole irrespective of the separate ownership and accounting returns of the various parts of such system. In the case of any carrier which has accepted the provisions of section 209 of this amendatory act the provisions of this paragraph shall not be applicable to the income for any period prior to September 1, 1920. The value of such railway property shall be determined by the commission in the manner provided in paragraph (4).

"'(7) For the purpose of paying dividends or interest on its stocks, bonds, or other securities, or rent for leased roads, a carrier may draw from the reserve fund established and maintained by it under the provisions of this section to the extent that its net railway operating income for any year is less than a sum equal to 6 per cent of the value of the railway property held for and used by it in the service of transportation, determined as provided in paragraph (6); but such fund shall not be drawn upon for any other purpose.

"'(8) Such reserve fund need not be accumulated and maintained by any carrier beyond a sum equal to 5 per cent of the value of its railway property determined as herein provided, and when such fund is so accumulated and maintained the portion of its excess income which the carrier is permitted to retain under paragraph (6) may be used by it for any lawful purpose.

"'(9) The commission shall prescribe rules and regulations for the determination and recovery of the excess income payable to it under this section, and may require such security and prescribe such reasonable terms and conditions in connection

therewith as it may find necessary. The commission shall make proper adjustments to provide for the computation of excess income for a portion of a year, and for a year in which a change in the percentage constituting a fair return or in the value of a carrier's railway property becomes effective.

"'(10) The general railroad contingent fund so to be recoverable by and paid to the commission and all accretions thereof shall be a revolving fund and shall be administered by the commission. It shall be used by the commission in furtherance of the public interest in railway transportation either by making loans to carriers to meet expenditures for capital account or to refund maturing securities originally issued for capital account, or by purchasing transportation equipment and facilities and leasing the same to carriers, as hereinafter provided. Any moneys in the fund not so employed shall be invested in obligations of the United States or deposited in authorized depositaries of the United States subject to the rules promulgated from time to time by the Secretary of the Treasury relating to Government deposits.

"'(11) A carrier may at any time make application to the commission for a loan from the general railroad contingent fund, setting forth the amount of the loan and the term for which it is desired, the purpose of the loan and the uses to which it will be applied, the present and prospective ability of the applicant to repay the loan and meet the requirements of its obligations in that regard, the character and value of the security offered, and the extent to which the public convenience and necessity will be served. The application shall be accompanied by statements showing such facts and details as the commission may require with respect to the physical situation, ownership, capitalization, indebtedness, contract obligations, operation, and earning power of the applicant, together with such other facts relating to the propriety and expediency of granting the loan applied for and the ability of the applicant to make good the obligation, as the commission may deem pertinent to the inquiry.

"'(12) If the commission, after such hearing and investigation, with or without notice, as it may direct, finds that the making, in whole or in part, of the proposed loan from the general railroad contingent fund is necessary to enable the applicant properly to meet the transportation needs of the public, and that the prospective earning power of the applicant and the character and value of the security offered are such as to furnish reasonable assurance of the applicant's ability to repay the loan within the time fixed therefor, and to meet its other obligations in connection with such loan, the commission may make a loan to the applicant from such railroad contingent fund, in such amount, for such length of time, and under such terms and conditions as it may deem proper. The commission shall also prescribe the security to be furnished, which shall be adequate to secure the loan. All such loans shall bear interest at the rate of 6 per cent per annum, payable semiannually to the commission. Such loan when repaid, and all interest paid thereon, shall be placed in the general railroad contingent fund.

"'(13) A carrier may at any time make application to the commission for the lease to it of transportation equipment or facilities, purchased from the general railroad contingent fund, setting forth the kind and amount of such equipment or facilities and the term for which it is desired to be leased, the uses to which it is proposed to put such equipment or facilities, the present and prospective ability of the applicant to pay the rental charges thereon and to meet the requirements of its obligations under the lease, and the extent to which the public convenience and necessity will be served. The application shall be accompanied by statements showing such facts and details as the commission may require with respect to the physical situation, ownership, capitalization, indebtedness, contract obligations, operation, and earning power of the applicant, together with such other facts relating to the propriety and expediency of leasing such equipment or facilities to the applicant as the commission may deem pertinent to the inquiry.

"'(14) If the commission, after such hearing and investigation, with or without notice, as it may direct, finds that the leasing to the applicant of such equipment or facilities, in whole or in part, is necessary to enable the applicant properly to meet the transportation needs of the public, and that the prospective earning power of the applicant is such as to furnish reasonable assurance of the applicant's ability to pay promptly the rental charges and meet its other obligations under such lease, the commission may lease such equipment or facilities purchased by it from the general railroad contingent fund, to the applicant for such length of time, and under such terms and conditions as it may deem proper. The rental charges provided in every such lease shall be at least sufficient to pay a return of 6 per cent per annum, plus allowance for depreciation determined as provided in paragraph (5) of section 20 of this act, upon the value of the equipment or facilities leased thereunder. All rental charges and other payments received by the commission in connection with such equipment and facilities, including amounts received under any sale thereof, shall be placed in the general railroad contingent fund.

"'(15) The commission may from time to time purchase, contract for the construction, repair and replacement of, and sell, equipment and facilities, and enter into and carry out contracts and other obligations in connection therewith, to the extent that moneys included in the general railroad contingent fund are available therefor, and in so far as necessary to enable it to secure and supply equipment and facilities to carriers whose applications therefor are approved under the provisions of this section, and to maintain and dispose of such equipment and facilities.

"'(16) The commission may from time to time prescribe such rules and regulations as it deems necessary to carry out the provisions of this section respecting the making of loans and the lease of equipment and facilities.

"'(17) The provisions of this section shall not be construed as depriving shippers of their right to reparation in case of overcharges, unlawfully excessive or discriminatory rates, or rates excessive in their relation to other rates, but no shipper shall be entitled to recover upon the sole ground that any particular rate may reflect a proportion of excess income to be paid by the carrier to the commission in the public interest under the provisions of this section.

"'(18) Any carrier, or any corporation organized to construct and operate a railroad, proposing to undertake the construction and operation of a new line of railroad may apply to the commission for permission to retain for a period not to exceed 10 years all or any part of its earnings derived from such new construction in excess of the amount heretofore in this section provided, for such disposition as it may lawfully make of the same, and the commission may, in its discretion, grant such permission, conditioned, however, upon the completion of the work of construction within a period to be designated by the commission in its order granting such permission.'

"SEC. 423. The first paragraph of section 16 of the interstate commerce act is hereby amended by inserting '(1)' after the section number at the beginning of such paragraph.

"SEC. 424. The second paragraph of section 16 of the interstate commerce act is hereby amended by inserting '(2)' at the beginning of such paragraph, and by striking out the last sentence thereof and inserting in lieu thereof the following as a new paragraph:

"'(3) All actions at law by carriers subject to this act for recovery of their charges, or any part thereof, shall be begun within three years from the time the cause of action accrues, and not after. All complaints for the recovery of damages shall be filed with the commission within two years from the time the cause of action accrues, and not after, unless the carrier, after the expiration of such two years or within ninety days before such expiration, begins an action for recovery of charges in respect of the same service, in which case such period of two years shall be extended to and including ninety days from the time such action by the carrier is begun. In either case the cause of action in respect of a shipment of property shall, for the purposes of this section, be deemed to accrue upon delivery or tender of delivery thereof by the carrier, and not after. A petition for the enforcement of an order for the payment of money shall be filed in the district court or State court within one year from the date of the order, and not after.'

"SEC. 425. The third, fourth, fifth, and sixth paragraphs of section 16 of the interstate commerce act are hereby amended by inserting '(4)' at the beginning of the third paragraph, '(5)' at the beginning of the fourth paragraph, '(6)' at the beginning of the fifth paragraph, and '(7)' at the beginning of the sixth paragraph.

"SEC. 426. The seventh paragraph of section 16 of the interstate commerce act is hereby amended to read as follows:

"'(8) Any carrier, any officer, representative, or agent of a carrier, or any receiver, trustee, lessee, or agent of either of them, who knowingly fails or neglects to obey any order made under the provisions of sections 3, 13, or 15 of this act shall forfeit to the United States the sum of $5,000 for each offense. Every distinct violation shall be a separate offense, and in case of a continuing violation each day shall be deemed a separate offense.'

"SEC. 427. The eighth and ninth paragraphs of section 16 of the interstate commerce act are hereby amended by inserting '(9)' at the beginning of the eighth paragraph and '(10)' at the beginning of the ninth paragraph.

"SEC. 428. The tenth paragraph of section 16 of the interstate commerce act is hereby amended to read as follows:

"'(11) The commission may employ such attorneys as it finds necessary for proper legal aid and service of the commission or its members in the conduct of their work, or for proper representation of the public interests in investigations made by it or cases or proceedings pending before it, whether at the commission's own instance or upon complaint, or to appear for or represent the commission in any case in court; and the expenses of such employment shall be paid out of the appropriation for the commission.'

"SEC. 429. The eleventh and twelfth paragraphs of section 16 of the interstate commerce act are hereby amended by inserting '(12)' at the beginning of the eleventh paragraph and '(13)' at the beginning of the twelfth paragraph.

"SEC. 430. Section 17 of the interstate commerce act is hereby amended by inserting '(1)' after the section number at the beginning of the first paragraph.

"SEC. 431. The second paragraph of section 17 of the interstate commerce act is hereby amended to read as follows:

"'(2) The commission is hereby authorized by its order to divide the members thereof into as many divisions (each to consist of not less than three members) as it may deem necessary, which may be changed from time to time. Such divisions shall be denominated, respectively, division 1, division 2, etc. Any commissioner may be assigned to and may serve upon such division or divisions as the commission may direct, and the senior in service of the commissioners constituting any of said divisions shall act as chairman thereof. In case of vacancy in any division, or of absence or inability to serve thereon of any commissioner thereto assigned, the chairman of the commission or any commissioner designated by him for that purpose, may temporarily serve on said division until the commission shall otherwise order.'

"SEC. 432. The third and fourth paragraphs of section 17 of the interstate-commerce act are hereby amended by inserting '(3)' at the beginning of the third paragraph, and '(4)' at the beginning of the fourth paragraph.

"The fifth and sixth paragraphs of such section are hereby repealed.

"The seventh paragraph of such section is hereby amended by inserting '(5)' at the beginning of such paragraph.

"SEC. 433. Section 18 of the interstate commerce act is hereby amended by inserting '(1)' after the section number at the beginning of the first paragraph, and '(2)' at the beginning of the second paragraph.

"Section 19a of the interstate commerce act is hereby amended by inserting '(a)' after the section number at the beginning of the first paragraph, '(b)' at the beginning of the second paragraph, '(c)' at the beginning of the seventh paragraph, '(d)' at the beginning of the eighth paragraph, '(e)' at the beginning of the ninth paragraph, '(f)' at the beginning of the tenth paragraph, '(g)' at the beginning of the eleventh paragraph, '(h)' at the beginning of the twelfth paragraph, '(i)' at the beginning of the thirteenth paragraph, '(j)' at the beginning of the fourteenth paragraph, '(k)' at the beginning of the fifteenth paragraph, and '(l)' at the beginning of the sixteenth paragraph.

"SEC. 434. Section 20 of the interstate commerce act is hereby amended by inserting '(1)' after the section number at the beginning of the first paragraph, '(2)' at the beginning of the second paragraph, '(3)' at the beginning of the third paragraph, and '(4)' at the beginning of the fourth paragraph.

"SEC. 435. The fifth paragraph of section 20 of the interstate-commerce act is hereby amended to read as follows:

"'(5) The commission may, in its discretion, prescribe the forms of any and all accounts, records, and memoranda to be kept by carriers subject to the provisions of this act, including the accounts, records, and memoranda of the movement of traffic, as well as of the receipts and expenditures of moneys. The commission shall, as soon as practicable, prescribe, for carriers subject to this act, the classes of property for which depreciation charges may properly be included under operating expenses, and the percentages of depreciation which shall be charged with respect to each of such classes of property, classifying the carriers as it may deem proper for this purpose. The commission may, when it deems necessary, modify the classes and percentages so prescribed. The carriers subject to this act shall not charge to operating expenses any depreciation charges on classes of property other than those prescribed by the commission, or charge with respect to any class of property a percentage of depreciation other than that prescribed therefor by the commission. No such carrier shall in any case include in any form under its operating or other expenses any depreciation or other charge or expenditure included elsewhere as a depreciation charge or otherwise under its operating or other expenses. The commission shall at all times have access to all accounts, records, and memoranda, including all documents, papers, and correspondence now or hereafter existing, and kept or required to be kept by carriers subject to this act, and the provisions of this section respecting the preservation and destruction of books, papers, and documents shall apply thereto, and it shall be unlawful for such carriers to keep any other accounts, records, or memoranda than those prescribed or approved by the commission, and it may employ special agents or examiners, who shall have authority under the order of the commission to inspect and examine any and all accounts, records, and memoranda, including all documents, papers, and correspondence now or hereafter existing, and kept or required to be kept by such carriers. This provision shall apply to receivers of carriers and operating trustees. The provisions of this section shall also apply to all accounts, records, and memoranda, including all documents, papers, and correspondence now or hereafter existing, kept during the period of Federal control, and placed by the President in the custody of carriers subject to this act.'

"SEC. 436. The sixth paragraph of section 20 of the interstate commerce act is hereby amended by inserting '(6)' at the beginning of such paragraph.

"The seventh paragraph of section 20 of the interstate commerce act is hereby amended by striking out 'Par. 7' at the beginning of such paragraph and inserting '(7)' in lieu thereof.

"The eighth to twelfth paragraphs, inclusive, of section 20 of the interstate commerce act are hereby amended by inserting '(8)' at the beginning of the eighth paragraph, '(9)' at the beginning of the ninth paragraph, '(10)' at the beginning of the tenth paragraph, '(11)' at the beginning of the eleventh paragraph, and '(12)' at the beginning of the twelfth paragraph.

"SEC. 437. The eleventh paragraph of section 20 of the interstate commerce act is hereby amended by inserting immediately before the first proviso thereof the following:

"'*Provided*, That if the loss, damage, or injury occurs while the property is in the custody of a carrier by water the liability of such carrier shall be determined by and under the laws and regulations applicable to transportation by water, and the liability of the initial carrier shall be the same as that of such carrier by water.'

"SEC. 438. The third proviso of the eleventh paragraph of section 20 of the interstate commerce act (not counting the proviso added by section 437 of this act) is hereby amended to read as follows:

"'*Provided further*, That it shall be unlawful for any such common carrier to provide by rule, contract, regulation, or otherwise a shorter period for giving notice of claims than 90 days, for the filing of claims than four months, and for the institution of suits than two years, such period for institution of suits to be computed from the day when notice in writing is given by the carrier to the claimant that the carrier has disallowed the claim or any part or parts thereof specified in the notice.'

"SEC. 439. The interstate commerce act is further amended by inserting therein a new section between section 20 and section 21, to be designated section 20a, and to read as follows:

"'SEC. 20a. (1) That as used in this section the term "carrier" means a common carrier by railroad (except a street, suburban, or interurban electric railway which is not operated as a part of a general steam railroad system of transportation) which is subject to this act, or any corporation organized for the purpose of engaging in transportation by railroad subject to this act.

"'(2) From and after 120 days after this section takes effect it shall be unlawful for any carrier to issue any share of capital stock or any bond or other evidence of interest in or indebtedness of the carrier (hereinafter in this section collectively termed "securities") or to assume any obligation or liability as lessor, lessee, guarantor, indorser, surety, or otherwise, in respect of the securities of any other person, natural or artificial, even though permitted by the authority creating the carrier corporation, unless and until, and then only to the extent that, upon application by the carrier, and after investigation by the commission of the purposes and uses of the proposed issue and the proceeds thereof, or of the proposed assumption of obligation or liability in respect of the securities of any other person, natural or artificial, the commission by order authorizes such issue or assumption. The commission shall make such order only if it finds that such issue or assumption (a) is for some lawful object within its corporate purposes and compatible with the public interest, which is necessary or appropriate for or consistent with the proper performance by the carrier of service

to the public as a common carrier, and which will not impair its ability to perform that service, and (b) is reasonably necessary and appropriate for such purpose.

"'(3) The commission shall have power by its order to grant or deny the application as made, or to grant it in part and deny it in part, or to grant it with such modifications and upon such terms and conditions as the commission may deem necessary or appropriate in the premises, and may from time to time, for good cause shown, make such supplemental orders in the premises as it may deem necessary or appropriate, and may by any such supplemental order modify the provisions of any previous order as to the particular purposes, uses, and extent to which, or the conditions under which, any securities so theretofore authorized or the proceeds thereof may be applied, subject always to the requirements of the foregoing paragraph (2).

"'(4) Every application for authority shall be made in such form and contain such matters as the commission may prescribe. Every such application, as also every certificate of notification hereinafter provided for, shall be made under oath, signed and filed on behalf of the carrier by its president, a vice president, auditor, comptroller, or other executive officer having knowledge of the matters therein set forth and duly designated for that purpose by the carrier.

"'(5) Whenever any securities set forth and described in any application for authority or certificate of notification as pledged or held unencumbered in the treasury of the carrier shall, subsequent to the filing of such application or certificate, be sold, pledged, repledged, or otherwise disposed of by the carrier, such carrier shall, within 10 days after such sale, pledge, repledge, or other disposition, file with the commission a certificate of notification to that effect, setting forth therein all such facts as may be required by the commission.

"'(6) Upon receipt of any such application for authority the commission shall cause notice thereof to be given to and a copy filed with the governor of each State in which the applicant carrier operates. The railroad commissions, public service or utilities commissions, or other appropriate State authorities of the State shall have the right to make before the commission such representations as they may deem just and proper for preserving and conserving the rights and interests of their people and the States, respectively, involved in such proceeding. The commission may hold hearings, if it sees fit, to enable it to determine its decision upon the application for authority.

"'(7) The jurisdiction conferred upon the commission by this section shall be exclusive and plenary, and a carrier may issue securities and assume obligations or liabilities in accordance with the provisions of this section without securing approval other than as specified herein.

"'(8) Nothing herein shall be construed to imply any guaranty or obligation as to such securities on the part of the United States.

"'(9) The foregoing provisions of this section shall not apply to notes to be issued by the carrier maturing not more than two years after the date thereof and aggregating (together with all other then outstanding notes of a maturity of two years or less) not more than 5 per cent of the par value of the securities of the carrier then outstanding. In the case of securities having no par value, the par value for the purposes of this paragraph shall be the fair market value as of the date of issue. Within 10 days after the making of such notes the carrier issuing the same shall file with the commission a certificate of notification, in such form as may from time to time be determined and prescribed by the commission, setting forth as nearly as may be the same matters as those required in respect of applications for authority to issue other securities: *Provided*, That in any subsequent funding of such notes the provisions of this section respecting other securities shall apply.

"'(10) The commission shall require periodical or special reports from each carrier hereafter issuing any securities, including such notes, which shall show, in such detail as the commission may require, the disposition made of such securities and the application of the proceeds thereof.

"'(11) Any security issued or any obligation or liability assumed by a carrier, for which under the provisions of this section the authorization of the commission is required, shall be void, if issued or assumed without such authorization therefor having first been obtained, or if issued or assumed contrary to any term or condition of such order of authorization as modified by any order supplemental thereto entered prior to such issuance or assumption; but no security issued or obligation or liability assumed in accordance with all the terms and conditions of such an order of authorization therefor as modified by any order supplemental thereto entered prior to such issuance or assumption, shall be rendered void because of failure to comply with any provision of this section relating to procedure and other matters preceding the entry of such order of authorization. If any security so made void or any security in respect to which the assumption of obligation or liability is so made void, is acquired by any person for value and in good faith and without notice that the issue or assumption is void, such person may in a suit or action in any court of competent jurisdiction hold jointly and severally liable for the full amount of the damage sustained by him in respect thereof, the carrier which issued the security so made void, or assumed the obligation or liability so made void, and its directors, officers, attorneys, and other agents, who participated in any way in the authorizing, issuing, hypothecating, or selling of the security so made void or in the authorizing of the assumption of the obligation or liability so made void. In case any security so made void was directly acquired from the carrier issuing it the holder may at his option rescind the transaction and upon the surrender of the security recover the consideration given therefor. Any director, officer, attorney, or agent of the carrier who knowingly assents to or concurs in any issue of securities or assumptions of obligation or liability forbidden by this section, or any sale or other disposition of securities contrary to the provisions of the commission's order or orders in the premises, or any application not authorized by the commission of the funds derived by the carrier through such sale or other disposition of such securities, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than $1,000 nor more than $10,000, or by imprisonment for not less than one year nor more than three years, or by both such fine and imprisonment, in the discretion of the court.

"'(12) After December 31, 1921, it shall be unlawful for any person to hold the position of officer or director of more than one carrier, unless such holding shall have been authorized by order of the commission, upon due showing, in form and manner prescribed by the commission, that neither public nor private interests will be adversely affected thereby. After this section takes effect it shall be unlawful for any officer or director of any carrier to receive for his own benefit, directly or indirectly, any money or thing of value in respect of the negotiation, hypothecation, or sale of any securities issued or to be issued by such carrier, or to share in any of the proceeds thereof, or to participate in the making or paying of any dividends of an operating carrier from any funds properly included in capital account. Any violation of these provisions shall be a misdemeanor, and on conviction in any United States court having jurisdiction shall be punished by a fine of not less than $1,000 nor more than $10,000, or by imprisonment for not less than one year nor more than three years, or by both such fine and imprisonment, in the discretion of the court.'

"SEC. 440. Section 24 of the interstate-commerce act is hereby amended to read as follows:

"'SEC. 24. That the commission is hereby enlarged so as to consist of 11 members, with terms of seven years, and each shall receive $12,000 compensation annually. The qualifications of the members and the manner of payment of their salaries shall be as already provided by law. Such enlargement of the commission shall be accomplished through appointment by the President, by and with the advice and consent of the Senate, of two additional Interstate Commerce Commissioners, one for a term expiring December 31, 1923, and one for a term expiring December 31, 1924. The terms of the present commissioners, or of any successor appointed to fill a vacancy caused by the death or resignation of any of the present commissioners, shall expire as heretofore provided by law. Their successors and the successors of the additional commissioners herein provided for shall be appointed for the full term of seven years, except that any person appointed to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he shall succeed. Not more than six commissioners shall be appointed from the same political party. Hereafter the salary of the secretary of the commission shall be $7,500 a year.'

"SEC. 441. The interstate-commerce act is hereby further amended by adding at the end thereof three new sections, to read as follows:

"'SEC. 25. (1) That every common carrier by water in foreign commerce, whose vessels are registered under the laws of the United States, shall file with the commission, within 30 days after this section becomes effective and regularly thereafter as changes are made, a schedule or schedules showing for each of its steam vessels intended to load general cargo at ports in the United States for foreign destinations (a) the ports of loading, (b) the dates upon which such vessels will commence to receive freight and dates of sailing, (c) the route and itinerary such vessels will follow and the ports of call for which cargo will be carried.

"(2) Upon application of any shipper a carrier by railroad shall make request for, and the carrier by water shall upon receipt of such request name, a specific rate applying for such sailing, and upon such commodity as shall be embraced in the inquiry, and shall name in connection with such rate, port charges, if any, which accrue in addition to the vessel's rates and are not otherwise published by the railway as in addition to or absorbed in the railway rate. Vessel rates, if conditioned upon quantity of shipment, must be so stated and separate rates may be provided for carload and less than carload shipments. The carrier by water, upon advices from a carrier by railroad, stating that the quoted rate is firmly accepted as applying upon a specifically named quantity of any commodity, shall, subject to such conditions as the commission by regulation may prescribe, make firm reservation from unsold space in such steam vessel as shall be required for its transportation and shall so advise the carrier by railroad, in which advices shall be included the latest available information as to prospective sailing date of such vessel.

"(3) As the matters so required to be stated in such schedule or schedules are changed or modified from time to time, the carrier shall file with the commission such changes or modifications as early as practicable after such modification is ascertained. The commission is authorized to make and publish regulations not inconsistent herewith governing the manner and form in which such carriers are to comply with the foregoing provisions. The commission shall cause to be published in compact form, for the information of shippers of commodities throughout the country, the substance of such schedules, and furnish such publications to all railway carriers subject to this act, in such quantities that railway carriers may supply to each of their agents who receive commodities for shipment in such cities and towns as may be specified by the commission, a copy of said publication; the intent being that each shipping community sufficiently important, from the standpoint of the export trade, to be so specified by the commission shall have opportunity to know the sailings and routes, and to ascertain the transportation charges of such vessels engaged in foreign commerce. Each railway carrier to which such publication is furnished by the commission is hereby required to distribute the same as aforesaid and to maintain such publication as it is issued from time to time, in the hands of its agents. The commission is authorized to make such rules and regulations not inconsistent herewith respecting the distribution and maintenance of such publications in the several communities so specified as will further the intent of this section.

"(4) When any consignor delivers a shipment of property to any of the places so specified by the commission, to be delivered by a railway carrier to one of the vessels upon which space has been reserved at a specified rate previously ascertained, as provided herein, for the transportation by water from and for a port named in the aforesaid schedule, the railway carrier shall issue a through bill of lading to the point of destination. Such bill of lading shall name separately the charge to be paid for the railway transportation, water transportation, and port charges, if any, not included in the rail or water transportation charge; but the carrier by railroad shall not be liable to the consignor, consignee, or other person interested in the shipment after its delivery to the vessel. The commission shall, in such manner as will preserve for the carrier by water the protection of limited liability provided by law, make such rules and regulations not inconsistent herewith as will prescribe the form of such through bill of lading. In all such cases it shall be the duty of the carrier by railroad to deliver such shipment to the vessel as a part of its undertaking as a common carrier.

"(5) The issuance of a through bill of lading covering shipments provided for herein shall not be held to constitute "an arrangement for continuous carriage or shipment" within the meaning of this act.

"SEC. 26. That the commission may, after investigation, order any carrier by railroad subject to this act, within a time specified in the order, to install automatic train-stop or train-control devices or other safety devices, which comply with specifications and requirements prescribed by the commission, upon the whole or any part of its railroad, such order to be issued and published at least two years before the date specified for its fulfillment: *Provided*, That a carrier shall not be held to be negligent because of its failure to install such devices upon a portion of its railroad not included in the order; and any action arising because of an accident happening upon such portion of its railroad shall be determined without consideration of the use of such devices upon another portion of its railroad. Any common carrier which refuses or neglects to comply with any order of the commission made under the authority conferred by this section shall be liable to a penalty of $100 for each day that such refusal or neglect continues, which shall accrue to the United States, and may be recovered in a civil action brought by the United States.

"SEC. 27. That this act may be cited as the "interstate commerce act."

"TITLE V.—MISCELLANEOUS PROVISIONS.

"SEC. 500. It is hereby declared to be the policy of Congress to promote, encourage, and develop water transportation, service, and facilities in connection with the commerce of the United States, and to foster and preserve in full vigor both rail and water transportation.

"It shall be the duty of the Secretary of War, with the object of promoting, encouraging, and developing inland waterway transportation facilities in connection with the commerce of the United States, to investigate the appropriate types of boats suitable for different classes of such waterways; to investigate the subject of water terminals, both for inland waterway traffic and for through traffic by water and rail, including the necessary docks, warehouses, apparatus, equipment, and appliances in connection therewith, and also railroad spurs and switches connecting with such terminals, with a view to devising the types most appropriate for different locations, and for the more expeditious and economical transfer or interchange of passengers or property between carriers by water and carriers by rail; to advise with communities, cities, and towns regarding the appropriate location of such terminals, and to cooperate with them in the preparation of plans for suitable terminal facilities; to investigate the existing status of water transportation upon the different inland waterways of the country, with a view to determining whether such waterways are being utilized to the extent of their capacity, and to what extent they are meeting the demands of traffic, and whether the water carriers utilizing such waterways are interchanging traffic with the railroads; and to investigate any other matter that may tend to promote and encourage inland water transportation. It shall also be the province and duty of the Secretary of War to compile, publish, and distribute, from time to time, such useful statistics, data, and information concerning transportation on inland waterways as he may deem to be of value to the commercial interests of the country.

"The words 'inland waterway' as used in this section shall be construed to include the Great Lakes.

"SEC. 501. The effective date on and after which the provisions of section 10 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, shall become and be effective is hereby deferred and extended to January 1, 1921: *Provided*, That such extension shall not apply in the case of any corporation organized after January 12, 1918.

"SEC. 502. That if any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid such judgment shall not affect, impair, or invalidate the remainder of the act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment has been rendered."

And the Senate agree to the same.

ALBERT B. CUMMINS,
MILES POINDEXTER,
FRANK B. KELLOGG,
ATLEE POMERENE,
JOS. T. ROBINSON,
Managers on the part of the Senate.

JOHN J. ESCH,
E. L. HAMILTON,
SAMUEL E. WINSLOW,
Managers on the part of the House.

TREATY OF PEACE WITH GERMANY.

Mr. KING. As in open executive session, I offer a proposed amendment to the resolution of ratification of the German peace treaty, which I ask to have printed in the RECORD and lie on the table.

The proposed amendment was ordered to lie on the table and to be printed in the RECORD, as follows:

The United States understands that by article 10 the United States undertakes separately to respect the territorial integrity and existing political independence of each other member of the league, but that article 10 does not impose upon the United States the separate, sole, and singular duty to preserve the territorial integrity and existing political independence of all members of the league as against the external aggression of the other powers; but only that in case of such aggression or threat of the same the council will advise upon the means for preserving the territorial integrity and existing political independence of the member against which such aggression is exerted, and will recommend to members of the league the measures which it may

deem proper and necessary to protect the covenants of the league, and that the United States may consider such recommendations and take such action as Congress may in its discretion deem appropriate in such case.

HOUSE BILL REFERRED.

H. R. 12467. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs.

DEFICIENCY APPROPRIATIONS.

The VICE PRESIDENT. Morning business is closed.

Mr. WARREN. I ask unanimous consent to call up House bill 12046, the deficiency appropriation bill.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12046) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. WARREN. I ask unanimous consent that we may omit the formal reading of the bill, that the bill may be read for amendments, the committee amendments to be first considered.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wyoming? The Chair hears none, and it is so ordered.

The Assistant Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Council of National Defense," on page 2, line 14, after the word "supplies," to strike out "including law books, books of reference, newspapers, and periodicals"; in line 15, after the word "travel," to strike out "including the expenses of members of the advisory commission, or subordinate bodies or other employees going to and attending meetings of the advisory commission or subordinate bodies"; and in line 20, after the words "Printing Office," to strike out "$50,000" and insert "$40,000," so as to make the clause read:

For expenses of the Council of National Defense; for the employment of a director, secretary, chief clerk, and other expert, clerical, and other assistance; equipment and supplies; and printing and binding done at the Government Printing Office, $40,000.

Mr. McKELLAR. Mr. President, I should like to ask the chairman of the committee a question in reference to the item for the Council of National Defense. Is not that work a mere duplication of work in other departments? As I understand, at the present time it is engaged purely in gathering together statistics and has no other purpose. Why should we not carry that in this bill and not have the work done by other departments of the Government?

Mr. WARREN. Possibly, what the Senator from Tennessee says may be true eventually, but at the present time there are unfinished matters before the council which should be finished. If the Senator will notice, the committee has reported to reduce the amount of the appropriation. The council asked for $150,000; that was the estimate; the other House allowed $50,000, and the Senate committee has recommended that the amount be reduced to $40,000. Furthermore, the committee has recommended the elimination of many of the items to which the appropriation may be applied, so that it shall extend only to the routine business until matters are finished. For instance, in connection with the affairs of the publicity bureau, the so-called Creel bureau, Mr. Ellsworth, of the council, states that there are sums to be paid and sums yet to be collected. So the committee has seen fit to allow $40,000 as a sum which is necessary to be appropriated now, whatever may become of the National Defense Council finally as an organization.

Mr. SMITH of Georgia. Will the Senator permit me to ask him a question?

Mr. WARREN. Yes.

Mr. SMITH of Georgia. I see this appropriation also carries the privilege of having printing and binding done at the Government Printing Office.

Mr. WARREN. Yes.

Mr. SMITH of Georgia. I thought we were going to stop that.

Mr. SMOOT. Mr. President, I will say to the Senator from Georgia that we are trying to stop as much of it as we can; but the law which appropriated the money for the settlement of the affairs of the publicity bureau—the so-called Creel bureau—provided that it should be done in a certain way. Not only that, but the reports of the Council of National Defense, if we are going to get anything out of them, have got to be printed. If we do not wish to print them, then let us knock out this $40,000 entirely.

While I am on my feet, I wish to express the hope that this may be the last request that will ever be made for an appropriation for the Council of National Defense.

Mr. SMITH of Georgia. Ought we not, at least, to limit the amount of the printing? If we turn them loose to print all they please at the Government Printing Office at the expense of the Government, how can we hope to avoid the evils which the Senator from Utah has been presenting to the attention of the Senate from time to time in the past?

Mr. SMOOT. I will say to the Senator from Georgia that under the $40,000 appropriation that can not be done, because the first requirement will be the payment of the salaries of the employees of the National Council of Defense; and I say that that is going to take most of the $40,000. That is why we cut the appropriation down to $40,000.

Mr. SMITH of Georgia. But they do not pay anything for the printing at the Government Printing Office, do they?

Mr. SMOOT. Oh, yes; it comes out of the $40,000, just the same as all other departments pay the Printing Office for the amount of printing done. In this case, the printing will come out of the $40,000.

Mr. McKELLAR. I should like to ask another question about this matter. This item provides an appropriation of $40,000 for expenses, and also "for the employment of a director, secretary, chief clerk, and other expert, clerical, and other assistance." Manifestly that amount will not do anything more than pay the salaries and keep certain men on the pay roll. I understand the council originally asked for $150,000, but that has now been reduced to an amount sufficient to keep these men in the Government employ at probably fairly good salaries under the circumstances. I think the appropriation ought to be eliminated entirely. I am advised—I do not know how accurately, and I am not willing to say how accurately, because I do not myself know—that, as a matter of fact, the work that is being done by these men is a duplication of work which is done in other departments. I think the Senator from Utah will probably know whether or not that is correct, and I should like for him to state to the Senate whether or not it is correct.

Mr. SMOOT. I will say as to the work of the Council of National Defense from now on that the remaining employees under that organization are doing work that no other department is doing. It is a summary of the work that has already been done. The reports are to be printed.

Mr. McKELLAR. I have noticed their printed report, and it seems to me to be largely a duplication of what is found in reports of other departments. I think the appropriation is unnecessary, and I hope it will be defeated. Indeed, in order to see whether we are going to have economy, I move to strike it out entirely, if that be now in order.

Mr. SMOOT. Before the Senator makes that motion I desire to say one other word. I am rather inclined to sympathize with the Senator's views; but if we strike this appropriation out entirely, what is to become of the winding up of the affairs of the publicity bureau which this council has in hand at the present time?

Mr. McKELLAR. Under the law that now exists the President has ample authority to turn that bureau over to other bureaus. There is no trouble about it in the least. He may transfer that bureau to other departments to which it ought to be transferred.

Mr. SMOOT. I wish I thought that that were possible.

Mr. McKELLAR. The Senator knows that the Overman Act, which is still in existence, provides that that may be done.

Mr. SMOOT. I am aware of the existence of that act.

Mr. McKELLAR. There is no doubt in the world about the President's authority.

Mr. SMOOT. It seems to me the other departments to which the work of that bureau might be transferred would immediately apply to Congress for additional employees, for they do not now have the work in hand, and it would involve a greater expense than to make this appropriation for the completion of the work of the bureau, which I think Congress agrees should be completed.

Mr. McKELLAR. All I have to say in answer to that is that if that argument were used at each successive Congress we should have these bureaus until the end of time.

Mr. SMOOT. I have expressed the hope that this would be the last appropriation that would ever be made for the Council of National Defense.

Mr. WARREN. Mr. President, I hope this item will not be stricken out. The Council of National Defense is provided for by law, and we are proceeding under the law in proposing this appropriation of $40,000 for the work of the council up to the 30th of June next. As to future appropriations, that is a matter which rests, of course, with Congress; but if the council is to be discontinued there must be a change in the law, for, as I have said, it is now provided for by law.

The Secretary of War expressed anxiety enough about this matter to appear before the House committee to supplement the statements of those connected directly with the council, and there are in the hearings many pages setting forth the reasons why the appropriation should be made. Furthermore, the Secretary of War requested that he might come before the subcommittee of the Senate Committee on Appropriations, and when he appeared before the subcommittee this was the only item that he wished to bring to our attention, as he considered the other matters of less importance.

Mr. McKELLAR. Mr. President, if the Senator will yield there, do I understand the Senator to say that if this item is agreed to as it appears in its amended form there will be no more appropriations for succeeding years? If I do so understand, I am perfectly willing that the matter shall take that course. I am willing to make any sort of an arrangement that will effectually do away with this service, which is merely, I repeat, a duplication of the work of other departments, in my judgment.

Mr. WARREN. I do not say that it is a mere matter of carrying it on until then, for if the existing law is not repealed, there will be other appropriations made necessary.

Mr. CHAMBERLAIN. Mr. President, I wish to suggest that I hope the Senator from Wyoming, the chairman of the Committee on Appropriations, will not make the promise that is now asked of him.

Mr. WARREN. I have no intention of doing so.

Mr. CHAMBERLAIN. Because the Council of National Defense proved itself of great use during the war in getting together statistics that were availed of by all of the bureaus of the War Department. I do not think it ought to be abolished; I think it ought to be retained as a permanent institution.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator what the law is to which he refers?

Mr. WARREN. Just a moment; I was about to tell the Senator, and I will do so now. The Council of National Defense was created in the Army appropriation bill of 1916, and the most excellent chairman of the committee at that time has alluded to the value of the services rendered by it. It is an advisory board, composed of six members of the Cabinet. The law also authorizes the President upon recommendation to appoint an advisory commission designed to bring into the service of the Government, on a volunteer basis, six or seven men of great distinction and expertness in the industrial and commercial activities of the country, so that the advice of men of affairs may be brought to the aid of the council and be made available to the Government. The council brings together the War, Navy, Interior, Agriculture, Commerce, and Labor Departments. As the Senator from Nebraska is aware, the chairman of the council is the Secretary of War, and other members of the Cabinet are members. The council also has a director and a corps of assistants.

The matter to which I referred a moment ago in regard to winding up the affairs of the so-called Creel bureau is in charge of a Mr. Ellsworth, who is the assistant director. Since he has taken hold of that work he has turned into the Treasury, in the first place, a million dollars, and since then something over $300,000, and there is possibly as much more in the way of unsettled accounts which, while it may not be turned into the Treasury, will at least be collected and used to pay such obligations as may exist.

Instead of the $150,000 asked for and the $50,000 allowed by the House, the Senate Committee on Appropriations recommends an appropriation of $40,000, and the items to which that amount shall be applied have been restricted as closely as the subcommittee and later the full committee thought it was proper to do.

As to the future of this council, it is a matter for Congress to decide whether it shall or shall not be continued. This appropriation has nothing whatsoever to do with that feature of the question, and is designed merely to furnish the small sum which will be necessary to conduct its business from now until the 30th day of June.

Mr. HITCHCOCK. The 30th day of next June?

Mr. WARREN. The 30th day of next June.

Mr. HITCHCOCK. I should like to ask the Senator what force the Council of National Defense now employs? What does the pay roll amount to?

Mr. WARREN. I have not the pay roll before me, but I think it can be procured for the Senator in a moment. The council has a director, an assistant director, and the usual quota of stenographers and clerks.

Mr. HITCHCOCK. I must confess that my impression was that the Council of National Defense was only to exist during the emergency with which the country was then confronted.

Mr. WARREN. That was not the intention of the law. However, I shall see if I can answer the Senator's inquiry. In connection with the estimate of $150,000, the question was asked—

How much a force have you now?

The reply was "63 all together."

Mr. HITCHCOCK. That strikes me as a great extravagance. I can not see any possible use for that number of employees on the pay roll of the Council of National Defense. I do not know anybody who reads their reports, and, while it may be desirable to keep a small organization together for the sake of coordinating the work of various departments of the Government, there certainly is no use for keeping in existence a great bureau like that with 63 people employed.

Mr. WARREN. Let me say that during the war the employees of the Council of National Defense amounted to 295, but the number has been reduced, and under the appropriation which the committee has allowed they will not be able to retain 63, but only a portion of that number.

Mr. HITCHCOCK. What number can be kept under the appropriation proposed by the Committee on Appropriations?

Mr. WARREN. I do not know that I am prepared to answer the question specifically, because I do not know just how extensive the duties devolved upon the council are and what inquiries they receive.

Mr. HITCHCOCK. Can the Senator state how he arrives at the figures $40,000? I should like to know how it is proposed to spend the money.

Mr. WARREN. The way it is arrived at is this: As I have stated to the Senator, an estimate was submitted in the regular way for $150,000. The House thought $50,000 would be sufficient, and the Senate committee, after a hearing and examining the list of employees, believed that the council could pull through with $40,000. In the meantime it is presumed that this matter will be taken up in connection with other legislation and properly provided for.

Mr. HITCHCOCK. In fixing $40,000 there must have been some estimate that the committee made in order to arrive at that conclusion. How many employees are provided for in the estimate?

Mr. WARREN. Oh, Mr. President, in that case it is necessary to know the salary each employee receives and what the contingent expenses are. That is a refinement of analysis that no committee of the Senate can possibly have the time to make, for we have to consider hundreds of subjects. We sometimes have to make assumptions.

Mr. SMOOT. Mr. President, the committee thought that $150,000 was altogether too much money to appropriate for the Council of National Defense up to June 30 of this year. The council has 63 employees at this time. The duties required of the council ought to be completed by one-third the number of employees now on the roll of the council, or by slightly more than 20 employees. The payments to the twenty-odd employees until June 30 and the estimate as to the amount of printing that will be required do not exceed $40,000, and therefore the committee agreed upon $40,000.

Mr. McKELLAR. Mr. President, will the Senator tell us what salary the director receives?

Mr. SMOOT. I have not the figures before me, but it would not surprise me if his salary were $10,000.

Mr. McKELLAR. Does not the Senator think that in the case of the director of a bureau expending $40,000 and employing twenty-odd clerks the payment of that much salary is rather topheavy?

Mr. SMOOT. I will remind the Senator that this is a deficiency appropriation.

Mr. McKELLAR. I will ask the Senator another question. As I recall the act authorizing the creation of the Council of National Defense, it provides that it must be a voluntary association. Can the Senator give the number of volunteers now connected with the council? If the act provides that the services shall be voluntary, or largely so, what I want to know is how many are on the pay roll and how many are volunteers?

Mr. SMOOT. I think the only volunteers are the Cabinet appointments, including the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, and, if I remember correctly, the Secretary of Labor. Of course, they are not paid for their services in connection with the work of the Council of National Defense; but they are not the men who do the work; the men who do the actual work, as enumerated in the amendment, are the director, the secretary, the chief clerk, and other expert and clerical assistants. They have always drawn salaries, and are doing so now.

Mr. McKELLAR. My judgment is that this item should go out and that the business of the council should be closed.

Mr. MYERS. Mr. President, I should like to ask the chairman of the committee a question.

Mr. WARREN. I wish to say, on the matter of salary, that while it may have been $10,000 during the war, my understanding is that it is less than that sum at the present time.

Mr. SMOOT. I did not say it was $10,000. I only expressed the opinion, because that was the salary that has been paid to the directors of nearly all the small bureaus that have been created.

Mr. McKELLAR. Who fixes the salary, and at what figure is it fixed?

Mr. WARREN. We have sent for the act that was passed, to show what the salary is.

Mr. McKELLAR. Then it is not left to the people in charge to fix their own salaries?

Mr. WARREN. We shall determine that when we get the law.

Mr. MYERS. Mr. President, I should like to ask the chairman of the committee a question. I should like to know if the appropriation at the top of page 2, the first item on the page, is for the payment of the expenses of the commission which has been sitting in this city for the purpose of adjusting the wages of coal miners?

Mr. WARREN. I understand this to be for the commission that is now in charge of the affairs that have been submitted to them by the President.

Mr. MYERS. That item is for the payment of the expenses of that commission?

Mr. WARREN. I so understand.

Mr. MYERS. Is there any item in the bill for the payment of the expenses of the first industrial conference, so-called, which sat here last fall during the steel strike, and accomplished nothing?

Mr. WARREN. An appropriation was asked for, and one was made. Whether or not that is sufficient, we have not yet been informed.

Mr. MYERS. Is there any item in this bill for the further payment of the expenses of that conference?

Mr. WARREN. There is not.

Mr. MYERS. Is there any item in this bill for the payment of the expenses of the second industrial conference which is now sitting in the city to consider every dispute between labor and capital?

Mr. WARREN. I will say to the Senator that there is. We shall come to that in a little while.

Mr. MYERS. I am opposed to these numerous commissions and conferences to discuss every dispute between labor and capital. I think they only encourage strikes. I am sure the commission which is now sitting, the expenses of which this item is intended to pay, will decree a further increase in the wages of coal miners, over and above the 14 per cent which has already been allowed them, and all of which, there is evidence to show, is now coming out of the public. I think it was a foregone conclusion when this commission met that it would grant a still further increase, and the public will have to bear that, and I think these numerous commissions to arbitrate every dispute about wages simply encourage workmen to strike. I think they reason in this way: "We will go on a strike, and it will be referred to some Government commission. The Government will interfere, and appoint a commission to arbitrate the matter, and if we do not get all that we demand, still we will get a part of it"; and it comes out of the public, invariably.

I am not in favor of the plan, but I simply ask for information as to the nature of the item.

Mr. WARREN. I will say to the Senator that I agree with many things he has said regarding these commissions. Of course, it becomes the duty of the Appropriations Committee under the law to recommend appropriations when requested by the proper departments, if the committee thinks the appropriations should be made. In fact, it is a duty. There must be some very good reason why they do not do it if they do their duty.

As to the first commission, they asked for some two hundred and odd thousand dollars. We provided in an appropriation bill for some sixty or seventy thousand dollars, but all of it was not used, and we have provided no more in this bill for that commission.

As to the second industrial conference, the House put in a matter, as I remember, of some $20,000. It was stricken out on a point of order, and we have not reinstated it, so that it is not contained in this bill.

As to the coal matter, I think the Senator is right. I think the 14 per cent, and perhaps more, will be paid by the Senator and by me and others who have to buy coal; but here is a commission appointed in due course by the President of the United States. They are honorable gentlemen—at least, we have no reason to doubt it—they are tendering their services, and it would seem that we must in this case provide some compensation, at least, for their clerks and their other incidental expenses.

Mr. MYERS. I thank the Senator for his information. I just wanted to be informed.

I said a minute ago that I did not think the first industrial conference, which assembled here last fall, resulted in anything; but I will correct that. I think it did have one result. I think it resulted in the steel strike, which was then in existence, being prolonged very much longer than it would have lasted if that industrial conference had not assembled.

Mr. FRELINGHUYSEN. Mr. President, I presume that there is an obligation upon the Senate to appropriate this money for the expenses of this commission which was created by the President under the authority of the Lever Act. I have no confidence in this commission, in the results which it will obtain.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. FRELINGHUYSEN. Yes.

Mr. MYERS. Is not the Senator confident that it will result in an increase of wages which the public will have to bear?

Mr. FRELINGHUYSEN. I am not prepared at the present time to make that statement, but I feel that the interests of the public are not being conserved by this commission. I feel that the commission was constituted to settle a wage dispute between the miners and the operators, and that they are devoting their attention to that problem, and that the interests of the public at the present time are not being considered by the commission.

When the commission was constituted, the President in his letter, I think to the miners, stated that the 14 per cent advance recommended by Dr. Garfield should be borne by the operators; that the public should not be compelled to pay an increased price for their coal. That statement was reinforced by the statement of Dr. Garfield, and further by the statement of the Attorney General in a telegram which was not sent to the head of the miners' union, but which appeared in the hearings before a subcommittee of the Interstate Commerce Committee, in which the Attorney General stated that the 14 per cent was to be borne by the operators. Now, testimony yesterday given by the public-service corporations of the United States showed that 80 per cent of the bituminous coal consumed in the country is under contract, and that in all of the contracts there is a labor provision which provides for an increased price of coal should the wages of the miners be increased, and, therefore, automatically the increase of 14 per cent imposed upon these public-service corporations a burden of 80 per cent of $170,000,000 added to the cost of the commodity. This is on top of $450,000,000 added to the cost of the commodity during the war by reason of the 58 per cent added to the wages of the miners by Dr. Garfield in his so-called Washington agreement.

The public at the present time is under the impression, by reason of these public statements, that the operators are going to bear this 14 per cent advance; but that is an erroneous and an inaccurate and an untruthful statement, because at the present time the public-service corporations are paying it, and indirectly, through them, the consumers, because they must increase the price of electricity, of gas, and of transportation by reason of the increased cost of the coal which they consume.

Mr. WOLCOTT. Mr. President, will the Senator yield?

Mr. FRELINGHUYSEN. I yield.

Mr. WOLCOTT. Is it not true that the operators likewise agreed with the statement that the 14 per cent increase would be absorbed by them and not passed on to the public?

Mr. FRELINGHUYSEN. I so read the statement made by the operators in accepting the terms laid down by Dr. Garfield in their answer, which I think was addressed to the President.

Mr. WOLCOTT. I so understand their statement myself; so is not this the situation—that every party to the settlement which resulted in setting up this commission agreed upon the proposition that the 14 per cent increase would be absorbed by the operators, the operators being a party to that agreement. And if the 14 per cent increase is now being passed on to the public, as charged by the Senator, and as I believe is true, because I think the Senator's information is correct, is it not true that the operators are breaching their agreement? And is it fair in any wise to blame the commission that is investigating the subject for that situation? Is it not rather fair to assume that the commission, having before it the agreement

of the operators that they will not pass on the 14 per cent, in the settlement will require the operators to carry the 14 per cent?

Mr. FRELINGHUYSEN. It is quite true that there is an obligation upon the operators to pay this advance, but on the face of the contracts already made with the public-service corporations they are imposing it upon the public-service corporations and the consumers. The commission which is investigating the wage question, with powers to increase or decrease the wages, or readjust them, has the power to impose an additional burden on the public, but it has not the power to bring relief to the consumers by compelling the operators to assume this burden, and that is why I am complaining of the one-sidedness of this matter. At the present time there is no Fuel Administrator.

Mr. WOLCOTT. Mr. President, will the Senator yield?

Mr. FRELINGHUYSEN. When I finish my statement I shall be very glad to yield. Before Dr. Garfield's resignation certain of his powers were transferred to the Director General of Railroads, but those powers were limited to the distribution of coal. Other powers were transferred to this commission to settle the wage dispute; but as to the power of readjusting this question, of compelling the operators to assume that burden, and giving the public-service corporations a ruling to the effect that they had a right to protest and compel the operators to assume this added cost, there is no power in the Government at the present time, except in the President of the United States, to correct that injustice against the public until and unless the President sees fit to appoint a fuel administrator to act in that capacity or acts himself.

Mr. WOLCOTT. Mr. President, I should like to suggest to the Senator that his exception answers all that he has said. It is true that if this commission determines that the increased wage cost shall be borne by the operators, there is power to-day to see to it that that settlement, if not voluntarily accepted by the coal operators, as I believe perhaps they agreed in advance to accept it, shall be accepted by compulsion as long as the Lever Act is in effect. Therefore, why does the Senator say that this commission can do nothing but pass a burden on to the public, and has no power and there is no power anywhere in the Government to relieve the public from undue burdens?

Mr. FRELINGHUYSEN. There is power in the President's hands, or in the hands of an agent appointed by him.

Mr. WOLCOTT. Why does the Senator assume that if a wrong is being done to the public by the coal operators the President of the United States will not call forth his power and correct the wrong? The Senator is rather in advance of the time. He does not know what will be done. He is assuming the worst. He is assuming that the President will not do his duty in the situation and will not transfer the power to those who can effectively correct the wrong.

Mr. FRELINGHUYSEN. I am not running in advance of the times. The Senator himself is. The burden is imposed upon the public. Three months have transpired, and the public is bearing the burden. At the present time there is no relief in sight, and there has been no power conferred upon any agency of the Government by the President or anyone else to relieve the public, and this commission has not the power.

I simply rose to make a protest against this kind of a commission. While I am going to vote for this item, because I intend to support the committee, I believe that the proper method to be pursued in order to give justice would have been to appoint an impartial commission, not connected with the industry, composed of men who could administer justice to the public as well as to the miners and the operators, a commission like the Gray commission, with which the Senator probably is familiar, which made a study of the anthracite problem, which composed those differences, and which has resulted in industrial peace in the anthracite region ever since, instead of a commission composed of operators and miners, who sit down in agreement and between themselves arrange to increase the wages without giving the public hearings.

Mr. WOLCOTT. Mr. President, I am sure the Senator wants to be fair. He describes this commission as composed of miners and operators. Is not the Senator aware of the fact that there is a representative of the public on the commission, who is in no wise connected with the coal industry? If that be true, why does the Senator state that this is a commission set up by miners and operators alone, people who are interested only—the one in securing bigger profits out of the public and the other in securing bigger wages? There is a representative of the public on the commission.

Mr. FRELINGHUYSEN. There is a so-called representative of the public on the commission, it is true; but the very fact that there is $170,000,000 imposed upon the public to-day in the way of increased cost of coal, and the public believe that the operators are paying it, and this commission has no power to compel the operators to pay it, shows that the public are not being served by that commission.

Mr. HARRISON. Mr. President, I wish to ask the Senator a question. He is familiar with this subject. Is there not some committee of the Senate now investigating the coal situation or the coal strike under a resolution passed by the Senate?

Mr. FRELINGHUYSEN. The coal situation, but not the coal strike.

Mr. HARRISON. It was some months ago, as I recall, when the resolution was passed.

Mr. FRELINGHUYSEN. Yes.

Mr. HARRISON. Who is chairman of that committee?

Mr. FRELINGHUYSEN. I am.

Mr. HARRISON. Has there been any report made to the Senate?

Mr. FRELINGHUYSEN. Not yet. The committee is continuing hearings, and only yesterday developed the fact that notwithstanding the public statement of the President and Dr. Garfield and the Attorney General that the 14 per cent was to be borne by the operators, the public-service corporations and indirectly through them the people were bearing the increased cost by reason of the nature of the contracts that the operators have with the public-service corporations.

Mr. HARRISON. Can the Senator give us any idea when that committee will make a report?

Mr. FRELINGHUYSEN. I can not. We have some investigations yet to make in the anthracite fields, and we also have the question of considering recommendations to Congress for legislation which we hope will relieve many of the problems that now exist.

The committee has been continuously conducting hearings, and I believe that they accomplished something in cooperating with the Director General in relieving the car shortage in the fall, which I think resulted in an increased supply of coal which tided us over the one month of the strike. The committee will be able to report, I hope, within a month.

There are other subjects which the committee wish to take up. We suspended our hearings owing to the fact that members of the committee were engaged on other important committees, but we resumed them yesterday and contemplate completing them and making a report to Congress.

Mr. KING. Will the Senator permit me to ask a question in the nature of a suggestion?

Mr. FRELINGHUYSEN. I am very glad to do so.

Mr. KING. I suggest to the Senator and to the committee of which he is chairman that if the coal operators have added the 14 per cent to the selling price, there is such a combination manifest upon its face that it would seem that they were violating the terms of the Sherman antitrust law. I think it would be a good idea for the chairman of the committee to challenge the attention of the Department of Justice to this apparent violation of law and have some of the coal operators indicted. They ought to be prosecuted.

Mr. FRELINGHUYSEN. I thank the Senator for the suggestion.

The VICE PRESIDENT. The question is on agreeing to the first amendment reported by the committee.

Mr. KING. Mr. President, I should like to ask the chairman of the committee by what authority this commission created a deficit of $40,000? They knew, as I understand, the limit of the appropriation which was carried by the general appropriation act to take care of the commission until the 30th of June, 1920. If, in the teeth of the law, they incurred a deficit, it would seem as if somebody was liable to punishment, as many other officials of the Government are who, in the face of the statute, create large deficits.

Mr. WARREN. The Senator's inquiry is a very pertinent one, and could be made with reference to almost any item. This item, however, was created in this way: We made no appropriation in 1919 except to reappropriate what had been appropriated the year before and what they had not expended. That was not sufficient, of course, to carry them through this year, and it requires this much, as we believe, in order to carry the commission to the end of the fiscal year.

Mr. KING. Did the committee understand, when they reappropriated the amount to which the Senator refers, that that amount would be inadequate to carry the commission through until the close of the fiscal year?

Mr. WARREN. It was not considered as to sufficiency, because it was there and reappropriated, assuming that it would go as far as it could. As the Senator knows, during these war times we have been besieged with a constant flow of de-

ficiencies, some of them perhaps erroneous, but most of them created in a natural way. We believed, of course, that they would cut down, and they have cut down, from 295 employees to 63 employees. So we simply reappropriated that sum, which otherwise would have gone back into the Treasury and left them without funds.

Mr. McKELLAR. Mr. President, will the chairman state whether he has received any information with reference to the salaries connected with this commission? For instance, how much is the salary of the director?

Mr. WARREN. The members of the council draw no salary.

Mr. McKELLAR. I understand that, but I am speaking of the director.

Mr. WARREN. The director during the heavy press has had $200 a week.

Mr. McKELLAR. That is $10,400 a year.

Mr. WARREN. The clerks have had from $3,000 down through the usual civil-service payments.

Mr. McKELLAR. Does the director receive the same salary since the war is over?

Mr. WARREN. I can not tell the Senator what his salary is at the present moment, but I understand it has been cut down. Of course, it is from a lump-sum appropriation, as the Senator knows.

Mr. McKELLAR. My understanding is that it is $10,400 a year. It does seem to me that it is not proper to fix a salary like that out of a lump-sum appropriation.

Mr. WARREN. The Senator must not overlook the fact that we were asked for $150,000, of which we are only giving $40,000, or about one-fourth the amount requested. The Senator must see that they had to be cut down in order to exist.

The amendment was agreed to.

The next amendment was, under the head of "District of Columbia," subhead "Public schools," on page 2, line 23, after the word "from," to strike out "February" and insert "March," so as to make the clause read:

Teachers: For 68 teachers from March 1 to June 30, 1920, inclusive, at minimum rates of salary, as follows.

Mr. KING. Mr. President, I desire to ask the chairman of the committee if in the general appropriation act which carried the appropriations for the District for educational purposes there was not appropriated the required amount to take care of the schools for the current year?

Mr. WARREN. I will say to the Senator that the committee did not give the amount asked for nor did it give them the number of teachers that were asked for. Furthermore, from our best information, the necessities are for more teachers than they asked for and more than they have had. They now ask for 139 teachers in addition to the present force, and we are giving them 68, which I think is entirely proper. We took out the word "February" and inserted the word "March," because the month of February is nearly past.

Mr. HARRISON. Mr. President, I wish to make an inquiry regarding this item. I notice that the appropriation is reduced on page 3, in the next committee amendment which we will take up, from $28,966.67 to $23,173.33. I take it that is because the month of February was stricken out of the bill?

Mr. WARREN. Yes.

Mr. HARRISON. I understood the chairman to say that there had been a request for a good many more teachers than the committee allowed.

Mr. WARREN. More than the committee on the House side allowed, and the Senate committee did not consider it proper at this time to increase the number beyond what the House had provided.

Mr. HARRISON. I have just read the hearings before the Senate committee, and I do not find there that a representative of the school system of the District was before the Senate committee.

Mr. WARREN. We had no one from the District of Columbia before the committee on that and other items, because they were all heard before the House committee quite extensively. In fact, no one asked us for a hearing regarding the District of Columbia items. It was the conclusion of the Senate committee to abide by what the House had done. The cutting down of the amount of money, as the Senator will readily perceive, is simply cutting off the one month.

Mr. HARRISON. That is what I thought. I wish to ask the chairman of the committee if there was any increase in the salary of teachers in the District of Columbia during the last year?

Mr. WARREN. There was last year.

Mr. HARRISON. How much?

Mr. WARREN. I can turn to the law and ascertain.

Mr. HARRISON. I should like to get from the committee information as to just what increase the teachers have had in the last two or three years. Has the increase been proportionately as large as to Government employees generally?

Mr. SMOOT. I will say to the Senator that the increase to the teachers of the District of Columbia was larger than the bonus given to Government employees, particularly as to the lower-salaried teachers in the District. In fact some of the lower-salaried teachers were raised as much, I think, as 50 per cent.

Mr. WARREN. The increase was extended to 1,986 teachers, and the amount of the increase was $189,010.

Mr. HARRISON. The reason that prompted me to ask the question is that I have noticed that the superintendent of schools in this city is making speeches all the time before great crowds and complaining about the lack of teachers in the city of Washington and the small pay of teachers in this city. If the condition he depicts is true Congress ought to remedy the situation.

Mr. WARREN. If the Senator will allow me, I shall give him the amount of the increases extended to the teachers. The thousand-dollar teachers were given $1,060; the nine-hundred-and-fifty-dollar teachers were increased to $1,000; those at $800 to $900; class 3 and class 2 from $750 to $800; class 1 from $750 to $850. The special beginner teachers were increased from $800 to $900.

Mr. HARRISON. That was for last year, if I understood the Senator correctly?

Mr. WARREN. It was in last year's appropriation act for the present fiscal year.

Mr. HARRISON. The Senator from Utah stated that in some instances the increase has been as large as 50 per cent?

Mr. SMOOT. That only applied to the low-salaried teachers.

Mr. HARRISON. What is the information of the chairman of the committee as to whether there is a sufficient number of teachers in the District of Columbia to adequately take care of the situation?

Mr. WARREN. First, I wish to say that they have asked for higher salaries, and that matter is being considered by the proper subcommittee of the House in the annual appropriation bill for the fiscal year 1921. Perhaps I might read a few words from Mr. Thurston's testimony before the House committee on the subject about which the Senator has made inquiry:

The CHAIRMAN. I had supposed that you were more crowded for building facilities than for teachers.

This was where they were asking for an increased number of teachers.

Mr. THURSTON. We are crowded, and the only way we can take care of these classes is by early and late hours.

He had mentioned those we had provided teachers for.

We can begin early in the morning and let some of the students have their instruction and then have others come in and have the use of the classrooms for recitation purposes; by that means we get the use of certain classrooms for an additional number of pupils, and it enables us to extend the use of our laboratories, auditoriums, and facilities of that kind. Of course, when we go on those shifts we, so far as possible, cut out the study hours; the student studies more outside and he gets just as much instruction under that plan as he gets under the other. We do everything to save space or increase the space we can use.

All those matters are being considered in the forthcoming annual bill.

Mr. HARRISON. There is an item on page 3 of the bill providing for 16 teachers at a thousand dollars each. That means at the rate of a thousand dollars a session?

Mr. WARREN. It means a thousand dollars per annum.

Mr. HARRISON. Of course, that means nine months, and they have the other three months in which to do whatever they desire.

Mr. WARREN. It means 10 months subject to vacation. It means that January and February have passed and there are 10 months for which they will receive the pay, unless there is some deduction for lost time.

Mr. HARRISON. I understand it is in that proportion.

Mr. WARREN. Yes, and they are allowed that salary, which was increased in the last bill, as I informed the Senator.

Mr. HARRISON. I wish to inquire of the chairman with reference to "two principals of junior high schools, at $2,500 each." Then the bill provides:

Group A of class 6, 25 at $1,060 each.

Then classes 5, 4, 2, and 1 are provided for. What are the requisites for each particular class?

Mr. WARREN. The teachers are supposed to be classed according to their education and ability. Furthermore, they are classed as to the kind of students they have. As the Senator well knows, the proper teachers are selected to instruct the students in the kindergarten class and up through the grades of the schools. Teachers with lesser education, perhaps, though

with special training, go to the kindergarten classes and the ones of higher education to the high schools, and so forth.

Mr. HARRISON. What is there in the assertion that many of the school-teachers, because of lack of pay, are resigning positions, and there is now a shortage of school-teachers in the District, and the children are suffering thereby?

Mr. WARREN. That is true in all Government lines. The teachers, the dear things, will get married when they have an opportunity, as they ought to do, and sometimes they get better compensation in other lines. That is a matter of flow, like the waters that flow down under the bridge. We can not stop it. It is not a matter of salaries.

Mr. HARRISON. I will say to the chairman of the committee that this matter has been called to my attention because of personal contact in that I have several children going to school. I notice that very often in the wintertime the children go to school, and when they get to the school they find that, either because they have no janitor or the janitor has not performed his duties, the building is not properly heated, or it may be because the building is not so that it can be heated properly. The children are sent back home, oftentimes trudging through the snow, and they are told to report back at a certain time in the afternoon.

Can the Senator give us any information with reference to who is at fault about that matter? Have any complaints of that kind come to his attention?

Mr. WARREN. Sometimes it may be the striking coal miners and shortage of coal. It may be that occasionally they may have a janitor who for a day or so may not be attentive. We hope that with certain legislation which has been had of a restrictive nature in the last year there will be fewer intervals of nonattention on the part of employees. I think there is no unusual lack of attention such as the Senator mentions.

Mr. HARRISON. I do not think the Senator from Wyoming can lay that fact to the coal miners. It might be that they can truthfully be charged with a great deal, but I can not believe, with inefficient service or bad buildings here in the city that can not be properly heated, that the coal miners can be justly charged with that condition.

Mr. WARREN. Possibly not.

Mr. HARRISON. Something is wrong.

Mr. WARREN. But the Senator knows that we have had times here when it has been extremely difficult to get coal.

Mr. HARRISON. I understand that; but it does seem to me that Government officials whose duty it is to see that the schools are maintained, that the children may be educated, should see that they have sufficient coal to keep the buildings warm. It seems to me that somebody is at fault with reference to that situation. I do not know whether it is the superintendent of the city schools or not. I do not know even who he is. I understood the Senator to say his name is Preston.

Mr. KING. His name is Thurston.

Mr. HARRISON. He and the men under him are charged with the duty of at least seeing that janitors are employed and that coal is provided and with seeing that these buildings are sufficiently warm so that the children should not be compelled to go to school in the cold and then be sent back home in the cold and snow simply because there is no coal there or because the building is not properly heated. Somebody is at fault in that respect, and I know of no way to elicit the information except by asking the chairman or members of the committee who are in charge of the duty of investigating those conditions and who recommend the appropriations to the Senate.

Mr. KING. Mr. President, will the Senator yield?

Mr. HARRISON. Certainly.

Mr. KING. Rev. Dr. Van Schaick is president of the school board. Not satisfied with that important position, his name is before us now for confirmation or rejection as a member of the Board of Commissioners of the District of Columbia. I fancy the president of the school board would have something to do with the conditions to which the Senator refers.

Mr. HARRISON. I do not know who is at fault, but I do believe that the condition should be looked into, and it should be remedied. Personally I feel that if there is a dearth of school-teachers in the District of Columbia, and they are inadequately paid and are leaving those positions to go into other employment, the Congress of the United States is charged with the duty of appropriating a sufficient amount of money to increase the salaries in order to get good teachers in the schools of the District.

Mr. SMOOT. Mr. President, will the Senator yield to me at that point?

Mr. HARRISON. Certainly.

Mr. SMOOT. I think perhaps it will be proper at this time to call the attention of the Senate to the fact that the salaries provided for in this bill, beginning on page 3, do not cover all of the compensation which the teachers in each of the grades receive. Take the first one, "Group A of class 6, 25 at $1,060 each." Under legislative enactments relating to the school system of the District of Columbia there is given to each teacher of that grade or group of teachers longevity pay of $100 for each year of service up to and including the eighth year. So, if a teacher in group A of class 6, with a salary of $1,060, remains in the schools of the District of Columbia as a teacher for eight years, the salary of that teacher will be $1,860.

In the last District of Columbia appropriation bill the total appropriation for the teachers of the schools of the District of Columbia amounted to $1,925,260. For longevity pay for the same teachers we appropriated $450,000; so that, taking all of the teachers together, the longevity pay provided an increase of nearly 24 per cent over the amount which was appropriated for the salaries.

I will say to the Senator that the salaries provided for here are the salaries for any teachers who enter de novo each of the groups and classes. As the Senator from Wyoming [Mr. WARREN] has stated, teachers are grouped after an examination as to their qualifications and fitness for teaching the various grades to which the pupils are assigned. However, there is not a teacher in the District of Columbia who does not receive for nine months' service in the schools the wage that has been stated by the Senator from Wyoming. Those teachers, I will say, were appropriated for as follows:

Assistant supervisor of manual training, $1,300.
Heads of departments in high and manual-training high schools in group B of class 6, 14 at $1,900 each.
Normal, high, and manual-training high schools, promoted for superior work, group B of class 6, 28 at $1,900 each.
Group A of class 6, including 7 principals of grade manual-training schools, 334 at $1,060 each.
Class 5, 136 at $1,000 each, including vocational and trade instructors.
Class 4, 498 at $900 each.
Class 3, 543 at $860 each.
Class 2, 364 at $860 each.
Class 1, 90 at $860 each.

Then there was a proviso that no amount should be paid from the appropriation to any teacher for the teaching of German in the schools. So, Mr. President, the Senator will notice that instead of the minimum wage now paid in the District of Columbia to teachers being $550 per annum, with the longevity pay added yearly it is $860. That, as I stated when I first answered the Senator, is an increase of nearly 50 per per cent over the former wage that was paid before the passage of the last District of Columbia appropriation bill.

Mr. HARRISON. Mr. President, the information which the Senator from Utah gives me is quite interesting and new to me. I had prepared and had intended offering an amendment to increase the pay of the teachers in the District of Columbia by 15 per cent, but, due to the fact that their salaries have been increased, as the Senator from Wyoming and the Senator from Utah have stated, and the further fact that there is a subcommittee, I think, of the House Committee on the District of Columbia working on the matter, with a view of equalizing the salaries of teachers and adjusting the whole situation, I shall not propose the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 3, line 7, after the word "teachers," to strike out "$28,966.67" and insert "$23,173.33," so as to make the clause read:

In all for teachers, $23,173.33.

The amendment was agreed to.

The next amendment was, on page 3, line 11, after "$25,000," to insert: "*Provided*, That payment is authorized to all employees who served in the night schools during the period from February 16, 1920, to the date of approval of this act, both inclusive, at the rate of pay they were receiving on February 15, 1920, this payment to be in addition to the nominal sum of $1 which such employees received for the service rendered."

The amendment was agreed to.

Mr. McKELLAR. I ask unanimous consent to recur to line 20, on page 2, for the purpose of offering an amendment to the committee amendment.

Mr. WARREN. Mr. President, the Senator from Tennessee will have ample time to do that before we finish the bill.

Mr. McKELLAR. We have just been discussing that matter, and it will take but a moment or two. I think the Senator will probably agree to the amendment I desire to offer.

Mr. WARREN. I prefer not to turn back in that way at the present time.

Mr. McKELLAR. Of course, if the Senator objects, I shall wait and offer the amendment at the proper time.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Federal Board for Vocational Education," on page 4, line 15, after the word "periodicals," to strike out "$12,000,000" and insert "$10,000,000," so as to make the clause read:

Vocational rehabilitation: For an additional amount for carrying out the provisions of the act entitled "An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended, including personal services in the District of Columbia and elsewhere, funeral and other incidental expenses (including transportation of remains) of deceased trainees of the board, printing and binding to be done at the Government Printing Office, law books, books of reference, and periodicals, $10,000,000: *Provided*, That the salary limitation placed upon the appropriation for vocational rehabilitation by the sundry civil appropriation act approved July 19, 1919, shall apply to the appropriation herein made.

The amendment was agreed to.

The next amendment was, on page 4, after line 19, to strike out:

The Secretary of War shall have authority to transfer to the Federal Board of Vocational Education, without compensation therefor, certain surplus machine tools and other equipment belonging to the War Department and now in possession of the Federal board and being used by that board as equipment in schools for vocational education controlled by the board. Property so transferred shall be dropped from the records of the War Department on the filing with the War Department of an itemized receipt for the articles thus transferred.

Mr. McKELLAR. Will the chairman of the committee explain why the language beginning in line 20, on page 4, down to line 6, on page 5, is reported by the committee to be stricken out?

Mr. WARREN. The committee proposes to strike out that language so that we can take the matter to conference and reframe the provision so as to make it correspond with similar provisions contained in bills which we have already passed, one of them being for the particular institution referred to and another for other schools, so that while exactly carrying out the spirit there shall be a little more responsibility about the matter. It is desired that the tools and other equipment referred to in the amendment may not be sold or transferred, without leave, to other schools. There is no intention to take them away from the Vocational Education Board; in fact, they are there now and they are all in use.

Mr. McKELLAR. That is my understanding; and I see no reason in the world why the War Department should make any objection, for it seems to me the best possible use that these surplus machine tools can be put to. I think the provision ought to remain in the bill. Of course I understand, if the Senator desires to deal with the other House regarding it, the matter can be put in in conference by striking the language out; but I hope the Senator will assure the Senate that the substance of the provision will be retained in the conference report.

Mr. WARREN. Mr. President, let me assure the Senator from Tennessee, first, that the board has the surplus machine tools, that they are using them as was intended, and that they have been so used for a long time; and, second, that it is my intention to have the provision in fully as useful form as it is now and to have the transfer of the tools and equipment guarded, as the Military Affairs Committee has seen fit to provide in the case of one lot to this same institution and other lots to other institutions.

Mr. POMERENE. Mr. President, I do not know that what I am going to say is entirely pertinent to the portion of the bill with regard to the vocational education of returned soldiers, but in this bill a substantial sum is being voted to this cause—and I am in entire sympathy with the cause—and I wanted to direct the attention of the Senate to a special case that came to my attention some days ago. A young soldier in the aviation branch of the Army served on the battle line for nearly a year. He was from my State. On his return to this country he was sent to Camp Sherman for the purpose of demobilization, and while there, in the course of his service, was engaged in some work about an airplane. While so engaged another soldier, by accident, fired a gun, the bullet from which struck the first soldier in the elbow and took away a part of the bone, so that he is permanently crippled. In the rating which was given to him he was marked 100 per cent disabled so far as that arm was concerned, yet under the construction which has been given to the law by the War Department he is not permitted to have the benefit of the vocational education act. If he had been wounded while on duty at the front he could have had the benefits of that act, but under the strained construction given to it, although he was still a soldier and performing duty as a soldier, he is not even now permitted to have the benefit of the payment provided by the act, to which, I think, all Senators at least thought any soldier under such circumstances would be entitled. If that construction of the law is right, the law should be amended.

Soldiers coming back from the service suffering from tuberculosis are given treatment. It is not inquired as to whether they contracted the disease while along the battle line or elsewhere; it is sufficient if they were in the service of their country. I simply wanted to call attention to this phase of the law, because I feel that it is working very great injustice if it is being properly construed.

Mr. SMOOT. Mr. President, it is a fact that a soldier suffering from tuberculosis is allowed to enter a hospital proper, but is the Senator sure that a tubercular patient can enter a vocational training school?

Mr. POMERENE. I did not mean that that inference should be drawn from what I said. I meant to say that a soldier suffering from tuberculosis receives benefits from the Government.

In this connection there is another very strange proposition, as I understand, which was called to my attention the other day. They examine the tubercular patients, and if they think they are curable within six months they send them to a hospital, but if they are totally disabled and are likely to die or can not be cured in six months they are sent adrift.

Mr. SMOOT. That is something I had not heard of.

Mr. POMERENE. At least that is the information I get from my correspondence. I do not understand such a proceeding.

Mr. SMOOT. Mr. President, in relation to the rating of the soldier to whom the Senator from Ohio referred, did I understand him to say that because of the wound in one arm he was rated 100 per cent disabled?

Mr. POMERENE. That is, as I recall the case, so far as the one arm was concerned. I am not familiar with the technical terms which are implied, but he only has one or two slight motions of that arm because of the wound received.

Mr. SMOOT. I think the rating is correct as to the one arm, but 100 per cent disability, the Senator having used that expression, would mean that not only was he disabled in that one arm but that he was totally disabled from doing any kind of manual labor or earning compensation from work of any character.

Mr. POMERENE. He can not do any manual work with that arm. That is the impression that I intended to leave with the Senate when I referred to the matter.

Mr. McKELLAR. Mr. President, if I understand the Senator from Ohio, the young man was injured, though not during the war, and for that reason, because he was not injured during the war, he was refused admittance to one of the vocational-training schools.

Mr. POMERENE. That is as I am informed.

Mr. McKELLAR. I think, then, that the act should be amended so as to cover soldiers hurt after the conclusion of the war.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Department of State," subhead "Foreign intercourse," on page 6, after line 8, to insert:

For the salary of an envoy extraordinary and minister plenipotentiary to Finland at the rate of $10,000 per annum from February 1 to June 30, 1920, inclusive, $4,166.66.

Mr. SMOOT. Mr. President, I wish to ask the Senator from Wyoming if the envoy extraordinary and minister plenipotentiary to Finland has already been appointed?

Mr. WARREN. I am unable to tell the Senator with definiteness regarding that, but I think he has. The appropriation contained in the bill, however, is authorized and estimated for, and the salary has been fixed by law.

Mr. SMOOT. The reason I ask the question is that the appropriation is from February 1 to June 30, 1920. I think it was about February 1 that the law was passed creating this office, and I wondered whether the appointment had been made. If not, of course the amount that was appropriated could be cut down accordingly.

Mr. WARREN. Of course the salary is on a per annum basis, as the Senator will notice.

Mr. SMOOT. Yes; but the provision reads "from February 1 to June 30, 1920."

Mr. WARREN. It is, of course, to cover the period until next June. If, however, the minister should not enter upon the duties of the office until March or April the full amount from February would not be paid him.

Mr. SMOOT. Of course the full amount would not be paid him in that event.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed and continued to line 20, on page 9, the last paragraph read being as follows:

OFFICE OF THE COAST GUARD.

For additional employees from February 1 to June 30, 1920, inclusive, at annual rates of compensation, as follows: Topographical draftsman, at $1,500; chief accountant, at $2,000; clerks—8 of class 4, 8 of class 3, 15 of class 2, 9 of class 1; assistant messenger, at $720; in all, $26,341.67.

Mr. SMOOT. Mr. President, would it not be better to strike out "February" and put in "March," and reduce the amount one-fifth, the same as we did with the employees provided for in the case of the public schools? We are appropriating here for the full amount, from February 1 to June 30.

Mr. WARREN. In what line is that?

Mr. SMOOT. On page 9, line 15. I think it would be very much better to strike out "February" and put in "March 1 to June 30," and then take out just one-fifth of the amount of the appropriation. That would cover all that it would be possible to pay, even if they got every one of these employees on the 1st day of March.

Mr. WARREN. They may already have given employment to these people; but if the Senator suggests that amendment, I have no objection to it.

Mr. SMOOT. I move to strike out "February," in line 15, page 9, and to insert "March."

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 9, line 15, it is proposed to strike out "February" and to insert "March."

The amendment was agreed to.

Mr. SMOOT. Then I move to correct the total amount appriated, a memorandum of which I will hand to the Secretary in a few moments.

The VICE PRESIDENT. The Secretary will make that change.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Treasury Department," subhead "Coast Guard," on page 11, after line 5, to insert:

Officers and enlisted men of the Coast Guard shall be permitted to purchase quartermaster supplies from the Army, Navy, and Marine Corps at the same price as is charged the officers and enlisted men of the Army, Navy, and Marine Corps.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Internal Revenue," on page 11, after line 12, to strike out:

Enforcement of the "National prohibition act": For the necessary expenses in preventing violations of the "National prohibition act," $1,000,000—

And insert—

Enforcement of the "National prohibition act": For the employment of additional officers, traveling and other necessary miscellaneous expenses to guard intoxicating liquors in bonded and other warehouses, and prevent violations of the "National prohibition act," $1,000,000.

The amendment was agreed to.

The next amendment was, under the subhead "Public buildings," on page 12, line 15, after the word "roof," to strike out "$20,000" and insert "$25,000," so as to make the clause read:

Philadelphia, Pa., Mint Building: For new roof, $25,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 5, to insert:

CUSTOMS SERVICE.

For enforcing the laws governing the importation and exportation of intoxicating liquors by the Customs Service, $1,000,000.

The amendment was agreed to.

The next amendment was, under the subhead "Public Health Service," on page 13, line 20, after the word "hospital," to strike out "$4,000,000" and insert "$3,000,000," so as to read:

For medical, surgical, and hospital services and supplies for war-risk insurance patients and other beneficiaries of the Public Health Service, including necessary personnel, regular and reserve commissioned officers of the Public Health Service, clerical help in the District of Columbia and elsewhere, maintenance, equipment, leases, fuel, lights, water, printing, freight, transportation and travel, maintenance and operation of passenger motor vehicles, and reasonable burial expenses (not exceeding $100 for any patient dying in hospital), $3,000,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 2, to insert:

Hereafter officers of the Public Health Service may purchase subsistence supplies and articles of serviceable property for the use of themselves and their families from the Army, Navy, and Marine Corps at the same price as is charged officers of the Army, Navy, and Marine Corps.

Mr. SMOOT. Mr. President, may I ask the Senator if the amendment just stated is in the usual wording? I notice, on line 4, these words:

Hereafter officers of the Public Health Service may purchase subsistence supplies and articles of serviceable property.

What is meant by "articles of serviceable property"?

Mr. WARREN. I take it to be food, and such things as that.

Mr. SMOOT. "Subsistence supplies" covers that.

Mr. WARREN. I understand; but this, as the Senator knows, is the language sent up by the department, and, of course, there are other things aside from subsistence supplies. For instance, a surgeon might want a scalpel or other instrument, or he might want certain incidental supplies which the Army and Navy buy in large quantities, and these officers simply want the privilege of taking them at cost price. This is the way the estimate came to us from the Secretary, and I can not see any objection to it.

Mr. SMOOT. The officers of the Public Health Service, I suppose, should be granted the privilege of purchasing their subsistence supplies in the same way as the officers of the Army or the Navy; but it seems to me that adding the words "serviceable property" means that every officer of the Public Health Service can buy anything he wants in the way of operating instruments, scientific instruments, or anything else that he may desire to purchase. I do not know how far that would go.

Mr. WARREN. The Senator knows that there is no money lost in it. It is a question of whether we wish to oblige those officers by granting them the powers of officers of the other departments in buying supplies of this kind.

Mr. SMOOT. Yes; I know that there is not any loss to the Government in it, other than this: If this practice were extended to a wide range, whatever profit might otherwise be made by the merchants in selling these goods to the officers of the Public Health Service, the Government would at least get its taxes from that profit, and, of course, under this condition of affairs it would not get them, because whatever profit the merchant ordinarily makes goes to the officer of the Public Health Service upon all those items.

Mr. WARREN. Mr. President, if the Senator wishes to amend that by putting in the language of the other provision, I have not the slightest objection to it.

Mr. SMOOT. What I wanted was this: I should like to have the wording of this privilege to the officers of the Public Health Service just like the wording of the privilege to the officers of the Army, the Navy, and the Marine Corps. I will look up the wording and have it inserted here.

Mr. WARREN. I will ask the Senator to look it up.

The VICE PRESIDENT. Is this amendment agreed to now?

Mr. SMOOT. Let it be passed over.

The VICE PRESIDENT. The amendment on page 11 reads:

Shall be permitted to purchase quartermaster supplies.

That would seem to cover the matter referred to on page 14.

Mr. SMOOT. The wording on page 11 would cover the provision for the Public Health Service.

Mr. WARREN. The Senator should leave out the words "enlisted men" there.

Mr. SMOOT. Mr. President, in order to make it conform to all of the other privileges granted, I move to strike out the words "subsistence supplies and articles of serviceable property for the use of themselves and their families" and insert "quartermaster supplies for the Army, Navy, and Marine Corps, at the same price as is charged the officers of the Army, Navy, and Marine Corps."

The VICE PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 14, after line 7, to insert:

Officers of the Public Health Service shall be credited with service in the Army, Navy, Marine Corps, and the Coast Guard in computing longevity pay.

The amendment was agreed to.

The next amendment was, on page 14, after line 19, to insert:

Prevention of epidemics: To enable the President, in case only of threatened or actual epidemic of cholera, typhus fever, yellow fever, smallpox, bubonic plague, Chinese plague or black death, trachoma, influenza, or infantile paralysis, to aid State and local boards, or otherwise, in his discretion, in preventing and suppressing the spread of the same, and in such emergency in the execution of any quarantine laws which may be then in force, $100,000: *Provided*, That a detailed report of the expenditures hereunder shall annually hereafter be submitted to Congress.

Mr. RANSDELL. Mr. President, I move to amend this amendment by striking out the figures "$100,000" in line 3, page 5, and

inserting in lieu thereof "$250,000." This amendment has been urged very strongly by the Secretary of the Treasury, and it is an emergency if there ever was one.

Mr. WARREN. The Senator, as I understand, offers to amend the amendment.

The VICE PRESIDENT. Yes.

Mr. WARREN. Mr. President, this matter was brought up before the subcommittee and considered with a great deal of care. We heard from the Public Health Service concerning it, and it came up to the full committee, and was very carefully considered there. We thought that the amount of $100,000 which we had appropriated was sufficient. Just as we were taking up the bill and without time to consult with my colleagues, my attention was called to the report of the Health Service that the plague raging at New Orleans and the country reached through that port had become more violent than at the time the report was before us.

If the Senator will make the amount $200,000 instead of $250,000, I shall not personally object to it. I have no right to accept it on the part of the committee, not having conferred with the other members of the committee.

Mr. RANSDELL. I am not sure that $200,000 will be sufficient, but I accept the suggestion of the chairman of the committee, if that is agreeable. I am not sure that they can get along with a cent less than $250,000. The health department think they need every cent of that amount.

Mr. SMOOT. Mr. President, if this amount of money is to be expended for all the threatened epidemics named in the amendment, of course it would be entirely inadequate, but the money will all be spent for one purpose, and that is for the eradication of the bubonic plague.

Mr. RANSDELL. Will the Senator permit me to read just a paragraph from a letter received from the Chief of the Public Health Service, sent to me this morning on this very point, at my request? He says:

> In view of the fact that the expenditures under the epidemic fund at this time are necessarily $70,000 a month, of which $50,000 are required for the continuation of plague-suppressive measures in New Orleans and $20,000 for other urgent activities carried on under this fund in other parts of the United States, without relief in the form of the deficiency appropriation operations at New Orleans would have to be discontinued not later than March 15, 1920. The appropriation of $100,000 will only provide for the continuance of this work until April 30.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 1699.

Mr. STERLING. Assuming that the consideration of the pending bill will not take very long, I am willing that the unfinished business shall be temporarily laid aside, and I ask unanimous consent for that purpose.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is temporarily laid aside.

Mr. SMOOT. Mr. President, I recognize the fact that if I should go to the Public Health Service and state that there had been $20,000 expended in the State of Utah for the eradication of a plague and that it would require $200,000 more to finish the work, the chief of that service would immediately write to me and state that the work would have to be suspended unless an additional appropriation was made.

I also admit that there ought to be an appropriation made for the purpose of assisting the people of Louisiana to eradicate the plague that is there at the present time, caused, I think, by infection of rats. The Senator from Louisiana will know to what extent the plague is spreading better than I, but I remember that we have made appropriations for this purpose many times in the past. I call to my mind now an instance where there had been a rat or two discovered, and the first thing that the Public Health Service asked for was an appropriation of an immense amount of money.

There will be the regular appropriation bill in the Senate appropriating money for this very purpose for the next fiscal year. Before this $100,000 is expended we will know whether the plague is of a character that it is going to need more money from the Government or not. At that time we can decide whether there is a greater appropriation needed than $100,000.

The Senator from Louisiana knows just as well as I know, and as every other Senator knows, that if we made the amount $500,000 every cent of it would be expended and if we made it $1,000,000 every cent of it would be expended. There can not be a question of doubt about it. If we are ever going to cease expending money extravagantly it ought to begin now.

I wish to say to the Senator from Louisiana that if $100,000 is not sufficient to check the plague in Louisiana within the next two months, I, for one, will support any request for an appropriation that he may ask to continue the work. But let us not at this time make an undue appropriation when we know that it will be spent, no matter what the amount may be.

I have not any inclination whatever to stop the work there. I do not want to interfere at all with the assistance that the Government is giving at the present time, but I desire to say to the Senator now that if we appropriate $200,000, or $500,000, or $1,000,000, the Public Health Service will immediately see that every cent of it is spent within the time limit provided in the measure. Why not let the appropriation of $100,000 go? According to the letter which the Senator has just read that would carry on the work they are now doing for two months, and in the meantime we will know whether the plague is going to spread or not.

Let us act with the Government money just the same as if we were spending our own money. If we were looking at the situation and were responsible and our children should ask us to assist them in case of a calamity, the same as the children of Uncle Sam in Louisiana are asking now for the Government of the United States to assist them on account of a plague, we would not tell them, "Here, you shall have $100,000, or you shall have $500,000, or $1,000,000." We would tell them to go to work and stop the plague and we would do the best we could for them, not grant an amount that may be necessary.

Mr. RANSDELL. Will the Senator answer a question? The Senator says that we might get an additional appropriation if the plague is not destroyed within two months. What assurance have we that we will have another general appropriation bill within two months?

Mr. SMOOT. I have not any doubt of it in the least. I will say to the Senator that the legislative appropriation bill will be reported to-day or to-morrow to the House, and I do not think it is going to take very long to pass that bill. Following that will be the sundry civil appropriation bill, in which such items always appear and always should appear. The only reason why it is in this deficiency bill is because of the fact that we realize that it is to meet an emergency. It is not a deficiency, I will say to the Senator, and it should not be in the deficiency bill for any other cause than that which I have just stated. However, I am not going to object to an item of this kind going into a deficiency bill when the Senator from Louisiana stands upon the floor, backed by the Public Health Service, and says that there is use for the money to stay the plague that has started in Louisiana.

Mr. RANSDELL. Mr. President, I am sorry to say that it is a very serious deficiency. The Senator knows I am not in the habit of asking for appropriations of this kind. It is no pleasure to me to have to tell my colleagues in the Senate that in the great city of my State, of which I am so proud, there are to-day a great many rats infected with the plague virus.

Dr. McLaughlin, who has charge of this work in the Public Health Service, testified before the Appropriations Committee on the 11th of this month that there are a great many of these infested rats, and that they are brought into his board at the rate of 1,000 to 1,800 a day. They are being caught by his employees, and many of them are found to be infected. There have been very few cases of human infection, though a few, and following a precedent established some time ago by the Public Health Service and the local health service of Louisiana full and due publicity was given to it. We have not tried to keep back anything of the kind.

I wish further to say to the Senator that in an attempt to completely eradicate the plague several years ago the people of this city spent a great many million dollars. I have not the facts at hand as to how much, but 80 to 90 per cent of the buildings in the city of New Orleans were rat-proofed so as to prevent any further continuance of plague. Some of the railroad buildings in the city and some of the public wharves and docks on the river front unfortunately were not rat-proofed at that time, and the infection in some way has gotten into the rat population.

It takes a long time to eradicate this plague. It can not be done hastily. The work must be carried on persistently and consistently and constantly. It took 18 months to drive the plague infection out of the city of San Francisco. It took a number of months, when we had the same rat infection in New Orleans before, to drive it out.

I am appealing not alone for my own State; I am appealing for the Nation. New Orleans is the second port in America. In the volume of its foreign commerce, imports and exports, it is exceeded only by the great city of New York. It has the closest kind of commercial relations with all its sister States in the South and by rail and water with every State in the Union. It has very close relations with all the commercial nations of the world, and those commercial nations and our sister States know we are going to trade with them,

and know we are going to treat them honestly and fairly in regard to this plague. We have told them that we are going to stamp it out. We have prevented the disease from extending to more than a very few human beings.

Now, sir, we are spending a great deal of money ourselves. We are seeking the direction in a scientific way of the National Government, but the millions being expended to rat-proof the public facilities are all paid by the local people. We do not ask the Government to do that. What we ask is for the Government to carry on the work at a rate of about $50,000 per month for the next six months as the scientists say, until there is not a single infected rat in the city of New Orleans. They assure us that they must carry on the work for that length of time. If there be one infected rat in the city, it is liable to infect a great many others, and when we have a great many rats infected human beings become infected, and it will spread from that city to other cities in the land.

I wish to read a letter just received from the Public Health Service. It is very brief. I do not want to take up much of the time of the Senate. It is addressed to me and written at my request.

TREASURY DEPARTMENT,
BUREAU OF PUBLIC HEALTH SERVICE,
Washington, February 18, 1920.

Hon. JOSEPH E. RANSDELL,
United States Senate, Washington, D. C.

MY DEAR SENATOR RANSDELL: Allow me to invite your attention to the fact that the deficiency appropriation, H. R. 12046, as reported by the Senate Committee on Appropriations, contains an item of but $100,000 for plague-suppressive measures in New Orleans instead of $250,000 which was requested by the Public Health Service for this purpose.

I will state that that was requested in a letter from the Treasury Department, dated February 2, sent to the Senate committee.

In view of the fact that the expenditures under the epidemic fund at this time are necessarily $70,000 a month, of which $50,000 are required for the continuation of plague-suppressive measures in New Orleans and $20,000 for other urgent activities carried on under this fund in other parts of the United States, without relief in the form of the deficiency appropriation, operations at New Orleans would have to be discontinued not later than March 15, 1920. The appropriation of $100,000 will only provide for the continuance of this work until April 30.

The facts in regard to the plague situation in New Orleans are briefly as follows: The plague was found to be extensively prevalent in the rodent population about November 1, 1919, and to such an extent that human cases were already occurring. Upon the discovery of the existence of plague among rats the Public Health Service immediately instituted vigorous measures against rodents and to prevent the spread of the disease to the human population. It is only by the vigorous prosecution of such measures that such extension to the human population and the general spread of the disease from New Orleans as a focus to other parts of the United States can be prevented. As a result of these vigorous measures and the confidence which State health authorities and foreign consular officers have in the Public Health Service, no quarantine has as yet been declared against New Orleans, and commerce proceeds through this port unimpeded.

I will interrupt myself to say that there really has been substantially a quarantine declared by the Republic of Haiti, though that is under certain regulations, and business is going on.

In the event, however, of the discontinuance of the active measures carried out by the Public Health Service two eventualities seem probable:

1. The plague will spread from the rats to the human population.
2. Quarantine will be declared against New Orleans by adjoining States and foreign countries.

In order to prevent either of these eventualities it would seem of the utmost importance to continue the active suppressive measures in New Orleans up to the end of the present fiscal year.

In view of your interest in the matter, may I ask you to place these facts before the Senate for appropriate action in the premises?

In conclusion I may add that the whole question is not so much to assist the State and local authorities in combating local epidemics as to prevent the spread of the infection to other ports of the United States.

Cordially, yours,
J. C. PERRY,
Acting Surgeon General.

Now, Mr. President, for the sake of a small sum like we are asking here—I say "we," I mean the Public Health Service, and I am voicing it as one of the Senators from the State of Louisiana—are we going to jeopardize the commerce of the second port in the United States? Are we going to jeopardize the health of 400,000 citizens of New Orleans, and of the vast number of people who have such close business and social relations with that great center of the South?

I wish to say just one word more about the expenditure of money by the Public Health Service, as to whether they need it or not. These questions were asked Dr. McLaughlin when he was testifying before the Senate Committee on Appropriations on the 11th of this month:

The CHAIRMAN. What is your general fund?
Dr. MCLAUGHLIN. $400,000, and that is exhausted.
The CHAIRMAN. Do you allocate that fund to different things, or do you keep it for emergencies like this?
Dr. MCLAUGHLIN. No; in normal times the unused part of the fund is turned back. Last year we turned back $208,000.

That is very amusing, I know, to the Senator from Utah [Mr. SMOOT]. It is rather remarkable for a Government department to turn money back to the Treasury, but that is what Dr. McLaughlin said:

Last year we turned back $208,000; but when there is an epidemic, such as the outbreak of the plague in New Orleans, the $400,000 is never adequate. It was not adequate in 1914.

In conclusion, Mr. President—I do not wish to make a speech, though I could talk for an hour—I appeal to the Senator to permit this amendment of mine to be agreed to. The money will certainly not be used there if it is not needed. I say to the Senator in the most solemn manner that I have investigated it; I believe that we have a very serious infection, at least, of the rat population of the city of New Orleans, and I believe the repressive measures of the Public Health Service must be carried on for at least five or six months longer, and that can not be done successfully without this appropriation.

Mr. SMITH of Maryland. Mr. President, do I understand that the people of the city have spent a large amount of money on their own part to eradicate this trouble? Did not the Senator state that the city had appropriated about $3,000,000 for wharf purposes and things of that kind?

Mr. RANSDELL. Several years ago a very much larger sum than that was expended. Practically all the property of the city was rat-proofed. I made a statement, which I repeat, that under the ordinances of the city commission government a number of poor people were obliged to mortgage their property in order to get money to rat-proof their houses. The city is now prepared to expend a good large sum of money to finish the rat-proofing of the railroad warehouse and the warehouses on the river front. I can not state the exact amount.

Mr. SMOOT. Mr. President, I do not believe that the rat plague will ever cease in Louisiana so long as the old wooden wharves remain in New Orleans. I do believe it will cease as soon as the new wharves are completed; and I understand there is a movement on foot to replace the old wooden wharves with cement wharves. When that time arrives I doubt whether there will ever be any more rat plagues in Louisiana.

Mr. RANSDELL. Mr. President, with the Senator's permission, I desire to interrupt at that point to say that I think the Senator from Utah is substantially correct in that statement. The city authorities of New Orleans have recently obtained a loan from the banks of the city to go ahead with the rat-proofing, and the legislature, which meets early in May, I understand, is going to be called upon to permit the dock board to issue bonds for the thorough and complete finishing of those wharves. I do not think they will build them of cement, but they will be built either of cement or iron.

Mr. SMOOT. Either one, I will say to the Senator, would obviate the serious difficulty that the city has experienced in the past. Appropriations which were made during war time nobody questioned; we gave whatever was asked. A billion dollars were given just as freely as 5 cents would have been given. All the departments of the Government had to do was to ask, and simply say that the amount asked was for war purposes, and "everything went."

Just think that in the fiscal year 1917–18 there were $21,000,000,000 appropriated by the Government and, including the appropriations of the next fiscal year—1919—$27,000,000,000 were appropriated by Congress! It is true that all of the $27,000,000,000 was not expended, because the armistice was signed before the end of the year, and there was a great part of that money proposed by act of Congress to be returned to the Treasury. It had never really been in the Treasury, but there was a legislative act to turn the money back into the Treasury. However, it simply meant that we did not have to sell bonds to put the money into the Treasury in order to take it out to meet the appropriations.

If any such thing ever happened as the Public Health Service turning $208,000 back into the Treasury, I am going to take the time to look it up, for I want to know when any such thing happens on the part of any of the departments of our Government. If it did happen, it was because they had more money than they really could spend for the suppression of the plague or other epidemics.

Mr. President, only the other day the Public Health Service had introduced into this body a bill asking for $5,000,000 for the study and investigation of the influenza. The Senate, in its wisdom, decided to give them a tithe of that amount, and appropriated $500,000 for the purpose. I believe if there had not been one 5-cent piece appropriated, the influenza situation in the United States would have been exactly as it is to-day. I do not think a dollar of that money spent anywhere in the United States has helped the situation.

I want the Senator from Louisiana to understand that I am not complaining about the Government of the United States

expending $50,000, if that is necessary to do away with the rat plague in Louisiana, but the letter which has been read itself says that if $100,000 is appropriated it will carry them until June 30.

Mr. RANSDELL. I beg pardon. The letter says with the hundred thousand dollars which is carried in the bill, if that goes in, they can work until April 30.

Mr. SMOOT. I mean April 30. By the time April 30 shall have arrived, I say now that not only will the legislative bill have passed the House of Representatives, but I think it will also have passed the Senate, and that the sundry civil bill also will be before this body. How often in such bills are appropriations made as to which it is specifically provided that certain portions of the appropriations shall be immediately available? That can be done in this case.

Allow me to plead with Senators now to keep appropriations down just as much as we can. I make that request not in opposition to an appropriation for this specific purpose, for I think the appropriation and its object are a thousand times better than some other appropriations which are found in appropriation bills.

Mr. RANSDELL. I am glad the Senator from Utah feels that way about it. I desire to ask the Senator this question: Would it be appropriate and in order to put an appropriation of this kind on the legislative bill?

Mr. SMOOT. Certainly, I will say to the Senator.

Mr. RANSDELL. But it would certainly be subject to a point of order, I should think.

Mr. SMOOT. Not at all. There is not a legislative appropriation bill which has ever passed this body that I know anything about but that what may be termed general legislation has been carried on it. What I desire to do is this: Not to appropriate a single dollar more of the people's money than is absolutely necessary. If it is necessary to provide an appropriation in order to protect the lives and the health of the people of Louisiana, there is no Senator on this floor who will grant that help any quicker than will I.

Mr. RANSDELL. I thank the Senator from Utah for that statement.

Mr. SMOOT. I know that if my city were afflicted with a rat plague as is New Orleans, and if the city could not handle the situation, and the State could not take care of it, I should want the Government of the United States to assist. That is my position. I think the committee has acted wisely in deciding to name $100,000. Then, if that is not sufficient, we shall have ample opportunity to make a further appropriation for this purpose.

Mr. RANSDELL. Just one word. I want to say that I am entirely satisfied to adopt the suggestion of the chairman of the committee and to make my amendment provide for $200,000 instead of $250,000.

Mr. GAY. Just one word, Mr. President. I think the Senator from Utah [Mr. SMOOT] realizes full well that if such a provision as this should be included in the legislative bill, it would not become effective until the end of the fiscal year.

Mr. SMOOT. Oh, no, Mr. President. The Senator is wrong when he makes a statement like that. The Senator knows that on every appropriation bill which is passed here—the legislative, the sundry civil, and other appropriation bills—provision is made that certain appropriations shall become immediately available. That is just as usual as it is to make appropriations. That is what would be done in this case.

Mr. GAY. I desire to say, Mr. President, that this is an emergency, and one in relation to which the Senate should not procrastinate. The Senator from Utah spoke of not desiring to delay the rat-proofing which was necessary. I desire to tell him that it will require a certain amount of money to do this work effectively. The State of Louisiana and the city of New Orleans have appropriated large sums of money—they contemplate an expenditure of between twelve and fourteen million dollars—for the purpose of rat-proofing the wharves of the city of New Orleans, not only for the protection of the city of New Orleans and of the State of Louisiana but for the protection of the entire Mississippi Valley and all sections of the United States that have commercial relations with the great city of New Orleans. This matter is of vital importance; it is a function of the Government to assist along this line and to furnish the money that has been requested by the Public Health Service.

My colleague has thoroughly covered the question. I hope that the Senate, in its wisdom, will see fit to adopt the suggestion of the chairman of the committee and that $200,000 will now be appropriated for this purpose.

Mr. KING. Mr. President, as I understand the situation, an epidemic threatens New Orleans and the country growing out of the recrudescence of the bubonic plague.

Mr. RANSDELL. That is true. It exists there to-day among the rats, but not among human beings.

Mr. KING. And this appropriation is for the purpose of meeting that contingency?

Mr. RANSDELL. That is exactly right, sir.

Mr. KING. Why should not the appropriation, then, be limited to an expenditure for the extirpation of the bubonic plague?

Mr. RANSDELL. I will say to the Senator that, if I am informed correctly, the general fund for that purpose has practically all been expended in New Orleans and is not available to carry on the work which must be carried on in other parts of the Nation to the extent of about $20,000 a month, and therefore I do not want to limit it.

Mr. KING. Does the Senator know whether there has been expended in New Orleans substantially all of the appropriations carried in the former bills for the items mentioned in line 20 on page 14 down to line 5 on page 15 of the pending bill?

Mr. RANSDELL. That was stated in substance by Dr. McLaughlin, representing the Public Health Service, in his testimony before the committee on the 11th day of this month. He said substantially that they had expended the greater part of the fund and would be entirely out of money by the 15th of next month if they did not get an additional appropriation. Dr. Perry says in his letter to me, which I read a few moments ago:

> If we do not get $100,000, the work must cease on April 30.

Mr. KING. Mr. President, with the information which the Senator has given I am inclined to vote for his amendment; but I take this occasion to submit an observation or two with respect to the Public Health Service, as well as other executive agencies of the Government.

The Public Health Service, as I have before stated upon the floor of the Senate, has an ambitious program. I do not know how many thousand employees are in the Public Health Service, but I have been told, upon what I regard as good authority, that there are more than 3,000 physicians in that service, and, in addition to that number, there are thousands of employees, attachés, clerical help, stenographers, printers, typewriters, functionaries, and supernumeraries which characterize so many of the executive departments of the Government.

Mr. RANSDELL. Mr. President——

Mr. KING. I yield.

Mr. RANSDELL. I merely wish to suggest to the Senator that we give to the Agricultural Department, which takes care of the diseases of plant life and of animals and matters of that kind, something like $31,000,000 or $32,000,000 a year. The Public Health Service is the only branch of the Government which takes care of human health, and we are nothing like as generous with them as we are with the branch of the Government which investigates and studies animal and vegetable life.

Mr. KING. Mr. President, a few years ago, when I had the honor to represent my State in the House of Representatives, the Agricultural bill, as I remember, carried $4,000,000 or $5,000,000, but we have by leaps and bounds gone from that modest sum to what the Senator states now, namely, thirty-odd million dollars. Let me say to the Senator that last year we appropriated for the Agricultural Department more than $40,000,000, and, as I recall, the year before the appropriation for this department was nearer $50,000,000. The officials of the Agricultural Department would have rejoiced if they could have obtained $100,000,000; and if we had given it to them, they would have expended it. There is no limit to the voracious appetite of the departments and bureaus and executive agencies of the Government. They seem to have an absolute disregard of the interest of the public; they carry on extensive propagandas to secure appropriations and are never satisfied. They seem to be eager to spend and exhibit no desire to conserve. It is pitiful to witness the scrambles for appropriations for executive agencies, and it is a sorry page which records the wasteful expenditures of the Federal Government.

The executive departments of the Government close their eyes and write checks for millions, and then expect Congress to abjectly place its O. K. thereon, and then impose burdens and taxes upon the people to meet them. Federal appropriations are increasing at an alarming rate, and there seems to be no spirit of economy or effort to reduce the burdens which extravagance imposes. Unfortunately many of the people join in appeals for appropriations which in many cases are not only not warranted but which are in contravention of law and the theory of our form of government.

This is not, Mr. President, a partisan matter; Democratic officials are as culpable in these expenditures as are Republican officials. There is something that gets into the blood of many executive officials when they are invested with authority so that

they want to extend their power and aggrandize themselves or their departments or their bureaus regardless of the cost to the Government or the burden to be imposed upon the people. It is frequently said that a Republic can not be efficient or give to the people economical administration. I do not care to enter into a discussion of this charge; it is manifest, however, that we have not fully learned the lesson of economy or efficiency in this Republic. Our Government costs too much.

This is true of municipal and State administrations. Our annual expenses for governmental purposes are increasing far more rapidly than is the increase in population. With the tremendous burdens which the war laid upon us, with the billions of national debt, we are not admonished to pursue a course of thrift and economy, but keep the mad pace which the war developed. We are not yet sobered, but spend and contrive schemes to spend until it seems as though we were determined to squander the savings of the past and imperil the safety of the Nation.

Mr. President, our task is not ended when we pass appropriation bills; we must then save the credit of the Nation by providing the funds to meet the appropriations. Many who are making demands upon Congress for extravagant appropriations never seem to appreciate the fact that we must become debtors and borrow money—issue interest-bearing bonds of the Government therefor, or impose taxes upon the people which will prove more or less onerous and perhaps bear so heavily upon them as to prevent financial advancement—general prosperity. And where are these taxes to come from? Prohibition has closed one fountain that yielded a large revenue. We may have reached the limit in income and excess-profits taxes. The people will resent increased internal taxation. We can not for several years hope for so large a foreign trade as we have enjoyed during the war. Indeed, what it will be during the next few years no one can determine. Europe's condition is such that her exports to the United States will be limited for some time to come. If Europe can not export, she can not buy, unless we take such securities as she can offer. There will be a slowing down in our foreign commerce. It is apparent what the effect will be upon the receipts of the United States Treasury. And a diminishing foreign market for our products will materially affect the prosperity of the American people, and that in turn will reduce the income and excess-profits taxes which they pay to the Government. That situation will call for new sources of taxation, and that, of course, will add to the burdens of the people. And let it not be forgotten that in the end the taxes fall upon the farmer and the wage earner and the ultimate consumer.

We have indulged in a discussion of "our merchant marine." We can not compete with other nations in ocean-traffic rates. We can carry our own commerce in our own ships, but we will not, I am afraid, secure much of the commerce of other nations. Our merchant marine must, then, depend upon our own foreign commerce—upon our own exports and imports. Unless we have foreign trade and commerce, Mr. President, our merchant marine will rot in the docks. If prohibitive tariffs cut off our trade with the world, we will have a sort of "Coney Island merchant marine"; our ships will be plying between New York and Coney Island and from domestic port to domestic port. We must have foreign trade in order to have a merchant marine, and foreign trade and commerce are imperative to our prosperity.

Unless we are prosperous, there will be a lean Treasury and a frequent issue of bonds, unless the most rigid and Spartan economy is practiced.

The demands which are daily being made upon the Treasury can not be met, in my opinion, unless we increase the taxes or issue millions of bonds.

I repeat, where is the money coming from to meet these great demands that are being made by the executive departments of the United States? Everybody knows that the next fiscal year will witness a considerable slacking up in the business of the United States. Profits will be less, business will be less, the earnings of the people will be less in the aggregate than during the present fiscal year. Perhaps the aggregate earnings of the people for the latter year were $50,000,000,000. It is obvious that the next fiscal year will not realize that amount as the gross earnings of the American people. Perhaps they will be $40,000,000,000, and with that reduction, of necessity, there will be greater difficulty in realizing funds with which to meet the imperative demands of the Government.

Our Republican friends claim that their party is pledged to economy. Some of us, knowing the past record of the party, are rather skeptical. But I want to assure any Republican who does honestly believe in economy that he will find upon this side of the Chamber Senators desirous of aiding him in every legitimate and proper way to reduce the expenses of the Government.

It takes some time to react from the condition in which we found ourselves during the war to the normal conditions of peace. The psychology of war projects itself into the future for an indefinite period and affects the judgment of most people; but we must at the earliest possible moment emancipate ourselves from the somewhat hysterical and unbalancing influence which the World War produced and get down to the hard, stubborn facts and realities of this biting world before us and practice the economies of real, genuine, patriotic American citizenship. We must cut down the expenses of the Government, reduce personal expenses, practice economies in our daily lives, and insist upon rigid economies in all governmental agencies and activities. This is a time to learn what "hardpan" is; we must learn that we can spend savings and capital, but that when we do we are on the road to national bankruptcy; that spending does not necessarily mean prosperity, but often means ruin.

While it is true that the Public Health Service is an old service as a branch of one of the departments of the Government, it has taken on a swollen growth, if I may be permitted that expression, of late. I repeat that it is not satisfied with what I conceive to be its legitimate and proper sphere of activity. It, like many other of the departments of the Government, seeks to increase its power and authority by inducing the States to cooperate with it. This is a favorite method of some Federal agencies—to spend some little money in the States and then urge the latter to induce Congress to make large Federal appropriations, provided the States make like appropriations. Of course, in many instances departments of the Federal Government send their representatives into States where some beneficial service is rendered. But the service is such as the States should perform and which in time they would perform. But representations are made that Congress will do the work if it is sufficiently besieged and "bedeviled," so a strong propaganda is commenced, and Congress is petitioned and then "required" to make large appropriations to carry out the work prescribed by Federal agencies.

This plan is seductive and sinister and will destroy State pride and State honor if persisted in and the people do not awaken to the demoralizing effects of this policy. Some of the States have not seen what the effects will be, but I believe that they will in the near future reject these proffered gifts which can not prove other than harmful to the Nation. The States are willing to assume whatever obligations rest upon them, and more and more they are taking upon their shoulders the responsibilities which are connected with progressive and developing Commonwealths. Many officials in the Federal service are faddists, cranks, "uplifters," dreamers, visionaries, doctrinaires, failures in the practical walks of life, and finally they find refuge in some soft berth in the departments of the Government, and there, protected by civil service and life positions, they indulge in their fads and fancies and dreams and visions, and seek the extension of their powers and covet opportunities to project the General Government into the States and into the purely domestic affairs of the people.

An official is assigned to a humble position, but one of merit, with the duties defined by law, and he immediately conceives the idea of making it a big position by the usurpation of authority. He is assigned one clerk, and he immediately conceives the idea of having two. Some friend of his in some other department has a dozen clerks and three or four stenographers and a cloud of employees under his control, and he conceives the idea that his work is just as important as his friend's, and he demands that there shall be a large increase in the personnel of the agency or bureau of which he is the head.

It is the cellular growth. The cell expands and multiplies until there is a tremendously complex organism; and then this organism or agency or bureau swells and increases, and numerous persons within the bureau fancy that their great abilities entitle them to high positions and to bureaus of their own, and so other fractures ensue and new bureaus result. One bureau, starting as a cell, becomes multicellular, and breaks up into many parts and into many bureaus, and so, by a process of procreation and breeding, these bureaus multiply until their numbers are countless.

Why, Mr. President, if the French and some of these alleged decadent nations could get some idea of the processes of fecundity which are exhibited in the departments of the Government and apply them to the biological field, it might remove one of the serious matters which now concern the French leaders.

This Public Health Service organization has increased in power and in personnel and in expenditures. The more money we appropriate to it the larger it becomes. Governmental departments grow upon the money which they get out of the Federal Treasury. If they receive a million dollars for scientific research, the first thing that is done is to get enlarged quarters, thousands and tens of thousands of dollars for the

paraphernalia of the office, and then the greater part of the appropriation is expended in paying the salaries and the compensation of the officials. If one examines the thousands of appropriations which are made to many of these departments it will be found that many of them are swallowed up by increased salaries, by the enlarged personnel, and by the nameless expenditures for which no showing can be made.

It is claimed that the Public Health Service now is seeking to go into States to discharge there the duties and responsibilities which devolve alone upon the States. Some officials want to take supervision of practically every phase of the public health of the people of the States and to plan extensively for rural sanitation. Why, the Public Health Service will soon be furnishing employees to go upon the farms of the farmers and direct them in their labors, into the homes of the people and tell them how to live and think and act, and become directors of the activities of all the States and communities.

Soon they will insist that the Federal Government, by its officials, examine the teeth and eyes of the people, prescribe for all their physical and mental ills, and subject everyone to a physical examination, and place all the people under the supervision of the executive agencies of the United States.

Of course, it is a commendable thing to care for the health of the people; but we did not organize the Federal Government in order to make it the parent and the overlord of the individuals and of the States.

There must be a recrudescence of that splendid individualism and personal independence that has made this Nation the glory of the world. The idea of this growing and tyrannous bureaucracy is that it shall look after the needs and welfare of the people. That was the idea of all despots and bureaucrats. The people were not capable of governing themselves, so a paternalism was necessary. The new federalism is to preserve for the people, teach them how to run their own business, and place a Government functionary in every home. The farmers must be taught how to run their farms and dairies and conduct their business—how to plow their land and plant their crops.

The Federal Government is to look after our roads and bridges, our schools and our health and our persons, our lives and our property, and doubtless these centralizationists and bureaucrats will soon tell us what we shall wear and what we shall eat. Already the Federal Government tells us what we shall not drink and may soon legislate for or regulate our appetites. May we not expect this paternalism to extend to the homes of the people, and the Federal Government displace the authority of the father over his family and the home life. Bureaucracy is so insinuating that the internal affairs of the States are coming under its control, and the badge of the Federal official may soon destroy home authority and parental responsibility.

I was surprised the other day to receive a communication from my State stating that there were literally hundreds of Federal employees therein. There are thousands of them traveling from Washington at an expense to the Government of millions of dollars annually to investigate everything, great and small, which is related to the lives of the people. I venture the assertion that there are from two or three hundred thousand Federal employees—up to half a million—traveling through the United States at an expense of millions of dollars to the Federal Government, looking into the internal affairs of the States and the domestic affairs and lives of the people and into their business activities; work which if necessary to be done should come under the cognizance of the people themselves or under the cognizance and jurisdiction of the States.

It has seemed to me that there has been a subsidence of individual spirit and of State spirit and pride during the past few years. It was gratifying to many to read the excellent letter recently written by the Vice President challenging attention to the spirit of democracy—not a partisan democracy, but a democracy which meant individualism and personal initiative and liberty, which meant the assertion of the right of the individual to govern himself, which demanded that the Federal Government should keep its hands off from the people and off from the States with respect to matters which come under their own cognizance and within their own jurisdiction. In this hour of confused voices and uncertain creeds we need some great political prophet who will point the way to safety and plant our feet upon solid American ground, the ground occupied by the fathers and consecrated by their patriotic services. Upon this ground we must stand if the perpetuity of this Republic shall be assured.

I want to protest now, as I have in the past, against this constant and persistent invasion by the executive departments of the rights of the States and of the fields of activity in which the people themselves should alone enter.

I hope that Senators will reduce the expenditures for the executive departments to the minimum and restrain their efforts at usurpation. The Federal departments and agencies are not partisan. I venture the assertion that a majority of those within the departments belong to the opposite political faith from that to which I belong; but it makes no difference whether they are Republicans or whether they are Democrats, there are many officials when they get in the departments plan and plot to increase the authority and power of the departments and bureaus and divisions and agencies and officials and to increase the number of employees of the Government.

There were brought into the city of Washington during the war tens of thousands of employees. They have not been discharged yet. You can not get them out of office. The only way we will ever get them out of office is to legislate them out by refusing to make appropriations.

Bills come before us—one recently came before the Judiciary Committee, and I shall ask that the committee be discharged from its consideration, and that the bill be referred to the Committee on Appropriations—asking for the repeal of a law which forbade employees of the Government from going from one department to another. They want it repealed, so that if one department should possibly be compelled to discharge a few employees, they may be immediately absorbed in some other department of the Government. There is a determination that nobody shall be separated from the service. We are going to keep the thousands and tens of thousands of employees here, if it can be done; and if the Appropriations Committee and the other committees that have to do with these things do not set their faces like flint against this demand, instead of there being a diminution in the number of employees over that obtaining during the war there will be an increase.

Now, coming to this appropriation, I think the suggestion made by my colleague [Mr. SMOOT] was the wise one. I would have preferred to leave it as it is, and then, if the $100,000 is legitimately and properly expended and it proves inadequate, we are in session and a further appropriation can be made; we will stay in session here, in my opinion, at least until the political conventions meet, and I hope we will not adjourn because they convene. We will be here in session for months, and we can meet any legitimate demand that may be submitted.

There are other items in this bill to which I shall call attention later, but I felt like submitting these observations in connection with the Public Health Service demand.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The question is on the amendment of the Senator from Louisiana [Mr. RANSDELL] to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued to line 2 on page 15, the last paragraph read being as follows:

To enable the Secretary of the Treasury to continue in effect the provisions of section 2 of the act entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines," approved March 3, 1919, $500,000, to be expended at the following hospitals and in not to exceed the following amounts, respectively: Alexandria, La., $25,000; Deming, N. Mex., $20,000; Houston, Tex., $10,000; Perryville, Md., $75,000; Greenville, S. C., $75,000; Cape May, N. J., $10,000; Hoboken, Pa., $10,000; Dansville, N. Y., $10,000; St. Louis, Mo., $5,000; New Haven, Conn., $25,000; West Roxbury, Mass., $50,000; Helena, Mont., $100,000; Boise, Idaho, $75,000; East Norfolk, Mass., $10,000: *Provided further*, That the sum of $20,000 of the appropriation of $150,000 contained in section 6 of the above-named act is made available for such repair work and remodeling as may be necessary to adapt the hospital at Corpus Christi, Tex., to the needs of the Public Health Service.

Mr. KING. Mr. President, I should like to ask the Senator from Wyoming what is the occasion for these appropriations? My recollection is that not only in the general appropriation bills dealing with vocational training, but in several special bills, emergency or deficiency bills, further appropriations were made. Are these deficiencies? Is it the plan to keep hospitals or sanitariums at each of these places? Are these permanent structures? Are they permanent hospitals and permanent sanitariums? Do they belong to the War Department? Are they under the control of the War Department?

I have asked a number of questions in order that the Senator may give us such information as will enable us to understand exactly the extent of the appropriations.

Mr. WARREN. Mr. President, many of these belong to the War Department and many of them do not, but have to have some extensions and refitting. The Senator will remember that when the first deficiency bill—deficiency bill No. 1, this being No. 2—was being considered on the floor the Sweet bill had passed, during the consideration of which in committee it developed that while the entire deficiency bill had only $3,000,000 and a little over, we had to add $30,000,000 because of the so-

called Sweet bill, and we would have to add still further amounts. It is in order to take care of the soldiers who were injured in the war that we are compelled to spend these amounts in the hospitals named.

Mr. KING. Do I understand the Senator to mean that the Sweet bill increased the number that would have the right to enter these various sanitariums and hospitals?

Mr. WARREN. It provided not only for that, but it provided for extra pay and extra accommodations. I will say to the Senator that my colleague on the committee, and the Senator's colleague in the Senate [Mr. SMOOT], had charge of the Sweet bill, and I shall ask him to make a statement accordingly as to the effect of that measure.

Mr. SMOOT. Mr. President, the so-called Sweet bill increased from $30 per month to $80 per month the pay of soldiers in hospitals who were disabled. As I stated upon the floor of the Senate when the bill was under consideration, it carried an increased expenditure of $81,000,000 per annum. The annual appropriation required over and above the appropriations that were required under the $30 per month provision of the then existing law amounted to $81,000,000 per annum.

Mr. KING. For how long?

Mr. SMOOT. For years to come, I will say to the Senator. In other words, the amount that will be required from now on to pay $80 per month and expenses attached to caring for disabled soldiers in our hospitals is $169,000,000 per annum.

The Senator will remember that in the Sweet Act there was an appropriation made of only $30,000,000. That was to take care of the back pay provided for in that bill for the disabled soldiers up to, I think, the 1st day of April, but I am not quite sure as to that. However, it is near the 1st day of April. This appropriation is absolutely necessary to meet the requirements of the legislation passed known as the Sweet bill. I gave notice at the time when the bill was passed that it carried only a temporary appropriation to take care of the immediate needs, but that the full amount required for the fiscal year ending June 30, 1920, would be $81,000,000.

Mr. WARREN. I think the Senator is a little too close on that figure. As I remember, it was $91,000,000, and the pending bill carries on the next page, as it came from the House, $55,000,000, which, added to the $30,000,000, would be $85,000,000. The House did not allow the amount asked for. I am sure it was $91,000,000, and possibly $93,000,000.

Mr. SMOOT. I am quite sure that the first estimate that was given was something over $90,000,000, but there were changes made in the bill that reduced it to $81,000,000, as I have already stated. I will state that there is no question about the $55,000,000. It has to be appropriated.

Mr. KING. I should like to ask my colleague a question. The appropriation which was carried in the former bill to which he refers was to cover the payment to the soldiers themselves, as I understood him?

Mr. SMOOT. Yes.

Mr. KING. Why would increasing their compensation increase the demands of these various hospitals and sanitariums?

Mr. SMOOT. I did not know that the Senator's question had reference to this bill.

Mr. KING. Yes.

Mr. SMOOT. The reason for the increase in the different hospitals and sanitariums comes from the fact that the number of soldiers who are entering the hospitals is increasing every day. In other words, the Vocational Board had been very slow indeed in passing upon the cases of the different soldiers throughout the country who have made application for entrance into the hospitals up to the time of the passage of the Sweet bill, but the numbers have increased in a greater proportion to those who made application in the last two months than it had before that time because of the better functioning of the Vocational Board. I will say to my colleague that the reason for these additional appropriations is to take care of the expenses that are incurred by the additional soldiers who have entered the hospitals and sanitariums.

Mr. KING. While my colleague has the floor I should like to ask him if there is any further explanation that can be made with respect to the $55,000,000?

Mr. SMOOT. No.

Mr. KING. In other words, the explanation just made covers all that may be said in respect to that amount?

Mr. SMOOT. I have stated, I think, about all that could be said in relation to the $55,000,000. The appropriation must be made, because the Congress has passed a law requiring the money to be paid.

I will say to the Senator having the bill in charge that on page 16, lines 3, 4, 5, 6, and 7, there is something to which I wish to call his attention. I had not read it carefully until just now. It reads:

> Appropriations herein or hereafter made for the Public Health Service shall not be expended for advertising in newspapers, magazines, or periodicals for any purpose other than the procurement of necessary services, supplies, materials, and equipment.

Mr. President, I am a little fearful of that language, and I wish to state why. Government publications in the different posts and throughout the country have been, in many cases, turned into advertising mediums, and there have been certain complaints brought to the attention of the Joint Committee on Printing through advertisements in the Government publications at the different posts. In other words, charges have been made direct that no merchant who does not advertise in those papers stands a ghost of a show of selling goods to the Government of the United States. So the Joint Committee on Printing, under the authorization given them by law, concluded to issue an order that in such publications there should be no advertisements inserted, and they are strictly prohibited by the order of your Joint Committee on Printing.

It seems to me that this paragraph has been put into the bill for the very purpose of overriding the order issued by the Joint Committee on Printing, so that the Public Health Service can insert advertisements in the magazines and periodicals if they are for the purpose of procuring necessary services, supplies, materials, and equipment. That is all the advertisements ever were for——

Mr. WARREN. Will the Senator yield a moment?

Mr. SMOOT. Certainly.

Mr. WARREN. I will say that in the House they put in certain claims of certain newspapers to be paid. They went out on a point of order. We did not put them in for the very reason the Senator has mentioned, but the Senator upon a moment's reflection will understand that in letting contracts for making purchases the law provides that they must advertise for bids.

Mr. SMOOT. I have no objection to that.

Mr. WARREN. So we have provided here that—

> Appropriation herein or hereafter made for the Public Health Service shall not be expended for advertising in newspapers, magazines, or periodicals for any purpose other than the procurement of necessary services, supplies, materials, and equipment—

Which, under the law, they will have to do.

Mr. SMOOT. Then there is no need for this provision if the law requires it. If it applies to newspapers or magazines or periodicals outside of the newspapers and magazines and periodicals issued by the Government, then I have no interest in it at all, because the law requires bids shall be asked for in such papers.

Mr. WARREN. That is put in to check them, so that they can only advertise that and not do as they have been doing. If we strike that out, they may take these same liberties again. This is really a check and not a permission. It checks them so that they can not spend the money except for these necessities. They did it heretofore.

Mr. SMOOT. Does not the Senator believe that with this language the Public Health Service can advertise in the post papers and post magazines and post periodicals?

Mr. WARREN. I think they can only advertise for bids, as I say. They may do that. As to what they may do unauthorized and what they may not do under the law, we shall have to reach them in some other way. I would dislike to have the Senator strike out the restriction, because the restriction is in there to accomplish the very purpose about which the Senator is talking.

Mr. SMOOT. That is what I want to accomplish. I want the Public Health Service and every other department of the Government to be prevented from publishing advertisements in the Government publications printed at the different posts of the country, and also in the Indian school publications that are issued under the direction of the Government and paid for by the Government.

Mr. POMERENE. If I understood him correctly, the Senator said that the Joint Committee on Printing had issued an order prohibiting the insertion of these advertisements in these magazines.

Mr. SMOOT. Yes.

Mr. POMERENE. I have never examined the law, but I wondered whether there was any doubt about the authority of the committee to do that. I am in entire sympathy with what the committee has done in that behalf.

Mr. SMOOT. There is no doubt whatever.

Mr. POMERENE. If those advertisements have been subjected to the use which the Senator suggests, it never ought to have been done.

Mr. SMOOT. There is no question of it, I will say to the Senator, and there is no department that has ever questioned the authority of the committee under the act that was passed in one of the deficiency appropriation bills of the last session of Congress.

I wish to say in passing that under that law the Joint Committee on Printing have stopped the publication of I can not tell how many periodicals and magazines that were printed by the Government of the United States. Right here I do want to call attention to this fact——

Mr. WARREN. May I ask the Senator to allow me to insert, in support of just what he is saying, something from the RECORD?

Mr. SMOOT. Very well.

Mr. WARREN. While the matter was being considered as to what we have left out of the bill, Representative GOOD said:

Mr. GOOD. The situation in regard to these newspaper advertisements is this: There was about $10,000 or $12,000 of the million dollars appropriated to combat influenza used for newspaper advertisements. In all cases excepting these the Secretary of the Treasury approved the bills or the contracts for inserting these advertisements. They were display advertisements of a page or half page—I have forgotten the exact space. But in these cases the Secretary did not approve of the plan and the expenditure until after the advertisements were inserted. Therefore under the ruling they had no authority to pay for them. These advertisements were not paid for, and the others were paid for. That is the reason why this item is carried here as legislation in this bill. There is no question about its being subject to a point of order.

Mr. SMOOT. I am in full sympathy with the legislation as understood by that statement. What I am fearful of is that the Public Health Service will take advantage of this provision and will advertise again in Government periodicals and magazines that are published at the different posts.

To show the Senate how some of the departments act, I wish to call attention to what took place after the Joint Committee on Printing had issued the order that at certain posts there should not be more than one magazine or periodical issued by the Government. Some of the posts were printing two and some of the Indian schools were printing two, and magazines of more costly paper than if they had been printed at Harvard University. So we decided that there should not be more than one of those Government publications printed at any of the posts and schools. What happened? We have just learned.

The printing by the printing press of the publications was discontinued. The law said "printing," and so what did they do? I find that one of the publications that was stopped is lithographed. [Exhibiting.] We thought we were going to prevent the waste of print paper. I find here a better grade of paper, and the whole contents of the magazine run off on the typewriter and then lithographed and issued as it was before, except that it was lithographed instead of printed. I hold samples of other periodicals in my hand which instead of being printed were run off on the typewriter and mimeographed. Has it saved any paper? Has it saved any money? Why, no; it would have been much better if they were going to be published at all to have them printed because of the fact that it could be done with less paper and for less money.

But what do the departments care for the laws that are passed by Congress? They do not care what laws Congress enacts if a way can be found to avoid them, particularly if it is a case of spending the people's money.

As far as I was concerned, I knew nothing about this matter until some of the other departments, seeing what was being done, asked whether the mimeographing of these magazines was printing or not, and wanted a decision upon it.

What I am afraid of is that if this language stays in the bill the way it is, the Public Health Service will simply go to work and advertise in these very periodicals that the order has been issued by the Joint Committee on Printing to discontinue.

Mr. WARREN. Mr. President, if the Senator will permit me, one of my colleagues on the committee, the Senator from North Dakota [Mr. GRONNA], calls my attention to an amendment which would certainly fix that so as to make it positive, and that is in line 6, after the word "of," to insert the words "bids for," so it would read, "the procurement of bids for necessary services, supplies, materials, and equipment." That would limit it to bids for something that it is necessary to purchase.

Mr. SMOOT. I do not think that will make any difference, and I am perfectly willing to let the provision go as it is now, with the statement that I have made upon the floor of the Senate. I wish to say now that if the authorization is abused by the Public Health Service, and the abuse is called to my attention, I am going to ask Congress to pass a law which I think will be so worded that it can not be abused in the future. I recognize that this is a limitation on the department advertising in the general newspaper and periodical press of the country, and that is a splendid thing; I should agree with the provision if that was as far as it went. I am going to allow my statement to stand to-day, so that if the provision in the bill is used for the purpose to which I have called attention, I repeat I am going to ask for a special act of Congress to see that it is prevented in the future.

Mr. MCKELLAR. I ask unanimous consent to offer an amendment to the bill, on page 2, line 20, which I desire that the Secretary shall read.

Mr. WARREN. Mr. President, while that is out of order, as the Senator from Tennessee desires to leave the Chamber I am willing to consent to his request. In order that he may offer his amendment to the committee amendment, at the point he indicates, it will be necessary to reconsider the vote by which the committee amendment was adopted.

Mr. MCKELLAR. I ask unanimous consent to reconsider the vote by which the committee amendment to the paragraph on page 2, under the head of "Council of National Defense," was agreed to, and I offer the amendment which I send to the desk.

The PRESIDING OFFICER. Is there objection? There being none, the vote whereby the committee amendment was agreed to is reconsidered. The Secretary will now state the amendment to the amendment proposed by the Senator from Tennessee.

The READING CLERK. On page 2, line 20, after the numerals "$40,000," it is proposed to insert:

Provided, however, That no salary shall be paid to any officer or employee of the council in excess of $4,000 per annum.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Tennessee to the amendment reported by the committee.

Mr. SMOOT. Mr. President, I have no objection to the amendment. I simply desire to say, however, for the RECORD, if the Senator from Tennessee will permit me, that in answer to a question which he asked me as to what the Director of the Council of National Defense was paid, I stated that his salary would reach at least $10,000 per annum. After looking the matter up I find the amount that I named was not quite high enough. The amount paid has been $200 a week or $10,400 per annum.

Mr. MCKELLAR. I think under the small appropriation which is here provided, and the necessary diminution of the number of employees and the importance of the work of the bureau, that a $4,000 salary is ample; and I hope my amendment to the committee amendment may be adopted.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Tennessee to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KING. Mr. President, I ask my colleague's attention to the matter which he has just been discussing, and I also desire the attention of the Senator from North Dakota [Mr. GRONNA]. It seems to me that the amendment which has been suggested by the Senator from North Dakota would make the matter a little clearer and might tend to prohibit the flagrant abuse which has been described by my colleague. However, I suggest that this would be a better amendment: After the word "equipment," in line 7, on page 16, strike out the period and add the words "where the law requires advertisement." It would be clear then that no advertisement could be inserted in any newspaper or magazine other than for the procurement of necessary supplies, materials, and equipment where the law requires advertisement.

Mr. WARREN. I am afraid that that, perhaps, would give them too much liberty, but I have no objection to the restriction.

Mr. KING. From what has been said I supposed that the law required that in the procurement of certain supplies they must advertise, and I thought my amendment would restrict them to advertising only where the law compels them to advertise.

Mr. WARREN. The amendment proposed by the Senator from North Dakota, however, would make it, I think, more emphatic and restrict them to advertising for bids only.

Mr. KING. If that satisfies the chairman of the committee, it will be entirely satisfactory to me.

Mr. GRONNA. I think the suggestion which I made—I did not propose it as an amendment—would limit them absolutely to bids.

Mr. KING. I think the Senator from North Dakota should offer that as an amendment, and I shall be glad to support it.

Mr. WARREN. Very well, I suggest the amendment now, that on line 6, page 16, after the word "of" the words "bids for" be inserted.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Wyoming.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "War Department," on page 16, after line 12, to insert:

CONTINGENT EXPENSES.

For rent of buildings in the District of Columbia for the use of the War Department and its bureaus and offices, fiscal year 1919, $620.42.

Mr. KING. Mr. President, I desire to ask the chairman of the committee, or my colleague, who has been giving attention to the question of the reassignment of the various bureaus to space in the public buildings, whether this item will cover all claims for rent for the fiscal year 1920?

Mr. WARREN. Before the Senator from Utah [Mr. SMOOT] answers his colleague's question, I will say that this is for buildings which have been used; it is to close an account; it has gone to the board of appraisement and they have made the tender, which is really, one might say, a judgment.

Mr. SMOOT. I will say to my colleague that this amount ought to be paid. In further answer I will say that the building commission is taking the Government employees out of the rented buildings just as fast as it is possible to do so. I have not a doubt that the commission has saved on rent alone in the District of Columbia since its creation at least $500,000.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 16, after line 16, to insert:

ADJUTANT GENERAL'S OFFICE.

So much of the appropriation of $3,500,000 not necessary for the care and custody of the draft records and for the employment of clerical assistance for the purpose of furnishing to adjutants general of States statements of service of soldiers who served in the war with Germany shall be available for the employment of clerical assistance necessary for the purpose of furnishing such information from the records of the demobilized army as may be properly furnished to public officials, former soldiers, and other persons entitled to receive it.

Mr. KING. Mr. President, I should be glad to have the chairman of the committee explain this item. Before doing so I desire to ask him whether or not the amendment permits employment of additional clerical help? The Senator will keep in mind that the War Department now has more than 20,000 employees in the District of Columbia. I think many of them are wholly unnecessary. Recently a survey was made by officials of the Government who were authorized to make such survey, and I am credibly informed that in merely one branch of the War Department economies were recommended in the matter of personnel which would have saved $1,000,000. The recommendations were not carried out; and yet we are giving now, as I understand, by this amendment, to the same department—and it is The Adjutant General's office to which I am now alluding——

Mr. WARREN. If the Senator will permit me to make a statement, I think he will continue his remarks with a little more information than he now has.

The amendment is really in the line of economy. It proposes to take a fund from a branch where they do undertake to save and use it in another branch where it is required to enable the work to be carried on. For instance, the appropriations made in general form have been allocated, and we do not wish to appropriate any further now. They are getting out the records as fast as possible; first, of the demobilization of the Army; and second, the records as to the draft, which by law we have required shall go to all of the States and be furnished to individuals and soldiers. They are two different propositions; but what they propose, in order to save expense, is while the demobilization sheets are being prepared, in so far as they can, that they shall be passed right over and be worked on for the other purpose. It is plain now that there is not enough, and it is impossible to take enough out of the present appropriations to complete the draft records, which are required by law and which later are to be furnished to the States.

The Adjutant General promises—and he is very earnest about it—that he will be able, without the appointment of extra clerks, simply by using the clerks he now has, and with what he might save on the other item, to carry forward and complete the necessary work required under the law.

As to the clerks, a very great number has been employed in the War Department during the war and since to a lesser extent. The office of The Adjutant General, of course, has a large amount of work accruing after the war, as in the case of the draft records, which must be completed, although that work has no reference to actual operations in the field. So while the work of The Adjutant General's office has increased, the number of clerks has been greatly reduced.

This matter was considered——

Mr. KING. Mr. President——

Mr. WARREN. If the Senator will bear with me one moment further, they asked for an appropriation, in the first place, on the first deficiency bill. The request was discussed very earnestly by The Adjutant General, the Secretary of War, and myself, and more particularly by the chairman of the Committee on Appropriations of the other House. The item was kept out of that bill on the understanding that they might make application for its insertion in this bill, to see whether they could not bring about this economy, and whether, as they proceeded with the work and arranged the affairs of the office, by carrying them forward together they could not effect this economy. They have concluded that that is quite possible, and they desire to proceed along that line. The Secretary of War has now indorsed what he was about ready to indorse at that time, and he seems to have the same confidence The Adjutant General has that what they desire can be done, so that no further appropriation will be required to execute that work.

Mr. KING. Mr. President, perhaps my observation may have conveyed an erroneous idea. I stated that the conditions to which I refer existed in The Adjutant General's office, but I want to acquit The Adjutant General of a failure to carry into effect the economies to which I have referred. My information is that he desired to do so, and that the failure to do so is not attributable at all to The Adjutant General. I agree with the Senator, and if this money is to be expended by The Adjutant General and he is given a free hand I shall be entirely satisfied. The Senator assures us that there will be no increase in the clerical force of other branches of the War Department. I wish to say in passing that I am not so well satisfied that some other branch of the War Department will reduce its clerical force.

Mr. WARREN. The clerical force has been largely reduced in The Adjutant General's office.

Mr. SHERMAN. Mr. President, if the committee amendment remains in the bill at all I should like to offer an amendment. I believe it is in order now to offer an amendment to the committee amendment, and I send to the Secretary's desk an amendment which I ask may be stated, it to be inserted after the last word in line 2 on page 17.

The PRESIDING OFFICER. The amendment proposed by the Senator from Illinois to the amendment reported by the committee will be stated.

The READING CLERK. On page 17, line 2, after the word "it" it is proposed to insert the following proviso:

Provided, That one copy of the draft record in any individual case shall be furnished to any Member of Congress in any record or papers relating to the draft in the State in which such Member resides on his application therefor.

Mr. SHERMAN. Mr. President, I offer this amendment to the committee amendment in order to secure to Members either of the House of Representatives or of the Senate the right to one copy of the draft record in any individual case arising in his own State. I do not insist, of course, that one has or ought to have any lawful right to have such record except in the case of his own immediate constituents in the State where he lives. In the case of a Senator the right extends to the record for the entire State, but no evil can result from giving the right to a Member of the House to secure a copy of any record of the draft arising in any of the districts in his own State, although outside of the district which he represents.

The amendment only secures, as a matter of right, that which is now a matter of grace. A Senator or Representative may make application to either read or see any of the draft records relating to a particular case, and it may be denied him at the pleasure of the head of the War Department or any subordinate having the custody or care of the paper he desires to see. I undertake to say that no Member of Congress now can go to the War Department, and, upon the sole merit of his application, outside of any influence that he may have of a personal or political character, be enabled to see any part of the draft records either as affecting his own State or any other State.

While it is proposed in the amendment reported by the committee to give to public officials such records, the proposal is limited by the language, beginning in line 22 of page 16:

Shall be available for the employment of clerical assistance necessary for the purpose of furnishing such information from the records of the demobilized army as may be properly furnished to public officials, former soldiers, and other persons entitled to receive it.

A Member of Congress does not belong to any one of the three enumerated classes; a Member of Congress is not a public official, as the courts have decided several times. He is not a public official in the sense that he is in the class with those on the pay roll in any of the executive departments, in any appointive office in the judicial department of the Government, or any of the employees or clerical help of the judiciary. As it is

now worded, the provision is left open to interpretation. The interpretation might possibly, in some event, if litigation resulted, be furnished by judicial decision, but more likely it would be furnished by some subordinate in the War Department or in whatever department these records may hereafter be found. That discretion, resting in the mind of an appointive official, is not exercised under any known rule. It is an unbridled discretion. It puts in the hands of an appointee, or the head of some department or bureau, or some one at the desk having charge of the matter, complete discretionary power either to grant or to refuse, as he pleases. It, in fact, has been exercised in that way.

A Member of Congress, I say, unless he is accompanied by personal or political influence, if he goes to The Adjutant General's office and sees him in person, or any subordinate, or communicates with the head of the War Department, has no assurance whatever that he will be permitted to see a solitary one of the papers paid for by this appropriation and sought to be covered by any part of the money appropriated in this amendment. There is no assurance of that kind at all; and I know of actual applications made, under conditions that rendered it proper for the applicant to see the record and read it, and to make a copy himself if he desired, where questions have arisen in the district where the draft records originally were made, where the men drafted have come back from the service beyond seas or in the camps in this country, where some controversy has arisen making it desirable for the returned soldier, or his family in case he is dead, to have access to the draft records sent up by the local board, in order to establish the accuracy of a statement; and access to those records, or the right to read them, has been denied to Members of Congress.

Of course, we are long-suffering in it. Anybody that derides or ridicules or rebuffs or repulses or tramples upon a Member of Congress, either of the House or of the Senate, has a right to believe that it is justified by immemorial usage long acquiesced in and universally commended. No wonder the departments look upon us with contempt. We have invited it, we have helped create it, and we deserve every rebuff that a Senator or a Representative gets in a department. There is no such thing as legislative discretion in making an appropriation, especially for a deficiency bill. It does not make any difference what administration it is, whether it is the President and his appointees, the heads of departments and Cabinet members, in one political party or the other; it is the same insufferable, arrogant, narrow snob in place under any administration you find. They have no constituents. Many of them are under civil service. Their principal occupation is to clamor for an increase in salary and to treat with contempt every elective officer that has a constituency to which he must appeal every two or six years, as the case may be. The long-continued practice of Members of Congress has led them to believe they can do this with impunity, and they generally do.

On Saturday last I heard the senior Senator from Michigan [Mr. TOWNSEND] make some proper strictures upon the course of business in this Chamber. It is found in the CONGRESSIONAL RECORD of that date. It, no doubt, is worthy of perusal, and ought to have been made at the time. However, the burden of the criticism was that the civil-service retirement bill was pending and had been pending all that afternoon and that the entire afternoon had been occupied in considering and discussing everything else except the retirement bill. The criticism was well merited, because that was the course of business on that afternoon. It has been the course of business here for many years; and while the criticism is merited, yet the course of affairs in the Senate justifies the procedure taken on last Saturday at the pleasure of any Member of this body.

There is no such thing as parliamentary law in this Chamber. There is some in the House of Representatives. Parliamentary law in this Chamber is as extinct as the dodo; or, if lingering remnants are found, as dead as a mummy slumbering in the chamber in the interior of a pyramid.

At one time in a national convention a gentleman from Texas had his delegation contested by some irreverent authority from that State. Among other things, it was charged against him that he selected the delegates by riding roughshod over every parliamentary rule and ignoring every practice known to any well-established textbook on rules of order.

He denied it with great vehemence before the credentials committee and afterwards on the floor of the convention. He said it was a false charge, that they had no rules to cover the case referred to, a gross violation of the ordinary rules of parliamentary procedure in the selection of delegates from Texas. He said: "Sir, we made a rule in every case right on the floor of the convention to fit everything we did"; and so we do in this Chamber. To-day we have one rule and to-morrow we have another. There is no well-established maxim of legislation in this Chamber that is not violated every day of its session and every week of its existence.

The treaty has been dragged from the grave that has opened its ponderous marble jaws to cast it up again, and is now before us—before us on the motion to reconsider of a Senator for whom I have the greatest admiration and liking, who voted with a minority. I do not know of a town meeting in a New England township, I do not know of the veriest tyro in a debating club, that has not for many, many years known that the person who is entitled to make a motion to reconsider must have voted with the prevailing side on the question when it was theretofore decided; but that cuts no particular figure in this body. I only refer to that as an illustration, because it is done here every week. So we have invited this course of affairs by our utter disregard and recklessness of all well-established rules of order. What is the use of reading and attempting to become an adept in the rules of order of this body? Everybody who has been here 30 days knows that the only rule of order that is of any binding force is made by a majority. It is a rule of legislative or parliamentary force, and in its last analysis it can be nothing else.

Again, general legislation on an appropriation bill is only forbidden in this body now by a parliamentary rule. By unanimous consent it can be set aside, or, if no one raises the point of order against it, it still can go through. General legislation can be attached to an appropriation bill by unanimous consent in spite of the rules. There is nothing in the constitutional limitations upon the legislative power of this body requiring otherwise or forbidding it. No roll call is required, unless a sufficient number demand it, upon appropriations running into the hundreds of millions of dollars. Literally we have invited through a long course of years the slipshod dissolution and fall, the departure from the text, the general debate that ranges over every known subject and invades every realm of the human imagination, by our fixed course of procedure in this body. Therefore, why should any criticism be indulged in?

Mr. WARREN. Mr. President, if the Senator will permit me——

Mr. SHERMAN. I will.

Mr. WARREN. In order to prove exactly what the Senator says, I am willing to accept his amendment.

Mr. SHERMAN. The Senator accepts it?

Mr. WARREN. I do.

Mr. SHERMAN. I will comply with all the rules, then, Mr. President.

Mr. WARREN. I wish to say, in that connection, that it is intended that those records shall be furnished, and I understand that it is the intention of The Adjutant General to furnish them. The difficulty, I suppose, has been that to get at the proper documents and take them out of their sequence involves some delay. It might be that mischief might occur or some expense might be brought about in that way, but I hope not. I agree with the Senator's proposition that they ought to be where Members of Congress could have them; and, as I said before, the Senator has proved to my satisfaction, and to the satisfaction of the Senate, that the Senate can, by unanimous consent, do almost everything, so I am not going to object to his amendment.

Mr. SHERMAN. I should be willing to add to the amendment that a Member of Congress applying for them shall pay for the cost of the record himself. I am not particular about that, just so we get it. I understand, however, that the Senator accepts it in that form.

Mr. WARREN. It will have to go to conference, and it may have to be re-formed there to some extent.

Mr. SHERMAN. I have nothing further to say.

The PRESIDING OFFICER (Mr. STERLING in the chair). The question is on the amendment of the Senator from Illinois [Mr. SHERMAN] to the amendment of the committee.

Mr. WOLCOTT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	France	Kendrick	Overman
Ball	Gay	King	Page
Beckham	Glass	Kirby	Phelan
Brandegee	Gore	Knox	Phipps
Capper	Gronna	McKellar	Poindexter
Chamberlain	Hale	McNary	Sheppard
Cummins	Harris	Moses	Sherman
Curtis	Harrison	Myers	Smith, Ga.
Dial	Henderson	New	Smith, Md.
Elkins	Johnson, S. Dak.	Norris	Smoot
Fletcher	Kellogg	Nugent	Spencer

Stanley	Thomas	Walsh, Mont.	Williams
Sterling	Townsend	Warren	Wolcott
Sutherland	Trammell	Watson	

Mr. GRONNA. I desire to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present.

Mr. WOLCOTT. Mr. President, I think the Senate ought to be aware of the nature of the pending amendment before the vote is taken. I have no disposition to make any protracted remarks, but shall content myself with very briefly calling to the attention of the Senate the nature and purport of the pending amendment.

The amendment is on line 2, page 17, of the pending bill. The particular paragraph amended relates to the records of the men who were drafted during the German war, and the proviso which is proposed to be inserted in the act is as follows:

Provided, That one copy of the draft record in any individual case shall be furnished to any Member of Congress in any record or papers relating to the draft in the State in which such Member resides on his application therefor.

If I correctly understand the purpose of the amendment it provides that any Member of Congress in either branch may go down to The Adjutant General's office and secure a copy of the full draft record of any individual anywhere in his district or in his State. Now, considering the rather intimate details of a very personal nature that the draft reduced to record concerning the individuals within its scope and the therefore rather sacred nature of that information gathered by the Government solely to aid in building up an army, it seems to me the Senate is going a very good ways to direct that that personal, intimate information about individuals shall be turned over to every nosing, prying Member of Congress that might see fit to go down to The Adjutant General and get it for any purpose, be it proper, improper, or what not. How many individuals would be thus exposed to outrage? Nearly 24,000,000 men, Americans who answered the draft questionnaires. This is the number of our fellow citizens whose private lives this amendment would expose to the gaze of the curious or the vicious.

I can very well fancy if this provision becomes a law that Members of Congress will soon make themselves the clearing house of scandalmongers all over the United States seeking information for improper purposes concerning the private, intimate affairs of men who were called to be soldiers and possibly fight for their country.

Mr. President, did we enact this draft legislation in order to secure information to supply to the defamers of character and destroyers of reputation?

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Delaware yield to the Senator from Minnesota?

Mr. WOLCOTT. I yield.

Mr. KELLOGG. I suggest that the Senator give us some information with reference to the object of any such provision.

Mr. WOLCOTT. I think, if the Senator desires me to answer frankly, that the object of the provision is to ascertain the draft record of Edsel Ford. I think that is the object of it.

Mr. KELLOGG. Of whom?

Mr. WOLCOTT. One Edsel Ford, in whom I have no interest; but if that is the object, let us provide here that The Adjutant General is directed to turn over to a Member of Congress from the State of Illinois the draft record of Edsel Ford. That will accomplish the whole purpose of the amendment. Why subject every one of the selected or drafted soldiers of the United States Army to the risk of annoyance and bedevilment by those who may be prying into the information contained in their records? I sincerely hope that the amendment will be defeated.

Mr. KELLOGG. I might suggest that it is pretty well known.

Mr. THOMAS. I should like to ask the Senator, before he takes his seat, if he can give the Senate any estimate of the expense of the enforcement of that amendment to the bill?

Mr. WOLCOTT. I can not undertake to say what would be the expense to the United States Government. I am convinced that it will be at the expense of harried fellings and outraged rights of American citizens who were American soldiers, and that is an expense I do not care to incur.

Mr. KELLOGG. Mr. President, I might suggest to the Senator from Delaware that a very easy way to get rid of it is to raise a point of order.

Mr. KIRBY. Mr. President, I do not know what particular matter has been objected to by the Senator from Delaware, but if it is the entire amendment as proposed from line 18 on page 16 to line 2 on page 17 of the bill, it seems to be properly guarded there. These things are only to be furnished——

Mr. WOLCOTT. Will the Senator yield?

Mr. KIRBY. Certainly.

Mr. WOLCOTT. I am discussing an amendment which has been offered by the Senator from Illinois [Mr. SHERMAN] and which I now hand the Senator. That is the amendment I have been discussing.

Mr. President, I make a point of order against the pending amendment, that it is general legislation on an appropriation bill.

The PRESIDING OFFICER. Does the Chair understand the Senator from Delaware to raise the point of order as to the entire amendment or merely to the amendment offered by the Senator from Illinois?

Mr. WOLCOTT. The amendment offered by the Senator from Illinois.

Mr. KIRBY. Mr. President, I do not care to discuss it. If that can be added to the committee amendment I imagine we would have to raise a point of order to the committee amendment as amended.

Mr. WOLCOTT. Will the Senator yield to me for a moment?

Mr. KIRBY. Certainly.

Mr. WOLCOTT. Mr. President, I withdraw my point of order.

Mr. KIRBY. Mr. President, I do not care to discuss the matter from the standpoint of the proposed amendment to the amendment. I thought the matter was properly guarded in the amendment. I know the practice now is that no one outside of the soldier himself or his attorney can procure a copy of the draft record here unless it is upon a certificate of the court, if the matter is in court, that the ends of justice will be subserved by the production of a copy of the record. They guard it very carefully now, and I believe the proposed committee amendment guards it carefully, but as to the amendment to the amendment I rather think I am not for it at all myself.

Mr. KING. Mr. President, let the amendment to the amendment be reported.

The PRESIDING OFFICER. The Secretary will read the amendment proposed by the Senator from Illinois to the amendment of the committee.

The READING CLERK. On page 17, line 2, at the end of the committee amendment, add the following:

Provided, That one copy of the draft record in any individual case shall be furnished to any Member of Congress in any record or papers relating to the draft in the State in which such Member resides on his application therefor.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Illinois to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. SHERMAN addressed the Senate. After having spoken for some time, he said:

Mr. President, I can not close my remarks on the River Rouge and the deficiency appropriation this evening. I am informed that the chairman of the committee desires to have an executive session, and I will therefore let it go over until to-morrow with the understanding that I get the floor to-morrow.

EXECUTIVE SESSION.

Mr. WARREN. Mr. President, I understand that the Senator will give way for that purpose. I therefore move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session, the doors were reopened.

RECESS.

Mr. WARREN. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate took a recess until to-morrow, Thursday, February 19, 1920, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 18, 1920.

MEMBER OF FEDERAL TRADE COMMISSION.

John Garland Pollard, of Virginia, to be a member of the Federal Trade Commission, for the term expiring September 25, 1921, vice Davies, resigned.

MEMBER OF CALIFORNIA DÉBRIS COMMISSION.

Col. William A. Kelly, Corps of Engineers, United States Army, for appointment as a member of the California Débris Commission provided for by the act of Congress approved March 1, 1893, entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California," vice Lieut. Col. Lewis H. Rand, Corps of Engineers, United States Army.

UNITED STATES DISTRICT ATTORNEY.

Herbert M. Peck, of Oklahoma City, Okla., to be United States attorney, western district of Oklahoma, vice Frank E. Ransdell, appointed by court.

COLLECTOR OF INTERNAL REVENUE.

William A. Kelly, of Reno, Nev., to be collector of internal revenue for the district of Nevada. New office created by Executive order approved February 7, 1920.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

Lieut. Col. Spencer Cosby, Corps of Engineers, to be colonel with rank from February 16, 1920.

Maj. Gustave R. Lukesh, Corps of Engineers, to be lieutenant colonel with rank from February 16, 1920.

COAST ARTILLERY CORPS.

Maj. Harry L. Steele, Coast Artillery Corps, to be lieutenant colonel from February 9, 1920.

First Lieut. Gordon deL. Carrington, Coast Artillery Corps, to be captain from October 1, 1919.

First Lieut. James Q. Rood, Coast Artillery Corps, to be captain from October 1, 1919.

First Lieut. Fred G. French, Coast Artillery Corps, to be captain from October 9, 1919.

First Lieut. James L. Hatcher, Coast Artillery Corps (Ordnance Department), to be captain from October 13, 1919.

First Lieut. Ira B. Hill, Coast Artillery Corps, to be captain from October 13, 1919.

First Lieut. Berthold Vogel, Coast Artillery Corps, to be captain from October 15, 1919.

First Lieut. Odes T. Pogue, Coast Artillery Corps, to be captain from October 15, 1919.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 18, 1920.

SOLICITOR OF THE DEPARTMENT OF COMMERCE.

Frederick McCarthy to be Solicitor of the Department of Commerce.

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

Robert Underwood Johnson to be ambassador extraordinary and plenipotentiary to Italy.

SECRETARY OF EMBASSY OR LEGATION.

CLASS 1.

Norval Richardson to be a secretary of embassy or legation of class 1.

CLASS 4.

George A. Gordon to be a secretary of embassy or legation of class 4.

AUDITOR FOR THE INTERIOR DEPARTMENT.

John E. R. Ray to be auditor for the Interior Department.

UNITED STATES DISTRICT JUDGE.

W. Lee Estes to be United States district judge, eastern district of Texas.

UNITED STATES ATTORNEY.

R. E. Taylor to be United States attorney, northern district of Texas.

SURVEYOR GENERAL.

William A. Lynch to be surveyor general of South Dakota.

APPOINTMENTS AND PROMOTIONS IN THE ARMY.

GENERAL OFFICERS.

To be brigadier generals.

Maj. Gen. André W. Brewster.
Maj. Gen. Edward M. Lewis.
Maj. Gen. Edward F. McGlachlin, jr.
Brig. Gen. Douglas MacArthur.

CAVALRY ARM.

To be colonel.

Lieut. Col. Robert J. Fleming.

To be lieutenant colonels.

Maj. George B. Pritchard, jr.
Maj. Alvord Van P. Anderson.

To be major.

Capt. Frank P. Amos.

FIELD ARTILLERY ARM.

To be majors.

Capt. Thomas D. Osborne.
Capt. William H. Dodds, jr.
Capt. Walter E. Prosser.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

To be rear admirals.

Capt. Lloyd H. Chandler.
Capt. Herman O. Stickney.
Capt. Philip Andrews.

To be captains.

Commander Walter G. Roper.
Commander Frederick R. Naile.
Frederick A. Traut.
Stephen V. Graham.
Roscoe C. Moody.
George E. Gelm.
George L. P. Stone.
Ridley McLean.
Alfred W. Hinds.
Robert W. McNeely.
Frank H. Brumby.
Harris Laning.
Andre M. Proctor.
Frank Lyon.
William P. Scott.
James P. Morton.
Commander Henry V. Butler.
Commander Walter R. Gherardi.
Commander James J. Raby.

To be commanders.

Lieut. Commander Herbert S. Babbitt.
Donald C. Bingham.
Gilbert J. Rowcliff.
Lieut. Commander Robert Henderson.

To be lieutenant commanders.

Clyde R. Robinson.
Claud A. Jones.
Claudius R. Hyatt.
Charles T. Blackburn.
Ralph R. Stewart.
Leslie E. Bratton.
Charles S. Keller.
Philip H. Hammond.
Lucien F. Kimball.
George H. Laird.
Clarence N. Hinkamp.
Ralph C. Parker.
Emanuel A. Lofquist.
Carl C. Krakow.

To be lieutenants.

Carl E. Hoard.
William L. Wright.
Leman L. Babbitt.
James R. Webb.

To be lieutenants (junior grade).

Ensign Edwin S. Earnhardt.
Ensign Fred W. Connor.

To be passed assistant surgeons.

Louis H. Clerf.
Sterling P. Taylor, jr.
Aaron Robinson.

To be assistant surgeons.

Karl McC. Scott.
Asst. Surg. Frank S. Hundley.

To be passed assistant dental surgeons.

Asst. Dental Surg. Lucian C. Williams.
Asst. Dental Surg. William L. Darnall.
Asst. Dental Surg. Franklin L. Morey.

To be professors.

Harry E. Smith.
Daniel M. Garrison.
Herbert L. Rice.

To be chief boatswain.

Boatswain (temporary) Charles N. Johnson.

To be adjutant and inspector in the Marine Corps.

Col. Henry C. Haines.

POSTMASTERS.

COLORADO.

H. Louise Hurst, Antonito.
John Davis, Arriba.
Roy McWilliams, Ault.
Charles A. Fowler, Bayfield.
Glen F. Wilson, Briggsdale.
Harold J. Schwarzel, Carbondale.
Jack I. Norris, Eads.
Mamie Weidner, Elizabeth.
Ethel K. Langcamp, Flagler.
William J. McDonald, Fowler.
Paul C. Boyles, Gunnison.
Hester E. House, Haxtum.
John T. Adkins, Holly.
Oscar L. Morris, La Salle.
William H. Bloom, Limon.
Nellie M. Cunningham, Meeker.
John Uglow, Olathe.
Hattie A. Pike, Peetz.
Serena B. Pollock, Rifle.
Walter S. Kemmer, Steamboat Springs.
Louise A. Haynes, Vona.
Asa P. Dickson, Westcliffe.
John H. Comin, Windsor.

MINNESOTA.

Carl J. Tiller, Battle Lake.
Paul B. Sanderson, Baudette.
Clarence A. Johnson, Belview.
Carl H. Schuster, Biwabik.
Elias A. Quale, Clarkfield.
Bernard W. Cummiskey, Currie.
Gertrude E. Heinrich, Deer River.
Eva Cole, Delavan.
Charles G. Carlson, Gibbon.
Roy B. Osborn, Glyndon.
Henry O. Halverson, Gonvick.
Margaret E. Thompson, Grey Eagle.
John A. McLean, Harris.
Gay C. Huntley, Hill City.
Louis W. Galour, Iona.
Mark N. Swedberg, Luverne.
Olaf T. Mork, Madison.
Clara M. Hjertos, Middle River.
John W. Peterson, Montevideo.
Francis S. Pollard, Morgan.
John Monahan, Motley.
James R. Landy, Olivia.
Ora D. Thompson, Porter.
Peter P. Ruegemer, Richmond.
James D. Markham, Rush City.
Selma O. Hoff, St. Hilaire.
Lucien M. Helm, Tower.
Alfred Gronner, Underwood.
James M. Patterson, West Concord.
Ralph Moody, Wykoff.

MISSISSIPPI.

Henry H. Hunter, Macon.

NEW HAMPSHIRE.

Joseph P. Conner, Portsmouth.

NEW YORK.

Edward J. Sweeney, East Islip.
Ray B. Worthing, East Rochester.
Howard R. Stevens, Hopewell Junction.
Robert L. McBrien, Huntington.
Clifton S. Haff, Northport.
Frank T. White, Southampton.

NORTH CAROLINA.

Rufus T. Clark, Statesville.

PENNSYLVANIA.

J. Robert McClure, Dillsburg.
William W. Woolston, Lester.
Charles H. Casey, Marcus Hook.
William E. Brooks, Ridley Park.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 18, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we thank Thee that there is a thousand times more good in the heart of man than evil, a thousand times more joy than sorrow.

Evil is a negligible quantity. Good is in the ascendancy. "Weeping may endure for a night, but joy cometh in the morning."

Law is the mark of civilization, lawlessness the mark of savagery. Dignity is law, selfishness is crime.

Faith is larger than doubt, hope than despair, love than hate. The star of love is in the ascendancy now and always, attested by the Cross of Calvary. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALENDAR WEDNESDAY.

The SPEAKER. To-day is Calendar Wednesday. The call rests with the Committee on the Judiciary.

WRONGFUL CONVERSION OF MONEY.

Mr. VOLSTEAD. Mr. Speaker, I call up for consideration the bill H. R. 10072.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 10072) to provide for the punishment of officers of United States courts wrongfully converting moneys coming into their possession, and for other purposes.

Be it enacted, etc., That any United States marshal, clerk, receiver, referee, trustee, or other officer of a United States court, or any deputy, assistant, or employee of any such marshal, clerk, receiver, referee, trustee, or other officer who shall unlawfully retain or convert to his own use or to the use of another any moneys received for or on account of costs or advance deposits to cover fees, expenses, or costs, deposits for fees or expenses in bankruptcy cases, composition funds or money of bankrupt estates, fees in naturalization matters, or any other money whatever which has come into his hands by virtue of his official relation or by the fact of his official position or employment shall be deemed guilty of embezzlement and shall, where the offense is not otherwise punishable by some statute of the United States, be fined not more than double the value of the money thus retained or converted, or imprisoned not more than 10 years, or both; and it shall not be a defense in such case that the accused person had an interest, contingent or otherwise, in some part of such moneys or of the fund from which they were retained or converted.

Mr. VOLSTEAD. Mr. Speaker, this bill was introduced at the request of the Attorney General. I hold in my hand a letter written by the office of the Attorney General, calling attention to the fact that under existing statutes it is believed that no officer can be prosecuted for embezzlement of funds, provided he has any contingent interest in those funds, and it is also doubted that receivers of money under the bankruptcy law can be punished at present. In view of that fact it would seem that some legislation should be passed along this line.

The bill is in line with like legislation in the various States. I know we have had in the State of Minnesota for a great many years legislation of this kind. Under the common law if a person was intrusted with funds as a trustee or agent he could not be prosecuted for larceny of such funds; it was held to be a breach of trust; not larceny.

If there are no questions in regard to the bill, I will reserve the remainder of my time.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. Does the gentleman from Minnesota yield to the gentleman from Illinois?

Mr. VOLSTEAD. Yes.

Mr. MANN of Illinois. This covers not only receiverships, trustees, and so forth, but it also covers clerks and marshals. Under the existing law are the marshal's fees and clerk's fees all required to be turned into the Treasury and they be paid a salary?

Mr. VOLSTEAD. I think they are all turned in now, both those of the marshal and of the clerk.

Mr. MANN of Illinois. Are there not some cases where the marshal receives a mileage compensation which may be paid by a party to the suit which he is not required to turn in, but which he uses to pay the actual expense of his deputy? I do not recall. I wondered how far this provision would go with reference to those officers of the court, where you provide that they shall be guilty of an offense if the money is not turned in practically, and then the fact that they have an interest in the money would be no defense. I was under the impression

that there were some cases where the money belonged to them practically.

Mr. VOLSTEAD. I presume what belonged to them would not have to be turned in, but the fact that they may have an interest in part of it would not justify them in withholding the balance.

Mr. MANN of Illinois. Undoubtedly that would not justify them in withholding the balance. It may be that no one would ever be prosecuted under it, although that is never a safe assumption.

Mr. VOLSTEAD. It provides that a person may not unlawfully retain it and convert it to his own use. If the money is his own, I do not see how anybody could be convicted of embezzling it. But he must not take of the property any more than he is entitled to.

Mr. MANN of Illinois. I suppose, although I do not know what the fact is, that quite generally the clerks and marshals who collect fees hold them for a time, even where they were paid a salary, and then deduct the salary by direction of the Attorney General out of the fees collected. I do not know whether that is the case or whether they are paid by check or Treasury order. But where the officers, as I understand it, are paid by direction of the marshal, the marshal approves the various vouchers and the allowance is made on his order.

Mr. VOLSTEAD. Mr. Speaker, I want to offer an amendment in line 10. I want to ask unanimous consent to correct the spelling of the word "bankruptcy," in line 10. The letter "r" has been omitted.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Minnesota.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 1, line 10, correct the spelling of the word "bankruptcy."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, I did not get the benefit of the gentleman's colloquy with the gentleman from Illinois [Mr. MANN], but I will proceed in accordance with my own ideas with respect to the provisions of this bill.

The SPEAKER. Does the gentleman from Minnesota yield the floor?

Mr. VOLSTEAD. I do not yield the floor. I understood the gentleman was going to ask a question.

Mr. GARD. When the gentleman is through I want to speak in opposition to the bill.

Mr. VOLSTEAD. How much time does the gentleman want?

Mr. GARD. I want to speak in my own time.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GARD. Yes.

The SPEAKER. If the gentleman is opposed to the bill he is entitled to one hour after the gentleman from Minnesota yields the floor.

Mr. GARD. After the gentleman yields the floor I will take my own time.

Mr. MANN of Illinois. It is customary on bills of this kind to move the previous question. That is the only way it can be brought to a vote.

Mr. GARD. I have some observations to make on the bill. If the gentleman wants to move the previous question it is in the power of the majority on the other side, and I presume they would sustain him.

Mr. MANN of Illinois. Probably they would. But the gentleman from Minnesota offered to yield time.

Mr. GARD. I thought the gentleman yielded the floor.

Mr. VOLSTEAD. No; I did not yield the floor.

Mr. GARD. How long does the gentleman intend to debate the matter? I did not get the benefit of what the gentleman said to the gentleman from Illinois. Therefore, I was desirous of asking some questions.

Mr. VOLSTEAD. How much time does the gentleman want?

Mr. GARD. Ten minutes.

Mr. VOLSTEAD. I yield the time.

The SPEAKER The gentleman from Ohio is recognized for 10 minutes.

Mr. GARD. Mr. Speaker, the matter to which I desire to call the attention of the chairman of the committee is in connection with the use of the word "employee" in so far as it relates to receivers, referees, and trustees. The law to which the bill proposed by the chairman of the Judiciary Committee is supplemental follows sections 97, 98, and 99 of the Code of the United States. Section 97 refers to any officer connected with or employed in the Internal Revenue Service of the United States. The only words associated there are—

Any officer * * * and any assistant of such officer who shall embezzle or wrongfully convert to his own use any money—

And so forth. Section 98 provides that—

Whoever, being an officer of the United States, shall knowingly contract for the erection, repair, or furnishing of any public building, or for any public improvement, to pay a larger amount than the specific sum appropriated—

And so forth.

Section 99 provides that—

Whoever, being a clerk or other officer of a court of the United States, shall fail forthwith to deposit any money belonging in the registry of the court—

And so forth.

These are the sections which have so far been held to include all those responsible under the courts. Now, the letter of the Attorney General states that section 97 of the criminal code provides for the punishment for embezzling by any officer of a United States court.

I do not find that that construction is exactly correct. Nor do I find in any of the previous statutes that there has been so far an extension of the crime of embezzlement—because that is what this is—to include an employee of a receiver, a referee, or a trustee.

It would seem to me that in the extension of laws relating to officers of the United States courts it would be entirely proper to take into consideration the marshals, the clerks, and other officers; but when we go beyond that and charge the crime of embezzlement to any employee of a receiver, referee, or trustee, it seems to me we are extending it beyond what is necessary under the existing statutes. In other words, a receiver or a referee or a trustee is an officer of the court. He is primarily responsible to the court, since his tenure of position depends upon his appointment and his report to the court.

Mr. GOODYKOONTZ. Mr. Speaker, will the gentleman yield?

Mr. GARD. In just a moment, when I finish this thought. Now, a referee is a man to whom a case is referred for adjudication, I think almost entirely on points of law, and to say that any employee of a receiver or referee is guilty of embezzlement, when the embezzlement applies to the principal officer, and not to the subsidiary officer, is, it seems to me, an extension beyond what should be the proper scope of the crime. Now I yield to the gentleman from West Virginia.

Mr. GOODYKOONTZ. Does the gentleman think that the word "employee" is surrounded with such a halo of glory that such an employee ought not to be amenable for a criminal offense, such as the theft or embezzlement of public funds?

Mr. GARD. No, I do not; but what I make the question about is that an employee of a referee is not a man who by virtue of his employment could be guilty of such embezzlement.

Mr. WALSH. Will the gentleman yield?

Mr. GARD. I yield to the gentleman from Massachusetts.

Mr. WALSH. Take the case of a receiver of a large railroad system. He would necessarily have a number of employees under his jurisdiction who might possibly have to do with the handling of funds. They might unlawfully convert the funds to their own use.

Mr. GARD. I will say that that is not in the contemplation of this act. The only contemplation of this act is where one embezzles money which he receives on account of costs or money advanced to cover fees or costs.

Mr. WALSH. Oh, no; or any other money which comes into his hands by virtue of his official relation or official position or employment.

Mr. GARD. That is the point on which I have doubt. I doubt that there would be any money coming into the hands of any employee, the direct responsibility being that of the receiver.

Mr. VOLSTEAD. Let me call the attention of the gentleman to the fact that a corporation may be a receiver. If the employees of such corporation get possession of funds belonging to the Government and convert them to their own use or embezzle them, why should they not be liable to prosecution? Trust companies very often act in these fiduciary capacities, and they usually have a large number of employees. If they take the money, it does seem to me the Government ought to be able to punish the one who is guilty instead of simply suing the corporation to recover whatever loss there may be.

Mr. GARD. I am glad to have the words of the gentleman with reference to the matter with reference to which the subcommittee raised the question with the Attorney General as to the necessity of the legislation. That is the reason I am making the inquiry of the chairman of the committee as to the extent to which this bill goes.

Mr. VOLSTEAD. The gentleman will notice that this bill does not go beyond supplying a deficiency in the law. It does

not apply in those cases where persons are already liable under existing law.

Mr. GARD. What is the gentleman's attitude with respect to this bill and its relation to sections 97, 98, and 99, which are laws of the same kind?

Mr. VOLSTEAD. On page 2 of this bill the gentleman will find that it only punishes in those cases where the offenses are not otherwise punishable by some existing statute. So it is only intended to supply whatever deficiency there is in existing statutes. It does not cover the cases to which the gentleman refers, because they remain just as they are.

Mr. GARD. It is not intended to amend sections 97, 98, and 99?

Mr. VOLSTEAD. No.

Mr. GARD. It leaves them as they are, and provides this statute in addition?

Mr. VOLSTEAD. In addition, chiefly for the purpose of preventing the defense being made that the person charged had some interest in the fund. It is to avoid the difficulty that has grown out of the old common-law doctrine that a person who has an interest in the money can not be prosecuted criminally, but is only held to have committed a breach of trust. I remember having had occasion to consider the question of whether a receiver is an officer of the court appointing him.

Mr. GARD. Whether he was an officer of the court?

Mr. VOLSTEAD. The question has been raised. I have just called attention to the fact that a corporation may be a receiver, and it may be somewhat doubtful whether a corporation is an officer of the court, and as such is embraced in the statutes punishing officers for embezzlement.

The SPEAKER. The time of the gentleman has expired.

Mr. VOLSTEAD. I move the previous question on the bill and amendments to the final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 63, noes 7.

Accordingly the bill was passed.

On motion of Mr. VOLSTEAD, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. OLIVER, for two days, on account of official business.

To Mr. NELSON of Missouri, for the day, on account of sickness in his family.

To Mr. KRAUS, for two days, on account of official business.

HOUSE BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that February 13 they had presented to the President of the United States, for his approval, the following bill:

H. R. 10746. An act to authorize the incorporated town of Wrangell, Alaska, to issue bonds for the construction, enlargement, and equipment of schools, the acquisition and construction of a water-supply system, the construction of a sewer system, the construction of a city dock and floating dock, and to levy and collect a special tax therefor.

OFFICIAL STENOGRAPHERS FOR UNITED STATES DISTRICT COURTS.

Mr. VOLSTEAD. Mr. Speaker, I call up the bill H. R. 12486, authorizing the several district courts of the United States to appoint official stenographers and prescribe their duties and compensation.

The SPEAKER. The bill is on the Union Calendar, and the House automatically resolves itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GREEN of Iowa in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the consideration of the bill H. R. 12486, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That each judge of the district courts of the United States may appoint a stenographer. Such appointee shall be the official stenographer of the said court and shall hold such office during the pleasure of the court. Any official stenographer appointed under this act may, with the consent of the court, temporarily supply a competent substitute stenographer. Such stenographer and substitute stenographer shall be competent in the art of stenography, and before entering upon the duties herein provided shall make oath or affirmation before the clerk of the particular court to perform such duties with fidelity, and a copy of such oath or affirmation, signed by the affiant, shall be certified by the clerk administering the same and filed and recorded in the office of the clerk of such court.

SEC. 2. That such official stenographer shall take full stenographic notes of the testimony in all judicial proceedings and trials, together with the judge's charge, if any, and of all rulings and orders and any comment or remark of the trial judge relating to the case on trial made in the presence of the jury, to which rulings, orders, comments, or remarks either party may except as a matter of right, and such exception shall be noted by the official stenographer in his notes, together with any exception to the judge's charge, taken before the jury retires; all of which exceptions shall have the effect of exceptions duly written out, signed, and sealed by the trial judge at the time of trial. And it shall be the duty of such stenographer to act as secretary to such judge and to take full stenographic notes of such other matters in connection with the business of the court as the judge may from time to time direct.

SEC. 3. That such official stenographer shall receive an annual compensation to be fixed by the judge not exceeding $2,000, and to be paid in the same manner as other court officials are paid.

In addition to such salary, such official stenographer may charge for any transcript of such notes ordered by any person interested other than a judge of such court 10 cents per folio thereof and 2 cents per folio for each manifold or other copy thereof when so made that it can be made with such transcript, but he shall upon the request of the judge presiding at any trial or proceeding read his notes or make a transcript thereof for the use of such judge without charge. Upon the request of any person interested, and the payment or tender of his fees therefor, such official stenographer shall furnish a duly certified transcript of such notes or any indicated part thereof in words and figures represented by the character used in making the same.

Mr. VOLSTEAD. Mr. Chairman, this bill has been introduced for the purpose of providing official stenographers for the district courts of the United States. At present there is no law under which stenographers are furnished. Each person when he goes into court if he desires a record must furnish a stenographer. That is true both of the Government and the private litigant. In many instances both have stenographers in the trial of a case. If it is desired to secure a transcript to take an appeal, secure a writ of error or of certiorari, or for any other purpose of a review of the case, it is usually necessary to have a transcript of the evidence, and that can seldom be secured without a stenographic copy of the evidence.

Mr. BEE. Will the gentleman yield for a question?

Mr. VOLSTEAD. I will yield a little later.

Mr. BEE. Very well; I thought the gentleman had finished his statement.

Mr. VOLSTEAD. The situation that exists in the Federal courts makes it very difficult for a poor man to secure a review of an action tried in that court. He can not afford to hire a stenographer so as to secure the necessary transcript on which to base his proceeding. It is my impression that in almost every court of any consequence in this country the States provide official stenographers. A bill was considered by the committee somewhat different from this. After consulting with a number of people on this floor in trying to find out what the general practice was in the various States, I concluded that a bill along the lines of this one would meet the situation and be in harmony with the practice in State courts. It is not believed that this would materially enhance the cost to the Government. It may even reduce the cost. Still there is a possibility that it may increase it slightly. I am not certain which way the scales would turn.

Under the present practice, when the Government has an important criminal or civil lawsuit it employs a stenographer, which I think is proper, and they pay the expenses out of the Treasury of the United States. Under this bill the Government would not be required to pay any per diem in addition to the salary. It pays a per diem now. Whatever expense would be saved in that way can, in a measure, be used to pay the salary which we have provided for. There is at present an officer called the secretary to the judge who is paid, I understand, about $1,500 a year. This officer we aim to eliminate. We provide in this bill that the salary of the official stenographer shall not exceed $2,000. Of course, we realize that we could not get a stenographer for that sum, but this pay will be largely augmented by money received by him for transcripts. If anyone wants a transcript, whether it is the Government or a private litigant, he must pay for it. He pays the rate which I think is usual—in my State it is 8 cents—but we allow 10 cents a folio, and in addition to that he may charge for making copies. I think the allowances we provide for that will be ample.

I had a conversation two or three weeks ago with a stenographer employed about the House, from which I gathered that in many of the courts a stenographer would get quite large pay under this bill. It has been suggested that there ought to be a limit, as stenographers often get more pay than the judges.

Mr. MADDEN. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. MADDEN. What is the ordinary charge per folio for transcripts of testimony? I think it is much more than is provided here.

Mr. VOLSTEAD. The statute of my State provides for 8 cents a folio. I think 10 cents a folio is quite common. That

will make 30 or 40 cents a page, and you will find that the amount for transcripts will run up quickly.

Mr. CHINDBLOM. If the gentleman will allow me, in Chicago they charge 50 cents, with 20 per cent rebate, making a net charge of 40 cents per folio.

Mr. MADDEN. I do not think a man can do the work for the pay provided in this bill.

Mr. VOLSTEAD. They do it in Minneapolis and St. Paul.

Mr. CHINDBLOM. Does the committee believe that one man can do all of this work—take notes all day and furnish the transcript?

Mr. VOLSTEAD. They do it in my State. I do not know how it is in the gentleman's State. The hours that courts sit are much shorter in the cities than they are in the country districts.

Mr. CHINDBLOM. My experience is that they do not do it. They change off, a man will stay an hour and then change.

Mr. BLANTON. Will the gentleman yield right there?

Mr. VOLSTEAD. Yes.

Mr. BLANTON. In my State a stenographer of the circuit court, in my district, for eight years took every case that was tried, and sat in the courtroom from 9 o'clock in the morning to 5 or 6 in the afternoon, and whenever they desired a transcript they got it in time.

Mr. CHINDBLOM. They are remarkable people down in Texas.

Mr. VOLSTEAD. And they may be more remarkable in Chicago.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. MILLER. How will this bill operate in proceedings other than criminal proceedings in the district court?

Mr. VOLSTEAD. This applies to both civil and criminal actions.

Mr. MILLER. Do I understand from the bill that this stenographer is compelled to take the proceedings in civil cases as well as criminal cases?

Mr. VOLSTEAD. Both civil and criminal.

Mr. MILLER. And to furnish transcripts at the price stated?

Mr. VOLSTEAD. He is not required to furnish any transcript unless he is paid for it.

Mr. MANN of Illinois. He is if the judge asks for it.

Mr. MILLER. At the rate provided in the bill, he is.

Mr. VOLSTEAD. Yes.

Mr. MANN of Illinois. He has to furnish the transcript if the judge asks for it?

Mr. VOLSTEAD. Yes.

Mr. CHINDBLOM. Does the gentleman believe that the language on page 3 of this bill would authorize the payment by the Government of 10 cents per folio? The language is—

That such official stenographer may charge for any transcript of such notes ordered by any person interested, other than a judge of said court, 10 cents per folio.

Mr. VOLSTEAD. If the Attorney General orders a transcript, or if the district attorney orders one, I have no doubt that he would have to pay for it.

Mr. BLAND of Missouri. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. BLAND of Missouri. May I not ask if the provision in the bill for the temporary appointment of a substitute stenographer contemplates that business may accumulate to such an extent, beyond the capacity of the regular stenographer, that this provision will take care of that accumulation of work?

Mr. VOLSTEAD. It will take care of that in case there is any such difficulty.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. STEVENSON. I want to ask about lines 15 and 16 and 17 on page 2. It is provided there that all of the exceptions taken shall have the effect of exceptions duly written out, signed, and sealed by the trial judge at the time of the trial. Does the gentleman not think he is going on an excursion into a field there that will result in trouble? In other words, the judge signs and seals, when properly presented to him, a bill of exceptions upon which an appeal is taken. This seems to me to undertake to substitute a bill of exceptions prepared by the stenographer and to make it superior to one that the judge ordinarily provides. In other words, will the judge have the right to correct and straighten out the bill of exceptions about which there may be a dispute, if the bill retains the language here that the record of the stenographer shall have that effect without the judge signing it?

Mr. VOLSTEAD. That the exception taken at the time shall have the same effect as an exception allowed and signed at the time of trial.

Mr. STEVENSON. Exceptions taken at the time shall have the same effect as those duly written out and signed by the trial judge. Suppose the trial judge makes out one and the stenographer makes out another, and they do not agree; how are you going to settle it?

Mr. VOLSTEAD. The practice requires that to get a case or a bill of exceptions settled you must submit the case or bill to the judge and get his approval.

Mr. STEVENSON. I am thoroughly familiar with that, but I think this would be getting it in a fix where we will not know where we are.

Mr. VOLSTEAD. I do not think so. The judge will have to determine just what the facts were.

Mr. STEVENSON. I think it should be provided that these exceptions shall be used as the basis for the bill of exceptions the same as if they had been written out and signed by the judge.

Mr. VOLSTEAD. The trouble is that courts sometimes refuse to allow exceptions, and it is to compel the courts to allow exceptions when they are made that this provision is inserted.

Mr. STEVENSON. I have never struck a court of that kind yet. There is sometimes a dispute as to what the exception was that was made, and it is very well to have the stenographer's notes for that. But to make that equivalent to the determination of the judge, I think, would confuse the practice in the Federal courts.

Mr. HASTINGS. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. HASTINGS. I want to say that I indorse that provision as much as I do any other in this bill. I think that where you have a sworn stenographer and he makes a record a judge on the bench ought not to be allowed to change it. I have seen a good many of them, when bills of exceptions were presented, who tried to find some way to get out of a bad ruling or change or dispute it.

Mr. MILLER. To get out of a bad ruling?

Mr. HASTINGS. Yes; in order to prevent a reversal, it has been suggested by some one here. If you have a sworn stenographer, a court reporter, and he takes it down, then, when you get up your bill of exceptions, you just simply have to get all of those rulings objected to and excepted to during the proceedings of the trial, and the judge could not go back on or dispute them; he would be bound by the record. If there is a dispute between the attorney and the court, there would be the record of the stenographer who took it down. I want to say that I heartily indorse that provision of the bill.

Mr. VOLSTEAD. I think that will work out all right. I reserve the remainder of my time.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. BEE. I want to ask the gentleman a question along this line. I see a provision in the latter part of the bill which provides that parties to litigation shall pay a certain fee in order to receive a transcript of the notes; that the judge can order the stenographer to furnish one without cost. Is that for the benefit of an impecunious defendant who is unable to otherwise procure it?

Mr. VOLSTEAD. No. The stenographer is required under this bill to act as secretary to the judge. The judge may ask him to read certain of his notes for the purpose of aiding him in making a decision in a case, or, if he finds it necessary, he may ask him to make a transcript of the testimony of one or more witnesses.

Mr. BEE. For his own use?

Mr. VOLSTEAD. For his own use only.

Mr. BEE. Let me ask this. My experience in the Federal courts has been that there is absolutely no hope for a poor man under the existing practice either to get his witnesses there without going down into his pocket to pay for them, or to get a transcript of the testimony under which they can appeal, the costs of which are almost prohibitive. In the State courts almost universally there is a provision that where a defendant is in such poor circumstances and he makes an affidavit to that effect, the court and the clerk of the court passing upon it can require the stenographer to furnish a transcript free of charge.

Is it not possible to secure a provision to enable the poor man in the Federal court to be protected and have his day in the appellate court exactly like the well-to-do man has, and will this bill have that tendency? I favor its general principle that there ought to be a stenographer and he ought to be paid.

Mr. VOLSTEAD. There is a statute that allows the courts to relieve persons too poor to pay from the payment of certain expenses. But that does not, as I understand, apply to the expense of transcripts. We did not feel, though we talked about it to some extent in considering the bill, that it would be desirable to put it in this bill.

Mr. BEE. Let me ask the chairman of this great committee a question—if it is not possible for this committee to formulate a law and bring it before the Congress that will afford a defendant charged in a Federal court that leeway and opportunity in appealing from the judgment of the court and jury similar to that which is now allowed in every State in the Union, because now, as I have stated, there is practically no opportunity for a poor man to carry his case from the Federal court, no matter how unjust or erroneous he may think might be the judgment of the court and jury, and I hope the great Judiciary Committee will find some way to relieve the procedure of the odium in which it is now held by people generally because of the fact that the appellate procedure seems to be destined only for the well-to-do man and affords no relief whatever to the poor man who has no money to put up.

Mr. MILLER. Will the gentleman yield?

Mr. VOLSTEAD. I will.

Mr. MILLER. My attention is called to section 3. I see the salary is placed at $2,000 a year, which is a rather modest salary. Now, I assume that the supplies for this stenographer in doing his work will amount to quite a sum. Is it the idea of the chairman that this stenographer at the rate of $2,000 a year shall furnish his own supplies out of that salary? Would it not be a wise thing to put in the bill that the supplies shall be furnished in addition to his salary?

Mr. VOLSTEAD. If the gentleman cares to offer an amendment of that kind, we will consider it.

Mr. MILLER. I thank the gentleman.

Mr. EVANS of Nebraska. Will the gentleman yield?

Mr. VOLSTEAD. I will.

Mr. EVANS of Nebraska. Suppose the stenographer makes a mistake in the taking of the evidence. What provision is there for the correction of that error?

Mr. VOLSTEAD. It differs in different States. It is a matter to be determined by the court after notice has been given the opposing party by the one presenting a case or bill of exceptions. If there is dispute the judge settles what the actual facts are.

Mr. EVANS of Nebraska. Well, I believe there is no provision here for the service of that bill.

Mr. VOLSTEAD. We did not think it was necessary to do that. We left it exactly as it is to-day as far as that is concerned. If a man now gets a transcript from some stenographer he has to get it approved by the court before he can use it as a basis of appeal.

Mr. GARD. Mr. Chairman, does the gentleman yield some time to the gentleman from Pennsylvania [Mr. STEELE]?

Mr. VOLSTEAD. I reserve the balance of my time. The gentleman from Pennsylvania can ask for recognition in his own right.

Mr. MANN of Illinois. Mr. Chairman, I ask for recognition in opposition to the bill.

The CHAIRMAN. The gentleman from Illinois.

Mr. MANN of Illinois. I ask for recognition in opposition to the bill, unless some member of the committee wants to be recognized in opposition to the bill.

Mr. GARD. Do I understand the chairman of the committee to yield the floor?

Mr. VOLSTEAD. I reserve the remainder of my time.

Mr. GARD. How much time has the chairman used?

The CHAIRMAN. The Chair is unable to advise the gentleman just exactly, but he is of the opinion that he used about half of his time. The Chair is now advised that he used 20 minutes.

Mr. MANN of Illinois. Mr. Chairman, it has been a long time since I practiced law. I never expect to practice again, and very likely I am not up to date in reference to the procedure in the courts, but I am quite well satisfied this bill will never furnish an adequate working force for taking testimony in trial courts. Here is a proposition to appoint a stenographer at $2,000 a year, and he is also to be the private secretary of the Federal judge in place of the secretary which he now has, and this stenographer is required, in addition to acting as secretary, to take all of the testimony in the court and all of the proceedings in the court and in the presence of the jury, and for that he receives $2,000 a year, and then, in addition, if copies of the testimony are required, he receives 10 cents a folio of 100 words for the first copy and 2 cents a folio for each copy thereafter. I do not know why the 2 cents was put in. I suppose it must have been after some investigaton, because the bill which was reported by this Committee on the Judiciary in September last provided for 5 cents a folio for each duplicate copy of the testimony. Here is the case. Take the House of Representatives. We employ six stenographers at, I believe, $6,000 a year, ordinarily sitting in the House not to exceed about five hours, and they do hard work, and we are not in session all the year.

Mr. BLANTON. Will the gentleman yield right there?

Mr. MANN of Illinois. Yes.

Mr. BLANTON. That is entirely different work——

Mr. MANN of Illinois. I do not yield for a speech.

Mr. BLANTON. I just want to call attenton to the fact that it is entirely different work. A court stenographer has much more time to prepare his transcript than the stenographers here on the floor.

Mr. MANN of Illinois. I can not say how it is in the district of my friend from Texas, but I speak with some knowledge of the courts in Chicago.

A stenographer in a Chicago court is just as busy as a stenographer on the floor of the House of Representatives. He has just as hard work, and it is just as fast work, too, and he is supposed, in most cases, to have his transcript ready for the parties the next morning. They do not wait for a month to make out the transcript of the testimony. In an important case the lawyers want the transcript of the testimony at once, and it is furnished at once, just as the transcript is furnished here.

Mr. HASTINGS. Will the gentleman permit me to suggest that there is not one in twenty cases where the testimony is transcribed, and there is not one case in twenty that is appealed, and therefore no necessity for the transcript.

Mr. MANN of Illinois. I expect that that is the case in the district of my friend, where most of the cases are small cases and relate to Indians—very small criminal cases. That is not the case in the United States courts of Chicago.

Mr. HASTINGS. If the gentleman will permit, we have the most important of cases in the eastern district of Oklahoma, involving millions of dollars, of oil litigation—more important perhaps than in any other court of the United States.

Mr. MANN of Illinois. Does the gentleman say that they do not make a transcript of the testimony in those cases?

Mr. HASTINGS. I mean it is taken down in shorthand but not transcribed unless asked for, and there is not one case in twenty that is appealed and therefore not necessary to have the notes transcribed.

Mr. MANN of Illinois. You can not try a case involving a million dollars and try it well unless you have a transcript of the testimony from day to day, and if you do not have it in Oklahoma, I pity Oklahoma lawyers.

Mr. HASTINGS. I did not say that in those large cases they did not have a transcript. I say in the ordinary cases they take down the testimony in shorthand and it is not transcribed, as there is no necessity for it.

Mr. MANN of Illinois. The gentleman says in one breath that most of the cases down there are unimportant and in the next breath there are more important cases tried there than in almost any other place.

Mr. HASTINGS. "The gentleman from Oklahoma" did not make that sort of a statement. I did make a statement that there was not one in twenty of the cases appealed, and then the gentleman from Illinois said they did not have any important cases, and I rose to correct that by stating that there were some very important cases in eastern Oklahoma.

Mr. MANN of Illinois. I will take the facts about Oklahoma any way the gentleman gives them.

Mr. HASTINGS. I hope the gentleman will get it right one time anyway.

Mr. MANN of Illinois. That is more than the gentleman from Oklahoma will ever be expected to do. Just occasionally I may be right.

Mr. HASTINGS. I am glad the gentleman admits that he occasionally makes errors. That is a great concession.

Mr. MANN of Illinois. I make errors so often that I wonder the gentleman wants to pattern after me all the time when I do. He should follow me sometimes when I am right. However, that is pleasantry between the gentleman and myself. Nothing could disturb our pleasant relations.

In the Senate of the United States now the rule is to pay 25 cents a folio for taking testimony. I do not know what the Committee on Accounts allows where outside stenographers are brought in to take testimony for the House. A few years ago it was 25 cents. I believe at one time it was cut down to 15 cents, and that they found they could not get the work done properly, and the 25-cent rate was restored. I think it is very important that litigants have the right to have proper copy of the evidence taken before them by competent stenographers. I am very confident that you can not secure in the large cities of the country a competent stenographer who would be required to be the secretary of the judge, required to take the testimony without extra compensation, and required to furnish a copy of the same to the judge without extra compensation if the judge desires it. You take a case that is being tried in a court anywhere and where they desire the testimony from day to day, and it requires several stenographers to do

the reporting, and then they are required in the main to work at night, with a considerable office force, in order to have the testimony transcribed.

Mr. DEWALT. Will the gentleman allow an interruption?

Mr. MANN of Illinois. Certainly.

Mr. DEWALT. I judge from the gentleman's remark that his main objection to this is that the compensation is not large enough. Would the gentleman suggest what he thinks would be the remedy there, either by districts or in particular instances, to wit, in large cities like Chicago?

Mr. MANN of Illinois. I could not say how much it should be. I do not know. I am very confident this will not secure competent stenographers to do the work as provided by this bill.

Mr. DEWALT. Otherwise there is no objection to the bill?

Mr. MANN of Illinois. I have not so stated yet.

Mr. DEWALT. All right.

Mr. MANN of Illinois. I do not know. I have asked for information as to whether under the terms of the bill, which do not apparently require the appointment of a stenographer, it would take away from the judge the secretary he now has if he does not appoint a stenographer. As I understand, Federal judges are now entitled to a secretary.

Mr. BEE. Will the gentleman yield for a question right there?

Mr. MANN of Illinois. Certainly.

Mr. BEE. Is the gentleman able to state, or is the chairman of the committee able to state, whether the provision of secretary to a judge is one authorized by law or is it just one of common consent? Otherwise, there might be danger of the secretary being the stenographer.

Mr. VOLSTEAD. It is not authorized by law.

Mr. STEELE. It is simply taken care of in the appropriation to the Department of Justice.

Mr. MANN of Illinois. What I wanted to get at was this: This bill provides that the judges of the district courts may appoint a stenographer. And while "may" is frequently construed in statutes as "must," it is very likely it would not be so construed. What is the judgment of my friend from Pennsylvania [Mr. STEELE] on that point?

Mr. STEELE. My judgment is that it makes it discretionary with the court to appoint. If the court does not wish to appoint it is not imperatively necessary to appoint, but if he does appoint then the duties of the secretary become merged with the duties of the stenographer, and there will be no authority then to appoint a secretary.

Mr. MANN of Illinois. Would there be any authority, if the judge did not appoint under this provision of the bill, to retain an official stenographer?

Mr. STEELE. I think there would.

Mr. MANN of Illinois. He is not the official stenographer.

Mr. STEELE. Absolutely, he could retain his secretary.

Mr. MANN of Illinois. It is possible, but I doubt it. I think the purpose of this bill now—and it was a little more fully set forth in the provisions of the original bill—is to put the burden of this work upon the Federal Treasury. A great many people say that a poor man can not afford to employ a stenographer. That may be true. It may be possible that there ought to be some provision made for that. A great many poor men can not afford to employ an attorney, although very few people get into litigation in civil suits who are not able to employ an attorney. Maybe some attorneys think that they ought probably to get all the money a man has, so that he will not have any left with which to pay the stenographer. But the whole theory of this bill, as it seems to me, is to put the burden of this expense on the Federal Treasury, and if a competent stenographer can not be employed in the cities under the terms of this bill—as they can not be—we will very soon, if the bill becomes a law, have a proposition to increase the pay, to come out of the Federal Treasury.

I myself believe that the courts in the country in the main ought to be self-supporting; that if people wish to indulge in the luxury of litigation, they ought to be willing to pay the expense of the litigation.

Mr. BEE. Mr. Chairman, will the gentleman yield right there?

Mr. MANN of Illinois. Certainly.

Mr. BEE. What becomes of the defendant who has been unjustly accused, and who believes he has his rights, and is dragged into court against his will, where, so far as he is concerned, he has to defend his liberty and his life?

Mr. MANN of Illinois. A man has not to defend his liberty and his life in a civil suit at all.

Mr. BEE. I was speaking of the criminal side.

Mr. MANN of Illinois. This applies to the civil side, not the criminal side of the courts. The whole theory of it is to put upon the Federal Treasury the burden practically of furnishing the stenographers when civil cases are tried.

Mr. RAKER. Mr. Chairman, will the gentleman yield there for a question?

Mr. MANN of Illinois. Yes.

Mr. RAKER. Under the law as it now stands in our criminal cases the court provides a stenographer, and the defendant pays nothing, so far as the stenographer is concerned. Is not that correct?

Mr. MANN of Illinois. I do not know. I never tried a criminal case in my life.

Mr. RAKER. What do you pay to the reporter now in Chicago, outside of the transcript?

Mr. MANN of Illinois. When I practiced law we used to pay the reporter $10 a day——

Mr. RAKER. And 25 cents per folio for the transcript?

Mr. CHINDBLOM. Mr. Speaker, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. CHINDBLOM. The uniform charge in Chicago is 50 cents a page. That amounts to 20 cents a folio, figuring two and one-half folios to the page, and 10 cents, I think, for the first copy and 5 cents for each additional copy. The per diem charge of $10 is frequently merged in the charge per folio if you get a large transcript.

Now, while I am on my feet——

Mr. DEWALT. Mr. Chairman, will the gentleman permit an interruption?

Mr. MANN of Illinois. I do.

Mr. DEWALT. I did not quite understand what was meant by "merged."

Mr. CHINDBLOM. They waive the per diem when they furnish a very large transcript.

Mr. MANN of Illinois. They make a special agreement.

Mr. CHINDBLOM. Otherwise the rates as fixed by the stenographers are $10 per diem and 50 cents a page. They will give you a discount sometimes of 20 per cent on the charge per page, and sometimes they will waive the per diem in the case of a very large transcript.

Now, does the gentleman, may I ask, intend to address himself to the language of section 2? If he does not, I would like to ask a question, if I may, in regard to his interpretation as to some of the language in the beginning of section 2, if the gentleman is willing.

Mr. MANN of Illinois. I am willing.

Mr. CHINDBLOM. Section 2 reads as follows:

> That such official stenographer shall take full stenographic notes of the testimony in all judicial proceedings and trials, together with the judge's charge, if any—

And then proceeds—

> and of all rulings and orders and any comment or remark of the trial judge relating to the case on trial made in the presence of the jury, to which rulings, orders, comments, or remarks either party may except as a matter of right.

Does not that limit the duty of the stenographer to taking down such rulings, orders, comments, and remarks to which either party may except as a matter of right? In other words, it does not require him to take down those rulings, orders, comments, or remarks to which no exceptions may be taken or to which either party may not take an exception as a matter of right?

Mr. MANN of Illinois. That might be technical language. It is, although I do not apprehend that to be what the stenographer would take down.

Mr. CHINDBLOM. If the gentleman will permit me further, certainly this act is not intended to define what rulings, orders, comments, or remarks the party may take exception to as a matter of right?

Mr. MANN of Illinois. No. I read section 2 quite carefully, and I thought it was not the way I should have drafted it myself. I was not certain whether it was because that was not clear or because I was not clearheaded on the subject. I think it undertakes, apparently, to say what exceptions can be made and to require a transcript of the testimony to be taken as true, although both counsel for the parties and the judge should agree there was an error in it and that the judge could not change that. Whether it does away with the bill of exceptions signed by the judge I do not know, although apparently it does.

But I take it that that could not be the case, because where a motion for a new trial should be made and denied by the court, that would not be taken down by the stenographer, because it is not in the presence of the jury.

Mr. WELTY. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. WELTY. But the stenographer is required to take only such matters, rulings, and orders of the court as are made in

the presence of the jury, for the purpose of protecting the defendant in the case or any parties to the suit.

Mr. MANN of Illinois. Oh, no. There is nothing in here about protecting the defendant in the case. It is all cases.

Mr. WELTY. Yes; criminal and civil cases. I understood the gentleman a while ago to say that it did not apply to criminal cases.

Mr. MANN of Illinois. Oh, no; I did not say it did not apply to criminal cases.

Mr. WELTY. And if the gentleman will permit, is not the language itself so clear as to permit the construction that the stenographer is required to take all judicial proceedings and trials, and all rulings and orders, and any comments of the court, and that either party to the suit, the plaintiff or the defendant, may take exception to any of the rulings and orders made at the time?

Mr. MANN of Illinois. That was the matter that was discussed by my colleague. I do not think it is clear, but I have no doubt about what would be done—that the stenographer would take the proceedings.

Mr. WELTY. The coordinate conjunction "and" would cover that.

Mr. MANN of Illinois. It says—

That such official stenographer shall take full stenographic notes of the testimony in all judicial proceedings and trials, together with the judge's charge, if any, and of all rulings and orders and any comment or remark of the trial judge relating to the case on trial made in the presence of the jury, to which rulings, orders, comments, or remarks either party may except as a matter of right.

Mr. WELTY. Certainly.

Mr. MANN of Illinois. Now, nobody could know whether he was going to except until after the comments had been made, so they would have to be taken down.

Mr. WELTY. He could not tell before the comments and rulings were made, because the parties would not know what they were.

Mr. MANN of Illinois. No; not very conveniently in court, although it is frequently the case in this House.

Mr. RAKER. Will the gentleman yield?

Mr. MANN of Illinois. I yield to the gentleman.

Mr. RAKER. The language on page 2, in lines 10, 11, and 12, seems to be restrictive, in that the orders and rulings must be made in the presence of the jury. Now, supposing the jury are asked to retire, and the court takes up a long proceeding for the purpose of hearing testimony and makes, practically, rulings on it before the jury return. According to this, such a proceeding would not have to be taken down, although it may be just as important as the proceedings before the jury. In criminal cases the jury are frequently requested to retire, and matters are taken up out of the hearing of the jury which counsel would not have out of the record for anything.

Mr. MANN of Illinois. Frankly, I do not think that the provision in the bill requiring the comments to which exception shall be made to be taken down will exclude the stenographer from taking down the proceedings in court in the absence of the jury. I take it that the trial judge would have jurisdiction over the stenographer and that the stenographer would endeavor to take the testimony, the same as it is now taken in court. But here is the objection that I make there. You can not employ competent stenographers for the compensation provided in this bill. You say a party may protect himself by employing competent stenographers. Very well; but the bill of exceptions, the trial proceedings certified to, have to be taken from the transcript of the official stenographer, who, in our city, I think, under this bill will certainly be incompetent at the compensation here fixed.

Mr. WELTY. Will the gentleman yield again? The first section of the bill provides that substitute stenographers may be appointed. The official stenographer can appoint as many substitute stenographers as the parties to the case desire, and the plaintiff and defendant must pay for the stenographer's transcript. This simply requires him to go into court and take the testimony, and then if they want a transcript they will have to pay for it.

Mr. MANN of Illinois. I was going to ask how many substitute stenographers could be employed. If this means more than one, then the language is unfortunate. It says the official stenographer may temporarily supply a competent substitute stenographer. That would not, under the language, authorize the employment of more than one substitute stenographer. But they can not employ a competent stenographer in New York or Chicago or Philadelphia, or any other large city, for no pay and 10 cents a folio if somebody orders a transcript. If they can not pay him, how can they employ him?

Mr. WELTY. Will the gentleman yield?

Mr. MANN of Illinois. I yield to the gentleman from Ohio.

The CHAIRMAN. The Chair desires to call the attention of gentlemen to the fact that they are forming a bad habit of not asking recognition from the Chair when they desire to interrupt one another.

Mr. MANN of Illinois. I hope the Chair will not require the consumption of the extra amount of time when I have expressed my willingness to yield?

The CHAIRMAN. The Chair will have to regulate that matter.

Mr. MANN of Illinois. Of course. I am simply asking the Chair not to, when I have expressed a willingness to yield.

Mr. WELTY. I understand the gentleman objects to this bill because competent stenographers can not be procured in Chicago and New York and some other congested centers for the compensation named in this bill. Will a defendant or plaintiff be precluded from hiring and paying for substitutes under this bill?

Mr. MANN of Illinois. Suppose they hire a competent stenographer and he makes a fair transcript of the testimony, what good is it going to do?

Mr. O'CONNOR. None.

Mr. WELTY. Why not?

Mr. MANN of Illinois. You can not use it in court. If the incompetent stenographer says that so and so took place, or if there is a hiatus in his transcript, and the record made by the competent stenographer shows that so and so took place differently from what is shown in the transcript of the incompetent stenographer, you have got to take the testimony of the incompetent official stenographer although everybody knows he has made a mistake.

Mr. WELTY. They will have to take the transcript made by the stenographers as they took the testimony, but these substitutes can be appointed by the official stenographer provided for in the bill, and paid for by either plaintiff or defendant.

Mr. WALSH. Will the gentleman yield?

Mr. MANN of Illinois. I yield.

Mr. WALSH. How do they correct such a situation as that in Chicago?

Mr. MANN of Illinois. It is not an infrequent thing that there is a contest as to what has taken place, notwithstanding the stenographer's notes. Counsel sometimes appear before the court and present their recollection of the matter and the court determines in the end.

Mr. DEWALT. Is not that so in every instance, that the record is always under the supervision of the court?

Mr. MANN of Illinois. It is not under this bill, because this expressly provides that the sworn statement of the stenographer must be taken and the judge can not change it. There is no question about that.

Mr. STEVENSON. That is the difficulty I was raising a while ago. Does not line 15, page 2, make the stenographer's transcript superior to the judge's ruling on that matter?

Mr. MANN of Illinois. Absolutely. It does not give the judge a chance to correct it at all.

Mr. STEVENSON. It is beyond the control of the judge entirely.

Mr. MANN of Illinois. This says—

All of which exceptions shall have the effect of exceptions duly written out, signed, and sealed by the trial judge at the time of trial.

That is the transcript prepared by the sworn official, and it has to be taken. I do not say that the parties by consent might not actually change it, but they could not legally change it.

Mr. WELTY. Would a judge be required to sign a transcript which was not correct?

Mr. MANN of Illinois. Under this provision he is not required to sign it.

Mr. WELTY. He would have to sign a transcript before you could prosecute a writ of error.

Mr. MANN of Illinois. "All of which exceptions shall have the effect of exceptions duly written out, signed, and sealed by the trial judge at the time of the trial." That is all the judge does when he signs the bill of exceptions. He certifies to that over his signature and seal. This says that the transcript made by the stenographer shall have the same effect as though the judge had signed and sealed it. I do not know where the judge would get authority to change it.

Mr. STEVENSON. Will the gentleman yield?

Mr. MANN of Illinois. Certainly.

Mr. STEVENSON. As a matter of fact, where we are making up a bill of exceptions the judge and attorneys almost always condense the statement of facts surrounding each exception, and therefore you have only to print that part which relates to the exceptions. If this prevails, the whole thing will have to be printed.

Mr. MANN of Illinois. I do not know whether they would have to print the whole, but it would all have to go up as part of the record.

Mr. STEVENSON. If it all went up as a bill of exceptions, it would have to be printed.

Mr. MANN of Illinois. The language here is very unfortunate.

Mr. VOLSTEAD. Under the common law you sign the exception at the time, and for the purpose of avoiding that it is entered on the record of the stenographer in this case; and then later on when you come to make up the bill of exceptions the judge passes on what actually took place. It is only for the purpose of avoiding the necessity of having the old common-law form complied with.

Mr. MANN of Illinois. I have practiced under the common law, which I doubt if my friend from Minnesota ever did. I never saw a judge sign exceptions at the time the exceptions were taken, and I doubt if anybody else ever did.

Mr. RAKER. Will the gentleman yield?

Mr. MANN of Illinois. I will.

Mr. RAKER. If a bill of exceptions is signed by the judge during the trial, it becomes a part of the record and part of the judgment roll, and after it is once signed by the judge there is no power except by proper proceedings in the Supreme Court to annul it. This provision does away with the judge's consideration of it and does away with the right of the parties to be heard as to whether the facts are true, and does away with the judge's signature and does away with the judgment roll.

Mr. MANN of Illinois. I do not suppose that that was the design of the author of the bill, and probably he would say that that is not what it means; but that is the language of the bill. The gentleman asked us to assume that because they want to accomplish a certain thing they have accomplished it, although they say something else.

Mr. GOODYKOONTZ. Will the gentleman yield?

Mr. MANN of Illinois. I will.

Mr. GOODYKOONTZ. The point the drafter had in mind in the preparation of the bill was to save the ruling of the trial judge in the admission of testimony where objections were interposed from time to time; that these objections might be entered in the transcript so that this question, which has confronted every lawyer, whether or not independent rulings as to questions and answers in the evidence itself should be made the subject of a separate and distinct bill of exceptions and therefore encumbering the record, or whether or not when it was in the transcript the court might take notice of the fact.

Mr. MANN of Illinois. I have an idea that what the provision was put in the bill for was to prevent a party in a lawsuit from employing a competent stenographer and then using that transcript taken in the trial of a case for the purpose of settling the bill of exceptions. They endeavored to make the transcript of the official stenographer absolutely controlling, so that you could not go behind it by showing that a more competent stenographer had taken the testimony differently. They want to put a cinch on the official stenographer's transcript.

I am opposed to this bill because I do not think it is the duty of the Government to pay out of the Federal Treasury the cost of trying civil suits in the Federal courts. Let the parties pay for their own litigation.

Second, I am opposed to it because it provides practically for the employment of incompetent stenographers and makes their transcript the controlling one. Everybody knows that you can not get good stenographers for the compensation named in this bill.

Mr. BEE. Will the gentleman yield for a question?

Mr. MANN of Illinois. I will yield to the gentleman from Texas.

Mr. BEE. I want to ask the gentleman if he does not think the Judiciary Committee ought to perfect some character of legislation that will curtail the trial of civil cases in the Federal courts and let them go to the State courts?

Mr. MANN of Illinois. I fully agree with the gentleman from Texas. Ever since I have been a Member of the House I have resisted the constant enlargement of the powers of the Federal judiciary to try ordinary cases which ought to be tried in the State courts.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. WALSH having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On February 14, 1920:

H. R. 2950. An act to authorize a preference right of entry by certain Carey Act entrymen, and for other purposes; and

H. R. 11368. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921.

On February 17, 1920:

H. R. 683. An act for the relief of William E. Johnson;

H. R. 396. An act to authorize the payment of certain amounts for damages sustained by prairie fire on the Rosebud Indian Reservation, in South Dakota; and

H. R. 10746. An act to authorize the incorporated town of Wrangell, Alaska, to issue bonds for the construction, enlargement, and equipment of schools, the acquisition and construction of a water-supply system, the construction of a sewer system, the construction of a city dock and floating dock, and to levy and collect a special tax therefor.

On February 18, 1920:

H. R. 5665. An act for the relief of Carlow Avellina.

OFFICIAL STENOGRAPHERS FOR UNITED STATES DISTRICT COURTS.

The committee resumed its session.

Mr. BLANTON. Will the gentleman from Illinois yield me three minutes?

Mr. MANN of Illinois. I yield to the gentleman from Texas three minutes.

Mr. BLANTON. Mr. Chairman, the duties of the stenographers in this House are entirely different from the duty of a court reporter. The reason we have five or six reporters on our reportorial staff here is due to the fact that the various speeches made here and the various proceedings of the House must be transcribed immediately in order that the transcripts may be passed upon and corrected shortly after adjournment, so that the RECORD may be printed during the night and be ready for the next morning. There is no such necessity in court proceedings. Why, there are very few Federal judges in the whole United States who hold court more than about a third of the time. Name me some. Name me some Federal judges who hold court more than about a third of the time during the year.

Mr. MANN of Illinois. Oh, the gentleman knows that in Chicago and New York, and in most of the large districts, the Federal judges hold court nearly all of the year.

Mr. BLANTON. Mr. Chairman, the gentleman from Illinois [Mr. MANN], who is the best posted man, I guess, in the United States on most all of the subjects that come up here in Congress, admits that he has not been around courthouses for years. Some of us have been around the courthouses a little more frequently and recently than he has been, possibly when he has been otherwise busy studying the various plant growths in his garden——

Mr. MANN of Illinois. And I would much rather be in the garden than in court. However, the gentleman from Texas is mistaken. The Federal judges in these large cities hold court all of the year with the exception of a short summer vacation.

Mr. BLANTON. Mr. Chairman, the gentleman must not get the idea that the Federal judges at Chicago are any different from the Federal judges everywhere else in the United States; and he must not get the idea that all of the court business in this Nation is transacted in Chicago, because, as was stated by my friend from Oklahoma [Mr. HASTINGS], there are important cases tried in Oklahoma and in Texas—cases involving millions of dollars and involving the life and liberty of citizens. The Federal court always meets in the morning not earlier than 10 o'clock. The judge hears the evidence, transacts business, and does it swiftly and expeditiously for about an hour and a half or two hours and then adjourns for noon for about a two-hour recess. He comes back in the afternoon, and if he is feeling badly he holds court only a short time and then adjourns until the next morning. That is about the ordinary process, even in the trial of important cases, if you please.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. I will ask the gentleman from Illinois [Mr. MANN] to kindly give me one minute more.

Mr. MANN of Illinois. I yield one minute more to the gentleman.

Mr. BLANTON. Most of the stenographers will not be overworked. During all of these various and numerous recesses and adjournments the stenographers have sometimes 30 days in which to get up important transcripts for the attorneys. Of course they have assistants to help them get up statements of the evidence from day to day where the attorneys are trying important cases and want same for use during the trial, but I want to say to my friend that they have plenty of time out of the 24 hours in a day to get up these transcripts, and I do not think

the gentleman should become alarmed, because some of the best stenographers I have ever known in my life have carried on the business in very active courts and have reported the proceedings day after day and month after month and year after year, preparing their transcripts on time, and have never complained. As one of such faithful, efficient court reporters, serving in a State court for more than eight years continuously, I mention Mr. W. H. Graham, now a practicing attorney of Dallas, Tex.

Mr. MANN of Illinois. Mr. Chairman, the remarks of the gentleman from Texas remind me of something I wanted to say. First, the gentleman is in error about the United States courts. Most of the judges are working most of the time, and it is claimed that in some of the districts there is a shortage of judges. I think that is practically true. I referred to Chicago not, as suggested by the gentleman from Texas, because I thought that Chicago is the place where the most important court business is transacted, but merely because when I refer to a matter I like to refer to something I know something about. I know nothing about how much business is transacted in Texas at the present time, although a few years ago I helped to create a new judgeship down there because they claimed they were very short of judges in transacting the business of that State.

This is what I wanted to say about stenographers. I am one of very few Members of this House who have ever been in the House since the proceedings were reported stenographically who never corrects his remarks. I never see a transcript of any statement which I make on the floor of the House. I sometimes have seen the transcripts of the statements made by other Members of the House after the transcript has been submitted to those Members. We have as good a force of stenographers to report the proceedings of the House as exists anywhere in the world, and yet I have an idea that if my friend from Texas [Mr. BLANTON] or my friend from some other place should exhibit the transcript of their statements made on the floor of the House after they have corrected them, one would be led to think that the transcript had been left in a chicken yard with chickens tracking over it with inked feet. The only authority that Members have is to correctly put on paper what they have said, and there is no Member here who corrects his remarks who does not thereby say that there has been a slight error on the part of the stenographer in reporting what he said, and while that would not always be correct, it sometimes happens; but under this bill you propose to fix it so that after the court stenographer provided for in the bill makes a mistake nobody can correct it.

I yield three minutes to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Chairman, I am heartily in favor of the bill and I am heartily in favor of section 2. I have not had very extensive practice before the Federal courts, but I have had some. The Federal courts that I practiced before were legislative Federal courts, and we had a good many czars on the bench. Whenever a member of the bar tried to get the record corrected as against the czar on the bench, the contest was very unequal.

This bill practically follows the law in the State of Oklahoma, with reference to State courts now. We have a stenographer who takes down the proceedings. They take down the testimony, they take down the rulings, and in the event that a transcript is required the notes of the stenographer are transcribed. What I attempted to say when my good friend was impatient and had the floor a few moments ago was this, that not one in twenty of the cases tried either in a State court or a Federal court is appealed, so that in not one in twenty cases tried is it necessary to transcribe the record. Everyone who has practiced before either a State or Federal court knows that is correct.

My good friend from Illinois injects the remarks that we do not have any important cases tried in Oklahoma. I venture to say that there are more important lawsuits in the Federal courts in the eastern district of Oklahoma than in any other Federal court in the United States. I would state furthermore that that court is always busy and usually one or two outside judges, sent from other districts, are there to assist the judge for the eastern judicial district. What I want to emphasize is this, that cases may be tried day in and day out, and the stenographer is there, and he makes notes of the proceedings, the rulings, and so forth, and yet the proceedings are not transcribed and the rulings are not transcribed unless it becomes necessary for an appeal or a bill of exceptions is to be prepared for the judge to certify.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. HASTINGS. I will ask the gentleman to yield me two minutes more.

Mr. MANN of Illinois. I yield the gentleman one minute more.

Mr. HASTINGS. I want to make one more observation, and that is this: This stenographer is to be appointed by the judge. The judge himself can change the stenographer whenever he wants to, and he is dead certain to appoint a competent man; but if he makes a mistake and appoints an incompetent man, under the terms of this bill he can change him any day.

The eminent trial judge may be mistaken the next day as to what transpired. The lawyer may be mistaken. Who could better be relied upon than the stenographer himself to say what actually did take place if it is disputed by the judge and is disputed by the lawyer? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN of Illinois. How much time have I remaining?

The CHAIRMAN. The gentleman has 11 minutes remaining.

Mr. MANN of Illinois. I yield five minutes to the gentleman from California [Mr. RAKER]. [Applause.]

Mr. RAKER. Mr. Chairman, in section 2 the whole matter could be covered, and I say this in all earnestness, because I know the committee wants to get the right provision.

That such official stenographer shall take full stenographic notes of the testimony and proceedings in all judicial proceedings and trials.

Now, you could stop right there. That means everything from the time the case opens until the court discharged the jury, every word that every attorney utters in court in regard to the trial or statement that the judge makes from the time the trial begins until the end, every declaration he makes to the jury, every criticism he makes of counsel, every exception made by counsel to the rulings of the judge, and then the charge to the jury. Now, to make it specific and avoid all question you could add "together with the judge's charge, if any, and of all rulings and orders and any comment or remark of the trial judge relating to the case on trial," and stop right there. That makes this bill certain, so there will be no question about it. It ought to be that way. Many of the States have it and it protects counsel. There must be a stenographic report of the trial of cases. There ought to be. Now, there are three methods in our State and some other States in preparing an appeal. A bill of exceptions, with which everyone is familiar; a statement of the case, which is a little more voluminous and which makes more specific the matters involved because it makes specific wherein the evidence is insufficient to sustain the findings of the court or the verdict of the jury, and that must be specified in the specification of exceptions. Then there is the newer procedure in operation in California for the last 12 years, something similar to an appeal in an equity case in some States, especially Oregon, and it has worked admirably. It ought to be in force in the Federal courts. In the State of Oregon, if you try an equity case, the stenographer takes all of the testimony and proceedings, and then the court, after counsel has been given notice, goes over the record and then certifies it, and that record goes to the supreme court, without being printed, counsel being required to present an abstract. Now, by this new system the stenographer takes all of the testimony and proceedings. Counsel are notified. If they desire to be heard, the court conducts the hearing in a short time, and all this surplus matter is stricken out. The record is short; there is no printing of the record. Only the record certified by the court goes to the supreme court. Counsel have printed an abstract. Take, for instance the supreme court; go look at the supreme court printed records, and you will find volume after volume of records of proceedings anywhere from 1 up to 28 or 30 that have been printed. You save that expense. You save expense on appeal, and you prevent the litigant from being bankrupted by the reporter as well as by the printing of testimony. The gentleman from Illinois is clearly correct, and we ought not to overlook what he says with reference to lines 15, 16, and 17, where it says:

All of which exceptions shall have the effect of exceptions duly written out, signed, and sealed by the trial judge at the time of trial.

Now, if that means anything it means what it says, namely, that you have complied with all the formal procedure, notice to adverse counsel, all proceedings of the court to determine whether or not the testimony and exceptions concerning the facts in the record are true. The judge then passes on it, and you have an opportunity to be heard before the judge and get the facts in the bill of exceptions and——

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. May I have time to finish this sentence.

Mr. MANN of Illinois. I yield to the gentleman.

Mr. RAKER. But you place upon the statute book a new provision giving this power to the reporter to transcribe and file with the clerk this record which disposes of all the preliminaries, and then this record goes and there is no way to obviate

it unless by special proceedings before the judge, and if he denies it, then by application to correct the record in the Supreme Court. You know that is most difficult to do. The other provision in the bill as to employing an official reporter and then pay for the transcript is valuable and ought to be enacted. I trust the committee will look to the suggestion just made, first as to the testimony and proceedings in the trial of the case, and second as to these bills of exceptions, because you clearly do away with the opportunity to either party to be heard on a settlement as to the bill of exceptions before the judge before he signs it, and the bill of exceptions once signed it may be a month or two or three months until the case is finally acted upon and final judgment rendered. It then becomes part of the judgment roll and upon appeal the Supreme Court considers it.

Mr. MANN of Illinois. Mr. Chairman, I reserve the remainder of my time.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. NEWTON].

Mr. NEWTON of Missouri. Mr. Chairman, I think this is a good bill and ought to be enacted into law. I never could understand why it was that during all of these years, while the State courts had their stenographers to take down their proceedings, the Federal courts either in a criminal or a civil case had no stenographers and unless your client was able to hire a stenographer, when the trial was finished, no matter how many errors had been committed or how much injustice done, you had no record from which to appeal, and hence no adequate relief.

Our State courts in Missouri for years have been provided with official stenographers. They pay the stenographers a salary of $1,800 per year, and then they are allowed 45 cents per page for transcripts for the original copy and 15 cents per page for carbon copies. Under that provision we get the best stenographers obtainable in all our State courts. Such stenographers take down all the proceedings. Every word that is uttered in the trial of a case becomes a part of the record. After the trial has been finished, if either litigant desires to appeal, he can pay for having the transcript written up, and when the case is decided it is taxed as costs in the case. If there is any controversy as to the accuracy of the testimony which has been taken, as it appears in the stenographer's transcript, it is a matter for the trial court to make the correction, and when he signs the transcript of the testimony that becomes the record of the case.

Now, what is the case in the Federal courts? I have gone into the Federal court as a district attorney to try criminal cases. I have gone into the Federal court in our State as a representative of litigants in civil cases. I have seen so many instances of injustice resulting from the lack of a proper person to keep the record of a trial that I have always wondered why it was that some provision was not made in the Federal courts at least as good as that to-day in the State courts for keeping a record of what transpired in the trial of cases. I remember one instance in the progress of a criminal case, where the Government had no stenographer. We presented our testimony. The trial lasted for a number of days. The defendant had provided himself with a stenographer at his own expense, and during the trial of the case there was much testimony developed which was of great importance to one of the departments of this Government, and when the trial had been finished the defendant's attorney destroyed the transcript and the Government's attorney was unable to procure a copy of such testimony. Such a thing could not have happened if this bill had been a law at that time.

Take it in criminal cases. Many defendants are unable to hire their own stenographers when they go into court. The court may sometimes make comments which result in great prejudice to him during the trial of a case. He may make those comments in ruling upon the testimony or in giving his oral instructions, which sometimes amounts to an argument, and yet without a stenographer no record is preserved. I have always had the feeling that a judge will be more careful in the comments he makes if he knows there is an official reporter taking down all the testimony which is being presented and all the remarks and rulings made by him. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr Chairman, although the bill may more properly be spoken of by the very able gentleman from Pennsylvania [Mr. STEELE], I want to say that I am in favor of the basic idea of it, which provides for an official court stenographer, and I think the reasons just given by the gentleman from Missouri [Mr. NEWTON] should be convincing to every man who has had to do with the trial of cases in courts, whether Federal or State courts. At the same time, I think we are indebted to the observations of the gentleman from Illinois [Mr. MANN], whose keenness of judgment upon matters as written in bills we always concede. And I desire to call certain matters to the attention of the proponents of the bill, the chairman of the committee, and the gentleman from Pennsylvania [Mr. STEELE] with respect to the possibility of certain amendments.

In section 2 of the bill, on page 2, line 8, after the word "trials," it would be my suggestion that the words "when requested by any party or the court" should be included in the bill, because there are very many cases where stenographic reports are unnecessary. The ordinary work of a court, the little things that come up from day to day, are not necessary, but where a case is of importance, and either party desires or the court desires it, the official stenographer should be compelled to do that work.

Now, I have another suggestion about the complaint which the gentleman from Illinois [Mr. MANN] made of lines 15, 16, and 17. It is the contention of the gentleman that the language of the bill would arbitrarily close all further action and prohibit any amendment by the court. I do not think that is the intention of the bill, but I think it could probably be expressed a little bit better if we were to strike out the word "all" as it appears on line 15 and insert the words "the notation," so that it would appear:

The notation of which exceptions shall have the effect of exceptions duly written out, signed, and sealed by the trial judge at the time of the trial.

There can be no intent in the minds of those who favor the bill that the power of the judge to determine what the exceptions are when he signs the transcript shall be foreclosed by any stenographic report. It is only that the exceptions taken in this form, by making an exception by verbal motion, shall have the same effect as where it was written out.

I also desire to call attention to the fact that probably in section 3 we should have a provision that this compensation of $2,000 shall be in lieu of compensation now paid as secretary under existing law. I would also suggest, too, that, on page 1 of the bill, the court may have the power to appoint a stenographer or stenographers. And I would rather impose that power in a court to appoint two stenographers in a case of a congested condition of a docket in a great city than I would to permit a stenographer to appoint, with the approval of the court, a substitute stenographer. I believe, with the power to appoint a stenographer or stenographers at this specified compensation, with proper compensation for transcribing and with the safeguarding provisions of the bill, that a great and necessary reform will be worked out to the benefit of litigants in Federal courts.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. VOLSTEAD. Mr. Chairman, I yield 20 minutes to the gentleman from Pennsylvania [Mr. STEELE].

Mr. STEELE. Mr. Chairman, the chairman of the committee has so fully explained the provisions of this bill that very little remains to be said except by way of repetition.

I wish to say, however, that this bill had its origin among the members of the Judiciary Committee itself—not the committee of the present House, but the committee of the last House. At a meeting of the subcommittee of that committee, having charge of legislation of this kind, it was suggested by Mr. REAVIS, Mr. GARD, and one or two other gentlemen, and myself, that there should be legislation bearing upon this question; that our Federal courts were behind the State courts and lacked the modernizing influence of a stenographer in court to take down their official records.

Within the last 30 years a stenographer has been part of the essential equipment not only of every court but of the office of every professional man, and, you may say, in every accounting room in the land. The Government has recognized the appointment of stenographers in aid of its executive business by supplying a clerical force of this kind in nearly all the executive departments of the Government. It is now part of the civil-service examination of the Government, and, therefore, it seems that the court, one of the coordinate branches of the Government, is the last part of the official business of the Government to be provided with this necessity. In that respect it is very much behind our State courts. I can say within my own State for 35 years the courts have been provided with official stenographers at the expense of the county. They were paid a compensation at that time of not more than $2,000 per annum, as provided in this bill. Now the limit has been increased, as I recollect it, to $3,000 or $3,500, and the cost of the copy was practically what was stated in the original bill. Now, the work of a stenographer will very much facilitate and dispatch all the business of the court. The old method of taking down notes

of testimony by longhand, by judges and lawyers, very much hindered the progress of a trial. But with a stenographer there are no such delays, and he will practically, in my judgment, save his cost in the facility with which the business of the courts will be dispatched.

About seven years ago a commission appointed to revise the civil code made a recommendation to Congress upon this subject, and that recommendation was as follows:

The value of shorthand notes of testimony and other proceedings in expediting trials and in securing accuracy in bills of exception and transcripts on appeal is abundantly established by experience. It is believed to be desirable that this duty shall be performed by sworn officers of the court, with such provision as will secure the preservation of the notes. The laws of nearly all the States provide for court stenographers, and there are abundant considerations of convenience and economy which dictate that the laws of the United States should no longer fail to do so.

Now, after the necessity for this legislation was made apparent the question came up with reference to the expense of it upon the Federal Government. In the bill which I reported in the last Congress provision was made for the payment of the expense out of the Federal Treasury, as it is in this bill, and also provision was made in that bill for the payment of an enlarged cost per folio of the notes taken by the stenographer.

Mr. BEE. Mr. Chairman, will it interrupt the gentleman to ask him a question in that connection?

Mr. STEELE. No, sir.

Mr. BEE. Is there any provision of existing law that pays traveling expenses for the stenographers or secretaries of the judges?

Mr. STEELE. There is no provision in the existing law for the payment of stenographers or even of secretaries.

Mr. BEE. Therefore no traveling expense is provided?

Mr. STEELE. No, sir.

Now, the question of expense confronted the committee, and they sincerely desired to have a measure prepared so that the courts could be relieved and at the same time that no additional burden would be placed upon the Federal Treasury. It was ascertained from the Department of Justice that out of the appropriation made to that department nearly every Federal district judge is now provided with a secretary at an expense of $1,500 per annum, so that it was thought that instead of allowing $1,500 to be expended for a private secretary to the judge, that money should be used in providing a court stenographer, which would relieve litigants of the inconvenience and expense of providing their own stenographers in the trial of cases, and which became a very heavy burden upon the poor litigant, inasmuch as the poor litigant was at a great disadvantage in comparison with the wealthy litigant, who could always provide his own stenographer. We therefore concluded that in this bill we would provide that the official stenographer should perform the service now performed by a secretary, for which there is no provision in the law outside of the appropriation bill for the Department of Justice, and that by so doing there would practically be no additional expense to the Government.

In addition to this the Government now pays for stenographic work in the trial of Government cases something like $35,000 per annum, of which amount it will be practically relieved, except possibly the cost of the transcript at the minimum price provided in this bill; so that from the standpoint of economy, it seems to me, this bill meets the question and provides the court with a stenographer and the litigant with that great assistance without any great additional expense practically upon the Federal Treasury.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. STEELE. Yes, sir.

Mr. MANN of Illinois. The gentleman refers to the "minimum price." Will not the Government under this bill still be required to pay for the copy that it receives?

Mr. STEELE. That is what I stated.

Mr. MANN of Illinois. At a maximum price?

Mr. STEELE. It is both a maximum and a minimum. It is the price. I say it is a "minimum price," because at 2 cents per folio copy I can not imagine anybody receiving that service at any less cost than that. I think the gentleman will agree to that.

Mr. MANN of Illinois. How do you get at 2 cents a copy?

Mr. STEELE. Just the same as any litigant under the terms of the bill has the right to require it, and it is the duty of the stenographer to furnish it.

Mr. MANN of Illinois. First, somebody must order it at 10 cents a folio. How can the Government get the additional copy?

Mr. STEELE. Upon request; upon the payment of that price.

Mr. MANN of Illinois. Does not the gentleman think that the Government will order it first in every case?

Mr. STEELE. No. I have just stated that the stenographic work now costs the Government, in Government cases alone, $35,000 a year, and a large amount of that will be saved under the terms of this bill.

Mr. MANN of Illinois. I can not see how it will be saved under this bill.

Mr. STEELE. It will be saved because the Government will not be required to supply its own stenographer in order to take the notes.

Now, various criticisms have been made, some with respect to special provisions of this bill. In the main it seems to me the criticisms are largely theoretical and do not have any substantial merit.

Now, with reference to the appointment, in the first section, of substitute stenographers, that is simply intended to meet a temporary condition that arises in all courts and in all offices, and that is a stenographer may be ill at some time; it may be necessary for him to be absent; and during that temporary condition the court can temporarily appoint some one to take his place.

Mr. WELTY. Mr. Chairman, will the gentleman yield?

Mr. STEELE. Certainly.

Mr. WELTY. Under that section 1 would the court or the stenographer be permitted to appoint more than one?

Mr. STEELE. I do not think so. I think the court is limited to appointing one stenographer, and I think at all times the provisions of the bill limit one stenographer to each judge or practically each court.

Mr. WELTY. Suppose both the plaintiff and defendant required a daily transcript. It would be physically impossible for two stenographers to furnish that every day, would it not?

Mr. STEELE. That depends a good deal upon the skill of the stenographers. If they have copies every day, there would have to be assistants to the stenographers. There would have to be clerks, possibly, appointed who could read the stenographic notes outside of the stenographer.

Mr. WELTY. This bill gives no authority for that.

Mr. STEELE. This bill makes no provision for that. They can provide that themselves during the progress of the trial.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. STEELE. Yes.

Mr. HUSTED. As to the question of compensation, would not the gentleman think there would be difficulty in securing efficient stenographers for the compensation provided for by the bill?

In our State we pay the official stenographers of the courts $3,600 a year. In addition to that, we pay them mileage at the rate of 10 cents a mile going and coming to and from home, and we pay them all their necessary expenses while in attendance on the court, including their stationery. In addition to that they are paid for transcripts of the testimony, and if a daily transcript is required they are paid an increased amount for that. It seems to me that when we take into consideration the scarcity of good stenographers and the salaries in demand, the compensation fixed by this bill is rather small.

Mr. STEELE. I will say to my colleague on the committee that what he has stated to be the compensation in his State, and the practice with reference to furnishing supplies and paying for transcripts, is also the practice in my own State. Down to this time we have had no difficulty in getting competent stenographers. At the present time, with the present high cost of living, it may be that the compensation fixed in this bill is too low. Personally I would prefer to see it higher. My colleagues upon the committee felt that this was adequate and that competent stenographers could be secured at the compensation fixed in the bill. I yielded to their superior judgment in this regard.

Criticism has also been made with reference to a provision in section 2 of the bill, providing that—

Such exception shall be noted by the official stenographer in his notes, together with any exception to the judge's charge, taken before the jury retires; all of which exceptions shall have the effect of exceptions duly written out, signed, and sealed by the trial judge at the time of trial.

I wish to say, with reference to that provision, that we have had practically that identical language in our Pennsylvania statute for the last 20 or 30 years. It is not so rigid as to exclude the trial judge from any control over his record after the trial has taken place. The trial judge always has control of his record, and when an exception is asked for, when the counsel sitting at the table says to the stenographer, "I ask for an exception to that ruling," the stenographer notes that upon his record. Then, if the judge wishes to say anything further or do anything further, he has his opportunity then and there, just the same as the counsel has, and in the final make-up of the record, if the case goes to the appellate court, it is always

within the control of the court to go over the record and certify as to any errors that may be contained therein. The practice of th court can be regulated by a rule of court just as well as it could be by a fixed statutory provision here. After the record is made up, if there is any conflict of opinion as to the accuracy of the record, the court can always fix the time when objections will be heard and the matter will be determined by the court, and whatever is determined by the court at that time stands a the official record. But in the absence of anything of that kind, all that counsel has to do—and it is a great labor-saving device in the preparation of an appeal—is to go over the record, and, where an exception is noted by the stenographer, assign that as error, include that part of the record, and it answers all the purposes of a bill of exceptions signed and sealed by the trial judge. But that does not eliminate the power of the judge to control his record at any time if any error is committed by the stenographer with reference to it.

Mr. BANKHEAD. Will the gentleman yield for a question in that connection?

Mr. STEELE. Yes.

Mr. BANKHEAD. Does the gentleman think the language employed in the bill here, technically construed, carries out the interpretation stated by the gentleman from Pennsylvania?

Mr. STEELE. Absolutely. It is shown by the experience of 30 years in our State, and I have no doubt whatever of it.

Mr. BANKHEAD. The language of that particular section is:

All of which exceptions shall have the effect of exceptions duly written out, signed, and sealed by the trial judge at the time of trial.

Mr. STEELE. Yes; "shall have the effect of exceptions"; but the record is always within the control of the court notwithstanding that.

Mr. BANKHEAD. I was only fearful that this language might make it possible to put a different construction upon it.

Mr. STEELE. Absolutely not.

Mr. RHODES. Will the gentleman permit a question?

Mr. STEELE. Yes.

Mr. RHODES. On page 3 the following language appears:

In addition to such salary, such official stenographer may charge for any transcript of such notes ordered by any person interested other than a judge of such court 10 cents per folio thereof.

I should like to inquire if this language authorizes the judge of the court to require a copy of the transcript?

Mr. STEELE. Yes.

Mr. RHODES. And if so, for whose benefit?

Mr. STEELE. For his own benefit in expediting the trial or hearing and argument of the case, or on a motion for a new trial, or a judgment non obstante veredicto, or for any other matter of rehearing he may order it for his own use.

Mr. RHODES. Then why should not that language be qualified by the words "for his own use"? Because so much has been said in regard to poor litigants being unable to obtain transcripts, might it not be possible that the judge in a certain case might be moved to request a copy of such transcripts for the benefit of such litigants?

Mr. STEELE. I would not assume that any judge would abuse his power to that extent.

Mr. RHODES. That might be a fair assumption, but would it not be possible for such a thing to be done?

Mr. STEELE. I would not conceive it.

Mr. CLASSON. Will the gentleman yield?

Mr. STEELE. Yes.

Mr. CLASSON. The language is "for the use of such judge."

Mr. RHODES. I was calling attention to the language in line 3, page 3, and I submit that the qualifying words to which the gentleman refers are not there.

Mr. DEWALT. Yes; but that refers to the language in lines 6, 7, and 8.

Mr. RHODES. If that is intended, then that language should be there.

Mr. DEWALT. It is in lines 6, 7, and 8 of the same paragraph.

Mr. STEELE. My own judgment is that the passage of this bill will not add any burden to the Federal Treasury; that it will expedite the trial of cases in Federal courts; that it will modernize Federal court procedure so that it will be abreast of the State courts in the facility with which the Federal courts can do business, and will expedite the dispatch of the public business. It is a bill that is desirable from every point of view, and I hope the House will give it favorable consideration.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Minnesota [Mr. VOLSTEAD] has 10 minutes remaining.

Mr. VOLSTEAD. I yield five minutes to the gentleman from Pennsylvania [Mr. DEWALT].

Mr. DEWALT. Mr. Chairman, I think it would be an attempt at a superabundance of argument even to try to reinforce what has been said by the gentleman from Pennsylvania [Mr. STEELE] and others who have advocated this bill.

Let us lay aside for a moment the necessity of the bill, the advisability of it, and the cost thereof, and consider, if you please, some of the exceptions that have been made to the bill itself. While I am for the bill, my opinion is not of such a character that I should not advocate the passage of the bill if there were reasonable amendments proposed thereto. I do think, with all due deference to my colleague from Pennsylvania, that there is considerable merit in the criticism that has been made by the gentleman from Illinois [Mr. MANN], and also the suggestions by the gentleman from Alabama [Mr. BANKHEAD]. I think that they are very easy of correction and amendment, and I suggest to the chairman of the committee and the gentleman having charge of the bill [Mr. STEELE] that they consider the advisability of inserting, on page 2, line 11, after the word "jury," these words: "or in the course of the trial or proceedings in regard thereto."

That would certainly include all dictum made by the court in any argument other than in the presence of the jury. It would include all rulings made by the court in applications for a new trial, or all proceedings had before the court in banc if the court sat in banc without a jury.

The criticism made by the gentleman from California [Mr. RAKER], and also in part by the gentleman from Illinois [Mr. MANN], I think is well taken, that these rulings, orders, and comments, to which exception could be taken as the bill is now framed, would be confined to those made in the presence of the jury. Therefore I think the insertion of the words would cure that, and I refer them to the respectful consideration of the committee.

Now, as to the other point made by the gentleman from Illinois [Mr. MANN], which was that this stenographic copy as vouched for by the stenographer and sworn to by him—as he is a sworn officer of the court—become of the same effect as the exceptions duly written out and signed by the judge himself. I grant you that a fair and technical construction of the bill as now written might admit of that construction. I think that can be easily cured if, in line 17, after the word "trial," the gentleman in charge of the bill will insert these words: "if certified by the court," so that the reading would be:

All of which exceptions shall have the effect of exceptions duly written out, signed, and sealed by the trial judge at the time of trial if certified by the court.

In that way you would obviate the difficulty.

Mr. MANN of Illinois. Mr. Chairman, I yield the balance of my time to the gentleman from Louisiana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman and gentlemen of the committee, I agree with the distinguished gentleman from Illinois [Mr. MANN] in his suggestion that the only justification for this bill is upon the theory that the public has an interest in civil litigation. If it has that interest, and in my judgment it has an interest in all civil litigation, if only from the standpoint that it is interested in seeing the poor man secure his rights when opposed by one who has sufficient means to pay for the vindication of his rights, this bill ought to carry a mandate or direction to the stenographer to make a transcript of every case which he takes and make it a part of the record of the court.

In order for him to do this he must be a competent stenographer. Down in Louisiana, where we have the civil law, our code of practice requires that all cases must come up on the law and the evidence, necessitating a transcript in each and every case that comes to the court of appeals or the supreme court. We know the necessity of having good stenographers. I notice that a great many assume that all stenographers are equally good, for some peculiar reason which I have not been able to understand. As a matter of fact, all stenographers are not equally good. There are good stenographers and bad stenographers, just as there are good blacksmiths and bad blacksmiths, good carpenters and bad carpenters, good slaters and mediocre slaters. There is a maxim in the shorthand world—and years ago I was of that splendid profession, and I might say, poetically, that I, too, was born in Arcadia—there is a maxim among stenographers that a poor stenographer with a good memory is a better stenographer than the good stenographer with a bad memory. For, after all, it is a fundamental of every process of writing which from a lack of vocalization causes it to depend largely upon catch signs to assist the memory that a thoroughly educated person with a splendid memory should be the writer in order to make a desirable transcript of any record that comes under his observation and pencil. Therefore I believe it would be necessary, in the first

instance, to secure a desirable stenographer. Where it is necessary from day to day to transcribe the notes the stenographer has to employ an amanuensis, and the amount provided for in this bill would not allow him anything after the payment of the amanuensis—not more than to pay his rent and put a pair of shoes on his feet.

Mr. BEE. Will the gentleman yield?

Mr. O'CONNOR. I will yield.

Mr. BEE. I want to say to the gentleman that I have an amendment increasing the compensation.

Mr. O'CONNOR. I think it is absolutely essential because, say what you will, these modern influences to which the gentleman from Pennsylvania has referred will go on, and what to-day may be deemed unnecessary will certainly be necessary in a few years to come.

I remember the time down in New Orleans when our criminal courts did not have stenographers. Then questions went up purely upon matters of law, because our criminal process is, after all, bottomed on the English common law. Louisiana, as you doubtless know, is the only State in the Union where the record goes up on the facts in civil cases as well as the law, and they have for a long time been considering in inner or esoteric circles abandoning that old and long established practice down there. After the criminal courts were provided with stenographers the most astute criminal lawyers recognized at once that they could get a case up to the supreme court not only upon the law but upon the facts by making the facts in each and every case where they took a bill of exception a part of the bill of exceptions. In consequence, every judge in the supreme court knows a criminal case as well as if he had heard it as a juror. I am not saying that is not in the interest of justice, but I do say that a true and correct transcript should be made by a competent stenographer, able to secure and make a full report.

The remuneration offered in this bill is not sufficient to bring into the field the best services required, and you do undoubtedly require the highest and best talent obtainable if you are going to embark in this new channel in the direction of securing the ends of justice through the civil courts, aided and assisted by this modernizing influence which has come into the field of journalism, law, commerce, and legislation.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. Yes.

Mr. BLACK. Does the gentleman not think that this compensation which the stenographers will receive for making typewritten transcripts of their records would be a considerable addition to the compensation provided here.

Mr. O'CONNOR. I do not know, for the reason that while a stenographer in a court in Chicago may be able to secure a sufficient sum in that way to pay a desirable amanuensis, the man in New Orleans might not be able to.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. VOLSTEAD. Mr. Chairman, criticism has been made of this bill, chiefly criticism of its language, but so far as I can gather no real opposition to the plan or purpose of the measure has been manifested. I think we generally recognize that it is high time that we tried to modernize the district courts so as to get them somewhat in line with the practice that is common all over the country, a practice that has been found not only desirable but necessary, particularly in view of the fact that there is now much complaint that the poor are not getting a fair deal. We certainly ought to be willing to grant this particular relief, which would be of especial value to those who can not afford to pay expensive stenographers in courts to protect their interests. This is necessary to enable them to have their cases properly reviewed by the courts.

The question of fees seems to agitate a great many of the Members. It is no doubt true that in some of the large cities the stenographers earn a great deal more money than this bill may give them. A few days ago I was told by one of the stenographers who was doing work about the Capitol that two men of his firm were making $50,000 a year, $25,000 each. They are getting 25 cents per folio, and they are not getting any salary at all.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. No; I have not the time. In cities like St. Louis they are getting, as we are informed, practically the fees that we are providing in this bill. In my own State, in the large cities of Minneapolis and St. Paul, cities that have a great deal of important litigation, they are getting a salary of not to exceed $2,000, with substantially the same fees for transcripts. I do not believe that there is going to be any hardship imposed upon these stenographers and I do not believe there is any necessity for increasing these allowances. There is no doubt that these stenographers will get a great deal out of the transcripts, much more than the salary. I am told that several of the men who are now serving as secretaries to the judges are acting as stenographers. That is, they are able now to get men at $1,500 a year to act as secretaries who add to their salary by serving as stenographers. I do not think there is going to be any serious difficulty about the matter at all. I am willing to submit the question to this House. I feel an interest in the bill, because I believe the time has come when we ought to deal fairly with this matter and put these courts on something like the same plane as the State courts. The Federal courts certainly should not be behind the times.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

SEC. 2. That such official stenographer shall take full stenographic notes of the testimony in all judicial proceedings and trials, together with the judge's charge, if any, and of all rulings and orders and any comment or remark of the trial judge relating to the case on trial made in the presence of the jury, to which rulings, orders, comments, or remarks either party may except as a matter of right, and such exception shall be noted by the official stenographer in his notes, together with any exception to the judge's charge, taken before the jury retires; all of which exceptions shall have the effect of exceptions duly written out, signed, and sealed by the trial judge at the time of trial. And it shall be the duty of such stenographer to act as secretary to such judge and to take full stenographic notes of such other matters in connection with the business of the court as the judge may from time to time direct.

Mr. GARD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 2, line 6, after the word "shall," insert "when requested by either party or the court."

Mr. GARD. Mr. Chairman, the object of this amendment is to take care of the numerous cases where stenographic reports are entirely unnecessary. As everyone knows who has observed affairs of this kind, there are many instances in all courts in the ordinary practice of the day where there is no necessity to transcribe the statement of counsel or the presentation of matters in purely ex parte proceedings. Section 2, as I read it, provides that the stenographer shall take full stenographic notes of testimony in all judicial proceedings. This is a matter which should be under the control of the court and the litigants, and if the litigants request it they should have the right to have the testimony taken by the stenographer, and if the court directs it the testimony should be so taken.

Mr. STEELE. Does the gentleman mean by that amendment that the stenographic notes shall only be taken where directed by the court or requested by one of the parties?

Mr. GARD. Yes; when requested by the parties or directed by the court.

Mr. STEELE. The stenographer is supposed to receive an annual compensation, and the annual compensation is to cover the work in taking the stenographic notes. I would quite agree with the gentleman that there should be no transcribing of the notes, but I think he should take the notes.

Mr. GARD. There is no necessity for it always.

Mr. STEELE. Because sometimes parties themselves make up their minds to appeal a case after the trial has actually taken place. In a situation such as might arise under the gentleman's amendment, there would be in that case no way of obtaining the stenographic notes. Whether the notes should be transcribed or not may well depend upon the action of the parties or the courts. I think the stenographer ought to perform the duties for which he is paid an annual compensation by taking the notes.

Mr. GARD. I think if you have a stenographer to take down every word that is said in the progress of all judicial proceedings and trials, you will accumulate such a mass of shorthand notes that you will have to have not only one but many stenographers to do the work.

The parties know what they want, the court knows what he wants, and it seems to me it would safeguard both the interests of the litigants and the interest of the court.

Mr. WALSH and Mr. CHINDBLOM rose.

Mr. GARD. I yield to the gentleman from Massachusetts, a member of the committee.

Mr. WALSH. Does not the gentleman think the better way to provide for that would be to have the language read "that such official stenographer shall, unless excused by the presiding justice and with the consent of the parties," and so forth?

Mr. GARD. Well, that is simply the alternative; it is stating the negative side of it.

Mr. WALSH. That would require the assent of the parties to the stenographer being excused. The other would leave it up to the presiding judge.

Mr. GARD. It has the same effect. I think either result is obtained by the parties or either party requesting the stenographer to take the evidence down, and if the court requests him to take it down then the interests of both in the case are well safeguarded.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. Mr. Chairman, I offer a substitute for the amendment offered by the gentleman from Ohio to read, after the word "shall," in line 6, page 2, "unless excused by the presiding judge with the consent of the parties."

Mr. MOORE of Virginia. Mr. Chairman, may we have the original amendment again reported?

Mr. GARD. Mr. Chairman, before the amendment is reported I desire to change the word "either," in the amendment reported by me, to the word "any."

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to modify his amendment as stated. Is there objection? The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 2, line 6, after the word "shall," insert "when requested by any party or the court."

The CHAIRMAN. Now the Clerk will report the substitute.

The Clerk read as follows:

Amendment offered by Mr. WALSH as a substitute for the amendment offered by Mr. GARD: Page 2, line 6, after the word "shall," insert "unless excused by the presiding judge with the consent of the parties."

Mr. MANN of Illinois. Mr. Chairman, it is the difference between tweedledum and tweedledee. The fact is universal, and experience teaches us that that which you give away people take. This bill proposes to give without charge the expense of a stenographer. Why should the parties waive it? The parties to a lawsuit do not waive things unless they think they gain something by it. As long as we offer to give them the use of a stenographer they will take the use of the stenographer. Either one of these amendments if enacted will amount to the same thing, because it will never be exercised in any case.

Mr. DEMPSEY. Will the gentleman yield for a question?

Mr. MANN of Illinois. Certainly.

Mr. DEMPSEY. Is it not a fact that the stenographer on a salary will be present in the court anyway, and his time might as well be employed taking these notes? It does not have to be a lawsuit, because lawsuits terminate suddenly and unexpectedly, and although he might be excused in one case he would have to be present and ready for the next one. Why should not he take these stenographic notes as long as he has an annual salary and gets paid for taking them?

Mr. MANN of Illinois. Well, as far as that is concerned that is not the question involved here in this amendment. As far as that is concerned this stenographer is to occupy a very important position otherwise. He will be required to be the secretary of the judge in place of the secretary the judge now has. Let me say to the gentleman from New York neither he nor I, I suppose, am a stenographer. Stenographic work is hard work, and no man or woman lives, in my judgment, who can take stenographic work six hours a day every day in the year and keep it up. The strain is too much. The gentleman has a secretary who can take stenographic work, but after a while his secretary changes off, writes out his work. But here is a proposition which requires a stenographer all the time that the court is in session, every day, to be on hand taking testimony, and then when this stenographer is to write it out I do not know, but I assume at night.

Mr. DEMPSEY. The way they do that kind of work is the stenographer has always attached to his staff——

Mr. MANN of Illinois. But there is no staff here.

Mr. DEMPSEY. I know, but a staff is here in this sense, that they make a great deal more money by transcribing than by taking——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN of Illinois. Not under this bill they do not.

Mr. CHINDBLOM. Mr. Chairman, I move to amend the substitute by adding at the end of the substitute "in a civil proceeding."

The CHAIRMAN. The Clerk will report the amendment to the substitute.

The Clerk read as follows:

Amend the substitute offered by Mr. WALSH by adding at the end of the substitute "in a civil proceeding."

Mr. CHINDBLOM. Mr. Chairman, I ask unanimous consent to amend that further by saying, "in a civil proceeding or action."

The CHAIRMAN. The gentleman asks unanimous consent to modify his amendment by adding——

Mr. WALSH. Reserving the right to object, I do not think the gentleman would desire to offer that amendment and then say, in the very next line, "in all judicial proceedings and trials."

Mr. CHINDBLOM. Mr. Chairman, if this provision should obtain at all, it should certainly be confined to civil proceedings; otherwise you create a situation where you deprive the defendant in a criminal suit of the advantages which he would have if he were more intelligent or better informed as to the proceedings in court and which he would lose by reason of his lack of information or by reason of his lack of counsel being present to help him. Certainly if we are going to provide official stenographers for the courts those stenographers should be available in criminal proceedings for the benefit of men who are charged with the commission of crime.

Mr. BLACK. Will the gentleman yield for a moment?

Mr. CHINDBLOM. Yes.

Mr. BLACK. There are a great many convictions on pleas of guilty. The gentleman would not want to have the stenographer take down the testimony in a case of that kind?

Mr. CHINDBLOM. I would. I will say to the gentleman the plea of guilty might have been inadvertently entered, or some other reason might exist why there should be a record of the proceedings.

The CHAIRMAN. Does the Chair understand the gentleman from Illinois [Mr. CHINDBLOM] to withdraw his request?

Mr. CHINDBLOM. I think the original language is sufficient, namely, "in a civil proceeding," but I asked to add the words "or action."

Mr. WALSH. Would the gentleman want that amendment inserted, and then in the very next line find the language "in all judicial proceedings and trials"?

Mr. CHINDBLOM. The question applies to the gentleman's own substitute as well as to my suggestion.

Mr. WALSH. You are putting in language, I think I may say to the gentleman, that is inconsistent with the language in lines 2 and 3. The amendment and the substitute apply to language in lines 2 and 3, but your modification would only make it apply to civil proceedings, when in the language following it says "all judicial proceedings and trials."

Mr. CHINDBLOM. I ask that the substitute be read as amended, so that the exact language will be clear.

The CHAIRMAN. The Chair then understands the gentleman from Illinois [Mr. CHINDBLOM] to withdraw his request to modify his amendment?

Mr. CHINDBLOM. No; I will not withdraw the request. I prefer the request.

The CHAIRMAN. Without objection, the Clerk will report the substitute as proposed to be changed by the amendment of the gentleman from Illinois.

The Clerk read as follows:

At the end of the substitute insert: "in a civil proceeding or action," so that the substitute offered by Mr. WALSH will read: "unless excused by the presiding judge with the consent of the parties in a civil proceeding or action."

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GOODYKOONTZ. Mr. Chairman, I rise to oppose all amendments that have been offered. The text of the bill as it is printed is sufficient within itself. If the parties want to waive any requirement there provided, they have that power under general law, according to ordinary usage and practice. If the parties want to say to the judge, "We agree that it is not necessary to have the reporter take down this evidence," there is nothing in law that would not allow this to be done. So that the proposed alterations in the text seem to me superfluous, and we are only wasting time in quibbling over such minute details.

The CHAIRMAN. The question is on the amendment to the substitute offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now arises on the substitute offered by the gentleman from Massachusetts for the original amendment.

The question was taken, and the substitute was rejected.

The CHAIRMAN. The question is on the original amendment offered by the gentleman from Ohio [Mr. GARD].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. GARD. Division, Mr. Chairman.

The committee divided; and there were—ayes 14, noes 38.

So the amendment was rejected.

Mr. STEVENSON and Mr. GARD rose.

The CHAIRMAN. The gentleman from Ohio [Mr. GARD], a member of the committee, is recognized.

Mr. GARD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 2, line 15, after the word "retires," strike out the semicolon, insert a period, and strike out the balance of the language in lines 15, 16, and 17, up to and including the word "trial."

Mr. GARD. Mr. Chairman, I offer this amendment because of the criticism which has been made as to what the language may mean. I think that the language refers merely to the notation of the exceptions and not to the foreclosure of any judicial action after the notation is made. For the purpose of making it entirely clear, it seems to me this language may well be eliminated, since it may have a tendency to confuse; and I think the entire matter is cared for by the language in lines 11, 12, and 13, where it provides that the exceptions shall be noted by the official stenographer, together with any exception to the judge's charge taken before the jury retires.

Mr. BLACK. Will the gentleman yield?

Mr. GARD. I will.

Mr. BLACK. By striking that language out, would the defendant in the case have to make up his bills of exception in a separate instrument and have them signed by the judge? I understand the purpose of this section is to give the record the effect of a bill of exceptions; and if you strike that out would it not destroy the meaning of the section?

Mr. GARD. I think not. I think the meaning of the section would be preserved by the language. The exception provides for the making of the exception. It says that the exception shall be noted by the official stenographer in his notes, together with any exception to the judge's charge. So the bill of exceptions is presented upon the notation of an objection to testimony introduced and any exception to the judge's charge taken before the retirement of the jury.

Mr. BLACK. Under the present rules of the court, do not those things have to go up by means of regular bills of exception prepared after the case is tried?

Mr. GARD. They will still.

Mr. BLACK. In our State, for instance, they do not necessarily have to go up in that way. The stenographer's records will show that the exception was made, and if that record goes up to the court, that of itself is a bill of exception, without the necessity of making out a separate bill.

Mr. GARD. I think the practice is general that assignment in error must be made. The mere fact of notation is sufficient to establish the fact that the assignment of error is made upon a certain question, but the assignment must be set out in a petition in error. I think this notation will be sufficient to give the basis for saying what the exception was.

Mr. McKEOWN. Will the gentleman yield?

Mr. GARD. Yes.

Mr. McKEOWN. Is not this provision you seek to strike out intended to expedite trial? In States, for instance, like Oklahoma the notation of an exception by the stenographer is not considered an exception to the court in a charge to a jury. A mere exception noted by the stenographer is not sufficient to save that exception on the record on appeal. Is not the purpose of this language you strike out to give the court a chance to expedite the trial by letting the stenographer take the exceptions that are dictated by the counsel at the time the charge is given? Is not that the purpose of this language?

Mr. GARD. I think that is the purpose; but there is some confusion of ideas as to whether that purpose is limited in the language in which the gentleman expressed himself, or whether it precluded the judge from acting on the exceptions after they were made. In other words, there was some considerable discussion to the effect that if this language were allowed to remain in the bill, the mere fact that the stenographer's notes showed a notation was sufficient to make that a part of the bill of exceptions, although in fact the notations may have been erroneous.

Mr. McKEOWN. In my State the exception noted by the stenographer is not deemed a sufficient exception on appeal and trial, and the custom is not to allow the attorney to dictate his exceptions at the time the charge is made.

Mr. VOLSTEAD. Mr. Chairman, I want to offer an amendment.

The CHAIRMAN. The Chair will state to the gentleman from Minnesota that there is an amendment already pending.

Mr. VOLSTEAD. I desire to perfect the amendment. The gentleman from Ohio [Mr. GARD] desires to strike out certain language. I desire to perfect that language before the motion is voted on.

The CHAIRMAN. The gentleman from Minnesota offers a preferential amendment.

Mr. VOLSTEAD. On line 17, page 2, after the word "trial," insert "when the notes whereof are found by the court to conform to the facts."

Mr. MOORE of Virginia. I would suggest to the gentleman to phrase it in this way, "subject to the authority of the court to make the notes conform to the facts." That no doubt is what the gentleman has in mind.

Mr. VOLSTEAD. This will give the court the power to determine that this was the actual transaction as it took place, so as to avoid the question that has been raised here, of writing into this bill a provision that would allow the stenographer alone to determine what is and what is not an exception.

Mr. MOORE of Virginia. I understood the purpose, but I thought perhaps it could be better expressed in the language I suggested. Otherwise it might be said, if an error was found, that the section which allows this was defective, so far as this particular matter is concerned.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 2, line 17, after the word "trial" insert "when the notes whereof are found by the court to conform to the facts."

Mr. MOORE of Virginia. I suggest vesting the court with authority to make the notes conform to the facts, and that would involve a correction only to that extent.

Mr. VOLSTEAD. Will the gentleman suggest an amendment?

Mr. DEWALT. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. DEWALT. When I had the floor a few moments ago I suggested that you insert after the word "trial" the words "if certified by the judge." That would meet all your purpose, and it would be much more emphatic, explicit, and to the point, and would cover everything intended by your phraseology.

Mr. VOLSTEAD. The judge does not certify those things, does he?

Mr. WALSH. The judge certifies in this way: He takes the record, looks over the exceptions thereto, and signs his name beneath the exceptions and the objections, and that is a certification upon the record.

Mr. VOLSTEAD. The method I have been accustomed to involved the idea that the court would make a finding to the effect that it corresponded with the facts. That is the reason why I suggest that we adopt that form. Other courts might hold differently.

Mr. DEWALT. Will the gentleman pardon me again?

Mr. VOLSTEAD. Yes.

Mr. DEWALT. The certification of the court would be simply this: "I, John Jones, presiding judge of the court of common pleas, do certify that the record is correct." That is the end of it.

Mr. LITTLE. Mr. Chairman, if the gentleman will yield a moment, I suggest that the suggestion of the gentleman from Pennsylvania [Mr. DEWALT] would not leave the court any room to do anything except to refuse to certify or to certify, whereas the suggestion of the gentleman from Virginia [Mr. MOORE] would give him the authority to certify and would also give him the authority to correct. I think the language of the gentleman from Virginia fully covers it. I suggest that the motion now before the House and the suggestion of the gentleman from Pennsylvania [Mr. DEWALT] have left to the courts only the right to certify or to refuse, while the suggestion of the gentleman from Virginia [Mr. MOORE] covers all that and allows the court to correct it.

The CHAIRMAN. Will the gentleman from Minnesota give attention to the Chair for a moment? The Chair would call the attention of the gentleman from Minnesota to the fact that when he first stated his amendment it read "conform to the facts." The Clerk says the writing before him reads, "conform with the facts." The Chair is in doubt whether that is what the gentleman wanted.

Mr. MOORE of Virginia. I would never get into a controversy with my friend from Minnesota on a point of that sort.

The CHAIRMAN. Does the gentleman from Virginia desire recognition?

Mr. MOORE of Virginia. Yes. The chairman of the committee has just indicated that he will accept the language I suggested in lieu of what he has offered.

Mr. GARD. The gentleman desires to amend the substitute.

The CHAIRMAN. Does the gentleman from Virginia desire to amend the preferential motion of the gentleman from Minnesota?

Mr. MOORE of Virginia. Let it be a substitute, Mr. Chairman, for the preferential amendment offered by the gentleman from Minnesota.

The CHAIRMAN. The gentleman from Virginia offers a substitute amendment for the amendment of the gentleman from Minnesota. Will the gentleman from Virginia please provide the Clerk with the substitute?

Mr. MOORE of Virginia. Certainly.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Virginia as a substitute for the amendment offered by Mr. VOLSTEAD:

Page 2, line 17, insert after the word "trial" the words "subject to the authority of the court to correct the notes, so that they shall conform to the facts."

The CHAIRMAN. Does the gentleman from Virginia wish to be heard on the substitute?

Mr. VOLSTEAD. I accept that amendment.

Mr. GARD. I suggest, Mr. Chairman, that the gentleman from Virginia make his amendment absolutely correct by striking out the period after the word "trial," so that it would continue in sense.

Mr. MOORE of Virginia. Mr. Chairman, I ask that that be done.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to modify his amendment as the Clerk will now report it.

Mr. CALDWELL. Mr. Chairman, does not the amendment say after the word "trial"?

The CHAIRMAN. Yes.

Mr. CALDWELL. Then that is before the period.

The CHAIRMAN. The Chair thinks the gentleman from New York is correct, and, without objection, the amendment will stand as originally offered by the gentleman from Virginia [Mr. MOORE]. The question now is on the amendment offered by the gentleman from Virginia [Mr. MOORE] to the preferential amendment offered by the gentleman from Minnesota [Mr. VOLSTEAD].

The amendment was agreed to.

The CHAIRMAN. The question now is on the preferential amendment of the gentleman from Minnesota [Mr. VOLSTEAD] as amended.

The amendment as amended was agreed to.

Mr. VOLSTEAD. The amendment of the gentleman from Ohio [Mr. GARD] is still pending.

The CHAIRMAN. Certainly. The Chair was about to put that.

Mr. GARD. The amendment I have offered is disposed of by the perfection of the text, because my amendment does not apply to the text as it now appears.

The CHAIRMAN. As a matter of form the Chair thinks it will have to be submitted unless the gentleman withdraws it.

Mr. GARD. I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Ohio will be withdrawn.

Mr. VOLSTEAD. Mr. Chairman, I move to strike out, in line 11, page 2, the words "made in the presence of the jury."

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: Page 2, lines 10 and 11, after the word "trial," where it occurs the second time, strike out the words "made in the presence of the jury."

Mr. MANN of Illinois. If that language is stricken out it leaves the requirement to take all the proceedings stenographically, as I understand it. Suppose a motion for a new trial is being argued before the judge, and he makes an inquiry about a point of law. Is that required to be taken down? I think it would be, the way the language reads.

Mr. VOLSTEAD. I think so, but it is a very common custom in statutes of this kind to require all the proceedings in court to be taken down, and, of course, some discretion is allowed in regard to the taking down of immaterial matter.

Mr. MANN of Illinois. Oh, well, if it should not be taken down, an exception could be assigned because it was not taken down.

Mr. VOLSTEAD. An exception might be taken, but the party would get no benefit of it. It would have to be shown that it had some relation to the case.

Mr. MANN of Illinois. The argument of counsel probably would not have to be taken down. I do not know. But the remarks of the trial judge, I take it, would have to be taken down. Of course if that is what the gentleman wants, all right. It would be rather hard to require the stenographer to be present every time a motion for a new trial is being argued for the purpose of taking down an inquiry made by the judge about the law.

Mr. STEVENSON. Mr. Chairman, I agree with the gentleman from Illinois [Mr. MANN] that we had better leave this language in the bill. I conceive the purpose of it to be this: Occasionally a judge makes remarks in the presence of the jury that are conceived to be detrimental to one side or the other. A good many cases in my State have been reversed on account of remarks made by the trial judge while discussing positions taken by counsel, remarks made in the presence of the jury, on the ground that they tended to prejudice the case. I take it this is for the purpose of reaching cases of that kind. Somebody asks a question. The judge rules, and in ruling he decides a question of fact which is entirely for the jury. He does it for the benefit of the ruling, but the jury get it, because he decides it there in their presence, and they carry that into the jury room with them and it can not be eradicated from their minds. A good many cases have been reversed on that ground. I take it this bill was drawn for the purpose of providing protection against that and not for the purpose of providing that everything in the world that the judge might say when the jury were not present should be taken down. I think the language is eminently proper, and that it should stay in the bill.

Mr. MANN of Illinois. Will my friend from South Carolina yield?

Mr. STEVENSON. Yes.

Mr. MANN of Illinois. Does not my friend think that if it were not for the requirement that everything said in this House shall be taken down, there would be far fewer and much better speeches made than are usually made now?

Mr. STEVENSON. There is no question about that. [Laughter.] I do not speak very much here, but still possibly I speak a little more than I would if my remarks were not taken down.

Mr. MANN of Illinois. I am not referring to the gentleman's speeches. I think probably the practice of having a verbatim report of all the remarks of Members published will never be abandoned, but I believe that practice causes more delay in the business of Congress than any other one thing.

Mr. McKEOWN. If this language were stricken out, what would happen where the jury come in and ask the court for further instruction? Would the stenographer be permitted to take down those remarks?

Mr. STEVENSON. The stenographer would have to take down all the remarks made whether the jury were in or out. Now, the idea of the bill is that whatever the judge says that reaches the mind of the jury, or that may be conceived to be prejudicial to one side or the other, must be taken down. That is the bill as it stands. Now, the proposition to take out the words which limit it to what is said in the presence of the jury means that the stenographer has got to take down all that is said in the presence of the jury and all that is said at any other time in the course of the trial, and therefore I think the language is better the way it is. I think the bill is a very good one as it stands in that shape.

Mr. DEWALT. Mr. Chairman, I move to strike out the last word. I may be wrong in my construction of this phraseology, but it appears to me that the words clearly import that the rulings, orders, comments, or remarks referred to apply only to such rulings, orders, comments, and remarks as are made in the presence of the jury. Now, why do I say that? Because the phraseology in lines 8, 9, and 10 of page 2 is this:

Together with the judge's charge, if any, and of all rulings and orders and any comment or remark of the trial judge relating to the case on trial made in the presence of the jury, to which rulings, orders, comments, or remarks either party may except as a matter of right.

Where? In the presence of the jury. Then follows this:

To which rulings, orders, comments—

What rulings, orders, and comments? Why, the rulings, orders, and comments just above referred to; that is, the rulings, orders, and comments made in the presence of the jury.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. DEWALT. Yes.

Mr. MANN of Illinois. Does the gentleman understand the amendment that is pending to strike out the language "in the presence of the jury"?

Mr. DEWALT. Yes. Now, I am in favor of striking out those words, but the gentleman from South Carolina [Mr. STEVENSON] is opposed to that amendment, and that is why I am saying that I do not think the words should be permitted to remain in the bill.

Mr. JONES of Texas. Will the gentleman yield?

Mr. DEWALT. Yes.

Mr. JONES of Texas. In many cases the jury is withdrawn, and sometimes there is a half day or day's discussion on the law of the case. During the discussion the court makes a great many remarks which it would be utterly useless to take down, which would only encumber the record. Does the gentleman think that all of these remarks that the judge might

make in the discussion of a law question should be taken down and make the party pay for the transcript at the rate of 15 cents 100 words?

Mr. DEWALT. My answer is no. Therefore I prepared an amendment, which I submitted to the consideration of the gentleman from Illinois and to the chairman of the committee, in these words: After the word "jury," in line 11, insert the words "or in the course of the trial or proceedings in regard thereto which are relevant."

Mr. BEE. Will the gentleman yield?

Mr. DEWALT. Yes.

Mr. BEE. Is there such a contingency in the Federal court as the withdrawal of the jury while a discussion of a question of law or the admissibility of evidence is going on?

Mr. DEWALT. Surely.

Mr. BEE. Would not that be a proper part of the transcript?

Mr. DEWALT. Yes.

Mr. BEE. If this language remained in the bill, it would not be.

Mr. STEVENSON. Can I interrupt the gentleman?

Mr. DEWALT. Certainly.

Mr. STEVENSON. Is not the difficulty that the gentleman makes the language "made in the presence of the jury" refer to the judge's charge and all rulings and orders, whereas it is intended only to refer to the words "any comments and remarks of the judge relating to the case on trial made in the presence of the jury"?

Mr. DEWALT. No; I do not think that is a fair construction; there is no comma. It says that all rulings and orders and any comment or remark of the trial judge relating to the case on trial. Made where? Made in the presence of the jury.

Mr. HUSTED. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. HUSTED. Does not the gentleman think it would obviate the objection by the insertion of the words "also of," after the word "and," where it appears the second time in the line, in line 9, and before the word "any," so that it would read "of all rulings and orders and also of any comment or remark by the trial judge relating to the case on trial made in the presence of the jury"?

Mr. DEWALT. That would cure it.

Mr. HUSTED. Mr. Chairman, I offer the following preferential amendment.

The Clerk read as follows:

Page 2, line 9, after the word "and," where it occurs the second time in the line and before the word "any," insert the words "also of."

Mr. MANN of Illinois. That is not a preferential amendment.

The CHAIRMAN. The Chair thinks the gentleman from Illinois is correct.

Mr. VOLSTEAD. Mr. Chairman, I will withdraw my amendment.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Minnesota will be withdrawn.

There was no objection.

Mr. HUSTED. Mr. Chairman, now I offer my amendment.

The Clerk read as follows:

Amendment offered by Mr. HUSTED: Page 2, line 9, after the word "and," where it occurs the second time in the line, insert the words "also of."

Mr. MANN of Illinois. Let us have that read as it will read if amended.

The CHAIRMAN. Without objection, the Clerk will report the language as it will read if amended.

The Clerk read as follows:

SEC. 2. That such official stenographer shall take full stenographic notes of the testimony in all judicial proceedings and trials, together with the judge's charge, if any, and of all rulings and orders and also of any comment or remark of the trial judge relating to the case on trial made in the presence of the jury, etc.

Mr. HUSTED. Mr. Chairman, the purpose of the amendment is to confine the remarks and comments to be taken down by the stenographer to the remarks and comments of the trial judge relating to the case on trial made in the presence of the jury. The object is, of course, to have taken down any comments or remarks made in the presence of the jury which tend to influence the decision of the jury, but it would be superfluous and unnecessary to take down comments and remarks not made in the presence of the jury. As the bill reads without the amendment it would not be necessary to take down rulings and orders which were not made in the presence of the jury. Of course, there are many rulings and orders which are not made in the presence of the jury which should be taken down. As the bill reads, the stenographer would have to take down those rulings and orders only which were made in the presence of the jury, but under my amendment the rulings and orders would have to be taken down, whether made in the presence of the jury or not, and only such comments and remarks by the trial judge would have to be taken down as were made in the presence of the jury. It seems to me that these are the only remarks that should be taken down, because the purpose is to enable the parties to get a record on which to set aside a verdict on the ground that the jury was unduly influenced.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. HUSTED. Certainly.

Mr. SAUNDERS of Virginia. I see what the gentleman has in mind, but does not he think that if he puts this amendment in it would still leave it in doubt as to precisely what the sentence will mean? Does he think that the judge in construing the language will give the meaning which the gentleman has just given? It seems to me that it would be doubtful whether it would necessarily carry the meaning which the gentleman has stated.

Mr. HUSTED. I do not see why, if the bill is amended as I propose, it would not require the stenographer to take down those comments only and remarks of the trial judge relating to the case on trial which were made in the presence of the jury.

Mr. SAUNDERS of Virginia. Yes; but my point is that even with that amendment the words "or rulings and orders," in line 9, would also be related to the words "made in the presence of the jury."

Mr. HUSTED. It does not seem to me that that would be a proper construction.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. HUSTED. Yes.

Mr. JONES of Texas. Would not this make it absolutely clear: Instead of inserting the amendment where the gentleman does, insert, after the word "trial," in line 10, where it occurs the second time, the words "when such comment or remark is made in the presence of the jury"?

Mr. HUSTED. That would make it absolutely clear. I think my amendment accomplishes the purpose, but that would certainly put it beyond any question of doubt.

Mr. JONES of Texas. Then, Mr. Chairman, I desire to offer as a substitute for the amendment of the gentleman from New York, that, on page 2, in line 10, after the word "trial," where it occurs the second time, the words "when such comment or remark is" be inserted.

The CHAIRMAN. The gentleman from Texas offers an amendment in the nature of a substitute, which the Clerk will report.

The Clerk read as follows:

Page 2, line 10, after the word "trial," where it occurs the second time in the line, insert the words "when such comment or remark is."

Mr. MANN of Illinois. What has become of the amendment of the gentleman from New York [Mr. HUSTED]?

Mr. JONES of Texas. This is a substitute for that.

Mr. MANN of Illinois. But it does not come in the same place in the bill at all.

Mr. JONES of Texas. Then I ask that mine be considered as pending, if that is correct.

The CHAIRMAN. The Chair has not made any ruling upon it, because no point of order has been directly made.

Mr. MANN of Illinois. I do not think it is necessary to make a point of order to say that an amendment is not in order when another amendment is pending.

Mr. DEWALT. Mr. Chairman, I demand the regular order.

Mr. HUSTED. Mr. Chairman, in view of the fact that I consider the form of this amendment better than the form of the amendment that I have offered, as it puts it beyond any peradventure of doubt, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman from New York asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. JONES of Texas. I now offer the amendment which I heretofore offered.

The CHAIRMAN. The gentleman from Texas renews his offer of the amendment, which the Clerk will report.

The Clerk again reported the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was agreed to.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. This morning I received a letter from Hon. Fred W. Davis, commissioner of agriculture in the State of Texas. Other Members of Congress received a copy of that letter. As it is a

matter of importance, I ask unanimous consent, in my time, to read, out of order, a reply which I sent to that letter.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to read, in his time, a letter, out of order. Is there objection?

Mr. NOLAN. Mr. Chairman, reserving the right to object, does the gentleman intend to insert the letter from the agricultural commissioner of the State of Texas along with his statement?

Mr. BLANTON. I will be very glad to do that if the gentleman would like to have it done. I will ask that it be printed, so that we may not take up the time to read it.

Mr. NOLAN. Under those circumstances I would have no objection.

The CHAIRMAN. Is there objection?

There was no objection.

The letter of Mr. Davis is as follows:

DEPARTMENT OF AGRICULTURE,
STATE OF TEXAS,
Austin, February 14, 1920.

Hon. THOMAS L. BLANTON, M. C.,
Washington, D. C.

MY DEAR SIR: According to press reports, four leading farmers' organizations have memorialized Congress to take all necessary steps to prevent strikes. As a member of the executive board of one of the four organizations, will say that I had no idea any action was even contemplated concerning the fight now raging between organized labor and organized capital. Had I been consulted my protest would certainly have been registered.

Many times the statement has been made that Gompers was trying to get the farmers to pull the chestnuts of organized labor out of the fire, and farmers have been warned to keep hands off; which was good advice. Then why should the farmers pull the chestnuts of organized capital out of the fire? Certainly our farmers are more closely identified with labor than capital.

I hold no brief for either capital or labor, but the memorial deals with an abstract principle of human rights wherein it contends that labor has not the right to strike. It further contends that farmers have no right to strike because the public's interests are paramount. If one class is going to be compelled to work for the benefit of another, or all other classes, who is to be the slave, and who the master? For this is the only state of existence under such a policy. A collection of individuals have the same collective right as each individual has. Must an individual get permission of an officer of the law before he can quit working for another individual? Such a monstrous condition would be worse than Prussianism. Must an organization get permission from an officer of the law before its members can stop working for a corporation? If this doctrine becomes established, not only will industrial workers be immediately enslaved, but farmers will soon fall victims to the same doctrine. They will soon be compelled to sell the fruits of their toil, which represents their wages, at the price which the other fellow offers. Refusal to sell because prices are not satisfactory will run counter to the need and wishes of the public. It will not stop there, for they will be denied the right to quit and move to town after the public's needs have pauperized them, for the public will still sorely need the fruits of their unrequited toil and the town will have no particular use for them. A tenant farmer may be dissatisfied with the price he is receiving for his produce, the terms his landlord exacts, the educational conditions for his children, besides many other grievances, but what difference will that make when the public will starve if the farmers cease to produce. Here again the man who is working the land will be held up, while the man who owns it, but is probably living in town, will escape.

We should not forget that the governor of Kansas, who proposed more than anyone else to force the industrial laborers to continue to work, asked the United States Department of Justice to prosecute southern cotton growers for declaring they would reduce their cotton acreage in order to sell what they had already produced for the cost of production. He argued that the public would suffer if cotton production was curtailed.

The memorial sets up this very argument. It claims that if industrial workers, railroad men, for example, strike, the public will suffer, and the public has rights which the classes must respect. What classes, pray? The public did not charter our railroads to firemen, or engineers, or any other class of laborers. If lives are lost because of wrecks or otherwise, people do not sue the engineers for damages. These workers were not given the right of eminent domain, land grants, money bonuses, freedom from taxation, etc., for the purpose of developing the country and serving the public. Then when the public becomes concerned, why should the laborers who have no charter rights be held responsible and the owners of the roads escape?

It is claimed that the owners are paying all they can afford to pay. But who knows what would be the condition if the water was all squeezed out and excessive salaries which the public pays the officials for managing their own private business, and all their attorneys and lobbyists, were reduced to what these people could command in a competitive field? But this doesn't change the principle. The responsibility to keep the trains running rests upon the owners, not the laborers, and laborers individually and collectively have the right to work for nothing, or refuse a salary which would beggar a prince.

We know if salaries which strikers are getting are high enough, others will be attracted to them. If there is just argument in the contention that the salaries are high, the Government can put a stop to strikes by protecting those who take the places of those who quit. This, in the interest of both the individuals and public, the Government has a right to do. The Government has a right to prevent lawlessness among strikers. It has a right to take people individually and collectively who become a burden upon society because of idleness and put such to doing public work if they are unwilling to do private work, but it has no more right to make a section hand work for wages he doesn't consider fair, and when he doesn't wish to work, so long as the section hand does not become a burden upon the public, than it has to take the millionaire's son and make him work for wages which he would consider not sufficient for cigarette money. The Republic will write its doom when it undertakes to make one class work for another class.

If Congress should act favorably upon the memorial sent them by these four organizations, the farmers will regret it bitterly because its only goal is tyranny.

Yours, respectfully, FRED W. DAVIS,
Commissioner.

Mr. BLANTON. Mr. Chairman, I think I ought to say that the gentleman from Oregon [Mr. MCARTHUR], the gentleman from Louisiana [Mr. O'CONNOR], and others tell me that they received a similar letter, and I take it that other Members of Congress received copies of the letter. The letter which I sent in reply reads as follows:

WASHINGTON, D. C., *February 18, 1920.*

Hon. FRED W. DAVIS,
Commissioner of Agriculture, Austin, Tex.

MY DEAR SIR: Your three-page letter of 14th received, wherein you oppose the farmers' memorial asking Congress to prevent strikes, and you defend strikes by organized labor, and you specially defend the position taken by railroad employees, who have threatened a nation-wide tie-up unless their wage demands are granted, and you conclude by stating that if Congress should act favorably on the memorial sent by the farmers' four organizations regret would follow.

You sent this propaganda letter not only to my Texas colleagues, but Congressman MCARTHUR, of Oregon, and others tell me they likewise received one; hence I take it that you mailed one to each Congressman and Senator.

Not a single posted farmer in Texas will approve of your action. Does the State of Texas pay you a salary to thus waste your time and its stationery and postage in sending such Gompers propaganda to Senators and Congressmen? Have you let the farmers of Texas know the contents of your letter? Don't you know that the farmers bear more heavily than anyone else the burden of all labor strikes? Don't you know that the farmers of Texas favor proper arbitration of all industrial disputes to prevent strikes? Are you trying to hedge on Mr. Gompers's recent pronunciamento by thus assuring him that you are a dependable friend and want to be reelected?

I had hoped that the department of agriculture in my State was administered in the interests of Texas farmers and had other use for its time and money than wasting it in vicious propaganda. I know the farmers of Texas. Every posted, intelligent one of them will condemn your action.

Very sincerely, yours, THOMAS L. BLANTON.

The Clerk read as follows:

SEC. 3. That such official stenographer shall receive an annual compensation to be fixed by the judge not exceeding $2,000, and to be paid in the same manner as other court officials are paid.

In addition to such salary, such official stenographer may charge for any transcript of such notes ordered by any person interested other than a judge of such court 10 cents per folio thereof and 2 cents per folio for each manifold or other copy thereof when so made that it can be made with such transcript, but he shall upon the request of the judge presiding at any trial or proceeding read his notes or make a transcript thereof for the use of such judge without charge. Upon the request of any person interested, and the payment or tender of his fees therefor, such official stenographer shall furnish a duly certified transcript of such notes or any indicated part thereof in words and figures represented by the characters used in making the same.

Mr. HUSTED. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 2, line 24, strike out "$2,000" and insert "$3,000."

Mr. HUSTED. Mr. Chairman, I offer this amendment because I believe that in certain parts of the country the compensation provided for in this bill is inadequate to secure the services of trained experts. I know that in the State which I have the honor in part to represent, outside of the city of New York and the county of Kings, all of the stenographers are paid $3,000 per year. In addition to that they get mileage at the rate of 10 cents a mile, and they get their expenses while in attendance upon court, including their stationery. In the first and second districts the compensation is fixed by the courts, but I understand that in those districts the compensation is even higher.

In order to provide competent stenographers for the courts of the United States I think we will have to increase the compensation fixed in this bill. We want men who can take down the testimony correctly and transcribe it correctly, and I do not believe that we can get men to do that for the compensation provided in the bill, either in the city of New York or in the county in which I reside or in the city of Chicago or in any of the large centers of the country. I realize that this increases the amount of money authorized by the bill, and I regret that fact, but I offer the amendment because I believe it is absolutely necessary. These stenographers have to be highly trained experts. You can not use second-class men for this purpose. You must use the best, and the demand for those men is so great and they are so few in number that you have to pay good salaries in order to get them. I would say, further, that in the State of New York, in addition to the compensation which I have stated, we also give them 10 cents a folio for transcripts of the record.

Mr. DONOVAN. Mr. Chairman, I move to strike out the last word simply for the purpose of indorsing and reiterating what the gentleman from New York [Mr. HUSTED] has said, particularly as it related to the city of New York. I do not believe it is possible to procure in the city of New York a competent

stenographer to take the position on the $2,000 basis. Therefore I am heartily in favor of the amendment and believe it is in the line of economy that the compensation be increased to $3,000 as suggested.

Mr. WELTY. Will the gentleman yield?

Mr. DONOVAN. I will.

Mr. WELTY. Could not that be cured by raising the fees of the stenographers in preparing the transcript?

Mr. DONOVAN. No; I do not think that would, because they get now over $4,000 salary and 10 cents for transcript.

Mr. WELTY. Suppose we make it 5 cents for manifolding instead of 2 cents?

Mr. DONOVAN. In the city of New York the State courts pay, if I recall correctly, $4,500, and it is difficult to get them at that, because the high-grade men generally run their own departments and make vast sums, as has been indicated here. If this bill is to become the law, we ought to have a salary of sufficient size to attract men who can do the work competently.

Mr. BLACK. Did the gentleman state what official stenographers in the district courts in New York City got—how much?

Mr. GRIFFIN. I think it is $4,500.

Mr. BLACK. And fees?

Mr. GRIFFIN. Yes; besides.

Mr. GOODYKOONTZ. Mr. Chairman and gentlemen of the House, we can not measure the salaries of court reporters throughout the United States by the standard of pay for court reporters in New York City any more than we can measure lawyers' fees and judges' salaries and compensation to others by the high standard of value obtaining in New York. The ordinary country lawyer may earn $50 a day in the trial of an action, whereas a lawyer in the city of New York, whose abilities are no more eminent, may command $250 per day. This Congress can not afford to vote a measure into law which will devolve a great lot of salaries upon the American people at this time, and better had this bill be defeated than that we put upon the backs of the people any more burdens of taxation. Now, I concede that the $1,500 salary that is being paid under existing law to the secretary of the Federal judge, which office is being practically abolished by this bill, will not materially increase the expenses of running the Government when we consider the increased facility with which court matters will be dispatched; therefore this measure is really in the interest of economy. But if you are to add an additional $1,000 for each court reporter for each of the 98 Federal district judges in the country, then we are going to impose upon the American people $98,000 more than this bill authorizes. Now, I was elected by a set of people who expected me to come to Washington and vote for economy. When I went back home during the holidays I was met by the taunt that we were not accomplishing what was expected of us, because many of the members of the boards and commissions that formerly infested and swarmed about Washington are still there and the boards and commissions have not been abolished or eliminated——

Mr. GRIFFIN. Evidently the gentleman has not been here and heard the report of the gentleman from Wyoming [Mr. MONDELL], his leader, on the wonderful accomplishments in the way of economy.

Mr. GOODYKOONTZ. Mr. MONDELL justly set forth the large measure of good which we have accomplished in that direction, but I am here to tell you the work ought to be carried 50, 60, or 100 per cent further, and if the pruning knife is severely applied, as it should be, 40,000 or 50,000 employees, "deserving Democrats," will be taken out of harness—I should say office, for they are not working—and sent back to the farms where they belong. [Applause on the Republican side.]

Mr. MANN of Illinois. Mr. Chairman, I would like to make an inquiry with reference to this compensation matter. In many districts court is held in a number of different places. We provide for the traveling expenses of the judge going from his home to the different places for holding court. What compensation would the stenographer get for his traveling expenses, board bills, and so forth? Under this bill, will not he be required to pay all those expenses out of his salary?

Mr. VOLSTEAD. I am not prepared to say whether or not he will. I was assured at one time there was a provision to cover it, but I did not take the pains to look it up.

Mr. MANN of Illinois. Plainly there is no provision in reference to the payment of official stenographers in this respect.

Mr. VOLSTEAD. They become officers of the court. Whether the statute covering the others is broad enough, I do not know.

Mr. MANN of Illinois. Well, I know that will not add to the ease with which to get competent stenographers if they have to pay these expenses.

Mr. VOLSTEAD. Mr. Chairman, just a word, if I may be permitted. I do not think we ought to increase these salaries simply because New York or some other large city may find some difficulty or imagine it will find some difficulty in securing stenographers. Personally it is my impression that they will earn not only $2,000 but earn more than twice that much. That has been the experience as far as I know in our State courts. Let us concede for the sake of the argument there ought to be an increase in New York City. We ought not to extend that all over the country. There is a very simple way of making an amendment that will cover these large cities if we see fit and not spread this expense all over the whole country. I am satisfied that it is absolutely unnecessary. It can not cost any more in the Federal courts than it does in our State courts. It is a well-known fact that in many States the fees provided for in the bill are considered large enough. In my State the amount they receive for transcript is less although we have two cities, Minneapolis and St. Paul, where we have a great deal of litigation. In St. Louis the stenographer only gets $1,800 a year, and he practically gets the same pay for transcripts. Now, if there is any real necessity for any change it ought to be changed so as only to apply to large cities and not cover the whole country. The exceptional cases should not be made use of to increase generally the amount that will have to be borne by the Government under this bill.

Mr. HUSTED. Will the gentleman yield?

Mr. VOLSTEAD. I will.

Mr. HUSTED. I would like to ask the chairman whether he considers in the provision carried in the bill for the fixing of a salary by the judge of not exceeding $2,000 that discretion would be abused in every case by the judges. Does the gentleman think the judges would make the maximum the salary in every case?

Mr. VOLSTEAD. I imagine it will be $2,000 in every case where it may be necessary.

Mr. HUSTED. Or whether in districts where $2,000 was adequate $2,000 would not be fixed, and in districts where $2,000 is wholly inadequate a larger salary would be fixed?

Mr. VOLSTEAD. The gentleman is making a speech instead of asking me a question.

Mr. HUSTED. Well, it was in the form of a question.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. HUSTED].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. HUSTED. Division, Mr. Chairman.

The committee divided; and there were—ayes 16, noes 38.

So the amendment was rejected.

Mr. BEE and Mr. SAUNDERS of Virginia rose.

The CHAIRMAN. The Chair will recognize the gentleman from Texas [Mr. BEE].

Mr. BEE. Mr. Chairman, I offer a couple of amendments, and I ask unanimous consent that I may be allowed to proceed past the five minutes, so that I can discuss the two amendments. They are correlated.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendments.

The Clerk read as follows:

First amendment offered by Mr. BEE: Page 3, line 8, after the word "charge," insert "and when it shall be made to appear to the judge, either by affidavit or otherwise, that a defendant convicted in a criminal cause before said court is too poor to pay for a transcript of the testimony or record, and desires to appeal from the judgment of said court, the said judge shall enter an order directing the said official stenographer to furnish to the said defendant without cost the said transcript aforesaid for the purpose of perfecting his appeal."

Second amendment offered by Mr. BEE: Page 3, line 3, after the word "court," strike out the words and figures "10 cents" and insert the words and figures "15 cents."

Mr. BEE. Mr. Chairman, there has been a good deal of controversy during the course of these proceedings with reference to Federal courts. I want to take advantage of this opportunity to state that, although my experience has been limited in a degree, I have always found the Federal judges to be excellent men and excellent judges and lawyers. I never have joined in the condemnation of Federal judges that has been prevalent over this land. That, however, does not preclude me from saying that I am opposed on principle to the further extension of the powers of the Federal courts. [Applause.] I recall, for instance, in my State, and I suppose it is the same elsewhere, that you can not bring a suit except under a certain amount against the Western Union Telegraph Co. or the Southwestern Telephone Co. without having the cause transferred

to the Federal court, even though they hold a permit to do business from the State court. I think the law ought to be amended, and the Supreme Court, I hope, some day will so decide, that whenever a foreign corporation holding a permit to do business in a State moves to transfer that cause from the State courts into the Federal court it instantly forfeits the permit to do business in the State. Now, having discussed that briefly, I get to my reasons for these amendments.

One of the things that has operated to the unpopularity of the Federal courts is the prohibition against the poor man asserting his rights in such courts. Such a thing as an appeal is almost unheard of, for the reason they are not able to pay the multifarious fees that have accumulated during the course of the trial and that are essential for them to perfect their judgment to the court of appeals. This bill is a step in the right direction. It provides that which ought to have been provided long ago—an official stenographer, whose duty it shall be to take down everything that occurs in the court. But when that is done any man who is unable to pay the cost of the transcript ought not by reason thereof be precluded from asserting his rights in the appellate court. I have not made a careful estimate of the cost of appeal in Federal cases, but I venture this offhand prediction that you can not appeal an ordinary felony case from the Federal court anywhere in this country to a circuit court of appeals under at least $250 to $300, excluding the attorney's fees. In fact, a defendant in the Federal court is confronted with costs and charges at every turn of his proceedings to his absolute discouragement. And it may be that he is guilty. But the fact that he is guilty does not preclude under our form of law and our fundamental Government the right to his day in court, but it is prohibitive under the present statutes. These amendments I have proposed, and to which I direct the attention of the committee, follow the general practice in nearly every State court, that where a defendant makes affidavit or otherwise satisfies the court that he is too poor to pay for the transcript, it shall be the duty of the court, satisfied of that fact, to compel the official stenographer to make that transcript out for him without cost in order that he may perfect his appeal, because without that he will be precluded from his appeal.

The stenographer—and I have no desire to curtail him—is receiving a salary of $2,000 a year. For what? For his attendance on the court. But there is no limitation on the amount that the stenographer can make outside of the $2,000. If the volume of business is heavy enough, and the appeals are of sufficient number, he can make $10,000 a year. In other words, it sometimes happens in the Federal courts that a case will take a month to try, with daily and hourly transcripts of testimony. The stenographer making that transcript oftentimes has the right, and it will be advantageous to him, to hire some one to whom he can dictate his notes through the dictaphone and have them transcribed upon the typewriter. The $2,000 is for the purpose of paying for his attendance in order that he may do that very thing.

Now, I stated at the beginning that the two amendments were correlated. I do not believe that 10 cents a folio is enough, because this bill does not make provision for the traveling expenses of the court reporter. The district judge and the marshal and the district attorney have their traveling expenses provided for and met, but the reporter must pay his own traveling expenses. In the State of Texas, for example, we pay 15 cents a folio. I understand in the State of Illinois they do the same thing, as I am informed, and I do not know how many other States in the Union pay that rate. That 15 cents a folio does not come out of the Government. The Government is only out the $2,000 for the salary to the reporter. The 15 cents a folio, or 10 cents, as the case may be, comes from the litigant, and in the event a defendant has satisfied the court that he is too poor to pay the expense it is borne without cost.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. BEE. Yes.

Mr. MILLER. In how many places in the gentleman's district does the United States court hold terms of court?

Mr. BEE. We have four in the western district of Texas, and they are widely separated. In the district represented by the gentleman from Texas [Mr. GARNER] they go from Houston to Brownsville and Galveston, all about, and it is a considerable expense.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield?

Mr. BEE. Yes.

Mr. RAMSEYER. The gentleman's amendment applies only to defendants in criminal cases?

Mr. BEE. Yes; it applies only to defendants in criminal cases.

Now, there is a question with reference to civil litigation, and I understand my colleague from Texas [Mr. JONES] will refer to that. I wish I had it in my power to write the law of this land and take these people out of the Federal courts and have them spend their time in the State courts, where they belong. It is said, "It must needs be that offenses come, but woe to him by whom the offense cometh," and I suppose there is no remedy for that and we can not help ourselves in that direction.

Let me make this suggestion: Raise this compensation to 15 cents a folio, and you will enable the court reporters to do two things. The additional 5 cents per folio will go toward paying their traveling expenses, which are not now provided for, and at the same time it will compensate them for the free work that they have to do for the unfortunate defendants who are not able to pay their fee. If you keep it at 10 cents and put this amendment on, it might work a hardship.

It is far from my purpose to bring any hardship upon the court reporter. I consider that one of the marvels, almost miracles, of our time is found in the efficiency and the skill and the scientific and literary qualifications of stenographic reporters. When I see them in this House every day, with the variety and kinds of speeches, and the variety of manners in the delivery of them, and I pick up the RECORD the next morning, I marvel at their efficiency; and when I, with my limited experience in the courts, have noticed how accurately they have reported the efforts of lawyers before courts and juries, I marvel more at their efficiency, and I am in favor of such compensation to them as will bring to the court reporters and stenographers in the courts, Federal and otherwise, such a measure of compensation as will reward them for the skill and trouble and study they have devoted to their profession. Mr. Chairman, I ask the adoption of this amendment.

Mr. SAUNDERS of Virginia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SAUNDERS of Virginia. Which one of these two amendments is before the committee?

The CHAIRMAN. The Chair thinks that the one first read will be the first voted on.

Mr. SAUNDERS of Virginia. That is in relation to codefendants?

The CHAIRMAN. Yes.

Mr. VOLSTEAD. Mr. Chairman, I move that the committee rise temporarily.

The CHAIRMAN. The gentleman from Minnesota moves that the committee do now rise. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GREEN of Iowa, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 12486) authorizing the several district courts of the United States to appoint official reporters and prescribing their duties and compensation, had come to no resolution thereon.

RETURN OF THE RAILROADS.

Mr. ESCH. Mr. Speaker, I file the report of the committee of conference on the bill H. R. 10453, the railroad bill, with the exception of the statement.

Mr. GARD. I reserve all points of order.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Conference report on the bill (H. R. 10453) to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended, and for other purposes.

The SPEAKER. Ordered printed under the rule.

Mr. BLANTON. Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from Texas reserves all points of order on the conference report.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that I may have until 10 o'clock to-night to file the statement accompanying the conference report. The conferees did not finish their labors until 12 o'clock, and it will not be possible to complete the statement, perhaps, until midnight to-night.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent between now and 10 o'clock to-night to file the statement accompanying the conference report. Is there objection?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, may I ask the gentleman what we may expect as to consideration and debate on this conference report, and when it will probably be taken up?

The SPEAKER. Is there objection?

There was no objection.

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent that I may be permitted to submit, if I desire to do so, at any time until 12 o'clock to-night my reasons for failing to sign the conference report.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to be permitted to file before midnight to-night a statement of his reasons for failing to sign the conference report. Is there objection?

Mr. WALSH. Well, under what rule is the gentleman authorized to file an individual statement on the conference report?

Mr. BARKLEY. There is not any rule on the subject. I am asking unanimous consent. The conference report is not a unanimous report. In view of my inability to agree to the report I thought it was fair to myself and to the membership that I should have opportunity to file my reasons. I do not know that I shall do it, but I want the privilege of doing so if I wish to.

The SPEAKER. The Chair is not aware that that has ever been done. The Chair thinks it could be done by unanimous consent. Is there objection?

Mr. WALSH. I doubt whether it is wise to establish the precedent of filing minority views on conference reports. Can not the gentleman accomplish the same result by extending his remarks in to-day's RECORD?

Mr. BARKLEY. That is what this would amount to, except that if I am given permission to file minority views the two would go together, and what I have to say will appear in the RECORD at the place where the conference report and statement are printed.

The SPEAKER. Is there objection?

Mr. MANN of Illinois. Reserving the right to object, of course, the statement of the conferees usually does not attempt to argue the merits of the proposition. It usually states only what is done.

Mr. BARKLEY. Yes.

Mr. MANN of Illinois. I suppose the gentleman from Kentucky, if he files his minority views, will make what he says a matter of argument as to what ought to be done.

Mr. BARKLEY. It will not refer to the statement at all. It will simply refer to the conference report, which is composed of a bill that is a substitute for the bills passed by the two Houses.

Mr. MANN of Illinois. It will be an argument, will it not?

Mr. BARKLEY. I do not know whether it will or not.

Mr. WALSH. I trust the gentleman will ask to extend his remarks.

Mr. BARKLEY. It will be merely a statement in explanation of my disagreement to the conference report.

Mr. WALSH. Reserving further the right to object, Mr. Speaker, I trust the gentleman will ask to extend his remarks in the RECORD by way of explanation, rather than to file a statement of his views. I do not think we ought to establish such a precedent, and while this is being asked by unanimous consent I feel that it might in the future lead to a great many requests of a similar nature, and I think the gentleman should ask to extend his remarks in the RECORD, explaining his failure to join in signing the report. If he does that he will be at liberty to set forth his views in an argumentative way.

Mr. BARKLEY. An extension of remarks of that kind would go in the back part of the RECORD, where nobody would see it. My object was to have it accompany the report, where it would be read.

Mr. WALSH. The gentleman can ask to have it extended immediately following the statement.

Mr. BARKLEY. I ask unanimous consent that I may extend my remarks in the RECORD by printing, to accompany the report, a brief statement of my reasons for not signing it.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD by printing, following the statement of the conferees, a discussion of the conference report. Is there objection?

There was no objection.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that immediately after the disposition of business on the Speaker's table on Saturday morning next, the conference report on the railroad bill be taken up, that there be four hours of debate thereon, the time to be equally divided between those in favor of the conference report and those against it, the time of those opposed to the bill to be in control of the gentleman from Tennessee [Mr. SIMS] and the time in favor of the conference report to be under the control of myself, and that at the expiration of that time the previous question be considered as ordered upon the conference report.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that on Saturday next, immediately after the business on the Speaker's table is disposed of, the conference report on the railroad bill be taken up for consideration; that there be not exceeding four hours of debate, half to be controlled by himself in favor and half by the gentleman from Tennessee [Mr. SIMS] against; and that upon the conclusion of the debate the previous question shall be considered as ordered. Is there objection?

Mr. BARKLEY. Mr. Speaker, reserving the right to object, if this agreement is entered into, ordering the previous question at the conclusion of the debate, would it preclude the offering of a motion to recommit the report to the conference committee with or without instructions?

Mr. ESCH. I understand that one motion to recommit would be allowable under the rules, on a conference report as well as upon any other proposition.

Mr. BARKLEY. Further reserving the right to object, this is perhaps the most important legislation that will be considered at this session of Congress or any other session. With the exception of the title of the bill, which governs the issuance of railroad securities, there are many provisions in this conference report that were not in the bill as it passed the House. I should like to ask the gentleman from Wisconsin if he does not think we ought to have at least five hours' debate on this report, in order that Members may be given every opportunity to understand what is contained in it?

Mr. ESCH. As the gentleman very well knows, under the rule only one hour is allowed on a conference report; and I had thought that, by liberalizing the rule and extending the time to four hours, that might be sufficient. I realize that there is a great demand for time, and that those who open the debate on either side may occupy a considerable portion of the time in explanation, leaving very little time, possibly, for other Members to debate the conference report.

Mr. BARKLEY. As the gentleman says, I realize that under the rule only one hour is allowed for consideration of a conference report; but certainly nobody on either side would care to limit the debate on a great conference report of this sort to one hour. If it is limited to four hours, that will mean two hours on a side, which will practically limit the debate to the members of the conference committee. I have an idea that there are many Members of the House who would like to say something one way or the other about this report, and we could very well devote more than four hours to the discussion of it.

Mr. ESCH. Mr. Speaker, I modify my request to this extent, that there shall be five hours of general debate, half the time to be controlled by the gentleman from Tennessee [Mr. SIMS] and half by myself, and that when the House adjourns on Friday night it adjourn to meet at 11 o'clock on Saturday morning, of course with the understanding that the previous question shall be considered as ordered at the expiration of the five hours' debate.

The SPEAKER. The gentleman modifies his request, increasing the time to five hours, with the addition that when the House adjourns on Friday it be to meet at 11 o'clock on Saturday morning. Is there objection?

Mr. BLANTON. Reserving the right to object——

Mr. LITTLE. Reserving the right to object——

Mr. CALDWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CALDWELL. Does this unanimous consent preclude a motion to recommit?

The SPEAKER. The Chair will pass on that question when it arises.

Mr. CALDWELL. I think we are entitled to know what the attitude of the Chair will be on that question before we consent to this request for unanimous consent.

The SPEAKER. The Chair would tell the gentleman if he was certain about it himself; but the Chair admits that he is not at this moment certain about the motion to recommit. Of course, the unanimous-consent agreement would make no difference as to that.

Mr. MANN of Illinois. The precedents clearly are that a motion to recommit to the conference committee, where the Senate has not acted, is in order after the previous question has been ordered. Speaker CLARK on a number of occasions held that a motion to recommit was in order although the previous question was operating.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I want to suggest to the gentleman who has charge of the bill that this is a matter upon which I take it every Member in this House wants to go on record. I do not speak so much for myself, because my position on the bill from the beginning to

the end is well known both here and in my district, and by reason of such fact I have agreed to pair with another Member. But practically all of our colleagues want to go on record, and they will not have a chance to speak within the agreed five hours' debate, because, I take it, as suggested by the gentleman from Kentucky, that most of the time will be taken by members of the committee, who always come first, and this will leave other Members very little time to put themselves on record. They therefore can go on record only by their votes. Why have such an important matter and such an important vote on Saturday when the gentleman knows that a great many Members are then away from the city?

Mr. BEGG. They will be here next Saturday.

Mr. BLANTON. Oh, no; some of them are always unavoidably (?) absent.

Mr. ESCH. Let me say to the gentleman that there is no day which could be set where there would not be some unavoidable absences.

Mr. BLANTON. But Saturday is the worst day you could select.

Mr. ESCH. No; I think not. I wish to state that it is our hope that the bill may be acted upon Saturday. If it is passed by the House, it can not be messaged over to the Senate until Monday morning. That may mean that no action will be possible in the Senate before Tuesday, and on the 1st of March, by proclamation of the President, the roads are to be returned. We can not and we ought not to delay this matter beyond Saturday.

Mr. BLANTON. In that connection, would not the gentleman agree to have the vote on Monday? Many Members usually return then.

Mr. ESCH. No; I do not think anything would be gained by that.

Mr. LITTLE. Mr. Speaker, reserving the right to object, and I shall not object, as has been suggested, under a custom of the House members of the committee have the primary right to speak. I am afraid in a matter like this that they may take up the greater part of the time. Members of the committee have talked about it already, and I hope the gentleman in charge of the time may be able to assure us to-day that those of us who are not members of the committee shall have the opportunity in behalf of our constituents to state our position on the matter.

Mr. ESCH. I shall try and use my best endeavors to permit as many Members to give expression to their views as is possible. I hope that I may not be compelled to use all of the time on our side in explanation of the conference report.

The SPEAKER. Is there objection?

Mr. BLACK. Reserving the right to object, I want to ask a question. The agreement to divide the time, to be controlled by the gentleman from Tennessee on this side and the gentleman from Wisconsin on that side, as I understand, there is on our side——

Mr. ESCH. That is not the way I made the request. It was to divide the time between those in favor of the conference report and those who are opposed.

Mr. BLACK. Yes; but I take it that the gentleman in control of the time on this side will feel that he should yield only to those who are opposed to the conference report. I think we will probably have a good many on our side of the House who will be in favor of the conference report. I would like to know if we are to have some division of the time.

Mr. ESCH. I will state that if there is time left I would be glad to give them some recognition.

Mr. BLACK. That is not satisfactory, Mr. Speaker—"if any time is left."

Mr. ESCH. I hope to be liberal, as I stated to the gentleman from Kansas, and yield to as many as I can who are in favor of the report.

Mr. BLACK. If we can have some understanding that we will have an equitable division of time, I have no further objection.

Mr. ESCH. I will try and do that to the best of my ability.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

OFFICIAL STENOGRAPHERS FOR THE UNITED STATES DISTRICT COURTS.

Mr. VOLSTEAD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12486, providing for official stenographers in the United States district courts.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GREEN of Iowa in the chair.

Mr. JONES of Texas. Mr. Chairman, I offer an amendment to the first Bee amendment.

The Clerk read as follows:

After the word "cause," in the fourth line, add "or the defendant or plaintiff in a civil case, and after the word "defendant, in the last line, insert the words "or plaintiff."

Mr. JONES of Texas. Mr. Chairman, I do not know what the attitude of the committee will be in reference to the Bee amendment, but the purpose of the amendment I offer is to make the Bee amendment apply to both civil and criminal cases, whereas the original amendment applies only to criminal cases. I think it is wise to adopt both these amendments, because there are cases both civil and criminal in which a man, to say the least, ought to have the right of appeal, and yet in which by virtue of his depleted financial condition he is unable to pay the necessary expenses. If I have interpreted both amendments correctly, it makes it within the discretion of the trial court to order a transcript made in the event that the conditions justify such an order.

There are cases, particularly where employees are injured and suits for damages are filed, and in other cases where the heirs are suing for the recovery of certain properties, in which an adverse decision leaves practically no chance to have an appellate court pass on the decision of the trial court, because of the inability of the litigant who happens to lose in the lower court to pay the costs and expenses of an appeal.

I have heard a great deal of criticism of the Federal courts along this particular line. In fact, practically the only criticism that I have heard of Federal courts is the accusation that they are a rich man's court, that a poor man has no chance in these courts. I believe the adoption of these amendments will practically eliminate that accusation by making it possible, when the judge who decides the case feels that the facts justify it, through the filing of an affidavit to permit an appeal without the payment of the costs. I do not believe there is a State in the Union in which the State practice does not so provide. I know that in our State and in one or two of the adjoining States the trial judge may, in his discretion, upon the filing of the necessary affidavits permit an appeal on the part of the party losing, where it is shown to the satisfaction of the court that the particular litigant is unable to pay the expense of such an appeal. There are many cases where the issues of law are nebulous and very close, where a ruling of the court upon a point of law will settle the case in one way, whereas a decision on the same point of law the other way would settle the case in favor of the other litigant. It depends on the particular viewpoint of the judge who tries the case. In the character of case that I have mentioned, it seems to me wise that the litigant should have the right to an appeal, which he does not now have, in view of the expense necessarily attending such appeals in the Federal court. For that reason I think the amendment should be adopted.

Mr. BEE. Mr. Chairman, I ask unanimous consent to modify my amendment by inserting the word "indigent" in place of the word "poor."

The CHAIRMAN. The gentleman from Texas asks unanimous consent to modify his amendment as indicated. Is there objection?

Mr. JONES of Texas. Mr. Chairman, I do not believe the word "indigent" would cover the case. I think the word "poor" is better, and for that reason I shall object.

The CHAIRMAN. Objection is heard.

Mr. GOODYKOONTZ. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Texas [Mr. BEE], as also to the amendment to the amendment offered by the other gentleman from Texas [Mr. JONES]. The general statutory law of the United States makes ample provision for officers' service to poor persons. Any litigant may file his affidavit and proceed in forma pauperis, and this very measure which we are now proposing to enact into law makes the stenographer a court official, and as such he will, if the bill becomes a law, for the first time in the history of the country become subject to the operation of the general law.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. GOODYKOONTZ. Yes.

Mr. JONES of Texas. It has been my experience that they will not order a transcript made, and a man can not appeal in forma pauperis. He may have a trial of the case, and if you make the amendment apply to criminal cases I think, by process of reasoning, civil cases clearly would be excluded.

Mr. GOODYKOONTZ. The action of the judges of the Federal courts in refusing to order a transcript for one of the parties is undoubtedly due to the fact that the judges have no jurisdiction over the stenographers. This bill will make the stenographer the official reporter of the court, and with the enactment

of such a measure into law the reporter will be subject to the general law of the country, as much so as the clerk of the court or the marshal, and be required to serve poor persons free of charge.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. After all, the principal reason for the organization of government is to fix it so that two men can go into a court and have a fair trial of their difficulties instead of fighting it out outside. Anything that conduces to that end is beneficial. I think one of the amendments of the gentleman from Texas [Mr. BEE] and the amendment of the gentleman from Texas [Mr. JONES] are along that line. Unless a poor man has the same chance as the rich man to have a fair trial and appeal, then you have not accomplished the very purpose of the organization of government. If your law is of such a nature that one man has a better chance than the other in the court, then you have not accomplished the purpose of government. The object of government in that respect is to afford a tribunal so that men may have an opportunity there to settle their difficulties and have nothing left to quarrel about. Everyone here knows, who has ever had a case in the Federal courts, who has had to pay the expenses of such an appeal, that that expense is simply outrageous. After you get the stenographer paid you can hardly afford to have the record printed. There is no reason or excuse for that. It may be that this will cost the State a little, but that is what your Government is organized for. There is no better way in the world to spend your money than to use it in seeing to it that one man has as good a chance in court as the other. There is no tax that can be used more sensibly than in an endeavor to give a man a square deal in court.

I believe this law should be passed, so that a poor man can appeal from a civil or a criminal case. I do not believe it should be left to the volition of the judge, who may think that he has decided the case and that it ought to stop there. I think this amendment should be so amended that every man can get an appeal.

As to this addition of 5 cents a folio, I do not believe it is the right thing to do. I think the committee should have adopted an amendment making the salary $3,000, and then it would have gone against the State instead of the various people. I do not know why a man who loses a lawsuit should pay 5 cents extra. I think the stenographer should be paid a reasonable salary, so that the State would pay it and it would be evenly distributed. I do think that amendments should be adopted so that hereafter one man has as good a chance as another in court.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. BEE. My idea of the 15 cents was to compensate the stenographer for the free work that he would have to do for those who are unable to pay, because it is very difficult to get a stenographer for the $2,000.

Mr. LITTLE. I do not think the rich people ought to pay for suits that they are not interested in. Let the State pay that by giving a bigger salary. That is what your Government is for.

Mr. VOLSTEAD. Mr. Chairman, I would like to see if I can have some agreement in relation to time on these amendments. Can we close, say, in 10 minutes? [Cries of "Vote!"]

The CHAIRMAN. Does the gentleman prefer a unanimous-consent request?

Mr. VOLSTEAD. Mr. Chairman, I move that all debate on these amendments close in five minutes.

The question was taken, and the motion was agreed to.

Mr. LANKFORD rose.

Mr. VOLSTEAD. Mr. Chairman, I intend to use some of this time myself, because there has not been anything said in opposition to these amendments. I do not think we ought to adopt either of these amendments. The amendment in line 8 might be a very proper amendment if it was added to the existing law relative to that subject, but I do not believe we should put it into this bill. We have a statute on the subject, and perhaps that statute ought to be amended to cover this sort of a case. Nor do I believe we should raise the fee from 10 cents a folio to 15 cents. I called attention on the floor to the fact that 8 cents is what court stenographers receive in my State. Ten cents, I am told, is the usual fee in many States. We certainly ought not to raise it for the purpose of making the litigants who are able pay the expense of those who are unable to pay, as has been suggested. If there should be a provision such as is offered in the second amendment, the costs of the free service to the poor should be paid by the Government. That is what we require under the existing statute and that is the requirement in State laws wherever provisions are made for poor litigants. It seems to me we ought not to adopt either one of these amendments. We do not want this bill to carry any additional expense over what we pay now for court business.

Mr. BEE. Will the gentleman yield?

Mr. VOLSTEAD. I will.

Mr. BEE. I do not understand that these amendments would carry any additional appropriation. You have not raised the $2,000, and this comes out of the fee of the litigants. How are you adding anything? But you are giving the poor man a chance.

Mr. VOLSTEAD. A good many poor people will have to pay 15 cents instead of 10 cents for a transcript under this amendment. There would be only a few people who would get this exemption you speak of, while persons ordering a transcript would pay 50 per cent more for it.

Mr. BEE. But it is better that ninety-nine go than that one innocent be punished.

Mr. VOLSTEAD. But you punish a good many people who are just as innocent perhaps as those who are poor.

Mr. JONES of Texas. The amendment in reference to raising the pay is not in anyway connected with the first pay amendment which the other gentleman from Texas offered. The question of the relation of the pay is an entirely different matter.

Mr. VOLSTEAD. But it has been argued that they are related. The contention is that 15 cents ought to be paid so as to get enough money for the stenographer to pay for those who are unable to pay.

Mr. JONES of Texas. But the second amendment may or may not be adopted.

Mr. PARRISH. Mr. Chairman, if the gentleman will permit, I would like to ask the chairman of the committee if there is any provision in the law by which the defendant may get the benefit of a record on appeal, who is too poor to pay for same?

Mr. VOLSTEAD. I doubt that. There is the statute authorizing the Government to pay certain expenses of poor persons, but I can not say that it would apply to the payment for a transcript.

Mr. PARRISH. Does not the gentleman think that the amendment of the gentleman from Texas [Mr. BEE], especially as to criminal cases, ought to be adopted and a further provision adopted providing that the expenses be paid by the Government?

Mr. VOLSTEAD. It ought to be paid by the Government.

Mr. PARRISH. I agree with the chairman that the increase of the price from 10 to 15 cents puts that additonal burden on the litigants.

The CHAIRMAN. The time of the gentleman has expired; all time has expired. The question is on the amendment offered by the gentleman from Texas [Mr. JONES].

Mr. RAKER. Mr. Chairman, may we have the amendment again reported?

The amendment was again reported.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. Now, the question is on the first amendment offered by the gentleman from Texas [Mr. BEE] as amended.

The question was taken, and the Chair announced the noes seemed to have it.

Mr. BEE. Division, Mr. Chairman.

The committee divided; and there were—ayes 20, noes 16.

So the amendment was agreed to.

Mr. JONES of Texas. Mr. Chairman, I wish to offer an amendment to the amendment which has just been adopted.

Mr. STEVENSON. You can not do that.

Mr. JONES of Texas. Can I not offer an amendment, this being the same paragraph, to this particular amendment?

The CHAIRMAN. Does the gentleman mean to the amendment just adopted?

Mr. JONES of Texas. I ask unanimous consent to modify the amendment in this way: The original amendment says, "when it is made to appear to the court by affidavit or otherwise." I wanted to strike out "by affidavit or otherwise" and insert "when it is made to appear to the satisfaction of the court." I think that would be better.

Mr. RAKER. Mr. Chairman, let the amendment be read as it is now, with the suggested amendment.

The CHAIRMAN. The amendment as adopted will first be read.

The amendment was again reported.

The CHAIRMAN. The Chair will now inquire of the gentleman from Texas what his unanimous-consent request is?

Mr. JONES of Texas. I was simply trying to make it more in the discretion of the court. I suggested they strike out "the

judge by affidavit or otherwise" and insert "to the satisfaction of the court," so that it would be made to appear to the satisfaction of the court.

The CHAIRMAN. The gentleman from Texas [Mr. JONES] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas to the amendment just adopted: Strike out the words "to the judge, either by affidavit or otherwise," and insert in lieu thereof "to the satisfaction of the court," so that the amendment will read:

"When it is made to appear to the satisfaction of the court that a defendant convicted in a criminal cause"—

And so forth.

The CHAIRMAN. Is there objection?

Mr. BEE. Reserving the right to object——

Mr. WALSH. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. MILLER. Mr. Chairman, I have an amendment.

The CHAIRMAN. The Chair would suggest that there is another amendment offered by the gentleman from Texas, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BEE: Page 3, line 3, after the word "court," strike out the words and figures "10 cents" and insert the words and figures "15 cents."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. WALSH and Mr. VOLSTEAD demanded a division.

The committee divided; and there were—ayes 15, noes 19.

So the amendment was rejected.

Mr. MILLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MILLER: Page 3, line 13, after the word "same," strike out the period and insert a comma, and add the following:

"*Provided*, That nothing in this act shall prohibit counsel of record in proceedings other than criminal to agree upon and employ a stenographer of their own selection, who shall be sworn in all cases in the same manner as the official stenographer."

Mr. MILLER. Mr. Chairman and gentlemen of the committee, this bill gives a monopoly of all court reporting in the Federal court to the official court reporter.

Every member of the committee who has had extensive practice in the Federal courts knows that there are all kinds of stenographers, all kinds of court reporters, and many of them have reporters of their own, that are available for such work. I know of many attorneys in my town that have agreements with firms doing stenographic work, reporting these cases in the Federal court.

I am one of those who do not believe in giving a monopoly to anybody. You take large centers, where there is heavy practice in the Federal courts, and those men will get all the practice, civil and criminal, and no reporter under this bill, other than the official reporter, can report any case in the United States courts.

Now, it occurs to me that that is a bad practice. We all ought to be privileged, when we make an agreement with counsel of record on the other side, to have the selection of a reporter of our own appointment, and we may be able to get him much cheaper than the official one. It seems to me that the amendment speaks for itself and the salutary purpose it will serve. I know in my own town the United States court meets every day in the year. Under our condition if this act becomes a law nobody can report a case except this official reporter, and it will be impossible to get a record cheaper than the rate we lay down in this bill, whereas if counsel of record had the right to agree upon and employ their own reporter, they may do it much cheaper. Court reporting now is a business, and it being a business, we ought to be permitted to purchase the services of anyone we see fit, just so he is agreeable to the counsel in the case and the court. Every one in this business will be driven out except the man who has this monopoly.

Mr. WALSH. Mr. Chairman, the gentleman from Washington [Mr. MILLER] has well said that "the amendment speaks for itself." It would in my opinion practically destroy the object and purposes of this bill. You can not have half a dozen official stenographers for each Federal court, as the particular stenographer may be the pet of a particular law firm.

The object of this provision in the bill is to provide an official for the court who shall be known as the official stenographer, whose duties shall be prescribed, who shall be paid from the Federal Treasury.

This is not establishing a monopoly any more than because we select one particular judge to be the judge of a court we are setting up a monopoly, or that when we take one particular man for the clerk of the court we are establishing a monopoly, or that when we pick out one particular attorney to be United States attorney for that district we establish a monopoly. We are providing an extra official for this court, an official stenographer, an institution which has been set up in pretty nearly every State in the Union that has a court system of records, and under the modern practice we employ the stenographer and make him one of the officials of the judicial system. It seems to me it would tend to uniformity and reliability if we had one man, with authority in cases of emergency to provide a substitute, who should be known as the official stenographer.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. HUSTED. I would like to ask the gentleman how long he thinks the official stenographer would want to hold the munificent position at a salary of $2,000 if the best part of his business, that of making transcripts in large cases, were taken away from him by private stenographers?

Mr. WALSH. Not long, I submit, if he is a competent man and you are going to deprive him of the compensation which is provided for in this bill by way of furnishing transcripts. It would seem to me that the provision of the bill is fairly liberal, and that nobody need have any fears that we are establishing any great destructive monopoly that is going to crush out and destroy the liberties of the human race.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. The question is on agreeing to the motion offered by the gentleman from Washington [Mr. MILLER].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. MILLER. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 5, noes 24.

Mr. GOODYKOONTZ. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from West Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GOODYKOONTZ: Page 3, subjoin a new section, to be known as section 4, and reading as follows:

"SEC. 4. In event a party to a judicial proceeding shall desire to take an appeal or apply for a writ of error or certiorari from a judgment, order, or decree, as the case may be, entered therein, and shall procure for use in that connection a transcript of the evidence, he may require the stenographer to incorporate in the certificate a statement of the amount paid therefor, and in event the judgment, order, or decree complained of is reversed, the amount so paid shall be taxed as part of the costs recovered thereon."

Mr. SAUNDERS of Virginia. Mr. Chairman, that amendment is not in order now.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. SAUNDERS of Virginia. I simply call the attention of my friend from West Virginia to the fact that his amendment would cut off any further amendments to the pending section, because he is offering a new section. If we allow the pending section to be passed by, and take up a new one, that would cut off any further amendment to the section so passed by.

Mr. GOODYKOONTZ. I have no desire to effectuate any such result as that.

Mr. SAUNDERS of Virginia. That would be the parliamentary situation. The gentleman's amendment is a new section.

Mr. GOODYKOONTZ. I withhold my amendment for the present.

The CHAIRMAN. Without objection the gentleman's amendment will be temporarily withdrawn.

Mr. SAUNDERS of Virginia. Mr. Chairman, I wish to ask the chairman of the committee what is meant by the words in line 5, page 3? This section provides for compensation for the transcript, 10 cents per folio thereof, and 2 cents per folio for each manifold or other copy thereof "when so made that it can be made with such transcript."

What do those words mean? I can not figure out that they mean anything, and I have not found anybody else who has been able to explain to me their meaning.

Mr. VOLSTEAD. It means simply a manifold or carbon copy made at the same time with the original.

Mr. SAUNDERS of Virginia. But this says "when so made that it can be made with such transcript."

Mr. VOLSTEAD. That is copied from an old statute.

Mr. SAUNDERS of Virginia. Whether the language is old or new, I am trying to find out what it means. If a copy can not be made, there is no use to make any provision about it, and when you have provided that there shall be compensation for copies, of course that provision carries with it the implication that the copies can be made.

I move to strike out that language, "when so made that it can be made with such transcript," because I do not believe that they convey any meaning. I think some words have been left out in that connection.

Mr. VOLSTEAD. Nothing has been left out.

Mr. SAUNDERS of Virginia. What do the words mean, "when so made that it can be made"?

Mr. VOLSTEAD. It is intended to cover this situation: The stenographer might refuse to make a manifold or carbon copy, and insist on getting 10 cents a folio for each transcript. Now, if the second copy is requested at the same time that the original is ordered, so that the manifold can be made at the same time, then 2 cents is all that the stenographer will get for the carbon copy.

Mr. SAUNDERS of Virginia. That is not the way the section reads. The section provides that the fee shall be 10 cents per folio for the transcript, and 2 cents per folio for each manifold, or other copy. That language provides the fee for all copies that may be made. It does not make any difference how the copies are made. The fee is 2 cents for each copy. I have conferred with a good many of my brethren, and I have not found anybody who could explain the meaning of the words quoted.

Mr. WALSH. It simply means 2 cents a folio for carbon copies.

Mr. VOLSTEAD. It means 2 cents a folio for carbon copies made at the same time as the original.

Mr. SAUNDERS of Virginia. What do the words mean, "when so made that it can be made with such transcript"? A copy may be made from the transcript by the use of carbon or some other device, but the copy is not made, so that it can be made.

I move to strike out the words in line 5, "when so made that it can be made with such transcript."

I am heartily in favor of this measure, but these words should be stricken as meaningless, and therefore a blot on the bill.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Virginia.

The Clerk read as follows:

Amendment offered by Mr. SAUNDERS of Virginia: On page 3, line 5, after the word "thereof" strike out the words "when so made that it can be made with such transcript."

Mr. VOLSTEAD. I offer an amendment to that, to strike out the words, in line 5, "so made that." Then it will read:

And 2 cents per folio for each manifold or other copy thereof when it can be made with such transcript.

Mr. DEWALT. Will the gentleman allow an interrogatory there? Suppose it can not be made with the transcript. Then what is the stenographer to get?

The Clerk read as follows?

Amendment offered by Mr. VOLSTEAD to the amendment offered by Mr. SAUNDERS of Virginia: Page 3, line 5, strike out the words "so made that."

Mr. DEWALT. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. DEWALT. Suppose that it could not be made with the transcript. Then what is the stenographer to receive?

Mr. VOLSTEAD. He will get 10 cents for the transcript. But when it can be made at the same time he will only get 2 cents. That is for the purpose of avoiding a duplicate charge.

Mr. SAUNDERS of Virginia. That raises another difficulty. You do not make copies with transcripts; you make copies from transcripts.

Mr. DEWALT. May I interrupt? It seems to me that what the gentleman desires is that if the copies can be made at the same time as a duplicate of the original, then the stenographer shall receive 2 cents.

Mr. VOLSTEAD. Yes; and 10 cents for the other.

Mr. DEWALT. But if he can not make the copies at the same time he gets 10 cents?

Mr. VOLSTEAD. That is it.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SAUNDERS of Virginia. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNSTON of New York. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. JOHNSTON of New York. Ordinarily the transcript means the first original copy that is made by the typewriter machine. The most copies that any stenographer can make for practical purposes are four additional carbon copies.

Mr. SAUNDERS of Virginia. Those are made from the transcript.

Mr. JOHNSTON of New York. No; they are made at the same time.

Mr. SAUNDERS of Virginia. They are made by carbon paper put into the machine.

Mr. JOHNSTON of New York. Yes. Let us assume that there is a case of where there are 10 defendants. You have one transcript and need nine additional copies. If this amendment prevails you will have the first defendant who gets the original transcript paying 10 cents. The next four will be 2 cents and the additional five will be compelled to pay 10 cents for each carbon copy. That is manifestly unfair.

Mr. SAUNDERS of Virginia. That would be unfair. The proper thing to do is to strike out the language that I have moved to strike out. Then every time a transcript is made it would be paid for at the prescribed rate, and for the copies that could be made the stenographer would be paid 2 cents.

Mr. JOHNSTON of New York. If you strike out the language you suggest you are making each manifold copy 2 cents, no matter when it is made.

Mr. SAUNDERS of Virginia. Every time the stenographer made a transcript he would charge 10 cents, but for every carbon or other copy he would get 2 cents.

Mr. MACCRATE. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. MACCRATE. Subsequent to the first set of carbons, if new orders for transcripts were given, if you strike out these words, the stenographer will only get 2 cents.

Mr. SAUNDERS of Virginia. Not at all. He would get 10 cents per folio for the transcript and 2 cents for the carbon or other copy.

Mr. MACCRATE. It will be an original.

Mr. SAUNDERS of Virginia. Then, as I have stated, he will get 10 cents.

Mr. MACCRATE. But it will be a copy of the old work.

Mr. SAUNDERS of Virginia. No; it would be another transcript of the stenographic notes. He would need the transcript to make the copy or copies.

Mr. MACCRATE. I suggest that the language in the bill as it is carries out the intention.

Mr. SAUNDERS of Virginia. If anyone can explain that language in the bill, to wit, "so made that it can be made," I would like to hear that explanation. Mr. Chairman, I move to strike out the language suggested in my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota to the amendment of the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr. SAUNDERS of Virginia) there were 21 ayes and 8 noes.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment as amended.

The amendment as amended was agreed to.

Mr. PARRISH. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Strike out the period at the end of the Bee amendment and insert the following: "And the cost of such transcript of testimony or record shall be paid by the Government."

Mr. VOLSTEAD. Mr. Chairman, there is no objection to that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, I move that all debate do now close——

Mr. RAKER. Mr. Chairman, I have an amendment which I desire to offer, on page 3, line 9——

The CHAIRMAN. Does the gentleman from Minnesota insist upon his motion.

Mr. VOLSTEAD. I move to close debate in five minutes on all amendments to the bill.

The CHAIRMAN. The gentleman from Minnesota moves to close debate on this amendment and all amendments to the bill in five minutes.

The motion was agreed to.

Mr. RAKER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 3, line 9, strike out the word "interested."

Mr. RAKER. Mr. Chairman, I merely want to remark that I think this word ought to be eliminated, because this restricts anyone from going into the public record and getting a copy.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California.

The amendment was rejected.

Mr. RAKER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

After the proviso of the Bee amendment insert: "*Provided*, That the official stenographer shall, within 10 days after taking said notes, file with the clerk of the court his official shorthand notes of the trial, testimony, and proceedings so taken by him, and when said notes are so filed they shall become a public record."

Mr. RAKER. Mr. Chairman, I just want to say one word on this. The first amendment just offered by me and rejected is unfortunate. This will help to correct it. There is no court proceedings in any civilized country, at least in America, where anyone is prohibited from getting a transcript of the testimony and proceedings in the case or copy of the record. Let us pass that, however. This amendment now makes the official stenographer's shorthand notes a public record, and in all of the States they are required to file them within so many days after the completion of the taking of the notes, so that anyone may go and look at the notes. They are a public record, and a change of them is just like a change of any other public record. There should be some restriction, some safeguard put around those notes, and some one should have charge of them except the reporter. In every court you will find the notes after being taken are required under penalty to be filed with the clerk and to remain a public record.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken; and on a division (demanded by Mr. RAKER) there were—ayes 12, noes 24.

So the amendment was rejected.

Mr. VOLSTEAD. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. GOODYKOONTZ. Mr. Chairman, I offered an amendment which was withheld, and I would like to have it acted upon now.

The CHAIRMAN. The Chair thinks that the gentleman from West Virginia, having withheld his amendment with the understanding that he would be permitted to return to it, has the right to offer that amendment now.

Mr. GOODYKOONTZ. I offer the amendment.

Mr. SAUNDERS of Virginia. The gentleman has the right to offer an amendment. So long as any member of the committee wishes to offer an amendment to the pending bill, the committee can not rise.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GOODYKOONTZ: Page 3, subjoin a new section to be known as section 4, and reading thus:

"SEC. 4. In event a party to a judicial proceeding shall desire to take an appeal or apply for a writ of error or certiorari from a judgment, order, or decree, as the case may be, entered therein, and shall procure for use in that connection a transcript of the evidence, he may require the stenographer to incorporate in the certificate a statement of the amount paid therefor, and in event the judgment, order, or decree complained of is reversed the amount so paid shall be taxed as part of the cost recovered thereon."

Mr. WALSH. Mr. Chairman, I reserve a point of order.

Mr. GOODYKOONTZ. Mr. Chairman——

The CHAIRMAN. The Chair is of the opinion that debate on the preceding section having been closed that therefore debate upon this new section is now closed.

Mr. SAUNDERS of Virginia. Before the Chair finally makes that ruling I would like to make a suggestion to the Chair that the closing of debate on one section of a bill can not possibly operate to close debate on a new section that is not offered by virtue of its relationship to the preceding section, but as an independent section. That is the present situation. This is an entirely new section, not offered as being germane to the preceding section, but as an independent section germane to the bill. There was an intimation made from the Chair some time by another Chairman that when debate had been closed on a section and amendments thereto that this would operate to forbid debate on an amendment to the bill offered as a new section; but that ruling has never been formally made. I would ask the Chair before making his ruling to consider for a moment——

The CHAIRMAN. The Chair would be very much inclined to agree with the gentleman's argument in the first instance, but the Chair thinks he has been foreclosed by a previous decision.

Mr. SAUNDERS of Virginia. Not a well-considered previous decision. I noticed a few days ago that a Chairman of the Committee of the Whole found no difficulty in overruling a former Speaker of the House, Mr. CLARK, in respect to whether a motion to strike out was always in order. Mr. CLARK held time and again that a motion to strike out was always in order and that the question of germaneness did not apply to it. Yet a Chairman of the Committee of the Whole—I think it was Mr. HICKS—overruled Mr. CLARK very positively, so that all antecedent decisions are not by any means being followed.

By what sort of reasoning can the fact that debate has closed upon one section of a bill, operate to foreclose debate on a new section which is not offered as an amendment by reason of any relationship to the preceding section? Upon what principle would such a ruling rest? It is perfectly competent to foreclose debate on a section, and all amendments thereto. That is frequently done. But the very statement of the motion shows that it does not apply to a situation in which an amendment is offered, not by virtue of the fact it pertains to that particular section, on which debate is closed, or any other section of the bill, but by virtue of the fact that it is germane to the bill as a whole and is therefore offered as an independent section. It will be perfectly competent to make this motion to close debate as to this new section after debate proceeds for a while with respect to the same, but I submit, Mr. Chairman, that this proposed section is not related to the antecedent section in anywise. It is therefore not an amendment that depends upon that section, and hence the motion to close debate on that section by its own terms of limitation does not apply to the new section which is now offered simply as an amendment to the bill generally and not to any particular section of the bill.

The CHAIRMAN. The Chair thinks the rulings had better be harmonious.

Mr. SAUNDERS of Virginia. Permit me to make this suggestion. Suppose this amendment had not been offered immediately following this particular section on which debate had been closed but two or three sections had been read and it was then offered as an amendment as a separate and independent section? Would the fact that at some time in the consideration of the bill, debate had been closed on some antecedent section, preclude debate upon the section offered as a new and independent section? That would seem to be the necessary consequence of this ruling, since this section now offered is just as independent of the antecedent section, as it would be if offered after two or three sections had been read. It is in nowise related to the antecedent section, and its parliamentary status is not affected by the motion which has been made in relation to that section.

The CHAIRMAN. That matter will be passed upon by the Chair when it arises.

Mr. GOODYKOONTZ. Mr. Chairman, I ask unanimous consent to speak for one minute on this subject.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent to speak for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. GOODYKOONTZ. Mr. Chairman, the amendment I have offered simply gives the right to the prevailing party in the appellate court to have the cost of the transcript taxed as part of his recovery in the appellate court.

Mr. RAKER. Is not that the law now?

Mr. GOODYKOONTZ. No; it is not the law. The chairman of the committee and myself examined the general statutes and we were unable to find any specific authority for the taxing of the cost of the transcript. A condition like this is generally taken care of in the statutory law of the States, although in my own State, West Virginia, the cost of the transcript can not be recovered, according to an opinion of the supreme court of appeals of that State. The question has been ruled on by that court, and an effort has been made to secure the passage of an act through the State legislature to remedy the situation.

Mr. WALSH. As I caught the reading of the amendment, it provides for taxing of costs. That is not, certainly, germane in a bill authorizing several district courts to appoint official stenographers and prescribing their duties. That is a matter for the judicial code. This is a bill to authorize the appointment of official stenographers and to prescribe their duties. Now, the amendment goes into what shall be taxed as costs under certain conditions. I do not think it ought to be affixed to this bill. If it is necessary in proceedings in Federal courts to revise the authority for taxation of costs, that ought to be done in the proper and regular way—should not be injected into a measure prescribing for official stenographers. I make the point of order it is not germane.

Mr. GOODYKOONTZ. Mr. Chairman, this bill goes further than that. It provides for the appointment of a court reporter, and it provides for payment of compensation to him for these transcripts and imposes a liability upon litigants, and it can at the same time make provision for the recovery of the amount that the litigant is required to disburse in the way of costs. It is a new provision of law that the bill carries, and it can very well take care of the incidental matter that I have mentioned.

The CHAIRMAN. The Chair is ready to rule. The bill, as the gentleman from West Virginia [Mr. GOODYKOONTZ] states, does provide for the appointment of a stenographer and for his

compensation, but it nowhere makes provision with reference to the action of the court or any directions as to how the court shall proceed. The last part of the amendment of the gentleman from West Virginia would require the court to tax a certain amount as costs and therefore applies to the action of the court. In the opinion of the Chair, the amendment is not in order.

Mr. VOLSTEAD. Mr. Chairman, I move that the committee do now rise and report the bill to the House with amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. GARD. Will the gentleman yield?

Mr. WALSH. Mr. Chairman, I make the point of order that the motion is not debatable.

The CHAIRMAN. The point of order is sustained. The question is on the motion of the gentleman from Minnesota [Mr. VOLSTEAD].

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GREEN of Iowa, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12486) authorizing the several district courts of the United States to appoint official stenographers, and prescribing their duties and compensation, and had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. VOLSTEAD. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. VOLSTEAD, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. GARD. Mr. Speaker, I make the point of order there is no quorum present.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

Mr. WOOD of Indiana, from the Committee on Appropriations, reported the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, which was referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. GARD. Mr. Speaker, I reserve all points of order on the bill.

CONFERENCE REPORT—ZONING COMMISSION.

Mr. MAPES, from the Committee on the District of Columbia, presented a conference report on the bill (H. R. 6863) to regulate the height, area, and use of buildings in the District of Columbia, and creating a zoning commission, and for other purposes, for printing in the RECORD under the rules.

ADDITIONAL PRINT OF CONFERENCE REPORT ON RAILROAD BILL.

Mr. DEWALT. Mr. Speaker, I present a unanimous-consent request that 1,500 additional copies of the conference report on the railroad bill be ordered printed for the use of the House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3202. An act granting leave of absence to officers of the Coast Guard, and for other purposes; and

S. 3722. An act to grant the consent of Congress to the Alfords Bridge Co. to construct a bridge across the Savannah River.

RESIGNATION OF MEMBER.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 18, 1920.

Hon. F. H. GILLETT,
Speaker House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I desire to tender my resignation as the sitting Member from the fifth Virginia district, this resignation to be effective on February 29, 1920.

Sincerely, yours,

E. W. SAUNDERS.

LEGISLATION FOR THE FARMER.

Mr. LANKFORD. Mr. Speaker, it is so easy for us to get our minds off of the real issue, and among the mass of bills pending here we are apt to lose sight of the all-important task before us. I refer to the task of legislating first, last, and all the time for the producer, and especially for the farmer. If we do this, we can never go wrong. All our success as a Nation springs from the success of the farmer.

How are we to solve the problem of the high cost of living, which, like Banquo's ghost, will not down? The answer is by a greater production. Where must it come from? The answer is from the farmer. I repeat, How are we to solve the question of the high cost of living? The answer is help the farmer and he will solve it.

Every bill here can be determined a good bill or a bad one by answering in our hearts the question, Will it help the farmer?

Let us see if I am right about this. What about universal military training. Will it help the farmers or hurt them for their boys to be forced into a military camp at an immense expense to the taxpayers? I think it will hurt the farmer and thus hurt our Nation, and I am opposed to it for this and other reasons.

What about the thousands of undesirable people that are flocking to our country? Are they helping the laboring man and the farmer? I say no. So I am opposed to filling this country up with people who do not love our Nation, who do not respect our flag, and who are opposed to everything for which our forefathers fought.

What about the railroad bill now in conference? How are we to vote on it? I will tell you: Read it carefully and prayerfully, and as you read search your heart as to each provision with the burning question, What is best for the great mass of common folk, for the laboring man, and for the farmer? Then vote as your conscience leads you and you will not go wrong.

Let us apply the test to one idea in the bill as an example. What about the short-line railroads? Do they help the farmers? Yes; for in many sections they carry the means of transportation to his very door, and in all instances they are the feeders for the big lines and help to perfect our great railroad system which, when properly controlled, means so much to our farming interests.

Then I am in favor of legislation for the short lines, for when I help legislate for the short lines I help legislate for the producer and the farmer.

Legislation for the producer is legislation for the consumer. It is legislation for everybody.

Mr. Speaker, I repeat, the solution of every problem here is found in the answer to the question, Will it hurt the farmer?

A canal has been proposed across a part of my district in Georgia. Am I in favor of it? The answer to this question is found in the answer to the question, Will the canal help the farmers of my district or hurt them? I am first, last, and all the time in favor of a sea-level canal through the low, flat lands near the Okefenokee Swamp, because such a canal would be very valuable not only to our Nation but also would be very valuable to many people of my district for drainage purposes.

But when there is a suggestion to not drain the Okefenokee Swamp, but to dam it and hold water in it and flood and water-soak all the low, flat lands for miles and miles around the swamp, in order to get a lock canal built through the Okefenokee, then I am opposed to the canal.

My very being shudders at the idea of causing hundreds of people in Clinch, Charlton, Ware, Atkinson, Echolls, and other counties to have to give up their homes on account of water being backed up in streams that flow into the Okefenokee.

Mr. Speaker, the people of my district need drainage in several counties adjoining the Okefenokee Swamp. I favor with my whole heart a sea-level canal which would be in furtherance of a general drainage scheme.

I find myself rebelling against any system of locks and dams to hold water for canal purposes. We do not need something to lock the water in the Okefenokee; we need a key to let the water out of the Okefenokee and surrounding territory. I find myself favoring a canal that will help the people of my district; not one to hurt them. Will it help the farmer or hurt him? Answer that question and you will know how I will vote. I voted against the so-called daylight-saving law because it was an injustice to the farmer.

I prepared and secured an amendment to the prohibition bill so as to protect innocent holders of liens and so as to maintain our credit system for the common folks and for the farmers.

I blocked, had stricken from the calendar, and prevented the passage of a bill by Mr. DYER, of Missouri, to try to find a substitute for wooden crossties, because I saw it was an effort to injure the people of my section who own pine timber. I believe that no substitute can be found for wood ties. The price would be run down and yet wood ties used.

Mr. Speaker, when an effort was made last fall to tax potash and run the price of guano up and cost the farmers of Georgia about $20,000 per county per year extra, I fought the measure

by speeches on this floor and in every way I could. I am glad that by the help of others the bill has never passed.

When a bill was up to educate cripples, crippled in factories, I tried to amend it by providing that boys crippled on the farm should also be helped by the Government. My amendment lost by only a few votes.

I am now studying day and night on a bill which I intend to introduce to cut out so much profit of the middle man and bring the producer and consumer closer together and help the farmer get more for his products and help the consumer get better food more cheaply. I hope to offer a bill along this line soon.

Mr. Speaker, we must legislate for the farmer if we want to legislate for our people and for our homes and for our great Nation.

Mr. GARD. Mr. Speaker, I make the point there is no quorum present.

ADJOURNMENT.

Mr. VOLSTEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 22 minutes p. m.) the House adjourned until Thursday, February 19, 1920, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12351) to extend the time for the construction of a bridge across the Roanoke River in Halifax County, N. C., reported the same without amendment, accompanied by a report (No. 643), which said bill and report were referred to the House Calendar.

Mr. WEBSTER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12164) to authorize the construction of a bridge and approaches thereto across the Columbia River, between the towns of Pasco and Kennewick, in the State of Washington, reported the same without amendment, accompanied by a report (No. 644), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12213) authorizing F. R. Beals to construct, maintain, and operate a bridge across the Big Nestucca River, in Tillamook County, Oreg., reported the same with amendments, accompanied by a report (No. 645), which said bill and report were referred to the House Calendar.

Mr. WINSLOW, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 11756) to extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield, in Hampden County, Mass., reported the same with amendments, accompanied by a report (No. 646), which said bill and report were referred to the House Calendar.

Mr. BARKLEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 3779) to authorize the Ozark Forest road improvement district of Baxter County, Ark., to construct and maintain a bridge across the White River, near Norfork, Ark., reported the same without amendment, accompanied by a report (No. 647), which said bill and report were referred to the House Calendar.

Mr. PARKER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 3813) to authorize the construction of a bridge across Lake Champlain between the towns of Shoreham, Vt., and Ticonderoga, N. Y., reported the same with an amendment, accompanied by a report (No. 648), which said bill and report were referred to the House Calendar.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12160) authorizing the construction of a bridge and approaches thereto across Red River at a point a little east of north of Nocona, in Montague County, Tex., reported the same with an amendment, accompanied by a report (No. 649), which said bill and report were referred to the House Calendar.

Mr. FESS, from the Committee on Education, to which was referred the bill (H. R. 12266) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, reported the same without amendment, accompanied by a report (No. 651), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WOOD of Indiana, from the Committee on Appropriations, to which was referrred the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, reported the same without amendment, accompanied by a report (No. 652), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 5201) granting a pension to James D. White, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. VOLSTEAD: A bill (H. R. 12603) to prevent fraud respecting securities offered for sale and to provide a summary proceeding therefor, and for other purposes; to the Committee on the Judiciary.

By Mr. TREADWAY: A bill (H. R. 12604) to authorize the Secretary of War to transfer to the Federal Board for Vocational Education certain machines, appliances, tools, equipment, and other supplies under the control of the War Department; to the Committee on Military Affairs.

By Mr. ROUSE: A bill (H. R. 12605) for the establishment of branch post offices or stations beyond the corporate limits or boundaries of any city or town in which the principal office is located; to the Committee on the Post Office and Post Roads.

By Mr. O'CONNELL: A bill (H. R. 12606) to save daylight and to provide standard time for the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. LEHLBACH: A bill (H. R. 12607) to amend an act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes," approved July 11, 1919, to include members of the Regular Army Reserve and the Naval Reserve Force in the civil-service preference therein provided; to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 12608) providing for the employment by the United States Government of disabled soldiers and sailors of the United States, and prescribing the preference to be extended to them in filling clerical and other vacancies; to the Committee on Reform in the Civil Service.

By Mr. ROGERS: A bill (H. R. 12609) to define the provisions of the Constitution of the United States relating to the inability of the President; to the Committee on the Judiciary.

By Mr. WOOD of Indiana: A bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. BLANTON: A bill (H. R. 12611) to meet the present print-paper emergency, by directing the Postmaster General to establish proper rules and regulations limiting the number of pages in newspapers entitled to transmission through the United States mails; to the Committee on the Post Office and Post Roads.

By Mr. IRELAND: Resolution (H. Res. 466) providing for a clerk to the Committee on Disposition of Useless Executive Papers; to the Committee on Accounts.

By Mr. FESS: Joint resolution (H. J. Res. 297) providing for an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. MOORE of Virginia: Joint resolution (H. J. Res. 298) to authorize a select joint committee on the organization, activities, and methods of business of the administrative branch of the Government; to the Committee on Rules.

By Mr. CAMPBELL of Kansas: Memorial of the Legislature of the State of Kansas, opposing the passage of any legislation which shall abrogate the prerogatives of the States guaranteed under the militia clause of the Federal Constitution; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Kansas, favoring appropriations to aid States in construction of roads; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Kansas, asking revision of the immigration and naturalization laws of the United States; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 12612) granting an increase of pension to Emma B. Showalter; to the Committee on Invalid Pensions.

By Mr. BENHAM: A bill (H. R. 12613) for the relief of Adam G. Ritz; to the Committee on Claims.

By Mr. CANTRILL: A bill (H. R. 12614) granting an increase of pension to John H. Slatton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12615) granting a pension to Robert S. Miles; to the Committee on Pensions.

By Mr. CRAGO: A bill (H. R. 12616) to advance Maj. Charles C. Pierce, United States Army, retired, to rank of colonel on the retired list of the Army; to the Committee on Military Affairs.

By Mr. DOMINICK: A bill (H. R. 12617) granting an increase of pension to Emma F. Buchanan; to the Committee on Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 12618) granting a pension to John O'Neil; to the Committee on Invalid Pensions.

By Mr. HICKEY: A bill (H. R. 12619) granting a pension to Thomas N. Swearingen; to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 12620) granting a pension to Catherine Shipley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12621) granting a pension to Mary Shipley; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 12622) granting a pension to David Funk; to the Committee on Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 12623) granting a pension to David G. Levere; to the Committee on Pensions.

By Mr. RANDALL of Wisconsin: A bill (H. R. 12624) granting a pension to Edwin M. Brainard; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 12625) granting a pension to Robert A. Edwards; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 12626) for the relief of certain persons to whom, or their predecessors, patents were issued to public lands along Snake River, in the State of Idaho, under an erroneous survey made in 1883; to the Committee on the Public Lands.

By Mr. SMITH of Michigan: A bill (H. R. 12627) granting an increase of pension to Henry J. Patterson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1636. By the SPEAKER: Petition of J. M. Fowler and seven other citizens of Washington, D. C., protesting against the proposed sale of former German ships, etc.; to the Committee on the Merchant Marine and Fisheries.

1637. Also, petition of Mary St. Clair and James E. Haccohoy, of Washington, D. C., opposing the sale of the former German ships; to the Committee on the Merchant Marine and Fisheries.

1638. By Mr. BRIGGS: Petition of Texas Bankers' Association, indorsing Federal farm loan system and urging that no change be made in such system which would in any way impair its efficiency; to the Committee on Banking and Currency.

1639. Also, petition of convention of chambers of commerce, county commissioners' courts, and State highways departments, favoring passage of Sheppard bill and opposing Townsend bill; to the Committee on Roads.

1640. By Mr. COLE: Petition of International Brotherhood of Boiler Makers, Iron Shipbuilders, and Helpers of America, of Bucyrus, Ohio, protesting against passage of railroad legislation that does not control the roads for a period of at least two years; to the Committee on Interstate and Foreign Commerce.

1641. Also, petition of International Association of Machinists, of Bucyrus, Ohio, and Galion, Ohio, and also the Brotherhood of Railway Car Men, of Galion, Ohio, protesting against the passage of railroad legislation that does not provide for Government control for at least two years; to the Committee on Interstate and Foreign Commerce.

1642. By Mr. CULLEN: Petition of Post No. 719, the American Legion, on the U. S. S. *Tampa*, urging an increase in pay for the officers and enlisted men of the Coast Guard, etc.; to the Committee on Military Affairs.

1643. By Mr. DALLINGER: Resolution of Commonwealth of Massachusetts, requesting the United States Shipping Board to cause the steamship *George Washington* to be repaired at the Charlestown Navy Yard; to the Committee on the Merchant Marine and Fisheries.

1644. Also, resolution adopted by the New England Women's Medical Society, indorsing the Interdepartmental Board of Social Hygiene and the United States Public Health Service; to the Committee on Expenditures in the Treasury Department.

1645. By Mr. DONOVAN: Petition of Nylec Post, American Legion, of New York City, relative to pending legislation regarding welfare of the soldiers of the late war; also petition of Prof. Herbert R. Moody, of the College of the City of New York, regarding permanent establishment of Chemical Warfare Service as a distinct part of the National Army; also petition of New York Post, No. 717, American Legion, in favor of Senate bill 3792, relative to reorganization of the Army; to the Committee on Military Affairs.

1646. Also, petition of Rotary Club of City of New York, favoring increase of salary for employees of United States Customs Service; also, petition of E. W. McKinney, president Local 128, National Federation of Federal Employees, to maintain the present bonus to Federal employees; to the Committee on Appropriations.

1647. Also, petition of Adolph Lewisohn, of New York City, relative to lower taxes on profits and incomes; to the Committee on Ways and Means.

1648. By Mr. FESS: Petition of citizens of Rosewood, Ohio, in regard to American Indians; to the Committee on Indian Affairs.

1649. By Mr. LEHLBACH: Petition of sundry citizens of Massachusetts, for passage of retirement bill, House bill 3149; to the Committee on Reform in the Civil Service.

1650. By Mr. LINTHICUM: Petition of Edwin Dixon and John D. Bowers, of Baltimore, Md., urging support of the Dallinger bill in regard to United States customs guards and night inspectors; to the Committee on Interstate and Foreign Commerce.

1651. By Mr. LUFKIN: Petition of the Senate of the State of Massachusetts, relative to the sale of former German ships; to the Committee on the Merchant Marine and Fisheries.

1652. By Mr. MERRITT: Petition of sundry citizens of Fairfield County, in the State of Connecticut, praying for the passage of the so-called Lehlbach-Sterling retirement bill; to the Committee on Reform in the Civil Service.

1653. By Mr. NELSON of Wisconsin: Petition of the Milwaukee County Fair Price Association in reference to the California Associated Raisin Co.; to the Committee on Agriculture.

1654. By Mr. RAKER: Petition of Christof Boscof, of Colfax, and Mr. and Mrs. J. T. Gibbons, of Marysville, both in the State of California, protesting against the sale of former German ships; to the Committee on the Merchant Marine and Fisheries.

1655. By Mr. SMITH of Idaho: Petition of City Council, Gooding; Board of Highway Commissioners of the Gooding highway district; mayor and City Council of Burley; commissioners of the Scenic Better Roads Highway Commission, district of St. Maries; the Wallace Board of Trade, Wallace; citizens of Washington and Fayette Counties; the Rotary Club of Twin Falls; Homedale highway district, Homedale; the mayor and City Council of Rigby; Chamber of Commerce of Gooding; Chamber of Commerce of Coeur d'Alene; Coeur d'Alene Merchants' Association; bureau of roads and bridges of the Chamber of Commerce of Twin Falls; the Rigby Club of Commerce, Rigby; Board of Highway Commissioners of the Potlatch highway district, Potlatch; Board of County Commissioners of Wallace; Board of County Commissioners of Franklin County, all in the State of Idaho, urging Federal appropriations for highway construction, etc.; to the Committee on Roads.

1656. By Mr. TAGUE: Petition of Richard Carter and 26 others of Massachusetts, opposing the sale of the former German ships; to the Committee on the Merchant Marine and Fisheries.

1657. By Mr. TEMPLE: Petitions of Central Labor Union, New Brighton; Local Union No. 115, United Association of Plumbers and Steam Fitters, Beaver Falls; and Local No. 217, International Molders' Union of North America, of Beaver Falls and New Brighton, all in the State of Pennsylvania, protesting against the enactment of the Sterling-Graham sedition bills; to the Committee on the Judiciary.

1658. By Mr. TILSON: Petition of citizens of New Haven, Conn., for the enactment of legislation for retiring civil-service employees; to the Committee on Reform in the Civil Service.

1659. By Mr. WATSON: Resolution of Middletown Grange, No. 684, opposing any change in time or the passage of any bill adopting the daylight-saving plan; to the Committee on Interstate and Foreign Commerce.

1660. By Mr. WINSLOW: Petition of 23 citizens of Worcester, Mass., for the support of House bill No. 1112; to the Committee on the Judiciary.

1661. By Mr. YATES: Petition of J. M. Ocheltree and others of Homer, Ill., urging universal military training; to the Committee on Military Affairs.

1662. Also petition of furniture and casket manufacturers of Chicago protesting against House bill 10615; to the Committee on the Judiciary.

1663. Also, petition of C. F. Wolff & Son, of Chicago, protesting against legislation favoring labor organizations; to the Committee on Interstate and Foreign Commerce.

1664. Also, petition of Belden Manufacturing Co., of Chicago, Ill., urging legislation preventing strikes, in the present railroad bill; to the Committee on Interstate and Foreign Commerce.

1665. Also, petition of Manz Engraving Co., by F. D. Montgomery, secretary, urging the inclusion of the antistrike clause in the Cummins bill; to the Committee on Interstate and Foreign Commerce.

1666. Also, petition of Baltimore Board of Trade, Baltimore, Md., urging a fixed rate of return to the railroads of 5½ per cent as provided by section 6 of the Cummins bill; to the Committee on Interstate and Foreign Commerce.

1667. Also, petition of Cole Manufacturing Co., Chicago, Ill., urging the passage of the antistrike provision in the railroad bill; to the Committee on Interstate and Foreign Commerce.

1668. Also, petition of Stewart Warner Speedometer Corporation, Chicago, Ill., urging the return of the railroads to their owners; also favor the antistrike provisions in the railroad bill; to the Committee on Interstate and Foreign Commerce.

1669. Also, petition of George D. Roper Corporation, Rockford, Ill., protesting against House bill 10543, but approve the adoption of certain changes set forth by the National Association of Railway and Utilities Commissioners; to the Committee on Interstate and Foreign Commerce.

1670. Also, petition of Interstate Iron & Steel Co., Chicago, Ill., urging the restoration of carriers to private control; to the Committee on Interstate and Foreign Commerce.

1671. Also, petition of David M. Yates, 121 North State Street, Chicago, Ill., urging the passage of the antistrike provisions contained in the railroad bill; to the Committee on Interstate and Foreign Commerce.

1672. Also, petition of the Heppes Nelson Roofing Co., 4500 Fillmore Street, Chicago, Ill., urging the return of the railroads to their owners by March 1; to the Committee on Interstate and Foreign Commerce.

1673. Also, petition of Altorfer Bros. Co., Peoria, Ill., protesting against House bill 10453; also against the creation of a transportation board; to the Committee on Interstate and Foreign Commerce.

1674. Also, petition of Chamber of Commerce, Danville, Ill., urging the ratification of the peace treaty at once, with such reservations as will fully safeguard every fundamental principle of the Government of the United States; to the Committee on Foreign Affairs.

1675. Also, petition of 40 Spanish War Veterans, of the Soldiers' Home, Tenn., urging the pensioning of Spanish War veterans suffering from tuberculosis, making the rate $80, the same as given the World War veterans for tuberculosis; to the Committee on Pensions.

1676. Also, petition of Chicago, Milwaukee & St. Paul Railroad, urging the passage of Senate bill 2232 and House bill 6649, providing a national public works department; to the Committee on Expenditures in the Interior Department.

1677. Also, petition of Rotary Club of Canton, Ill., urging the passage of universal training bill; to the Committee on Military Affairs.

1678. Also, petition of Lieut. Reed G. Landis, aviator, New York, urging separate air service, headed by Cabinet officer, controlling all governmental and regulating safety of civilian aviation, maintenance of large merchant air marines as best possible preparedness for defense; to the Committee on Military Affairs.

1679. Also, petition of Cairo Retail Merchants' Association, of Cairo, Ill., urging the passage of the Dial-Madden bills; also opposing the efforts of magazine publishers to secure repeal of zone-system law; to the Committee on the Post Office and Post Roads.

1680. Also, petition of Clinton Commercial Club, Clinton, Ill., urging the defeat of the efforts of publishers to repeal the zone-system bill; to the Committee on the Post Office and Post Roads.

1681. Also, petition of Col. J. R. Lindsay, Forty-second Infantry, Camp Upton, N. Y., urging the passage of the bill giving increase of pay to officers and privates of the Army, Navy, and Marine Corps; to the Committee on Naval Affairs.

1682. Also, petition of Paul Schulze Baking Co., Chicago, Ill., urging the passage of the Gronna bill, terminating the wheat-guaranty period; to the Committee on Ways and Means.

1683. Also, petition of Tonk Manufacturing Co., urging the passage of House bill 10650, and opposing House bill 10615, believing it would be unfair to establish furniture factories in Federal prisons; to the Committee on the Judiciary.

1684. Also, petition of the Moline Branch, National Association for the Advancement of the Colored People, representing 250 citizens of Rock Island, urging the passage of the Dyer bill, or some legislation on lynchings; to the Committee on the Judiciary.

SENATE.

THURSDAY, *February 19, 1920.*

(Legislative day of Wednesday, February 18, 1920.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gay	Knox	Pomerene
Ball	Gore	Lenroot	Ransdell
Beckham	Gronna	Lodge	Sheppard
Brandegee	Hale	McKellar	Sherman
Capper	Harris	McLean	Smith, Ga.
Chamberlain	Harrison	McNary	Smith, Md.
Colt	Henderson	Moses	Smoot
Culberson	Hitchcock	Nelson	Spencer
Cummins	Johnson, Calif.	New	Sterling
Curtis	Jones, N. Mex.	Norris	Sutherland
Dial	Jones, Wash.	Nugent	Thomas
Dillingham	Kellogg	Overman	Trammell
Elkins	Kendrick	Page	Walsh, Mont.
Fernald	Kenyon	Phelan	Warren
Fletcher	Keyes	Phipps	Williams
France	King	Pittman	Wolcott
Frelinghuysen	Kirby	Poindexter	

Mr. DIAL. I desire to announce that the Senator from South Carolina [Mr. SMITH] is detained by illness. I ask that this notice may continue during the day.

Mr. GRONNA. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent, due to illness. I ask that this announcement may stand for the day.

Mr. MCKELLAR. The Senator from Virginia [Mr. SWANSON] is detained by illness in his family.

The Senator from Rhode Island [Mr. GERRY] is detained at home by illness.

The Senator from Virginia [Mr. GLASS], the Senator from Arkansas [Mr. ROBINSON], the Senator from North Carolina [Mr. SIMMONS], the Senator from Kentucky [Mr. STANLEY], and the Senator from Massachusetts [Mr. WALSH] are absent on official business.

The VICE PRESIDENT. Sixty-seven Senators have answered to the roll call. There is a quorum present. The Senate resumes the consideration of House bill 12046, the deficiency appropriation bill, and the Senator from Illinois [Mr. SHERMAN] is entitled to the floor.

Mr. WARREN. Will the Senator from Illinois yield to me for a moment until I present a matter?

Mr. SHERMAN. Certainly.

ENFORCEMENT OF PROHIBITION.

Mr. WARREN. Mr. President, as the committee was about to close its labors upon the pending deficiency appropriation bill, and after we had agreed to a proposed appropriation of $1,000,000 placed in the bill by the House to guard the 59,000,000 gallons and more of whisky that are held in the possession of the manufacturers, and we had also added a new item of $1,000,000 for the Customs Service, to protect the borders of our country, against incoming whisky, there came an estimate with a proposed amendment from the Secretary of the Treasury which, while it covered the appropriation of $1,000,000 already included in the bill, was not a real estimate for an item of appropriation, but a matter of legislation covering a large number of pages. It starts in and provides for the handling and disposition of the whisky. It provides for the buying of land and the building of storehouses. It provides for guarding the present storehouses where the whisky is held in bond. It provides for the collection of the customs when the whisky is taken out for sale. It provides how it shall be sold and it carries penalties up to 5 or 10 years' imprisonment, and so forth. It provides for bottling plants at the various places so that it can be bottled and sold.

So the committee did not insert the matter in the pending appropriation bill, but I have put it in the form of a bill for regular legislation, leaving out the appropriation feature. I now introduce the bill and ask that it may go to the Committee on Finance, which has handled all matters of internal revenue with relation to whisky. I ask that committee and the members present that the bill may have early attention.

The bill (S. 3937) for the enforcement of the national prohibition act by establishing and maintaining Government warehouses, and for other purposes, was read twice by its title.

Mr. KING. I inquire of the Senator from Wyoming, in view of the first statement which he made as to the character of this proposed legislation and in view of the fact that the other legislation we have had in enforcing the prohibition constitutional amendment, war-time prohibition, and so forth, emanated from the Judiciary Committee, if this measure ought not to be referred to that committee?

Mr. WARREN. But this relates to the matter of revenue from it and for guarding it. Some of our appropriations are taken care of through the Internal Revenue Bureau. We have appropriated the money to the Commissioner of Internal Revenue, Mr. Roper. This simply adds to the laws and rules the working memorandum or formula.

Mr. KING. I have no objection, of course, to its going to that committee.

Mr. WARREN. If the Committee on Finance believes that it should go to the Committee on the Judiciary, it can be rereferred; but I am sure that when the Senator reads it he will see that it ought to go to the Committee on Finance.

The VICE PRESIDENT. The bill will be referred to the Committee on Finance.

Mr. KING. While we are talking about the appropriation for enforcing war-time prohibition, I was called from the Chamber for a moment yesterday when the Senate passed, I understand, two items, one on page 11 and the other on page 13, each item calling for an appropriation of $1,000,000 for the enforcement of the national prohibition act. The first appropriation is "for the employment of additional officers, traveling and other necessary miscellaneous expenses to guard intoxicating liquors in bonded and other warehouses, and prevent violations of the national prohibition act." Then, on page 13, this language is used:

> For enforcing the laws governing the importation and exportation of intoxicating liquors by the Customs Service, $1,000,000.

My understanding is that former bills have carried very large appropriations to enforce the prohibition act. Was it necessary to add $2,000,000 additional?

Mr. WARREN. Will the Senator from Illinois allow me further to answer the Senator from Utah?

Mr. SHERMAN. Certainly.

Mr. WARREN. It was so considered by the department. They have estimated accordingly, and it is only for the four months and the fraction until June 30. I understand from the notes that I saw in last evening's paper that there will be something like $12,000,000 appropriated in the legislative, executive, and judicial bill, which will be presented here in the regular course, to carry these laws into effect for the coming fiscal year, and this will be but a small part of what we shall be called upon to appropriate.

The two amounts in the pending bill are for definitely separate purposes. One is to guard the whisky, and of course the bill which I have introduced and which will be printed will show how and where it is to be carried out.

The other item, as testified to by the parties in charge of the Customs Service, is to undertake to guard the lines between this country and Canada from the Atlantic to the Pacific and down on the Atlantic to Mexico, along the border of Mexico, and on to the Pacific, and thence north to Canada. Admittedly it is not sufficient, and it will hardly be made sufficient to insure us that no whisky will come across in pocket containers and in small ways, but they hope to protect it from coming in in shiploads or on trains of cars, or indeed in automobiles.

Mr. SMOOT. Mr. President, I wish to state to my colleague that the House has reported the regular bill carrying $12,000,000, as stated by the Senator from Wyoming. The estimate for that same work from the Treasury Department was over $30,000,000.

Mr. KING. All I can say is that it will be a scandal and an outrage to make any such appropriation, and any department that makes such a demand, I think, ought to have some person there with a little more common sense, and we ought to revise their estimates.

I am afraid we are undertaking a task that is beyond the jurisdiction of the United States, and is an assumption of a system of espionage that is scarcely worthy of the Federal Government. I know that an appropriation was made heretofore for the enforcement of the act, and I can not understand the necessity of these extensive appropriations.

Mr. WARREN. Two million dollars was appropriated in the original act, but when we undertake to carry out this laudable purpose and make this country a prohibition country, which I hope can be effected, it will be $50,000,000 or more a year, instead of $12,000,000, as the Senator will of course ascertain. It may not last long; we may be able to soon kill out all the seeds of this great curse, but it will take much money. The legislation has been passed; it comes before the Committee on Appropriations as a demand from the country, and we must provide for it by appropriations.

Mr. KING. The Senator will bear in mind the fact that we have the Department of Justice, with a multitude of officials who belong to that department, who are charged with the duty of enforcing the laws of the land, who are charged with the duty of enforcing this statute. They are charged with the duty of enforcing the statute relating to intoxicating liquors, as they are charged with the duty of enforcing other criminal statutes of the United States. Then we have in the Treasury Department a multitude of officials who are engaged in the collection of revenue. Many of them heretofore were employed in the collection of the tax upon intoxicating liquors. I see no reason why that vast army should not be fairly and legitimately employed in the enforcement of this statute. I can not comprehend the necessity of these very large appropriations for the enforcement of that law.

Mr. SMOOT. Mr. President, I wish simply to add that rather than appropriate the millions that are asked to guard and protect the 59,000,000 gallons of liquor and alcohol held in bonded warehouses to-day it would be very much better for the United States to purchase it outright and have it absolutely under its control, and dispose of it under the existing law, and, if necessary——

Mr. OVERMAN. Suppose the Government did buy it, would it not have to guard it just the same?

Mr. SMOOT. It could be put in one place and guarded in one place, rather than have it in bonded warehouses all over the United States.

Mr. OVERMAN. It would take a regiment of men to guard it even then.

Mr. SMOOT. Not necessarily. The owners of the warehouses can not secure a cent of credit, using the warehouses as security. The Government holds a lien upon the property as long as there is any alcohol or liquor whatever in the premises.

We have got to have some kind of legislation in order to protect the men who own those bonded warehouses. It seems to me the Government of the United States could purchase the liquor or alcohol at a fair profit—it would be less than a dollar a gallon—and if it became necessary to extract the alcohol out of all the liquor—that is, only retaining the alcohol—and let it go to meet the medical demands of the people of the country under existing law, there would be no question then about the liquor that is on hand being sold in an unlawful way. But that, of course, is a question that we shall have to consider later.

Mr. KIRBY. I should like to ask a question. To whom does this liquor which is contraband and which is now in storage in the Government bonded warehouses belong and what financial interest has the Government in it?

Mr. SMOOT. It belongs to the manufacturers or purchasers. The Government has this financial interest, that before the liquor can go out of the bonded warehouses the owners must pay $6.40 a gallon tax.

Mr. KIRBY. Then the Government will only have a lien on the liquor for the tax?

Mr. SMOOT. That is, when it leaves the warehouse.

Mr. KIRBY. If it can not go out, then the Government has no interest in it?

Mr. SMOOT. The Government has only the interest in it of seeing that the liquor does not go out without the payment of the tax.

Mr. OVERMAN. I have this case in mind as to which I desire to ask the Senator a question. A gentleman owns a building in the city of Baltimore in which whisky is stored on which the Government claims the tax. Nobody can buy the property; there is no place where the whisky can be taken. The owner can not give a title to his property because the Government has a lien on the liquor. What is going to become of the property?

Mr. SMOOT. I had reference to just such a case as that referred to by the Senator from North Carolina, for the man in Baltimore is not the only person so situated. That particular

case, however, has been called to my attention as well as to the attention of other Senators. The building is a bonded warehouse in which liquor is stored, and the owner can not give title to his property so long as the liquor remains there.

RANK OF ARMY OFFICERS (S. DOC. NO. 227).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 4th instant, certain information relative to the policy of the General Staff of the War Department with respect to the demotion of officers of the Regular Army, etc., which, with the accompanying papers, was referred to the Committee on Military Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 10072. An act to provide for the punishment of officers of United States courts wrongfully converting moneys coming into their possession, and for other purposes; and

H. R. 12486. An act authorizing the several district courts of the United States to appoint official stenographers, and prescribing their duties and compensation.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 3202. An act granting leave of absence to officers of the Coast Guard, and for other purposes; and

S. 3722. An act to grant the consent of Congress to the Alfords Bridge Co. to construct a bridge across the Savannah River.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution adopted by the National Press Club Post of the American Legion, indorsing, without qualification, the universal military training provisions in the Army reorganization bill, which was ordered to lie on the table.

Mr. CAPPER presented memorials of sundry citizens of Lecompton, Hutchinson, and Alta Vista, all in the State of Kansas, remonstrating against compulsory military training, which was ordered to lie on the table.

Mr. PHELAN presented a memorial of sundry citizens of San Francisco, Calif., remonstrating against the proposed sale of ships by the United States Shipping Board, which was referred to the Committee on Commerce.

He also presented a memorial of the labor council of San Francisco, Calif., remonstrating against the passage of the so-called Sterling-Graham sedition bill, which was ordered to lie on the table.

Mr. KNOX presented a petition of the Chamber of Commerce of Reading, Pa., and a petition of the Chamber of Commerce of York, Pa., praying for the enactment of legislation authorizing the United States Grain Corporation to purchase and transfer to countries of central Europe and Armenia food supplies and other necessaries of life in order to avert famine, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of New Castle, Pa., praying for the recognition of the Irish Republic, which was referred to the Committee on Foreign Relations.

He also presented a petition of Post No. 482, American Legion, of Phoenixville, Pa., praying that each man and woman who served in the World War be granted a $50 bond for each month of service, which was referred to the Committee on Military Affairs.

He also presented a memorial of Mountain City Lodge, No. 545, International Brotherhood of Boiler Makers and Iron Ship Builders, of Renovo, Pa., remonstrating against the passage of the so-called Cummins-Esch railroad bill and favoring a five-year extension to Government control of railroads, which was ordered to lie on the table.

He also presented petitions of Gen. George G. Meade Camp, No. 16, Division of Pennsylvania, Sons of Veterans, of Reading; of Lieut. Ezra S. Griffin Post, No. 139, Grand Army of the Republic, Department of Pennsylvania, of Scranton; and of Lieut. Josiah White Post, No. 45, Grand Army of the Republic, Department of Pennsylvania, of Phoenixville, all in the State of Pennsylvania, praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

He also presented a petition of A. Pierson Hurd Post No. 236, American Legion, of Peckville, Pa., and a petition of Harold H. Bair Post, No. 14, American Legion, of Hanover, Pa., praying for the passage of the so-called Davey sedition bill, which were referred to the Committee on the Judiciary.

He also presented memorials of the Federated Trades Council of Reading; of Local Union No. 17166, Cigar Factory Tobacco Strippers of America, of Reading; of Local Union No. 236, Cigarmakers' International Union of America, of Reading; of the Central Trades and Labor Council of Allentown; of the United Trades Council of Brownsville; and of Local Union No. 1134, United Mine Workers of America, of Grassflat, all in the State of Pennsylvania, remonstrating against the passage of the so-called Sterling sedition bill, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PITTMAN:

A bill (S. 3938) for the relief of Annie H. Martin; to the Committee on Claims.

By Mr. WATSON:

A bill (S. 3939) for the relief of Milton B. Hoffman; to the Committee on Post Offices and Post Roads.

By Mr. JONES of Washington:

A bill (S. 3940) granting a pension to Anna W. Udell (with accompanying papers); to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 3941) for the relief of the owners of the dredge *Maryland;* to the Committee on Claims.

DEVELOPMENT OF AGRICULTURAL RESOURCES.

Mr. FLETCHER. I introduce a bill to encourage the development of the agricultural resources of the United States, which I ask to have referred to the Committee on Banking and Currency.

The bill (S. 3942) to encourage the development of the agricultural resources of the United States through Federal and State cooperation, giving preference in the matter of employment and the establishment of rural homes to those who have served with the military and naval forces, was read twice by its title and referred to the Committee on Banking and Currency.

Mr. FLETCHER. I present a synopsis of the proposed national land-reclamation settlement act to accompany the bill, which I ask to have printed and referred to the Committee on Banking and Currency.

The VICE PRESIDENT. Without objection, that action will be taken.

HEIGHT OF BUILDINGS IN THE DISTRICT OF COLUMBIA—CONFERENCE REPORT.

Mr. SHERMAN. I present on behalf of the conferees the conference report on the so-called zoning bill. I ask that the report may be printed in the RECORD and go over until Senators who are particularly interested in the matter can be present, all of them not being now in the Chamber. The Senator from New York [Mr. CALDER], who has very largely had charge of the matter, is necessarily absent to-day.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6863) to regulate the height, area, and use of buildings in the District of Columbia and to create a zoning commission, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, and 4, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"There is hereby authorized for the expenses of said commission, including the employment of expert services and all incidental and contingent expenses, a sum not to exceed $5,000, payable one half out of any money in the United States Treasury not otherwise appropriated and the other half out of the revenues of the District of Columbia."

And the Senate agree to the same.

LAWRENCE Y. SHERMAN,
WILLIAM M. CALDER,
MORRIS SHEPPARD,
Managers on the part of the Senate.

CARL E. MAPES,
B. K. FOCHT,
BEN JOHNSON,
Managers on the part of the House.

HOUSE BILLS REFERRED.

The following bills were each read twice by their titles and referred to the Committee on the Judiciary:

H. R. 12486. An act authorizing the several district courts of the United States to appoint official stenographers, and prescribing their duties and compensation; and

H. R. 10072. An act to provide for the punishment of officers of United States courts wrongfully converting moneys coming into their possession, and for other purposes.

DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12046) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes.

Wednesday, February 18, 1920.

Mr. SHERMAN. Mr. President, I should like to be heard now on the committee amendment, which seeks to appropriate $3,500,000 for the care and custody of the draft records. In the line of economy, there is no such thing as economy in a deficiency appropriation bill——

Mr. WARREN. Mr. President, I do not wish to interrupt the Senator's thought, of course, but this is not an appropriation. It is in the line of economy, because it provides to have certain work done with money already appropriated. It is simply a different division of it, I will say to the Senator.

Mr. SHERMAN. There is no real useful purpose in transferring any part of this $3,500,000 appropriation, if the record is to be sealed to Members of the legislative body permitting the transfer of the fund. If it is to be open to all other officials and is to be denied to Members of Congress it is a mere travesty upon the furnishing of records.

I understand—I was out at the time, but probably could not have heard it if I had been in—that it was suggested that some one was trying to have access to the draft record of Edsel Ford. I know that this gentleman is a youth who has been much coddled and protected by Executive orders, by favoritism at the White House, by exemption from military service. That I was prepared for. I know of no reason, however, why that exemption should continue to be thrown around him, shielding him by the action of the Senate from publicity as well as those officials responsible for that remarkable affair.

I am not a resident of Michigan. Under the amendment I have no right myself, nor any of my associates in the House, nor my colleague in the Senate, to ask for the record. That right belongs only to the Senators from Michigan and to its several Representatives in the House. If they wish to read that record or have a copy thereof, there is no sufficient reason why it should not be produced. The Senate, however, has otherwise acted. Therefore I protest against this $3,500,000 transfer of an appropriation heretofore made so that it may be devoted to these particular purposes provided in the amendment proposed by the committee, as follows:

> So much of the appropriation of $3,500,000 not necessary for the care and custody of the draft records and for the employment of clerical assistance for the purpose of furnishing to adjutants general of States statements of service of soldiers who served in the war with Germany shall be available for the employment of clerical assistance necessary for the purpose of furnishing such information from the records of the demobilized Army as may be properly furnished to public officials, former soldiers, and other persons entitled to receive it.

I assume that we are not embraced in the general expression "public officials," and therefore would not be considered by the department "entitled to receive it" in the event we made application.

There are more employees in the War Department now than are required, more than any economical private employment would permit to be upon the pay roll. There is no occasion for diverting this appropriation, on the merits of it, in the first place. Ordinarily I do not like to oppose a committee amendment, especially a committee of which the present occupant of the floor chances to be a member. I made no objection to this in the consideration of the deficiency bill either in the subcommittee or in the open committee. I did offer the amendment, and it was defeated in the committee, the same amendment which I offered a moment ago and which has been defeated in the Senate.

Because the Senator from Delaware [Mr. WOLCOTT] saw fit to introduce, as I am informed, the name of the gentleman who has been much favored, whose sire was a distinguished pacifist and the commodore of a perambulating peace ark, who himself would neither fight, being beyond the age, nor permit his own son within the military age to fight, who has been given protection by Executive orders and by departmental secrecy, who crippled preparedness by his money and protest, he has opened that subject for discussion. The father was a candidate for the United States Senate in Michigan in November, 1918. He was defeated by about 7,000 votes on the face of the returns. The exemption of the only man of military age in his family was an issue in that campaign and was a vital factor in his defeat.

It is charged that $178,000 was spent in the campaign in Michigan by the Republican candidate. Probably the truth, when known upon a hearing of the evidence, will disclose that the money was spent by the Republican State central committee of the State of Michigan. It was a legitimate expenditure. I have as much right to pass upon that question here as has Judge Sessions, who is presiding in the trial on the indictment in which the same question is involved. It is within my jurisdiction as the trial of the indictment is within his. It is strictly my right here in this Chamber to comment on the action of the Department of Justice in thrusting itself into a contest lawfully pending in this Senate to hinder and embarrass, to prejudge and predetermine the hearings here by an abuse of the powers of the Attorney General of the United States. Such interference is solely a political act. It is a Senator's duty to comment on such a brazen partisan contempt of the Senate. The immunity given a Senator in this Chamber is coeval with and as exclusive as the judicial immunity extended to Judge Sessions. Congress is within its domain as sacred from assault as other departments.

The Democratic State central committee of the State of Michigan spent as much or more money in the same campaign for Henry Ford, the sire of this distinguished military slacker, the scion and $150,000-a-year official of the Ford Motor Co. It was spent on his behalf by the State central committee, and Henry Ford knew as much about it as the Senator from Michigan who has been indicted because it is alleged and must be proven that he had guilty knowledge of the excess above that authorized by law. Mr. Ford knew as much of the activities and expenses of the Democratic State committee as Mr. NEWBERRY. Why is Ford undisturbed? This administration indicts those who do not comply with its orders. Mr. Ford likewise indicts those who do not meekly obey his wishes.

If the amendment is intended to secure to the general public knowledge of Edsel Ford's exemption and his shameless dodging of his military service, then why ought it not to be had? It was an issue in the autumn of 1918 in the Michigan campaign. Mr. Ford was defeated upon that issue and not by the unlawful use of money.

I shall expect the Committee on Privileges and Elections, specific law or no law, amendment or no amendment, in the deficiency appropriation bill, to have produced before that committee, unless the War Department flatly refuses to do so, the exemption papers in the Edsel Ford draft case. It then remains for the Senate to yield as Congress generally does to every department that ignores and derides it. The only semblance of respect ever shown Congress is when the formality of explaining departmental estimates is indulged in.

If the Senator from Delaware desires accurate information on that question, I will give it to him. I went to Adjt. Gen. P. C. Harris, in the War Department, and asked to read the record of the Edsel Ford exemption, beginning in his district in Detroit, Mich., and reaching on through the appeal board to the Executive orders made by President Wilson exempting him. It was refused. He called up Secretary Baker to know what he should do about it. Gen. Harris first made some objection because the records were in a condition where they had not been classified and indexed and were not readily accessible.

I said I had the name and the number of the draft district in Detroit, "and you know where the records of the State of Michigan are stored; you know where, in the order in which they are placed, that particular number of the draft district may be found. It will not take to exceed an hour to locate it." I offered to pay all expenses. He called up Secretary Baker by telephone—I assume he did; he was talking with some one who answered from that office—who declined and said that the record was not accessible to me.

I am not the only one. The declination might, possibly, have been on the ground that I was not a resident of Michigan and had no business to examine a public record of that character; but others have applied, with like result, and they can tell their own story when they feel like it. I shall violate no confidence reposed in me; but other public officers and Members of Congress have received like cavalier treatment at the hands of this department. Why, therefore, should there be such intense anxiety on the part of the Senate further to shield this distinguished scion of the house of Ford, the Duke of Detroit, and the chevalier of the mushroom jitney works of the world? We are tender, indeed, of his sensibilities. No doubt his distinguished sire would vote as a majority of the Senate voted. Still we are expected to hold a majority on this side and shield such a wretched dodger from military service in the defense of his country. It is no surprise Ford was beaten in Michigan.

If there had not been 30 cents spent by NEWBERRY in Michigan, Ford would have been beaten on the record of his own family in the late war. The Senator from Delaware now defends and approves the mantle of secrecy thrown over this wealthy slacker.

That is not all that the Ford family has received at the hands of Congress or of the executive department. Not very long ago a river and harbor bill appeared in the Sixty-fifth Congress. It was approved by Executive action August 8, 1917. On page 9 of the river and harbor act mentioned is the following provision:

For improvement of Rouge River, Mich., in accordance with the report submitted in House Document No. 2063 (64th Cong., 2d sess.), and subject to the conditions set forth in said document, $490,000: *Provided*, That the Secretary of War may, in his discretion, substitute plan B for plan A.

Those are the plans referred to in the document of the number given, making choice between either of two methods. The $490,000 was for the purpose of deepening the river referred to. The matter is alluded to in a resolution introduced by the Senator now having the floor in the following language:

Whereas an appropriation has been heretofore made for the improvement of the River Rouge, Mich.; and
Whereas it now appears that this improvement is solely for the benefit of Henry Ford and the Ford Motor Co.; and
Whereas it appears that Henry Ford is attempting to use this appropriation contrary to the intention of Congress, and is using the name and sovereign rights of the United States of America and the powers of the Secretary of War for his own private benefit; and
Whereas there are certain reports, charges, and rumors tending to show the unlawful use of influence which should be fully investigated and their truth or falsity ascertained: Therefore be it

Resolved, That the Committee on Appropriations be authorized to inquire into and completely investigate the whole subject matter of the River Rouge improvement, including in particular the interests and influence of Henry Ford and his agents therein, and the use of the name of the United States of America and powers of the Secretary of War in condemnation proceedings therefor.

Resolved further, That pending this investigation and the report of the committee thereon, the Secretary of War and the Attorney General of the United States be hereby requested and called upon to suspend and withhold all acts and proceedings, whether in court or elsewhere, directed toward the widening of the River Rouge or the appropriation of property therefor.

Following the introduction of the resolution, I read in part the proceedings of a public mass meeting held at Oakwood, in the State of Michigan, along in January, 1920. I might explain that Oakwood is a suburb of Detroit. It is one of a number of small manufacturing or industrial centers that gather about every large manufacturing city.

A public mass meeting was held at the council chambers in the village of Oakwood Tuesday night, January 20, 1920, for the purpose of denouncing the resolution introduced in the United States Senate by Senator SHERMAN, of Illinois, to discontinue work on dredging and widening the River Rouge.

I will refer to this resolution and its contents again later on. I merely now refer to it for the purpose of identifying it for future use. There are several other resolutions, among them resolutions of the city council of Detroit, which are of about the same tenor as the one of the village of Oakwood.

The sum of $490,000 is a mere fragment of the total cost of the deepening of the River Rouge. It was for the purpose of using the eminent domain powers of the United States Government that this appropriation was made as small, comparatively, as it is, falling little short of a million dollars.

The River Rouge is a small tributary of the Detroit River. It empties into the latter stream near the southerly limits of the city of Detroit. Usually, unless there is a remarkable freshet because of rains or sudden thawing of winter snows, it is a sluggish, dirty stream, flowing between low and ill-defined banks. At its mouth it is practically a mere cat-tail marsh. In the early times it used to be a rendezvous for ducks and a favorite ground of duck hunters. The river itself has been improved somewhat at times, but it is liable to recurrent shoals and caving-in during every spring freshet. About a half dozen small industrial plants have located on its banks. None of them is of great size except two, almost at the mouth of the river.

It is largely because of the supply of soft water in the river available for steam-making purposes that factories have located there at all.

There are at present probably half a dozen small docks along the river, used by boats of light draft, scows, sand suckers that bring up the sand from below for commercial purposes.

Along the river, with the possible exception of a glue factory, every human habitation or place of business is probably located within 3 miles of the mouth of the river, scattered along. The glue factory on the bank of the river, because of its obnoxious odors and its undesirability as an appurtenance in a dwelling-house section, has practically a monopoly of a large area there. There are no human habitations within the range of the average human olfactory nerve adjacent to the glue factory.

The district engineer's report on the project contains the following paragraph:

The existing depths and widths of channel are as follows: Mouth to 800-foot point 21-foot depth—

That is one-sixth of a mile of between 3½ and 4 miles of the whole river that is embraced in this appropriation and the subject matter of the resolution to which I have referred—

and 240 to 100 feet width; 800-foot point to the Solvay Process Co.'s bridge, or the 1,800-foot point, 21 and 15 feet depth and 100 feet width; 1,800-foot point to the Wabash Railroad bridge, or the 15,700-foot point, 13½ feet depth and 100 feet width; and Wabash Railroad bridge to the Maples Road, or to the head of the improved portion of the river (23,200 feet from the mouth)—

A little over 4 miles—

12½ feet depth and 75 feet width.
3. Between Maples Road—

Which is a well-known point there—

and the mouth of the Rouge (the portion intended to be improved)—

This item in the rivers and harbors bill affects—

nine bridges built over the Rouge River, five of them railway bridges (or railway and highway bridges). Five railroads cross these bridges, including the Michigan Central, New York Central, Pennsylvania, Wabash, and Detroit, Toledo & Ironton, in addition to the interurban line from Detroit to Toledo. These railroads are the sole means of land transportation between Detroit and Toledo, through which point Detroit receives practically its entire supply of coal and oil and its iron and steel. Fully 65 per cent of all the freight transportation originating or terminating at Detroit passes over these railroads, and must pass over the River Rouge by means of these bridges. For the past five or ten years the all-important transportation problem in Detroit has been how to get more and quicker freight service over these railroads through what is known as the "Toledo gateway."

Mr. Ford appeared before the congressional committee through his attorney, Mr. Lucking, and had inserted in the river and harbor bill of 1917 an item which escaped public attention; no one knew of its ultimate purposes; and it is only recently that the ulterior motive concealed in the $490,000 appropriation has appeared. It is another case, Mr. President, of favortism and perversion and abuse of power for the benefit of Henry Ford.

When the Senator from Delaware [Mr. WOLCOTT] suggested that the amendment offered to the deficiency bill was for the purpose of obtaining the draft record of Edsel Ford, he opened the gateway to an exposé of the abuses, the gross favoritism, and the prostitution of governmental power in the hands of the Ford family. I thank the Senator for so doing. He made it material in this discussion, even if the resolution of the Senator from Michigan [Mr. TOWNSEND], to amend standing Rule XXII of the Senate so as to confine discussion to the matter before the Senate and make it strictly pertinent to that matter, should be adopted. So long as this is alleged to be the purpose of my amendment, I shall assume that it is a proper subject to be discussed. I shall assume further that under the wording of my amendment I have no right to go to the department to search or demand a view of these records, because that privilege would be confined to Senators and Representatives from the State of Michigan. If they ask for the record, I know of no reason why they ought not to have it, unless it be because of sensitive souls and slacker sympathizers within this Chamber.

We on this side of the Chamber are either headed to lose one vote or we must stand together a great deal better than we have been doing. The Newberry contest here and his indictment by the attorney are political moves. Senator NEWBERRY has done no more than many others in this Chamber, including the horrified pharisees now beating their protuberant bosoms and loudly advertising their superior brand of sanctity. They are undisturbed. Some of them hold their seats by virtue of unceasing activities of Federal officeholders and war contracts to contributing constituents, all paid out of public taxes.

I somewhat resent the superior virtue implied by voting on all matters with the minority. I can do some of that myself; I have already done so a time or two as a timely warning, and I will do a good deal more of it before my term expires unless there is a change of behavior on this side of the Chamber. I have dwelt within party lines since 1880—40 years last November—and I think I can not fairly be accused of being too liberal in matters of partisan conduct; but if the Senator now on trial in this body before the Committee on Privileges and Elections shall be unseated, one more vote will turn the majority in this Chamber to the other side of the aisle, and I have that one vote. Unless Mr. NEWBERRY is saved in this political assault, the vote in this Chamber will be for awhile, until the governor of Michigan shall act, a tie, in the event a single Republican votes with the minority. This mock heroic virtue must cease, Mr. President. I serve timely notice upon Sena-

tors on this side of the Chamber that they must be Republican on this thinly veiled political attack on Senator NEWBERRY or there will be divers Senators here who will refuse to do anything.

[At this point Mr. SHERMAN yielded the floor for the day.]

Thursday, February 19, 1920.

Mr. SHERMAN. Mr. President, I resume where I concluded on yesterday evening on the Rouge River matter. I do so because it is directly connected with the amendment which was offered by myself on the floor and defeated, and is material to the amendment on pages 16 and 17 of the pending bill, covering the preparation of draft records. There has been a degree of solicitude as well as perversion of government in behalf of the members of the Ford family, which I think has risen to the point where it demands some public consideration in this Chamber, and accordingly I give it.

On the subject particularly of the Rouge River and making it material to the amendment, I now continue to describe the environments of this proposed improvement. There never has been any demand for the improvement from anybody except persons who are locally interested. It had its origin entirely in Mr. Ford and his representatives appearing before the congressional committees. There has been some demand for dredging the river and removing shoals in order to deepen it slightly in some places. The few small industries along the river have carried on their business satisfactorily, as a large number of them merely use it, as indicated yesterday evening, for the purpose of obtaining water for steam purposes.

The demand for the River Rouge improvement, involving the widening of the river to 300 feet and its deepening to 21 feet for a distance of about 4⅔ miles from its mouth came from one person. In the winter of 1914–15, and especially the spring of 1915, Henry Ford's representative quietly and secretly took options on approximately 1,000 acres of farm land adjoining or near the River Rouge and 4 miles or more from its mouth where it empties into the Detroit River. Henry Ford made the following announcement in a special 10 p. m. extra of the Detroit Journal of June 16, 1915. I now quote from this self-serving publicity report:

> The new Ford plant on the Rouge River to give work to 20,000 men.
>
> Blast furnaces and farm tractor shop on 1,000-acre tract. * * * Already Mr. Ford has options on about 1,000 acres of land north of the village of Oakwood and southeast of the village of Dearborn. The tract lies on both sides of the River Rouge, it is said.

In the issue of the Detroit Journal of June 18, 1915, he further elaborated on the former press report as follows:

> Henry Ford announced to the Detroit Journal Friday that it is his desire to have the new Ford blast furnaces and factories on the River Rouge in operation in two or three years. To accomplish this he intends to have work started this summer on the great tract of 1,800 acres just acquired northwest of Oakwood and southeast of Dearborn.
>
> "The blast furnaces," Mr. Ford said, "will have ore delivered to them at their docks on the River Rouge by boats from the Upper Peninsula. The iron produced by the furnaces will be converted into motors at the factories near by. The motors will be sent to the various Ford assembling plants in all parts of the world and used in Ford automobiles and Ford farm tractors. We expect, in time, to ship the motors direct by boat from our dock on the Rouge to all parts of the world," said Mr. Ford. "This means using the Welland Canal for boats to reach the Atlantic Ocean. It means making Detroit a port of clearance for all portions of the globe."

Henry's imagination is in nearly as good working order as when he played the angel to Rosa Schwimer and started to end the war before Christmas.

I might parenthetically remark here that I regard the Ford automobile as a national and international pest. It destroys more useful material in metal, in brass, in engine equipment, in tires, and rubber supplies than any other single sink hole in the world.

The cheapening of the motor to the general public has been a detriment equal at least to the benefit derived. There is no salvage value on a $400 or $500 machine; after a few years it is a total loss, and, outside of the comparatively few that are used legitimately for transportation and errand purposes, the remainder constitute a mere consumption of gasoline and mechanical contrivances for running about and joy riding, involving a waste of time and material.

This project was to be accomplished as indicated in the news reports to which I have referred.

How it was to be accomplished, however, that the big ore vessels and ocean-going freighters could dock in a portion of the stream 75 feet wide, with a 12½-foot depth of channel, Mr. Ford continues to explain in the same article:

> The widening of the Rouge River should be done, I believe, by the Government. The Rouge will have to be widened and deepened and a basin built for the vessels to turn in.

All of the land acquired by Mr. Ford, as I have already said, is located more than 4 miles from the mouth of the Rouge River. The plant is being constructed practically at the Maples Road, as it is called, at the head of the proposed improvement and 4.4 miles from the mouth of the river.

Just what Mr. Ford paid for this land it is impossible to state with accuracy. It is as impossible to find what Mr. Ford's option on the 2,000 acres of farm land cost as it is to extract from the War Department accurate information on the draft dodging of his notorious son, Edsel. Both of them are buried in the profound recesses of Ford the father's knowledge.

That portion of the property secured before the public announcement in the press reports, from credible figures furnished me upon application, did not at least cost more than $1,000 an acre. That would be the maximum price, and very probably it is closer to the truth to say that half that amount was the average price paid; in fact, in the Wayne County circuit court, in Michigan, the court refused to permit the sale of a minor child's land at the price agreed upon with Henry Ford upon the ground that the price paid was entirely inadequate. This was the only place where any of the options secured by Henry Ford have come to the surface, namely, in the appeal by a guardian to a court of competent jurisdiction to sell the land at the price agreed upon by Mr. Ford and the guardian or next friend. Before the option was allowed to be executed the court doubled the price offered, and even then the price fell short of $1,000 an acre. Ford is a lovely philanthropist when dealing with infants.

The result of all this was that in the Sixty-fourth Congress, in the rivers and harbors bill, passed on or about July 27, 1916, among the funds appropriated was one item for the examination and survey of the Rouge River. That item is found in Public Document No. 168, Sixty-fourth Congress, on page 21.

House Document No. 2063, Sixty-fourth Congress, second session, contains the survey, the indorsements, and recommendations. The following information is all taken from it. The preliminary survey was made by Maj. Burgess, the district engineer. I shall quote from his report such parts as I think are material:

> The present investigation has been conducted by the district engineer officer and Mr. Ramlet Kent, junior engineer. A public hearing was held by the district officer at the building of the board of commerce in Detroit on November 16, 1916, after due advertisement, for the purpose of obtaining the views of riparian owners and others interested in the improvement of the Rouge River. Stenographic record was made for this meeting, a copy of which is attached to this report. Letters of inquiry were addressed to all riparian owners and to all others who were thought to be interested in the question of greater depths and widths of channel than now exist. A copy of the letter of inquiry and copies of the more important replies are attached to this report.

The engineer continues:

> The result of the inquiries has been to develop the fact that the demand for further improvement of the Rouge River is due primarily to the location of a large industrial plant by the Ford Motor Co. near the head of the present improved portion of the river. The construction of this plant has already been started and when completed will occupy a frontage on the Rouge of about 3,000 feet immediately below Maples Road, and will give employment to about 15,000 people. There will be two blast furnaces, requiring for full operation a supply of iron ore at the rate of about 6,000 tons per day during the navigation season, and having an output of about 1,000 tons of metal per day. It is contemplated to provide two more furnaces whenever they become necessary.

On page 12 of the report the engineer says:

> It is believed that the improvement should not be undertaken until local interests have donated the necessary land and have assumed the burden of ascertaining and settling all claims for damages, both direct and indirect, to be caused by the improvement.

Again, on page 14, it is stated:

> As previously stated, an improvement sufficient for the demands of commerce would practically convert the river into an artificial slip, following the general alignment of the natural river bed. My conclusion is that the general and the private benefits are so intermingled that the cost of the improvement ought to be divided between the United States and the locality and that the proper basis for dividing the cost will be for the United States to undertake the actual work of the improvement and for the local interests to donate the necessary land and to assume the burden of ascertaining and settling claims for damages as well as the cost for making alterations in bridges when these can not be required to be made at the expense of the owners.

Again, on page 15, it is stated:

> I do not believe there is much doubt that the project should not be considered one worthy of being undertaken by the General Government if the entire cost of the work is to be borne by the United States; but, with the assumed distribution of cost as mentioned above, there seems to be sufficient reason for considering the improvement to be worthy to the extent of authorizing the preparation of an estimate of cost.

Which was done accordingly.

The preliminary examination was sent through military channels to the division engineer at Buffalo, Col. J. G. Warren, who made the following indorsement:

> The work of improvement of the Rouge River, Mich., under the present project stated in paragraph 8 of the district engineer's report, and maintenance work to secure its present condition, stated in paragraph 9,

shows that they have been up to the present time principally in the interest of industries located, with one exception, * * * below the Wabash Railroad bridge, 15,700 feet from the river month; and it is understood that the commercial statistics given in paragraph 23 pertain to that part of the river; the remaining 7,500 feet of the channel, improved to 13-foot depth, being used only to a very limited extent. * * *

Widening, straightening, and deepening of the river as desired by local interests would, as stated in paragraph 27 of the district officer's report, practically convert the river into an artificial slip, and obviously would be, as shown on the map, primarily in the interests of the Ford Motor Co.

Here is an appropriation of $490,000 made in the river and harbor bill. After Henry Ford has secured the options on 2,000 acres of farm land, this comparatively small appropriation for an item such as often haunts river and harbor bills is desired solely to carry with it the power of eminent domain. If Mr. Ford desired to improve at his own expense the frontage where he is building his factory for the purpose of promoting it, it probably would cost him more. He therefore, through Mr. Lucking, his attorney, appears in Washington at the last moment, goes before the committee, and has introduced into the river and harbor bill this item for $490,000. He thereby borrows the power of the Government to enhance his private fortune. The benefits will be reflected in due time in the dividends of the Ford family.

Primarily, it is desired for the purpose of carrying with it the power of eminent domain, to be used by Henry Ford, his attorneys, and agents in condemning land to enhance the value of the 2,000 acres on which he held his low-priced option. It is an unhallowed and iniquitous partnership of the Government with private interests. It is an expenditure of nearly a half million dollars for the purpose of improving land, private in character, for Ford's benefit.

Mr. Ford is not necessarily an object of public charity. He probably would resent the imputation. However, he is as frugal as when he first founded the Ford Motor Co. of $150,000 capital. It now runs into some millions. His dividends range all the way from 25 to 200 per cent. If an industry that is under the surveillance of the Government, or has become a target for the attacks of the Federal Trade Commission, earned one-tenth or one-twentieth of the profits Mr. Ford earns, it would be assailed as a most iniquitous trust and monopoly. Mr. Ford, however, is a professional philanthropist. He it is, all the time, who is relieving suffering humanity and at the same time profiting Mr. Ford. He needs, therefore, a half million from the Government. He needs, coupled with it, the right of eminent domain, to be exercised by the officers of the Government and by the War Department jointly, in order further to enhance the fortunes of the Ford family. The Government is at best but a philanthropic institution for Mr. Ford. It is engaged continually in promoting Ford, either financially or politically.

The indictments now under trial in Michigan, with 123 defendants, including a Member of this body, are a further instance of the philanthropic activities of the Government for the benefit of Mr. Ford.

Mr. Ford is one of those gentlemen who instantaneously know everything from birth. No historical knowledge is valued by him. No mechanical problem staggers him. No financial problem is of any consequence. Experience is useless and to him unnecessary. He knows how to do everything except improve his own land at his own expense. He only requires assistance when he approaches the Government to borrow its powers in order to oppress his neighbors and condemn their property for his own use.

Mr. Ford treats everything with the lightest unconcern. With a mere wave of his hand he dismisses problems that have staggered civil engineers for a generation. He dwarfs Edison's inventions. He knows more of mechanical forces, of electricity, of the mechanical problems involved in reducing the crude iron ore to forms of finished iron and steel, than all of the great ironmasters of the world. He proposes to relieve the human family entirely from hard labor. The curse invoked by the sin of our original parents in the Garden is to be nullified by Mr. Ford and his mechanical contrivances.

Among other things, he has secured these options; and, as suggested, the only place where there is an inkling of the price of the option is where he approached a court in Wayne County, Mich., to obtain the consent of the court, applying for the owner of the property, through the guardian or next friend, to execute the option. It was a tract of land where it would be inconvenient to have it cut out and a nick made in the general body of the 2,000 acres. In that situation the court heard the evidence and, acting for the minor child, compelled Mr. Ford to double the price in the original option presented to the court, and then it fell short of a thousand dollars per acre.

So the philanthropy is one that does not manifest itself in dealing with minors or infant children in Wayne County, Mich. The helpless never do appeal to Mr. Ford. His brutality of financial power and the might of his great industrial organization make it the moloch of the industrial world.

To-day the whole State of Michigan is swarming with Mr. Ford's secret agents. There is hardy a reputable detective agency having an office in the city of Chicago that has not been approached by Mr. Ford's agents and its services sought to be hired to hold under inspection the trial of the Government under these indictments now on hearing in Michigan. The power of the Government ordinarily is supposed to be sufficient. Its prosecuting officers, beginning with the Department of Justice in this city, the district attorney, Mr. Dailey, detailed from Indiana for such prosecutions, special counsel from the Department of Justice, the Attorney General's office, are all grouped at the trial table, and in addition to that there is a constant surveillance by literally hundreds of the paid agents of Mr. Ford surrounding every nook and corner many hundreds of miles from the scene of the trial. Mr. Ford will spend a million dollars, and still he will be the great, sanctified, eternal, holy, suwed-off joss, a pattern of every known image of counterfeit civic virtue heard of by all the blatant professional uplifters of a great country. He reminds me much of the idol in an oriental temple. He sits mute, inactive, mysterious, unapproachable, and omniscient. He does nothing, apparently, in front of his immobile face, but underneath he is using all of his vast mysterious powers borrowed from the Government to crush those who have the temerity to differ from him.

This appropriation in the river and harbor bill was secured for no other purpose than to utilize for him the power to condemn land, save him money, and to compel the taking of their property from all the riparian proprietors who stood in the way of the improvement of his private property.

To such base ends are we come that the Federal Government is merely an appendage and a contributing partner of Mr. Ford in his various successful enterprises.

Ordinarily, about this Capitol success is regarded as a badge of rascality. It is only when such distinguished uplifters as Mr. Ford have succeeded that it becomes an emblem of sublimated virtue. If any of the rest of us had made as much money in as short a time as he has we would be looked upon with suspicion and been indicted long ago on the general principles of this administration; that alone would be enough to make us prove our innocence.

To continue, the Board of Engineers for Rivers and Harbors made some recommendations. They are always recommending something. If there is anything in an iniquitous form that has not been recommended by some board of river and harbor engineers, I have failed to discover it. If anyone will evolve anything new that has not been heretofore found in a river and harbor bill, if he will present it to some river engineer I am sure it will be adopted, and a vote of thanks will probably be tendered to the great benefactor who evolved it.

This Board of Engineers say:

For reasons stated, the board recommends a survey in order to determine the extent and advisability of the improvement along the lines suggested by the district officer and the amount and character of cooperation that may be secured in the cost of construction, as well as in the features recommended in the report.

A survey was then made by the district engineer, Col. Burgess. There are a good many of these in whom the military titles are merely brevet. It does not imply that they have fought their country's enemies. It does imply that they may have been various commissioned officers on a tugboat plying up and down the Mississippi River, pulling snags, sawyers, stumps, and removing various forms of sediment from the channel.

Of course that is a highly hazardous employment, and it warrants the conferring of military titles, because often a tugboat is sent to the bottom. It may snag itself oftener than a steamboat plying on a river, whose defense is the object of the tugboat. The risks are great. They all ought to carry policies in the War Risk Bureau for being engaged in a highly hazardous employment that might not be able to be covered by ordinary life insurance. But the colonels and the majors and once in a while a brevet general come along, and, of course, every time there is a report made, the first thing that appears in the report is the officer's title. It carries conviction. It sanctifies every mudhole, and it elevates to the dignity of a great public improvement every catfish rendezvous in the whole Mississippi Valley; and so we are prepared to read that the district engineer presented two plans. That shows a most remarkable degree of self-control—one that only presented two plans. Heavens! Some of them present 15. They are like Warren Hastings, who, when he robbed British India and was arraigned in Parliament, and was called on for his defense, said, "The only defense I have

left to make is that I marvel at my own moderation. I might have stolen millions." He might have made, instead of two plans, a dozen plans, and our wits would go wool-gathering accordingly.

One is Plan A, providing for the widening, deepening, and improvement of the River Rouge from the Maples Road by way of a privately owned short-cut canal, a copy of which is in one of the published hearings. This short-cut canal extends to the Detroit River. It takes an elbow or bend out of the river, and saves time and distance. Plan B provided for an improvement starting at the same place and of the same character, which, however, followed the course of the river to its mouth. Plan A had a twofold advantage. First, the distance would be over a mile shorter. Second, it would avoid some very difficult turns in the lower part of the Rouge River. The only difference between the two was that one used the short-cut canal, and the other followed the line of the Rouge. He recommended, however, Plan A on page 18 of his report. He estimated the cost of dredging to be as follows:

Plan A, $490,000.

Plan B, $545,000.

The $490,000 estimate is the genesis of the item in the river and harbor bill to which I have referred, found stowed snugly and innocently away among a number of other items on page 9 of the act of August 8, 1917. It is sandwiched in, unostentatiously after its kind the very last one in the paragraph. A number of others are provided for, but they stand merely as a convenient blind for the real object of the paragraph. It provides, too, very thoughtfully, in view of this report, that the Secretary of War may, in his discretion, substitute plan B for plan A.

After quoting from paragraph 8, which I will insert in my remarks without reading here, as I do not care to take the time, I read that the engineer's view appeared as follows:

I may add that the improvement seems almost essential for the economic operation of the furnaces to be erected by the Ford Motor Company.

The italics are mine in all quotations.

The division engineer, in his indorsement disapproving of the improvement by the United States, stated as follows:

As stated in my indorsement on the preliminary examination report, widening, straightening, and deepening of Rouge River, as desired by local interests and planned and estimated for in the district officer's survey report, would practically convert the river into an artificial slip, and obviously would be, as shown on the map, *primarily in the interests of one company.*

This company is wholly the private property of one person. It provides a cheaper way of opening up water communication with the Detroit River for Mr. Ford, giving access to the 2,000 acres of land on which he held an option before this appropriation and its vast powers were placed at his disposal.

Pursuant to these powers that are provided by public legislation very kindly for essentially private purposes, three suits have been instituted by the United States in the district court for the eastern district of Michigan, the southern division. These are the usual petitions for condemnation of land, and cover all of the riparian ownership on the Rouge River essential to improvement from its mouth up to and including all the frontage of the Ford property.

The original act provided that before any condemnation proceedings should be instituted an effort should be made to purchase the land from the private owners. It is found in section 9, on page 19, of the act already referred to of August 8, 1917, as follows:

SEC. 9. That whenever any State, or any reclamation, flood control or drainage district, or other public agency created by any State, shall undertake to secure any land or easement therein, needed in connection with a work of river and harbor improvement duly authorized by Congress, for the purpose of conveying the same to the United States free of cost, and shall be unable for any reason to obtain the same by purchase and acquire a valid title thereto, the Secretary of War may, in his discretion, cause proceedings to be instituted in the name of the United States for the acquirement by condemnation of said land or easement, and it shall be the duty of the Attorney General of the United States to institute and conduct such proceedings upon the request of the Secretary of War: *Provided*, That all expenses of said proceedings and any award that may be made thereunder shall be paid by such State, or reclamation, flood control or drainage district, or other public agency as aforesaid, to secure which payment the Secretary of War may require such State, or reclamation, flood control or drainage district, or other public agency as aforesaid, to execute a proper bond in such amount as he may deem necessary before said proceedings are commenced.

None of the intervening agencies were employed. Therefore, these suits invoke the power of the Government for purposes of condemnation. There was no effort made, with but a single exception that I now recall, to purchase from the private owners for instituting these suits.

It further provides in section 9 that—

Before suit shall be instituted bonds shall be given to indemnify the Government in such amount as may be deemed necessary before the proceedings are commenced.

No such bond was given. It has only been given as an afterthought. When the question was raised of the right of the Government to maintain the petition to condemn, Mr. Ford caused to be executed a bond to save the Government from the expense additional to the $490,000 made necessary by the condemnation of the land. Just where the bond is I do not know. The last-known whereabouts of the bond was in the hands of Mr. Ford's attorney.

That leads me to remark that of the attorney's appearing of record in the first one I quoted, in the matter of the petition of the United States of America for the taking and condemnation of private property for the benefit of the public, No. 6213, in the district court of the United States already referred to, appears the following on the petition:

A. Mitchell Palmer, Attorney General of the United States.

Samuel J. Graham, Assistant Attorney General of the United States, Washington, D. C.

Howell van Auken, 1502 Ford Building, Detroit, Mich., special assistant to the Attorney General of the United States, attorneys for petitioner.

Alfred J. Murphy, Detroit, Mich., counsel for petitioner.

In another petition to condemn covering the same subject matter but other tracts appears on the petition "Thomas W. Gregory, Attorney General of the United States." That was before his resignation. Also "Samuel J. Graham, Assistant Attorney General of the United States, Washington, D. C. Howell van Auken, special assistant," the same address heretofore given.

The third from which I read has the same attorneys, including Mr. Alfred J. Murphy as counsel for the petitioner. Mr. van Auken is an attorney retained and paid by Mr. Ford. Alfred J. Murphy is the paid employed counsel, year after year, of Mr. Ford. The firm of attorneys has an office in a well-known locality in the city of Detroit. All the members of this firm are representing Mr. Ford's interests, both public and private. Some of them are special United States attorneys appointed by the Department of Justice to prosecute this petition.

I might go outside of matters strictly connected with this Rouge River improvement and state that Mr. Ford's attorneys retained by him privately are, in connection with his other activities, now engaged in moving heaven and earth assisting the Government in the prosecution of those indictments. The case itself is managed, advised, and the principal motions are made through the advice of Mr. Ford's private counsel. If they do not appear in person, their mouthpiece is visible in the flesh at the trial table, and through him or them they make their conduct and their wishes known.

So, it not only reaches to the perversion of the power of the Government to condemn property for Mr. Ford's private benefit but it extends to the extent of Mr. Ford's private hired lawyers assisting in the prosecution of a criminal case in the name of public justice. A more infamous prostitution of the powers of Government to serve private ends has not been known.

Of all the preverts of the age, of all the moral morons of those who have appeared as the beneficiaries of superfluous and putrescent wealth, Mr. Ford is a type as void of a sense of right and wrong as a beast in the jungle. Anything that opposes him is wrong. He possesses worldly infallibility, and, coupled with his enormous financial strength, he proposes to enforce that infallibility. He proposes to crush and destroy all who raise their voice against him.

Personally, I somewhat regret that he did not get his seat without the formality of a contest. It would do Mr. Ford good to sit in this body, be the season ever so brief. A greater refrigerator for his world-embracing, effervescent brain could not be invented by mortal wit. If he were seized with a divine afflatus of speech making, there is nothing to reduce the enlargement of the cerebral cavity like speaking to empty benches. It would effect even in a colossal egomaniac of his description possibly a permanent cure.

Then the Chief of Engineers again appears with a report. He says:

The Ford Motor Co. is now erecting a large plant just below this road which will give employment to about 15,000 persons—

And recommends that it be done. Plan A was finally adopted by those in favor of the improvement. They asked that the Secretary of War be given discretion to use Plan B if the right to use the short-cut canal could be obtained. Evidently it was not then proposed to obtain the right to go through the short-cut canal by eminent-domain proceedings. That was to be used only to take from the riparian owners through the agency of the Government the private rights they had. In spite of this, however, Henry Ford through the Secretary of War has caused these condemnation proceedings to be instituted in the name of the United States purporting to pass upon and condemn lands along the short-cut canal.

The attorneys of record I have read. The firm of which Mr. van Auken is a member is Lucking, Murphy, Helfman, Lucking & Hanlon, who have at all times and places in recent years been Mr. Ford's attorneys, both in public and private subjects.

Alfred J. Murphy originally appeared as of counsel for the petitioner of record. On objection that he was simply a Ford attorney, too, he had himself appointed as special assistant to the Attorney General of the United States. There is no doubt that his compensation comes from Henry Ford. Mr. Murphy is not usually found performing legal services from purely charitable motives. It is only when fees commensurate with those to which he is accustomed are forthcoming that Mr. Murphy's activities are aroused. No mere paltry stipend that the Government could pay out of the Attorney General's office and tolerated by public opinion would have been satisfactory to Mr. Murphy's instinct for liberal fees. It is only private business successful as Mr. Ford's is that is able to pay to Mr. Murphy enough to enlist his services. It only adds to the general sordid complexion of the whole mercenary undertaking that private attorneys are employed and pose as assistants of the Attorney General of the United States, while private interests are to be served, private profit to be promoted, the power of the Government used, its sovereign power of eminent domain to be perverted to Henry Ford's purposes, and $490,000 gone out of the Treasury purely for the purpose of improving Mr. Ford's property. If others incidentally have some of the drippings from the altar of Mr. Ford's industrial sanctuary it will be merely incidental, not intended, but unavoidable.

There was a further condition that no funds should be expended until local interests were given satisfactory guaranties of their assumption of the cost of right of way, alteration for bridges, and incidental charges.

The three condemnation suits that I have referred to, to condemn the land and property in question, have been started in the district court in pursuance of this power. They were started, however, in June, 1919, but there was no bond or guaranty provided until October, 1919, and then it was executed through the Secretary of War in order to commence the proceedings, or, rather, to sustain them.

He was required to make a large number of certificates and there were a number of requests to appoint special assistants. Henry Ford made no effort to buy the land. There are several affidavits on file to this effect in the district court where the suits are pending. No offer to purchase was made, and no negotiations leading to that end were entered into by Henry Ford, by his assistants, or by anyone else representing Mr. Ford or the Government or any agency interested in the petition to condemn. The special attorneys, or Ford's assistants, which would be a more accurate description probably, claim that they proved ex parte to the Secretary of War that they tried to purchase land, and that the determination of the Secretary of War that they were unable to purchase it is conclusive, so that the landowners may not now go back of this determination to show that no efforts to purchase were actually made.

The special assistants, or Ford's attorneys, state that they made a certain bone fide offer, and this is the only one that they have been able to prove up to this time, so far as any evidence I have been able to ascertain shows, to purchase the Michigan Carbon Works, a considerable strip of land several hundred feet in length, on which is a water filter, which it would cost a considerable amount of money to change. This bona fide offer made by Henry Ford was the munificent sum of $1. If he had been selling it, there would have been a difference. There is a great difference between the buying price of Mr. Ford and the selling price. He thinks $178,000 spent in a Michigan election is evidence of the grossest and most abandoned corruption. That would scarcely be thought by Mr. Ford worthy of comment if it had not been spent against his sacred person.

How much the State Democratic central committee spent deponent saith not up to this time. It is hoped that it will have a sufficient investigation in the interest of public curiosity if not of justice.

It was the regular organization in each case, one pitted against the other. One hundred and seventy-eight thousand dollars in an election in a State the size of Michigan does not of itself imply any corruption. If I have read the press reports, such frugal reports as have appeared of the witnesses' testimony, there are more of the witnesses testifying for the Government who ought to be indicted than the defendants in the case. It has an entirely familiar look. All of us who have been candidates, and especially in the larger States, can sympathize with the witness who was offered $50 a week for his political services. He rejected it with loathing and scorn. He said unless $1,000 en bloc was offered him he would go back to his billiard hall and attend to his business. It sounds familiar. I would almost think that that was across the line in Illinois. Chicago is full of gentlemen whose time can not be taken from billiard halls for any such paltry sums as $50 a week. All the gentlemen who have constant visits to make to headquarters of all political parties asking for remuneration are unknown to Mr. Ford. He can have Mr. Lucking come to Washington and secure nearly half a million dollars for the improvement of his private property. He knows about that. But an organization representing the party from which he received his nomination and on whose ticket he was running can not spend a dollar and he have any knowledge of it.

He has no more idea of politics than he has of morality as applied to public affairs. Whenever money is expended by a Republican State committee against him it is the subject matter for indictment. It is an effort by this administration to terrorize and reduce to servitude and instant obedience everybody to whom orders are issued. It is similar to the effort made by the prostitution of the war powers in the hands of the administration to jail everybody who criticizes the conduct of the administration, if it is done outside of Congress. Men have been arrested by deputy marshals and secret-service agents, incarcerated in jail, and put under heavy bail for reasons that no American citizen ought for a moment to justify or attempt to justify, much less a public officer.

For instance, an employee in a Chicago department store, who had been in service overseas, who had served in the trenches under fire, had returned and casually remarked one day, when somebody brought the subject up, that he did not think very much of the behavior of the Red Cross in the sector where he was employed. He said their agents, as it appeared to him, were a parcel of grafters. The specific complaint was that cigarettes and other supplies given to the Red Cross by charitable people in this country were by the Red Cross sold to the soldier when he wanted them, and the money was taken by the Red Cross and used for other purposes. Practically it is admitted by Red Cross authorities that that was done in similar instances.

A pair of socks was bought by a soldier at a station of this organization. He opened them and found inside—unknown probably by anybody who had handled them after they left the original owner or maker—that they were donated by so-and-so, giving the name and address, which I shall forbear to give. The soldier bought them at the station at the regular price; he paid out of his small earnings of $30 a month the price for a good pair of socks. Such instances were the basis of the soldier's criticism of the Red Cross. Some sleuth heard it, arrested him under the espionage act, and took him to jail. He was out under bail the last heard from him. Some of his friends of small means pooled their resources and furnished the bond so that he could get out of jail and go back to work. He had been put in jail for criticizing the Red Cross concerning matters for which they can be convicted any day in the year before a committee of the Senate. They are, however, to be exempt from criticism.

I have lying in my office a statement from a reputable gentleman in Athens, Greece. He was stationed there or made recurrent trips to Athens, covering the territory in the line of his business. His report is not flattering to certain features of the Red Cross.

I do not offer it to discredit this organization but to suggest either a voluntary improvement of their methods or, failing, that legislation be resorted to to protect a charity-contributing public.

A certain sum of money, aggregating about $2,000,000 in nine months, was allotted for the Red Cross service in Greece. He says it is admitted by the employees paid out of this fund that when they wrote three letters a day they thought they had had a real hard day's work. One letter or answering a telegram often completed the day. The large part of their time was spent in automobile trips to various points of classical antiquity. They read Grecian history of the earlier days, and every point of interest that was presented by the author they visited. They lived well. There was no famine in that part of Europe at that time. Their supplies on the table and their lodging accommodations were of the best at high-priced hotels. They went so far as to undertake to teach the Greeks how to raise the products of that country, to restore the soil, and to double the crops, as they insisted, if their directions were followed. A mailing list of 150,000 names was used.

A gentleman whose name will come up here for confirmation before long lifts the curtain of the Red Cross a little—Dr. Van Schaick, jr. He was for two years in the Red Cross service. He refers to a particular time on election day—he remembers that occasion—and says he was then engaged in guiding a number of American visitors to various points of interest and showing them around in the area where battles had raged. In other

words, he was a guide; a mere conductor of what, in common parlance, we in Washington would call a "rubberneck wagon." He was paid out of the donations to the Red Cross fund that every charitably inclined person in the country has contributed to for some years—a guide to sate the curiosity of visiting Americans, whether in Congress or otherwise does not appear.

I am prepared to accept the outside statement, until I have better proof, that out of every dollar donated in this country for Red Cross purposes 40 per cent is absorbed in salaries and traveling and other expenses of those who direct the application of the other 60 per cent.

The Red Cross is a great organization; it has done a world of good, and it will continue to do so. But, like other unregulated activities of that kind, with vast sums of money under their control, it needs inspection. There ought to be somebody to exercise the powers of visitation on the authorities in control of this charity, to see where the money goes and how it is expended. Of course, anyone who raises his voice in criticism of any act of the Red Cross is likely to be misunderstood and charged with having disavowed the faith, and be relegated to the outer limbo of eternal darkness by certain uplifters who are drawing their support from the Red Cross pay roll. Others having the good of this great charity at heart will commend my efforts.

For instance, in last Sunday's New York Sun and Herald there appeared a review of a book written by a gentleman who thinks he ought to be in the limelight all the time. His book rose to the dignity of being reviewed in the paper referred to. On the page where the review of the book is printed is the figure of the author. To all appearances the cut shows a man of the physical proportions of a Goliath. He is wearing, apparently, the uniform of the United States, for it is difficult sometimes in the haze to distinguish that uniform from the Red Cross uniform. He stands valiantly for the reading public to observe. His chest expansion would indicate a military training, he has a bosom like an ancient West Pointer; everywhere is the look and port of military genius. Held off at a distance it bears a strong resemblance to the sturdy figure of Hindenburg before his late collapse; but when I draw near and look and read, I find it is the gentleman who in private life under the shadow of our homes is known as Raymond Robins, late private self-appointed ambassador to Trotski and Lenin, representing the Red Cross charities, and in that country engaged in giving relief to the suffering proletariat.

He has written a book about it, and the Lord knows it was only due to remarkable self-restraint that he did not write it sooner. Charles Edward Russell, who went to Russia upon some commission for the purpose of investigating Russia before the tragic exit of the Czar, did not wait until he touched the marginal waters of his native land until he was emitting words at the rate of 10,000 per hour; a perfect Niagara of language poured from him, and he is continuing the cataract without ceasing. The public is disposed to let him go; he is perfectly harmless so long as he is in active eruption. It is only when confined that the "pent up Utica" explodes and great elemental disturbances occur.

Both these gentlemen are distinguished Red Cross pay rollers. The art of the photographer has many sins to answer for, and this is one of them. I never saw Raymond Robins at any time when he was such an awe-inspiring looking personage; in fact, he is quite inoffensive, and when close to him I would regard him as undersized; I would speak of him, if I were outside of this Chamber, as a physical runt. But thus it is that art can supply what nature denies.

He is a great uplifter, and so long as he is paid a salary to relieve suffering humanity he, like Mr. Ford, will go right merrily along. Mr. Ford's method of relieving suffering humanity is entirely different from that of my beloved friend Robins. Probably in his philanthropic efforts Ford has caused more suffering to humanity, intended to be relieved, by the interminable jolting of his light-weight machines than he has ever caused pleasure in the use of them. My dear friend Robins belongs to the same tribe of uplifters as Henry Ford and Charles Edward Russell, with George Creel, John B. Densmore, and Frederick C. Howe.

Time admonishes me not to call the roll further, because they are typical of all of them; they are all of a kind, and so long as they can attach themselves to the Government pay roll or to the pay roll of anybody else humanity is bound to be relieved. So the Red Cross gets them; that is to be expected; they are cheerful volunteers; but I respectfully suggest to the Red Cross and those having authority, the executive heads thereof, that some day the great contributing public will rise up and ask that they purge their expense items and give a better account of the money they are allowed to collect from that public.

The difficulty with the Red Cross is that it has on its pay roll emissaries of socialistic propaganda all over this country. Willingly or unwillingly, it is lending the charities of the country to promote vicious doctrines either in the ballot box or the more open violation by revolutionary force aimed at the traditions of our country. The Red Cross is too often found in bad company. It is not to be condemned for that reason, but it is to be purified and purged of the undesirable elements which have attached themselves to it.

The like statement can be made concerning the universities. If I had any money to give to a university, I would give with express conditions that such doctrines as those to which I have referred should not be taught within the walls of the institution. That is the cause of one half of the trouble in this country; the other half may be charged to ignorant aliens let in by a loose administration of immigration laws or by none at all in the earlier days. It takes the average university man 10 years to unlearn the utter economic imbecility that is crowded into the four or five years of university training. It is usually that long a time before he learns there is a difference between the air castles of the university professor and the actual affairs of human beings dealing with each other in this transitory and mortal life. A university training is no advantage to a person unless he has good horse sense to begin with.

Col. Ingersoll was approximately right when he said that universities were places where "pebbles were polished and diamonds were dimmed." It does not hurt if the character, the mentality, and the fiber of the man are right; but if it is soft metal when it goes in, it will be untempered metal when it comes out; there is nothing short of a miracle from the Author of our Being on high that will change it.

It is such as those who are attempting to manage the affairs of this country, to subvert constitutional government, to deride law, to make a new rule of economics, to escape the inevitable laws that have attended us and our ancestors for a thousand years. They war with immutable conditions and exhaust themselves in repealing the unchangeable.

Why did Ford not buy land down on the Detroit River? That is a pertinent inquiry. It costs more. The Detroit River on either side, in the United States or Canada, still has banks and riparian rights that are not occupied. Why did he not go down where the Government would not be called upon to use its power of eminent domain or to put in half a million dollars out of the Treasury, which is a mere beginning? It is because if he went where the land is improved, away from the farming section, he would have paid more for his options and for the purchase price for the 2,000 acres of land required for his industrial plant. At all times he is a thrifty soul. Nobody ever accused him of not looking out for the main chance. He did not propose, not for an instant, to go anywhere where his land would cost him anything compared with what it would cost if he bought it along some sparsely settled part of the Detroit River. His sole purpose was to buy it cheaply and make it dear in value when he held it benefited by the powers of the Government of eminent domain and of half a million dollars of public expenditure which is purely for private purposes.

Of course, if Mr. Ford were to go into the middle of a cornfield or a wheatfield in Minnesota and start a plant, the land around it would increase in value; it would be a public benefit, providing his machinery is a benefit to anybody, and he would be hailed as an alleged benefactor in the State wherever he went. It is supposed that that justifies the use of public funds to promote his private fortunes. So he went up nearly 4½ miles from the mouth of the Rouge River and took options, and subsequently, up to the last information I had, he has bought at least 1,000 acres of it, and conveyances have been made to him. That done, his agent, Mr. Lucking, hies him to Washington, before the committee, and obtains the legislation to which I have referred for the purpose of digging and deepening and widening the Rouge River until, as the engineers say, it makes practically a water slip from the Detroit River up to the 3,000-foot front of his plant.

There never was so plain a case of the prostitution of governmental power for private benefit. It would be possible under no other condition than the reign of terrorism that the Government has instituted in Michigan for the purpose of promoting Mr. Ford. Mr. Ford is the author in Michigan of that process of terrorism. It serves his purposes. It is like his practices to tolerate no opposition and to receive no criticism without regarding the critic as his enemy.

Since I introduced the resolution which has been sent by the Appropriations Committee to the Committee on Commerce, as having more properly jurisdiction than the Appropriations Committee, an engineer, Mr. Markham, stationed at Detroit, takes the present occupant of the floor to task for having introduced

the resolution. It is similar to the resolution passed by the village council of River Rouge and the one referred to on yesterday in Oakwood, in which it is said that private malice is at the bottom of such a resolution. Those distinguished mind readers are at liberty to draw any conclusions they see fit. It is a matter of no concern to me. I have no malice against Mr. Ford, but I do have criticisms and opposition to anybody who claims such infallibility and universal knowledge as Mr. Ford or anybody else. I know that essentially at heart such a man is a pretender.

There are no such people. Whenever I run across a man who claims to be one of them I instinctively brand him as a humbug. The strength of such a type consists in that part of the American population referred to by Barnum in the days when he was a great showman, that the American people like to be humbugged, and they are getting a liberal dose of it from many, many sources. They will be gorged to repletion, judging by the supply that is forthcoming. In time they will turn upon the ones practicing the infallibility and the imposition. That time has not yet come. Indications appear here and there that there is an awakening, but the gentleman that comes along with an infallible specific to cure every human ill yet finds credence in some quarters. No man who is informed on public or private affairs believes it for a moment; but there are a number of the other kind born every second, and they are a perennial field for the exercise of the talents of the infallible ones.

So Col. Markham writes a letter which his counsel had the goodness to send me, being published in one of the Detroit papers. It is sent in an envelope on which this letterhead appears on the upper left-hand corner:

Lucking, Murphy, Helfman, Lucking & Hanlon, attorneys and counselors, Ford Building, Detroit, Mich.

I will not read it. I will insert it in the RECORD later, when I conclude my remarks; but I take care here to remark that Mr. E. M. Markham attaches, just below his signature, "Lieutenant Colonel."

It would be incomplete if he did not attach his title. I referred to the hankering for military titles that the most of these distinguished internal fresh-water architects have. It is a wonder that they do not assume naval titles. There ought to be commodores and rear admirals, so that Grayson would have more company. He is a fresh-water admiral, and why not extend it to some of these gentlemen who sail the raging main of the Mississippi? "Colonel, lieutenant colonel, Corps of Engineers, U. S. A."—they are all attached to the U. S. A.—and he takes me to task very much.

I do not care to do more than to refer to Mr. Markham. His reasons are not more convincing than those of the average river and harbor engineer, which is a libelous statement right at the beginning, and if I were outside of the Senate Chamber I ought to be sued for making it.

I ask that the envelope and the communication from "lieutenant colonel, Corps of Engineers, U. S. A.," dated Detroit, Mich., January 14, 1920, be printed in the RECORD without reading.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Without objection, the request is granted.

The matter referred to is as follows:

[Envelope:] Lucking, Murphy, Helfman, Lucking & Hanlon, attorneys and counselors, Ford Building, Detroit, Mich., Detroit, Mich., Jan. 15, 11 a. m., 1920. [Stamp.] Hon. LAWRENCE Y. SHERMAN, Senate Office Bldg., Washington, D. C.

ENGINEER REPLIES TO ROUGE CHARGES—RIVER IMPROVEMENT REQUIREMENTS MET, SAYS COL. MARKHAM.

[From the Detroit Free Press of Jan. 15, 1920.]

To the Editor: My attention has been called to a Washington dispatch which appeared in the Free Press, captioned, "Stop River Rouge job, Senate asked," alleging certain charges by United States Senator SHERMAN to the effect that the requirements of the legislation authorizing and appropriating for the Rouge River improvement were being violated, in that Mr. Henry Ford was not "living up to his agreement" to buy the land and pay incidental damages, the Secretary of War having interposed condemnation proceedings "whereby the Government—not Ford—would acquire the land which would be paid for out of the Treasury of the United States."

In the interest of a correct understanding of the matter by the local reading public, immediate correction of obvious misinformation contained in the news item in question seems advisable.

The appropriation item authorizing the Rouge River improvement reads: "For improvement of Rouge River, Michigan, in accordance with the report submitted in House document No. 2063, Sixty-fourth Congress, second session, and subject to the conditions set forth in said document, $490,000." * * *

The House document referred to contains the limitation that Federal expenditures shall be made "subject to the condition that no funds shall be expended for other than survey work until local interests shall give satisfactory guaranties of their assumption of costs of rights of way, alterations of bridges, and incidental damages." In fulfillment of the qualification just quoted, the War Department has required of Mr. Henry Ford, who has assumed the obligations of "local interests," three bonds, which are now in War Department files—one in the sum of $100,000, a second in the sum of $500,000, and a third of unlimited amount. Each of these bonds guarantees the Government harmless against any of the costs which are required by the project document cited to be assumed by "local interests."

Accordingly, following the receipt and acceptance of the bonds just described, the Federal Government is proceeding in the customary manner to the acquirement by condemnation of such lands as could not be privately acquired except at excessive prices, and anticipates that its expenditures related to the Rouge River improvement will be confined exclusively to survey work and physical excavation, and that all charges having to do with rights of way, alterations of bridges, and incidental damages, as adjudged by the proper judicial agencies, shall be met by the bonds of Mr. Henry Ford, above stated to be in hand.

E. M. MARKHAM,
Lieutenant Colonel, Corps of Engineers,
United States Army.

DETROIT, *January 14, 1920.*

Mr. SHERMAN. I also call attention to the resolution of the Detroit Common Council, adopted January 20, 1920, the same day, and also the resolutions of the suburban village of Oakwood, heretofore referred to, on January 20, 1920. All three dates seem to possess a sequence of time. Probably it was actually the same moment, the same hour; but one would think that all of it happening on the same evening, January 20, 1920, was a remarkable coincidence. It had its inspiration, in all probability, at the number on the left-hand corner of the envelope of this multitudinous and ever-active array of Henry Ford's attorneys. They all acted at the same time. They all denounce in the same way. There are slight changes in verbiage, it is true, because it would not do to have them read precisely the same way; but every one of those resolutions was prepared in the office of Henry Ford's counsel in the Ford Building, Detroit.

One would think that there was nobody in Detroit but Henry Ford. There are at least some other concerns in the city of Detroit that have an equal number or more men on their pay rolls, and pay equal or better wages, and whose output and market is equal to Mr. Ford's, and nobody ever hears of them except by reading a trade journal. The difference is that Mr. Ford is a philanthropist, and the others are conducting private businesses. It makes all the difference in the world. It pays to be a philanthropist. Why, Mr. Robins found that out a long time ago. He went to Russia as a philanthropist on the pay roll of the Red Cross. Mr. Ford is a philanthropist. He has made an auto that anybody can buy. He has literally exterminated the mule everywhere except in Missouri, where the Ozark knobs are not favorable to jitney navigation. He has practically invented, he says, a farm tractor. He knows a way of getting good roads. He will buy enough land in Michigan to sell to every employee a 20-acre tract where he can raise celery, cabbages, and peaches. I am quoting now from a statement of his in a magazine some months ago.

He can live off the 20 acres. He will be paid a minimum wage of $6 a day in the Ford works. He will have a machine, finally, that will only cost $125, and will cost 10 cents a day to run. He can live out on the 20-acre peach orchard and come to the factory every night and morning, with the $6 minimum wage. Mr. Ford's entire plant is well ventilated, with plenty of light, and purely philanthropic, to benefit mankind. His own welfare and benefit have nothing to do with it. He has solved the problem, and he actually says there is no reason for any man to work more than 2 hours a day!

What will we do with the rest of the time? I have dismal forebodings that there will be strange eruptions in the State when a man only has to work 2 hours a day in this blessed country of ours and has the other 22 hours to eat, sleep, and look after the affairs of his neighbors. It will be a splended way of keeping up a healthful circulation of family secrets. Of course, it is a good thing that the country went dry. Imagine the horrors of 2 hours out of 24 at work, and beer halls assailing us on every hand for the other 22 hours when we are awake! We must do something, and those of us who are not inclined to a literary life or to run for office would naturally drift into a beer hall or a church, according to our inclinations; and I am sorry to say that many of my fellow citizens, not being properly inclined, would probably be found in a beer hall. So it is fortunate that the country went dry along with this great economic reform of our friend Ford.

It is no surprise Edsel Ford was exempted. He might have had to take his chances with the average. That is not to be endured. No wonder that he was protected by an Executive order from the White House to avoid this calamity; and equally to be expected the Senator representing in part the State of Delaware rises in his seat and protests against the draft record of Edsel Ford being exposed to a carping and censorious public.

Mr. WOLCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Delaware?

Mr. SHERMAN. Why, certainly.

Mr. WOLCOTT. I want to set the Senator straight. The Senator from Delaware never protested against exposing the draft record of Edsel Ford. I protested against exposing the draft record of 24,000,000 American citizens. Mr. Ford happens to be only one of them; and yesterday I suggested that it would be simpler and more direct to introduce an amendemnt to accomplish the Senator's purpose which would read something like this:

The Adjutant General is directed to supply to the Senator from Illinois a copy of Edsel Ford's draft record.

This would leave the other twenty-three million nine hundred and ninety-nine-odd thousand alone. So I have never protested against the exposure of Edsel Ford's draft record.

Mr. SHERMAN. The solicitous Senator knows how many Members of Congress there are, I presume—96 here, and 435 in the House—which, according to the average system of arithmetic, makes 531 Members. Does the Senator think that 531 Members of Congress, ordinarily being somewhat occupied with the affairs of legislation and their constituents, would create such turmoil as to reach 24,000,000 registrants?

Mr. WOLCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois further yield to the Senator from Delaware?

Mr. SHERMAN. I do.

Mr. WOLCOTT. I do not think that every one of the 24,000,000 men would have his record asked for by 531 Members of Congress; no. I do think, however, that every one of the 24,000,000 men would be subjected to the risk of having some Member of Congress seeking his record, urged thereto by some scandalmonger, some personal enemy, some one actuated by venom and malice to drag this intimate record of a private American soldier back into the community with which to damn him and slander him. Every one of the 24,000,000 would be subject and liable to that risk. It is true that they would not all be victims of it.

Mr. SHERMAN. Does the Senator think that among the 531 Members of Congress there are any scandalmongers?

Mr. WOLCOTT. I have not any question in the world, Mr. President, but that there would be Members of Congress who would, for the sake of pandering to somebody of influence or consequence, or, if you please, somebody possessing one vote, allow themselves to become the vehicle by which some man back home would seek to secure information concerning the physical condition, for instance, of a draftee, or some other private information about him that the draft record disclosed, for the purpose of slandering him. I have not any doubt in the world that the Members of Congress would be sought to do that, and that some would do it.

Mr. SHERMAN. Mr. President, if I had the low estimate of any Member of Congress of either body or had the low estimate of their constituents or had the debased estimate of human nature in general, I could come to the same conclusion that Mark Twain did when he said that the more he saw of human beings the better he liked dogs. But, happily, I am not yet in that condition. If I had the opinion of Congress that distresses the Senator, I would decline to soil my immaculate official toga by associating with such reprobates. I would resign and escape contamination.

Mr. WOLCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Delaware?

Mr. SHERMAN. Certainly.

Mr. WOLCOTT. There are mortal men in this Congress as well as outside, and I do not have to go outside the halls of Congress to find men who are willing to slander their fellows.

Mr. SHERMAN. The Senator does not subscribe to Henry Ford's doctrine of all mankind being good. He must suffer acutely from such association. The beloved Henry says that all you need to do is to give them 2 hours' work—that it is all it is necessary out of 24—and the whole human problem is solved. Necessarily, if that theory of humanity is right, the fears entertained by the Senator from Delaware are wrong. I leave him to meditate upon that subject, and hope that later he may amplify or correct it.

I now place in the RECORD the resolution to which I have referred of the Oakwood Common Council, of the city of Detroit.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From Oakwood Outlook, Detroit, Mich., Jan. 30, 1920.]

PUBLIC MASS MEETING HELD AT OAKWOOD, DENOUNCING THE RESOLUTION OF SENATOR SHERMAN TO DISCONTINUE WORK ON RIVER ROUGE.

A public mass meeting was held at the council chambers in the village of Oakwood Tuesday night, January 20, for the purpose of denouncing the resolution introduced in the United States Senate by Senator SHERMAN, of Illinois, to discontinue work on dredging and widening the River Rouge. The capacity of the council chamber was insufficient to accommodate the large crowd assembled and an overflow meeting was held in front of the council chambers. The meeting was attended by leading citizens of Detroit, River Rouge, Delray, Oakwood, and Ecorse. Indignation reigned at a high pitch during the entire evening. Among those present were the president and trustees of the village of River Rouge; president of the River Rouge Board of Commerce; the president and commissioners of the village of Oakwood; the president and treasurer of the Oakwood Board of Commerce; and the president and treasurer of the Oakwood Improvement Association. The meeting was addressed by Henry Messimer, corporate counsel for River Rouge; Albert E. Sherman, corporate counsel for Oakwood; Gen. C. W. Harrah, T. H. Welch, and Carl Storm, of Detroit, as well as by the presidents of the villages of River Rouge and Oakwood. Immediately following the addresses of these men the meeting was thrown open for general discussion, and practically all of the trustees and commissioners of the different villages denounced the Sherman resolution as narrow, selfish, and impractical, and greatly to the detriment of the great section known as southwestern Detroit. The following resolution was presented to the meeting by Dr. F. J. Clippert and unanimously adopted by rising vote:

"*Resolved*, That the proposed resolution of Senator SHERMAN, of Illinois, to discontinue work for the improvement of the River Rouge is inimical to the best interests of the entire community of southwestern Detroit and its environs and that the passage of said resolution would be unfair and unjust to the citizens thereof and that said resolution meets with the unanimous disapproval of those present at this meeting.

"*Resolved further*, That our Senators and Representatives and Congressmen be, and are hereby, petitioned to use their influence to defeat the said resolution and to encourage in every way possible any and all movements toward the improvement of the said River Rouge.

"*Be it further resolved*, That a copy of these resolutions be forwarded to Representatives DOREMUS, NICHOLS, KELLY, and MICHENER, and also to Senators TOWNSEND and NEWBERRY."

Chairman of the meeting was Albert J. Charles, president of the village of Oakwood.

—

Resolution by Oakwood village council, passed January 20, 1920.

Whereas Senator SHERMAN, of Illinois, has introduced a resolution to hold up further work on the improvement of River Rouge because of alleged private benefit thereof:

Resolved, That this work is of the utmost public importance and of the greatest value and interest to the village of Oakwood and all the neighboring villages and the city of Detroit, and that such work will be of the greatest public service and of immediate financial benefit to large numbers of our people and industries; that great sums have been paid out and incurred by municipalities, individuals, companies, and railroads on the faith of this work; and that it would be a disaster to the community to stop such work.

Resolved, That our officers communicate with our United States Senators and Members of Congress and send them a copy of this resolution, requesting them to actively oppose such resolution and in every way to aid the early completion of such work by lending their help to every effort and requirement of the Government in that behalf.

Dated at the village of Oakwood, this 20th day of January, A. D. 1920.

ALBERT J. CHARLES,
President Village of Oakwood.

[Village seal.]

EDWARD G. MORITZ,
Clerk Village of Oakwood.

—

Resolutions of the board of directors of the American State Bank of Oakwood, January 21, 1920.

Whereas Senator SHERMAN, of Illinois, has introduced a resolution in the United States Senate calling for the discontinuance of the work now under consideration for widening and deepening the River Rouge; and

Whereas this improvement is of the greatest importance for the development of projects undertaken and to be undertaken in the district of River Rouge, in southwestern Detroit; and

Whereas it would be a public calamity and a great financial loss to firms, corporations, and individuals, as well as to the citizens of this community, should this work be retarded or interfered with in any way: It is therefore

Resolved, That we notify Senators TOWNSEND and NEWBERRY and Congressmen NICHOLS, DOREMUS, MICHENER, and KELLEY that we are opposed to the passage of said resolution introduced by Senator SHERMAN, and we urge our Senators and Congressmen to do all in their power to prevent its passage, and urge them to lend their support to the early and complete development of said River Rouge as a necessary improvement urgently needed by the entire community.

W. J. HAYNES, *President.*
A. C. MILNE, *Cashier.*

—

Following is the summary of the speech delivered by Attorney Henry Messimer:

"About a year or so ago Congress appropriated a large sum of money to widen and deepen the Rouge River, undoubtedly having in mind the needs of Detroit for additional harbor facilities to make the Detroit River and Great Lakes accessible to our newer industries. It now appears that Senator SHERMAN, of Illinois, has introduced in the Senate a resolution to withhold this appropriation, and his activities in this regard should meet with your most severe condemnation.

"You know as well as I do that for the last several years and following the making of this appropriation the west side of Detroit, including our villages, has taken on a new industrial aspect. Great concerns, by the literal score, have announced their intention to move to this district, and many have already either completely erected their plants or purchased sites for that purpose. These concerns require vast quantities of coal, lumber, ore, stone, and other materials, which will be sent to them by water. They have located along the Rouge so as to be able to receive their materials with the greatest economy. When all are in operation they will employ thousands of workmen, who will come and reside in our vicinity. For the period just passed scarcely a month has elapsed without bringing forth the announcement of the advent of another industry.

"Now, any government that fails to take account of the industries of the land can not survive, and any man or group of men (the Senator from Illinois included) who, for malice or ulterior motives, seek to wrest and despoil a community or to prevent its proper development fails in his citizenship, and to fail in citizenship is to fail as a man. Senator SHERMAN has failed in his citizenship and as a Senator by his

resolution to withhold funds lawfully appropriated for this great enterprise.

"I believe that no man, especially a Senator, should lend his voice and position to 'pull chestnuts out of the fire' for some one else, or lend his position as representative of the people to further a personal grudge or spite against an opponent. No such representative has the right to barter the public or a community interest for any such purpose.

"Not all men in our Congress are like Senator SHERMAN; there are many big men there, and it is these men to whom we must look at this critical hour in the history of down-river development to see that this resolution is defeated. I take it that all the Senators and Congressmen from Michigan will uphold the honor and traditions of this great Commonwealth, for they know what the defeat of this project would mean; but that nothing may be left undone to kill this resolution, let us here, all assembled, by letter or telegraph, instruct the Senators and Congressmen to use their best efforts to defeat this pernicious resolution.

"If the Senators and Congressmen from other States who are to pass on this resolution would spend a little time in visiting the great centers of industry and trade, if they would come to this locality and see the great buildings and smoking furnaces, there would be no question as to its outcome, but as they will not come, it is for us to carry the message to them.

"I can not believe that this resolution will carry, and with the aid of our representatives in Congress and the earnest cooperation of all of us, it must not."

—

Resolution of Detroit Common Council, adopted January 20, 1920, opposing withdrawal of Rouge appropriation.—By Councilman Simons.

Whereas Senator SHERMAN, of Illinois, on January 13, 1920, introduced a resolution in the United States Senate asserting that the improvement of the River Rouge by the United States Government "is solely for the benefit of Henry Ford and the Ford Motor Co.," and that Henry Ford "is using the name and sovereign rights of the United States and the powers of the Secretary of War for his own private benefit," and calling for the suspension of further work upon said improvement: Therefore

Resolved by the common council of Detroit, That these statements are erroneous; that said improvement is primarily for the benefit of the whole city of Detroit and the villages on the southwesterly banks of the Rouge and of the citizens of said municipalities, and is of an immediate and direct benefit to large numbers of owners of frontage on either side of said river and of considerable numbers of existing industries in the line of the improvement and of prospective industries about to be created thereon, as well as of many thousands of employees already employed and to be employed therein, and that said improvement, when completed, will be of incalculable benefit to this entire great community.

Whereas vast expenditures have already been incurred by individuals and companies and various municipalities and railroads along the line of the improvement on the faith of the completion thereof;

Whereas the board of supervisors of the county of Wayne unanimously decided that this was an improvement of great importance and voted their approval of an issuance of $1,600,000 of bonds for bridges at West Jefferson Avenue and West Fort Street, in contemplation of such improvement:

Resolved, That it would be a most unjust and unwise thing to suspend or defer or interfere in any way with the completion of such work;

Resolved, That we urge United States Senators NEWBERRY and TOWNSEND, and Congressmen NICHOLS, DOREMUS, KELLEY, CRAMTON, and MICHENER to exert all their efforts and influence to defeat said resolution and to avert such threatenable calamity and also to aid actively in every way the early completion of such work.

Adopted as follows: Yeas—Councilmen Bradley, Castator, Kronk, Littlefield, Nagel, Simons, Vernor, and the president, 8; nays—none.

Mr. SHERMAN. I also ask to have printed in the RECORD a resolution of the village council of River Rouge, Mich.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution referred to is as follows:

Resolution of the village council of River Rouge, Mich., passed January 20, 1920.

Whereas Senator SHERMAN, of Illinois, has introduced a resolution to hold up further work on the improvement of River Rouge because of alleged private benefit thereof: Therefore be it

Resolved by the village council of River Rouge, That this work is of the utmost public importance and of the greatest value and interest to the village of River Rouge and all the neighboring villages and the city of Detroit, and that such work will be of the greatest public service and of immediate financial benefit to large numbers of our people and industries; that great sums have been paid out and incurred by municipalities, individuals, companies, and railroads on the faith of this work and that it would be a disaster to the community to stop such work.

Resolved, That our village president communicate with our United States Senators and Members of Congress and send them a copy of this resolution, requesting them to actively oppose such resolution and in every way to aid the early completion of such work by lending their help to every effort and requirement of the Government in that behalf.

THOMAS J. BRESNAHAN,
Village President.

[SEAL.]

RAYMOND J. PETERS,
Village Clerk.

Mr. SHERMAN. Mr. President, I have about concluded my remarks on the documentary factors of this matter. It is further provided here in section 6 of the act of July 18, 1918, on the right of eminent domain, as follows—and I ask to insert that in the RECORD without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The section referred to is as follows:

SEC. 6. That in all cases where private property shall be taken by the United States for the public use in connection with any improvement of rivers, harbors, canals, or waterways of the United States, and in all condemnation proceedings by the United States to acquire lands or easements for such improvements, where a part only of any such parcel, lot, or tract of land shall be taken, the jury or other tribunal awarding the just compensation or assessing the damages to the owner, whether for the value of the part taken or for any injury to the part not taken, shall take into consideration by way of reducing the amount of compensation or damages any special and direct benefits to the remainder arising from the improvement, and shall render their award or verdict accordingly.

Mr. SHERMAN. I also ask to have inserted in the RECORD section 9 of the act of August 8, 1917, showing that some effort to purchase is required before condemnation proceedings are instituted.

The PRESIDING OFFICER. Without objection, it is so ordered.

The section referred to is as follows:

SEC. 9. That whenever any State, or any reclamation, flood-control, or drainage district, or other public agency created by any State, shall undertake to secure any land or easement therein, needed in connection with a work of river and harbor improvement duly authorized by Congress, for the purpose of conveying the same to the United States free of cost, and shall be unable for any reason to obtain the same by purchase and acquire a valid title thereto, the Secretary of War may, in his discretion, cause proceedings to be instituted in the name of the United States for the acquirement by condemnation of said land or easement, and it shall be the duty of the Attorney General of the United States to institute and conduct such proceedings upon the request of the Secretary of War: *Provided*, That all expenses of said proceedings and any award that may be made thereunder shall be paid by such State, or reclamation, flood-control, or drainage district, or other public agency as aforesaid, to secure which payment the Secretary of War may require such State, or reclamation, flood-control, or drainage district, or other public agency as aforesaid, to execute a proper bond in such amount as he may deem necessary before said proceedings are commenced.

Mr. SHERMAN. It therefore seems, from the act and from the proceedings since, that this item was inserted in the river and harbor bill in 1917 for the sole purpose of promoting the private fortunes of Henry Ford and of the Ford Motor Co. These resolutions, it is true, show that other improvements are contemplated and that it will be a great public benefit. So it would be, as I have indicated, if it were taken to any place in the United States and money spent to promote a private undertaking of this kind. Undoubtedly it would attract other enterprises and the price of land or the value of real estate in the urban centers would increase materially by the location of such an enterprise in their vicinity.

I can regard this item and this authority conferred by the act of 1917 and subsequent acts only as the very grossest perversion of the powers of the Government. They are used to enrich a person already possessed of much affluence, one who has been successful in his manufacturing affairs. I think, therefore, that the resolution in the Committee on Commerce ought to be acted upon and that the authorities representing the Government in charge of these condemnation suits and this alleged improvement for private benefit ought to be directed to cease their activities until some investigation can be had and the whole enterprise exposed. I have only been able in the time here that I feel I ought in justice to take to give the very barest outline of the undertaking.

If Senators wish to conceal from the public the draft record of Edsel Ford, beginning with the original proceedings in local board No. 21, as I remember now, in the city of Detroit, going through the district board, until it reached the War Department, together with the action of the Chief Magistrate upon that particular subject; if Senators wish to shield the beneficiary and those concerned from the pitiless publicity, let them do so. I wish, however, to fix the responsibility—let it be known where it belongs. If any Senators feel sensitive upon that subject, they can voice their frame of mind by their vote and their conduct in this Chamber. They have a right to do so.

Further, if 24,000,000 registrants have a record that might be exposed to the prying, envious eyes of 531 Members of Congress, it is only by adopting the very low estimate of the personnel of the moral characteristics of a Member of Congress to suppose that that right would be abused. Members of Congress are elected by their constituents. They are not appointed in a department to hold office. They are responsible before the forum of public opinion for the proper exercise of their legislative powers, including the procedure on an affair of this kind. I think the average Member of Congress does not abuse his powers.

It is said that pressure would be brought to bear by either interested persons or by those possessing great influence, by wealth or otherwise, I suppose, it is intimated, to secure the draft record of some of the registrants for improper purposes. Who is to be the judge of that? Who is the guardian? Who builds up the barrier between the record and publicity? Shall it be the appointed officer in a department? Is he the sole custodian of the proprieties in this country?

He is far removed from public opinion. I said something yesterday afternoon upon the subject of how little the head of a department or the head of a bureau sitting at a desk cares for public opinion, not enough even to comment further upon. The

Members of the House, however, go through the ballot box every two years. They are as safe custodians of the performance of public duties, they are as safe to guard any proper cases of record of registrants, as any other public authority in the country. I resent the imputation that a Member of Congress can not be trusted in such a matter, that he will abuse the power. Where do we abuse our other powers? Who abuses his power in the Senate or in the House to serve private purposes? If we do, our constituents are the judges and visit upon us merited rebuke for our conduct. I am content to leave the matter with his unworthy suspicions where the Senator from Delaware [Mr. WOLCOTT] has placed it.

I do not know what the Committee on Privileges and Elections will do, whether they will regard it as of importance or not; but if they should issue a subpœna duces tecum upon the proper head of the department or upon the subordinate having the custody of records material to the election contest pending in this body and now before that committee, whether such subordinate or head will refuse compliance with it I know not. It would be entirely in keeping with their conduct upon other matters if they entirely ignored it and treated with a proper degree of contempt any process of Congress, as is customary in the departments. Whether we will ever see it or not I do not know. I only know that much legislation of this body has been ignored and nullified by the departments.

This is not a republican form of government; it is a Government of departments. It is not a Government of law; it is a Government of unbridled discretion. We are not governed today by fixed rules of conduct. We have no municipal law in our country that prescribes what is right and prohibits what is wrong, so that any citizen walking in the broad daylight can tell what his duties or obligations may be. That depends entirely upon the discretion of a department.

Every fifth taxpayer in the United States a year ago this spring paid illegal taxes. In some instances, even if the amount was large, it was thought better to pay it than to engage in litigation. In many instances the amount was comparatively small, less than it would take to go into court, employ an attorney, and contest it, so the amounts were collected. The department itself has practically admitted that $40,000,000 of illegally collected taxes are now held by the Treasury. The rulings this year that certain securities are exempt from taxation are an entire reversal of the rulings of last year. Of course, we would not expect uniformity at all times upon a new law, but we would expect that taxes illegally collected would at least have some move made to be refunded. That will not be done.

The age of government by departmental discretion will continue so long as Congress is in the habit of passing blanket appropriations. Literally millions of dollars go out of this Chamber to departments about which the Senators have no detailed knowledge, much less some of the members of the principal committees, the Committee on Appropriations among others. I see now no flattering prospect in this Chamber for reducing appropriations and taxes. I do not know what the majority side here will do finally. The responsibility ultimately is upon them. There are bills enough pending now to increase the civilian appropriations by over $1,000,000,000. Who is talking retrenchment or reduction in this body? A comparatively few, and so far they have aroused no favorable response.

I have remarked many times upon the unpopularity of reducing appropriations in the Senate. Nothing is so unpopular in Washington. The motto of everybody here is, "Everyone for himself and the Treasury for us all." It is like the corrupt reign of George III reaching over into that of George IV. When the Crown could not control the House of Commons, he increased his civil list and got appropriations of sufficient pounds sterling to influence the members he needed by giving them patronage.

There is only one thing popular in Washington and that is to shout lustily for the old flag and liberal appropriations. That is in order all the time, and noble patriots are bursting with heroic rage every day because we do not further loot the Treasury with all kinds of schemes that constantly appear. You can start to reform appropriation bills and budget bills; you can kiss them into the committee, and then, after being kissed in, they are kicked out with their author. That is the universal experience of those who have tried to protect the taxpayer. We meet with ridicule and the comment, "Oh, yes; the taxpayer, you always refer to the taxpayer. The taxpayer does not care. He gets part of it back himself." You never heard Mr. Ford talking for economy because he is getting the big part of it back. He is getting more back than he pays. He profits by every turn in the road. Of course, Mr. Ford believes even now, after mature reflection, in the old flag and appropriations for the Rouge River half a million dollars. It is a very commendable enterprise for it helps him along.

But we are going along here, happily or unhappily, with all kinds of schemes coming up, $20,000,000 here, $40,000,000 yonder, $68,000,000 further on, with all kinds of increases of salaries coming on, and the high cost of living with us. The head of the appraisers' office at one of the United States ports, before a committee the other day, said, "Our inspector gets $4 a day and a house carpenter gets $15 a day; the inequality is so great that it must be remedied by Congress by raising Government salaries."

I have considerable correspondence in my office to the same effect from various parts of the United States. There is no house carpenter in the United States worth, under healthy conditions, $15 a day. They may get it, but they are not worth it.

We can remedy by legislation, that will come before this body sooner or later, these vast expenditures. I might just as well, in the closing words that I have, refer to it now. When these bills appear the person who opposes them will receive probably short shrift and no sympathy outside. There ought to be everything consistent with industrial conditions allowed, but if we adjust salaries in this body for the public service on the basis of privately paid employees outside in various industrial and skilled labor lines we will reach a point where more than $1,000,000,000 of increases in salaries alone by accurate computation will be called for by appropriations before we reach the end of the session. When salaries are once fixed they will never come down, the schedule will never be reduced. Whatever may happen outside in private enterprise, whatever reductions may come with readjustments, when our between three billion and four billion dollars of Federal reserve notes are called in or reduced to a safe volume, when we return more nearly to a specie basis, when war bonds have settled down until permanent values are found, when prices fall, as they will some time, we will face an entirely different world in our part of the globe.

Prices must fall. Our exports are reduced. Europe will begin to support herself. When she finds that no longer are millions available by way of charity or loans to take care of her, when no longer cargoes of food go across the sea to be distributed, when she finds she must take care of herself, she will do so. The people of Europe never will reach this conclusion until that conviction dawns upon them by the stoppage of supplies. When that time comes our exports will fall off. Indeed, it has come now. Our meat exports are falling off; our exports of manufactures are falling off. Europe is beginning to recover herself; to supply her own wants. The United Kingdom is shipping from her colonial dependencies and from South America. She has great shipping facilities; she operates at a minimum cost. She is feeding her own people now more nearly than at any time since the war. She is, in a large measure, relieved from the necessity of depending upon us for her food supplies. With the coming crop years, with cattle, sheep, and hogs growing in her colonial dependencies, with every 30 days approaching nearer the condition where they may be marketed for meat supplies, the time is not far distant when our colossal exports will be reduced by 50 per cent at least. In that time products will begin to accumulate in the domestic markets, and as the supply accumulates prices inevitably will fall. We are approaching that period.

Consequently there will not be such demand on the pay roll for everybody, skilled and unskilled. There is a time coming—and it is not a disaster, either—when prices will be reduced. Members of Congress are still living on $7,500 a year. They belong to the "new poor" class that has begun to consider itself in London and the principal manufacturing towns of Great Britain. It is true we were not at the starvation point when the rise in prices began; but we are facing a period of readjustment in both private and public life.

Why, then, when matters are in this condition, is that everlasting pressure apparent here, and the yielding by Members of Congress, to raise the compensation of public employees up to the level which private employees are paid? Of course, a great number are insisting on it; a great number of Federal employees are in an association. I think that is what they call it; they do not call it a union, but, nevertheless, the purposes are the same. It was contemplated here for a time that the teachers in a certain public school should quit their occupations. The truth is whenever an employee in this country on the Government pay roll does not like his pay or the kind of work he is doing, he is at perfect liberty to quit; there is no antistrike clause applying to resignations, and there is not likely to be.

The vice in all these proposals is not only the matter of expense, which ought to appeal to Congress, but the vice is that the occupation or the job must be fitted to the man.

I have exactly the opposite creed—that the man must fit himself for the job. Whenever I have disliked my occupation I have

changed it, and I think that must be the rule of action in this country all the time. Anything else spells decay. The best rule is that of individual merit; the incentive to do the best there is in one. That is now studiously ignored in both public and private life in all these claims for remaining on the inflated war level. It is apparent, too, in the effort to increase salaries or compensation in all departments of the public service.

I shall await with some interest what the action of the Senate will be upon all such proposals that will come here. The responsibility primarily for appropriations in the public mind will rest upon the majority side of this Chamber. We can not escape it if we would. Whether we have the votes or not, the responsibility will be fixed on us. I know there are some Senators on the minority side of the Chamber who will join us in reducing expenditures to the lowest possible limit, but the question is whether or not all such will be in a majority.

Mr. STANLEY obtained the floor.

Mr. DIAL. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Kentucky yield to the Senator from South Carolina?

Mr. STANLEY. I yield, Mr. President.

Mr. DIAL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gronna	Lenroot	Shields
Ball	Harding	Lodge	Smith, Ga.
Beckham	Harris	McKellar	Smoot
Brandegee	Harrison	McLean	Spencer
Capper	Henderson	McNary	Stanley
Chamberlain	Hitchcock	Moses	Sterling
Colt	Johnson, Calif.	New	Sutherland
Culberson	Johnson, S. Dak.	Norris	Thomas
Curtis	Jones, N. Mex.	Nugent	Townsend
Dial	Jones, Wash.	Overman	Trammell
Dillingham	Kellogg	Page	Walsh, Mass.
Elkins	Kendrick	Phelan	Walsh, Mont.
Fernald	Kenyon	Phipps	Warren
Fletcher	Keyes	Pomerene	Watson
France	King	Robinson	Williams
Glass	Kirby	Sheppard	Wolcott
Gore	Knox	Sherman	

The PRESIDING OFFICER. Sixty-seven Senators have answered to their names. A quorum is present.

Mr. STANLEY. Mr. President, I hold no brief for Henry Ford. It is more than probably true that this thrifty, ingenious mechanic abundantly demonstrated his lack of vision, of wisdom, and experience, his utter unfitness for a place in this august body long prior to the diatribe of the Senator from Illinois. It may be true, for all I know, that this scion of the house of Ford, this heir presumptive to "the chevalier of all the jitneys in the world," was lacking in courage and in patriotism; it may be true, for all I know, that he escaped by falsehood or by favor; but that is not a question at issue now before this body or before any court or tribunal having jurisdiction of the facts and the subject matter. Henry Ford is not a candidate for the Senate nor is he contesting the seat of the Senator from Michigan. There is no legislation pending to which this gratuitous tirade is pertinent or germane. Why this attack and why this astounding and unprecedented statement from the Senator from Illinois?

Mr. President, you may go back to the time when the first ambassadors from the first States assembled in this august presence until now, and I defy you to dig from foolish or from any shameless utterances anything so indefensible, anything evidencing a more brazen disregard of the honor of courts, the proprieties of this place, or a decent regard for public opinion, than this remarkable utterance.

Says the Senator from Illinois:

> We on this side of the Chamber are either headed to lose one vote or we must stand together a great deal better than we have been doing. I somewhat resent the superior virtue implied by voting on all matters with the minority. I can do some of that myself; I have already done so a time or two, as a timely warning, and I will do a great deal more of it before my term expires unless there is a change of behavior on this side of the Chamber. I have dwelt within party lines since 1880—40 years last November—and I think I can not fairly be accused of being too liberal in matters of partisan policy; but if the Senator now on trial in this body before the Committee on Privileges and Elections shall be unseated, one more vote will turn the minority of this Chamber to the other side of the aisle, and I have that one vote. Unless Mr. NEWBERRY is saved, the vote in this Chamber will be for a while, until the governor of Michigan shall act, a tie, in the event a single Republican votes with the minority. This mock heroic virtue must cease, Mr. President. I serve timely notice upon Senators upon this side of the Chamber that they must be Republican or there will be divers Senators here who will refuse to do anything.

What does it mean? To whom is it directed? Against Ford? No. Were I the humblest citizen in the land, I would not, within the hearing of court or jury, express an opinion touching the guilt or innocence of the Senator from Michigan. I know nothing of the merits of that case. I accept without question the beneficent mandate, the benign principle of the law, that every man is presumed, notwithstanding an indictment, to be innocent until his guilt is established beyond a reasonable doubt and by a competent tribunal. I do not mean to imply that the Senator from Michigan is guilty of any offense. What I do know, and the Senator from Illinois knows, and the whole country knows is that this Senator stands indicted, charged with high crimes and misdemeanors. He knows, and I know, that that question is now being determined by a court of competent jurisdiction and by a jury sworn to do its duty without fear and without favor.

Is it conceivable, is it possible, that any mortal man would shield himself behind the sacred privilege of this body to do that which is criminal elsewhere? Is it possible that the dignity of a Senator or the franking privilege of Congress is now to be used for the purpose of snatching an accused from justice? Was it intended to affect the discretion of Senators upon the other side of the Chamber?

God forbid! I do not believe it. I have served too long in the House and in the Senate. I do not believe that any constituency under the flag has ever commissioned a Senator here so mean, so narrow, so partisan, as to induce him to blacken his soul by perjury, after he had sworn to do his duty, and to seat here a man reeking with crimes, with perjury, with bribery, with all of which he is charged, because he feared the loss of a vote. It is not creditable to Members of the other side of the Chamber that one of their own colleagues should hold so poor an estimate of their sense of justice and propriety.

What is this offense?

Mr. President, it is recounted that when Rome had reached her last stage of degradation and unspeakable infamy, after the evil memories of Tiberius and Caracalla and Nero, after fratricide and murder and violence and chicanery and brutality had all dishonored the Roman purple, at last a shameless and aspiring millionaire bought the diadem from the Pretorian guard, from the ramparts of a camp, and the brutal, debased Roman soldiery, in shame and in horror over their crime against the dignity of a decadent empire, arose and butchered the wretch who dared to buy that lofty place.

The Senator from Michigan, whether guilty or innocent, wears a toga more honorable and more honored than the purple of any Roman emperor, than the diadem of any ancient conqueror or king. He is charged with having bought it—bought it from the ramparts of the camp. He is charged with the prostitution of the electorate and with the deliberate fabrication of a padded account. He is charged with bribery and perjury. If he is convicted by a jury of his peers under the instruction of a court of his own party, if he comes here under that shadow, will a Senator from the other side rise in his place and say that to refuse to admit him is a mock heroic virtue?

Mr. President, we are at present with dangers encompassed round. There never was a time when conservative men looked into the future with more concern, when brave men thought of the morrow with more apprehension, when wise men studied problems of state with more diligence; and yet I say to you there is a greater danger to the ship of state, to the honor of our country, and to the perpetuity of these institutions from the shameless, wanton, corrupt, unblushing use of millions than from the narrowness of the fanatic or the violence of the anarchist. That which will carry us through, will support and sustain us, will guide and guard us now, is the disinterested and patriotic citizen, sitting in his cane-bottom chair by his fireside, with an open Bible on his knees, studying reverently the Constitution of his country and the precepts of his religion. It is that simple, devout, incorruptible lover of his country that protects us in time of peace, as his heroic sons defend us in time of war. It is upon the virtue of the electorate that the country must depend at this crucial hour.

Whenever the populace of America, like the populace of Rome, seek only bread and the circus; whenever they are ready to follow, like a hungry pack, debased and shameless, the hand that feeds them most, then neither armies nor armaments, neither the wisdom of sages nor the courage of heroes, will save us from the same deserved ruin that has overcome all other corrupt nations of the world. Said the King of Kings, "They who rule not righteously shall perish from the earth"; and he who goes out with his dirty millions to play upon the weaknesses or the necessities of his countrymen destroys that righteousness. The disinterestedness of the citizen in the sacred function of casting his ballot is to him what honor is to a woman; and there is as little dependence to be put in the patriotism of the man who buys and the man who sells a vote as there is in the womanliness of the scarlet wretch who makes a commodity of her virtue.

It is charged that "barrels" were opened. It is charged that the press was corrupted; that every avenue of publicity, every means of information, was polluted and debauched, and that those who could not be deceived were debased and prostituted; and that this thing covered a whole State, against the dignity of the laws of the Commonwealth of Michigan and the peace and honor of the United States of America.

While that tremendous crime is being investigated by a court of competent jurisdiction, a Senator in this body rises in his place and says, "If you dare to express an honest indignation at the commission of that colossal crime, I will cease to be a Republican." God forbid that he or any other should enter the portals of Democracy through such a door or from such a cause!

Mr. TOWNSEND. Mr. President, I do not know what the Senator from Illinois [Mr. SHERMAN] said yesterday, as I was not present, but I do think I understand fully what is the intent of the remarks of the Senator from Kentucky [Mr. STANLEY]. I can assure the Senator, however, that his words will not carry far enough to interfere with or prejudice in the least the trial that is going on in Michigan at this time.

I have been very well pleased with the attitude of Senators in regard to this matter, because they have been content to allow the truth to be determined by means which no one for the prosecution questions. I think it was quite gratuitous for the Senator from Kentucky to advise the Senate as to its duty or even to suggest that Senators might be persuaded into doing what they ought not to do. I believe in determining election contests in a lawful manner and that charges of corruption against Senators which are on trial in court should not be influenced by discussion here, although I am sure that what has been said will fail in exerting influence upon the court.

Mr. President, I want to have the truth known as to the last senatorial election in Michigan, and I would like to have the truth made known as to the election in Kentucky. I remember the discussion which occurred among Senators and the statements in the press in reference to election frauds and corrupt methods in Kentucky. But I have never felt that it was wise to try the case on this floor before it was in order here. I have felt that it was proper for the Senate to proceed through its Committee on Privileges and Elections and the court to proceed through the methods provided by law to determine guilt, and when the question comes before the Senate——

Mr. STANLEY. Mr. President——

Mr. TOWNSEND. The Senator from Kentucky can be assured that other Senators hold quite as high a notion of duty, loyalty, and patriotism as does he.

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Michigan yield to the Senator from Kentucky?

Mr. TOWNSEND. I yield.

Mr. STANLEY. Mr. President, I assume that the Senator refers to some statement published by some irresponsible correspondent at the time of my election to this body. I saw that statement. I went before the Committee on Privileges and Elections. I asked the chairman for any tangible proof. I went before the leaders on the other side and I said: "I covet, I court, the most thorough investigation. If there is anything in the conduct of that election and in my conduct as governor of Kentucky that authorizes the questioning of my right to a seat in this body, then I am ready to face it here and now in this place."

More than that, I told them that if they would investigate I would agree that no witnesses should be brought from Kentucky except those of the opposite political faith, and that I was willing to allow a Republican committee, after hearing Republican witnesses, to pass upon my right to a seat in this body.

Mr. TOWNSEND. Mr. President, the position of the junior Senator from Michigan [Mr. NEWBERRY] is like that of the Senator from Kentucky [Mr. STANLEY]. It is not impossible that the junior Senator from Michigan is an object of the same malign influences as those admitted by the Senator from Kentucky. The Senate has already authorized an investigation of the Michigan senatorial election. That investigation will be prosecuted. The junior Senator from Michigan denies that he is guilty of the crimes charged, the same as the Senator from Kentucky denies that he was guilty of the offenses charged against him. What the facts may be in the former case will be disclosed, and no Senator is more willing than am I that those facts shall govern the action of Senators. But I submit that it ill becomes the Senator from Kentucky at this time to make a speech practically assuming that the junior Senator from Michigan is a criminal, that a crime has been committed against the electorate of Michigan, when the case is on trial and not all of even the prosecution's evidence is yet submitted.

Mr. STANLEY. Mr. President——

Mr. TOWNSEND. I recognize that the Senator said in the beginning that he presumed a man was innocent until he was convicted, and then the balance of his speech was on the assumption of guilt.

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Kentucky?

Mr. TOWNSEND. I yield.

Mr. STANLEY. I do not wish to be interrupting the Senator from Michigan, but I know him too well to believe that he would intentionally misquote me.

Mr. TOWNSEND. I would not.

Mr. STANLEY. I have stated that I not only accepted the doctrine that he is presumed to be innocent, but that I knew nothing of the merits of the case, and I meant not to prejudge it in any way. I based my whole argument upon the fact that the indictment was pending in the courts, and in the event of a conviction I then asked what the Senator from Illinois [Mr. SHERMAN] would do. In the event of his acquittal it is perfectly manifest what ought to be done.

Mr. TOWNSEND. Mr. President, I have nothing further to say upon the subject than to repeat that the case is being tried and the facts will be disclosed. If the Senate through its proper committee wishes to proceed further when the trial is concluded, there will not be an obstacle placed in the way. The matter is before the courts now, and I submit that Senators ought to be willing to abide the outcome of that proceeding before they undertake to discuss the case on this floor.

Mr. WOLCOTT. Mr. President, the last sentence uttered by the Senator from Michigan [Mr. TOWNSEND] I think very correctly expresses what ought to be the conduct of Senators on this floor with respect to the so-called Newberry case. The case is in the court, and I entirely agree with the Senator from Michigan that it is a gross abuse of privilege, though he has not phrased it exactly that way, for Senators on this floor to express an opinion concerning that case.

In making that statement, Mr. President, I accompany it with the further statement that I heartily indorse every word uttered by the junior Senator from Kentucky [Mr. STANLEY]. The Senator from Michigan evidently did not hear all the remarks of the Senator from Kentucky. If I understood him correctly, the Senator from Kentucky was protesting against the breach of a proper rule of conduct by the Senator from Illinois [Mr. SHERMAN].

I desire to advise the Senator from Michigan just what happened in this Chamber yesterday. The Senator from Illinois [Mr. SHERMAN] offered a little amendment to the pending deficiency bill, which amendment, if enacted into law, would impose upon The Adjutant General of the Army the duty of supplying a copy of any individual record of any registrant under the draft law to any Member of Congress from the State of which the registrant was a citizen. There was objection to the passage of that amendment, and in the course of the discussion some one said, I believe it was myself, that the real purpose of the amendment was to supply the Senator from Illinois with the draft record of Edsel Ford.

The amendment was very properly beaten. Regardless of the interests of Edsel Ford, the amendment ought to have been beaten. The Senator from Illinois thereupon took the floor and launched forth into this Ford controversy, and in the course of his remarks expressed on this floor his opinion concerning the case pending in the court in Michigan.

With all due respect to the Senator from Illinois, he addressed the jury in the Newberry case; and if I am not mistaken, I venture the assertion that the newspapers in Michigan of the proper political persuasion have the speech of the Senator from Illinois given them to-day or will have it to-morrow, so that the jurors sitting in that case can read it. Let me quote to the Senator from Michigan what was said by the Senator from Illinois yesterday in the course of his remarks. He said:

> It is charged that $178,000 was spent in the campaign in Michigan by the Republican candidate. Probably the truth when known upon a hearing of the evidence will disclose that the money was spent by the Republican State central committee of the State of Michigan. It was a legitimate expenditure. I have as much right—
>
> Said the Senator from Illinois—
>
> to pass upon that question here as has Judge Sessions, who is presiding in the trial of the indictment in which the same question is involved. It is within my jurisdiction—
>
> Said the Senator from Illinois—
>
> as the trial of the indictment is within his.

To-day on this floor again, the Senator from Illinois still, as I think, addressing the jury in the Newberry case, stated that the indictment now pending against 123 defendants in Michigan, including a Senator of this body, supplied but another instance

of Federal benevolence in behalf of Mr. Ford, and that Ford's agents are scouring all over Michigan running the prosecution of the Federal Government, and Ford's attorneys are sitting in with the attorneys of the United States Government to perpetrate this outrage—that is the substance of his remarks—upon innocent men.

It may be that these are innocent men. I decline to express an opinion upon their guilt or innocence. I assume them to be innocent until they are proven otherwise. The thing about which I am complaining and the thing about which I understood the junior Senator from Kentucky [Mr. STANLEY] was complaining was that a Senator of the United States should take advantage of his privileges as such to make an address here to a jury empaneled in a criminal cause prejudicial to one side of that cause, such an address as if uttered in the State of Michigan would render him in contempt of court and subject him to a penitentiary penalty.

Who, may I ask the Senator from Michigan, started this breach of decorum, if such there be? If there is such, it emanates from a Republican on the other side of the Chamber, who at the same time, referring to the case pending in the Senate, notified his colleagues that "unless you save NEWBERRY I am going to the Democrats."

Mr. TOWNSEND. As I said, the statement of the junior Senator from Kentucky [Mr. STANLEY] was the first information I had that anything had been said by the Senator from Illinois or any other Senator. I could not approve at this stage of the court proceedings, if at any time, of the speech of the Senator from Illinois as it is now reported to me. I do not think the argument of the Senator from Kentucky answered it. It simply aggravated, and more flagrantly, the circumstance of which he complained. If the speech of the Senator from Illinois was an address to the Grand Rapids jury, how shall we characterize the speech of the Senator from Kentucky?

Mr. WARREN. Mr. President, the pending question is the amendment of the committee on page 16.

The PRESIDING OFFICER. The pending amendment will be stated.

The ASSISTANT SECRETARY. On page 16, after line 16, it is proposed to insert:

ADJUTANT GENERAL'S OFFICE.

So much of the appropriation of $3,500,000 not necessary for the care and custody of the draft records and for the employment of clerical assistance for the purpose of furnishing to adjutants general of States statements of service of soldiers who served in the war with Germany shall be available for the employment of clerical assistance necessary for the purpose of furnishing such information from the records of the demobilized Army as may be properly furnished to public officials, former soldiers, and other persons entitled to receive it.

The amendment was agreed to.

Mr. WARREN. At this point I wish to have inserted in the RECORD a letter from The Adjutant General, which refers to the uses that may be made of the information.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter referred to is as follows:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, January 10, 1920.

DEAR SIR: It may be of interest and possibly of assistance to you to know that the special restrictions heretofore placed upon access to the draft records have been removed.

Hereafter such access will be governed by sections 11 and 12 of the selective-service regulations, which read as follows:

"SECTION 11. PUBLIC RECORDS OF DISTRICT AND LOCAL BOARDS.

"All records required by these rules and regulations to be filed with and kept by local and district boards, adjutants general, and other persons in connection with the registration, examination, selection, and mobilization of registrants under the selective-service law, and these regulations shall be public records and shall be open during usual business hours for public inspection of any and all persons. (See Sec. 12.)

"*Provided, however,* That the answers of any registrant concerning the condition of his health, mental or physical, in response to series II of the questions under the head entitled 'Physical Fitness,' in the questionnaire, and other evidence and records upon the same subject, and the answers of any registrant to the questions under series X of the questions under the head entitled 'Dependency' in the questionnaire, except the names and addresses of the persons claimed to be dependent upon such registrant, shall not, without the consent of the registrant, be open to inspection by any person other than members of local and district boards, examining physicians, members of medical advisory boards, Government appeal agents, and other persons connected with the administration of the selective-service law and these rules and regulations, and United States attorneys and their assistants, and officials of such bureaus or departments of the United States Government as may be designated by the Secretary of War. After the death of any registrant his answers to the questions concerning his property, financial condition, and income, in response to series X of the questions under the head entitled 'Dependency,' in his questionnaire, shall also be open to the inspection of his widow, heirs at law, and legal representative, and they, or any of them, shall be entitled upon request to a certified copy thereof; and a certified copy of this portion of the deceased registrant's questionnaire may be furnished on request to any person whenever the judge of a court of record shall certify in writing that the registrant is deceased, that the facts, matters, and things in this portion of his said questionnaire contained are at issue on the trial of a case then pending, or about to be brought before such court, to which action the applicant is a party, that proof of such facts, matters, and things is necessary to the due administration of justice, and that the disclosure of this portion of the contents of said questionnaire will not be detrimental to the estate or interests of the deceased registrant, his widow, heirs at law, or legal representative, provided such certificate is accompanied by the consent in writing to the disclosure of such information of the legal representative of the deceased registrant, if there be one, otherwise of any one of the following persons, to wit: The widow, father, mother, adult son, daughter, brother, or sister of the deceased registrant, each of whom shall, while living, successively in the order named, have the exclusive right and option to give or to withhold such consent.

"Any person connected with the administration of the selective-service law and these rules and regulations who shall divulge or impart to any person not entitled under the foregoing paragraph to receive the same, any information contained in a record as to a registrant's physical condition, or as to his answers concerning dependency, as above provided, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment not to exceed one year.

"The portions of such records as are hereinbefore held to be confidential shall not, without the consent of the registrant, be produced and published in response to any subpœna or summons of any court, except that they may be so produced and published for the purpose of being used in the prosecution of the registrant, or of any person acting in collusion with such registrant, for perjury or for any violation of the provisions of the selective-service law or of these rules and regulations.

* * * * * * *

"SECTION 12. MANNER IN WHICH PUBLIC MAY INSPECT RECORDS.

"Whenever any registrant or other person (except one of the classes of persons named in the proviso of the foregoing section 11 of these rules and regulations) applies to a local or district board to inspect any of the records of such boards, such registrant or other person shall not be permitted to search through such records, but it shall be the duty of members or clerks of local and district boards and other persons having the custody of such records, to discover, open, and point out to the registrant or other person, the portion of the record containing the information requested by such person so applying; subject to the limitations as to the disclosures provided in the foregoing section 11.

"NOTE 1: Local and district boards are prohibited from giving lists of registrants to any person for advertising purposes. (Circular letter, Feb. 11, 1918.)

"NOTE 2: Since under the selective-service law and regulations deferred classification, except in the cases involving outright exemption under the act of May 18, 1917, does not exist as a matter of right, the hearing of claims for such classification can not be considered controversial. Boards sit not as referees between registrants and the Government but as representatives of the Government charged with the responsibility of recruiting an Army, and at the same time, of preserving our economic and domestic equilibrium in accordance with prescribed regulations. The spirit and intent of the regulations requires board members to be in possession of every available fact touching or pertaining to cases within their respective jurisdiction. No small amount of such information is confidential. To open to the public such information would be a breach of the confidence under which persons interested in the successful operation of the selective-service law have furnished the information, and will discourage giving further information to the consequent serious impairment of the fair and equitable selection of registrants. The public, therefore, should not be given access to confidential records or reports.

"A registrant is entitled to access to his questionnaire and to the record in his case, including the record of his physical examination (Form 1010, p. 227), but where such records contain statements or letters of a confidential nature, other than those offered by himself, the names of the informants should not, without their consent, be divulged to the registrant who is, however, entitled to be advised of all statements and allegations which form part of the records in his case. Ample precaution should be taken to prevent a registrant from ascertaining the name or names of persons who have given such confidential information. (Circular letter, Apr. 22, 1918.)"

Very respectfully,

P. C. HARRIS,
The Adjutant General.

The reading of the bill was continued to line 19 on page 17, the last paragraph read being as follows:

PUBLIC BUILDINGS AND GROUNDS.

The appropriation contained in section 4 of the act approved December 5, 1919, entitled "An act to amend an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901, and for other purposes," shall be paid one-half out of the Treasury of the United States and one-half out of the revenues of the District of Columbia.

Mr. BORAH. Mr. President, I desire to ask a question for information. I observe the paragraph of the bill just read relates to the Metropolitan police. I wish to be informed what bill takes care of the policemen in Rock Creek Park. I am informed by those men that the salaries of all other policemen in the city of Washington and in the parks of Washington were raised some time ago and that theirs are the only salaries which have not been dealt with.

I am desirous of getting the information in order that I may at the proper time act intelligently with reference to protecting those men. I do not know of any reason why the park men in the city should have their salaries raised without the park men in Rock Creek Park having theirs raised.

Mr. WARREN. Mr. President, in reply to the inquiry of the Senator from Idaho I would say that the bill which raised the pay of the police force of the District of Columbia is one which emanated from the Committee on the District of Columbia and was intended to take care of the policemen here in the city. There were a great many crimes alleged, rape, assault, and so forth, and finally some officers were killed. I do not remember

now whether that bill extended to the park men here as well as the police force; but if so, it was because of prior legislation which made these park men policemen as well; that is, gave them police authority.

All the employees in the District of Columbia are being reviewed by the Reclassification Commission and they will be taken care of at some time in the future. Their pay is provided for in the legislative, executive, and judicial appropriation bill, which has been reported to the House and which carries the annual appropriation for all these matters, District of Columbia and others.

Mr. BORAH. In other words, if I should desire to undertake to equalize the pay of the Rock Creek Park men or of the park men in the city, I would have to do it in connection with the legislative, judicial, and executive appropriation bill?

Mr. WARREN. It should be done in that bill.

Mr. BORAH. This is merely a deficiency appropriation bill?

Mr. WARREN. Let me say that it is not only a deficiency but it is an urgent deficiency bill. One will follow that, of course, which will be a general deficiency bill. The item to which the Senator alludes with reference to the Metropolitan police is simply to cover a defect in a prior bill, where they made appropriations for the District men and did not attend to it that one-half should be paid by the District and one-half by the United States Government.

Mr. SMOOT. Mr. President, in addition to what the Senator from Wyoming said, I will say that the policemen in the Zoological Park are not members of the Metropolitan police force. They are appropriated for in a different bill from the policemen of the city.

Mr. WARREN. I spoke only of the other parks in the city. They are park policemen.

Mr. SMOOT. I am coming to the point I wanted the Senator to understand. They are appropriated for in the legislative appropriation bill.

Mr. BORAH. That is, the Rock Creek Park men?

Mr. SMOOT. The Rock Creek Park policemen. Under that bill they get the $240 bonus. That applied to all the policemen in the park, but it is true that the amended bill, increasing the Metropolitan police, did not apply to the policemen in the Rock Creek Park.

Mr. BORAH. The place where we may settle that properly will be on the legislative appropriation bill?

Mr. SMOOT. Yes; and that is before the House of Representatives now.

Mr. BORAH. I hope the Committee on Appropriations of the Senate will bear that in mind when it is before the committee, so that it will take less time when it comes into the Senate if it comes out of the committee.

The next amendment was, on page 17, after line 19, to insert:

RIVER AND HARBOR WORK.

For payment of claims adjusted and settled under section 4 of the river and harbor appropriation act approved June 25, 1910, and certified to Congress during the present session in Senate Document No. 214, $956.63.

The amendment was agreed to.

The next amendment was, under the head "Military Establishment," on page 18, after line 1, to insert:

SIGNAL SERVICE OF THE ARMY.

Telegraph and telephone systems: For the same purposes as specified under this title in the act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, the sum of $500,000 is hereby made available until June 30, 1920, from the appropriation "Signal Service of the Army" for the fiscal year ending June 30, 1919: *Provided*, That not to exceed $3,000 may be expended from the appropriation for "Signal Service of the Army" for the fiscal year ending June 30, 1920, for tuition, laboratory fees, etc., for Signal Corps officers detailed to civilian technical schools for the purpose of pursuing technical courses of instruction along Signal Corps lines.

Mr. KING. Mr. President, I should like to inquire of the chairman of the committee what the purpose of this amendment is and what its effect will be. As I remember, the general appropriation bill for the present fiscal year carries a very considerable appropriation for the Signal Service.

Mr. WARREN. The Senator will notice that this is not an appropriation, but is merely a permission to use that much of the original appropriation, and it is used not only for the construction of new lines but also for the rental of lines which the Government does not own but is compelled to use at the various cantonments and places that are not yet abandoned and where in many cases they have troops.

They asked for nine hundred and odd thousand dollars, but after a severe grueling of the witnesses the committee was entirely satisfied that they ought to have at least $500,000, and that amount was allowed.

Mr. KING. Mr. President, I confess that I do not yet understand the full implication of this appropriation. I repeat that in the general appropriation bill, which provides for the Army and the Signal Corps specifically and takes care of all conditions up until the 30th of June of the present fiscal year, there was a large appropriation carried for the Signal Service Corps. That bill contemplated the retention and use of most, if not all, of existing camps. It seems to me that there should have been a diminution or a reduction in the appropriation, and that out of the appropriation made, in view of the fact that we are abandoning some of the camps, there would have been a portion of it to have been returned to the Treasury.

Mr. WARREN. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. KING. I am very glad to yield.

Mr. WARREN. Let me read an extract from the testimony of Capt. Arnold, who is one of the witnesses appearing before the committee. I asked him what had been done with some other appropriations, and here is what he said:

Capt. ARNOLD. Yes, sir; but the Signal Corps, out of its $150,000,000 for 1919, covered into the Treasury a larger percentage than any other department, and did it promptly, and it was taken away from us before we had terminated our contracts, and we made some big savings along that line; because if we had gone on and completed contracts as other corps did, we would have used up a great deal more of the money and had much less to turn into the Treasury, and we would have been put to a good deal more expense for commercial telephone service; if we had gone on and continued work on these contracts instead of chopping them right square and cutting off all further expenditure.

That is only one paragraph of Capt. Arnold's testimony, but the entire testimony proves that they had been frugal. They have turned the money back into the Treasury. From the previous appropriation we simply allow them $500,000 now in order to enable them to go on and complete the contracts and do necessary work. They are in some cases operating over their own lines, but where they are paying out rentals we allow them to finish up the contracts.

Mr. KING. The Senator will bear in mind the fact that for some time after we entered the war the Signal Corps had charge of aircraft production. The two services operated together. Gen. Squiers, the Chief Signal Officer, had control of the aircraft production, and there was a large amount expended for the Signal Corps activities.

Mr. WARREN. When the Signal Corps was divided the money that had been appropriated for the Signal Corps was diverted largely to the aircraft branch of the service, and there was only enough left to carry on the operations of the Signal Service.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Utah?

Mr. WARREN. I yield.

Mr. SMOOT. My colleague the junior Senator from Utah [Mr. KING] will remember that there were about $27,000,000,000 appropriated for the fiscal year ending June 30, 1920.

Mr. KING. And $9,000,000,000 was for the War Department.

Mr. SMOOT. About $9,000,000,000 was for the War Department. However, after the signing of the armistice there was an act of Congress taking from those appropriations—how much, I will ask the Senator from Wyoming?

Mr. WARREN. About eight or nine billion dollars in the different departments.

Mr. SMOOT. I am now speaking of the Army.

Mr. WARREN. I will give the exact amount to the Senator from Utah in a moment.

Mr. SMOOT. In round numbers, I will say between three billion and four billion dollars. The Signal Service, among other services, was affected by that legislation. The Signal Service now finds there was too great an amount repealed from the appropriation and is now asking for $500,000 for the appropriation that has already been turned back into the Treasury of the United States. That expression, Mr. President, is not altogether accurate; under that legislation they were not allowed to expend the entire appropriation theretofore made, and now they are asking for $500,000 to meet expenses which they have incurred and are now asked to meet over and above that which was allowed them by the legislation which was passed revoking the previous appropriation. I was not present at the time the hearings were held, and I can not speak as to the details of this appropriation; but I take it for granted that the hearings will disclose all the facts.

Mr. WARREN. Mr. President, in connection with what the senior Senator from Utah [Mr. SMOOT] has just stated, I desire to say that the amount turned back from the Military Establishment was $6,856,835,124.35, $334,000,000 of which was for the Navy, but that left between six and seven billion dollars which was turned back from the War Department.

Mr. KING. The Senator from Wyoming, of course, means from the various appropriations which were made for all purposes.

Mr. WARREN. I said from the appropriations which were made for the Military Establishment.

Mr. KING. I understand; I recall the law very well, and I remember the representations which were made as to the unexpended balances of the various appropriations which had been made for the various departments, especially for the War and Navy Departments; but I also recall very distinctly—though I am not a member of the Military Affairs Committee or the Appropriations Committee, and of course therefore labor at a very great disadvantage over those Senators who are members—that there was a very liberal appropriation made for the Signal Service Corps, I think a full and ample appropriation, particularly——

Mr. WARREN rose.

Mr. KING. Let me complete the sentence—in view of the demobilization which was taking place and which has taken place. Therefore I can not understand the necessity of the appropriation which is now asked for in the pending deficiency bill.

Mr. WARREN. But of what avail is the money which we have provided after it is turned back into the Treasury? This money has been turned back and they have not enough left with which to complete the contracts which must be completed in order to save expense. They know what the work is; they know how much it will take to complete it; and they now ask from the sum which we heretofore appropriated that they may use $500,000. We probably should have allowed them the $900,000 for which they asked, but we chose to allow them about half of that sum.

Mr. KING. My contention is that the amount left in the hands of the Signal Corps was adequate for all legitimate and proper purposes in view of the demobilization that was so rapidly taking place in the United States.

Mr. SMOOT. Mr. President, what I had in mind when I stated the amount as being between three and four billion dollars were the authorizations for the Quartermaster Corps which were repealed. They amounted to $3,740,385,307. The authorizations for the Signal Service which were repealed amounted to $83,373,200. The total for the Military Establishment, as stated by the Senator from Wyoming, was $6,856,000,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 18, after line 15, to insert:

Washington-Alaska military cable and telegraph system: For defraying the cost of such extensions, betterments, operations, and maintenance of the Washington-Alaska military cable and telegraph system, including the same objects specified under this head in the Army appropriation act for the fiscal year 1920, the sum of $95,000 is made available from the appropriation for the "Signal Service of the Army," for the fiscal year 1919, to continue available during the fiscal year 1921.

Mr. KING. Mr. President, I should like to ask the Senator from Wyoming whether that amendment has anything to do with the operation of the railroad in Alaska?

Mr. WARREN. It has nothing whatever to do with the operation of the railroad there, except as tolls are paid and use is made of the telegraph system. The telegraph line in Alaska, as I think the Senator knows, was started a number of years ago. The very interesting officer of the Army in charge of the matter carried his idea of industry to the enlisted men under his command in the Territory of Alaska, and for the little stipend that is paid extra to enlisted men who will work he built roads and telegraph systems there. The telegraph line was opened to commercial business, and the income, as I remember it, derived from it during some years ran as high as $170,000 or $180,000. That money accumulated, and on one or two, or perhaps three, occasions we have made appropriations out of that fund for the building of further lines. Finally, however, a contest was made and the claim was set forth that some of it was wanted for school purposes, and so forth. So it was thought best to turn it back into the Treasury as a miscellaneous asset. This item is to carry those telegraph lines farther and is really a matter of investment, which is profitable to the Government.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was continued to the end of line 6 on page 19, the last item read being as follows:

MEDICAL DEPARTMENT.

For the medical and hospital department, including the same objects specified under this head in the Army appropriation act for the fiscal year 1920, the sum of $1,500,000 is made available from the appropriation "Medical and Hospital Department" for the fiscal year 1919.

Mr. KING. Mr. President, I should like an explanation of the item of $1,500,000 for the Medical Department.

The PRESIDING OFFICER. The Chair will suggest that it has been agreed that the committee amendments shall be first considered, and the item referred to by the Senator is not a committee amendment.

Mr. KING. I appreciate the fact that it is not, but I thought, perhaps, in the interest of economy of time, we might consider these items as we proceed.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 19, after line 6, to insert:

MISCELLANEOUS.

For bridge across the Missouri River connecting the two tracts of land composing the military reservation at Fort Leavenworth, Kans., $35,000.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance Department," on page 19, after line 19, to insert:

The Chief of Ordnance, United States Army, is authorized to expend from the unexpended balance of appropriations heretofore made under the title "Armament of fortifications" for the construction of storage facilities, including necessary appurtenances, for ammunition and components thereof, for cannon, small arms, machine guns, and trench warfare, and for other ordnance material, not exceeding $6,600,000, which amount shall remain available during the fiscal year 1921: *Provided*, That the Chief of Ordnance, United States Army, is hereby authorized to expend such part, not exceeding $98,000, of the amount herein authorized as may be necessary for the purchase of land in the vicinity of Ogden, Utah, to be used as a site for an ammunition storage depot: *Provided further*, That no part of the construction work hereunder shall be done on a cost-plus percentage basis.

Mr. LENROOT. I offer an amendment to the committee amendment.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. In the committee amendment, on page 20, at the end of line 10, it is proposed to insert:

Provided further, That no part of the appropriations herein made or made available shall be used for the construction of permanent high-explosive storage facilities at or near Sparta, Wis.

Mr. WARREN. The Senator is from the State of Wisconsin. It is a great State, and there certainly ought to be room for storage facilities elsewhere than at Sparta. I do not object to the amendment, but accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. LENROOT. I ask unanimous consent to have inserted in the RECORD a protest from citizens of Sparta against the location of the storage facilities at that place.

The PRESIDING OFFICER. Without objection, it is so ordered.

The protest referred to is as follows:

SPARTA, WIS., *January 31, 1920.*

Hon. IRVING L. LENROOT,
United States Senate, Washington, D. C.:

We are sending you following resolution voicing the sentiment of this community. Will you interest yourself in our behalf?

Resolved by the citizens of Sparta, in mass meeting assembled, That we protest the establishment of the Sparta Military Reservation as an explosive depot and urge upon our representatives in Congress to exert their most vigorous efforts and influence in opposing such projects.

H. W. JEFFERSON, *Mayor*,
T. P. ABLE,
H. J. MASTERS,
R. A. MERRILL, *Committee.*

—

SPARTA PRODUCE EXCHANGE (INC.),
Sparta, Wis.

To the Hon. JOHN J. ESCH, M. C.,
Washington, D. C.

MY DEAR SIR: In that portion of your congressional district in which Sparta is situated and extending in all directions a distance of 15 miles or more the people have become very seriously disturbed concerning the War Department's action in storing large stores of high explosives on our military range at Camp Robinson, right in the midst of a densely populated section and within 4 miles from Sparta.

When Sparta and this district so heartily supported the establishing of a military range at Camp Robinson they did so presuming it would be all that the name implied. Far be it from their intentions to establish such a menace as would be a storage depot for the tremendous supply of high explosives as we now understand it is planned to store on the military range at Camp Robinson.

A bitter protest has arisen against our military range being converted into a storage depot for high explosives, and the following resolution was unanimously adopted at the annual meeting of the stockholders of the Sparta Produce Exchange, copy of their signatures inclosed: Resolution——

Resolved, That the conversion of the military range at Camp Robinson into a United States arsenal for the storage of high explosives would violate the pledge made to the people of Sparta and surrounding territory, who so generously assisted in the establishing of the military range at Camp Robinson; that its conversion into a storage depot for high explosives will seriously depreciate property values on all property surrounding said depot; and be it further

Resolved, That the storing of high explosives on the military range at Camp Robinson is a great menace to Sparta and surrounding territory, and we the undersigned do urgently petition the War Department to discontinue the storage of high explosives at Camp Robinson and for the removal of explosives now stored on the military range at Camp Robinson.

Dated this 7th day of February and signed: F. KERN.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed and continued to the end of line 3 on page 21, the last item read being as follows:

Naval Records of the Rebellion: Not exceeding $15,500 of the unexpended balance of the appropriation for the continuation for the fiscal years 1913 and 1914 of the publication of an edition of 11,000 copies of the official records of the Union and Confederate Navies, in the War of the Rebellion, which were continued and made available until June 30, 1918, by the act approved September 8, 1916, are further continued and made available until June 30, 1921.

Mr. KING. Mr. President, I do not intend to attack this item, but, for information, I inquire of the chairman of the committee if it is not the practice to turn back into the Treasury at the end of each fiscal year all unexpended balances? It seems to me that that would be the proper policy; it is the only way that a proper system of bookkeeping can be maintained; and then, if there is further work to be done, an appropriation to cover the work could be made. But to carry appropriations along, as apparently has been done in the case of this particular item, from the year 1913–14, and make it available year after year because it is unexpended, instead of converting it into the Treasury, and then making reappropriations, will lead to confusion and to extravagance and waste and will permit the concealment of appropriations for an indefinite period of time. If that policy is pursued, it seems to me it ought to call for condemnation and lead the Appropriations Committee to a complete abolition of it.

Mr. SMOOT. Mr. President, this particular item has been running since 1913, having been extended from year to year since that time. This bill extends it until June 30, 1921, but it has been stated positively that this is the last request which will be made for the extension of this appropriation. Whether that will prove to be correct or not, I can not say; but Congress will have to determine whether or not it will be extended beyond the period mentioned in the bill. It seems to me that eight years is ample, and, so far as I am personally concerned, if this appropriation is not expended for the purposes named in the paragraph by June 30, 1921, I shall oppose any further extension.

Mr. WARREN. Mr. President, the reason this appropriation was not expended was because of the war and the lessening of the number of men who were engaged in it because of war service, with the consequence that the work could not well be carried on until the war was over. In the last bill the item providing for carrying forward of this work went out in conference, I believe, because of a misunderstanding. This appropriation will enable the work to be finished. So far there have been completed a great many volumes, and this appropriation will enable the maps and indices, and so forth, to be prepared, which is an exceedingly important part of the work, and unless it is done all that has gone before is of little use.

Mr. KING. If the Senator will permit me——

Mr. WARREN. This item is peculiar. I do not care to take the time to relate the peculiarities; but the Senator is right that unexpended balances should be turned back into the Treasury. Of course, the Senator is aware that the Constitution itself provides that for the Military Establishment Congress can only appropriate money two years ahead, but we oftentimes make appropriations available for that length of time.

Mr. KING. Mr. President, it is a very fortunate thing that the Constitution contains that prohibition, because if that were not there I am afraid that with the lax methods which seem to have been pursued—and I do not say that by way of any criticism—we would be carrying these appropriations for an indefinite period. Like Mahomet's coffin, they would be suspended 'twixt heaven and earth. The money would not be in the Treasury; it would not be out of the Treasury. It would be carried in some suspended account, and it would be difficult for persons attempting to get an accurate statement of the financial affairs of the Government to understand whether it was an asset or whether it was a liability.

Mr. WARREN. I shall have to say, however, that we are out of order in discussing this matter at this time.

Mr. KING. Let me say in all kindness to the Senator that if the Committee on Appropriations fails to secure a reform in this respect I shall feel constrained to offer an amendment to the rules, if that method of procedure will reach the matter, requiring the Committee on Appropriations to so frame appropriation bills as to compel the turning back into the Treasury at the end of the fiscal year of all unexpended balances. If additional appropriations are required to complete unfinished projects, Congress, which is in session almost continuously, with the generosity and, indeed, prodigality which it exhibits toward meritorious—and too frequently unmeritorious—claims, will provide ample additional appropriations.

If a rule will not meet the situation referred to, I shall offer a bill which will require the departments and governmental agencies to cover into the Treasury all unexpended appropriations at the end of each fiscal year.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Naval Establishment," subhead "Public works, Bureau of Yards and Docks," on page 22, after line 1, to strike out:

Norfolk, Va., Navy Yard: For dry dock and accessories, to complete, exclusive of any profit to the contractor, $451,047.30.

The amendment was agreed to.

The next amendment was, on page 22, after line 6, to insert:

For expenditures incident to the construction of the Pearl Harbor Dry Dock, as set forth in Senate Document No. 210, Sixty-sixth Congress, second session, $128,260.60.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," subhead "National-park service," on page 24, after line 3, to insert:

For the construction of a log crib dam necessary for the protection of bridge over the Elk Fork of the Shoshone River on the Cody approach road to Yellowstone National Park, $3,000.

The amendment was agreed to.

The next amendment was, under the subhead "Patent Office," on page 24, line 9, after the word "from," to strike out "February" and insert "March," and in line 19, after the words "in all," to strike out "$28,083.33" and insert "$22,466.67," so as to make the clause read:

For additional employees from March 1 to June 30, 1920, inclusive, at annual rates of compensation as follows: Examiners—1 principal at $2,700, 2 first assistants at $2,400 each, 2 second assistants at $2,100 each, 2 third assistants at $1,800 each, 2 fourth assistants at $1,500 each; examiners of trade-marks and designs—1 second assistant at $2,100; 2 third assistants at $1,800 each; 2 fourth assistants at $1,500 each; clerks—1 of class 4 (versed in business administration), 4 of class 4, 8 of class 3, 10 of class 2; draftsmen—1 at $1,600; 1 at $1,400; translator of languages, $1,600; in all, $22,466.67.

Mr. SMOOT. Mr. President, I rose for the purpose of calling the attention of the Senator from Nebraska [Mr. NORRIS] to this item. A bill has been introduced increasing the number of employees in the Patent Office, and I wanted the Senator from Nebraska, who is chairman of the Patents Committee, to know that the increase of employees is taken care of in this bill. I will say to the Senator that really it ought to be taken care of at this time, if at any time. The Patent Office has been short of employees for a long time, and they are away behind in their work. If we are going to give them any extra employees, it ought to be done at this time rather than later.

Mr. KING. Will they be permanent employees?

Mr. SMOOT. They will, unless Congress reduces their number. These are regular statutory salaries, and when the legislative appropriation bill comes before the Senate the additional employees provided for in this paragraph will be added to it, and this appropriation will be carried on for the fiscal year ending June 30, 1921. This only goes to June 30, 1920.

Mr. KING. I should like to ask my colleague whether the investigations made by the committee demonstrate the necessity of a permanent increase in the personnel of this department?

Mr. SMOOT. Yes, they do, and this is one of the departments of the Government that more than pays its way. As long as the business is there, and as long as the extra employees bring into the department more than sufficient returns to pay their compensation, I am perfectly willing that Congress should appropriate funds for that kind of a service.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Public buildings," on page 26, after line 1, to insert:

Old Land Office Building: For labor and material required in the installation of a new ash tank and for a vacuum cleaner for water-tube boilers in the power plant located in the Old Land Office Building, Seventh and E Streets NW., $10,000.

The amendment was agreed to.

The next amendment was, under the subhead "St. Elizabeths Hospital," on page 26, line 23, before the word "accounting," to strike out "The" and insert "Hereafter the," so as to make the clause read:

Hereafter the accounting officers of the Treasury are authorized to credit the accounts of the special disbursing agent of St. Elizabeths Hospital with such amounts as he has or may hereafter pay in carrying out the provision of the sundry civil act of July 19, 1919, relating to the readjustment of salaries at the hospital, and the schedule of salaries and allowances for maintenance, where the latter is not provided by the hospital, approved by the Secretary of the Interior August 1 and November 25, 1919, respectively, or as may be modified hereafter by him, notwithstanding the act of April 6, 1914, or section 4839, Revised Statutes, United States, as amended.

Mr. SMOOT. Mr. President, was any real reason given for changing the word "The" to "Hereafter the"? That means, of course, that hereafter——

Mr. WARREN. I know just what it means, and it was duly considered by the subcommittee, and very carefully considered. It is in relation to the employees at the Government Hospital for the Insane. We opened that up by allowing the payment to employees out of lump-sum appropriations of such sums as were favorably passed upon by the Secretary of the Interior, the superintendent of the insane hospital, and, I believe, one other official, with a provision that they should not exceed the salaries that the same class of employees receive at other places in the same line of business. In order to retain those employees they have to know that the salary of the place is not going up and down. If we do not put in here the word "hereafter" to carry it along until we make some other provision, the superintendent of the insane asylum will be very much embarrassed.

Mr. SMOOT. The only thing I had in mind was that whenever we pass a law saying that hereafter it shall be the law, it never appears in future appropriation bills; and unless somebody goes and digs out appropriations of that class and calls attention to them, they will remain forever and the same provisions will apply, no matter what changed conditions may come about.

Mr. WARREN. The Senator is giving a different shade to this from that intended. Of course what he says is true of such appropriations that have been, I think unfortunately, made in bills—for instance, for vocational education and for farm matters, where exact sums are provided for every succeeding year, and are so provided in the original laws—but this is simply a matter of providing from year to year, and there are two or three checks on it. The first is the check that in order to be expended it has to have the approval of the committee, composed, as I said, of the Secretary of the Interior and the others whom I have named; and then we have reports, and then we have to appropriate the sum necessary to cover. I do not believe we are taking any chance, because we can repeal it at any time. I think the Senator from Utah will agree with me that we have a very able superintendent in Dr. White.

Mr. SMOOT. Oh, Mr. President, there is no doubt about that; but we do not know how long Dr. White will be there.

Mr. WARREN. This is the only thing he asked the committee for, and he asked for it with a great deal of earnestness. I could, of course, read into the RECORD his testimony.

Mr. SMOOT. I shall content myself by saying that this class of legislation ought to be stopped, and stopped quickly.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 27, after line 9, to insert:

The Secretary of the Interior is authorized to make regulations governing the disposal of articles produced by patients of St. Elizabeths Hospital in the course of their curative treatment, either by allowing the patient to retain same or by selling the articles and depositing the money received to the credit of the appropriation from which the materials for making the articles were purchased.

The amendment was agreed to.

The reading of the bill was resumed and continued to line 24, page 27, the last paragraph being as follows:

POST OFFICE DEPARTMENT.

CONTINGENT EXPENSES.

For miscellaneous items, including the same objects specified under this head in the legislative, executive, and judicial appropriation act for the fiscal year 1920, $15,000, of which sum not to exceed $6,500 may be expended for telephone service and not to exceed $150 may be expended for street car fares.

Mr. KING. Mr. President, of course I understand the rule is that where amendments are tendered by the committee they shall be disposed of before suggestions are made or amendments offered with respect to other parts of the bill. It seems to me, though, in the interest of the economy of time, that where perhaps, after an explanation, an amendment would not be offered to the general text of the bill, it would be best to make the interrogations with respect to such items as the bill is read, instead of coming back again after concluding the reading of the bill, because when the matter is taken up again the notes of the reporters and the RECORD would not show the provisions of the item under discussion. If the interrogation followed the reading of the item, then it would be intelligible.

I ask unanimous consent that amendments may be offered or questions propounded with respect to the text of the bill as we proceed without first disposing of all of the committee amendments.

Mr. WARREN. We can not, of course, give unanimous consent to change the unanimous-consent agreement already made.

Mr. KING. I did not know that that had been done.

Mr. WARREN. Unanimous consent was asked, immediately upon starting the consideration of the bill, to consider the bill for amendment, the committee amendments to be first considered.

Mr. KING. Of course, then, I shall not ask to have the roll called in order to secure a quorum to ask for unanimous consent to alter that agreement.

Mr. WARREN. Of course, the Senator can make any observations he wishes to, but we must follow the rule.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Department of Justice," on page 29, after line 6, to insert:

CONTINGENT EXPENSES.

For miscellaneous expenditures, including telegraphing, fuel, lights, foreign postage, labor, repairs of buildings, care of grounds, books of reference, periodicals, typewriters and adding machines and exchange of same, street car fares not exceeding $200, and other necessaries, directly ordered by the Attorney General, $5,000.

For stationery for department and its several bureaus, $5,000.

For furniture and repairs, including carpets, file holders, and cases, $5,000.

The amendment was agreed to.

The next amendment was, under the subhead "Detection and prosecution of crime," on page 29, line 24, after the word "notwithstanding," to insert "*Provided further*, That the sum of $75,000, in addition to that now provided by law, shall be available for the compensation of necessary employees serving at the seat of government," so as to make the clause read:

Appropriations under the Department of Justice for the fiscal year 1920 for detection and prosecution of crimes shall be available for advances made by the disbursing clerk of said department, when authorized and approved by the Attorney General, the provisions of section 3648 of the Revised Statutes to the contrary notwithstanding: *Provided further*, That the sum of $75,000, in addition to that now provided by law, shall be available for the compensation of necessary employees serving at the seat of government.

Mr. KING. Mr. President, I suggest that the word "further," on line 25, page 29, be stricken out as unnecessary.

Mr. WARREN. Certainly. It is the only proviso in that paragraph.

Mr. KING. But what I rose for primarily was this: Does the Senator know what this $75,000 is for? And is he very clear that this is not available from some appropriation heretofore made?

Mr. WARREN. This does not appropriate. We have already appropriated the money and prescribed the amount which could be expended within the District, and they want to expend the sum already appropriated and $75,000 more on account of the extra work occasioned by this raid on Bolsheviks and others, and, of course, to arrange for the guarding of whisky and other matters that have loaded more work on the District than it formerly had.

Mr. KING. It is for the payment, then, of employees in the District?

Mr. WARREN. All of it. They asked for $100,000 privilege, and we told them we could give them only $75,000, after agreeing that the money was really necessary, and they will try to get through on it.

Mr. SMOOT. Mr. President, this simply means that there will be employees additional in the District of Columbia sufficient to consume the $75,000. The Department of Justice has been adding to the number of employees for months past. It does seem to me that some time or other a halt must be called. For months past I have received no report with reference to the number of employees in the different departments of the Government that did not show additional employees in the Department of Justice in the District. I can understand that there would have to be more employees in that department out in the field, but I fail to see how any Bolsheviki can be detected by a lot of employees in the District of Columbia, and I fail to see where the detection of crime is going to be made by having a lot more employees brought into the District.

It seems to me that the amount is asked to be inserted simply because the amount of money already appropriated will not be expended, and they want to take the $75,000 to put more employees into the District.

I think from this time on I shall place in the RECORD the report furnished me every month as to the number of employees in the District of Columbia in every department of the Government, and I hope that Senators and Representatives will note the increase that is going on in a great many of the departments. When will it cease? Never as long as there is a dollar to pay them. This only gives $75,000 more to bring more employees into the District of Columbia.

Mr. KING. Mr. President, unless the committee are satisfied with this item, I think it ought to be disallowed. The Senator from Wyoming made a statement with regard to the enforcement of the law which provides for the deportation of certain aliens. Senators are familiar with the action of the Government in causing the arrest of a large number of aliens who were subject to deportation from the United States. I rise merely for the purpose of stating that I have observed in the press recently that out of the large number arrested for deportation many of them have been discharged or released on bail.

We have heard a great deal about raids made upon Bolsheviki and anarchists and others subject to deportation from the United States. Several hundred were deported to Russia some time ago, but if the reports appearing in the press are true many who, under the provisions of the act of Congress of October, 1918, are subject to deportation are being released on bail, and no present purpose seems to exist to speedily send them out of the United States. Several weeks ago I introduced a bill transferring from the Department of Labor to the Department of Justice the administration of the laws with respect to the deportation of aliens. It would seem that some agency of the Government is delinquent in enforcing the law against those who are seeking the overthrow of this Government by force and violence and who come within the terms of the act of October, 1918. If there were ample grounds for the arrest of hundreds recently "gathered in by the Government," and I think there were in most instances, they ought to be promptly deported.

Recently some ministers were very much agitated because we were deporting aliens, and sought to have officers of the law nullify its provisions. I fancy that some of those ministers would do better service for their country and for the cause of humanity if they would preach a little more of Christ and Him crucified and mix a little less in affairs with which they are unfamiliar.

There was a demand well-nigh universal in this Nation that the anarchists and the communists and those who followed the proclamations of the third international at Moscow be deported not only because their doctrines were inimical to the perpetuity of free institutions but because the program of the Moscow conference demanded the destruction by force and violence, by revolution and bloodshed, of this Nation and other nations. The Bolsheviki of Russia called the Moscow conference for the purpose of devising methods of carrying on a world-wide revolution and the destruction of all law and order and all governments, and at that international conference declared war upon all nations and the overthrow of the present social structure and the rule of a tyrannous, cruel, barbarous despotism called the dictatorship of the proletariat. Lenin and Trotski had their disciples here seeking to execute this wicked and diabolical policy. Lenin and Trotski, professing, as they are doing now, friendship for other nations in order to lift the blockade and seduce this Nation and other nations into some sort of a treaty with them, are aiming at the destruction of all government, and they are sending their spies and their representatives and their criminal agents to propagandize this and other nations and to undermine law and order and to destroy the governments of the world. Hundreds of their followers are in the United States. Hundreds of them were arrested. They ought to be deported instead of being released. The Department of Labor, that has to do with the enforcement of the law, ought to carry out the terms of the statutes or it ought to confess its utter inability to discharge the duties required by law, in which event we could transfer to some other department the administration of the statutes of the United States which provide for the deportation of anarchists and certain other classes of undesirable aliens.

Mr. WARREN. I understand the amendment is not agreeable to the Senator. I am perfectly willing to strike it out.

Mr. KING. I do not know enough about it. The Senator knows what the situation is.

Mr. WARREN. The information that we had was such that I thought it ought to go in and go to conference.

Mr. KING. I do not know enough about it to justify a request for its rejection.

Mr. SMOOT. Really, Mr. President, I think it ought to go out. I do not think we ought to have any more employees in the District of Columbia than we have at the present time. If the Senator from Wyoming has no objection, I think it should go out.

The amendment was rejected.

The next amendment was, on page 30, after line 2, to insert:

UNITED STATES COURTS.

The appropriation contained in the legislative, executive, and judicial appropriation act of March 1, 1919, for salaries of district judges, shall be available for the salaries of all United States district judges lawfully entitled thereto for the fiscal year 1920, or any portion thereof.

The amendment was agreed to.

The next amendment was, under the subhead "Coast and Geodetic Survey," on page 33, after line 4, to insert:

For making alterations to vessels transferred from the Navy Department, $20,500, to continue available during the fiscal year 1921.

Mr. KING. Mr. President, in connection with this item and the other items under the head of "Coast and Geodetic Survey," I wish to ask the Senator if the various items, $140,100, $22,370, $68,000, and $20,500 are deemed necessary? The Senator will remember that the Coast and Geodetic Survey had a very liberal appropriation in the last general appropriation bill. The other day we placed the Coast and Geodetic Survey officers in a bill which increased their compensation 31 per cent. Complaint was made that they could not keep men in the service, and that a large number of them had resigned.

It would seem, if that were true, that instead of there being a deficit—because we made a very liberal appropriation—there ought to be some money available to be turned into the Treasury of the United States. But it would appear that the more men leave the service of the Government the larger the appropriation and the greater the deficit.

I do not understand, in view of the very extensive appropriation which we made, and in view of the slowing down of the activities of the Coast and Geodetic Survey, instead of there being a deficit there ought to be money available to be turned into the Treasury of the United States.

Will the Senator tell us why these deficits exist and why it is necessary, just before we are to pass a general appropriation bill for the coming fiscal year, that we should make these large appropriations? My inquiry, of course, would not apply so much to the pending amendment for making alterations to vessels transferred from the Navy Department, $20,500.

Mr. WARREN. That stands by itself, I will say to the Senator, and is for a vessel turned over to it which is unseaworthy. The Navy, complaining of not having sufficient funds to repair its ships, turned this ship over, and it was believed right for the survey to have money to repair it, as there was no money available for that purpose.

On the other hand, last year we appropriated $115,000, and they want $51,300 to carry the matter through. The House believed they were right in putting in $37,000. We made examinations accordingly and felt that they should have it, because there has been a great demand for the work of the Coast and Geodetic Survey, because of the great number of ships built, not only for the war, but we are putting out many more for the merchant marine and those engaged in shipping. All these have a right to ask for charts from the Government and are asking so numerously that the business done before the war along that line is not comparable at all with the amount of business that is exacted of the department now.

The committee of the Senate believed that the work had to be finished sooner or later, and now is the time to go on and finish it. We believe that the amount the House put in should be retained.

Going on to the other amendment, where they had $250,000 and wanted $106,000, they are given $57,000. Another place where they had $400,000 and asked for $84,000 they got $68,000.

Mr. KING. Does the Senator believe that the amount should be appropriated now in view of the fact that the general appropriation bill will take care of this agency as it will all other departments and agencies of the Government?

Mr. WARREN. That is for next year, however.

Mr. KING. That is for the fiscal year commencing July 1.

Mr. WARREN. Mr. President, I do believe that, if we are going to continue to support the Coast and Geodetic Survey, now is the time to be liberal with them, and then we can cut down in the future, because there is more or less of the work that is, I will not say temporary, but is in the nature of a flow that exceeds the call heretofore, and it must, of course, lessen before long.

I do not want to go into the matter of the uncharted seas, but the Senator knows that there is a great deal of work to do. Up in the Alaskan waters every now and then a ship goes down,

and many people and cargoes are lost because of rocks unknown and theretofore unseen.

The amendment was agreed to.

The next amendment was, under the head of "Legislative," on page 39, after line 15, to insert:

SENATE.

To pay Lucy Day Martin and Thomas Staples Martin, jr., heirs at law of Hon. Thomas S. Martin, late a Senator from the State of Virginia, $7,500.

The amendment was agreed to.

The next amendment was, on page 40, after line 19, to insert:

For the purchase of a motor-propelled passenger-carrying vehicle for the official use of the office of the Secretary of the Senate, $3,000, or so much thereof as may be necessary.

Mr. KING obtained the floor.

Mr. KENYON. Mr. President——

Mr. KING. I yield to the Senator from Iowa.

Mr. KENYON. I was going to inquire the necessity for the item which has just been read. It seems to be for the purchasing of an automobile for the use of the Secretary of the Senate, and the amendment following that seems to be for the purchase of "motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $5,000." Is this an appropriation to purchase an automobile for the use of the Secretary of the Senate?

Mr. WARREN. It is. The Senator desires some information. I also desired information and received it.

The Sergeant at Arms and Secretary of the Senate receive a given salary and formerly a certain amount was provided for teams—horses and carriages, harness and equipment, and so forth. Of course, that has been done away with, and now motor vehicles are used. Most of the cars now in use are some that were taken from the War Department. They had been long in use. The Secretary of the Senate received one Hudson car, which is now in the repair shop. He has no conveyance provided, except as we may provide one for him. We all draw our money at the Secretary's office here, so do all the employees, on the 15th and at the end of each month. Large amounts of money are required to meet the payments, so that two employees go every day to the Treasury, and usually twice a day, and sometimes several times in a day, to transact business of a financial nature. In this work expedition is required, and it is also necessary to guard against attack. The Secretary himself may be called upon suddenly to go almost anywhere.

Now, as to the Sergeant at Arms, whether right or wrong, the Sergeant at Arms has, I think, four or more cars or automobiles, if you can call "flivers" automobiles. He himself has a good one, I think.

What causes the expenditure of the $5,000 is that the Senate, in its wisdom through its Committee on Contingent Expenses—of which I have no control, not being a member and not having been so for years—authorized the employment of some four or five so-called chauffeurs, to be paid from the contingent fund of the Senate. Then there come naturally the repairs of the motor engines, and so forth, that must be paid for.

Mr. KENYON. For what are these different automobiles used?

Mr. WARREN. They are not only used for the carriage of mail but for the transportation of commodities of any kind which have to be carried. Of course, sometimes late at night some of them are used for Senators to take them home from late Senate sessions, but not very often; that occurs only occasionally. I think the Senator will notice that cars are passing very often which are marked "Senate," with loads or partial loads of various kinds.

Mr. KENYON. Mr. President, it may be that it is necessary to furnish an automobile for the Secretary of the Senate——

Mr. WARREN. I think it is highly necessary to provide transportation for the conduct of the business; it has been so considered since I have been in the Senate, and was so considered many years before that.

Mr. KENYON. Then the motor-propelled car is used for the purpose of carrying on the business of the office of the Secretary of the Senate and not in any event for the personal use of the Secretary of the Senate?

Mr. WARREN. It is not used in that way. It is for the use of the Senate, and it is in daily use for that purpose.

Mr. KING. May I inquire of the Senator if the cars which are used by the Sergeant at Arms—some four or five of them, as I understand the Senator—might not be employed for the same purposes as that for which the Secretary of the Senate employs cars?

Mr. WARREN. They are used for similar purposes; they are used, as I have stated, for mail and other purposes. The Sergeant at Arms and the Assistant Sergeant at Arms have, I think, a Ford, and the property clerk, who comes and goes and has a great deal to do, has a car. I think, however, it is his own. But these were old cars when they were taken. These Sergeant at Arms officers are not asking for new cars, but that those which they have shall be kept up. I think one or two of them are, probably, out of commission.

Mr. KING. I should like to ask the Senator whether this is the first time that an automobile has been furnished to the Secretary of the Senate?

Mr. WARREN. I am inclined to think that one was furnished to the Secretary of the Senate four or five years ago.

Mr. KING. Did Mr. Baker, the predecessor of the present Secretary of the Senate, have a car?

Mr. WARREN. I think he did, and a very fine one.

Mr. KING. Was it paid for by the Government?

Mr. WARREN. It was.

Mr. KING. All I can say is that it was a very unwise and improper expenditure, in my opinion.

Mr. WARREN. How I came to know that it was a fine car is that I, with others, happened to be summoned to the White House once or twice and was carried down in that car. Is the Senator from Utah inquiring as to the former Secretary of the Senate or the former Sergeant at Arms?

Mr. KING. I am inquiring as to the former Secretary of the Senate.

Mr. WARREN. The car of which I spoke was that of the former Sergeant at Arms, but the former Secretary of the Senate also had one.

Mr. KING. Furnished by the Government?

Mr. WARREN. Oh, yes. Not only that, but before these officers had cars they had, as I have said, horses and wagons and equipage. They had those for some time.

Mr. KING. Under the economies, Mr. President, of the Federal Government, of course it has become necessary that we should furnish cars for a large number of employees of the Government. I notice upon the streets every morning as I come to the Senate scores and, indeed, hundreds of cars used by the War Department; and I am advised that these cars are used by the families of officers. That may be proper; it may be that it is a proper application of the money which is wrung from the taxpayers of the United States to furnish cars for the officers of the Army and the Navy who in such great abundance—such rich abundance—inhabit the city of Washington.

Mr. WARREN. As the Senator from Utah has said, there are a good many cars that officers of the Army are using. I have not been fortunate enough lately to see ladies riding in any of them, but at one time here, as the Senator will probably recall, it was almost a law in this District that he with his car or I with mine if we passed a lady in the street who was a war worker we should pick her up and take her to her destination. In that case Army automobiles were probably used the same as ours were.

Mr. KING. I hope the Senator from Wyoming is not attempting to justify that which everybody knows is an improper use by the War Department of automobiles in this District.

Mr. WARREN. On the contrary, we have under a provision of law, in the enactment of which I participated, placarded them all, so that we shall know that they belong to the Government; and under the rules and restrictions we have imposed it is positively forbidden that they shall be used for any but official purposes.

Mr. KING. Attention has been called upon a number of occasions to the improper use of Government vehicles by officials of the War Department and various employees of the Government. Millions of dollars have been expended for this purpose. I think it is a good time now to draw the line and call a halt.

If anyone is entitled to a vehicle, I am sure the present efficient and competent Secretary of the Senate is, and I should dislike to single him out for the purpose of enforcing a rule of economy; but I think we ought to begin somewhere, and I suggest to the committee if it would not be wise now to cut out this item and begin pruning with respect to the use of vehicles by so many of the employees of the Government.

Mr. WARREN. Mr. President, I consider this provision necessary to the convenience of the Senate, and I am not prepared to advocate that it be eliminated. I hope the item may be sustained.

Mr. HITCHCOCK. Mr. President, notwithstanding the statement of the chairman of the Committee on Appropriations, I am very doubtful whether this item has ever before appeared in any appropriation bill. Certainly I have never seen it, and if I had seen it I would have objected to it. As the Senator from Utah has said, it is now one of the serious evils in the District of Columbia that probably hundreds of public officials are riding in automobiles provided by the Government and are using them for

private and social purposes. If the Senate sets this example of giving to its Secretary an automobile, which the chairman of the committee admits he may use for his personal and individual purposes, the Senate will be in no position——

Mr. WARREN. I do not admit anything of the kind.

Mr. HITCHCOCK. The Senator did a few minutes ago.

Mr. WARREN. I made no such statement.

Mr. HITCHCOCK. The Senator said a few moments ago that of course the Secretary would use it for his personal purposes, although it was for official use.

Mr. WARREN. So far as the facts are concerned, I never knew of his using it for anything of a personal purpose. Does the Senator think that when, as sometimes happens, $100,000 has to be brought up to the Capitol from the Treasury that some clerk should go to the department and bring it back on foot?

Mr. HITCHCOCK. I think the Senate possesses automobiles that can be used for that purpose. The Sergeant at Arms has a number of automobiles, mail-carrying automobiles, and others, and I have not any doubt that that can be provided for without assigning an automobile to the Secretary.

This seems a small matter in its relation to one public official, but it is a bad example to set to the District and to the other departments of the Government; and we as a legislative body are in no position to criticize administrative officers if we provide for employees of the Senate automobiles which they may use. If the automobile is purchased as necessary for the use of the Senate, it ought to be for the use of the Senate and not for the use of any official of the Senate; there ought not to be any possibility that an official of the Senate can use it for personal or individual purposes.

Mr. WARREN. It is nearly 30 years since I first came to the Senate, and, although I may be wrong about this, I do not remember any appropriation bill that contained an appropriation for automobiles for the Army or other branch of the Government that has not been discussed here and the extravagance denounced—and properly so—and laws have been enacted so far as they could be enacted to stop the practice. Of course, now that the question comes up as to an automobile for the Secretary of the Senate, if the Senate feel that the custom that I found here 30 years ago, and that has been followed ever since—to furnish the Secretary a conveyance—is wrong, I shall submit.

Mr. HITCHCOCK. I shall certainly ask for a roll call on it and put the matter on record, because I t[illegible] it is an evil that ought to be stopped. It is not simply an evil here, but it extends through all the departments, and it is something for which we are responsible. We permit these people to use these automobiles for their own personal benefit. Here is an automobile which it is proposed to purchase for the use of the Secretary—it is stated for his official use. It is always stated to be for official use; but we know that after they have gotten them for official use they always use them for individual and personal purposes, and we ought not to set that example. If we purchase an automobile it ought to be for the use of the Senate, and individuals should not use it.

Mr. WARREN. The Senator will notice the way this reads:

For the purchase of a motor-propelled passenger-carrying vehicle for the official use of the office of the Secretary of the Senate.

Mr. HITCHCOCK. I noticed it; yes. They always are purchased for official use and they are constantly used for personal use.

Mr. WARREN. Does the Senator question my statement that the Secretary has to go to the Treasury nearly every day in the year?

Mr. HITCHCOCK. We have Senate automobiles that can be sent on that errand.

Mr. WARREN. Of course we have them, and they are in constant use, but we do not have many, and those that we have are continually in demand.

Mr. HITCHCOCK. Here in the next paragraph we provide—

For maintaining, exchanging, and equipping motor vehicles for carrying the mails, and for official use of the offices of the Secretary and Sergeant at Arms, $5,000, or so much thereof as may be necessary.

Mr. WARREN. Yes.

Mr. HITCHCOCK. If we have freight automobiles for that purpose——

Mr. WARREN. They all have to be repaired, and, as I explained to the Senator a few minutes ago, part of this $5,000 is for paying chauffeurs, under a provision which was put through the Senate to hire three or four and pay them from the contingent fund of the Senate. This when the Senator and his party were in control of the Senate.

Mr. HITCHCOCK. I have never before seen this item in an appropriation bill.

Mr. WARREN. It has been here right along. It is not the fault of the Committee on Appropriations that the Senator has not seen it.

Mr. HITCHCOCK. Does the Senator state now that the Secretary has an automobile?

Mr. WARREN. He has what remains of a Hudson automobile that was turned over to him that came from the War Department, and he states that it is unfit for use and can not be used now because it is worn out.

Mr. HITCHCOCK. Can the Senator state how it happened to come from the War Department?

Mr. WARREN. Because the War Department, at one time or another, have delivered automobiles quite lavishly to other departments. In fact, we legislated that they should turn them over. Not only that, but they have turned over thousands of them to the Post Office Department for road making and other purposes.

Mr. HITCHCOCK. The Senator has assured us that we have been putting items in appropriation bills for the purchase of an automobile for the Secretary.

Mr. WARREN. Yes.

Mr. HITCHCOCK. Now, he states that the Secretary is using one that he acquired from the War Department, a second-hand car.

Mr. WARREN. Yes.

Mr. HITCHCOCK. Those statements hardly comport. Which is true? Have we been furnishing the Secretary with an automobile heretofore?

Mr. WARREN. We have; and I said to the Senator, and I will say it again, that we heretofore provided transportation for the office of the Secretary who preceded the present one, and we provided one for the Secretary before that. We have provided, as I say, all these years for a conveyance that has been considered necessary, and we have always appropriated to maintain that vehicle, whether it be a horse and buggy, or whether it be a car.

Mr. ROBINSON. Mr. President, may I interrupt the Senator? The fact is that the Secretary of the Senate does a banking business, among many other functions which he performs.

Mr. WARREN. Yes.

Mr. ROBINSON. And that many times daily, certainly once every day, he is compelled to communicate, in person or by his representative, with some bank which acts as a clearing house for his financial office. It is true that the Secretary of the Senate has had the use of a motor car since some time before my service in the Senate began. The one that is now being used, according to my information, is pretty well worn out and almost useless.

Mr. WARREN. What the Senator says is true. The car goes down in the morning for currency which is required by Senators, and goes down in the afternoon usually to deposit checks that the Senators ask may be deposited out of their salaries, or checks that are cashed in the office on their own banks, so that there are at least two trips a day, and sometimes many more.

Mr. HITCHCOCK. Mr. President, can the Senator state what number of motor cars the Senate now possesses.

Mr. WARREN. The Senate has one for the Sergeant at Arms, one for the Assistant Sergeant at Arms, and there is a third one, I am inclined to think, used by the property clerk, and I think there is one that, like this one, has passed beyond repair that came from the War Department.

Mr. HITCHCOCK. In addition to that, have we mail motor cars?

Mr. WARREN. No. I am giving the Senator the total number of automobiles and trucks as I understand it to be. The language is "motor-propelled vehicles," as the Senator will notice.

Mr. HITCHCOCK. How many does that make?

Mr. WARREN. I should say altogether they have probably five there, and maybe more, and that would cover everything in that line. Of course, the Library of Congress have the trucks that go and come with their mail and to deliver their literature; and in fact every department of the Government that has to transport merchandise has to have either teams or motor cars, usually motor cars. In fact, they can not afford to keep horses at the present price of feed for them.

Mr. HITCHCOCK. I should like to know whether the Senator has procured the notes, so as to see what was said about the private use of this car?

Mr. WARREN. The Senator said that the Secretary's car was used for private purposes, and I said that it was not. I have not seen the notes, but I hope the Senator will convince himself on the subject.

Mr. HITCHCOCK. I thought the Senator had sent for the notes.

Mr. WARREN. I do not know whether they are here or not. The Senator's charge was that I said that this car was for the Secretary's personal purposes.

Mr. HITCHCOCK. No.

Mr. WARREN. I ask whether that is true or not.

Mr. HITCHCOCK. No; my inquiry was addressed to the Senator from Wyoming as to whether the Secretary might use the car for his private or personal benefit, and I understood the Senator from Wyoming to state that he could.

Mr. WARREN. I remember no such statement; quite to the contrary, because I never had that idea. I have been fighting here for years to bring about just what the Senator is fighting for, but I believe in fighting over something larger than one automobile for a servant of the Senate.

Mr. HITCHCOCK. Then, the position of the Senator, I take it, is that this car, if purchased, could not be used for personal or social or private purposes, but only for official use?

Mr. WARREN. That will be with the honor of the Secretary; but the appropriation certainly provides for its use only for official purposes.

Mr. HITCHCOCK. Does the Senator answer the question in that way—that it could not be used properly for personal and social purposes?

Mr. WARREN. It could not be used properly under this appropriation for purely personal purposes; no.

Mr. SHERMAN. Mr. President, I should like to ask the ranking member of the Foreign Relations Committee if he knows how many automobiles were kept at the Hotel Crillon during the peace conference in Paris, and if he has any definite information of the cost charged to and paid out of the President's civil list?

Mr. HITCHCOCK. Mr. President, I might reply to the Senator by suggesting to him that in view of his statement yesterday that he might abandon his Republican associates if they did not save the Senator from Michigan from expulsion from the Senate, he should, in view of his intention, treat the Democratic side with a little more consideration at this time and not embarrass us by any questions that might be difficult to answer.

Mr. SHERMAN. There will be no embarrassment at all; but I want the information and I have not got it.

Mr. HITCHCOCK. We like to view the Senator as a possible recruit over here.

The VICE PRESIDENT. The Chair's understanding was that the Senator's inquiry was addressed to the Senator from Massachusetts [Mr. LODGE].

Mr. WARREN. Mr. President, if there is any subject on earth that has not been discussed while this bill has been before the Senate I hope it may now be trotted out and fought out on the floor.

Mr. SHERMAN. I thought I would complete the circuit.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 40, after line 22, to insert:

For maintaining, exchanging, and equipping motor vehicles for carrying the mails, and for official use of the offices of the Secretary and Sergeant at Arms, $5,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, at the top of page 41, to insert:

For fuel, oil, cotton waste, and advertising, exclusive of labor, $1,000.

The amendment was agreed to.

The next amendment was, on page 41, after line 2, to insert:

For the Capitol: For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended by the Superintendent of the Capitol Building and Grounds, under the supervision of the Committee on Rules, United States Senate, fiscal year 1919, $4,966.79.

Mr. THOMAS. Mr. President, the amendment just read makes an appropriation that is applicable to the Senate kitchens and restaurants, both in the Capitol Building and in the Senate Office Building.

If there is a civil establishment in the city more needless and less profitable than the restaurant in the Senate Office Building, I do not know what it is. Why it has been continued has always been a subject of some curiosity on my part. If it is designed for the benefit of employees of the Senate, we have supplied them with a tunnel and with electric cars, of which they may avail themselves without any difficulty, and take an appetizer in the shape of a ride before they appease their hunger over in the restaurant here. If it is designed for the general public, perhaps it is sufficient to say that the general public do not know anything about it.

If it is designed to give employment to a few more employees—and that is about what it amounts to—then the sooner it is dispensed with the better.

I have an office on the same floor, and consequently I pass the restaurant every day. Sometimes there are people in there engaged in satisfying the wants of the inner man, and sometimes not. Now, this is a small item, and, of course, it is hardly worth the time that I am occupying in calling the attention of the Senate to it; but I do not know. We say we must find some point somewhere as an economic start from which we can proceed, with the intention expressed by both parties in all their national platforms, to economize in the public administration. I have endeavored to find that particular starting point here on many occasions, but in vain. Now, I want to see if we can not start with the restaurant in the Senate Office Building, because I am satisfied that once we can get a send-off we may be able to make a record.

Mr. KNOX. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Pennsylvania?

Mr. THOMAS. I yield.

Mr. KNOX. I think I can give the Senator from Colorado some information on the restaurant in the Senate Office Building.

The building as originally constructed provided for that restaurant, and it was conducted up until about a year ago and then abandoned. There was a great deal of complaint made on behalf of the employees of Senators in the Senate Office Building of being deprived of the opportunity of going in the building to some place where they could get a light luncheon; so that the Committee on Rules, after giving the matter full consideration, concluded that in a limited way, and at a reduced cost and a reduced service, they would establish a buffét lunch in the room that had been originally provided for that purpose. There was another reason, and it was quite an important reason. It relieved the congestion at the noon hour in the main Senate restaurant; and we have found that while it is not operated at a profit—neither is the larger restaurant operated at a profit—it is a very great convenience to the young women and young men in the Senate Office Building, and many persons employed in the Capitol go over there, on account of the luncheons being served more cheaply than they are in the main restaurant. That was the reason why the Committee on Rules decided to reestablish it in a modest way.

Mr. THOMAS. Mr. President, the Senator from Pennsylvania has deprived me of the comfort of finding a starting point of economy in the Senate restaurant. I knew some one would blight my rising hopes and direct my efforts to some other item of this or some other bill, where, I suppose, I shall meet with the same conclusion. Of course, the item is small; and if my distinguished friend assures me that it is necessary, in the opinion of the present Committee on Rules, I shall endeavor to conceal my disappointment by directing attention to the next item.

Mr. WARREN. Mr. President, let me comfort the Senator a little. This bill, as reported, contained between two and three million dollars less than the bill that came from the House.

Mr. THOMAS. Yes; I noticed that in the Senator's report.

Mr. WARREN. The Senator knows how seldom that has ever occurred, if in his life he ever saw it occur before, in this kind of a bill.

Mr. THOMAS. I have known it to occur once or twice before, but not on the same scale. However, the bill is not through the committee of conference yet, and I am not going to bark until I get out of the woods. I am satisfied that the Senator has done his best; but inasmuch as the House vociferously pledged itself to economy, I very much fear that a considerable part of this $2,000,000 saving will disappear in the compromise.

Now, Mr. President, without occupying any more of the time of the Senate than is absolutely necessary, I want to call attention to the next amendment, which I will relieve the Secretary—who has been hard at work all day—by reading myself:

Senate Office Building: For securing plans for the construction of an additional section to the Senate Office Building to be placed along First Street east, and for preparation of drawings for the interior and approaches to the entire building, including personal services in the District of Columbia and elsewhere, labor and material, to be expended by the Superintendent of the Capitol Building and Grounds, under the supervision of the Senate Office Building Commission, $2,500.

That is a small item, also, but it is evidently designed to precede the construction of an additional section to the Senate Office Building, to be placed along First Street; and I am unable to conjecture what possible need there is for this addition to the Senate Office Building. It is constructed for the use of

96 men and their aids, and it is about as large as the House building, which is constructed for the use of 435 men and their aids. I think there is as much waste space in the Senate Office Building as in any public building in this country—huge rooms that are sometimes, but seldom, used; one magnificent room that never has been used, as I am informed, except on one occasion, and that was for the drawing of numbers for the draft in 1917 and 1918. Now, what possible need is there at this time for even going to the extent of drawing plans for a section of a building where 96 men have an average of two and a half rooms apiece, with a good many rooms on one floor, I understand, that are still available?

Mr. WARREN. Mr. President, may I interrupt the Senator?

Mr. THOMAS. Yes; certainly.

Mr. WARREN. This expenditure, to really complete what was intended in the first place—that is, complete the office building—does not indicate any early expenditure in constructing the additional wing. The Senator himself remembers that he took the committee to task at one time; perhaps I ought not to say that, but he said that the building ought to be finished and some stairways put in at once where they had not yet been put in.

Mr. THOMAS. Yes; I remember that.

Mr. WARREN. I remember the very proper suggestion I received once from the Vice President, that something ought to be done. There was a building committee that was appointed originally to go on and complete the building. Of course, the members of the original committee have passed away. The present chairman of that committee is the chairman of the Committee on Appropriations, and the other two members are members of the Committee on Rules. It is considered necessary to have these plans ready to proceed so far as finishing the building up to these little matters of steps and stairs to which the Senator has alluded and to have the plans if we ever want to complete the building.

Mr. THOMAS. Mr. President, if I understand the logic of my genial friend from Wyoming, it amounts to this: Because I complained that the stairs and steps and some other deficiencies ought to be added to the building for its completion, he proposes to provide plans for the building of an entirely new section. If my efforts at accomplishing something are to bear that sort of fruit, the sooner I get out of the Senate or, at best, take my seat, the better off the taxpayers will be.

I might say that if plans for the purpose of constructing the steps needed for the entrance of the building nearest the Union Station can not be furnished otherwise, I can draw them myself, and I will not charge the Government a cent.

Mr. KNOX. Mr. President——

Mr. THOMAS. And if it be necessary to extend my architectural efforts a little further, I think I can supply a few doors that may be needed. I had no idea when I suggested those additions that the committee was going to take advantage of it and propose to build an entire new section of the building. I yield to the Senator from Pennsylvania.

Mr. KNOX. I do not wish to thwart the Senator from Colorado in his admirable endeavors to economize, but if he knew anything about the trials and tribulations of the room clerk of the Senate, the position which I happen to occupy, he would know that there is a real demand for the completion of the building. Congress is in practically continuous session. It is true that the House of Representatives has only a building that is, perhaps, one-fourth larger than the Senate Office Building, and it is an outrage that Members of the House shall be practically limited to one room.

Three rooms are really essential to the work of a Senator. There are 32 Senators who have but two rooms. There is scarcely a Senator who does not have to crowd into one of those rooms two or three clerks, and it is almost impossible for a Senator to transact the business in his office under those circumstances.

As the Senator from Wyoming said, it is not contemplated that the building shall be immediately finished, but that there shall be some preliminary steps taken looking toward its final completion. I understand that the House contemplates asking for another building, probably of the same size as the existing building; and if it does, it ought to have it. That would not give them more than an average of two rooms apiece.

I sincerely hope that we may be able to take this preliminary step.

Mr. THOMAS. Mr. President, continuing my references to my own architectural capabilities, I am satisfied that I could supply the needed extra rooms in the present structure by providing for partitions in four or five of the enormous rooms in that building which are never used. While my sympathies go out to the poor Members of the House who are obliged to get along with one room, the very fact that they are able to do it indicates that we are somewhat extravagant in insisting upon three rooms apiece for each Member of this body.

Mr. LODGE. Mr. President——

Mr. THOMAS. I yield to the Senator from Massachusetts.

Mr. LODGE. The Senator speaks in a large way of four or five great rooms that are never used. I know of but one.

Mr. THOMAS. I said "never used"; I mean used only occasionally.

Mr. LODGE. What other rooms are never used?

Mr. THOMAS. They are occasionally used.

Mr. LODGE. I think they are all used. I think they are all attached to some committee.

Mr. THOMAS. Take the room marked "Conference of the minority." That is used very seldom. The present minority has its conference room in the Capitol Building. It is used, of course, for various investigations. We can not carry on 60 investigations at the same time without occasionally using some of those rooms.

Mr. LODGE. I think they are all in use except the great room the Senator spoke of, the minority conference room.

Mr. THOMAS. It may be that in the sense that they are used occasionally, that is true.

Mr. LODGE. The minority conference room we occupied until a year ago, and now the minority has the conference room we had, and the majority has none.

Mr. THOMAS. If the Senator plans to allow the majority to get along without a room, we will try to get along without a room, too.

Mr. LODGE. I do not think there is a great deal of space there that can be cut up. Of course, there are rooms there that can be cut up, but we must have some large rooms where hearings can be held. There are none in the Capitol that are fit for the purpose.

Mr. THOMAS. I would not sacrifice them all, but I think additional space can be had there.

Mr. WARREN. May I call the Senator's attention, following what the Senator from Massachusetts has said, to the fact that the House Members mostly serve on one committee, and only one if it is an important committee. They have less clerks and less business and less people calling their attention to various matters, so that they can better endure the crowded offices and the lesser number of clerks than can Senators.

Mr. THOMAS. Mr. President, I think this is no time for the Senate to increase its office accommodations or to go to the extent of taking preliminary steps in that direction. The need for public buildings and of repairs to public buildings in other sections of the country is much more insistent than any such need here. For example, the old customhouse in the city of Denver can be converted into an excellent office building at an expense of not to exceed $25,000 and save the Government in rents a good deal more than that during the first two years after completion.

Mr. WARREN. Are Government officials in Denver paying rent?

Mr. THOMAS. They are.

Mr. WARREN. Is the Federal building in Denver, the one that occupies a whole block, overrun?

Mr. THOMAS. The Federal building is badly overrun—that is, the old Federal building.

Mr. WARREN. What about the new public building, as well as the old Federal building?

Mr. THOMAS. I am talking about the old one. I am informed by the custodian that he can save more than $25,000 if he can get that amount of money for the purpose of cutting up the spaces occupied by the postal department and converting those spaces into office rooms. They are badly needed. Of course we all know that the Government bureau service is constantly expanding in the larger places throughout the country, and particularly in the public-domain States.

Mr. WARREN. To finish my inquiry, I know something, of course, of the Federal buildings in Denver, Colo., and the mint——

Mr. THOMAS. Yes; Denver is indebted to the Senator very largely for the last building.

Mr. WARREN. It seems to me that any one who is acquainted with the public buildings in Denver and the number of men employed in them, the amount of space which they occupy, would desire very much to increase the facilities of Senators and Representatives here, because, by comparison, they are very much better provided for in those public buildings than we are here in the way of public buildings for Members of Congress.

Mr. THOMAS. I do not agree with the Senator. I think we are not anywhere nearly so well provided for out in the sections to which I refer as we are here.

Since the enactment of the prohibition act, which is being enforced, of course, throughout the country, since the widely extended responsibilities of the Commissioner of Internal Revenue consequent upon the revenue act, the demand for space has increased, I think, out of all proportion to the demand for space by Senators and Representatives. We are saving at the spigot and wasting at the bunghole by refusing to consider appropriations for repairs of that kind, and at the same time presenting the spectacle to the country of spending money for our own comfort and convenience when that would seem under all the circumstances to be ample at present.

I therefore respectfully submit to the Senate that the appropriation of $2,500 to which I have called attention should be stricken from the bill.

The VICE PRESIDENT. The question first is on the amendment on page 41, lines 3 to 9.

The amendment was agreed to.

The VICE PRESIDENT. The question now is on the amendment on page 41, lines 10 to 18.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, under the head of "Government Printing Office," on page 43, line 19, after "1920," to strike out "$1,000,000" and insert "$800,000," so as to make the clause read:

For public printing, public binding, and paper for public printing and binding, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1920, $800,000.

The amendment was agreed to.

The next amendment was, on page 43, after line 19, to insert:

Hereafter enrolled bills and resolutions of either House of Congress shall be printed on parchment or paper of suitable quality as shall be determined by the Joint Committee on Printing.

The amendment was agreed to.

The next amendment was, on page 44, line 3, after the words "Interior Department," to strike out "$25,000" and insert "$15,000," so as to make the clause read:

For printing and binding for the Interior Department, $15,000.

The amendment was agreed to.

The next amendment was, on page 44, line 5, after the words "Department of Labor," to strike out "$50,000" and insert "$25,000," so as to make the clause read:

For printing and binding for the Department of Labor, $25,000.

The amendment was agreed to.

The next amendment was, on page 44, line 9, after the words "Treasury Department," to strike out "$25,000" and insert "$20,000," so as to make the clause read:

For printing and binding for the Treasury Department, $20,000.

The amendment was agreed to.

The next amendment was, under the head "Judgments, Court of Claims," on page 45, line 5, before the word "namely," to insert "and Senate Document No. 219," so as to make the clause read:

For payment of the judgments rendered by the Court of Claims and reported to Congress during the present session in House Document No. 601 and Senate Document No. 219, namely,

The amendment was agreed to.

The next amendment was, on page 45, line 8, after the words "Navy Department," to strike out "$188.88" and insert "$451.24," so as to make the clause read:

Under the Navy Department, $451.24.

The amendment was agreed to.

The next amendment was, on page 45, line 9, after the words "in all," to strike out "$1,891.51" and insert "$5,156.87," so as to make the total read:

In all, $5,156.87.

The amendment was agreed to.

The next amendment was, on page 45, after line 11, to insert:

JUDGMENTS IN INDIAN DEPREDATION CLAIMS.

For payment of the judgment rendered by the Court of Claims in an Indian depredation case, certified to Congress in Senate Document No. 220, of the present session, $1,115; said judgment to be paid after the deductions required to be made under the provisions of section 6 of the act approved March 3, 1891, entitled "An act to provide for the adjustment and payment of claims arising from Indian depredations," shall have been ascertained and duly certified by the Secretary of the Interior to the Secretary of the Treasury, which certification shall be made as soon as practicable after the passage of this act, and such deductions shall be made according to the discretion of the Secretary of the Interior, having due regard to the educational and other necessary requirements of the tribe or tribes affected; and the amounts paid shall be reimbursed to the United States at such times and in such proportions as the Secretary of the Interior may decide to be for the interests of the Indian Service: *Provided*, That the said judgment shall not be paid until the Attorney General shall have certified to the Secretary of the Treasury that there exist no grounds sufficient, in his opinion, to support a motion for a new trial or an appeal of said cause.

The above judgment shall not be paid until the right of appeal shall have expired.

The amendment was agreed to.

The next amendment was, in section 2, under the head of "Audited claims," subhead "Claims allowed by the Auditor for the Treasury Department," on page 47, line 12, after the word "officers," to strike out "$25,665.15" and insert "except the claim of Miller & Lux (Inc.), $20,917.51," so as to make the clause read:

For payment of judgments against internal-revenue officers, except the claim of Miller & Lux (Inc.), $20,917.51.

The amendment was agreed to.

The next amendment was, under the subhead "Claims allowed by the Auditor for the Post Office Department," on page 57, line 17, after "section 2," to strike out "$1,004,693.64" and insert "$999,946," so as to make the clause read:

Total audited claims, section 2, $999,946.

The amendment was agreed to.

Mr. KING obtained the floor.

Mr. WARREN. Will the Senator from Utah yield to me for a moment?

Mr. KING. I yield to the Senator from Wyoming.

Mr. WARREN. There are some committee amendments yet to be offered to the bill, and I am informed that there are other amendments to be offered by Senators. It is now half past 5 o'clock, and I move, Mr. President——

Mr. FRELINGHUYSEN. Will the Senator allow me to interrupt him for a moment?

Mr. WARREN. The Senator from Utah [Mr. KING] has the floor.

Mr. KING. I desire to say to the Senator from Wyoming that I have about 20 amendments to the bill, which I desire to offer.

Mr. WARREN. I am about to move a recess until to-morrow.

Mr. KING. Very well; I yield.

Mr. FRELINGHUYSEN. Will the Senator from Wyoming withhold his motion long enough to act upon an amendment which I desire to offer? I must attend a committee meeting to-morrow, and it will be impossible for me to be present in the Senate. If the Senator will consent——

Mr. WARREN. If the Senator from New Jersey will not talk any longer and will offer the amendment, I will consent.

Mr. KING. I yield to the Senator from New Jersey in order that he may offer his amendment.

Mr. FRELINGHUYSEN. I offer the amendment which I send to the desk, and move its adoption.

The VICE PRESIDENT. The amendment is not in order without unanimous consent.

Mr. FRELINGHUYSEN. I ask unanimous consent.

Mr. KING. I think there is no objection.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. KING. I do not mean by my remark to assure the Senator from New Jersey that there will be no objection to the adoption of the amendment, because we shall object to it.

The VICE PRESIDENT. The amendment proposed by the Senator from New Jersey will be stated.

The READING CLERK. On page 23, after line 16, it is proposed to insert:

BUREAU OF MINES.

Tunnel investigations: For investigations of conditions dangerous to health and safety in tunnels, shafts, and similar confined places, caused by deleterious gases, or arising during the construction of tunnels, shafts, and similar engineering works, with a view to improving such conditions by determining the most efficient means of protection from these dangers, including all equipment, supplies, expenses of travel, subsistence, and all other expenses requisite for and incident thereto, including personal services in the District of Columbia and elsewhere, to be immediately available and continue available during the fiscal year 1921, $100,000.

Mr. WARREN. Mr. President——

Mr. FRELINGHUYSEN. I think I have the floor.

Mr. KING. I yield to the Senator from New Jersey.

Mr. WARREN. I think it is for me to say whether or not I will make a point of order on the amendment. If there is going to be any debate on it, I make the point of order now that the amendment is not in order, that it increases the appropriation in the pending appropriation bill, and that it is general legislation. It has been considered by the committee. The two States referred to in the amendment are spending some $30,000,000, more or less, in building a tunnel, and the United States will be doing pretty well to keep out of it. I make the point of order against the amendment.

Mr. FRELINGHUYSEN. A parliamentary inquiry, Mr. President.

Mr. WARREN. I withhold the point of order for a moment.

Mr. FRELINGHUYSEN. The Senator from Wyoming suggests a point of order against the amendment upon several grounds, and I should like to ask him on which ground he is making the point of order?

The VICE PRESIDENT. On all of them.

Mr. WARREN. I make the point of order that it is general legislation. We can settle it on that, if we wish. Then, if necessary, I shall make the point of order against the amendment on another ground.

Mr. FRELINGHUYSEN. The Senator has reserved his point of order until I make my explanation on the amendment, as I understand.

Mr. WARREN. I withhold the point of order a few moments.

Mr. FRELINGHUYSEN. I understand that this item has been estimated for. It was submitted to the committee by the Senator from New York [Mr. CALDER] and the Senator from New Jersey [Mr. EDGE], for whom I now offer it. New Jersey and New York have joined to build a vehicular tunnel. It is very important that the question of toxic gases be investigated. There will be in that tunnel over 2,000 automobiles an hour. There is only one laboratory in the country that can make this research, and that is in the Bureau of Mines. There are three other similar tunnels in the country. I understand that the Senator from New Jersey has submitted the amendment to the committee and that it is in order. I ask for a ruling on the amendment, Mr. President.

The VICE PRESIDENT. The point of order made by the Senator from Wyoming against the amendment is that it is new legislation.

Mr. FRELINGHUYSEN. The Senator has made that point.

The VICE PRESIDENT. That it is general legislation on an appropriation bill.

Mr. WARREN. There are several points of order against the amendment; but the Senator from New Jersey wished me to state one specifically. I make the point of order that it is legislation increasing an appropriation in an appropriation bill; that it has not been recommended by any committee and was not introduced as an amendment and sent at the proper time to the committee. And there are other points of order I might make against the amendment.

Mr. FRELINGHUYSEN. I do not know what understanding the Senator from New York, who is a member of the committee, or the Senator from New Jersey had with the chairman of the committee. I was asked to offer this amendment. I understood it would be received by the Senate and that the Senate would give it consideration. The very fact that the Senator from New York, who has asked me to offer the amendment, is a member of the committee indicates that undoubtedly he knew the position in which I would be in before this body in acting for him. I do not think he would have asked me to submit an amendment which was subject to a point of order in this way. I am perfectly willing that the amendment shall be ruled out of order, but I simply ask for fair treatment, because this matter very seriously affects a large project in my State. I hope if the Senator from Wyoming desires to adjourn to-night at least he will allow the amendment to lie over, in order that further debate may be had upon it to-morrow.

Mr. WARREN. No; Mr. President, I make the point of order against the amendment. I told the Senator from New York that the amendment could not be considered, and I told the secretary of the Senator from New Jersey that I should make the point of order against it.

The VICE PRESIDENT. The rule is very plain that—

no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the departments.

An amendment moved by direction of a standing or select committee of the Senate must be introduced and referred to the Committee on Appropriations at least one day before it is considered. The amendment is not general legislation within the rule, but it is an amendment which increases the appropriation, and it has not been moved by the direction of any standing or select committee. So the point of order must be sustained.

RECESS.

Mr. WARREN. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate took a recess until to-morrow, Friday, February 20, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 19, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our Heavenly Father, we bless Thee that Thou hast created man, an undeveloped being, and hast placed him in an unfinished world to multiply and develop its resources, and thus develop his physical, intellectual, moral, and spiritual powers by the discovery of the raw material and molding it into the finished product.

Work is therefore a blessing. Idleness invites defeat to the individual and his fellows. Give us therefore the desire to develop ourselves and shape the unfinished world into a veritable Garden of Eden, where we may live in peace and harmony with Thee and all mankind, inspired by the life, character, and precepts of the world's Great Exemplar. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Richmond, one of its clerks, announced that the Senate had agreed to the amendments of the House of Representatives to the bills of the following titles:

S. 2454. An act for the relief of certain members of the Flathead Nation of Indians, and for other purposes; and

S. 796. An act for furnishing water supply for miscellaneous purposes in connection with reclamation projects.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 3484. An act authorizing certain railroad companies, or their successors in interest, to convey for public road or park purposes certain parts of their rights of way.

The message also announced that the Senate had passed without amendment the bill (H. R. 3654) to authorize the governor of the Territory of Hawaii to acquire privately owned lands and rights of way within the boundaries of Hawaiian National Park.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 3484. An act authorizing certain railroad companies or their successors in interest to convey for public road or park purposes certain parts of their rights of way; to the Committee on Public Lands.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2454. An act for the relief of certain members of the Flathead Nation of Indians, and for other purposes; and

S. 796. An act for furnishing water supply for miscellaneous purposes in connection with reclamation projects.

QUESTION OF PERSONAL PRIVILEGE.

Mr. FREAR. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. FREAR. The Democratic national committee, Mr. Speaker, has sent out a statement, which has been given wide publicity throughout the country, in regard to my record during the war, or what purports to be that record, which is so false, so unfair, and has such a bearing upon the report of the aviation committee which has been rendered, that I feel, in justice to the committee and in justice to the House, I ought at this time to make a statement.

The SPEAKER. The gentleman will disclose the point in the statement to which he objects.

Mr. FREAR. It is taken from the Washington Post of yesterday.

Mr. BAER. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. FREAR. Will not the gentleman withhold that until I secure recognition on the question of personal privilege?

Mr. BAER. I will withhold it.

Mr. FREAR. The headlines are—

Democrats hit back at critic.
Say FREAR, who attacks Air Service, voted against war bills.

And then it goes on to say:

Democratic national committee headquarters last night issued a statement charging that the chairman of the House subcommittee which on Monday issued its scathing denunciation of the aviation report was

one of the House Members who voted against all the earlier acts committing this country to a war against Germany.

The chairman of the subcommittee was Representative JAMES A. FREAR, of Wisconsin, and the Democratic national committee charges he favored the McLemore resolution forbidding Americans to take passage on ocean liners, as well as a resolution favoring an embargo on the sale of munitions to the Allies.

It is further charged by the Democratic national committee that Mr. FREAR voted against war with Germany, against conscription, against the espionage act, and against the first war revenue bill, "among others."

The Democratic national committee also made public extracts of the Democratic minority report of the committee, characterizing the majority report—

And so forth.

The SPEAKER. Will the gentleman state what he claims as the ground for his question of personal privilege?

Mr. FREAR. Four statements contained in that are absolutely false.

The SPEAKER. That the gentleman voted for certain bills that he did not vote for?

Mr. FREAR. Yes. It is a matter of record.

The SPEAKER. Does the gentleman claim that that is an attack on his integrity?

Mr. FREAR. I do, because of the way it is connected in this statement. It is an attempt to discredit the whole report because it makes a false statement of my position throughout.

The SPEAKER. The Chair is only in doubt on this: Whether voting for such bills for which a good many Members did vote or whether that——

Mr. FREAR. That is not the question to my mind. The way in which it is conducted to mislead the public in regard to the value of the report and in regard to myself is all untrue.

Mr. GARNER. Mr. Speaker, may I suggest to the Speaker and to the gentleman that if the matter he speaks of is the privilege of Members and the privileges of the House, there is not a day on which a dozen Members or a hundred Members of the House could not get up and occupy an hour each to discuss a question of personal privilege. If the mere statement of a newspaper or an outside party is to be considered the ground of it, to the effect that a man had voted in such and such a way, or that he had not voted that way, would constitute a question of personal privilege, there would be no end to it. But if it does reflect upon the integrity of the gentleman in any way, there would be a question of personal privilege on the part of the gentleman himself, and I submit to him that the mere statement of the construction put upon his vote by some person outside of the House or elsewhere than in the House does not constitute a question of privilege and does not reflect on his integrity. It is a mere reflection of their views on the effect of his vote.

Mr. FREAR. I am glad to get the enlightened statement of the gentleman who so frequently takes the floor, and I will say that thus far, Mr. Speaker, I have not taken the floor more than five minutes, but before I get through I hope to take the floor and have an opportunity of making my reply to the statement given out by the Democratic national committee for the purpose of discrediting our report. We have put six months on this report and taken nearly 4,000 pages of testimony. I want to read to you some things that I think will startle you and some gentlemen on the other side of the aisle. The gentlemen all voted to send us out. Now, to permit a Member of this House to be placed in this position by a report from an organization like the Democratic national committee, with the power that it exercises——

Mr. GARNER. If the gentleman is not courteous enough to be considerate, I will make the point of order that he does not state a question of privilege, and I ask the ruling of the Chair on that point of order.

Mr. FREAR. The Speaker is ruling on that point of order now, I believe.

Mr. GARNER. I ask the Chair to rule.

Mr. FREAR. May I continue?

The SPEAKER. The gentleman may continue to state his point of privilege.

Mr. FREAR. The point of privilege is this, Mr. Speaker. I have never risen on this subject but once before, and then on the National Security League, and we put through a resolution unanimously. The Members of the House are entitled to their good names; they are entitled to their good character; they are entitled to the protection of the House. When statements are given out declaring that men voted for certain propositions which they have not voted for, for the purpose of discrediting the men, for the purpose of injuring them as well as the matter before the House which has been transferred to our keeping, it seems to me there can be no question as to the right of personal privilege in this case.

The SPEAKER. Will the gentleman allow the Chair a question?

Mr. FREAR. Certainly.

The SPEAKER. Does the gentleman claim that a statement by a newspaper that he voted for a bill which he did not vote for gives him a ground of privilege?

Mr. FREAR. Standing by itself, certainly not, Mr. Speaker. I have read the article, which shows the inference and the insinuation carried throughout.

The SPEAKER. Then what is the additional fact which makes it privileged?

Mr. FREAR. The insinuation that a man voted for all these acts which I did not vote for leaves him not entitled to the credence of the public and as here framed is an attack upon the integrity of the Representative named.

Now, here is House committee report that has been reported. It has cost this House $14,000 or $15,000.

The SPEAKER. Will the gentleman send the statement up to the Chair.

Mr. FREAR. Yes. There are two statements. One of them is by John B. Ryan. I am not sure whether that quite states a matter of personal privilege, although it states everything in regard to the German sympathizers. The suggestion is that, by innuendo, that accuses me of disloyalty as well. I can not see how any other interpretation can be placed upon it.

The SPEAKER. The Chair understands that this article claims that the gentleman voted for the McLemore resolution and voted against the war with Germany, against conscription, against the espionage act, and against the first war-revenue bill.

Mr. FREAR. The Speaker is only reading the names of acts but does not give the inference that is carried with that statement contained in the papers.

Mr. KITCHIN. Let me suggest to the gentleman from Wisconsin that we are going to have the legislative bill up, and there will be several hours' general debate. Why can not the gentleman get time on that from the gentleman from Indiana [Mr. WOOD]?

Mr. FREAR. Because I believe—I say this with all due respect to the gentleman—that when a statement like this is given to the press of the country, coming from the authority that it does, it is no answer to wait until there is a handful of Members here and then make a half hour's speech.

Mr. KITCHIN. If the Speaker should rule that it is not privileged—and it does not look like it is—why not take time from the gentleman from Indiana [Mr. WOOD]?

Mr. FREAR. We will approach that when we get to it.

The SPEAKER. The Chair is in considerable doubt about this point. The Chair understands that the gentleman himself does not claim that the charge that he voted for or against bills, which charges were false, gives him the right to raise a question of privilege. The only remaining question, as the Chair understands it, is that this makes charges which are not true.

Mr. FREAR. Insinuations as well, Mr. Speaker.

The SPEAKER. The only insinuation the Chair can see is—and perhaps it would be a fair inference from the article—that it amounts to a charge that the gentleman was pro-German in his sympathies. At the same time, of course, a great many Members of the House did vote for all these bills, and those Members who did so vote would certainly resent that inference.

Mr. FREAR. Does the Chair think that with that implication a Member of this House has no right to state his position to the country?

The SPEAKER. The Chair thinks the Members who did vote that way would certainly resent the inference that they were pro-German.

Mr. FREAR. I await the Chair's decision.

The SPEAKER. The Chair is disposed to rule that this does not raise a question of privilege.

ABSENCE OF A QUORUM.

Mr. FREAR. I make the point of no quorum present, Mr. Speaker.

The SPEAKER. The gentleman makes a point of no quorum present. It is clear that there is no quorum present.

Mr. MONDELL. I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

Ayres	Costello	Dyer	Graham, Pa.
Begg	Cramton	Eagan	Greene, Vt.
Blackmon	Crowther	Fairfield	Griffin
Booher	Curry, Calif.	Ferris	Hamill
Britten	Darrow	Fields	Harrison
Browning	Davey	Fordney	Hawley
Burroughs	Denison	Fuller, Mass.	Hicks
Caraway	Dent	Gallivan	Hill
Carew	Dewalt	Gandy	Hoey
Clark, Fla.	Dooling	Garland	Holland
Clark, Mo.	Doremus	Goldfogle	Houghton
Cooper	Dunn	Gould	Hudspeth

Johnson, Wash.	McCulloch	Rowan	Upshaw
Juul	McKinley	Sabath	Venable
Kahn	McPherson	Sanders, N. Y.	Vinson
Kendall	MacGregor	Scully	Volgt
Kennedy, Iowa	Mann, S. C.	Sears	Ward
Kettner	Mott	Siegel	Watkins
King	Nicholls, S. C.	Slemp	Webster
Kinkaid	Nichols, Mich.	Smith, N. Y.	Welling
Knutson	Oliver	Snell	Wilson, Pa.
Kraus	Padgett	Snyder	Woods, Va.
Kreider	Parker	Steagall	Yates
Langley	Platt	Steenerson	Zihlman
Larsen	Rainey, H. T.	Stephens, Ohio	
Lea, Calif.	Riddick	Sullivan	
Lufkin	Riordan	Tinkham	

The SPEAKER. On this call 319 Members have answered to their names; a quorum is present.

Mr. LONGWORTH. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

QUESTION OF PERSONAL PRIVILEGE.

Mr. FREAR. Mr. Speaker, I rise to another question of personal privilege. It is an article quoting John D. Ryan, of New York, in a statement making certain assertions which I think entitles me to the floor in reply.

The SPEAKER. The gentleman will state the question of personal privilege.

Mr. FREAR. In an article appearing in the Washington Post of yesterday a statement is quoted from John D. Ryan, of New York, in response to a criticism which appeared in the aviation report, and in the course of his statement appears the following:

> The chairman of the subcommittee having, as shown by the record in Congress, assumed a position hostile to the assertion of American rights during the prewar period, and having voted against the declaration of war with Germany, can not now, I am sure, influence public opinion by submitting a report based on an investigation so thoroughly discredited as the one which he conducted.

The SPEAKER. Will the gentleman send his article to the desk? The Chair thinks that it involves a question of personal privilege.

Mr. FREAR. Mr. Speaker, the statement made by Mr. Ryan brings up all the prewar records and necessarily involves a statement in regard to the different measures which were mentioned by the Democratic national committee in the other articles.

The McLemore resolution is one of the measures it has been suggested advocates and determines the position of any man as to his patriotism and loyalty to the Government, and I assume that is one of those to which he refers at this time. I do not know how far I may digress from the direct right of personal privilege, but I am perfectly willing to be called to order at any time if I overstep the bounds. This whole subject reaches out in an effort to discredit the committee that this House unanimously appointed to make an investigation, and for that reason it is very important for you to know just exactly the complexion——

Mr. WINGO. Mr. Speaker, I rise to a point of order. An attempted reflection on the committee by referring to the prewar record of a member of the committee is certainly not a question of privilege to which the gentleman arises. If he is charged with anything which reflects on his integrity and his loyalty he should be heard. But the gentleman announces that he is going into controverted matters having to do with the committee and the motives back of it. There might be 50 men who would want to get up and demand an hour to discuss the question of personal privilege, and we would find ourselves swamped. I appeal to the gentleman to confine himself to his question of personal privilege.

Mr. FREAR. The gentleman is anticipating; he has not permitted me to make my statement.

Mr. WINGO. The gentleman was talking about the committee and what the committee had done.

Mr. FREAR. No; I have not talked about what the committee has done, and do not intend to do so.

The SPEAKER. The gentleman from Wisconsin will confine himself to the question of personal privilege.

Mr. FREAR. That I propose to do, and, if possible, to make my speech here at this time or at some other time. The McLemore resolution was one presented to the House back in 1916. You gentlemen know what the McLemore resolution contained. The statement to the effect that it was to prevent an American citizen from going on these ships is not true; it was a question whether they should be warned against undertaking an unnecessary danger. The position of the Secretary of State upon that, the position of the President in the letter which went to the belligerent countries is very clear as to how far that resolution was intended to reach and what the disposition of the administration was at that time. That resolution included such men against it as Gen. SHERWOOD on the Democratic side, Mr. Van Dyke on the Democratic side——

Mr. WINGO. Mr. Speaker, the gentleman has proceeded far enough to show the trend of his remarks. He has made a statement here that the McLemore resolution was not unpatriotic or a disloyal resolution, and yet he makes a question of personal privilege the fact that some one charged him with having voted for it. I am not willing to sit here and see that bare statement that a vote for that resolution is a reflection upon a man's loyalty to the Government. I voted against that resolution, but I know men on both sides of the aisle who differed with me, and I do not want to see those men put in an embarrassing attitude by having a question of personal privilege predicated upon the fact that these gentlemen voted against the resolution.

The SPEAKER. The Chair in his previous ruling stated that that would not constitute a question of personal privilege.

Mr. FREAR. The test, then, is that no one particular bill can be referred to in reply to a charge of this kind. How else can you answer the general charge?

Mr. WINGO. The gentleman has predicated his question of personal privilege on an article by Mr. Ryan. Now, let us see. It says:

> The chairman of the subcommittee—

I presume that means the gentleman from Wisconsin—

> having as shown by the record in Congress assumed a position hostile to the assertion of American rights during the prewar period, and having voted against the declaration of war with Germany, can not now, I am sure, influence public opinion by submitting a report based on an investigation so thoroughly discredited as the one which he conducted.

Mr. Speaker, the language of which he complains does not even charge him with having voted one way or the other on the McLemore resolution. What is the charge? I suspect that the Speaker gave him the benefit of the doubt and ruled that the question of personal privilege is based on the language—

> assumed a position hostile to the assertion of American rights during the prewar period and voted against the declaration of war with Germany.

That is the only possible language on which he could predicate it. What have the merits or the demerits of the McLemore resolution to do with a charge that the gentleman was against the assertion of American rights during the prewar period? If we get into that, then every gentleman who voted against the McLemore resolution could rise to a question of personal privilege, because if it is a reflection upon the gentleman from Wisconsin, then it is a reflection upon them. Where would we be in such circumstances?

Gentlemen who voted against it would have the right to rise and address the House for one hour on the question of personal privilege, and this Congress would find itself bogged down with gentlemen debating their loyalty on acts before the war which involved judgment; and I submit that gentlemen should not be so sensitive to the criticism of their political opponents during a political campaign.

Mr. FREAR. Mr. Speaker, this is not a question of sensitiveness, it is a question of dishonesty and lying. That is the reason I am trying to answer some of these statements, and they were given out by the Democratic national committee—given out to the press of the country.

Mr. WINGO. Oh, I rise to a question of order. Mr. John D. Ryan is not a member of the Democratic national committee. He is the man who has charged the gentleman with being against the assertion of American rights. Let the gentleman from Wisconsin answer that. That is the question of personal privilege.

The SPEAKER. The Chair thinks the point made by the gentleman from Arkansas [Mr. WINGO] is weighty. The gentleman can not go into a discussion that would be endless.

Mr. FREAR. I would not take advantage of the privilege that the Speaker indicated by indulging in anything that is not strictly parliamentary—that is not strictly within my rights. Therefore I ask the Chair to indicate to me how far I am privileged to answer a statement of that kind.

The SPEAKER. The gentleman is charged with having been hostile to the assertion of American rights and with having voted against the war. The Chair thinks the gentleman can deny that.

Mr. REAVIS. Mr. Speaker, the charge of hostility on the part of the gentleman is not confined to his vote on the war resolution. The charge of hostility against the gentleman from Wisconsin is on his prewar record, and in answer to a charge of that kind, would it not be within the question of privilege for the gentleman to take up those measures that were controverted, relating to the war, to show that his position was not hostile on these propositions, even though they be not specifically enumerated in the charge, under the general charge of hostility to

American rights or the interests of this country? The gentleman, it seems to me, upon the question of personal privilege could take up all of his record to disclose that that charge was not justified, not alone on the war resolution but the McLemore resolution and every other prewar measure that related to the war.

The SPEAKER. It hardly seems to the Chair that a Member could take up and discuss as to whether each measure that came before the House really involved the assertion of American rights, and then his attitude upon that. If he could, then, as the gentleman from Arkansas [Mr. WINGO] said, any Member would have the same privilege.

Mr. REAVIS. Let me ask the Chair a question. Under the general charge that the conduct of a gentleman as a Member of this body is hostile to his own Nation previous to the declaration of war, how is he to meet such a general charge unless he takes up the specific items and shows that his conduct was not hostile?

The SPEAKER. It does not seem to the Chair that he can take up every bill that came before the House and go into the merits of a bill, as to whether each bill was patriotic or not.

Mr. REAVIS. If these bills related to war matters, in which this country subsequently became interested, under a general charge that his prewar record was hostile to his own country, the ruling of the Chair would deny him the right to make a defense.

The SPEAKER. The Chair thinks that the wisest course for the gentleman to take—and the Chair knows nothing about his prewar record—would be to state, if he desires so to do, what his prewar record was, what he thinks this is predicated on, and then we would have some basis to know what the gentleman is answering.

Mr. REAVIS. It is within the memory of the Chair, I have no doubt, and of the membership of this body, that the position taken by Members of the House on the McLemore resolution was the subject of criticism as bearing upon the question as to whether the membership was pro-German or, as has been termed, 100 per cent American, because that was one of the controverted measures upon which the Nation formed its judgment as to the reliability of the Americanism of the membership of this body. Then comes the general charge that the gentleman's prewar record has been hostile to his own country, and certainly in answer to the general charge he has the right to show his position on the war resolution and his position on the McLemore resolution, his position on the selective draft, even though that came subsequent to the declaration of war; and if the Chair should rule that a Member is restricted to a general denial and denies him the right and privilege of going into specific matters, which are the foundation of this general charge, then the Chair would deny the gentleman the right to defense at all.

The SPEAKER. The Chair certainly would not rule that a charge that a gentleman voted for the McLemore resolution was a charge of hostility to American rights.

Mr. REAVIS. I understand the Chair does not rule that.

The SPEAKER. It seems to the Chair he would have to rule that, if the Chair admitted that that was relevant.

Mr. REAVIS. The gentleman, as I understand it, has no intention of confining his remarks to this measure, but he is speaking of this measure as one of those antedating the war on which he took a position, and subsequently to speak of other measures, showing by specific denial that the general charge is not correct, and certainly it seems to me he has that right.

The SPEAKER. The gentleman from Wisconsin will proceed, and the Chair will rule as he proceeds.

Mr. FREAR. Well, within the limitations the Chair has suggested, I will ask that the Chair point out what answer can be made by a Member on the floor to this assault on his prewar record and be within the strict ruling, to which I desire to submit?

The SPEAKER. The Chair does not think that the gentleman can go into a general discussion of the McLemore resolution.

Mr. FREAR. Mr. Speaker——

The SPEAKER. The gentleman can discuss his own point of view and answer that——

Mr. FREAR. The only way I can discuss it is by discussing the measure properly, as I understand, and also the war measure. If the Chair holds to his ruling, I desire to keep within the rule, and I realize the narrow limits which it places upon me in this case. But I feel it is an unjust rule which would confine a Member of this House to just simply say, "I am innocent of the charge," and leave it at that. That is all I understand from the position taken here by my critic. It is the only license I have in speaking, and if I discuss the McLemore resolution——

The SPEAKER. Will the gentleman indicate what he desires to discuss?

Mr. FREAR. My purpose is to discuss these matters referred to and which appear——

The SPEAKER. In reference to the McLemore resolution?

Mr. FREAR. I desire to discuss the message sent—and I have it here—by the Secretary of State to the belligerent countries showing the attitude of the administration at that time.

Mr. REAVIS. And the McLemore resolution, as I recall, was pronounced by the President as the acid test of loyalty.

Mr. FREAR. One of them.

Mr. WINGO. If the gentleman will permit, he overlooks the fact that the newspaper article upon which he predicates his question of privilege does not mention the McLemore resolution. There are two charges in the Ryan statement, one is that the gentleman resisted the assertion of American rights before the war and the other is that he voted against the war with Germany. Now, the gentleman can discuss whether or not he was right in voting against war with Germany, the Chair having ruled that is a question of privilege. But the gentleman is trying to couple up two things. If he raises the question of the McLemore resolution, he places an implication of disloyalty upon all the men who voted against it, and to be fair that would give each of them the opportunity to raise the question of personal privilege——

Mr. REAVIS. But suppose the charge was made against the gentleman from Arkansas that his prewar work indicated he was hostile to American rights, how would you meet it?

Mr. WINGO. I would tell the gentleman how I would meet it.

Mr. REAVIS. How would the gentleman——

Mr. WINGO. I would meet it where it ought to be met, and I would not take up the time of the House answering a general charge. I would go to the very man who made it. [Applause.] I would call upon the man who made the charge to give a bill of particulars wherein I failed. I would go to him personally. I would not come on the floor of the House and take up an hour's time.

Mr. REAVIS. I am not discussing the question of good taste.

Mr. WINGO. The gentleman asked me a question and I am answering it.

Mr. REAVIS. I was asking the gentleman what he would do——

Mr. WINGO. And I told him.

Mr. REAVIS. I did not ask the gentleman where he would meet it, but I asked him how he would meet it.

Mr. WINGO. And I told the gentleman like every other honorable man would meet it, go to the man who accused me. That is what I would do.

Mr. REAVIS. How could you meet it if you were denied the right to state your prewar record?

Mr. WINGO. Who could deny me the right?

Mr. REAVIS. The gentleman is denying the gentleman from Wisconsin the right——

Mr. WINGO. I have not denied him the right to go to John D. Ryan and holding him responsible for the charge which he resents.

Mr. FREAR. This is a great privilege, which I appreciate coming from the gentleman from Arkansas. It has nothing to do with it. Mr. Speaker, I appreciate the limitations under which I am placed, and I shall endeavor to see if I can not get time in the consideration of the pending appropriation bill this afternoon to discuss the matter which I desire, because I realize it is embarrassing to the Chair, and I do not care to be kept within such limitations at this time.

The SPEAKER. The Chair would be much relieved if the gentleman would use the time in general debate.

EXTENSION OF REMARKS.

Mr. BANKHEAD. Mr. Speaker, on last Friday, the 13th, the President of the United States issued an Executive order restoring to the owners all the radio stations of the country which were owned by private owners, which were taken over during the war. It is a matter of general importance to those people and I ask unanimous consent to insert a copy of that Executive order in the CONGRESSIONAL RECORD.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD by printing the Executive order in reference to radio stations. Is there objection? [After a pause.] The Chair hears none.

The order is as follows:

EXECUTIVE ORDER.

Whereas, pursuant to authority of Executive orders of April 6, 1917, and April 30, 1917, certain radio systems and stations and rights connected therewith were taken over by the Government and certain restrictions were placed on the operation of other radio systems and stations.

I, Woodrow Wilson, President of the United States of America, do hereby authorize, order, and direct as follows:

All radio stations taken over by the Government of the United States and now held by it under authority of Executive orders of April 6 and April 30, 1917, respectively, including all systems, lines, and property taken possession of or received, operated, supervised, or controlled under authority of said Executive orders shall, at midnight on the 29th day of February, instant, be returned and delivered to the respective owners thereof.

All restrictions placed under authority of said Executive orders of April 6 and April 30, 1917, on all radio stations not necessary to the Government for naval communications shall be removed to take effect at midnight on the 29th day of February, instant, from which time the control and operation of all radio stations not owned, controlled or operated by the Government, independently of action taken by or on behalf of the Government under the aforesaid Executive orders of April 6 and April 30, 1917, shall be subject to the provisions of the act to regulate radio communication approved August 13, 1912.

The enforcement of this order is hereby delegated to the Secretary of the Navy, who is authorized and directed to take appropriate action in the premises.

THE WHITE HOUSE,
February 13, 1920.

Mr. MANN of Illinois. Mr. Speaker, I ask unanimous consent to proceed for seven minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for seven minutes. Is there objection? The Chair hears none.

Mr. MANN of Illinois. Mr. Speaker, in order to advertise myself partly, and mainly for the benefit of the House, I am going to send to the Clerk's desk and have read a letter written by my brother, Frank I. Mann, of Gilman, Ill., who is one of the experts of this country on soil and farms, and I think, if gentlemen will listen, they will hear some interesting and instructive information about soils.

The SPEAKER. The Clerk will read the letter.

The Clerk read as follows:

GILMAN, ILL., *February 16, 1920.*

Hon. JAMES R. MANN, M. C.,
Washington, D. C.

DEAR JAMES R.: Ever since I learned of the Muscle Shoals project, when in Tennessee a few years ago, I have felt quite an interest in its success, because of the great opportunity it seemed to present for an increased and economical production of crops by supplying a cheaper form of fixed nitrogen. The value of nitrogen and phosphorus in the production of crops has not been properly realized. Take an example of corn for instance: In 100 pounds of corn there are but about 3½ pounds of materials which were taken from the soil; the balance of the dry weight is made of compounds formed from carbon taken from the air by the leaves of the plants and formed into sugars, starches, oils, etc. The amount of these carbon compounds that can be formed are measured, however, by the amount of materials that could be secured from the soil. If the same plants, which produced 100 pounds of corn, could have secured another 3½ pounds of soil materials—mostly phosphorus and nitrogen—they could have formed another 100 pounds of corn, without any further effort on the part of the grower, and the yield would be increased 100 per cent. On the best corn-belt soils we find it is comparatively easy to double the yields of crops by doubling the phosphorus available to the crops, where there is sufficient nitrogen to match such an amount of phosphorus. The soils which contain such an amount of nitrogen, however, are small in area. On the early glaciated and the unglaciated soils nitrogen is in small amount, and the crops will grow in proportion as they can secure nitrogen, except on the natural rich soils, which are usually alluvial and limited in extent. As a rule, the soils south of the Ohio and Missouri Rivers are unglaciated and low in nitrogen, except the alluvial types. A large part of southern Illinois, Indiana, Missouri, Kansas, Iowa, and Ohio is composed of soil types on which crops—other than legumes—will grow in proportion as the plants can secure nitrogen from the soil.

This increase in yield, which comes from the proper element of fertility, increases food production without an increase in area or of man labor, and is real economic production if the cost of the fertilizing element is small.

A good deal of the corn-belt soils have already or will soon reach a nitrogen limit to their production, and, while we will be able to profitably maintain a nitrogen supply for some time by using legume crops for the purpose, it might also be profitable and economical to supplement this legume nitrogen with a fixed commercial nitrogen. In the South, however, with the high average temperature and rainfall, it is doubtful if it would be possible to maintain enough legume nitrogen in a soil to secure a high production of food products, because of the great destruction of the organic matter in which such nitrogen must be held from the bacterial action and leaching when crops are not taking food from the soil.

I know of no one thing which could add so much to the production of more and cheaper food, and in such an economical way, as to supply cheap nitrogen for these lands so poor in humus. I do not know how cheaply nitrogen might be fixed at Muscle Shoals, but it would certainly be much cheaper than to secure it through legume growth. I figured out once the relative horsepower equivalent at Niagara Falls in fixing nitrogen compared to a clover field. The nitrogen fixed by an 80-acre field of clover, under favorable conditions and a large growth, could be fixed by a 28-horsepower engine working throughout the season. If the Tennessee River can be properly harnessed, it should be able to fix nitrogen at a small fraction of the cost of fixing it by means of bacterial or legume energy.

In these days of low man power on the farms and the need of more food economically produced, it would seem to be almost a crime against civilization to not heed this great need for cheap nitrogen.

If there is any possible and fair way to provide that the Muscle Shoals power might be used for fixing nitrogen, and that it might be obtained cheaply for farm use, it would be a wonderful step in the production of cheaper food and help to quiet the unrest of the present and future.

I understand that Mr. Graham's committee is considering matters relative to the Muscle Shoals plant, and expects to take action soon. Some representatives of the Illinois Agricultural Association are going to Washington this week, and I was asked to go with them, but other matters in which I am deeply interested are likely to prevent. If you can see the nitrogen problem as I see it, and the matter can be put into satisfactory shape, I hope you can see your way to help it along in the interest of humanity.

Affectionately,

(Signed) FRANK.

The SPEAKER. Referred to the Committee on Expenditures in the War Department.

Mr. GARRETT. Will the gentleman yield?

Mr. MANN of Illinois. I will.

Mr. GARRETT. Will it be agreeable to the gentleman from Illinois to permit that letter to be referred to the Committee on Expenditures in the War Department?

Mr. MANN of Illinois. I am quite willing it should be so referred.

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that the letter just read be referred to the Committee on Expenditures in the War Department.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the letter just read by the Clerk be referred to the Committee on Expenditures in the War Department. Is there objection? [After a pause.] The Chair hears none.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

Mr. WOOD of Indiana. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12610, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12610, with Mr. LONGWORTH in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

Mr. WOOD of Indiana. Mr. Chairman, I ask unanimous consent that the first reading of the bill be disepnsed with.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. WOOD of Indiana. Mr. Chairman and gentlemen, we are entering upon the consideration of the legislative, executive, and judicial appropriation bill for the fiscal year 1921. I think it opportune that I should state some of the difficulties, some of the problems, that your committee had to contend with in the consideration of this measure. The subcommittee having this measure in charge was in session from the 5th day of December, 1919, until the 10th day of February, 1920, every day except two—Christmas Day and New Year's Day. The hearings held cover 2,850 printed pages. In a measure these present the material with which the subcommittee had to deal in formulating the bill. It presents a splendid picture in considerable detail of the ramifications of our system of government. It presents strikingly the crudities with which we do business. It presents, if you please, the incongruities that have grown up from long usage in the matter of our appropriations and in the manner in which we create places.

The legislative, executive, and judicial appropriation bill perhaps is the most difficult of preparation of any of the regular annual appropriation bills which the Congress has to deal with. The scope of its jurisdiction extends to a provision for the expenses of the Senate and House of Representatives, the Library of Congress, the Botanic Garden, the Office of the President of the United States, the Civil Service Commission, the Bureau of Efficiency, and nine of the great executive departments of the Government. The tenth—the Department of Agriculture—is provided for in the Agricultural appropriation bill.

The work of the committee in the preparation of a bill with this broad jurisdiction, providing as it does approximately 20,000 specific statutory salaries, involves a limited examination into the activities of each of the departments and bureaus in order to arrive at a conclusion as to their needs for personnel and operating expenses in the District of Columbia.

The statement that it provides for nine of the great departments of the Government is not complete, for it provides only in part for those departments, and the separation of appropriations for a given department into different bills makes more difficult the work of providing funds for the conduct of those departments.

Appropriations for the Treasury Department include the salaries for the office of the Supervising Architect in the District of Columbia, while appropriations for the field service to be administered by this force are carried in the sundry civil bill.

Appropriations for the office salaries in the Bureau of Engraving and Printing are carried in the legislative, and so forth, bill, while the appropriations for the expenses of printing and engraving are carried in the sundry civil bill. Appropriations for the office of the Surgeon General of the Public Health Service are carried in this bill, while the appropriations for the medical personnel and the maintenance of hospitals are carried in the sundry civil bill.

Appropriations for the Department of State in the District of Columbia are carried in this bill, while the appropriations for the Diplomatic and Consular Service are carried in the Diplomatic and Consular bill, coming from the Committee on Foreign Affairs. Appropriations for the salaries of the subtreasuries are carried in this bill, while the appropriations for contingent expenses of these same subtreasuries are carried in the sundry civil bill. The appropriation for the office of the Comptroller of the Currency is carried in this bill, while the contingent expenses, incurred in the redemption of national and Federal reserve currency, are carried as a permanent appropriation.

The salaries of the civilian personnel of some of the bureaus and offices of the War Department in the District of Columbia are carried in this bill, while the compensation of other civilian employees in that department in the District of Columbia are carried in the Army appropriation bill and the fortifications appropriation bill, and the appropriations for the Military Establishment are carried in the Army appropriation bill, the fortifications bill, the Military Academy bill, and the sundry civil bill.

Appropriations for the compensation of civilian personnel in the Navy Department in the District of Columbia are provided in this bill, while the compensation of the commissioned and enlisted personnel of the Navy in the District of Columbia and in the field, and the compensation of civilian personnel of the Navy in the field, are provided in the naval appropriation bill.

Appropriations for the General Land Office in the District of Columbia, including the offices of the surveyors general, are provided in this bill, while the appropriations for the expenses of surveying and administering the public-land service are carried in the sundry civil bill. Appropriations for the Indian Office in the District of Columbia are carried in this bill, while the appropriation for the Indian Service in the field are carried in the Indian appropriation bill.

Appropriations for the Post Office Department in the District of Columbia are carried in this bill, while postal funds service are carried in the Post Office appropriation bill.

Many other instances such as those herein enumerated could be cited to show the various bills in which various departments and bureaus of the Government get appropriations for their maintenance.

Right here I wish to add that we had a splendid illustration of this waste during the hearings on this present bill. The same gentlemen who appeared before us from the War Department, from the State Department, from the Post Office Department, and from the other departments and bureaus, except the Agricultural Department, during the time that we were in session, came again to the Capitol and appeared before the sundry civil subcommittee, now having its hearings. And while we were in session those who are interested in the military affairs of the Government and the upkeep of the Military Establishment who had appeared before our committee and had given their estimates and their ideas concerning those estimates within the last few days appeared before the Committee on Military Affairs, presenting their estimates and ideas upon the same propositions.

In order to determine whether employees are necessary in a department or bureau in the District of Columbia it becomes necessary to find out the extent and volume of their field service in order to know what work is thrown upon the department at the seat of government.

The original intent of the bill just reported was to provide, as its title indicates, for the legislative, executive, and judicial expenses of the Government, and its jurisdiction has been confined principally to providing for compensation of employees and other expenses in the District of Columbia. This original basic purpose has become somewhat shattered by long years of practice until some provision of some character for some activity of the Government in the District of Columbia, either in whole or part, is now being made in practically every one of the regular annual appropriation bills, except perhaps the Military Academy bill, the pension bill, and the river and harbor bill. A very excellent example of this divided method of providing appropriations is the employment of temporary clerks and others in the War Department. The legislative act for the fiscal year 1920 carried $4,000,000 for temporary employees in that department. It developed during the hearings on the bill just presented that there is being expended from other War Department funds, some of it in violation of the provisions of the act of August 5, 1882, as amended, which prohibits the employment of personal services in Washington from lump-sum appropriations unless specific authority for such employment is granted, a total of approximately $10,205,000 in addition to the foregoing sum of $4,000,000, or a total for civilian personnel in the War Department for this current fiscal year of $14,205,000. The civilian force of the War Department in the District of Columbia on April 6, 1917, was 2,911. It was 37,406 on November 11, 1918. The total on December 31, 1919, was 21,216.

Whereas, if the law was observed as prepared and put upon the statute books way back in 1882, and as afterwards amended, there could not at this day be, if you please, in the War Department, or connected with the war service of the United States in the District of Columbia, as many employees as there are now. Notwithstanding that fact, as I have stated, there are 21,000 men connected with the War Department, doing various kinds of clerical work or want of clerical work, in the District of Columbia to-day, part of them in violation of this very statute.

Mr. GOODYKOONTZ. Will the gentleman yield?

Mr. WOOD of Indiana. I yield.

Mr. GOODYKOONTZ. What remedy do you offer for that practice? Is there no criminal law on the statute books which forbids heads of departments from violating acts of Congress by employing men and paying out money in violation of those criminal statute laws?

Mr. WOOD of Indiana. In the act to which I have referred, as I understand it, there is not a penalty, but we have sought in this bill, if you please, to remedy it. We will, at least, call it to the attention not only of the War Department itself but to the various other committees having to do with these appropriations, and to the public as well. We have placed a limitation upon the expenditures in the War Department under this bill, to the effect that the amount provided in this bill shall be the only money expended for the clerical force of the War Department in the District of Columbia, and, if it is obeyed and is not repealed by some act of some other committee, there will not be to exceed in the fiscal year 1921 in the District of Columbia more than 3,250 men connected with the War Department.

Mr. SISSON. Will my friend yield?

Mr. WOOD of Indiana. I yield.

Mr. SISSON. In further answer to the question propounded a moment ago by the gentleman from West Virginia [Mr. GOODYKOONTZ], I will say that under the Overman Act, as a war act, these statutes were suspended during the war and given that peculiar power. But, as the chairman suggests, we have made an effort in this bill to try to reestablish it on a peace-time basis for services in the District of Columbia.

Mr. LAZARO. Will the gentleman yield for a question just for information?

Mr. WOOD of Indiana. I yield.

Mr. LAZARO. I fully agree with the gentleman that something ought to be done to remedy the situation, but will not your remedy there interfere with the work of the War Department?

Mr. WOOD of Indiana. Not in the least. There is not a single function of the War Department but what can be properly maintained under the provisions that we have in this bill, and there is not a single bureau of the War Department that will be in the least crippled, in my opinion.

Here is a proposition to which I wish to call the attention of the committee, lest I forget it: This town is full of men dressed in military garb. You see them upon the streets; you see them at the hotels; you see them riding down here around the Speedway; you will see them riding horseback out in the park. They are all receiving their full complement of pay and the other perquisites of the offices they are holding while they are absolutely doing nothing. They had better be doing something, if you please, thereby releasing many of these civilian employees.

I understand that gentlemen connected with military affairs of this Government are still thinking and hoping that they will have an Army of 500,000 men, and this great surplus of officers that is being maintained in the District of Columbia is being held in anticipation of that realization.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. FESS. I wanted to ask two questions. As to the first one, I am under the conviction that if you do limit the amount to be expended for a particular department there is always a deficiency reported later on, and a subsequent committee recognizes the deficiency.

Mr. WOOD of Indiana. That is correct.

Mr. FESS. That ought to be cured.

Mr. WOOD of Indiana. Yes; that is one of the troubles.

Mr. FESS. Another proposition: Congress is not responsible for this large number of people in military garb doing ostensibly clerical work, but Congress is being held throughout the country responsible by newspapers of respectability who editorially say that these people are held here simply because Congress does not want to let them go. That is what they are doing.

Mr. WOOD of Indiana. Congress has no strings on these gentlemen and has nothing to do with keeping them here.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. MILLER. I would like to ask the gentleman from Indiana if he is speaking advisedly when he says that those connected with the Military Establishment of the United States are still looking for the maintenance of an Army of 509,000 men?

Mr. FESS. Five hundred and seventy-six thousand men.

Mr. WOOD of Indiana. The evidence had before our committee as late as the 10th day of February discloses the fact that they are taking and gathering the personal property which they have salvaged since the war ended and are holding it, and their excuse for keeping it as surplus of the Army and not disposing of it to the people of the United States is that they have been figuring on provision for an Army of 576,000 men.

Mr. MILLER. Mr. Chairman, will the gentleman yield for another short question?

Mr. WOOD of Indiana. I will.

Mr. MILLER. Would the gentleman from Indiana object to stating the personnel of those men that he has referred to?

Mr. WOOD of Indiana. I will refer you to the hearings. There are 2,588 pages in that series of hearings, and you will find a great amount of illuminating matter on all the subjects about which you have spoken.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. HOWARD. Is it not a fact that this Congress allowed the War Department something like 18,000 temporary officers by an act passed by this Congress?

Mr. WOOD of Indiana. Yes; that is correct.

Mr. LAZARO. Mr. Chairman, will the gentleman yield for another question?

Mr. WOOD of Indiana. Yes; I yield.

Mr. LAZARO. You say the evidence discloses the fact that these men believe they are going to get this big Army?

Mr. WOOD of Indiana. I say they are anticipating it, and are making their calculations in view of that anticipation.

Mr. LAZARO. Does not the gentleman believe that they are meeting with some encouragement somewhere in Congress in order to continue to believe that?

Mr. WOOD of Indiana. I am not a mind reader; but I would say, if I were going into the matter of belief, that there are many friends of a large Army such as is desired by those connected with the War Department. I do not believe that the people of the United States, however, are in favor of a large Army such as these gentlemen are hoping to wish upon the people. [Applause.]

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. BLANTON. One of the great troubles we have had in regard to decreasing our clerical force in the Government is the fact which, I am sure, the gentleman from Indiana has noticed himself, and that is that the Civil Service Commission is still holding examinations, still calling upon new employees to enter the Government service faster than the departments can get rid of those they have. The gentleman may have noticed the report in the paper the other day that the newly examined employees and the newly placed employees on the rolls have almost equaled the number of those sent home. That ought to be stopped.

Mr. WOOD of Indiana. I will say to the gentleman that I do not think the blame should be lodged with the Civil Service Commission. The total number of Government employees in the District of Columbia to-day is about 15,000 less than it was when we reached the peak during the greatest war activity. There has been a turnover, however, of more than 80 per cent of the employees of the Government. They come here and stay a little while and then go, and it is because of the demands that are coming from these various bureaus and departments that these new appointments are made. That is the excuse for the activity of the Civil Service Commission, and that can not be remedied, so far as the Civil Service Commission is concerned, because they have no discretion in the matter.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. REAVIS. The Civil Service Commission has no power to force these employees on the departments?

Mr. WOOD of Indiana. No.

Mr. REAVIS. The fact that the Civil Service Commission holds these examinations is in order that they may fill the demands of the departments?

Mr. WOOD of Indiana. Yes.

Mr. BLANTON. The gentleman evidently misunderstood me. If he will allow me to correct that impression, I will say that the efficient clerks here who know how to do the business of the Government ought to be transferred to the departments that need them, and the Government ought not to take on a lot of new inexperienced and inefficient clerks and train them.

Mr. REAVIS. The gentleman is entirely right about that.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. McKENZIE. I would like to ask the gentleman from Indiana if he does not believe that the evil spoken of by the gentleman from Texas [Mr. BLANTON] will be cured whenever the Congress of the United States cuts the appropriations to the point where the heads of these various departments can no longer ask for additional employees? [Applause.] Are you not in this bill applying the only remedy by which that evil can be cured?

Mr. WOOD of Indiana. That is the opinion of the committee; and, acting upon that idea, we have appropriated, for the fiscal year 1921, for about 10,000 people less than were appropriated for in the District of Columbia in this bill for the current year. [Applause.]

Mr. GOODYKOONTZ. Will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman from West Virginia.

Mr. GOODYKOONTZ. The gentleman has expressed the opinion that the War Department still has in mind the idea that Congress may pass an act authorizing a peace Army of between 500,000 and 600,000 men. Is not that opinion corroborated by the fact that there are over 90,000 automobiles or motor vehicles lying out in the weather all over this country, some of them unprotected, that the War Department are trying to reserve for that great Army which they hope to see authorized by Congress.

Mr. WOOD of Indiana. I will say, in answer to the gentleman from West Virginia, that that is one of the additional evidences of the desire of the War Department.

Right at this point I might as well disclose another striking proposition. The War Department purchased, from first to last during the period of the war, 200,000 typewriters. Thirty-five thousand of those typewriters have been accounted for in some manner or other by the gentlemen connected with the War Department whose business it is to salvage the personal property of the Government. The same proportion of furniture was purchased, and the same proportion of all the utilities that go to make up a successful and active Army were purchased in the same quantity. To show you how tenacious they are with reference to holding on to this property for their future use, they have declared no surplus of consequence on the item of typewriters. It was disclosed to your committee that they did sell 27 up in Ontario, where it seems we had a war activity during the war, and that is still going on in some little degree. Twenty-seven typewriters were sold there from that stock. There have been but 12 disposed of in the District of Columbia, and when we were trying to ascertain how many of these typewriters they had, and they said they were giving us the best information they had with reference to where they were located, so many at New York City, so many at Richmond, so many at Chicago, so many here and there, the evidence discloses that they found in storage or in their possession in the city of Washington only 1,002 or 1,003 typewriters. The very next day after this evidence was heard your committee went to 613 G Street, a portion of it occupied during the war by the Housing Commission, a five-story building, three stories occupied by a garage, and the two upper stories by the War Department, and we there discovered more than 2,500 of these typewriting machines ourselves, 1,900 of them in splendid repair and fit for immediate use, most of them new, 400 needing some little repairs, and 300 in the hands of the mechanics now undergoing repairs.

Mr. HOWARD. Will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman.

Mr. HOWARD. The gentleman refers to the fact that the War Department is holding this material, hoping to build up a great Army. May I not suggest that if the distinguished Republican who presides over the Military Affairs Committee would bring out a reorganization bill, and let some of us Democrats join with gentlemen on that side in killing this military spirit, we might be able to get some of these supplies sold.

Mr. STRONG of Kansas. Are there any such Democrats?

Mr. WOOD of Indiana. I hope gentlemen in asking questions will confine themselves to those that are pertinent to this subject. I like to have questions asked, but I hope we will confine

ourselves to things that are pertinent to this measure. There will be plenty of time later for these little political jabs.

Mr. HOWARD. If the gentleman will yield, I think my question is as pertinent as his criticism.

Mr. WOOD of Indiana. I wish to say right at this point, in answer to the gentleman from Oklahoma, that he seems to think there is nothing except politics in the presentation that I am attempting to make here. I wish to tell him how different was the action of the gentlemen comprising the minority of the committee, who were associated with us all these weeks, during the hearings. I wish to make public acknowledgment now of the splendid service rendered by the gentleman from Mississippi [Mr. SISSON] and the gentleman from Illinois [Mr. MCANDREWS], who by reason of their long experience in this Congress and on this committee, and by reason of their intimate knowledge of the affairs of this Government, were enabled to render splendid service and gave it unselfishly, never once suggesting the idea that there was any politics in it, but both of them seeking to save money to the taxpayers of the United States. [Applause.]

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. SUMMERS of Washington. The gentleman referred to the purchase by the War Department of 200,000 typewriters, and stated that 35,000 of them had been accounted for. Will the gentleman explain a little further? Is nothing known of the other 165,000 typewriters?

Mr. WOOD of Indiana. The testimony discloses that there are many storehouses and depots throughout the United States from which no accounting has as yet been received. The whole country is divided up into zones. Some of these zones have reported and some have not reported. No doubt it is true that many of these typewriters have been destroyed. War is the most wasteful thing in which humanity was ever engaged, and those charged with the care of war material give it less proper care and attention than any other class of men having to do with the care of property. I will state right here, while it is in my mind, that in order that the United States Government may save something in the purchase of typewriters we have placed in this bill a provision requiring the Secretary of the Treasury to furnish typewriters to all the various activities of the Government in the District of Columbia during the next fiscal year from the typewriters now in the possession of the War Department and other departments, and have provided that no new typewriters can be purchased during that time, our action being based upon the opinions stated by typewriter men themselves and by those who are in a position to know, with reference to the quantity of typewriters we have, that it will not be necessary for the Government to purchase a single typewriter during 1921 if we can pry these machines loose from those who are trying to hold onto them.

Mr. HARRELD. Will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman from Oklahoma.

Mr. HARRELD. Does not the gentleman think the most serious objection should be made to this habit we have gotten into of making appropriations to cover these things and then letting deficiencies be allowed in special bills? If we are to continue that practice, does not the gentleman think we had better quit wasting time making appropriations by regular bills and let everything be covered by deficiencies afterwards?

Mr. WOOD of Indiana. I have in mind some ideas on that subject and was about to proceed to elaborate them. I wish to call the attention of the committee to the manner in which these appropriations are made. That is one of the great difficulties. Every man who is at the head of a bureau has but one single thing in mind, and that is to build up his bureau. There is no big, capable man who cares to be at the head of a bureau of two or three people; he wants to be at the head of a bureau that employs a thousand, and he is selfishly fighting for his bureau's advancement and enlargement all the time.

By reason of our divided system of appropriation, when these gentlemen can not succeed in getting an appropriation which they would like to have for developing their bureau from our committee they go to another committee. For instance, if some one connected with a bureau of the War Department appeals to the legislative committee for an increase of force for purposes of enlarging their activities and fails to receive it there he goes immediately to the Committee on Military Affairs. That committee is charged with the responsibility of looking after the Military Establishment, and in a great measure becomes the champion of the Military Establishment. They are therefore the friends of that bureau, and in many cases, not because they wish to pad the Government rolls, but they are impressed with the fact of the necessity of building up the thing that they are charged with caring for, the request is granted. The same thing is true of the Navy Department. Those who fail to get through appropriations which they ask for on the legislative bill will in turn go to the Naval Committee, and so it is all the way down through this system of ours.

Here is another thing. We have a practice, by reason of divided responsibility of appropriations, of creating new offices, not by the committee that is supposed to have immediate charge of the clerical force in the District of Columbia, but if the head of the bureau that is desirous of building up his bureau fails to get an appropriation from the legislative committee, he will go to the committee representing his specific department and make an appeal there with greater success, and not only do they get the new positions but they get an increase of pay for the clerks under this practice. Failing there they will often attempt, and they have succeeded, in not only creating new places, but they have succeeded in increasing the pay of those on the statutory roll in the deficiency bill.

Now, it might be interesting to refer briefly to the manner in which we made our appropriations when the Government was first established. For 75 years there was no Appropriation Committee. The Ways and Means Committee did all the appropriating. They first found out how much money they were able to raise, the manner in which they were to raise it, and after concluding the amount they could raise they commenced to apportion it out and divide it up among the various activities, few in number as compared with the number that we have now.

That continued practically down to the Civil War, when by reason of the exigencies of that war and the increased activities of the Ways and Means Committee the Appropriation Committee was created. When it was created in 1863 it had charge of all the appropriations. By reason of the system then in vogue all departments of the Government realized full well that it was the only appropriation committee that could make an appropriation for any purpose either for the creation of places, the payment of those on the roll, or the increase of salaries of those already on the roll.

That continued until 1885, when by reason of a ruction in this House the Appropriation Committee was divided into seven or eight different parts. From that time down to this this system of duplication, this system of divided responsibility, has been going on and on, with expenses mounting higher and higher for the clerical force and the maintenance of the various departments in the District of Columbia. In my opinion the only way that we can remedy this constantly growing evil is by adopting a system of single and uniform responsibility where there is one committee that will know what demands there are on the Government and will have the satisfying of those demands, so that one committee can not say that we would not have done this thing had we known that you had been appealed to and had turned it down. [Applause.] That has frequently occurred during the hearings we have been having.

If I had my way about it I would have one appropriations committee, and on it the chairmen of the large committees, who could make the wants of the various departments known to that committee and all the time have the responsibility in that one committee, have that one source of supply, and then, I think, instead of seeing the expenses of the Government mount higher and higher, out of all proportion to the increase of inhabitants, out of all proportion to the amount of business we are doing, you would find it growing less. There is no business establishment in the world that I know of whose overhead is so out of proportion to the business it is doing as the overhead of the United States in the maintenance of the United States in the business of the United States.

Mr. FESS. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. FESS. The budget plan that has been passed in the House and favorably recommended in the Senate will not go to the extent of centralizing all of the appropriations in one committee; but I understand the plan is to bring in a supplemental bill to do that very thing.

Mr. WOOD of Indiana. My opinion is that it is the best thing that can be done, and the only remedy I know that will provide in any degree a remedy for this constantly growing evil.

Mr. RICKETTS. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. RICKETTS. Is it not true that bureaus have been able to secure duplication of appropriations by going to various committees year after year?

Mr. WOOD of Indiana. That is what I have been trying to explain; that is absolutely true.

Mr. HARRELD. Will the gentleman yield?

Mr. WOOD of Indiana. Certainly.

Mr. HARRELD. I will ask if the system could not soon be put into effect if it was not for the jealousy between the chairmen of the different committees? I do not mean among the committees themselves; but there exists a feeling that no prerogatives of a committee shall be taken away from them.

Mr. WOOD of Indiana. The committees of this House are a good deal like the courts of the country. They are very jealous of their jurisdiction.

Mr. FESS. It has never been presented to the House.

Mr. WOOD of Indiana. I think the very objection that the gentleman has urged could be obviated if these various committees would have their representation, so that they would know that their wants would be properly taken care of and that there would be no discrimination against them in the matter of appropriations.

Mr. SMITH of Idaho. Would not the plan suggested by the gentleman from Indiana result in one or two or three members having charge of various appropriation bills, instead of as at present a committee of 21 members?

Mr. FESS. Not necessarily.

Mr. WOOD of Indiana. Oh, no; not necessarily. The fact of the business is that it would require more subcommittees in order to make the investigation, and it would result in a more complete knowledge on the part of more men in the House. Here is the great trouble with us about this. How many men do we see here to-day connected with the Committee on Military Affairs? How many men are here who are members of the Committee on Naval Affairs? How many men are there here who are members of any of these other great appropriation committees? How many of them will read the hearings had before our committee? How many of them are advised with reference to what has been going on in these other committees? Very few, indeed. If this plan that I have suggested were adopted, there would be somebody connected with this general committee representing each of the other specific committees who would know something of what was going on and who would communicate the knowledge received to their respective specific committees.

Mr. FESS. The proposal that has been widely discussed is for a committee of 35 to be made of representatives of the various big committees, so that it would admit of a subcommittee taking charge of the work of these big committees, so that there would be no duplication; and what the subcommittee would do would be later on recommended or approved by the general committee, so that duplication would be impossible, and at the same time no interest cared for by the big committees could be neglected.

Mr. LAYTON. Do I understand that in the event of that committee of 35 being appointed all of the other appropriating committees would cease to exist?

Mr. WOOD of Indiana. No; they would cease to exist as appropriating committees only. They would still have all of the functions they now have with reference to all initiatory matters connected with their specific activities.

Mr. LAYTON. The function of gathering statistics?

Mr. FESS. For example, the Education Committee is not an appropriating committee, but it does recommend the authorization that goes to the Appropriations Committee.

Mr. WOOD of Indiana. That is it. I am satisfied that some arrangement of this kind would not only result in saving millions of dollars to the United States but it would result in far greater efficiency, the thing that we should be first interested in.

Mr. SMITH of Idaho. There is no one in the House, in my judgment, who has worked more diligently and arduously on any appropriation bill than the gentleman from Indiana, and I contend that it would be physically impossible for him to do any more work than he has been doing; but if we put all of these appropriation bills in one committee, they can not have the consideration that they will have where we have 10 or 12 committees composed of 21 members each.

Mr. WOOD of Indiana. Mr. Chairman, I want to say to the gentleman, in answer to that, that had we the character of committee I have just spoken of the time of this committee that had this bill in charge could have been saved 50 per cent. Here is the trouble: In order to make appropriations for the 40,000 clerks in the District of Columbia, that this bill has to do with, we had to make inquiry into the appropriations that are being made for 760,000 civilian employees of the Government of the United States. That is the trouble.

In order that we might have some intelligent idea of what appropriations we should make, we had of necessity to inquire how many are paid out of this lump-sum appropriation, how many men are paid out of the bond-expense account, how many men are paid out of this specific appropriation, and where they are, so that it quadrupled the work of this committee. To do what I have suggested would simplify not only the work of this committee, but the work of every other committee charged with the same responsibility, if they are industrious, and no doubt they all are, in trying to keep from duplicating, and try as best you may under this system you can not help but duplicate.

Mr. SMITH of Idaho. In the event that this plan is adopted of having a committee of 35, what opportunity would a Member of Congress have to present his views to the committee concerning conditions in his own district and appropriations for carrying on the activities of the Government there?

Mr. WOOD of Indiana. He would have a representative before that committee from the committee having in charge that specific matter. Suppose the matter had reference to the Department of the Interior, having to do with the land offices, and things of that kind. The representative from the committee having in charge the affairs of the Department of the Interior would take care of the gentleman's wants before this appropriation committee.

Mr. SMITH of Idaho. Are we to defer to the opinion of an executive officer entirely in regard to the needs of our respective districts?

Mr. WOOD of Indiana. The gentlman did not understand what I said. I said your committee representative would be a member of the general committee and represent the Department of the Interior.

Mr. SMITH of Idaho. Admitting that, the member of the committee from the West has had no opportunity to have a hearing before the gentleman's subcommittee affecting appropriations for the public-land States. The matters were presented to the full committee informally or probably formally, and then the report of the subcommittee was accepted.

Mr. WOOD of Indiana. If the gentleman will bide his time he will have plenty of opportunity——

Mr. SMITH of Idaho. Is not that true?

Mr. WOOD of Indiana. I tried to explain to the gentleman, but I fear he is in such a condition of perturbation on account of something that has happened to his State in this bill that he does not quite understand what I am talking about.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. MANN of Illinois. Do I understand that the gentleman thinks that he could get more economy in government if the committee or subcommittee dealing with military affairs made the appropriation for the Army affairs in Washington instead of having it made by a subcommittee that deals with the clerical force in Washington generally?

Mr. WOOD of Indiana. No; I do not, but I want to be understood as saying that the subcommittee of the legislative committee is handicapped by reason of the fact that it is not the only committee that does make appropriations for the clerical force of the War Department. After men have failed to succeed in getting certain appropriations before the subcommittee on the legislative bill, then they go to the Committee on Military Affairs, and, if they are plausible enough, obtain the very thing that is denied them by our committee. That is the trouble.

Mr. MANN of Illinois. Well, that is sometimes the case. Now, the gentleman referred to the Interior Department, public-land service. Of course, appropriations for the Interior Department are made by the Appropriations Committee; that is, all recommendations go to them; no other committee has jurisdiction over any of those matters.

Mr. WOOD of Indiana. That is right.

Mr. MANN of Illinois. The Appropriations Committee brings in a bill for all the departments in Washington, except one——

Mr. WOOD of Indiana. The Department of Agriculture.

Mr. MANN of Illinois. I am under the impression that we would have a considerable reduction in the force of employees of the Agricultural Department in Washington if the Committee on Appropriations had power to include the appropriations for that service in the legislative appropriation bill.

Mr. WOOD of Indiana. Yes; I agree with the gentleman on that proposition, too. Now, gentlemen of the committee, I think it would be interesting to know how rapidly this civil list of ours has grown since the beginning of the war. When the war broke out there were employed in the District of Columbia July 1, 1917, in all departments 37,908. Some two months after the war there were employed in the civil service of the United States outside of the District of Columbia 476,388. How many there were employed on the 1st day of April, 1917, outside of the District of Columbia I am not informed, but in 1918 the civil-service employees of the District of Columbia had grown from 37,908 to 111,457. In 1919 it was diminished to 102,126—that is; July, 1919. In December, 1919, it was 102,950, and that

is practically what it is to-day. Now, the civil-service employees outside of the District of Columbia to-day—that is, the 31st of December—are 657,744, or a total of civil-service employees engaged in doing the business of the United States of 760,269. Now, of that 102,000, in round numbers, who are in the District of Columbia, 20,500 of them at this time are what are known as statutory employees, whose places are specifically provided for.

There are 20,000 who are paid out of some kind of lump-sum appropriation in the District of Columbia. That makes 40,000. There are 80,000 and over who are still paid from specific appropriations that come from these various committees with which the legislative committee has nothing to do and knows nothing about. That briefly gives you a picture of the employees in the District of Columbia and the manner in which they are provided for.

Mr. IGOE. Will the gentleman yield for a question?

Mr. WOOD of Indiana. I yield.

Mr. IGOE. I recall the other day some Member put a statement in the RECORD that the number of employees had reached a million and a half.

Mr. WOOD of Indiana. That is a mistake.

Mr. IGOE. That is a mistake?

Mr. WOOD of Indiana. The total number in the United States to-day—it varies a little from day to day—is 760,000.

Mr. IGOE. The statement was made in connection, as I recall it, that we could cut down 300,000. May I ask the gentleman another question? Has the gentleman any figures as to the number of these employees who are not under civil service or are they all under civil service?

Mr. WOOD of Indiana. No; they are not all under the classified service. There are the classified and the unclassified. And I take pleasure in putting in the RECORD at this point a statement obtained from the Civil Service Commission, showing the civil-service employees of the United States and the manner in which they are divided. It is a very illuminating proposition, and it shows concretely the growth of this service.

The statement is as follows:

Number of persons in the executive service of the Federal Government on July 1, 1919, outside District of Columbia (United States Railroad Administration not included).

[Compiled from data furnished to the Bureau of the Census by the several departments and independent offices. In some cases the figures are only approximations, owing to the fact that certain of the departments and offices have lump-sum appropriations and the force paid from such appropriations is continually varying in size.]

Department of State	1,098
Department of the Treasury	26,307
Department of War	168,063
Department of Justice	2,470
Post Office Department	284,377
Department of the Navy	96,751
Department of the Interior	13,147
Department of Agriculture	17,872
Department of Commerce	8,276
Department of Labor	3,078
Interstate Commerce Commission	1,378
Civil Service Commission	49
United States Shipping Board (includes Emergency Fleet Corporation, but only employees of administrative and executive divisions, not mechanics and other employees of the various shipyards)	15,650
Federal Board for Vocational Education (number of employees reported on Nov. 11, 1919)	1,741
The Panama Canal	17,487
Total	657,744
Total on July 1, 1917	476,388

Number of employees in the executive civil service in the District of Columbia on April 1, 1917, November 11, 1918, July 1, 1919, and subsequent dates.

[Figures for dates subsequent to July 1, 1919, are based partly upon informal reports.]

	Apr. 1, 1917.	Nov. 11, 1918.	July 1, 1919.	Sept. 30, 1919.	Oct. 31, 1919.
Department of State	281	686	778	773	769
Department of the Treasury	8,285	29,342	32,645	36,723	38,140
Department of War	2,816	37,406	27,416	23,709	22,287
Department of Justice	321	541	452	476	492
Post Office Department	2,097	2,396	2,463	[1] 2,463	[1] 2,463
Department of the Navy	6,376	12,560	11,037	11,473	11,443
Department of the Interior	5,294	5,361	5,513	5,713	5,792
Department of Agriculture	[2] 4,200	[2] 6,100	[2] 5,100	[2] 4,827	[2] 4,819
Department of Commerce	1,656	2,298	2,356	2,060	2,081
Department of Labor	360	1,427	597	325	332
Government Printing Office	3,996	5,280	4,794	5,092	5,172
Smithsonian Institution	462	368	453	455	447
Interstate Commerce Commission	862	796	836	854	856
Civil Service Commission	225	654	320	308	320
United States Bureau of Efficiency	23	38	34	67	73
Federal Reserve Board	75	124	159	188	265
Federal Trade Commission	196	691	377	369	361
United States Shipping Board	22	1,227	1,879	1,957	1,953

[1] No report since next preceding period.
[2] Approximate.

Number of employees in the executive civil service in the District of Columbia on April 1, 1917, etc.—Continued.

	Apr. 1, 1917.	Nov. 11, 1918.	July 1, 1919.	Sept. 30, 1919.	Oct. 31, 1919.
United States Railroad Administration	.....	1,163	1,324	1,369	1,393
United States Food Administration	.....	1,490	.....	.....	.....
United States Fuel Administration	.....	[1] 948	.....	.....	.....
Council of National Defense	33	323	114	71	71
War Industries Board	.....	[1] 1,295	9	59	59
War Trade Board	.....	2,338	267	101	98
Alien Property Custodian	.....	512	397	318	310
United States Tariff Commission	25	74	56	78	83
Employees' Compensation Commission	6	48	60	58	64
Board for Vocational Education	.....	222	704	[3] 937	937
The Panama Canal	110	110	110	111	113
International Social Hygiene Board	.....	2	16	31	32
Superintendent State, War, and Navy Building	187	1,694	1,869	[3] 1,869	[4] 1,775
Total	37,908	117,454	102,126	102,766	102,950

[1] Approximate.
[2] No report since next preceding period.
[3] No report for August, 1919.
[4] No report for a preceding period or periods.
[5] No report for July, 1919.

Mr. IGOE. The number who came in under the civil service, whether classified or whatever form, those who were appointed by officers without regard to applications under any form of civil service?

Mr. WOOD of Indiana. There are some, I do not know how many, engaged in the Government, either directly or indirectly, who are not under civil service. The number I have stated—102,000 in the District of Columbia—does not include those connected with the Railroad Administration. There are many quasi boards of the Government of the United States. There are members of some of these shipping boards and their forces not within the civil service, and as to that it would be impossible for me to state how many of those there are, but those who are included in the civil service in the United States, whether having passed the civil-service examination or not, are 760,000 in round numbers. There is another thing that confronted your committee and added to its difficulty. Every one of these emergency bureaus and divisions which you created during the war—and it was reasonable to believe would end their activities when the war activities had ceased—are now trying to convince us how necessary it is that they be continued and the great service that they are rendering to the Government, and many of them have asked for increased forces as compared with the force they had at the peak of the war.

Now, I wish briefly to call attention to some of the things developed by this bill; some of the things which we have done. The total appropriations carried in this bill are $103,650,016.11. The estimate presented to your committee was $122,453,685. The appropriations for the last year, or the fiscal year 1920, were $127,165,683.63. Now, the appropriations made by this committee for the fiscal year 1916, immediately before we entered upon the war, were $36,910,799.75, so you can see it has grown almost $67,000,000 as compared with the appropriations during the period of the war.

This bill is large when we contemplate that it means an expenditure of $104,650,016, but you should take into consideration that we have expenditures to make now that we had not to contend with before the war. There is one item alone of $42,038,000 to the Bureau of Internal Revenue for the enforcement of prohibition and enforcement of the antinarcotic act and many other activities imposed by reason of the changes in our manner of collecting our revenues. There is an appropriation of $10,824,400 to the War Risk Insurance Bureau; something we had not to do with before we entered upon this war. There is another item of $5,000,000 to the Census Bureau that was not included in these prewar estimates.

And I wish to say in passing that the total expense of the present census now being taken is $23,000,000, and that $17,550,000 has already been appropriated for this purpose. We carry an item of $5,000,000 in this bill, and it is estimated that it will take $1,500,000 in addition, that may be appropriated by a subsequent Congress.

Mr. BYRNS of Tennessee. The gentleman spoke of the amount that had been appropriated for the current year. I think it is fair to say that the legislative and judicial appropriation bill for the current year carried only $97,000,000, and of that some $15,000,000 was appropriated for the census.

Mr. WOOD of Indiana. Yes; but to this sum of $97,000,000 must be added items provided for in the deficiency bill and other acts, that make the total appropriation for 1920 $177,165,683.

Mr. LAYTON. Will the gentleman answer a question?

Mr. WOOD of Indiana. Yes.

Mr. LAYTON. How much does the Public Health Service carry?

Mr. WOOD of Indiana. The report will disclose exactly. I can not give the figures just now, and I do not care to estimate it.

Mr. LAYTON. There are 2,300 physicians, costing over $4,500,000.

Mr. WOOD of Indiana. I will say that their force in the city of Washington has been reduced over 200 by this bill.

The present bill is $23,515,667.52 less than the appropriations for the current fiscal year, and it is $18,803,669.41 less than the amount requested in the estimates. In other words, we have cut out of this bill from the estimates submitted by the various departments $18,803,669.41, to be exact.

Now, I desire to tell you as briefly as I can some of the more important items in our reduction.

Mr. BLANTON. Right there, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. BLANTON. One or two department chiefs have said to me personally that because of reductions made by various appropriating subcommittees they have been forced from time to time to put in estimates much larger than they expected would be granted. Now, can the gentleman tell us whether or not any of the estimates submitted to his committee indicated that they were doubling up on the committee purposely, hoping thereby to get at least half or more of the amount demanded?

Mr. WOOD of Indiana. I will say to the gentleman that we did not discover any deliberate attempt on the part of any of the departments to do that thing.

Mr. BLANTON. That is what the subcommittees will have to look for and expect.

Mr. WOOD of Indiana. Here is the great trouble with these estimates and in the sums asked for of these various committees: These gentlemen—and it is to be commended to a certain degree—are enthusiasts in the development of their own departments, and if they were not they would not be worthy of the places they occupy, but in their enthusiasm they forget and think nothing of the manner in which the money is to be raised. That is something that seems not to enter into their consideration. And I wish to say in passing here, in reference to one of our institutions that has grown from a very, very small beginning, until now it is a colossal institution, doing a splendid work, not only for the Government of the Untied States but for all the people of the United States. I refer to the Bureau of Standards. Only a few years ago you could have moved all the property that they had in a wheelbarrow.

The CHAIRMAN. The gentleman from Indiana has consumed one hour.

Mr. MANN of Illinois. How much time does the gentleman wish?

Mr. WOOD of Indiana. The gentleman from Mississippi [Mr. SISSON] and myself had an understanding that I should make my statement, and after that we would agree upon time.

Mr. MANN of Illinois. Would the gentleman like half an hour or an hour more?

Mr. WOOD of Indiana. I think I can get through in an hour easily enough.

Mr. MANN of Illinois. I ask unanimous consent, Mr. Chairman, that the time of the gentleman be extended one hour.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Indiana be extended one hour. Is there objection?

Mr. SISSON. Mr. Chairman, I should like to ask unanimous consent that the gentleman from Indiana be permitted to conclude his remarks.

Mr. MANN of Illinois. If the gentleman can not get through in an hour, we will extend his time. It is not a very good practice to give unanimous consent to gentlemen to speak until they conclude, because that will invite a whole lot of time and take it from somebody else.

Mr. WOOD of Indiana. I will try to get through in an hour.

Mr. SISSON. Just so it is understood that the gentleman from Indiana may have such time as he wants, I have no objection.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Reserving the right to object, I shall not object, because the gentleman has been so very courteous and accommodating in answering questions that I would not object, no matter how much time he asked for.

The CHAIRMAN. The Chair hears no objection.

Mr. WOOD of Indiana. When I was interrupted I was speaking in reference to the Bureau of Standards. It would be impossible for me even to describe the great work that is being done by that institution and the great service it is rendering to all of the people of this country. Yet the gentleman who is at the head of that institution, who is one of the ablest men I have ever come in contact with, and who has more knowledge in one head than I thought possible to exist in one mind, made such demands that if the United States Government attempted to keep up with him in his enthusiasm for development and desire for development of that institution it would bankrupt the Government in course of time. I speak of that only as illustrating what the heads of these departments do. I think they come with honest intent in making their demands, but they do not seem to study the relations of things. They do not seem to realize that this money has got to be raised from some source, and that there is a limitation to the source of supply.

The War Department asked for a lump-sum appropriation of $4,000,000. Your committee, after elaborate hearings, concluded that the War Department could get along with $2,500,000 in addition to their statutory positions, so that we cut this estimate $1,500,000. We provided that out of this $2,500,000, $1,850,000 should be given to the office of The Adjutant General. The Adjutant General's office, as you know, has had imposed upon it some extraordinary duties since the war. It has been charged with the responsibility of furnishing to the adjutants general of all the States of the Union complete lists and histories of the boys from their respective States, a work which requires a great amount of help and a great amount of money. In addition to that there is a constant demand from the War Risk Insurance Bureau and from the Department of Finance in the War Department and various other departments and from the Navy for data and facts with reference to the boys who served in the Army under these several departments who now have claims against the Government, or who are asking for compensation, or who are asking for vocational training, so that unless this appropriation was made for the use of The Adjutant General's office, this very necessary service would have to be abandoned, according to the testimony of The Adjutant General. So, not wanting to cripple The Adjutant General's office in its ability to furnish this information as under the law it is now required to furnish it, and considering the demands of these institutions that have to look to the War Department for this information, we concluded that $1,850,000 of this $2,500,000 should be allotted to The Adjutant General's office.

Now, we eliminated, if you please, a great number of these high-priced clerical officers who came in as civilians during and after the war, drawing all the way, if you please, from $5,000 to $2,500. I will not take the time to enumerate them except to give one or two instances.

After the Creel syndicate went out of business there was created in the office of the Secretary of War a news bureau, the purpose of which was to censor all the news that came from the various bureaus of the War Department. This might have been necessary during the period of the war; but if it was necessary then, certainly that necessity ceased to exist with the termination of the war. We felt that that was a needless expense, and the gentleman occupying the head of that institution was one of those high-priced men. So all down the line we took and reduced these civilian employees of the War Department to the number of more than 1,300; so that if this law is enforced, as we hope it will be enforced, during the fiscal year 1921 there will be engaged in the War Department in the District of Columbia not to exceed 3,500 men.

There is another thing that we discovered, and we think the committee was of some service in bringing the opposing forces together growing out of a seeming conflict between some of the departments and the Bureau of Efficiency, established by an act of Congress for the purpose of trying to get more efficiency out of the employees in the District of Columbia; and we discovered that the activities of this Bureau of Efficiency were resented by some of the departments. They were resented in some little degree by The Adjutant General. I am not here for the purpose of criticizing The Adjutant General. I have a very high regard for him personally, and I think he is conscientiously doing his best for the Government of the United States. But he had some well-fixed notions of his own with reference to efficiency which seemed to be in conflict with the ideas of the Bureau of Efficiency. But after awhile he admitted, and it was demonstrated, that by reason of the change of policy in doing certain kinds of work in a different way they could save thousands and hundreds of thousands of dollars to the Government of the United States; and, being convinced of that fact, The Adjutant General will adopt a new system that will result in considerable saving to the taxpayers of the United States.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. BLANTON. Right in that connection I understand that under what is known as the Dockery law it is required that

there shall be made of the funds received by the Supreme Court of the United States an audit, just the same as other departments of the Government are audited. I am informed that not since that law was passed a number of years ago has there been such an audit, and I have been informed by a very distinguished gentleman who was once an auditor that an attempt was made to audit the accounts of the clerk, and the Supreme Court refused to permit such an audit to be made. Does the gentleman from Indiana know anything about that?

Mr. WOOD of Indiana. No; I do not.

Mr. BLANTON. If the gentleman will make some inquiries, he will find, I am sure, from the information that has come to me from a reliable source, that the Supreme Court refuses to permit an auditor to inspect the accounts and books of the clerk of the court. That is right in the face of the law requiring that to be done.

Mr. LAYTON. If the gentleman will excuse me, I wish to bear testimony as to that, because I tried to accomplish that under three different Secretaries of the Treasury, and was refused by the Chief Justice of the Supreme Court.

Mr. BLANTON. If that condition prevails, some action ought to be taken. The Supreme Court is not different from any other department of the Government, I presume. I presume the accounts of the clerk of that court could be audited the same as the accounts of any other department, especially as the law requires it.

Mr. WOOD of Indiana. I think the Supreme Court, which enforces the obedience of all others to the law, ought to be obedient itself.

I wish to call the attention of the committee to an item in the Ordnance Department. The Chief of the Ordnance Department asked for an authorization of $660,400, as against an authorization for the same purpose last year of $400,000. Your committee refused the estimate and left the authorization the same as it was last year.

It is interesting for us to know that we went through this war from the beginning to the end without ever having developed a piece of artillery that was fired on the fighting line in France. We appropriated millions and millions of dollars, but so unprepared were we when the war broke out and so behind hand with reference to our accouterments of war that it took all the time of the war for us to develop something that we felt might be efficient when we got it over there, and when we did we found that it was inefficient. Our 75-millimeter gun did not compare in efficiency with the French gun, and in consequence we used the French gun during the period of the war.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. DEMPSEY. Was not the delay largely owing to the fact that the War Department debated what type of gun they should have instead of manufacturing a good gun which they had in hand at the time?

Mr. WOOD of Indiana. That question will lead up to the very purpose of my argument in a moment. It was demonstrated that never from the beginning of the war to the end did any of our belated production of guns compare in efficiency with the German gun; and, as I stated a while ago, although we manufactured during the war 810 of these guns and 363 carriages, and actually shipped to the other side 32 of these completed guns, not one of them was used in battle.

Now, the Chief of Ordnance tells us that we were in that position because of the fact that we had not kept pace with the growth of the artillery of the world; that by some unfortunate circumstance our military attachés over upon the other side were ignorant of what was going on over there. At any rate, our War Department was not furnished with the facts, and in consequence we were away behind. What is up to date in munitions of war to-day may be obsolete before to-morrow.

Mr. EVANS of Montana. Will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman from Montana.

Mr. EVANS of Montana. Do I understand that the War Department has advised the gentleman's committee that the French 75-millimeter gun was not so good as the German gun of that character?

Mr. WOOD of Indiana. Absolutely. That is the testimony of the gentlemen who appeared before our committee. They are asking this appropriation now, that they may keep up with the nations of the world in order that if we ever get into another war we will not be behind any other nation in artillery efficiency.

Mr. McKENZIE. Will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman from Illinois.

Mr. McKENZIE. Did you have any testimony before your committee that the Ordnance Department is now going to change the design of our field gun, which has been recognized as one of the best field guns in the world? We changed to the 75-millimeter in order that we might utilize the French ammunition, but our 3-inch field guns have had the reputation for years and years of being the best field guns in the world. Now that Germany has a little better gun, do I understand that therefore they are going to change the type of gun? Was there any testimony along that line?

Mr. WOOD of Indiana. This is the testimony of the department. As I have stated, it is their contention that improvements are constantly being made, so that what may be our best gun to-day, and equal to the best gun of any other country in the world, may not be the best gun to-morrow; that it takes constant preparation to keep abreast with the continual improvement of the world in these destructive instruments. It is the purpose of this authorization, as I was about to state, to carry on the experimentations, many of which they have in hand now, and to anticipate not only what is being done by those who have been our allies and whom we hope will continue to be our allies, but by those from whom we may look for danger, and I think they are exactly right about that. One of the curses that befell this country was because of the fact that we had not been doing that thing before the war.

Mr. McKENZIE. Will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman from Illinois.

Mr. McKENZIE. It was testified before the Committee on Military Affairs some time ago, before we got into this war, that the American Springfield army rifle was about the last word in the manufacture of rifles so far as the development of effectiveness was concerned, and I believe that is correct. There is a certain limit beyond which they can not go. They may make some little changes in the mechanism, but in effectiveness, so far as a shooting iron or an instrument of warfare is concerned, there is a last word. That is true in artillery also, except perhaps in the increasing of the caliber of the gun. In my opinion there is no gun on earth which surpasses our field gun, except that perhaps the 75-millimeter French fieldpiece was a little more effective.

Mr. WOOD of Indiana. The trouble does not seem to consist entirely in the difference in the size of the two guns. It is also due to the construction of the gun. It has been discovered by those who were in a position to know, who speak authoritatively, that the French 75-millimeter gun is a little longer than ours and in consequence shoots a great deal farther than ours.

Mr. GARNER. Will the gentleman yield?

Mr. WOOD of Indiana. I yield to the gentleman from Texas.

Mr. GARNER. The item of which the gentleman is speaking is an appropriation of $400,000. Do I understand that with $400,000 they are going to experiment all over the world as to the efficiency of different arms?

Mr. WOOD of Indiana. That is not the purpose at all. The purpose of this appropriation, as was made plain by the gentlemen who appeared before us, was that it was for the purpose of experimentation in our own laboratories and in our own ordnance-manufacturing department, so that we can keep abreast with the information that comes to us as to what these other nations are doing. As I understand it, it is not for the purpose of manufacturing guns, but for the purpose of developing a gun to perfection. Then the blue prints are made and laid away for future use, or to be destroyed when they become obsolete by reason of the fact that something else has been brought out which is an improvement upon the gun adopted. It looks like a wonderful waste of money. After all the trouble that we have had in this war and all the woe and suffering and death and expense that has been entailed not only upon this generation but upon generations yet unborn, it may seem useless to many to expend this money, but I am still of the belief that the best guaranty of peace is in constant preparation for war; while this country does not declare war, there are other people who are not as content to live in peace, who, in my opinion, we had better be prepared for.

Mr. McKENZIE. I dislike to interrupt the gentleman, but I would like to make one statement if he will permit it.

Mr. WOOD of Indiana. All right.

Mr. McKENZIE. I wish to call the attention of the gentleman to the fact that the Congress of the United States, at the suggestion of the gentleman from Connecticut [Mr. TILSON], who is now gracing the chair of this Committee of the Whole, appropriated money for the express purpose of manufacturing the necessary gauges, dies, and jigs so that if we did get into war we could turn them over to such concerns as the Bethlehem Steel Co., and others, and have guns manufactured in a very short space of time. But for one reason and another, which I have never been able to understand, our Ordnance Department neg-

lected to expend that money, and the war came on and we did not have the jigs and dies and gauges with which to manufacture the guns.

Mr. CALDWELL. It is only fair to say that the person responsible for that was Gen. Crozier, who has friends on that side of the House.

Mr. McKENZIE. I do not concede that Gen. Crozier was responsible for that.

Mr. WOOD of Indiana. I do not want to get into a side discussion.

Mr. CALDWELL. When a statement like that is made, it ought to be cleared up on the record.

Mr. WOOD of Indiana. There are a great many apparent inconsistencies and incongruities in the War Department. We discovered, incidentally, that they have a peculiar way of fixing the salaries in the War Department. I was astounded when I learned that there was one gentleman connected with the War Department who, by reason of his military positions, receives quite as much as Gen. Pershing received before he was made General of the Army under the act of this Congress. I refer to Gen. Mitchell. He gets a base salary of $6,000; he gets commutation of quarters, $1,152; for heat and light he receives $342; then he gets 75 per cent of his salary because he flies occasionally. His total salary is $11,994.50. To put it another way, the base salary is $6,000 as brigadier general, and he gets $4,500 as a flier, so that he gets $500 more than did Gen. Pershing before he was made a general under the act of this Congress.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. MANN of Illinois. I did not quite understand how this $11,000 is made up.

Mr. WOOD of Indiana. This man gets $6,000 as a brigadier general. That is his base pay. Then he gets $1,152 for commutation of quarters, $342.50 for heat and light, and $4,500 as a flier, which is 75 per cent of his base pay as a brigadier general.

Mr. CALDWELL. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. CALDWELL. He gets some "fogies," does he not, for being in the service?

Mr. WOOD of Indiana. Yes; he gets some "fogies."

Mr. CONNALLY. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. CONNALLY. Is the gentleman aware of the fact that the bill which the gentleman voted for making Gen. Pershing a general empowers the President to give him such allowance as he may see fit in addition to the salary?

Mr. WOOD of Indiana. I do not know that it does.

Mr. CONNALLY. That is the way it passed the House. I do not know how it passed the Senate.

Mr. WOOD of Indiana. I wish now to call the attention of the committee to the Quartermaster General's Department. On September 16, 1919, the present Quartermaster General issued an order consolidating the purchase service and the storage service into one service, to be known as the Supplies Division. In the execution of this order 72 officers were released, and preparation was being made for the release of more than 500 civilian employees. On September 26 the Secretary of War countermanded this order, and all these relieved officers were put back in their places and none of the civilians referred to were discharged. This action on the part of the Secretary of War cost the Government at the rate of $4,000,000 per year. That this saving could have been made was clearly established in the minds of a majority of your committee, and it was likewise clearly established that by this combination of service greater efficiency could be had. This fact was not only established by the Quartermaster General himself through his testimony and by that of his staff officers, but he was fully corroborated by the Bureau of Efficiency and by the Inspector General of the Army. That the Quartermaster General was right is further corroborated by the action of the Pennsylvania Railroad that has just lately adopted this very scheme of purchase and supply for the conduct of its great business affairs. In consequence your committee has recommended a provision consolidating the various branches of the Quartermaster Department to accord with this order of September 16, which we are assured will result in a future saving of 33⅓ per cent in this department.

Now, for the purpose of economy we abolish the Subtreasuries, one in Philadelphia, one in Boston, one in Chicago, one in Cincinnati, one in New Orleans, one at Baltimore, one at St. Louis, and one at San Francisco. The abolition of these Subtreasuries takes place on the 31st of December, 1920. That will result in a saving of salaries at these institutions of $455,705, and contingent expenses amounting to $148,337. The estimated saving in toto is $450,000. And in addition to that we were advised by the Secretary of the Treasury that it would save to the Treasury of the United States on an interest account alone $2,000,000.

We were convinced of the fact that these Subtreasuries had long outlived their usefulness, whatever function they performed, which was constantly a decreasing function since the establishment of the national banks in 1863 has been taken away by the Federal banks. I am informed by those who were here advocating the establishment of the Federal reserve banking system that one of the arguments that they then used was that it would result in the abolition of the Subtreasuries. There is absolutely no use for their further continuance. I am informed that the Committee on Banking and Currency has already introduced a bill providing for the manner in which the business of the Subtreasuries shall be wound up. This bill abolishes the Subtreasuries and provides that the civil employees therein shall be disposed of by the Secretary of the Treasury.

We also felt that we were justified in abolishing the Surveyor General offices—one in Alaska, one in Arizona, one in California, one in Colorado, one in Idaho, one in Montana, one in Nevada, one in New Mexico, one in Oregon, one in South Dakota, one in Washington, and one in Wyoming. The combined salaries and clerk hire of those offices amounts to $223,870, with contingent expenses amounting to $217,395.

I appreciate the fact that our action will precipitate objection from those representing these several States that have these land offices located within their confines. I know and appreciate full well that objection will also come from the representatives of those localities that have the Subtreasuries located in their States. I know that that is inherent within us and is a part of our selfish nature. I know the same objection was made when they sought to abolish the pension commissioners that were located throughout the country, one in every State in the Union. They became absolute sinecures, rendering no real service to the Government that could not as well and better be rendered by the Pension Office in this city. I know that when a statutory place is created and located in a State those immediately interested in its continuance object to its discontinuance; but we are here looking at the whole picture, looking at the expense that would be saved, looking at the increase of efficiency, and we are amply assured by those in a position to know that the work, whatever remains to be done by the Surveyor General's offices scattered throughout the West, can better be done at Washington.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. MANN of Illinois. The largest Subtreasury, outside of New York City, is located in Chicago. We have had this proposition up a number of times. I do not recall any Member of Congress from Chicago ever having urged that the Subtreasury be retained, and I hope that example may be followed elsewhere.

Mr. WOOD of Indiana. I wish it might be emulated.

Mr. MANN of Illinois. I did not want to let it go that Members from all localities affected by the loss of an office were protesting against it. I have thought that these Subtreasuries ought to be abolished. I do not think any Chicago Member ever thought otherwise, although I may be mistaken about that.

Mr. SMITH of Idaho. Mr. Chairman, will the gentleman yield for a brief question?

Mr. WOOD of Indiana. Yes.

Mr. SMITH of Idaho. What is the source of the gentleman's information that warrants him and his committee in reaching a conclusion that it would be wise to abandon the surveyors general offices in the various public-land States?

Mr. WOOD of Indiana. We were amply advised by those whose business it is to know something about them, and I wish to say to the gentleman that there is nothing that actuated the committee except the idea that we were not hurting the efficiency of this work, but if anything that we would be helping it, and that we would save this amount of money, not so extraordinarily large, but when all of these things are taken into consideration it makes a large sum. I would suggest to the gentleman that the surveyors general are not the only thing abolished by this bill. There are many other things abolished, and as I say, if there was not one bit of business for the surveyors general in the State of Idaho, there would be gentlemen here insisting that the office should be maintained, and that is but natural, for we have friends that are filling these places, and it is natural for us to desire that they continue just as long as possible.

Mr. SMITH of Idaho. Mr. Chairman, that remark is unwarranted. The occupant of the office of surveyor general in the State of Idaho was appointed by the present administration, and I do not even know him.

Mr. WOOD of Indiana. Has the gentleman no friends among the Democrats?

Mr. SMITH of Idaho. Very few. Did the gentleman's committee consult a single Member of Congress from the public-

lands States in regard to the wisdom of abandoning these offices?

Mr. WOOD of Indiana. So far as I know, we did not, and it would have been useless to do so. If we had consulted a single man, with the exception of the gentleman from Illinois [Mr. MANN], as far as I know, and the further exception of the gentleman from Illinois [Mr. MCANDREWS], who is on the committee, with reference to the abolishment of these Subtreasuries, we could not have abolished one of them. Many appeared before us trying to convince us of the absolute necessity of continuing these Subtreasuries in the various localities. If we depended upon gentlemen from States where we abolish these offices to give us information as to the necessity of whether they should or should not be abolished, this bill, instead of carrying $104,000,000 would carry $150,000,000.

Mr. SMITH of Idaho. As I stated before, I am not interested in the occupants of these positions. I want to make just one explanation. I am interested in the development of the resources of the western country, and I want to state that without these offices the settlement of the country will be very much hampered.

Mr. WOOD of Indiana. As against the testimony of the gentleman who just addressed us, I call the attention of the committee to the testimony of Mr. Tallman, whose business it is to know something about this thing. He is connected with the Department of the Interior. We first talked about the advisability of dispensing with a few of these surveyors general. Mr. Tallman felt that that would be unwise, that when we abolished one we should abolish all of them. He says:

> It is not advisable to consolidate offices of surveyor general. If there is any consolidation to be done they should be all consolidated and the work transferred to the Washington office.
>
> Mr. WOOD. That would not hurt; all of these offices could be abolished without material detriment?
>
> Mr. TALLMAN. Of course, I do not belittle that work. They are doing important work, but the organization is not altogether in harmony with the development of the field organization and the office organization. To understand that thoroughly one must know something of the history of the surveying business of the public lands, particularly this, that originally authority was largely decentralized in the surveyor general for each State, and he was an officer of considerable authority and power; he let contracts for the making of surveys and supervised the execution thereof; all of that business was handled through him. As the result of subsequent legislation we have entirely abolished all of that contract business and we make all of the public-land surveys by Government forces, direct appropriation, and direct expenditure. We have had to substitute our field organization in place of much of the work which was formerly handled by the surveyor general. In making a survey the field notes are returned to the surveyor general and they rewrite, correct, and perfect the field notes and make the plats. Then they return those to our office and we examine them, and, if acceptable, then we have an approved survey.
>
> It is perfectly apparent that a surveyor general's office is not an economical business institution, because we have too much overhead in each one in proportion to the amount of business we have there. That would not be true, perhaps, if we were going to survey a whole State at once; but take an office like South Dakota or some other office where we have a surveyor general, a chief clerk, a chief draftsman, and one or two draftsmen—in other words, more generals than privates—we could handle that work in a consolidated office, without any doubt, for much less than we are handling it now and much better.

Mr. SMITH of Idaho. May I make one more observation? The public lands in a few of the States may be practically all surveyed, and probably it is true that those records and the work could be transferred to Washington without injuring the service, but in many of the States not one-half of the public lands are surveyed, and there is just as much need for a surveyor general now as there was 15 years ago.

Mr. WOOD of Indiana. I submit the testimony of Mr. Tallman as against that of the gentleman, and I think Mr. Tallman has no interest whatever in this matter, except to serve the best interests of the Government.

Mr. SUMMERS of Washington. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. SUMMERS of Washington. Does the gentleman believe that in a State like the State of Washington, where one-third of the area lies within the public domain, it would be best to have all of the business with respect to it transacted from the city of Washington, or would it be well to retain, say, in the State of Washington a surveyor general for the States of Washington, Idaho, and Oregon?

Mr. WOOD of Indiana. We spoke about the advisability of consolidating them, and, as I stated, Mr. Tallman says they should not be consolidated in parts; that there should be one consolidation here; and that the business could be more effectively done from here. There are still these land agents out there, who are not abolished or affected, and all of these things eventually have to come here to be finally passed upon, anyway. It is a duplication, and in consequence of the duplication there is needless expense.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. MILLER. I suppose the gentleman from Indiana will agree with all of us that the exercise of a governmental function has its foundation in the convenience of the people. Did anyone representing or defining the Territory or District of Alaska, or did Mr. Tallman himself, advise the abolishment and the taking without the District of the records of the surveyor general of Alaska?

Mr. WOOD of Indiana. We abolished everything up there in connection with the surveyor general except the secretary, who by reason of his office is the secretary of Alaska.

Mr. MILLER. What is the use of taking out all of the records of the surveyor general and leaving a secretary up there to feed out of the public crib?

Mr. WOOD of Indiana. Because the law makes the surveyor general of Alaska ex officio secretary of Alaska. The records, so far as that is concerned, mean nothing. We might as well say that it would be a convenience if we had a land office in the State of Indiana in order that we might keep the records that are here in Washington in Indiana. I admit that that would be a convenience, but it would be a useless expense, for all that is necessary for us to get the information that we desire is to write to Washington.

Mr. MILLER. Did Mr. Tallman advise the gentleman's committee that the surveyors general of 11 States be eliminated by——

Mr. WOOD of Indiana. Oh, the gentleman will be no more inconvenienced after they are brought here than will the people who live in Georgia or Indiana or Mississippi. I do not see why you should be an exceptional class, or why you should have any more convenience than the common run of people. I know that government is formed for the convenience of the people, but if we carry that to its ultimate end, you destroy the Government itself by being unable to provide the conveniences you would like to have for everybody.

Well, we abolished the mints at Deadwood and Salt Lake. We felt they had outlived their usefulness, and they are but an additional expense upon this Government without bringing in any return whatever. There are a number of others I thought could well be abolished at this time, but the majority felt otherwise and we contented ourselves with abolishing those two.

I now wish to speak briefly of another action of this committee that may be criticized by some. We have abolished or refused to appropriate for the so-called commercial attachés. They asked for $300,000. They had $165,000 in the last appropriation bill. It is not the purpose or the desire of the committee to injure in the least the Department of Commerce or its activity in extending our foreign trade. It is the purpose, I believe, of the entire committee to aid if possible in doing something to help the business men of this country in extending our foreign trade. But this thing developed before your committee: It was admitted by those representing both sides of the controversy that there is a conflict of authority between the Department of State and the Department of Commerce with reference to these commercial attachés. For all time since the beginning of the Government our foreign business relations were conducted exclusively through the State Department until after the creation of the Department of Commerce. After the creation of that department we first sent so-called commercial agents over there to represent us in looking after our business or manufactures. They went from place to place rendering the best service that they knew how. After that we created what is known as commercial commissioners. Some of them were stationary residents, some traveled about over the country doing substantially the same thing the agents did. After that there was created these commercial attachés.

There is no law for the creation of commercial attachés except the original organic act creating the Department of Commerce, and through that department they have created these commercial commissioners and these commercial agents. Now, we are continuing to have the Consular Service of this country represent the business interests of the country or the commerce of the country, and they are engaged in doing the same kind of work which the commercial attachés are doing. The commercial attaché, by reason of the fact that he thinks that his department is charged primarily with this commercial business, seeks to assert himself as the superior representative of the commercial interests of this country to the consular officer; but, on the other hand, by reason of the fact that the consular agents have been engaged in the business since the creation of this Government, the Consular Service insists upon being the superior agent. You know what that results in. It results in conflict of authority. It results in want of efficiency and it results in needless waste of expenditure. Mr. Sweet, a very intelligent gentleman, fair-minded, appearing for the Department of Com-

merce, admitted to your committee that there is a conflict there, and that it should be removed; that for the best interests of this country there should be a single authority and a single responsibility, and according to his idea it ought to be centered in the Department of Commerce. On the other hand, those who represent the other service of the United States feel that it ought to be centered in the State Department, where it has always been, and where it should continue, as the reports of these gentlemen come through the State Department and from the State Department to the Commerce Department. The commercial attachés or agents, in making their reports, which come to the State Department, sometimes copy verbatim the language in the consular report, and vice versa, showing, if you please, that there is a duplication in doing the same kind of work that ought to be avoided. Now, we propose to bring this thing to a focus.

We believe the Foreign Affairs Committee or the Commerce Committee, or both, ought to get together and evolve some plan whereby we can get the worth of our money, where there would not be this continual duplication of authority and of money expended on the part of the United States and the attendant friction inherent with this mixed responsibility. Now, we also reduced the appropriation for our commercial work in the Far East by $50,000, so far as European activities are concerned. It may be said, perhaps justly if we are wrong, that now, above all other times, should we try to extend our commercial connections on the other side. We did not reduce the appropriation so far as South America is concerned at all, because if there is a place in the world where we can sell goods to-day and hope to get our pay it is South America. If there is one place where a fertile field exists where we can profitably extend our efforts it is in South America, and it should be encouraged as far as possible. But that state of facts does not exist in the Far East and it does not exist in continental Europe. Continental Europe is bankrupt to-day. They absolutely have nothing with which to pay if they buy from us, except the money they borrow from us to pay for our own goods. Not only is that true, but by reason of the extraordinary efforts that are being made to sell to European countries, they paying for the goods with our own money loaned to them, on which they can not pay interest, we are every day mounting higher and higher the cost of living to the American people. [Applause.] And that was the reason we reduced this estimate. We made a reduction in the estimates of the War Risk Bureau of more than $5,000,000, not because we wanted to cripple the bureau.

Every man in this Congress is a friend of that institution. We have criticized its operations and it is subject to criticism yet; but we have given them all the money, and will continue to give it as long as it is necessary to carry on to the fullest its activities. Those who are in charge of the War Risk Bureau asked that an appropriation be made to the amount of a million dollars for the purpose of advertising in the magazines and in the great metropolitan newspapers of the United States. Query: Advertise what? They have nothing to sell; but the explanation was that the ex-service boys, many of them, did not even know there was such a thing as the War Risk Bureau; that most of them are ignorant of the rights they have; that many of them are not aware of the advantages that might be given them through vocational training or the compensation to which they are entitled; and that for the purpose of bringing these advantages home to them they wanted to advertise these facts through the newspapers of the country or by posting them upon billboards, and so forth. Now, Mr. Jones—and I think he is trying to do a splendid work down there—has accomplished a good deal of good, and as he becomes better informed of the necessities of the institution will be enabled to do more good. His environment has been that of a newspaper man connected with the advertising department of one of the great metropolitan magazines of this country, and he can only see the accomplishments of advertising through an advertising medium of that character.

I suggested to him, and I appeal to you if it is not reasonable, that if he wants to get this information to every one of these boys a far better way of advertising would be to take and notify the Congressman from each district of each new ruling, each new service or privilege, showing what this boy and that boy is entitled to, and the Congressman will see that it is put in every newspaper in his district and brought home to everyone who would be benefited by this knowledge. He could do more for these boys than Mr. Jones can by his kind of advertising, and it will not cost us anything. So by applying a little common sense we eliminate the $1,000,000. They also ask $2,000,000 for the purpose of collecting the premiums on insurance policies. There is a bill pending here now, known as the Wason bill, that has that very subject in its purview, and by the enactment of that or some other bill that expense will be provided for; and so it was taken out. We also took a million dollars out of his estimate for field service. We have established under another act eight war-risk agencies, or war-risk posts, in the United States. Six of these have been established. Two are not established yet—one at Minneapolis and the other at St. Louis, I believe. For the activities in only the eight institutions, but hoping to establish one in each of the cities of the Union, he asks for $1,500,000. We appropriated $500,000 for that purpose. He only expended $233,000 out of the current appropriation for the six offices already created. The appropriation that he had this year was a little over $200,000. But they have admitted that unless we create more offices $600,000 would be ample, and we believed that $500,000 would be plenty, and in consequence we limited our appropriation for that purpose to the sum of $500,000.

There are now employed in this institution, or were employed there in the month of December, about 10,000 men and women. At one time there were 17,000, and every man in this Congress knows that it was the most inefficient establishment in our entire Government; that the employees were absolutely so thick that they could not work if they had desired to do so; and that a very large per cent of them did not even desire to do so. Fortunately, the head of this institution at the close of the war secured the services of Col. Wayner, who was the official Army canner, I understand, over there. He has been doing a splendid job of canning in this establishment. He has been reducing these 17,000 until they had it down to about 10,000 in December, and the appropriation we have made of $9,000,000 for the payment of the personnel will, according to the calculation given us with reference to the wages paid, provide for an average of 7,500 clerks during the fiscal year 1921. And this, gentlemen, must reduce the number to that amount. And by doing so they will render a greater service than they have ever been rendering yet, in my opinion, even when they had 17,000 people down there.

Mr. HASTINGS. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. HASTINGS. The only way you can limit the number is by limiting the appropriation?

Mr. WOOD of Indiana. That is the only way you can do it.

Mr. HASTINGS. You have no other jurisdiction? That would be legislation on the bill?

Mr. WOOD of Indiana. We have not.

There is another provision that we put in this bill. We put a limitation on the Federal Farm Loan Board, providing that hereafter all the loans made by the Federal farm boards throughout the United States, and there are many of them, and they are constantly growing and doing splendid work, should be paid by the Federal farm loan banks themselves and should no longer be a charge in general upon the taxpayers of the United States. I am happy to say to you that this suggestion met with the approval of the Federal Farm Loan Board itself; and their officers prepared the provision that will carry this into effect.

In the Internal Revenue Department we made an appropriation that seems large. It is large, but it is the only source that brings to the Government any considerable revenue. We have added responsibilities beyond the dream of anyone in this country a few years ago. Whether we have given them enough or not is problematical. I think it is problematical even with those who are in charge of the enforcement of the new laws imposed upon the Internal Revenue Department. This department during the present year will have collected $6,000,000,000 in taxes. It is charged with greater responsibilities than ever, though perhaps they will not be able to collect as much money next year as they did last. As a consequence we not only permitted their present statutory force to remain but increased it considerably. We allowed them $4,500,000 for the two activities, the enforcement of the prohibition act and the enforcement of the narcotic act. The narcotic drug estimate submitted by them was $750,000, and it occurred to your committee that these activities could be connected up to a certain extent, and an agency in enforcing one of these laws might be used for enforcing the other. We called the attention of the commissioner to our opinion in reference to this thing, and after some consideration he said that he thought that could be done, and that they were already attempting to organize their force in accordance with the suggestion I have made. And in consequence we reduced that appropriation $250,000.

We increased the appropriation for the Patent Office because of the absolute necessity existing there. The Patent Office has had less attention paid to it in the last few years than almost any other department. When the war ceased all the ingenuity of the American people was turned toward the invention of instruments of peace rather than those of war.

The American people are the greatest inventors upon the face of the earth. They have invented more instruments and different kinds of machinery and appliances in proportion to our population than any other people upon the face of the earth. And the very necessity that confronted us when war broke upon us aroused the inventive genius of the American people as it had never been aroused before. In consequence the applications for patents coming through the department are now 115 per cent greater than they were before we got into the war, and the trade-mark registrations have increased more than 100 per cent. The income in 1918 was $1,975,728; in 1919 it was $2,418,824, and the estimate is that for this year it will far exceed this amount. And, if you please, this is one of the few self-sustaining departments of the Government. After paying all their overhead, after paying everything that they could be charged with if they were running as an independent business establishment itself, they will have a surplus this year of over $150,000; and by reason of the fact that some time ago we doubled the price of a patent from 5 to 10 cents, the amount of surplus will continue to grow greater. We think that justified us as a business proposition, letting alone the efficiency required, in making the increase.

We appropriated for the Census Office, as I believe I stated a while ago, the sum of $5,000,000. The estimate was for $6,215,000. This office had already received $17,550,000 out of their estimates for completing the work of $23,000,000, which leaves $1,500,000, which can not be used until after the close of this fiscal year and until after another Congress shall have convened, and which may then know their absolute necessities, when that appropriation will be made.

There were but two salaries of chiefs of bureaus increased by this bill. Your committee felt they were justified in increasing the salary of Dr. Putnam, at the head of the Library of Congress, $1,000. He is now getting $6,500. We have made it $7,500. The evidence disclosed the fact that there is no great library in the United States but what pays its chief more than what Dr. Putnam is paid. The cities of Brooklyn, New York, Cincinnati, and Chicago pay their librarians $10,000 a year. This is the parent library that has to do with all of them, to which all look for their guidance, and its chief has been paid only $6,500.

We have increased the salary of the Director of the Botanic Garden, who is receiving $2,400. We felt that by reason of the responsibility of that place and the excellent work done by the present incumbent his salary should be increased from $2,400 to $3,000.

We did not undertake to increase or to consider the salaries of the clerical forces in the various departments, for the reason that this Congress enacted a law appointing a commission upon reclassification. They are engaged upon that work now and their report is soon to be submitted. We felt that it would not be proper for us until we have that report to do that thing. That there is need for reclassification all will admit. We found clerks who were being paid a certain salary in one department and a clerk doing exactly the same kind of work in another department is paid another salary, and this disparity has grown up on account of the unfortunate manner of different committees making these increases and creating these offices and at the same time establishing these divergent salaries.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. MANN of Illinois. How much more time does the gentleman desire?

Mr. WOOD of Indiana. About 15 minutes.

Mr. MANN of Illinois. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended 20 minutes.

The CHAIRMAN. Unanimous consent is asked that the gentleman's time be extended 20 minutes. Is there objection?

There was no objection.

Mr. WOOD of Indiana. I wish also to call the attention of the committee to the provision in this bill with reference to the compensation of Members' clerks. We inserted the same language in this bill that already exists by reason of a resolution passed at the last Congress, providing for the sum of $3,200. This increase is subject to a point of order, but if a point of order is raised against it and sustained, I wish to apprise the committee of the condition we would be in. The only law that authorizes the expenditure of money for the Members' clerical force is a law limiting it to $1,200 a year, so that unless this provision or some other provision is made, that figure would be the limitation under the law. I thought it wise to apprise the House at this time of this fact, so that the Members might have this under consideration and prepare for it when it comes up for discussion under the five-minute rule.

We also put a provision in this bill which I know will save the Government many thousands of dollars in the course of a year, and will also save us from scandals that have occurred in times past and which may happen again. We have a different way, and these departments have a different way, in taking and calculating the traveling expenses and subsistence expenses of those connected with the Government who go about on official business. It has been abused to a considerable extent, and by reason of its want of uniformity it has occurred to the Comptroller of the Treasury that some uniform system should be adopted, so that we have prepared and inserted in this measure a limitation which is intended to cover it.

I wish to call the attention of the House to one of the incidents which prompted this legislation. The governor of Alaska entered upon a tour of alleged inspection of some character or other over the Territory of Alaska on August 5, 1918, and continued it until October 7, 1918. During that period he expended $31 in tips, giving all the way from 50 cents to $6 at a time in tips. In one case he gave the chambermaid $6 and the porter $6. In that same period of time he spent $31.60 for laundry, showing that he at least kept his clothes clean. During that same period of time he expended $13 in having his trousers pressed. His total bill, including necessary and unnecessary expenses during that period of time, was $326.22. Fifty-two dollars and fifty-two cents was denied. Now, it is just such practices as this that makes it absolutely necessary for the adoption of some sort of a provision whereby the auditing officers and the Comptroller of the Treasury might have some chance of putting a stop to the same.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. I yield.

Mr. MANN of Illinois. The gentleman proposes by the bill to cut off the opportunity for making such expenditures, but he also proposes to raise the salary of the governor of Alaska $1,000. Would it not be cheaper to let him continue to make these expenditures and keep his salary as it is?

Mr. WOOD of Indiana. The gentleman is misinformed. We did not raise his salary. We had an application to raise his salary, but we denied it. That is what we did to the governor of Alaska.

Mr. MANN of Illinois. I may be mistaken, but my recollection is that the gentleman's report says you raised it $1,000.

Mr. WOOD of Indiana. No. If the gentleman will examine the bill, he will find that we did not raise it.

Mr. MANN of Illinois. I have not examined the bill.

Mr. WOOD of Indiana. The application was refused.

Here is another practice whereby the good offices of the Government are abused and the good intentions of the law are subverted. These gentlemen who are going about over the country on official business are, under the law, entitled to be paid for their absolute and necessary expenses; but in the instance that I have called to your attention, this gentleman was not engaged in doing the business of the Territory at all. He was engaged in a political-speaking campaign from the day he started until he stopped, and he was stopped by reason of the fact that some of the citizens of Alaska sent a telegram to Mr. Lane, the Secretary of the Interior, to the effect that the governor was abusing not only the confidence which the Secretary had placed in him but was engaged in violating the law by going over the Territory making political speeches, and thus he stopped immediately after it was called to his attention by the Secretary of the Interior.

Another thing to which I wish to call attention is the subject of the bonus. We have placed in this bill a provision for a $240 bonus, with the same limitation that was placed in the last bill. We have excluded from it the police department and the fire department in the city of Washington, for the reason that during the present Congress they have had their salaries raised so that the least increase that any of them has received is very nearly twice the amount of the bonus. It would have been absolutely unfair to the other employees in the District of Columbia if this bonus had been permitted to these employees in the fire department and the police department in the District of Columbia.

We also provided that the bonus for the playground officials and employees should be paid entirely out of the funds of the District of Columbia. We further provided that the commission and the clerical force created by the law passed in 1918 creating a Minimum Wage Board in the District of Columbia should be paid entirely out of the money of the District of Columbia. I do not know how many gentlemen here remember having voted for that law, which provided for the establishment of a board which can go to every business man in this town and dictate to him the minimum wage that he shall pay to women and minors,

absolutely destroying the right of contract, absolutely violating the constitutional provision that property shall not be taken without due process of law. It was done, however, by this Congress, and it is still in existence. The employees of this board may be entitled to their bonus under the law, but we have provided that it shall be paid out of the moneys of the District of Columbia.

These are some of the more important features of this bill. I know that when you take away things which are being enjoyed by others you do not add to your popularity, but I believe at least we will receive the sympathy of a tax-suffering public in our attempt to save them a few million dollars. [Applause.]

Mr. SISSON. I should like to inquire how much time the gentleman from Indiana [Mr. WOOD] consumed?

The CHAIRMAN (Mr. LONGWORTH). The gentleman from Indiana consumed 2 hours and 10 minutes.

Mr. SISSON. Mr. Chairman and gentlemen of the House, before discussing the merits of the bill I feel I would not be doing justice to myself or to my associates on the committee if I did not make a statement to the House as to the service rendered by the chairman of the subcommittee. The gentleman from Indiana [Mr. WOOD] has, as chairman of the subcommittee, rendered to the House and to the country faithful, efficient, and able service. During the consideration of the bill it would have been extremely difficult to determine who were the Democrats and who were the Republicans on that committee.

I have been a member of this committee for some years. It is a committee which requires patience, toil, and care in making up the bills that come to it. This is true at all times. Since we got into war the labors have multiplied a hundredfold. No one not serving on this great committee can have any conception of its labors. I have helped to make up many bills in the appropriation committees, but this bill has presented more difficulties, more nagging details and complications than any bill in whose preparation I have ever been called upon to assist in making up. We had to deal with lump-sum rolls, with temporary rolls; we had to deal with rolls made up of sums of money transferred under the Overman Act from one fund to another, so that we had at least four different rolls to consider. In addition to that, many of those who were responsible for the making of the estimates had put onto the statutory roll many of the people who were on the temporary rolls, and it was necessary to trace them all up and eliminate them if we were to ever get rid of them, for once on that roll it is next to impossible to get rid of them even when the necessity for them is ended. We have sought to care for these remaining temporary positions out of lump sums, so that they can be dropped as soon as not needed. This hang over of war activities should not be permanent, but should be eliminated at the earliest day possible. If they ever get on the statutory roll, I have found that you can not blow one of them off with a stick of dynamite. The chiefs always find an excuse to keep them.

I mention these difficulties, which do not confront the committee ordinarily but which have confronted us in the framing of this bill, to give you some idea of the enormous amount of detail when you take into consideration the thousands of salaries to be considered. For these reasons I think the gentleman from Indiana [Mr. WOOD] is to be congratulated on the magnificent showing which he has made. He has been patient, painstaking, efficient, and I am sure he has exercised that legislative courage which ought to characterize every man on the floor of the House in doing what he believes to be right. [Applause.]

I also wish to say for our other colleagues on the subcommittee that they have been equally industrious, but it just happened that the burden fell largely upon the chairman of the committee, and I am sure that I am voicing the sentiment of the entire subcommittee when I make this statement publicly, because I believe it is due the gentleman from Indiana, in order that his colleagues in the House may know how faithfully he has served upon this committee. [Applause.]

Gentlemen of the committee, I do not believe it will be said that I have ever been charged with being an extravagant member of the Committee on Appropriations. On the contrary, since I have been a member of that committee I have endeavored to appropriate public funds with the same degree of care that as an attorney or administrator I would handle a trust fund, and I believe that my colleagues on the committee will also say that when I am convinced that a salary should be increased, or that money should be appropriated and paid, I have not hesitated to say so. But I also feel that everyone who has ever served with me will with equal readiness say that until convinced of the necessity of the appropriation I do not hesitate to say so. I want also to say that in so far as I have been able to observe none of my colleagues on the committee in using the snickersnee has displayed any favoritism.

The chairman of the subcommittee has so thoroughly covered the details of this bill in his very clear statement that it is not necessary for me to go into details as to the items in the bill. There were a few differences, most of them minor, and I shall not mention them. There are two or three, however, to which I will call your attention. This bill consolidates "Purchase" and "Storage and Traffic." At this time my colleague [Mr. MCANDREWS] and I thought this ought not to be consolidated, because the Army reorganization bill will become a law on the 1st of July, the time this bill goes into effect, and that bill will control. We should have waited until the committee on Military Affairs, having legislative jurisdiction, had acted. This present organization, which is now being disturbed, is the organization which Gen. Goethals perfected during the war. This department under the old organization failed to function. Chaos and confusion reigned. The two departments were then combined. Goethals separated them. They functioned. Now, to consolidate again may break up an organization which in time of war was found necessary. Gen. Goethals gave the whole matter great consideration, and was selected by the Secretary of War to relieve the situation, which at the time was alarming. Just think of the mighty task of securing the war supplies from farms and factories—that is, having them produced—and then, after production, having them assembled and distributed to the various units of the Army in America and in Europe—the greatest problem of the war. This organization accomplished this mighty feat, and I think before we break it up and go back to the old system, which failed, we should hesitate.

It is true that it is contended on one side that it will save some money. On the other hand, it is contended by the other side that it will not save a cent. The truth is that the Army officers responsible for the old organization in the Quartermaster General's office have resented the new organization, and it is a question of Army politics, a question of who has authority. So, Mr. Chairman, the minority of the subcommittee thought it best to leave this organization alone and let the reorganization bill settle the controversy, as, by the way, it will do, irrespective of what we do in this bill.

The item about which my colleague [Mr. MCANDREWS] and I differed with the majority of the committee was the abolishing of the commercial attachés and the reduction of the amount for the service of commercial agents abroad and other activities of the Secretary of Commerce.

I have never been wedded to the commercial attaché system. On the contrary I do not believe it is wise to have our commerce and our diplomacy mixed up together. I will not go into a discussion of that question; but the reason that I thought it unwise to reduce at this time the force which we had in foreign countries was that within the next 18 months, when peace treaties shall have been signed and the world shall assume a normal condition, or as nearly so as it can within that time, the governmental activities of other countries will be reaching out for foreign trade, and they will not only establish this service, but according to the testimony before our committee the other Governments, and especially the English Government, have adopted practically this form of governmental activity in extending foreign trade. Therefore, feeling that we ought not to disturb our relations, and especially in the Far East, I thought we ought to give to the Secretary of Commerce the amount carried in the current law, and I also believed that, notwithstanding the deplorable conditions in Europe, it would be wise not to disturb in any way this service in Europe at the present time.

The people of the South are especially interested. Our cotton crop must seek foreign market, not only the raw cotton but the manufactured cotton. Our American mills should be kept in close touch with conditions abroad so as to secure this trade at least on equal terms with our foreign competitors.

If America makes up her mind that she is not going to look after this character of service, in my judgment, our foreign trade is going to suffer.

The great Imperial Government of Germany was the first Government that undertook to use the Department of Commerce for the purpose of extending her trade throughout the world. It is true that England had a magnificent consulate system throughout the world, but Germany pursued the course of taking specialists, for instance, in the shoe business or the clothing business, and establishing proper financial relations in foreign nations. In addition to that she would ascertain the kind and character of goods needed in a particular nation, then would give that information to the manufacturers and have them manufacture the character of goods used in that section of the world. Then, following up that information, the German traveling man would go into all the foreign nations and sell to these nations because, first, the financial arrangements had been made, and, second, the needs and necessities of the country along these lines had been ascertained. He was after the business.

I recall a letter written by an English consul in India on one occasion back to his home office. He said:

I walked into the office this morning, took off my hat, looked on the inside, and found it was made in Germany. I walked upon a rug which was made in Germany. I hung my hat up on a costumer that was made in Germany. The pen that I write this letter with was made in Germany. I took up some stationery, upon which I am writing this letter, and if you look through and see the watermark you will find that it was made in Germany. I am writing on a table that was made in Germany; I am wearing a suit of clothes and a pair of shoes that were made in Germany; and about the only thing made in England is your consul who is writing this letter.

He was giving that as a statement of what the German commercial system had done. Secretary Redfield, in my judgment, has been a great Secretary of Commerce. It has been said by some that it would take two Treasuries to supply his demands. But he did make a great Secretary of Commerce. At this time I was unwilling that we should curtail this service that Secretary Redfield has built up. I did not ask that the appropriation be increased, but I wanted the current law, because I do want America to take her place as one of the great commercial nations of the world. And in building up that commerce I do not want it put back in our Diplomatic Service and conducted along the dollar-diplomacy route, but along the line of merit, as an arm of our commerce. I am opposed to mixing our diplomacy and business. I have many fundamental reasons for this, but I will not take the time to go into that now.

We have made an effort to reduce expenses in this bill without crippling the Government in the least. I do not believe that it is possible to make any radical reduction in expenses without hurting somebody. You may not hurt the public service, but you are going to hurt the fellow that holds the job, and it is going to take some little nerve to do it. I welcome my Republican friends into the ranks of economy. We have been preaching this doctrine for a century, and we are glad that we have converted you. In the campaign you are now making for economy I strike hands with you across the aisle and say that I will do everything in my power to help you reduce the expenses of the Government. [Applause.]

I was talking to a gentleman, whose name I will not mention, but he has served in the Cabinet with distinction and also in the Senate. He is not of my political faith. I met him a few weeks ago in a street car and we were riding down town together. He asked me how we were getting along in the House. I said "I am joining hands with the Republicans endeavoring to reduce expenditures in the Government activities; but," I said, "there is a great deal of difficulty about it." "Well," he said, "I know the difficulty that you have, because, as you know, I have served in the Cabinet and I have served in the Senate, so I know both ends of it. And let me tell you, I know of but one way to perform a surgical operation, and that is to cut, and when you cut it means blood. You will sometimes have to cut a nerve and somebody has got to suffer, but at least you ought to make the cut for the benefit of the patient; make the cut in the interest of the public service, make it for the benefit of Uncle Sam, for the benefit of the American people and the Government."

I agree with him; it takes a whole lot of courage. Ask my colleagues on the committee as to the enormous amount of pressure that is brought to bear on the committee. In addition to that, on the part of the Government comes the head of a department and says that you have done a great injustice. Now, I would not have any respect for a bureau chief that did not feel that his bureau was an important one and that if we did not give him what he asked for he would feel that he was being wronged, because it takes that kind of a spirit to make a good Government official. But you have got to exercise nerve and say no when the taxpayers are staggering under a heavy load. Another thing: When you make a cut that affects a constituent of mine, my constituent comes and tells me what a gross injustice has been done. I go to the committee and say you must not do that.

Take a man who is the head of a bureau. You cut his bureau and he goes to his Representative or to his Senator and complains that something has been cut out of his particular section of the country, say, down South. Suppose you have taken some activity away from my district, some activity from my State. I am immediately telegraphed to, and then I feel that I have got to get busy; if not, I am going to lose some votes. The result is that the interests in my section build fires behind me. These are some of the many things that you have to contend with in reducing expenses of the Government. In my country they will say, "Why don't you reduce them somewhere else?" and then the other fellow from some other place will say, "Why don't you reduce them down South?" In fact the South gets the hot end of it. These difficulties multiply when you endeavor to reduce the expenditures of Government all along the line. But let me say this: If these expenditures in Government are not reduced, if we do not exercise real courage and good judgment toward that end, mark what I tell you, the Government will continue to grow burdensome, and as the burdens of Government will grow greater and more people are covered into the salary rolls, and oppression and taxation rest more and more heavily on the masses of the people, socialism and anarchy—to my mind the most alarming tendencies of government—will rapidly increase. Not only that, but you will not find a man who believes in socialism, or who has in mind the idea that there should be a common ownership of property, who will object to any new activities on the part of the Federal Government, except those pertaining to the Army and the Navy. There is no new governmental activity that you can propose to a socialist that he will not instantly agree that he wants the Government to take charge of it, and why? Because the greater number of activities you have covered into the Government service, the more people you have who are themselves in sympathy with continuing those activities and adding others until there will be no room for private business. All will be done by the Government, which is socialism.

Gentlemen of the House, let us hasten to return to constitutional and economic government. I believe in that everlastingly sound principle of government—economy of public expense, that labor may be lightly burdened. Government should not and our own Government was not established to furnish employment for labor or to take care of labor, but was established to secure to labor what it earned and see that it had equal rights with all.

Not only that, but let us quit talking laboring classes. This is not a government of classes. Let us not create a class or classes. There ought not to be any system of commerce, any system of government, any system of organization of industrials that will bring about a laboring class and a capitalistic class. [Applause.] There ought to be no such divisions, and when you shall by arbitrary law, when you shall by any system of economics, establish an organization so that a man by such organization belongs to a particular class, because he sells only his toil, and you fix his status there by such organization, I do not care what you call him, I do not care what name you give him, you will in this Republic have established a class, which is dangerous to the Republic and, if not remedied, will destroy it. Therefore I do not want such divisions ever made in society in America. I want the boy born in poverty to know that if he is economical, if he is energetic, if he is honest, and if he will become efficient in any line of endeavor he will succeed. It is this knowledge, this hope, and this incentive that have made America the greatest nation on earth. I am unwilling that any modern organization or false doctrine shall destroy that hope in any boy's heart. [Applause.] I want it implanted in the heart of every boy able to understand, whether he be born in the hovels of a city or in a cabin of a rural district, that when he opens his eyes in this world he is opening them under a sky and in a country where he can know as he grows older that he has equal opportunities with everyone else. Let him have in his heart that everlasting principle that labor is honorable and that idleness is dishonorable.

Let it be instilled into his mind that he must become a worker and a producer in this world either with his hands or with his brains, and he shall become, by his own energy and the exercise of his own power, stronger every day, and he will be one of those who become the captains of industry, who wield influence in the communities in which they live, and who will finally direct the affairs of state. These are the men who make the great leaders of the world and have made America great. [Applause.]

I have no faith in the doctrine that every man is entitled to a living wage. Do not become startled or angry. I have voted for every measure that I could to advance the interests of labor. I do not believe in weighing the palpitating human heart in the same scales where you weigh a pound of bacon, nor am I willing to deal with labor as you deal with a mere commodity. I want to deal with labor as having a heart and a mind which can feel, something which has an entity, something which is a part of government, something that is a moving, thinking conscience. I would not let any man believe, however, that he is entitled to a living wage, for it is not true. No man is entitled as a matter of right to a living wage. He is entitled to all that he earns. He is entitled to all, by virtue of his skill and his ability, he is capable of earning. The man who can make the equivalent of 2 pairs of shoes a day ought not to have the same wage, although working to the best of his ability, as the man who makes 10, yet he may eat as much and wear as much. He is not as useful to society. I would not have that doctrine accepted in this country, because it makes for inefficiency. Why should a man become efficient if he earns no more than the inefficient?

That is the criticism that I have of our civil service in this country. I agree literally with the chairman of this committee that great reforms can be made in our civil service.

The civil service now means that he who lives under the civil service and is able to hold his position by the least amount of toil receives just as much as those who are efficient, simply because he has been in the service a certain number of years, and, therefore, is entitled to promotion or to an increase in pay. That is the wrong idea. I do not believe in that. Let us take this illustration: Suppose I had a farm and my neighbor had a farm. My neighbor gets up every morning and works hard. He builds fences, and digs ditches, and builds a nice home, and makes money, and becomes prosperous because he is energetic. I have the same sort of farm to start with, but I am not energetic and do not work as hard or as wisely. In the course of a few years my neighbor has a prosperous farm, one that pays good money, while mine does not pay. Would you say that the man who has a farm that is not well tended, the inefficient man, shall get just as much as the man with the well-worked farm? You would not believe that for a moment. The difference between the two is that the civil-service employee is attached to the pay roll of the Treasury and he gets just as much when he is a bad tenant at a desk and when he is inefficient as the man who is efficient, and I say that that is wrong.

That ought to be remedied. I do not believe that that idea ought to run through all the labor organizations throughout this country. I believe it ought to be always a question of efficiency, and efficiency ought to be rewarded. I am not justifying any capitalistic injustice. I think that a great deal of the unrest in this country may be traced largely to the selfishness and greed of mankind. I think we might with profit preach various sermons from our sacred desks occasionally from the text that "the love of money is the root of all evil." I believe that that is literally true. I believe if we studied and analyzed the evils of mankind we could trace back many of our disturbances and conditions to the love of money. In other words, the man who has a competency, who has an income more than he can expend, seems to love money greater than ever and desires it more than he did formerly. He becomes oppressive, and by using any special privileges that he may get or that come through the Government in which he lives he may simply enhance his opportunities to get more money. And so the conflict is going on as it is now between labor organizations on the one hand and capital organizations on the other.

I do not believe that that is a healthy situation for us. I think the public, what Carlyle called "the inarticulate mass, the unorganized mass," should be considered. We have a few thousand capitalists on the one hand and about 4,000,000 organized labor on the other, and here between them are 100,000,000 people standing mute, standing unorganized. They have no one to come around the committee room and appeal for them. As Carlyle said of them, they are inarticulate. They do not clamor around committee rooms, but you will find men of great capitalistic influence have their representatives here, and you will now find the labor organizations have theirs. The great public, the masses, have none. Gentlemen, that situation can not exist long, because you must do justice and equity not only as between the two but as to this third party—the people—as well. I believe the Government of the United States and the State Governments are stronger than the demands of either capital or labor, or of both combined, and capable of making both of them do right. Make both of them amenable to law. [Applause.] If you do not have this rule of law, you are either going to have some form of despotism or some form of Bolshevism.

I am nothing but an old-fashioned American; an old-fashioned Democrat, if you please. I believe in the Government and in the Constitution established by the fathers. I believe in the Government that was adhered to and upheld by George Washington. I believe in the Government that was loved and defended by Andrew Jackson. I believe in the Government that had its very origin in the principles announced by Thomas Jefferson and the Declaration of Independence, and I have no apologies to make. Under this Constitution we have grown from 13 small Colonies into the strongest and wealthiest people on earth. It has been the hope of all struggling people everywhere. Why shall we now depart from those principles? No; gentlemen of the House, it is our highest achievement when we can reestablish the Government upon those principles which for the duration of this World War were suspended. Let not these contending forces—selfish capital, on the one hand, and socialistic labor, on the other—destroy it. Each is endeavoring to use the powers of the Government for their own advantage. Let us say to both, "You shall be subject to law."

I have some uneasiness in my heart when I find a man who does not love a government by law. I believe as long as we have a government by law we should have the same rule to control all—labor and capital, rich and poor. Where you have no special privilege or special right that I do not have, where you have the same right to go into business that I have, where you have the same right to go into a profession that I have, and as long as the Government gives to each of us that right certainly it is up to each and every individual man by his own energy, by his own enterprise, by his own power to help himself. In other words, every man who lives under this flag of ours shall always have under the law equal rights. This is all any brave man wants. It is all any honest man would have. If he is not brave and honest, then he should be compelled to take nothing that the law does not give him. He should be made to do right. [Applause.]

Mr. Chairman, let us adhere to these simple truths in dealing with every cent in the Public Treasury. When men clamor for high salaries and big appropriations they are asking us, the representatives of the people, to take from those very people, who honored us with their suffrage, money for their benefit, and not because they are prompted by the common good. It is our duty to fix salaries not for the benefit of the officeholder but for the good of the people. The clamor that comes from every officer and employee of the Government for higher salaries is sad commentary upon the state of mind of this favored class. Not one of them holds his position by compulsion. On the contrary, if one of these is discharged a wail goes up, and every possible influence is used to get restored upon the rolls of the Government. There are some exceptions to the rule, and those exceptions are always found among the best and most efficient employees. The officer or employee who is in love with the work is not after the salary only but takes pride in the service and is not thinking solely of pay day. They do not hold Congressmen in contempt who do not yield to their demands. Some people seem to think that the sole and only purpose of Congress meeting is to take from the people money and turn it over to them.

If we adhere to these simple truths we should deal with money in the Treasury as the money of the people, for there is not one penny in the Treasury that Congress does not take from some citizen who earns it with his hands or with his brain, and no man has the right to come to me and ask me to appropriate money out of the Federal Treasury for private use or private benefit of any man. He ought to convince me and the other Members of Congress that that appropriation of money which he seeks is for public use, and that the prime reason for the appropriation is that it is needed for public use, and the man who draws the salary is a mere incident and instrument of public use. Therefore when I find any unnecessary activity, however old the activity and however long it has been continued, it should be abolished. It is said that Jim Sherman when elected Vice President noticed that a man brought up a snuff-box and put it on the Vice President's desk. Jim said, "What are you bringing that up to me for?" The man replied, "It has been customary to do this always," and Jim said to him, "You may draw your salary, but do not bring that box back any more." You know, in the early days every Senator had at his desk a snuffbox, and it was the duty of an employee to keep those full from the big box at the Vice President's desk. Well, the habit of taking a pinch of snuff had ceased many generations before, but on account of the job they still held on to this old custom. I am afraid that the necessity for a great many activities of the Federal Government has long since ceased, but the jobs and the salaries are still there, and therefore we should have what my friend [Mr. KAHN] was prone to call a "snooping" committee—I did not like the word very much at the time, but I have become infatuated with it—that this legislative body should have a snooping committee, not for the purpose of playing politics or doing anybody an injustice, but for the honest purpose of ascertaining what is going on, and you would find that it would render a very important service. These departments are so big and so varied, and the number of people working for the Government so numerous, that many abuses may exist for years and never be known unless Members of Congress canvass the departments regularly.

My two Republican colleagues and I went down to a certain department of the Government. The man at the head of it is in favor with all of us. There is no more magnificent gentleman in the Government. He is a man of honesty, a man of integrity, and a man of ability. But we decided we would just drop down there unheralded; and so under the leadership of our chairman, who looks more like a farmer than anybody on that committee except Mr. WASON and myself, we walked into a certain department and went through five wings. There were

15 rooms altogether, and I think in them there were 1,000 or 1,200 people. We just went in. A fellow admitted us and we walked on through and looked about. I asked in the first room I went into, "Do you have about the average number that are now in here at work?" The reply was, "Yes." I counted the desks that were vacant and looked over the space and called the attention of my colleagues to it; and we went on through four of the wings without anyone knowing who we were. I believe I make a conservative statement when I say that half of the desks did not have anybody about them, and not more than half of the space was being used, and about half of those seated at the desks were apparently doing nothing.

Finally we got into a place where they had bonds. I do not know whether they took us for burglars or not. A fellow stopped WASON as we were entering. I do not know whether he thought Mr. WASON looked more burglarious than the rest of us or not. But he stopped him and said, "You can not get in here, because we have valuables." WASON, who had been suddenly stopped by this gentleman, said politely to that august personage with the uniform on, "We are Members of Congress." He said, "I beg your pardon," and turned him loose. We went out into the hall and our man in uniform disappeared. That department contained the busiest bunch of people you ever saw. They all seemed busy. Why such a difference? The chief was perhaps more strict.

I tell you that little story in order that you may know that there is exactly what my friend from Indiana [Mr. WOOD] calls loafing in these departments. It is not due to any fault of any Democrat either, because a majority of these bureau chiefs are Republicans, and have been here since I have been in Congress, and Mr. Taft was President when I was first elected to Congress. They are not confined to any party. You will find most of the chief clerks and bureau chiefs have been there for years. They are good fellows; but it is the system that is wrong. I do not blame these people. Congress is to blame. The system is all wrong. You may discharge all of these people and put in new ones, and in a few years the same condition will prevail. The Cabinet officers could do something, but if they do they are held up to severe criticism and even censure. One of our Cabinet officers has done his duty, but he is now the target for all sorts of unjust criticism. Even Congressmen and Senators engage in the crusade.

We passed through this House a few years ago a bill which provided that an efficiency rating should be kept, and if after five years' service they did not make a certain percentage they would automatically go out of the service, but if they made a certain rating they would be automatically advanced. Do you know what happened? The bill passed the House and the Senate, but the employees themselves got the bill vetoed. In other words, an efficient employee would welcome that sort of a proposition, because he is bound to be advanced, and advanced materially, in salary. But the inefficient did not want it, because if they fell below a certain standard of efficiency they would be automatically dropped. Therefore the conclusive proof must be that inefficiency prevails, because if the majority of the employees under the civil service had known that they could render efficient service they would have favored the bill.

Now, if you Republicans want to economize you might just as well get busy, gentlemen. I tell you what I want done, too. When the next Democratic House comes in, which will be at the expiration of this Congress, I want you Republicans to be as courageous as you gentlemen have been up to date during this session in reducing expenses. It is easy to reduce expenses when the other fellow is President and his crowd is in power, but not when your crowd is in power. My Republican friends never before stood for economy.

Mr. MADDEN. What difference does it make who is President? We are the representatives of the people of the United States, and we ought to represent them with courage and fidelity.

Mr. SISSON. I agree with my friend exactly. But the great trouble is that I found it a very much easier matter for me to get up and raise sand with Mr. Taft and his administration than it is to raise sand now. I believe the gentleman from Illinois finds the same thing.

Mr. MADDEN. Will the gentleman yield further?

Mr. SISSON. Yes.

Mr. MADDEN. The gentleman from Mississippi knows that it never made any difference to me who was in.

Mr. SISSON. I believe my friend is an exception to the rule, and I hope I am. I do not believe that my friend has any more of that kind of courage than I have.

Mr. MADDEN. I will give the gentleman credit for being one of the most courageous and economical Members of Congress who has served here during my time.

Mr. SISSON. I appreciate what my friend says very much. I am going to make this confession, that it was much easier for me to jump on the Taft administration than it is for me to jump on the Wilson administration.

Mr. MANN of Illinois. And safer. [Laughter.]

Mr. SISSON. Safer, with my constituents back home; that is true. In other words, I have had a good many gentlemen who have run against me for Congress make the charge that I was not standing by the President. That is not a charge you like to have laid at your door.

But, my friends, I am going too far afield. However, I would like to do this: I want my good friends on the Republican side, when we Democrats come in next time, to continue to advocate economy. Do not quit as soon as the election is over. It has been a tenet of the Democratic Party from its birth to be economical, and, although we may elect by an overwhelming majority a Democratic President and a Democratic House and Senate, I want you to help us get the Government down to bedrock and help run it economically, as our party has pledged the people in the past it would do.

The present high expenses are due to the war and should not be a matter of partisan politics. When the United States is in trouble Brother TILSON, of Connecticut, and I are of one mind. Not only that, if I knew that by waiting 30 days or 60 days I could buy for $1,000 $10,000 worth of stuff that Pershing said "I need right now," do you suppose I would hesitate one minute? I would buy the stuff right now, at whatever cost, and send it to him, because if he needed it for the purpose of defending the line and preserving the lives of our boys, no Member of Congress would hesitate to give it to him, and Republicans and Democrats have always acted together.

War is willful waste. War is anything on earth but economy. War is destructive of all those things that make civilization safe in time of peace. Those rules which prevail in time of war would render intolerable the condition of the people in time of peace, and rules of war are one thing, and, thank God, the rules of peace are another.

Now, if we have gotten back—and I hope we have—to the rule of peace, let us get back to that economical side where the people back home can say, "Those people that we have at Washington are economically administering this Government," and then they will have confidence in you. Right at this hour there are many people who know we have a Federal Government who did not know it, except intellectually, before, but they are feeling it now, and when a man goes down in his jeans and pulls out three or four times as much tax as he paid heretofore, he knows it, and he complains. And if no other good results from this high taxation, I trust that it will teach the people back home that it does cost something to run this Government.

Now, I want to call your attention to only one or two other items and then I shall close. Reference has been made to The Adjutant General's Office. I think it is fair to say of The Adjutant General—fair to say of Gen. Harris—that no Adjutant General in the history of the Government has ever had imposed on him the problem which confronted Gen. Harris. He had to deal with 4,500,000 boys from all sections of the country. These rolls have to be made up; they must be accurate. They are the basis for the payment of insurance. They are the basis for any future pensions. They become a part of the history of the individual soldiers, and the United States owes it to each and every boy that there shall be no error; that there shall be no mistake in his name or in his record. He is entitled to have that correctly recorded.

Now, in addition to this enormous burden that he had, it was thrown on him practically at one time. I believe that everybody connected with that department will say that Gen. Harris, notwithstanding these complicated difficulties were thrown upon him, himself worked out a very much better system than had been worked out previously. As the testimony shows, Gen. Harris welcomed the Bureau of Efficiency in his department, and in the majority of cases he adopted the regulations which that department suggested to him.

There was a difference as to the amount of money that could be saved in adopting one of their recommendations, and I believe he declined to do that, but after coming before the committee, and after we had them together, Gen. Harris agreed to let the Bureau of Efficiency go through his department again. It is fair also to say that there was some little controversy between one member of the Efficiency Board and Gen. Harris, and they had a few words. But he said he was glad to have the members of the bureau there, that they were agreeable gentlemen, and he mentioned Mr. Brown by name. His difference was with another member of the commission.

The results show that Gen. Harris has worked a great economy, in that the method which he adopted cost the Government

infinitely less money than it would have cost if he had not himself adopted new methods of economy and accepted the methods of the Bureau of Efficiency. I think it is fair to say that much respecting Gen. Harris.

I have already discussed the commercial attachés. I want to say one word with reference to the War Risk Bureau. I admit that there have been many mistakes, but when we take into consideration the fact that this is to-day the greatest insurance company in the world, that this insurance company has more names on its rolls than any other insurance company in the world, and that while other insurance companies have built up their business gradually and their growth has been by week and week and from month to month and from year to year, this was all thrown on it at once. There have been several changes in the management there, whether wisely or unwisely need not be discussed. The complaint was pretty great, and they have had, as I recall, three different men in charge of it.

Now, I do believe, and I agree with the chairman, that the present head of that department is an efficient man. I also agree with the chairman in the belief that he asked too much for publicity. As a matter of fact I did not think he needed any of that money for publicity. But it is fair to say that in my judgment this department is in better condition now—infinitely better condition—than it has ever been in before, and I believe that they are working out many of the tangles that they have been in in the past. It is a job which no man on earth wants. It is a job which no man in the world would willingly tackle, considering the confusion in which the department was. It is a job that has to be pushed onto somebody, and I think it ought to be said that they are doing much better service than could have been expected under all the circumstances. That is my judgment.

I do not know of a department or business where the whole earth, nearly, was thrown onto them in a jumble, where they had to build from the ground up, had to guess at the number of employees they should have. And it was nothing but a guess, and it is nothing but a guess even now, as to how many employees there are that are going to be dropped. But after it shall have been thoroughly developed, I believe that the present management will make a success of their work; that is, if they do as they have said to us in the hearings that they will do, that they will be glad to make report to us as to the number of people they have dropped; and it is fair to the committee to say that while we have made considerable cuts in the estimates, yet the cuts have been made along the line where those in charge of the work said the cuts would do the least harm, because there was not a single member of the committee who wanted to do this bureau any injustice at all.

In my judgment, after the whole field has been surveyed, I do not believe we have done injustice to a single department of the Government, unless you agree with me as to the Department of Commerce. If there has been any fault on our part, it has been, perhaps, that we have not cut some of the departments that might have been cut. But in those cuts that have been made we exercised the very best judgment we could; and in view of the condition of the Treasury, in view of the platform pledges of my party, in view of the pledges which you gentlemen are making and the statements which you are making, I believe that Congress could not do less than to show the people that we were making an effort to reduce the burdens of the taxpayers, that we were making an effort to make the burdens of the Government as light as possible; and in the future it is our duty to continue this until we shall be able to say to our constituents at home that we have brought this Government down to where the expenses are as light as it is possible to make them, and it is the duty of every Member of Congress to work to that end.

In conclusion, gentlemen, let me say that I feel that if Congress can get itself thoroughly committed to the idea that we are going to know what we are doing in the future, as nearly as possible, we are going to be a right busy bunch. The things we find out in these departments are always where somebody imagines that some harm has been done him. I will ask some of the older Members of Congress, Have you ever had any people come to you in the interest of the public service unless they themselves were affected? In other words, human beings in the departments are constituted like persons on the outside. They have the same motives, the same aims, the same ambitions. Their human nature is such that when a man wants a raise in salary he goes to the Congressman from his district and portrays how much too little he gets. If a bureau chief is hurt, he also goes to his friends. The result is that the extravagant side of the Government has thousands of tongues to plead for it, but economy and the interests of the masses of the people never have anybody to plead for them. So I say let every Member of Congress constitute himself a committee of one to look after governmental expenditures.

It will not only make you better men and better Congressmen but it will make you very much busier men. You will be criticized. A man never attained to heights of fame unless he had a difficult path to tread. If it were easy to be great, everybody would be great. The trouble about it is that the pathway is strewn with stones. It has precipices and thorns. There are heights to climb, and it takes a man of courageous brain and heart and determination to succeed. So it takes men of courage and determination to face the frowns of those people who would use the Public Treasury for their benefit. It takes a man of courage to say no to his constituents who want to see the powers of the Federal Government used in their own interest. Yet when he can put his hand on his heart and say courageously, "I shall not lose my intellectual integrity, but I shall think and act for the benefit of the American people under my oath of office," then he will be true to himself—

> And it shall follow as the night the day
> Thou canst not then be false to any man.

With this as our motto and our determination we would be able to reduce governmental expenditures, in my judgment, not only the 33⅓ per cent that Senator Aldrich said they could be reduced but I believe they could be reduced 50 per cent, and at the same time increase the salary of nearly everybody connected with the Government service, and have a better and more efficient Government service, and have a better and more efficient Government than we have to-day, for one-half of what we are now expending. [Applause.]

In view of the fact that the election is coming on, let us not endeavor to make any record for the benefit of the next election. I have not observed in my colleagues of the majority any disposition to cut these appropriations down to such a point as that they knew that there would have to be a deficiency appropriation in December. Therefore in the cuts we make we ought to try to make them wisely, but let us not play politics. There has been no politics in your committee, and for God's sake let us have none on this floor. Let us vote honestly for the Government's needs, and let us vote honestly to cut out that which the Government does not need, and take care of the needs of the people. [Applause.]

Mr. MADDEN. Will the gentleman yield?

Mr. SISSON. I do.

Mr. MADDEN. Has the committee found any difficulty in getting the cooperation of bureau chiefs in its efforts to reduce expenditures in the various bureaus?

Mr. SISSON. That is just as varied as human nature. As a rule, the bureau chiefs come before the committee with the determination to justify their appropriations. In some rare instances, like you find rare instances among men, they will tell you frankly that if you do not want this activity such and such a thing can be done. But to use an expression that is used a great deal in the Army service, "by and large," you get no help from the bureau chiefs.

Mr. MADDEN. So that, as a matter of fact, whatever reductions are made in the expenses have got to be made blindly?

Mr. SISSON. Not blindly, but without seeing perfectly. There is a little haze over your eyes when you do it; and there is this much about it—you know that every time you cut, while you make one bad cut in a hundred, the other ninety-nine have been good slashes, and ninety-nine out of a hundred does pretty well.

Mr. MADDEN. I think it is wise, then, for the committee to keep the scales of justice over their eyes and cut and cut.

Mr. SISSON. We have been doing that pretty well. Now, I have said to my friends privately—and I want to say it now publicly—if you will give me the chief clerks and the bureau chiefs in the Government, you may take the Cabinet officers and the President and I will run the Government. I may not dictate a little piece of legislation up here on the hill, but I will get out the estimates with my chief clerks and my bureau chiefs, and I will so shape things that you have either got to take a club and destroy my department or I will get what I want.

Now, you talk about the civil service. This is holy and sacred ground now. I like to use the other word that some of my friends sometimes use——

Mr. MADDEN. Sacrilege!

Mr. SISSON. Yes; it would be sacrilege, but I do not care whether Republicans or Democrats are in power, the man in a position to determine policies and to exercise discretion in regard to the conduct of affairs ought not to be under the civil service. I agree literally with Andrew Jackson. When you investigate the record you will find that he turned out fewer men in numbers than the men before him and the men after him,

but here is what he did. He turned out the men in the high places, the men who shaped policies, the men who exercised discretion. And President Jackson said "That is the will of the people, because they have elected me to have a Democratic administration, and I can not be a good Democratic general if I have got Whig officers all around me."

Mr. MADDEN. Will the gentleman answer me a question? I am not going to get into any controversy about the civil service, but I would like to ask this question: Is there any man in Government service, inducted into that service under civil service rules, who can not be dismissed if the position that he occupies is abolished by the Congress refusing to appropriate?

Mr. SISSON. I think unquestionably you can refuse to appropriate.

Mr. MADDEN. That is the way to do it.

Mr. SISSON. If the gentleman will stand up with us and vote with us, we will lead him in paths of economy.

Mr. MADDEN. I think you ought to cut a little more.

Mr. SISSON. We did not want to be too radical. I would let the civil service apply religiously to everybody that performs clerical services, but every man who has got a job where he exercises Republican or Democratic discretion I would not permit to hold office if I were President of the United States.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WOOD of Indiana. Mr. Chairman, I ask that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. SISSON. Certainly.

Mr. MANN of Illinois. So that there may not be any misunderstanding, and I am free to say that I may have misunderstood the gentleman's last remark, does the gentleman from Mississippi believe that the heads of the bureaus ought to be changed every time there is a change in the national administration?

Mr. SISSON. I do. I think there can be no misunderstanding about that.

Mr. MANN of Illinois. That is plain enough, but the Government would be in a turmoil because the heads of the bureau or the division would not know anything about the departments. It takes him four years to learn, and at the end of that time he would be turned out.

Mr. SISSON. If a bureau chief dies to-day some fellow steps in and takes his place to-morrow and there is not a ripple on the surface. I believe that if lightning to-morrow should strike the bureau chiefs and the chief clerks you would find in every one of these departments somebody who would take their places, and if I were a Democratic President you can bet your bottom dollar he would be a Democrat, or if I were a Republican President he would be a Republican.

Mr. MANN of Illinois. Oh, yes; but that is not the way political appointments are made; they are not made from the inside, they are made from the outside. That was what was done in the old days, and it was the most extravagant Government that ever was conducted.

Mr. SISSON. There has not anything happened except gross extravagance and great inefficiency since the civil service has been established.

Mr. MANN of Illinois. After all, the gentleman will admit that up to the time of the commencement of the war the number of the Government employees in Washington had never increased in comparison with the increase of the expenditures of the Government.

Mr. SISSON. I think that is true.

Mr. MANN of Illinois. And that was because of the civil-service law.

Mr. SISSON. I will tell the gentleman what I think—if you take the expenses prior to the Civil War and the expenses for the last 25 or 30 years, I think the expenses have increased in the last 25 or 30 years with more rapidity than before.

Mr. MANN of Illinois. The expenses of the Government; oh, yes; but not the clerical force in Washington.

Mr. SISSON. I have not made a comparison, but I know that the departments were conducted 25 years ago on an infinitely less proportion to the amount of money than they expend now dollar for dollar.

Mr. MADDEN. So the increased cost to the Government is the systematic development of extravagance.

Mr. SISSON. That is the size of it. I have analyzed it the best I could; take the members of the Appropriation Committee that have to deal with the pay rolls and you will find that that is the universal opinion of all of them.

Now, Mr. Chairman and gentlemen of the committee, I did not mean to consume an hour's time, but I thank you gentlemen for your kind attention. [Applause.]

Mr. WOOD of Indiana. I would like to see, Mr. Chairman, if we can not agree on closing general debate.

Mr. SISSON. I have consumed an hour and 5 minutes. The gentleman from Indiana consumed 2 hours and 10 minutes. That leaves me 1 hour and 5 minutes to my credit. I think we can get along if I have 50 minutes in addition to that.

Mr. WOOD of Indiana. I have a request for two hours more on this side.

Mr. SISSON. I am sure that two hours will be all that we need, and I will be very glad to agree on two hours for general debate.

Mr. GARNER. You can not close general debate in committee.

Mr. SISSON. No; but we can come to some understanding.

Mr. WOOD of Indiana. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12610, the legislative, executive, and judicial appropriation bill, and had come to no resolution thereon.

Mr. WOOD of Indiana. Mr. Speaker, may I ask the gentleman from Mississippi how much time he thinks is necessary yet upon his side?

Mr. SISSON. Mr. Speaker, before the committee rose I suggested 2 hours to the gentleman, but since that time I have had a request for 20 minutes more. That makes 2 hours and 20 minutes on this side.

Mr. WOOD of Indiana. I have had requests for additional time. I have requests for 2 hours and 30 minutes, unless I can get some of these gentlemen to reduce their time.

Mr. SISSON. If anyone on this side of the House should want to address the House, I should like to have as much time as is consumed by the gentlemen on the Republican side.

Mr. WOOD of Indiana. Suppose we agree on 4 hours and 30 minutes—2 hours and 20 minutes to be used by the gentleman and 2 hours and 10 minutes on this side.

Mr. SISSON. As a matter of fact the gentleman from Indiana has consumed one hour and five minutes more than has been consumed by this side already. I would like to have this side have as much time as the other. If gentlemen on this side of the House should want to speak for a few minutes under general debate, I would like to be in a position to accommodate them. I do not ask any more time than is consumed on the other side.

Mr. MONDELL. Mr. Speaker, will the gentleman yield to me for a moment?

Mr. WOOD of Indiana. Yes.

Mr. MONDELL. We have already consumed a day, or will have when we adjourn, in general debate on this bill. We ought not to consume another day in general debate upon the bill.

Mr. SISSON. We are not asking for as much time as the Republicans have had.

Mr. MONDELL. I think there is no question but that gentlemen on the Democratic side are entitled to as much time as is used on this side. I am not disputing that. I think we should try to cut down the time on this side. I have asked for 30 minutes myself, but I am willing to forego all of that time. We must get on with these appropriation bills. I do not think it will do to spend two days on one bill.

Mr. WOOD of Indiana. I have had requests on this side for 2 hours and 48 minutes.

Mr. MONDELL. That includes the 30 minutes the gentleman agreed to give me?

Mr. WOOD of Indiana. Yes.

Mr. MONDELL. Then take out the 30 minutes.

Mr. WOOD of Indiana. That would leave us 2 hours and 18 minutes.

Mr. SISSON. Mr. Speaker, if the gentleman wants 2 hours and 18 minutes in addition to what he has already used, if he will give us the same time on this side, it will be agreeable to me.

Mr. WOOD of Indiana. I have no objection to giving the same length of time.

Mr. MONDELL. Can we not cut that down and make it two hours on a side?

Mr. GARNER. Mr. Speaker, if the gentleman will yield, the only question in which the House is interested is that of taking up nine hours of general debate upon this bill. It might be that if we should wait 15 minutes longer and ring the bells we would

have requests for 20 hours' debate by other Members who might come in. If gentlemen yield to all requests for time, there will be no end to general debate upon the bill. It occurs to me that six hours of general debate on this bill is more than the usual amount.

Mr. MONDELL. Mr. Speaker, if the gentleman will yield further, I made a statement the other day that I thought we should not consume over a day in general debate on any bill. I am still of that opinion. At the time this bill came in I understood there was very little request for time. I realize that the time taken by the chairman of the subcommittee and by the ranking member of the subcommittee has been well spent in explanation of the bill, which has been splendidly prepared under their guidance. It does seem to me, however, that other gentlemen may very well for the time being forego the pleasure of addressing the House at length.

Mr. MORGAN. Mr. Speaker, reserving the right to object, there is one provision in this bill that is very important and which I would like to discuss for 30 minutes.

Mr. MONDELL. Why can not the gentleman discuss the bill under the five-minute rule?

Mr. MORGAN. Because there is not the time. There is a provision here for assessing the Federal land banks $300,000. That means assessing the borrowers, entirely changing the law. I would like to have 30 minutes to defend here what I think is the right of the borrowers under these land banks.

Mr. WOOD of Indiana. I do not think, in view of the fact that the Federal land banks themselves are entirely in accord with the committee, that it would require more than 15 minutes' debate——

Mr. MORGAN. I am not speaking in behalf of the office-holders in Washington but I am speaking in behalf of the borrowers who have to pay these expenses, and I think we are entitled to at least 30 minutes.

Mr. MADDEN. Mr. Speaker, regular order.

Mr. GARNER. Will the gentleman yield for a suggestion?

Mr. WOOD of Indiana. Yes.

Mr. GARNER. I understand the gentleman from Mississippi is perfectly willing to take the same amount of time in general debate on this bill that is taken on that side. Now fix your own time. The responsibility is on you as to how much time you are going to take on this bill. If you decide to take four hours, very well and good; if you agree to six or eight hours, why, very well; but the responsibility is upon you gentlemen in reference to fixing the time.

Mr. SISSON. I will state to the gentleman from Indiana that we now have an hour and five minutes to our credit. Now, if we get an hour and 15 minutes in addition to that, it takes up all of the requests for time that I have. Now, if that will be satisfactory——

Mr. WOOD of Indiana. That is entirely satisfactory to me. I think we ought to confine debate over on this side. I have requests for additional time for 2 hours and 25 minutes, and I think I am satisfied——

Mr. MADDEN. Mr. Speaker, reserving the right to object——

Mr. MONDELL. I do not think there should be any necessity for four and a half hours additional debate on this bill. We are reaching a point on the program where we can scarcely afford to spend two days in debate on a general appropriation bill.

Mr. SISSON. What are you going to take up next? You have no other appropriation bill ready?

Mr. MONDELL. We will have a bill ready before this is disposed of, and the railroad bill comes up on Saturday.

Mr. WOOD of Indiana. I understood the gentleman from Mississippi to say that he would be content to have as much time used on that side as has been used on this.

Mr. SISSON. No; I mean the entire time, and I say I have requests for 2 hours and 20 minutes. I am willing to take just as much time as the gentleman takes on that side. I have an hour and five minutes to my credit, and the gentleman can close debate, and I will apportion an hour and five minutes over here.

Mr. MADDEN. If there is going to be any prolonged debate, I am going to object to it, unless the committee is willing to stay here until 7 o'clock to-night and have part of the debate to-night.

Mr. WOOD of Indiana. As far as I am concerned, I will willing to stay here all night.

Mr. SISSON. I have no objection.

Mr. WOOD of Indiana. Let me see if I understand this, Mr. Speaker.

Mr. SISSON. I have consumed an hour and five minutes and the gentleman has consumed 2 hours and 15 minutes.

Mr. WOOD of Indiana. Two hours and 10 minutes.

Mr. SISSON. Now I have requests for 2 hours and 20 minutes.

Mr. GARNER. But the gentleman is willing to cut it down?

Mr. WOOD of Indiana. Our requests on this side are for 2 hours and 25 minutes additional time.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DENISON, for the day, on account of illness.

To Mr. HUDSPETH, indefinitely, on account of important business.

To Mr. RAKER, for one day, on account of illness.

ORDER OF BUSINESS.

The SPEAKER. Does the gentleman from Indiana submit a request?

Mr. WOOD of Indiana. I am trying to agree upon the proposition to give an hour and a half for this side in addition to what we have.

Mr. SISSON. That would be two and a half hours. I have requests for 2 hours and 20 minutes, and of course the gentleman will give us just as much time as you take over there.

Mr. BYRNS of Tennessee. That has been the procedure always followed, that the same amount of time was granted to each side.

Mr. GARNER. I have never known an agreement to be made between two sides where the time is not equally divided.

Mr. SISSON. There is no misunderstanding about that.

Mr. WOOD of Indiana. In round figures, then, we have an hour and a half on our side and you have two hours and a half on your side?

Mr. SISSON. That is all right.

Mr. WOOD of Indiana. Mr. Speaker, I ask unanimous consent that the time be divided between the two sides, one hour and a half on this side and two hours and a half on the other side, the time on this side to be controlled by myself and the time on the other side to be controlled by the gentleman from Mississippi [Mr. SISSON].

The SPEAKER. The gentleman from Indiana asks unanimous consent that the time be divided, one hour and a half to his side, to be controlled by himself, and two hours and a half on the other side, to be controlled by the gentleman from Mississippi [Mr. SISSON]. Is there any arrangement about sitting to-night to go with it?

Mr. WOOD of Indiana. To sit until 7, and begin at 11 to-morrow.

The SPEAKER. To sit until 7 o'clock to-night and meet at 11 o'clock to-morrow. Is there objection?

Mr. WALSH. I object.

The SPEAKER. Is there objection to the first request?

Mr. MORGAN. Reserving the right to object, I do not want to be contentious or interfere in any way, but I think that subject is entitled to 30 minutes of discussion. It is in the bill, and it is very important, and I think the gentleman ought to concede me that much time.

Mr. WOOD of Indiana. I would be willing to concede it, but a number of other gentlemen will have to give up their time entirely; and I will say to the gentleman that ample opportunity will be given under the five-minute rule. So I do not think it will be neglected or slighted in the least.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. NOLAN. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from California makes the point of no quorum.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns this evening it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. Does the gentleman from California withdraw the point of no quorum?

Mr. NOLAN. I will withhold it long enough to permit the unanimous-consent request to be submitted.

The SPEAKER. The gentleman from Wyoming [Mr. MONDELL] asks unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow.

Mr. GARD. Mr. Speaker, I object.

Mr. NOLAN. Mr. Speaker, I make the point of no quorum.

ADJOURNMENT.

Mr. WOOD of Indiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p. m.) the House adjourned until to-morrow, Friday, February 20, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriation required by the Department of Justice for expenses of United States courts and miscellaneous expenses of the department, fiscal years 1919 and 1920 (H. Doc. No. 655); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Navy, transmitting transcript of proposed legislation for the relief of certain disbursing officers of the Navy and Marine Corps; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. LEHLBACH, from the Committee on Reform in the Civil Service, to which was referred the bill (H. R. 12607) to amend an act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes," approved July 11, 1919, to include members of the Regular Army Reserve and the Naval Reserve Force in the civil service preference therein provided, reported the same without amendment, accompanied by a report (No. 659), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GREENE of Massachusetts, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 3451) authorizing and directing the United States Shipping Board to adjust and pay the claims of wooden-ship builders arising out of the prosecution of the war, and for other purposes, reported the same with amendments, accompanied by a report (No. 660), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LEHLBACH, from the Committee on Reform in the Civil Service, to which was referred the bill (H. R. 12608) providing for the employment by the United States Government of disabled soldiers and sailors of the United States and prescribing the preference to be extended to them in filling clerical and other vacancies, reported the same without amendment, accompanied by a report (No. 661), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 495) for the relief of Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., and of the Philadelphia & Reading Coal & Iron Co., reported the same without amendment, accompanied by a report (No. 654), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 2300) for the relief of the estate of Henry A. V. Post, reported the same without amendment, accompanied by a report (No. 655), which said bill and report were referred to the Private Calendar.

Mr. BABKA, from the Committee on Claims, to which was referred the bill (H. R. 9629) for the relief of the Merritt & Chapman Derrick & Wrecking Co., reported the same with amendments, accompanied by a report (No. 656), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 11572) for the relief of the John E. Moore Co., reported the same without amendment, accompanied by a report (No. 657), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12281) for the relief of the William Gordon Corporation, reported the same without amendment, accompanied by a report (No. 658), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 12354) granting a pension to George W. Brown and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEAGALL: A bill (H. R. 12628) to provide for the entrance into the civil service of veterans of the war with Germany; to the Committee on Reform in the Civil Service.

By Mr. MADDEN: A bill (H. R. 12629) to define the meaning of "inability" as used in Article II, section 1, clause 5, of the Constitution; to the Committee on the Judiciary.

By Mr. OSBORNE: A bill (H. R. 12630) to amend subdivision b of section 213 of the revenue act of 1918; to the Committee on Ways and Means.

By Mr. WHEELER: A bill (H. R. 12631) restricting the sale of tickets and number of admissions to theaters, and for other purposes; to the Committee on the District of Columbia.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 12632) establishing the salary of bailiffs and criers in certain United States courts at $125 per month; to the Committee on the Judiciary.

By Mr. VOLSTEAD: A bill (H. R. 12633) to amend an act entitled "An act to diminish the expense of proceedings on appeal and writ of error or of certiorari," approved February 13, 1911; to the Committee on the Judiciary.

By Mr. TILSON: Joint resolution (H. J. Res. 299) extending the life of the National Screw Thread Commission for a period of two years from March 21, 1920; to the Committee on Coinage, Weights, and Measures.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACHARACH: A bill (H. R. 12634) for the relief of Wilhelm Alexanderson; to the Committee on Claims.

By Mr. BLAND of Indiana: A bill (H. R. 12635) granting an increase of pension to Robert McNaught; to the Committee on Invalid Pensions.

By Mr. JOHNSTON of New York: A bill (H. R. 12636) for the relief of Mrs. Pasquale Nicolleti; to the Committee on War Claims.

Also, a bill (H. R. 12637) for the relief of John E. Russell; to the Committee on War Claims.

By Mr. KIESS: A bill (H. R. 12638) granting a pension to Cyrus J. Wilsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12639) granting a pension to Jonathan W. Watts; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 12640) granting an increase of pension to James M. Wilson; to the Committee on Pensions.

By Mr. O'CONNELL: A bill (H. R. 12641) for the relief of Henry Schmidt; to the Committee on Claims.

By Mr. RAINEY of Alabama: A bill (H. R. 12642) granting a pension to Hallie N. Day; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12643) granting a pension to Moses Cunningham; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 12644) granting a pension to Emma Lucinda Davidson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1686. By Mr. DALLINGER: Petition of City Council of Boston, Mass., asking for an embargo on exportation of coal; to the Committee on Interstate and Foreign Commerce.

1687. By Mr. DICKINSON of Missouri: Petition of seven citizens of the sixth district of Missouri, urging the passage of House bill 1112; to the Committee on the Judiciary.

1688. By Mr. ESCH: Petition of the Idaho Cattle and Horse Growers' Association, favoring the extension of the boundary lines of the national forests, etc.; to the Committee on Agriculture.

1689. Also, petition of the National Wholesale Druggists' Association, relative to increase in rates for second-class mail, etc.; to the Committee on the Post Office and Post Roads.

1690. Also, petition of the Southwestern Millers' League, relative to the Shipping Board, etc.; to the Committee on the Merchant Marine and Fisheries.

1691. By Mr. FULLER of Illinois: Petition of citizens of La Salle, Peru, Ottawa, Streator, Utica, and Sandwich, Ill., opposing the sale of the former German ships; to the Committee on the Merchant Marine and Fisheries.

1692. Also, petition of the United Parlor, Native Sons of the Golden West, of San Francisco, Calif., relative to the Phelan amendment; to the Committee on Immigration and Naturalization.

1693. Also, petition of the Central Council Committee, small-arms section, Rock Island Arsenal, relative to the manufacture of rifles at the Rock Island plant; to the Committee on Military Affairs.

1694. By Mr. GALLIVAN: Petition of various citizens of Massachusetts, opposing the sale of the 30 former German ships, etc.; to the Committee on the Merchant Marine and Fisheries.

1695. Also, petition of the city council of the city of Boston, Mass., relative to embargo on coal, etc.; to the Committee on Interstate and Foreign Commerce.

1696. By Mr. GOLDFOGLE: Petition of Frank Lanterboon, 67 Columbia Street; Marx M. Friesner, 242 East Broadway; Leo Hirsch, 217½ Seventh Street; Sam Lieb, 568 Grand Street; Irving Lichterman, 7 Pitt Street; A. J. Brenenstork; Miss Sarah Brenenstork; Sam Brenenstork, 403 East Houston Street, all in the city of New York, protesting against the proposed sale of former German ships; to the Committee on the Merchant Marine and Fisheries.

1697. By Mr. KENNEDY of Rhode Island: Petitions of 32 citizens of the third Rhode Island congressional district, protesting against the sale of the former German ships; to the Committee on the Merchant Marine and Fisheries.

1698. By Mr. LINTHICUM: Petition of the Board of Trade of Baltimore, Md., favoring the Esch-Cummins railroad bill; to the Committee on Interstate and Foreign Commerce.

1699. Also, petition of the Egerton Bros., of Baltimore, Md., against the Gronna bill; to the Committee on Agriculture.

1700. Also, petition of the adjutant general of the State of Maryland, relative to House bill 10835; to the Committee on Military Affairs.

1701. Also, petition of the National Exchange Bank of Baltimore, Md., relative to House bill 12379; to the Committee on Banking and Currency.

1702. Also, petition of Winford H. Smith, superintendent of the Johns Hopkins Hospital, and Edward A. Robinson, of Baltimore, Md., favoring universal military training; to the Committee on Military Affairs.

1703. Also, petition of the Real Estate Board of Baltimore, Md., the Provident Savings Bank, and the E. E. Jackson Lumber Co., all of Baltimore, Md., favoring the Esch-Cummins railroad legislation, etc.; to the Committee on Interstate and Foreign Commerce.

1704. Also, petition of Mr. Bernard Maier and other citizens, of Baltimore, Md., opposing the sale of the former German ships, etc.; to the Committee on the Merchant Marine and Fisheries.

1705. Also, petition of the Maryland State Association of Graduate Nurses, of Baltimore, Md., relative to the Army reorganization bill, etc.; to the Committee on Military Affairs.

1706. Also, petition of Ed Winslow Gillian, of Baltimore, Md., opposing the universal military training, etc.; to the Committee on Military Affairs.

1707. By Mr. MANN of Illinois: Petition of F. I. Mann, auditor of the Illinois Farmers' Institute, favoring nitrogen project at Muscle Shoals, Ala.; to the Committee on Expenditures in the War Department.

1708. By Mr. NEWTON of Minnesota: Petition of the city council of the city of Minneapolis, Minn., relative to the high cost of living, etc.; to the Committee on Agriculture.

1709. By Mr. TAGUE: Petition of the Metal Trades Department of the American Federation of Labor, urging the defeat of the Sterling-Graham bills; to the Committee on the Judiciary.

1710. Also, petition of the city of Boston, relative to an embargo on coal, etc.; to the Committee on Interstate and Foreign Commerce.

1711. Also, petition of the Men's Neckwear Cutters' Union, No. 15085, of Boston, against the passage of the Sterling-Graham sedition bills, etc.; to the Committee on the Judiciary.

1712. Also, petition of the Three hundred and seventh Infantry Post of the American Legion, urging universal military training; to the Committee on Military Affairs.

1713. By Mr. THOMPSON: Petition of Van Wert Lodge, No. 667, International Association of Machinists, of Van Wert, Ohio, protesting against the Sterling-Graham peace-time bill; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *February 20, 1920.*

(Legislative day of Wednesday, February 18, 1920.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. WARREN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Glass	Kirby	Poindexter
Ball	Gore	Knox	Ransdell
Beckham	Gronna	Lenroot	Robinson
Borah	Hale	Lodge	Sheppard
Capper	Harris	McKellar	Smith, Ga.
Chamberlain	Harrison	McLean	Smith, Md.
Colt	Henderson	McNary	Smoot
Culberson	Hitchcock	Moses	Spencer
Curtis	Johnson, S. Dak.	Myers	Sterling
Dial	Jones, N. Mex.	Nelson	Thomas
Dillingham	Jones, Wash.	New	Townsend
Edge	Kellogg	Norris	Trammell
Fernald	Kendrick	Nugent	Walsh, Mont.
Fletcher	Kenyon	Overman	Warren
France	Keyes	Page	Watson
Gay	King	Phipps	Williams

Mr. GRONNA. I was requested to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent due to illness. I ask that this announcement may stand for the day.

Mr. DIAL. I desire to announce that my colleague [Mr. SMITH of South Carolina] is detained by illness. I ask that this notice may continue during the day.

Mr. MCKELLAR. I have been requested to announce that the Senator from Virginia [Mr. SWANSON] is detained from the Senate by illness in his family.

The Senator from Massachusetts [Mr. WALSH] is detained by the illness of a member of his family.

The Senator from Rhode Island [Mr. GERRY] is detained at home by illness.

Mr. POMERENE. The Senator from California [Mr. PHELAN], the Senator from North Carolina [Mr. SIMMONS], and the Senator from Tennessee [Mr. SHIELDS] are absent on official business.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present.

INTERDEPARTMENTAL SOCIAL HYGIENE BOARD (S. DOC. NO. 230).

The VICE PRESIDENT laid before the Senate a communication from the United States Interdepartmental Social Hygiene Board, transmitting, pursuant to law, a statement showing the activities of the executive departments and establishments pertaining to the public health and the amount expended on account of each of these activities, which was referred to the Committee on Public Health and National Quarantine and ordered to be printed.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Assistant Secretary of Labor, transmitting a schedule of useless papers devoid of historic interest on the files of the Department of Labor, and requesting action looking to their disposition. The communication and accompanying paper will be referred to the Joint Select Committee on Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Montana [Mr. WALSH] and the Senator from Maryland [Mr. FRANCE] the committee on the part of the Senate. The Secretary will notify the House of Representatives thereof.

WOMAN SUFFRAGE.

The VICE PRESIDENT. The Chair lays before the Senate a certified copy of a joint resolution adopted by the Legislature of the State of Arizona, ratifying the Susan B. Anthony amendment to the Constitution of the United States extending the right of suffrage to women, which will be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 796. An act for furnishing water supply for miscellaneous purposes in connection with reclamation projects; and

S. 2454. An act for the relief of certain members of the Flathead Nation of Indians, and for other purposes.

PERSONAL EXPLANATION.

Mr. GRONNA. Mr. President, so far as my recollection serves me this is the first time since my service began as a Member of this body when I have asked for time to make a statement which most vitally concerns my most immediate relatives and myself.

In the issue of the Washington Herald under date of February 18 there appeared an editorial which was evidently written for the purpose of doing me great harm. Similar articles have appeared in other papers. These articles have evidently all been inspired by either Mr. Hoover or Mr. Barnes, or by both.

On February 13 I addressed the Senate, giving my views with reference to the services of Mr. Barnes in connection with a very important industry. My criticism against Mr. Barnes was directed entirely against him because of the mistakes which I then believed, and which I still believe, he has made. I have criticized Mr. Hoover as food director. I have charged that during the war he committed a gross injustice against the farmers of this country. But instead of answering the criticism which I directed against these distinguished gentlemen, who in some parts of our country have been denominated as the "Gold Dust Twins," instead of answering the charges made against them they proceed to attack me personally, and the article in the Washington Herald and in the Baltimore Evening Sun of Tuesday, February 17, falsifies the record of my votes in this body in a most malicious manner.

Mr. President, I have here the RECORD. I was charged in these articles with having voted against the bond issues. I have here the vote upon the act providing for the first bond issue under date of April 17, 1917. The RECORD shows that I voted for it. I have the RECORD of the act of September 15, 1917, known as the second bond act. Upon that act there was no record vote. Upon the third bond act there was no record vote on the final passage of the act. On the fourth bond act there was no roll call or record vote.

I have the act known as the War Finance Corporation act under date of March 7, 1918. There was a record vote on the final passage of the bill and the RECORD shows that I voted for it. I also have the RECORD of the passage of the fifth bond act, and I find that there was no record vote on the final passage of the act.

I wish to say, Mr. President, that if I was present when any of these acts passed, in every instance when they were passed by a viva voce vote, I voted for them.

Mr. President, I have on several occasions stated in this Chamber that I wish to be understood that I have neither regrets nor any apology to make for the votes I have cast in this body, but I warn these people now, whether they are British agents or representatives of the millionaire clubs of this country, that when an attack is made upon me they must not falsify the official records.

I have never attempted to deny, and I never shall deny, that I voted against the declaration of war with Germany. I have never attempted to deny that I voted against conscription and that I voted against the espionage act, and the only statement that will be found to be true in the article of the Herald and other papers with reference to my votes is the reference made to the votes on the three measures which I have just mentioned. The charge that I voted against the bond bills and the appropriation bills is maliciously false. Again and again I stated upon this floor that I would vote for any amount of money required to most vigorously prosecute the war. I never made a criticism against a single appropriation made during the war. I did criticize the revenue bill, because I wanted to increase the rate of the tax imposed upon excess profits; but I was not alone in this effort; there were a great many Senators who voted as I did and who argued that it was a mistake not to increase the rate of tax to be imposed upon excess profits during the war. Later on the President of the United States asked that the tax in the following revenue bill be increased. I am not mentioning this as a criticism of those who differed with me, but I am making this statement simply for the purpose of showing the facts, and I say now that not one vote was cast by me against any bond bill or any appropriation necessary for the purpose of carrying on the war. On the contrary, the records will show that when a record vote was asked for upon a bond bill or upon an appropriation bill when my name is recorded it will be found as voting for it, and not against it. So far as I know there was no opposition to the appropriation of any amount of money needed.

Mr. President, if I alone could bear the burden of the malicious lies uttered against me by those papers I might do so without complaining, but I want the RECORD to show that the charges made in the articles referred to are absolutely false.

On the declaration of war with Austria it will be found that I voted for it. We were actually at war with Austria, and so long as we were actually at war with this nation I preferred to carry on that war in a legal and constitutional way.

These gentlemen who have succeeded in perfecting the most complete organization possible throughout the entire country manifest that they possess the cunning animal instinct of directing the people's attention from the questions at issue, but in that way, it seems to me, they plead guilty to the criticisms made against them.

I have studiously avoided, as I said on last Friday, bringing in any undue criticism based merely upon rumors. I had a great many reports sent to me, but I did not use them. I had the report of the grand jury in the State of Washington with reference to Mr. Howser, one of the vice presidents of the Grain Corporation, who was indicted by the grand jury in that State. But as an indictment is only a complaint or a charge, the charges may or may not be true, and for that reason I did not use it. I have not charged these men with being crooks or rogues, but I am reminded of what Theodore Roosevelt once said:

> I know how to deal with a crook, but I can do nothing with a natural-born fool.

And it might be interesting to these men to know that at the very time when I am charged as voting against these appropriations necessary to carry on the war, there were five Gronnas in the service; three of them were already on the battle fields of France. All of them came from the Dakotas; two of them were the sons of my oldest brother, who died several years ago, and who were supporting a widowed mother. One of them was only 17 years old when he entered the service; none of them had to be drafted. My youngest son entered the service before war was declared. They all entered the service as privates. One of them was promoted while acting as a doughboy to the rank of corporal; one of them was promoted to the rank of sergeant; and my youngest son was promoted on the field of battle to the rank of a first lieutenant in the Heavy Artillery. All of them have been honorably discharged. It is true that their lives were spared, but they came back shell-shocked and nerve-racked, and both their mental and physical abilities were impaired for a time.

Now, in simple justice to these boys who served in the trenches and upon the fields of battle, and who fought through the Verdun, Metz, and Meuse and other battles, until the armistice was signed—I say in simple justice to these boys who for months fought upon the fields of battle, and who saw strangers and friends torn to shreds—I ask that the records of this body be given as they actually are.

I repeat that my family did as much to win the war as any other family in this country. It ought not to be necessary for me to state that from a financial standpoint I did more than I was asked to do. But that is a small matter. I only did what every other patriotic American citizen should do; but I thought that this campaign of pro-Germanism was about over. I was in hopes that the abuse heaped upon thousands of good, patriotic citizens of German descent was about to end. I was in hopes that we were about ready to take up the question of reconstruction, and to make it possible for these boys to go on and help perpetuate this as the greatest Nation on earth in obedience to the wishes of the fathers. I was in hopes that it would be possible for citizens of English, of Irish, of Scandinavian, of Italian, of German, or of any other ancestry to get together as Americans and to work together as Americans for the benefit of the people of this great country, the United States of America.

Mr. President, I should waver in that hope if it were not for the fact that we know from the teachings of the immaculate Master and from the teachings of the great men who followed Him that, in the words of Solomon, "The lip of truth shall be established forever, but a lying tongue is but for a moment."

PETITIONS AND MEMORIALS.

Mr. CAPPER presented memorials of sundry citizens of Portland and of Norton County and Marshall County, all in the State of Kansas, and of sundry citizens of Collinsville, Okla., remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. SMITH of Maryland presented a petition of Admiral John Rogers Post, No. 28, Grand Army of the Republic, Department of Maryland, of Havre de Grace, Md., and a petition of Hicks Post, No. 24, Grand Army of the Republic, Department of Maryland, of Easton, Md., praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

Mr. PHELAN presented a petition of Crockett Post, No. 30, American Legion, of California, praying for an additional bonus for ex-service men, which was referred to the Committee on Military Affairs.

FEDERAL LIVE-STOCK COMMISSION.

Mr. GRONNA. I am directed by the Committee on Agriculture and Forestry, to which were referred Senate bill 2199 and Senate bill 2202, to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes, to submit a report (No. 429), accompanied by a bill (S. 3944) to create a Federal live-stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes.

The VICE PRESIDENT. The bill will be placed on the calendar.

BILL INTRODUCED.

Mr. KING (by request) introduced a bill (S. 3943) to establish the standard and decimal divisions of the weights, measures, and coins of the United States, which was read twice by its title and referred to the Committee on Standards, Weights, and Measures.

INTERNATIONAL PEACE CONFERENCE.

Mr. FRANCE. I introduce a joint resolution, which provides for the reestablishment of peace with Germany and for the calling of an international conference dealing with the great problems which are not met by the treaty which is before us. I ask that the joint resolution be printed in the RECORD and referred to the Committee on Foreign Relations.

The joint resolution (S. J. Res. 159) providing for the reestablishment of peace and the calling of an international conference to formulate plans for international cooperation was read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Joint resolution (S. J. Res. 159) providing for the reestablishment of peace and the calling of an international conference to formulate plans for international cooperation.

Whereas on the 11th day of November, 1918, the President of the United States announced the signing of an armistice between the United States and the powers with which the United States had been at war, the President at that time declaring "the war thus comes to an end"; and

Whereas it is most desirable that there shall be a prompt termination of the status of war by the formal legal reestablishment of peace between the United States and Germany; and

Whereas the peace treaty submitted to the Senate for ratification contained provisions for a new coalition of nations, of which the United States was to be a member, and called for a guaranty by the United States under article 10 of that treaty of the territorial integrity of the great empires of Great Britain, of Japan, and of France, and for other arrangements repugnant to the United States, which caused the rejection of that treaty by the Senate; and

Whereas there is a profound unrest throughout the world, due in large part to the failure of the Paris peace conference to formulate such plans for peace and for international cooperation, for the advancement of justice, liberty, and the general welfare, as would commend itself to the great liberal spirit of the age and the new enlightened conscience of mankind; and

Whereas the long-continued underproduction and rapid destruction during the war of the necessities and commodities of life, particularly of food, have resulted in a serious shortage, which makes imperatively necessary an immediate reorganization of all agricultural, industrial, financial, and commercial activities for the maximum production in all countries and for the distribution among the nations by the normal methods of trade and commerce of such food, necessities, and commodities; and

Whereas because of the close community of financial, industrial, and commercial interests of all of the nations of the world, the industrial and financial prostration and paralysis of Germany, Austria, Russia, and other recently belligerent countries of Europe, with the necessarily ensuing unemployment, impoverishment, and starvation of their citizens, with the threatened unrest and revolution in certain of these countries, are impeding the rehabilitation and are menacing the peace of the world and the stability of all government: Now, therefore, be it

Resolved, etc., That the status of war with Germany, declared by the Congress by S. J. Res. 1, on the 5th day of April, 1917, be, and it is hereby, declared to be terminated and the full status of peace be, and it is hereby, declared to be reestablished.

2. That the President be, and he is hereby, authorized and advised to make treaties of peace without annexations or indemnities and of trade and intercourse with the Republic of Germany, all matters of dispute between the two countries to be submitted for arbitration to The Hague tribunal.

3. That in pursuance of this resolution declaring the reestablishment of peace, all American troops now upon foreign soil shall be immediately returned to the United States.

4. That the President is hereby authorized and directed, by invitations to be sent out by him during the month of May, 1920, to invite the States signatory of or adherent to the Convention for the Pacific Settlement of International Disputes, of July 24, 1899, and their successors, and all other States since recognized or which may be recognized prior to the sending out of the invitation, to send three delegates each, and also two delegates in behalf of each of the colonies, protectorates, and dependencies, respectively, of the various States having colonies, protectorates, or dependencies to assemble in conference at Washington, on a date in November, 1920, to be fixed in the invitation, to consult concerning the formation of a more perfect general concert and union, the reestablishment of general justice, the assurance of the general tranquility, the promotion of the general welfare, and the securing generally of the blessings of liberty to the peoples now living and to their posterity.

5. That the list of said States to be invited shall include the following: Argentine Republic, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Finland, France, Germany, Great Britain, Greece, Guatemala, Haiti, Hejaz, Hungary, India, Italy, Japan, Jugo-Slavia, Luxemburg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Persia, Peru, Poland, Portugal, Roumania, Russia, Salvador, Serbia, Siam, South Africa, Spain, Sweden, Switzerland, Turkey, Uruguay, and Venezuela.

6. That the invitations shall be expressly with the understanding that there shall be an international conference of the States, composed of three delegates from each of the States, and an assembly of the colonies, protectorates, and dependencies, composed of two delegates from each of the colonies, protectorates, and dependencies, the international conference and assembly of the colonies, protectorates, and dependencies to sit separately but at the same time. The purpose of this international conference and of the assembly of the colonies, protectorates, and dependencies shall be the formulation of plans for international cooperation, but all resolutions agreed upon or instituted either in the international conference or in the assembly of the colonies, protectorates, and dependencies shall be of an advisory character, and any international or pannational organs or processes initiated or instituted shall be of a voluntary nature; and on the further understanding that this international conference and this assembly of the colonies, protectorates, and dependencies shall be the first of a series of periodical conferences of similar character, which shall establish a system of advisory correspondence, with continuation committees sitting in the intervals between the conferences to prepare for the international conferences and the assemblies of the colonies, protectorates, and dependencies and to carry on the system of correspondence. The more specific objects of the international conference, the assembly of colonies, protectorates, and dependencies, and of the continuation committees and the purpose of the correspondence between the States participating shall be—

(a) To consider the common and mutual interests and the social and economic relations of the State and peoples of the world.

(b) To recommend projects of uniformity, reciprocity, or cooperation in the action of the States, respectively.

(c) To formulate a body of international law based on the security of the fundamental rights of the individual as the prime function of all Governments and for applying as between States the analogies of the laws of partnership and cotenancy, and as between States and their respective colonies, protectorates, and dependencies the analogies of the laws of conservatorship, guardianship, and trusteeship.

(d) To devise methods for the advancement of the peoples of colonies, protectorates, or dependencies from the status of dependencies to that of independence and to full participation in the international conferences.

(e) To promote cooperation among the more advanced nations for the improvement and advancement of the backward countries and territories, particularly those of Africa and parts of Asia, by the formulation of plans for the reclamation of waste land, for the utilization of natural resources, including water powers, for wise colonization, for the promotion of education and the spread of civilization throughout the world.

(f) To consider the problems of the congestion of some and the underpopulation of other nations and the unregulated competition between the more populous and industrial countries for the trade and raw products of the less populous agricultural ones.

(g) To study the problem of international finance, credits, and exchange, with a view to the prompt shipment on suitable credits, particularly into Russia, Germany, Austria, China, Africa, and any other agriculturally or industrially undeveloped or prostrated countries, of tools, agricultural implements, seeds, and other materials necessary to production, as well as foodstuffs, necessities, and commodities, for the purpose of encouraging a resumption of production which will be favorable to the rehabilitation of the world.

(h) To localize hostilities between States by cooperative policing of the high seas or otherwise and to take such action in case of such hostilities that the result of any armed conflict between States may be to increase the area within which the rights of the individual are effectively secured and to render more perfect the union of all the States for mutual aid and benefit.

(i) To make further provision for the pacific settlement of international disputes and for the settlement of those disputes according to accepted principles of law and by due process of law.

(j) To encourage the establishment, where stable governments do not exist, of constitutional republics or governments of such character as would make for that national stability upon which could be based a permanently peaceful international order.

(k) To promote amity and mutual understanding between the oriental and occidental peoples and to proceed with all possible means and speed to conciliate the people of Russia, China, India, Afghanistan, the Central Powers, and Turkey, in order that these nations or countries may not form against the western powers a hostile coalition which might menace the peace of the world.

(l) To consider the social and economic relations of the States and peoples of the world as naturally and necessarily united for mutual aid and benefit, and to concert measures accordingly.

6. That nothing in the programs or plans shall be contrary to the foregoing which, in the opinion of the Congress of the United States, should be regarded as the specific aims and objects of the conferences.

7. That the functions of the United States as the initiator and host of the international conference and the assembly of the colonies, protectorates, and dependencies, shall be in the charge of a committee, which shall come into existence in the month of April, 1920, and shall consist of the then Secretary of State as chairman, the then Secretary of the Treasury, the then Secretary of Commerce, two Members of the Senate, to be appointed by the President of the Senate, and two Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives.

The delegation of the United States to the international conference and to the assembly shall be nominated to the President by said committee, and said nominees when approved by the President shall be appointed by him by and with the advice and consent of the Senate. The said committee shall also suggest to the international conference and to the assembly a program—a plan for organization, a plan for the continuation committees, and for the system of correspondence.

8. That the general expenses of the international conference and of the assembly shall be borne by the United States; each participating State, however, paying the salaries and expenses of its own delegates and of the delegates in behalf of its colonies, protectorates, and dependencies.

9. That there is hereby appropriated, out of any sums in the Treasury not otherwise appropriated, for the carrying out of the provisions of this resolution, the sum of $15,000,000.

10. That the provisions of this resolution shall take effect immediately after its passage and its approval by the President.

OBSERVANCE OF THE SABBATH.

Mr. McKELLAR. Some weeks ago I received a request to introduce a bill against Sabbath breaking. I desire to put into the RECORD, without reading, the letter preferring that request, my reply thereto, and a copy of the proposed bill.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

NASHVILLE, TENN., *January 1, 1920.*

Hon. K. McKELLAR,
Senate, Washington, D. C.

DEAR BROTHER: At the recent session of the Tennessee Annual Conference of the Methodist Ministers and Laymen a resolution was unanimously adopted urging the building of public sentiment and the enactment of State and national laws to stop Sabbath breaking, an evil now endangering our children, our people, and our Nation. We were appointed a committee by that conference to urge upon our President and Congress, and especially our Tennessee Congressmen, the enactment of laws to prohibit all professional baseball playing on Sunday, the operation of moving-picture shows and all theaters on Sunday, the publication of advertising in and circulation of all Sunday newspapers, the operation and using of all freight and passenger trains on Sunday, all trading on Sunday, and the carrying on of any vocation for profit on Sunday, emergency cases of charity and necessity only excepted. This action of our conference was based upon the commandment of our God to honor the Sabbath day and keep it holy, a commandment we must keep if we would save our people and our Nation from destruction.

Acting under appointment by said conference, we have prepared and herewith hand you a bill to prohibit Sabbath breaking in so far as our Nation under its present Constitution has power to do so; and we respectfully beg you to introduce this bill in Congress and to do your utmost to have it enacted into law. We pledge you the hearty cooperation of our conference and, as we believe, of the Christian sentiment of America. This bill, if enacted into law, will stop all interstate trains and traffic on Sunday, will stop the circulation of Sunday newspapers through our postal facilities, and will stop all persons who act under authority of or under the employment of our Government from carrying on their ordinary vocations on Sunday. We earnestly beg your most prayerful consideration of this matter and your most zealous cooperation. As soon as the bill is introduced and referred to the appropriate committees in the Senate and House we shall be pleased to appear before them and state our reasons in full and to meet any possible argument or opposition that may be offered.

Assuring you of our best wishes and begging of you an early and favorable reply, we are,

Very sincerely, yours,

NOAH W. COOPER.
W. R. WEBB.
E. B. CHAPPELL.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

1. Hereafter it shall be unlawful for any person in the employment of the United States to work or carry on his ordinary vocation on Sunday.

2. It shall be unlawful for any person or corporation to operate on Sunday any freight or passenger train, or mail train, or any other train, or part of a train, on Sunday in the carrying on of interstate commerce, trade, or traffic of any kind.

3. It shall be unlawful for any post office to be open on Sunday or to deliver mail on Sunday; it shall be unalwful for any mail to be carried or delivered on Sunday by any employee of the United States, whether in city or country.

4. It shall be unlawful for any newspaper or other paper or publication published or purporting to be published on Sunday to be received, carried, or delivered as mail by any agency of the United States, in any post office, or over any route under the jurisdiction of the United States.

5. It shall be unlawful for any person or corporation engaged in interstate commerce or carrying on any business or vocation under the laws of or with the permission or license from the United States, or any of its agencies, to do or carry on any ordinary vocation or business on Sunday, the purpose of this act being to express our national determination to honor the Sabbath day and keep it holy, as God commands, thereby securing for all that opportunity for spiritual and bodily refreshment decreed by our Lord for the happiness of all men and the safety of all nations.

6. Any person who does any of the things above declared unlawful, or who procures or aids another in doing any of the things above declared unlawful, shall be guilty of a misdemeanor and punished upon conviction by due process of law by a fine of not under $100 nor over $10,000 for each offense, and by imprisonment for not over six months, in the discretion of the court.

7. And any corporation that does or aids in doing these forbidden things shall upon conviction be fined not less than $1,000 nor over $100,000 for each offense, and upon conviction a second time for like offense shall forfeit its charter and franchise and be enjoined from operating in interstate commerce: *Provided, however,* That emergency instances of charity and necessity are not included nor punishable under the provisions of this act.

NASHVILLE, TENN., *January 30, 1920.*

Hon. K. McKELLAR,
Senate, United States of America, Washington, D. C.

DEAR BROTHER McKELLAR: On January 1, 1920, our committee from the Methodist Conference by letter asked you to introduce a bill, prepared by us, to prevent national Sabbath breaking, in so far as Congress had power.

We regret not hearing from you. As chairman of the committee and for them I write to beg you to introduce this bill. We will support it and we feel sure it will have the support of millions. It is our God-given duty. We inclose you a copy of the resolutions our conference adopted, which you might use as a preamble to the bill. We are anxious to have your active support of this bill. It speaks, as we believe, the voice of Christianfity for the safety of our Nation.

Please kindly let us hear from you at once.

With best wishes,

Yours, respectfully,

NOAH W. COOPER,
Chairman of the Committee.

FEBRUARY 4, 1920.

Hon. N. W. COOPER,
McGavock Block, Nashville, Tenn.

MY DEAR MR. COOPER: Your letter of the 30th ultimo and also your letter of the 1st ultimo asking me to introduce a bill prohibiting passenger, mail, and freight trains from running on Sunday, and also prohibiting Sunday newspapers and all other vocations and amusements, emergency cases of charity and necessity only excepted, under the control of Congress from operating on Sunday, received and noted.

These letters should have been answered before. They have not, because I have been thinking about the proposition contained in them and have been making inquiries among Senators about the chances of passage of such a bill.

Again, I am in doubt whether this is the way to proceed in the matter. I am not in the least doubt about the question of Sabbath breaking, because I do not believe in Sabbath breaking, but I am in serious doubt whether a bill of this kind would afford a solution. I was born and reared in the Presbyterian Church, having been a member of that church practically all my life. I have all of the Presbyterian views about the Sabbath, but we Christian people in this country have stood by and have seen firmly intrenched as habits and customs of our people every form almost of Sabbath breaking. Even some of our ministers defend certain Sunday amusements like baseball, and many of our leading church members—probably the most of them—indulge in one form or another of Sabbath breaking.

The running of trains, freight and passenger, the use of the telephone and telegraph, the carrying of mails, riding and driving in automobiles, and to a more or less degree nearly every other kind of work or business or amusement, when deemed important or excusable, is done on the Sabbath. Indeed, the most of us have indulged in one or another form of Sabbath breaking ourselves. The great body of the public have become accustomed to these forms of Sabbath breaking.

Now, to undertake to restore an observance of the Sabbath by Federal law, without inculcating the wisdom and duty of Sabbath observance in the people at home, seems to me certainly to be the wrong method of approach. These movements must win public favor locally first and then spread, as notably prohibition and suffrage. In my judgment this movement for Sabbath observance should first take firm hold of the churches and the churches should take an unquestioned and firm stand. If they should become of one mind on the subject, the reforms that you speak of could be much better accomplished.

To introduce a bill in Congress to stop all interstate trains, interstate traffic, interstate freight, interstate news, interstate mail, interstate telephonic communication, interstate telegraphic communications, and Sunday newspapers would undoubtedly give a legislator very considerable notoriety, but it would not, in my judgment, and according to views expressed here, in the slightest degree change the ugly fact of Sabbath desecration. I have not suggested the matter to a single legislator here who has approved. All say that the bill would die in the committee, or could not in any event get anywhere in the Senate.

For these reasons it seems to me that it would serve no useful purpose now to introduce such a bill. I believe it would be much better to organize the churches and other local Sabbath-observance societies first, and if successful the movement would undoubtedly spread until action of the kind you suggest would be possible.

With great respect and best wishes and regretting very much to differ with you about the method of securing a much-needed and desirable observance of the Sabbath, I am,

Sincerely, yours,

WAGES OF COAL MINERS.

Mr. FRELINGHUYSEN. Mr. President, I ask unanimous consent to have read from the desk, for the information of the Senate, a statement of Dr. Garfield relating to the wages of coal miners.

The VICE PRESIDENT. The Secretary will read as requested.

The Assistant Secretary read as follows:

"Dr. H. A. Garfield, former Fuel Administrator, in an article written for Farm and Home, declares:

"'The wages now paid to mine workers are sufficient. The opportunity that should be the mine workers' can not be secured merely by an increase in wages.

"'An average of $950 a year was earned by the lowest-paid miners working 180 days in the year, while for 200 days' work the average miner in the bituminous fields of Pennsylvania, Ohio, Indiana, and Illinois earned $1,660 in 1918 and $1,800 last year. This is 'more by a considerable sum than the average net receipts of the farmer and many others who may or may not work 300 days or more in the year.'

"'The public ought not to be asked to pay more for coal. It is impossible to increase the wage of the mine workers without inciting the workers in every other industry, including, of course, agriculture, to demand an increase in wages. This would send the cost of living upward in a vicious spiral, which will in the end prove hurtful to the workingman. The purchasing power of the dollar, and not the number of dollars received, is the important factor.

"'The public is chief sufferer when the capital and labor engaged in the production of commodities necessary to the support of life fall a-fighting. In these cases certainly the interest of the public is vital, and therefore paramount. We may admit the right to strike on the part of labor and the right of capital to boycott, but in each case the right of the public to live is paramount, and will be asserted.

"'We now are called upon to contemplate an arrangement with a group opposing the Government which, however it terminates, is unsound in principle and a menace to our institutions.'"

Mr. BORAH. May I ask from whom that came? Who is the author?

Mr. FRELINGHUYSEN. Dr. Garfield.

Mr. BORAH. Is it a telegram?

Mr. FRELINGHUYSEN. No; it is a statement made in a periodical to which he contributes.

Mr. BORAH. I merely wish to say at this time that that is a very inadequate statement of the wage situation with reference to the coal miners.

AGRICULTURAL INTERESTS.

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the commissioner of agriculture of Texas to Mr. Curtis, the editor of the Country Gentleman, in regard to Mr. Hoover's association as food administrator; also an editorial upon the same subject from Wallace's Farmer.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
STATE OF TEXAS,
Austin, February 3, 1920.

Mr. CYRUS H. K. CURTIS,
President Country Gentleman,
The Curtis Publishing Co., Philadelphia, Pa.

MY DEAR SIR: I have with much pleasure followed your editorials concerning the problems of the farmers and the Government in general, but it pained me to read in your Country Gentleman of January 31 an editorial backing Mr. Hoover for President, presumably as a farmers' candidate. I am sorry that this editorial appeared in the light of making Mr. Hoover a farmers' candidate and fear it will lessen your influence with the farmers of this country, which I very much regret, because the farmers need a great journalistic champion and have appeared to have much to hope for from your publications for that nation-wide support which agriculture as a nation-wide industry must have.

One can understand why the big packers, the grain, cotton, and other corporations—in fact, the middlemen in general and profiteers in particular, as well as certain European nations which were furnished American-grown food for less money than those nations could grow it themselves—would be anxious that Mr. Hoover be elected President. But I can not see how any man who is familiar with the acts of Mr. Hoover as Food Administrator and with the feelings of the farmers of this country could presume to boom him for President in the interest of American agriculture. The justifiable indictments which the producers of this country could bring against Mr. Hoover would be many indeed.

To begin with, Mr. Hoover based his administration as food dictator upon an assumption that the farmers of this country would not liberally support the war and its various activities, and that through political cowardice Congress would not make them do so. Following this assumption, he planned to have the middlemen make all the profits possible, expecting Congress to force them to finance the war.

Mr. Hoover did more to cause profiteering than any other one man. Profiteering is the greatest disturbing factor in the Nation's peace to-day, and the least talked about by officials who appear anxious to restore peace and plenty. Mr. Hoover's estimate of the patriotism of the American farmers was belied all through the war, and when Congress failed to make him dictator of prices he assumed the authority and used it to lower prices to the farmers and increase profits to the dealers.

He gave confidential advice to the big packers as to when they should buy hogs and cattle, and through the power of his office lowered the market at the time he advised them to purchase.

Under a period of time covering his administration green cowhides dropped from 14 cents per pound to 6 cents per pound, and certain brands of shoes advanced from $6.50 a pair to $12.50 a pair. I took this matter up personally with Mr. Hoover, and he claimed he had no authority to correct it. If he did not have authority to correct such glaring abuses, he should have had. He did not even use official pressure to make correction.

It must not be forgotten in this connection that he always found a means, even though he had to misrepresent the law, to hold down the price of the farmer's wheat and other farm products. The willful abuse of the authority conferred by Congress relative to the price of wheat is so well known and condemned throughout the Nation that it is not necessary to discuss it here.

Expecting a 16,000,000-bale crop of cotton, he held up the regulation of cottonseed prices until the market received the weight of the heavy movement of seed. Later, when rapid deterioration of the cotton crop showed that the 16,000,000-bale estimate was much too high, he waited until the importation of oriental oils were at maximum and then ordered regulations of cotton seed made at a time when oriental oils were at such maximum, causing American producers to meet this competition from the Orient. In this connection I wish to say that the importation of these oils from the Orient and elsewhere increased some 400 per cent during a four-year period of the war, a time when it was a nation-wide cry, headed by Hoover, that war-torn Europe was in dire need of both animal and vegetable fats. The ships were found to carry this oil to this country at an increased rate of 100 per cent per year, while ships could not be found to carry cotton to neutral countries, although neutral countries were badly in need of cotton and this country was all the time exporting fats to relieve Europe.

Mr. Hoover permitted thousands of cars of onions to rot in the fields of South Texas, thereby wasting food and hurting our growers. At the same time he shipped onions from the Atlantic seaboard to the Army camps at San Antonio and other Texas camps near the fields where onions were wasting; yet we had a constant cry of not only a shortage of food, but a shortage of cars.

This is a free country—or is supposed to be—and everybody has a right to their choice for President. But do not rub it in on the American farmers by putting Hoover forward as the farmer's candidate, when they know full well that millions of dollars of Liberty bonds, War Savings stamps, and Victory bonds held by other people, and for which other people get the credit from the standpoint of patriotism, were purchased with money which was unfairly taken from the farmer's pockets by Mr. Hoover.

You undertake to give Mr. Hoover credit for the increased acreage of wheat last year and relieve him of any responsibility for the decrease in acreage this year. The credit for whatever increase in the wheat acreage last year was due to a hope of profit, belongs to Congress and not to Hoover. The only credit he can claim is in his causing the intentions of Congress to fail, and thereby unfairly taking from the wheat growers what they were entitled to receive. He practically the same thing to the hog growers. His live-stock man sent word to the big packers that while the price fixed on hogs was a minimum price it would please Mr. Hoover if they would not advance much beyond the minimum.

It does not look well to see a great journal, speaking editorially, to make such comparisons as you make concerning the wheat acreage of last year and this. You must know that all the stimulus which the act of Congress created Mr. Hoover killed, and the reduction this year is due to disappointment and lack of profits on the part of growers, together with a shortage of labor, bad weather, and poor transportation facilities. In short, every influence Hoover brought to bear was negative.

Having in my official capacity made several trips to Mr. Hoover's office, and there met with representatives of farmers from all parts of the country, and having discussed his acts with official representatives of farmers since then, I feel confident that if Mr. Hoover's backers should be able to secure his nomination for President thousands of farmers in the United States would take the stump against him and the party who should put him up. The time has not yet come when the people of these United States want even a near-English subject for President, and Mr. Hoover, in environment and business, is practically an English subject.

Very truly, yours,

FRED W. DAVIS,
Commissioner.

[Editorial from Wallace's Farmer, Feb. 13, 1920.]

WHAT'S THE MATTER WITH THE FARMER?

Under date of January 30, a press dispatch was sent out from Washington, which began as follows: "Indications of a widespread spirit of unrest and dissatisfaction among the farmers of the country so threatening as likely to disturb the existing economic structure is considered by Government officials to be revealed in more than 40,000 replies to a questionnaire recently sent out by the Post Office Department."

It seems that about 200,000 copies of a sheet containing questions for farmers to answer were sent out throughout the agricultural States. The farmer was requested to answer them and return them to the Post Office Department. When about 40,000 of these replies had been received the Post Office Department people became alarmed, and Mr. Blakslee, one of the assistants to the Postmaster General, went before the Senate Post Office Committee and told them about it, saying: "Such a condition at a time when the predominant cry is for production and still more production can not but constitute a grave menace." And one of the Senators said the replies seemed to have come from a bunch of Bolshevists.

The replies made by farmers to the questions sent out are exactly what any man who has been familiar with agricultural conditions would anticipate. They tell the story of the difficulty in getting farm help, of long working hours, of the low prices of some agricultural products as compared with the cost of production, and of the steady drift from the farm to the city, because the city offers easier hours and higher wages. They point out that while prices of farm products have been beaten down as far as possible, the prices of food products to the consumer have increased as well as the prices of practically everything the farmer has to buy. It is an old story to people who have been in touch with farm sentiment, but it seems to have come with a rude shock to the folks at Washington, and they have become quite excited about it.

This dispatch from Washington was played up in the daily papers of the United States under rather startling headlines. For example, it was given the first column on the first page of the New York Times, which is generally looked upon as the greatest newspaper in the United States, under the display headline, "Farmers' unrest a grave danger, officials find." Similar headlines were used by other dailies throughout the country. Even in the Central West, where knowledge of agricultural conditions ought to be expected in the offices of the daily press, we find such headlines as "Spirit of unrest among farmers menace to United States," giving the impression that the farmers of the country are in a dangerous state of mind.

When we use the word "unrest" in these days we involuntarily think of Bolshevist activities, or something of that sort. Now, the fact is that no class of people in the United States are so little tainted with socialistic and bolshevistic doctrines as are the farmers. The farmer is the great conservative force of the country. He is intensely patriotic, has no use at all for either the long-haired parlor Bolshevist who wishes to set up a government of free love, or for the I. W. W.'s, Socialists, anarchists, and other folk of that sort, who want to upset all forms of government and confiscate for their own use all forms of property. The farmer believes in stable government, in schools, and churches, and homes. He is the balance wheel, the stabilizing force. To the extent, therefore, that the dispatch from Washington gives the impression that the farmer is in a condition of unrest which might end in an effort on his part to upset established government, the dispatch is a base libel.

What, then, is the matter with the farmer? Why is he dissatisfied? Why have the farmers of the Central Western States organized themselves so thoroughly in the Farm Bureau Movement? Why have they raised such large sums of money to be used in promoting this movement and its purposes? Why is this organization being extended so rapidly to other States? Why has the National Farm Bureau Association been formed? What is the farmer going to do?

The answer is easy. The farmer is getting tired of being made the goat.

That does not mean that he proposes to make a disturbance, or try to overturn the Government, or start a new political party, or confiscate property. Nothing of that sort. It means simply that he feels that it is time he was looking after his own business interests; that he is determined to secure fairer prices for the things he has to sell; that he proposes to set up whatever business institutions may be necessary to help him to sell and buy to advantage. It means above all that he sees that it is time for him to study the business game and learn how to play it for himself, just as other people have learned to play it for themselves. And especially it means that he is tired of being double-crossed not only by other business interests but by people who are in places of authority in Government. He is thoroughly sick of Government price fixing and Government operation of railroads, and Government meddling in general.

If we were asked to name one man who is more responsible than any other for starting the dissatisfaction which exists among the farmers of the country, we would instantly name Mr. Hoover. What has Mr. Hoover to do with it? Well, here's the story:

When the United States entered the war there was every reason to believe that it would be a long war. With so many men withdrawn from production, a long war meant serious food difficulties.

Therefore the appeal was made to the farmers of the United States to produce food and produce abundantly. Especially was there need for increased pork production. Mr. Hoover said that a plentiful supply of lard and bacon was as urgently needed as a plentiful supply of guns and ammunition. But there seemed to be a question as to whether we would be able to produce as many hogs as were needed, because the price of corn was so much higher relatively than the price of hogs; that is, the farmer was offered more money for his corn sold as corn than he could get by feeding the corn to the hogs and selling it as hogs instead of as corn. Therefore the tendency was to produce fewer hogs and sell more grain.

When Mr. Hoover began to study this situation he found in the files of Wallace's Farmer certain studies on hog production which extended back for a period of over 30 years. He found there evidence to show that when hogs sold in Chicago for less than the value of 11.67 bushels of corn hog production decreased, and that when they sold for more than this hog production increased. So he decided to stimulate hog production by assuring the farmers that if they would produce hogs they would get a higher price relatively for their hogs than they would get for their corn as corn. He therefore announced, in November of 1917, that, so far as he could influence prices, he would try to make the hogs farrowed in the spring of 1918 fetch a price per hundredweight when ready for market which would be equivalent to the value of 13 bushels of the corn fed into them.

This promise made by Mr. Hoover was given the widest publicity. He printed it in pamphlet form and circulated it throughout the United States. The farm papers, the professors in the agricultural colleges, everybody who had a chance to talk to the farmer or write for him told about this promise and assured the farmers that, no matter what happened, if they would only produce more hogs they could be sure that they would get a price for them that would yield them more money than they could get if they sold the corn.

Farmers took this promise at its face value. They believed what everybody told them, and the result was that they very greatly increased the number of hogs. They regarded Mr. Hoover's promise as a promise of the Government—which, in fact, it was, because Mr. Hoover was acting for the Government—and they had full faith in Uncle Sam. They felt that he would make his word good. They had been losing money on hogs right along, but now they thought they could produce them safely at a profit.

The time came to make good the promise. The new price was to be applied to the pigs farrowed in the spring of 1918, which would go to market in the fall and winter of that year and the early months of 1919. What happened?

In October of 1918 it became apparent that Mr. Hoover did not propose to carry out his share of this arrangement made with the farmers. He announced that hogs would sell during the month of October for about $18 per hundredweight. This was about $2.50 per hundredweight less than he had promised to try to make them sell for. He also announced that a minimum price of $15.50 would be maintained on hogs, which would mean a loss of about $5 per hundredweight, based on the price he had promised. Shortly afterwards he announced a scheme upon which he proposed to try to make good the promise he had made. It was such a barefaced juggling of figures as is seldom seen and aroused widespread indignation throughout the hog-producing country.

If Mr. Hoover had said frankly that hog production had exceeded his expectations and that, much as he regretted it, he did not believe it would be possible for the Government to make good its promise the farmers would have felt disappointed, but they would have accepted the situation as a war loss. But when he tried to evade his promise by juggling the figures and at the same time pretended to keep it the farmers lost patience and they lost faith as well. They felt that Mr. Hoover, and through him Uncle Sam, was trying to make them the victims of a straight confidence game. It was a hard jolt. Mr. Hoover should not have made a promise if he had not intended to keep it. Having made it, he should have kept it to the letter or frankly acknowledged that he could not do so. He asked for hogs and he got them. He promised a certain price and then tried to get out of paying it, and succeeded, in part. Of course, he thought he was doing the right thing; that the end justified the means. But he was mistaken, and his mistake has caused a lot of trouble and will cause more.

That was really the beginning of what the daily press now calls "unrest" among the farmers. In the meantime, there were the efforts to beat down milk prices. Farmers who had been selling milk to the cities had been losing money right along, just as they did on hogs, simply because they had to pay prices for grain and hay that were higher than they would sell for in the form of milk. Consequently, milk production was decreasing and the price was going up. The Food Administration people, either directly or indirectly, tried to work the same game on the dairy farmers that they worked on the hog producers, and with the same result.

Then came the price drive, early in 1919, when prices of corn and other farm products were beaten down without cause, and the second and more successful price drive in July and August of 1919, when, led by Attorney General Palmer, everybody turned on the farmer and smashed him as hard as they could. The result was that the farmers of the country suffered the loss of millions upon millions of dollars and the consumers of the country got no corresponding benefit. Instead of dropping, prices to the consumer have advanced right along.

The farmer is less suspicious and more trustful than other people, but he does not need to be hit over the head with a sledge hammer more than two or three times before he realizes that something is wrong. He is thinking clearly now, all right. He sees that price making is a great, big game and that it is time for him to learn it. Heretofore he has been producing without asking any questions as to the prices he will get. He has been taking what the other fellow has been willing to give him. Now he sees that the price he gets for the things he produces is the important thing. Other people have been getting a price which covers the cost of production and, in addition, a fair profit. That is what the farmer is going to expect in the future. It may take him some time to get it, but he is going to get it or quit. He will have to.

The farmer furnished more than 25 per cent of all the fighting men in Uncle Sam's armies, and after the boys had gone to war the older men and the women and the girls and the children turned to and produced more food than ever before in all the history of farming in the United States. While other people were being assured of the cost of production plus a fair profit—and sometimes more—the farmer took his chances. He thought that he would be treated fairly. Anyhow, the farm folks felt that it was their country and their war and that it was up to them to do everything they could to win it, no matter what the results might be financially. While other people were working on an eight-hour-day basis at tremendous wage advances, the people on the farms were working from 12 to 16 hours. They did not complain about this; they just worked. Our soldier boys had to be fed and our allies had to be fed, and it was up to us to feed them.

But now the war is won and the treatment the farmer has received from other folks during the past year has not been pleasant. Almost everybody else has been letting up in their work, decreasing the number of hours, demanding increased wages, and getting them. But they want the farmer to continue to work on the war-time basis and reduce his prices to a peace-time basis. It won't do. The farmer does not propose to stand for it. He is not going to start any revolution nor anything of that sort. He is just going to study the business game and adjust his business to the situation. He is going to demand fair prices for his products and back up this demand by organizing and studying the game and learning how to get them.

The farmers of the corn belt mostly have made money during the past five years. On the whole, it has been a prosperous period for them. Prices generally have ruled high, although prices of live stock have been lower relatively than prices of grains, and consequently the live-stock feeder who has had to buy his grain has at times lost a great deal of money. Land has advanced tremendously in value and many farmers have taken advantage of this to cash in and retire.

In view of this generally prosperous condition, many people have difficulty in understanding why the farmer should complain. They do not see that the great increase in the price of land, the increase in price of farm labor, and everything else the farmer has to buy stimulates a condition which the farmer has very good reason to fear. If we could be assured of continued high prices for farm crops, the feeling of dissatisfaction among farmers would gradually evaporate. With prices as they have prevailed during the past two years there would not be much trouble in paying interest on the high-priced land or in paying rent. But there is every reason to believe that after 1920—and certainly after 1921—prices for farm crops will rule very much lower, and it will then be exceedingly difficult for any but the most skillful farmers to make money on present land values.

The cry from the cities and industrial centers is for cheap food, and our experience of the past shows very clearly that they are going to do everything they can to get it, and that without considering the farmer's cost of production. Most of the agitation against the high cost of living is directed against the farmer, and our officials, both State and national, as well as our Representatives in Congress, are susceptible to agitation of this sort from the cities. The effort will be made to bring in cheap grains and cheap meats from other countries, where land is cheap and living standards are low, and use these imports to beat down prices of stuff produced at home.

It is therefore because of fear of what is going to happen to him that the farmer is organizing to protect himself. He has learned something during the past three years. He sees very clearly that unless he can get prices for farm products which will be high enough to pay interest on the money invested in land and equipment, plus fair wages for himself and his boys, plus enough more to maintain the fertility of his land, our agriculture will decline. And throughout the corn belt there is the fear that we may have to go through the experience of the farmers of Pennsylvania, Ohio, and the Eastern States following the Civil War, when the flood of cheap grains and meats which followed the opening of this great western country simply smothered the eastern farmers, reduced immensely the price of their land, and compelled them to move west in large numbers.

If the Federal Government and the daily press could only be made to see this whole situation, there would be a fair chance to work out of it. Really it is a matter of greater importance to the Nation as a whole than to the individual farmer, because the latter can take care of himself. But we have had no national agricultural policy. No one in authority has seemed able to visualize just what has happened and what is likely to happen to our agriculture. So there is nothing left for the farmer to do but make a fight for prices that will enable him to maintain a sustaining agriculture and, failing that, to look after No. 1.

The people connected with the Federal Government and the people of the cities should not make any mistake in this matter. They should get it out of their heads that this unrest among farmers is a menace to established government. The fact is that the farmers believe in established government and love their country more deeply and will sacrifice more for it than any other class of people in the United States.

LANDS AT MILITARY POSTS—CONFERENCE REPORT.

Mr. SPENCER submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8819) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 16, 22, 28, 29, 30, and 31.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 20, 21, 23, 24, 25, 26, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and to the title of the bill, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "at Camp Taylor, Ky., and in no event later than June 30, 1921"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an

amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "$236,000"; and the Senate agree to the same.

SELDEN P. SPENCER,
GEORGE E. CHAMBERLAIN,
MORRIS SHEPPARD,
IRVINE L. LENROOT,
Managers on the part of the Senate.

JULIUS KAHN,
DANIEL R. ANTHONY,
THOMAS S. CRAGO,
S. HUBERT DENT, Jr.,
Managers on the part of the House.

Mr. OVERMAN. I should like to ask the Senator about Camp Bragg. Does that provision remain in the bill as it passed the Senate?

Mr. SPENCER. The provision relating to Camp Bragg remains in the bill just as it came from the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on the 19th instant, approved and signed the act (S. 3371) authorizing Gorden N. Peay, jr., his heirs and assigns, to construct, maintain, and operate a bridge and approaches thereto across the White River.

SALE OF SHIPS (S. DOC. NO. 231).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, ordered to lie on the table and be printed:

To the Senate:

I have the honor to acknowledge the receipt of a resolution passed by the Senate on February 14, requesting the President to inform that body "whether any, and if so, what, agreement or understanding exists between him and the officials of Great Britain concerning the disposition by the United States of America of the German ships which the Shipping Board is proposing to sell, or which were acquired by the United States after the termination of hostilities between said United States and the central European Teutonic powers."

The ships for the purchase of which bids have been asked by the Shipping Board were taken over by Executive orders issued pursuant to the joint resolution of Congress of May 12, 1917, authorizing the President to take over for the United States the possession and title of any vessel within its jurisdiction, under enemy ownership, or under the registry of an enemy country. The Government of the United States is not in possession of any ex-German vessels except those taken over under this resolution. Under an armistice agreement between the German Government and the allied and associated powers certain German vessels were taken over primarily for the transport of food to Europe, including Germany, and for the transportation of troops. Of the tonnage so taken over, certain passenger vessels were allocated to the United States temporarily for the purpose of repatriating American soldiers. When the transportation of our troops was completed, these vessels were all surrendered in accordance with the agreement under which they were temporarily allocated to this Government for such use.

There is not, nor has there been, any agreement or understanding between the President of the United States and officials of Great Britain concerning the sale of the ex-German vessels in possession of the United States, nor is there any agreement or understanding with respect to what disposition shall be made of those ships by the United States.

I believe the above information fully answers the Senate's inquiry. However, I am transmitting herewith a draft of a proposed understanding in regard to ex-enemy merchant tonnage to which I have given assent, subject to future action of Congress, as provided therein. Although this understanding, which recognizes American rights with regard to German vessels taken in our ports, does not relate to the disposition of such vessels by the United States, I am, nevertheless, transmitting it in order that the Senate may be in possession of all the information there is in any way relating to the vessels in question. I had intended to submit this to Congress at the appropriate time, after the ratification of the treaty with Germany.

WOODROW WILSON.

THE WHITE HOUSE,
20 February, 1920.

HERBERT C. HOOVER.

Mr. PHELAN. Mr. President, I ask unanimous consent to have inserted in the RECORD the remarks of Mr. Hughes respecting Mr. Hoover, as published in the New York World of Thursday, the 19th of February.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

HUGHES ACCLAIMS HOOVER IN GIVING CIVIC FORUM MEDAL—CARNEGIE HALL CROWD CHEERS AT HIGH TRIBUTE PAID HIM FOR DISTINGUISHED WAR SERVICE—ACCEPTS HONOR FOR ARMY OF MEN WHO HELPED HIM—WARNS AGAINST "DANGER OF PARTISANSHIP" IN DUTIES BEFORE US—SPEECHES BY OTHERS.

"Such a wave of enthusiasm as is rarely manifested by a New York gathering swept to its feet, cheering, an audience that packed Carnegie Hall last evening, when Herbert Hoover received from the hand of Charles E. Hughes the Civic Forum's medal for distinguished public service.

"When there came a lull in the tumultuous, prolonged applause, Robert Erskine Ely, director of the Civic Forum, called for three cheers, in which every member of the gathering joined.

"The recipient of the tribute was manifestly moved. Color flooded his face as he thanked the donors of the medal, declaring that he felt it was meant as much for the great body of Americans who have helped him in his tasks as for himself.

"'In this tribute,' he said, 'there should be recognition of my colleagues throughout the whole United States, who gave their services, first that Belgium might be preserved, and then that the life of Europe might be maintained down to the signing of peace.

"'The years of contact I have now had with my countrymen in bitter trial have demonstrated that there are thousands equal to leadership. There is, indeed, a definite and fine sense of voluntary sacrifice throughout the whole American people, which has been developed in this war to a degree never before equaled in the world.

DANGER OF PARTISANSHIP.

"'It has the one fine quality of self-sacrifice. It realizes that service is the underlying element of democracy. We are confronted with many and complex problems, and it is our duty to guard against the danger that selfishness and partisanship will overwhelm our sense of duty to the greatest number.'

"Mr. Hughes, chairman of the meeting, in his opening address, said that in paying tribute to Mr. Hoover's merits 'we are seeking without reference to class, without regard to party or to politics, to honor a great civilian hero of the World War.

"'Long before America realized her duty in the great struggle,' he continued, 'she was profoundly gratified that, in the person of Hoover, her humane sentiment was finding expression in an organization of unsurpassed effectiveness for the relief of Belgium. Hoover, as administrator of relief, was at once financier, diplomat, and statesman. He came into contact with the Governments of the Allies and with the despotism of the Central Powers. At all points he was ready, equipped, firm, fearless, and adequate.

"'It would have been impossible for any human being, or any conceivable group, to have handled this gigantic undertaking to the satisfaction of everyone. But no one doubted that to that task Hoover brought the best ability anywhere available. And, later, Europe recognized his preeminence as an organizer, in selecting him to administer the vast sum appropriated for feeding the war-stricken peoples, and as a member of the supreme economic council of the Allies.

HUGHES RECOUNTS RECORD.

"'In the midst of men of valor, men of exceptional talent, men of affairs, and those skilled in large enterprise, there is one who stands out with a unique reputation because of the rapidity with which he was able to formulate wise plans and the extraordinary degree of success with which he executed them.

"'His record prior to the war was that of successful enterprise in many lands. When the hour struck the man was ready. It is a source of peculiar pride that we recognize in him whom we honor to-night those gifts which, found to be invaluable during the war, especially illustrate American ability and character in the field which opens the greatest promise in time of peace.

"'The Americanism of Hoover is shown in every deed, in every utterance. His achievements dignified the Nation and established prestige for the American name abroad which even the mistakes of diplomacy can not obscure. He bears a name illustrious because of remarkable achievements; but, best of all, it is a name untarnished, expressive not only of exceptional ability but of the simple life of a modest citizen.

A STIMULUS TO AMBITION.

"'In truth we are here not so much to honor him as to recognize our duty to appreciate great public service and to stimulate, especially among the youth of our country, the most worthy

ambition. It is well for America that we give honor not simply to military and naval heroes, not only to distinguished officers of State, but to a man of the people, who served his country with honor by the most notable service to the world.'

"Other speakers were President Ray Lyman Wilbur, of Stanford University, Mr. Hoover's alma mater; Horace Vaughn Winchell, Mr. Hoover's predecessor as president of the American Institute of Mining and Metallurgical Engineers; President Aurelia H. Heinhardt, of Mills College, Calif.; and Henry Morgenthau, former ambassador to Turkey.

"The Civic Forum medal has been conferred only three times previously, the other recipients having been Alexander Graham Bell, Thomas A. Edison, and George W. Goethals."

DEFICIENCY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12046) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes.

Mr. WARREN. Mr. President, on behalf of the committee I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Wyoming will be stated.

The READING CLERK. On page 16, after line 2, it is proposed to insert the following:

To enable the Secretary of the Treasury to carry out at once the provisions of paragraphs (a) and (b) of section 7 of the act entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanitarium facilities for discharged, sick, and disabled soldiers, sailors, and marines," approved March 3, 1919, the limit of cost of the acquisition of the site and uncompleted building and completion and construction of the hospital buildings at Cook County, Ill., authorized by said act, is hereby increased from $3,000,000 to $3,500,000, and for the purpose of carrying the foregoing authorization into effect there is hereby appropriated the sum of $500,000, to remain available until expended.

Mr. WARREN. Mr. President, this amendment involves a matter which heretofore has received a great deal of attention. It is a subject which became involved in a rather labyrinthine way, so that it became very difficult to adjust. This hospital was authorized by a special bill providing hospitals for soldiers. It was begun after the authorization of the expenditure of $3,000,000, and in fact was nearly completed, when, by reason of the practical closing of the war, the Secretary of War turned the whole matter of hospitals and the care of sick soldiers after discharge over to the Public Health Service.

A hospital prepared for soldiers differs from a hospital prepared for the Public Health Service, and many changes were necessary to be made in the construction of this hospital. The contract was originally signed by an officer of the Army, who was relieved from that particular position soon afterwards, and before the return of the Secretary of War, who was then in France. The Secretary of War failed to sign the original contract because of his absence, and the matter was being turned over to the other organization. The Public Health Service from time to time has varied in its recommendations. So the matter was left where the Secretary of the Treasury was unable to complete the hospital properly under the original contract, and it seems was unable to effect a new contract with the builders. The Committee on Appropriations was then appealed to for some changes in the language of the law in order to enable the Secretary of the Treasury to proceed. Therefore, in a former deficiency appropriation bill, an amendment was included. That, however, proved ineffectual, and in the appropriation bill preceding this one—that is, the first urgent deficiency appropriation bill—another change was carried. Now comes at this time the amendment which I have offered, and which, as it was presented to the committee, carried numerous other provisions.

The committee refused to go further in this matter unless there was agreed upon an absolute settlement which would not exceed certain boundaries. Not having received anything up to nearly the closing hour of yesterday, nothing was included in the bill in reference to the matter, but last night came the information from the Secretary of the Treasury that an agreement had been arrived at. This morning the chairman of the Appropriations Committee has been in consultation with the Secretary of the Treasury for a half hour and has gone over the entire matter from A to Z.

The Secretary assures me that if the amendment, which I submitted to him, is adopted he will struggle yet to complete the hospital for the uses of the Public Health Service for the amount originally agreed upon, but that it can not be done without arranging beforehand a list of changes, which he proposes to do under a renewed contract.

Mr. President, I will ask that the proposal which I hold in my hand may be read at the desk. It involves a question sent from the Secretary of the Treasury to the contractor and also submitted to the regularly employed attorney of Mr. Shank and Mr. Hines, who have furnished the money with which to build the hospital.

The VICE PRESIDENT. Without objection, the paper presented by the Senator from Wyoming will be read.

The Assistant Secretary read as follows:

Will your people agree to sell the site and complete the buildings known as the Broadview Hospital, Chicago, Ill., according to the revised plans and specification for $3,000,000, minus the $73,770.87, plus an amount sufficient to cover any increases in wages and cost of materials over the schedules prevailing in the market in Chicago October 16, 1919, found by the Supervising Architect, with the understanding that the absolute final cost, including said sum of $73,770.87, shall not exceed $3,500,000, with the further understanding that the cost of the project shall be reduced by such amount as may result from cheapening expedients agreed upon?

Copy of the agreement signed February 19, 1920.

Answer. Yes.

SHANK & CO.,
By GEO. H. SHANK, *President.*

Yes.

WILLIAM S. BENNET,
Attorney for the Owner.

NOTE.—If not, for what sum will your people sell the site and complete the buildings according to the plans and specifications, without any qualifications, provisos, or reservations whatsoever?

Mr. WARREN. The signatures to that communication are those of the contractor and of the attorney. Mr. President, I move the adoption of the amendment.

Mr. KING. Mr. President, when this matter was before the Senate on a former occasion I recall that the then Secretary of the Treasury, now the Senator from Virginia [Mr. GLASS], very vigorously opposed the purchase of the so-called Speedway Hospital. I think that the opposition of the Secretary would have triumphed in this matter had it not been for the statement made by the Senator from Arkansas [Mr. ROBINSON]. We have such great confidence in him that when we understood that he was for the proposition I know it abated very much of the opposition that existed in regard to this matter.

Mr. President, there have been a number of communications sent to me from various sources, some in favor of this proposition and some violently opposed to it. Some of the statements which have been made were to the effect that a gross fraud was being perpetrated upon the Government; that the building would not provide the number of beds which had been represented; that the cost was entirely disproportionate to the advantages and benefits to the Government. One statement made to me by a person who claimed to have made some investigation was to the effect that each bed would cost, as I remember, $3,000. Another gentleman, who claimed to have some knowledge of this matter, reported to me that there had been some scandal in connection with the purchase of it, and it was charged—and an investigation, as I recall, was had—that a large sum was paid by way of commission to the person who sold this project. There have been so many charges and countercharges in regard to this matter, Mr. President, that I shall be very glad if some further explanation can be made in regard to it.

Mr. ROBINSON. Mr. President, the statement of the Senator from Utah invites me to an explanation respecting this amendment.

Some months ago I introduced in the Senate a resolution to investigate the necessity for Government hospitals required to make provision for the treatment of sick and disabled soldiers. As a result of that investigation the Secretary of the Treasury was authorized to acquire the hospital involved in this amendment and a number of other hospitals at different places.

During the course of the investigation it appeared conclusively from the evidence that some seven or eight subordinate authorities of the War Department had signed a contract with the Shank Co. for the construction of this hospital. The contract contained the usual emergency clause contemplating procedure immediately with the construction. The Secretary of War, however, had not signed the contract. He himself was then, if my recollection serves me correctly, in France, and Assistant Secretary of War Crowell was Acting Secretary of War. The evidence upon the part of some four or five witnesses was to the effect that a real estate agent in the War Department had approached the owner of this property on one occasion, and his attorneys on another occasion, and asked for a fee of $100,000 as a consideration to recommend the adoption of the project. The evidence further tended to show that he claimed the project would not be approved without his favorable recommendation.

Mr. LENROOT. Mr. President——

Mr. ROBINSON. I yield to the Senator from Wisconsin.

Mr. LENROOT. I should like to suggest to the Senator that that charge was made by the owners of the property themselves.

Mr. ROBINSON. The owners of the property refused his proposition and filed affidavit with the Secretary of War charg-

ing the employee in the War Department with this breach of duty and alleged criminal conduct. The affidavits were referred, very properly, to the Department of Justice for investigation and action. I know nothing of what has occurred since that time in connection with the charge.

I point out to my friend, the Senator from Utah, that the evidence tended to show that the request for a fee of $100,000 came from an employee of the Government; that he claimed to be a real estate agent in the city of Chicago, and claimed a fee because of his occupation there, being engaged at work in the War Department for a nominal consideration. So far as I know and so far as the record shows, that is a fair statement of the transaction referred to in connection with the fee. The hospital project has been investigated some five or six times by the War Department or representatives of the War Department, and without exception the report has always been that this hospital—and I call the attention of the Senator from Wisconsin [Mr. LENROOT], who is familiar with the subject, to this statement—is not only the best hospital available for the Government's use but that it provides accommodations cheaper than any other hospital which the Government has been able to obtain or has in prospect; that it is a modern, up-to-date, fireproof hospital, furnished at a less cost per bed than the frame fire traps that have been used elsewhere throughout the country.

That is the undisputed evidence in the matter. The subject has been gone over a number of times by Congress, and it ought to be disposed of now. In the general hospitals act, which was reported by the Committee on Public Buildings and Grounds as a result of the resolution of investigation which I mentioned in the beginning of my statement, was contained this language:

SEC. 7. By the construction of new hospitals and sanatoria, to include the necessary buildings with their appropriate mechanical and other equipment and approach work, including roads leading thereto, for the accommodation of patients, officers, nurses, attendants, storage, laundries, vehicles, and live stock on sites now owned by the Government, or on new sites to be acquired by purchase or otherwise, at the places hereinafter named.

Then, omitting a proviso which gave the Secretary of the Treasury discretion to select better sites or hospital projects at less cost, the act provides:

(a) At Cook County, Ill., by taking over the land and executing the contract for the construction thereon of hospital buildings specified therein of a certain proposed contract executed by the Shank Co., August 31, 1918, and in accordance with such contract and the plans and specifications, identified in connection therewith August 31, 1918, by the signature and initials of Brig. Gen. R. C. Marshall, jr., Construction Division, Quartermaster Department, United States Army, by Lieut. Col. C. C. Wright, and the Shank Co., by George H. Shank, president, at the cost stated therein, namely, $2,500,000, with such changes in said plans and specifications as may be required by the Secretary of the Treasury to adapt said specified buildings to the needs and purposes of the Public Health Service, at a total limit of cost not to exceed $3,000,000.

(b) In carrying the foregoing authorization into effect the Secretary of the Treasury is authorized to execute the contract with the Shank Co, hereinbefore specified, with such verbal changes as are made necessary by a change in the contracting officers, and to assume all obligations in said contract contained, and to purchase materials and labor in the open market, or otherwise, and to employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of cost herein authorized.

Under that provision the Secretary of the Treasury did not close up the matter; and when the urgent deficiency appropriation bill was passed, approved December 24, 1919, after a full discussion of the matter then, this provision was inserted:

HOSPITAL AT BROADVIEW, COOK COUNTY, ILL.

That so much of an act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes" (Public No. 5, 66th Cong.), as reads as follows: "The Secretary of the Treasury is hereby directed to acquire and complete immediately the hospital at Broadview, Cook County, Ill., authorized and appropriated for by an act entitled 'An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines,' approved March 3, 1919" (Public act No. 326, 65th Cong.), is hereby amended so as to read as follows:

"That the Secretary of the Treasury be, and he is hereby, directed immediately to acquire the uncompleted hospital building at Broadview, Cook County, Ill., and the site thereof, consisting of 320 acres, more or less, and to cause the work on said hospital building to be completed and the five proposed auxiliary buildings to be constructed in accordance with plans and specifications transmitted to the Shank Co, July 15, August 16, and September 23, 1919, and the appropriation therefor contained in the act entitled 'An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers,' approved March 3, 1919, together with such further changes in said buildings as may be found necessary or desirable."

Thus it appears that in three separate acts of Congress this matter has been gone over, and the Secretary of the Treasury has been instructed to acquire this property and proceed with its completion: First, the general hospitals act, approved March 3, 1919; second, the urgent deficiency appropriation act, approved June 30, 1919; and third, the urgent deficiency appropriation act, approved December 24, 1919.

As the matter now stands, the existing law not only authorizes but requires the acquisition of this property. It requires the Secretary of the Treasury to proceed with the completion of the hospital. The amendment which the Secretary of the Treasury has submitted, through the chairman of the committee, authorizes an addition to the limit of cost of $500,000. The Shank Co. binds itself to complete the entire project in accordance with the revised plans within a limit of $3,500,000, and the Secretary hopes that it may be completed for less than that sum; but it is necessary, in order to avoid the possibility of a deficiency arising, to accept this amendment. I think it ought to be accepted. The matter has been held in abeyance long enough. It has been investigated over and over, not only by authorities in the War Department but by the committees of the Senate, including the Committee on Public Buildings and Grounds, which reported the original hospital act authorizing the acceptance of this project.

Mr. KING. Mr. President——

Mr. ROBINSON. I yield with pleasure to the Senator.

Mr. KING. I wanted to ask my friend whether or not the maximum sum named now will include the purchase of the 160 acres to which he has referred?

Mr. ROBINSON. My information is that it will.

Mr. KING. May I inquire of the chairman of the committee on that subject?

Mr. ROBINSON. Yes; certainly.

Mr. KING. I should like to ask the chairman of the committee whether the $3,500,000 will cover the cost of acquiring the 160 acres of land?

Mr. WARREN. Absolutely; and I want to impress upon the Senator, further, that I have the most solemn assurance of the Secretary himself, within the last hour or hour and a half, that under the offer and acceptance which was read from the desk they are bound to furnish this land and to complete this project under the original contract, with such changes as may be agreed upon, and the Secretary hopes that it may not exceed the $3,000,000, or not exceed it very much; but he is unable to make any promises, and he is unable to get any contract, unless there is latitude enough and longitude enough to cover these needed changes from the original plans of the Army to the Public Health Service. And I am not sure but that the land may be 320 acres instead of 160 acres.

Mr. KING. The Senator also should include the word "altitude."

Mr. WARREN. So I think the question and answer cover the ground completely.

Mr. THOMAS. Mr. President——

Mr. ROBINSON. I yield.

Mr. THOMAS. Before the Senator takes his seat, let me ask whether the amendment contemplates the appropriation of $3,000,000 in addition to the money which was carried by the hospital bill of last year?

Mr. WARREN. Not at all. This is in express terms $500,000, or so much of it as may be necessary, in addition to the $3,000,000 appropriated in the special hospital bill long ago.

Mr. KING. May I inquire of the Senator from Arkansas whether this amount will complete the five buildings to which the Senator referrred in his remarks a few moments ago?

Mr. ROBINSON. My understanding is that it is intended to carry out this project, with such modifications as have been agreed upon. I agree with the Secretary of the Treasury that the arrangement is a good one for the Government. I think the project in the beginning was the very best that has ever been submitted to the Government, and that is the conclusion that has been reached by all the committees that have investigated it. No one who ever went into the subject, in so far as I know, reached any other conclusion than that it was both the best and the cheapest hospital facility that the Government has acquired or can secure. The limit of cost has been heretofore fixed at $3,000,000. This amendment simply raises the possible limit of cost by $500,000, which is necessary to meet the changes that the Secretary of the Treasury finds are required in order to make this hospital available as a Public Health hospital. The Senator understands that it was originally begun as an Army hospital.

Mr. KING. Will the Senator advise us what the original cost of the hospital was when it was designed as an Army hospital?

Mr. ROBINSON. I think it was $2,500,000. I am not sure about that.

Mr. KING. So that this increases it $1,000,000?

Mr. ROBINSON. The total increase from the original plans, perhaps, has been a million dollars.

Mr. KING. Does the Senator know whether or not the number of beds in the hospital will be larger under these new plans than under the old ones?

Mr. ROBINSON. No; I can not state as to that. My information is that a large portion of this new work is in connection

with the buildings to which the Senator has referred, which are required for the accommodation of the employees of the hospital, and are not themselves immediately connected with the main hospital building.

Mr. KING. While this is perhaps not germane, can the Senator advise us of the reason for the acquisition of so many hospitals by the Public Health Service? Let me premise that question, before the Senator answers it, by a statement.

During the war, as the Senator knows, a large number of hospitals—some temporary, and some of very great value—were acquired or erected by the Government. We had in the neighborhood of 2,000,000 men, or nearly that number, at one time in our cantonments and ports and military reservations throughout the United States. In order properly to care for this vast number, of course, a large number of hospitals were necessary. In addition we now have a large number of soldiers' homes, which may be converted at very little expense into suitable hospitals, some of which are scarcely inhabited, because the old soldiers are fast passing away.

It has occurred to me, and that suggestion has been made by many, that with the hospitals that the Government owns, plus the old soldiers' homes, there is no necessity for these additional hospitals, and that the demand which has been made, or the suggested demand, of $85,000,000 for Public Health hospitals is wholly unwarranted and wholly unfounded. Can the Senator give us any information in respect to those matters?

Mr. ROBINSON. Mr. President, I do not feel sufficiently informed at this time to undertake a detailed and accurate statement regarding the Public Health hospital program, but in so far as the particular project under consideration is concerned Congress has determined in three separate acts that the Government should acquire this hospital, and the liability of Congress under those acts already has been fixed. Now, undoubtedly the settlement of the matter which is comprised in the amendment sent to the Senate by the Secretary of the Treasury is the very best for the Government that can come about. I do not agree with the Senator from Utah, if I correctly understood the implication of his statement, that the existing hospital facilities are adequate for the requirements of our returned soldiers; and while I have not been into the subject fully, I think the Senator will find that other facilities than those already authorized will be required by the Public Health Service as the years go by, but whether that be true or not this is the best proposition that the Government has had. The Government, at enormous comparative cost, has acquired a number of frame hospital buildings subject to fire, exceedingly dangerous to occupy. This hospital is absolutely fireproof. It is badly needed, according to all of the information which has come to me, to meet emergency requirements; and if there is any criticism that can fairly be made of the course that this matter has pursued, it is to the effect that the Government has been too long deprived of the use of this very valuable hospital, which it has committed itself to acquiring by three separate acts.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. ROBINSON. I yield with pleasure to the Senator from Wisconsin.

Mr. LENROOT. I will say to the Senator from Utah that when this committee, of which I was a member, made its investigation the first thing it did after concluding its hearings was to ascertain what Army hospitals might be turned over to the Public Health Service. The Secretary of War and the Public Health Service could come to no agreement, and finally the committee compelled an agreement by which the Secretary of War turned over a number of the Army hospitals to the Public Health Service, and that was done in that legislation. In addition, this hospital was provided for. A bill had come to the Senate from the House appropriating, I think, $9,000,000 and we reduced that appropriation by several million dollars, taking the Army hospitals and this hospital; but the committee, realizing at the time that additional appropriations would be necessary for the Public Health Service, refused to do it at that time, with the idea that as time went on there might be other Army hospitals that might be turned over to the Public Health Service.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMOOT. I offer the following amendment.

The VICE PRESIDENT. The Secretary will state the proposed amendment.

The ASSISTANT SECRETARY. On page 2, after line 9, insert the heading "Bureau of Efficiency" and the following:

To enable the Bureau of Efficiency to perform the duties imposed upon it by the legislative, executive, and judicial appropriation act approved March 1, 1919, $20,000.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. STERLING. I ask the Senator from Utah to state a little more particularly the object of the proposed amendment.

Mr. SMOOT. I can do it in very few words, Mr. President. The Bureau of Efficiency was requested by the Secretary of War, the Assistant Secretary of War, the Director of Finance, and the Quartermaster General to make a survey of those departments, with a view of eliminating unnecessary employees, as far as possible, and also to make recommendations with reference to certain work which was considered as a duplication. That work was done at a cost of $20,000. It has saved to the Government already $250,000. I will say to the Senator further that the report also recommended changes in the Quartermaster's Department that will save $5,000,000 a year to the Government.

Mr. STERLING. It is for work already done?

Mr. SMOOT. Yes; for work already done, and at the request of the Secretary of War, the Assistant Secretary of War, the Director of Finance, and the Quartermaster General.

Mr. STERLING. As it is for work already done I shall make no objection. I thought it contemplated an appropriation for future work.

The amendment was agreed to.

Mr. SMOOT. I ask unanimous consent that the vote of the Senate be reconsidered by which the amendment on page 29, beginning in line 24, down to and including line 2 on page 30, was rejected.

Mr. WARREN. I have no objection to that.

The motion to reconsider was agreed to.

The VICE PRESIDENT. The question is on the amendment, which will be stated.

The ASSISTANT SECRETARY. The committee reported, on page 29, line 24, to insert the following proviso:

Provided, That the sum of $75,000, in addition to that now provided by law, shall be available for the compensation of necessary employees serving at the seat of government.

Mr. SMOOT. My President, I desire to say just a word in explanation of the reason for my request. The appropriation of $75,000 proposed to be made by the amendment is for the employment of additional clerks in the District of Columbia. Officials of the Department of Justice came to my office this morning and stated that the money has already been spent. The appropriation for the detection and prosecution of crime for the present fiscal year amounted to $2,600,000, and of that amount there was a limit of $140,000 for the employment of clerks in the District of Columbia. This $75,000 does not increase the appropriation, but it does allow the $75,000 extra to be used for the hiring of clerks in the District of Columbia out of the original appropriation of $2,600,000.

I am going to take occasion at this time to say, and I hope that the heads of the departments will take notice of it, that when Congress makes an appropriation for the employment of clerks in the District of Columbia or for any other specific purpose the departments must recognize the fact that that is the amount of money which is to be expended for the purpose named and for no other, and if there is to be a deficiency they ought to come to Congress before a deficiency is created. I know the heads of departments in the past have paid no attention to the amount appropriated, and that is why we have one, two, three, and four deficiency appropriation bills every year.

I hope that the departments will understand from now on that deficiencies must cease and that when we make an appropriation Congress means that the amount of money appropriated shall be expended for no other purpose than that named in the bill. I recognize from what was told me this morning by the officials of the Department of Justice that the money has already been expended, and the appropriation, of course, was made not for this purpose but for another purpose entirely.

I ask that the amendment be agreed to as submitted by the committee.

The amendment was agreed to.

Mr. LODGE. I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 22, after line 25, insert:

BUREAU OF CONSTRUCTION AND REPAIR.

For the preservation and completion of vessels on the stocks and in ordinary, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1920, $3,000,000.

Mr. LODGE. Mr. President, there are some economies which are more extravagant and wasteful than any form of expenditure, and this which I am trying to remedy is one. There are ships lying at all the yards in urgent need of repairs, some of them serious repairs and others repairs which will become serious if neglected. If these repairs are neglected and the ships are allowed to lie untouched, it will end in a necessary appropriation many times larger than the one now proposed.

I can speak from personal knowledge only of the yard at Boston, but the condition which exists there exists at all the yards. There are half a dozen ships there, two dreadnoughts, as I remember, absolutely in need of immediate repairs, and if this sum is not given it will be necessary to lay off, not the extra force caused by the war, but the men mostly of long service who were there in the prewar period; that is, to reduce the force of the yard below normal. It is always a bad and an expensive thing to break the organization of any great plant; and that would be another cause of expense.

This and several other similar appropriations were asked for very urgently by the department. I have introduced an amendment to cover only the Bureau of Construction and Repair. I have arbitrarily reduced in my amendment even the amount they requested from $3,250,000 to $3,000,000.

The official statements in regard to it will be found in the letter from the Secretary of the Navy sent in January 22, 1920, and the details in regard to it which I do not wish to take the time of the Senate to read. This is needed proportionally at all yards. The total sum is very small compared with the work that remains to be done.

Mr. KING. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. KING. I invite the Senator's attention to the naval appropriation act approved July 11, 1919. I find that the appropriation there is a little less than I had carried the figures in mind, but the Senator will remember that the naval appropriation act carried considerably more than $400,000,000. I find on pages 20 and 21 of that act, under the head of "Bureau of Construction and Repair," that we appropriated $31,000,000.

Mr. LODGE. I was aware of that.

Mr. KING. I had no doubt that the Senator was aware of it.

Mr. LODGE. I happen to be on the committee, I will say to the Senator, and I am not wholly ignorant about the subject, although not as wise as I should like to be.

Mr. KING. I am delighted that the Senator advises me of the fact that he is on the committee. I ask the Senator if the $31,000,000 which was appropriated is not sufficient?

Mr. LODGE. It is not sufficient.

Mr. KING. The committee at that time, after full investigation, determined that $31,000,000 was sufficient for the Bureau of Construction and Repair; and it seems to me that we ought not to be called upon at this time, particularly in view of the fact that we will soon have a general appropriation bill, to make a further appropriation.

Mr. LODGE. We cut the construction and repair item very low, as I thought, as we did all the appropriations. The fact is, to deal with the subject for a moment in a large way, we are in the same danger now that we were after the Civil War. The country then made up its mind that we were never going to fight again—that we never should need a Navy again—and the Navy was allowed to run down year by year until we practically had no Navy except a few old-fashioned wooden ships. By that treatment of the Navy after the Civil War, and the total neglect of it which followed for many years, the country was put to enormous expense to rebuild it when the inevitable rebuilding came.

There is no economy in it; on the contrary, as I have already said, it is worse than a wasteful expenditure to make economies of this character. Every day that those ships lie at the yards the bills for repairs increase, because a ship that is in that condition deteriorates very rapidly.

We ought to dismiss the idea that the Navy is not going to be a great expense to the country. It must be, because its defense and its safety lie in the Navy. Setting aside all the safety that is promised us in the league for the moment, I think grave dangers still exist, and that the country ought to be thoroughly protected on both oceans. To cut down the Navy as is proposed would leave us in a condition, to my mind, of extreme danger. I am not advocating extravagant appropriations at all; but the Navy, both in building and in personnel, must be kept up, and to that we must make up our minds. There are plenty of things that we can cut, and I have favored cutting, and that can wait, but the Navy must always be dealt with.

In this particular case I think it is extremely poor economy, as I have already said, to make this reduction. I do not know that there is anything more which can be said. The ships are there; they need repairs of all classes. There are two dreadnoughts, as I said before, in the Boston yard alone. They are scattered about at all the yards. I think you will find it the case in every yard in the country, that the ships are lying there; and the kind of cutting that is apparently being attempted elsewhere is reckless and not intelligent, to my mind. It is saving at the moment, only to add a great deal more at a later day, just as we have dropped off a part of the railroad indebtedness. It makes a better appearance in the year's total appropriations. I see no economy in it whatever.

The way the thing comes about is the cutting of appropriation bills which ought to carry enough for the year. Then comes a deluge of deficiency bills, which is the most expensive way of legislating that there is. It arises from unwise reductions in the great bills which ought to carry, except for unforeseen emergencies, all the appropriations needed for the year.

The naval bill last year was cut too much, according to my idea, and that we should have a deficiency here and there does not surprise me. But I think that applies to all appropriation bills. We are all anxious to reduce the appropriations as much as we possibly can, and no one will do more in that direction than I.

In this particular case it is cutting off the most important service of the Government, for the Navy is more important to the Government than any other service. Owing to our isolation as a continent, it is the great bulwark of defense that we must always keep at the highest efficiency. It is the one place where there ought to be no serious reduction beyond the cutting off, of course, of the extraordinary war expenses, which will amount to hundreds of millions of dollars.

We ought to keep the Navy up. The first thing in keeping the Navy up is to keep the ships which we already have in repair. I know of no worse place to make a cut than in this particular direction. Thirty-one million dollars was appropriated. It was allotted among the bureaus as usual. They were called on to speed up in the summer for reasons given by the Secretary, and that led to a reduction of the allotment now. This is simply to keep them along for the present, and I think it is a very meritorious and a very important addition that ought to be made.

Mr. KNOX. Mr. President, I can not add to the larger aspects of the question that have been indicated by the Senator from Massachusetts [Mr. LODGE], but it seems to me that it is a cheeseparing policy to allow the ships of the American Navy to lie rotting at the wharves for the want of a small appropriation to keep them in condition for use, if there is occasion to call upon them for use. I am perfectly certain that not only at the navy yard at Boston but on the Pacific coast and elsewhere the conditions are practically similar to those in my own State at the Philadelphia Navy Yard.

I do not look upon a ship myself as simply a mute and inanimate thing. It has a personality; it has a character; and these wounded veterans of the American Navy that are now at the various navy yards of the country are sentimentally entitled to be kept up and maintained.

It is false economy, Mr. President, to disorganize the personnel, to dissipate the organization at these great yards, because of the lack of an appropriation to carry on the work. In the Philadelphia yard I happen to know that the organization has been cut down to practically an American basis; that the 1,200 or 1,500 men who will be thrown out of employment if these ships are not to be taken care of and repaired are the cream of the large organization that it was necessary to maintain during the war in order to meet the demands made upon that yard. They have been substantially reduced to the men who own their homes in the vicinity of the yard. If we are going to be called upon to carry out a large naval program, it would not be many months after this organization had been dissipated before we would be compelled to call for a reorganization, and the private establishments of the country would have absorbed the highly intelligent artificers who have done this wonderful work.

So for the reason that it is a good factor of preparedness, that it is good sentiment, that it is good horse sense to put in the stitch in time which saves nine, I hope that the amendment of the Senator from Massachusetts will prevail.

Mr. WARREN. Mr. President, of course I recognize that the Senator offering this amendment and those associated with him on the Committee on Naval Affairs have a greater knowledge of the subject as a whole than have I or the other members of the Appropriations Committee. I think, however, I will not say in defense but in the interest of the Senator offering the amendment and of the Committee on Appropriations, I ought in a few brief sentences to state the difficulties that might follow in arranging this legislation, so that the members of the Naval Committee may know what those difficulties are and may shape their debate accordingly.

The Secretary of the Navy requested of the House of Representatives some $9,000,000. The House committee reported $400,000 for certain purposes; in the House $800,000 was put in; and $9,000,000 was attempted to be provided, as a whole or in separate items. Several points of order were made at dif-

ferent times as to some of the items, and were sustained, and as to others they were overruled, and the question went to a vote of the House. The bill was before the House for some two weeks. The subject came up, as properly it should, early in the consideration of the bill. The chairman of the Committee on Appropriations there finally thought that he ought to refer the subject to the Committee on Naval Affairs of the House. I desire to read a few lines from the debate in the House merely to indicate what the difficulty was. The chairman of the Naval Affairs Committee of the House first stated that there was plenty of money; that there were $21,000,000 unexpended; but he further said that he had taken the matter before his committee, that it had been considered there, and he said:

> Here is the motion that was made and the one that was carried:
> "*Resolved*, That it is the sense of this committee that the chairman of the committee inform the House that we think it wise to remove the limitation so as to authorize the appropriation—

It was sought to provide these amounts, first, instead of by direct appropriations, by transfer of appropriations previously made and then discontinued. However, the amendment offered by the Senator from Massachusetts [Mr. LODGE] is an original proposition to appropriate the amount of money named, which, as he says, is less than the estimate. Of course, it is entirely in order. To finish the reading, the chairman of the Committee on Naval Affairs of the other House continued:

> as recommended, of an additional expenditure of $400,000 for technical help in the Bureau of Yards and Docks, and that it is further the sense of the committee that other appropriations sought by amendments that have been offered are not needed and will not be needed until after July 1, 1920, when they will be cared for in the regular appropriation bill."

And this resolution in the Naval Affairs Committee was agreed to, with but two votes opposing.

Of course, after that the Members who were interested in the various navy yards proceeded with the debate. I shall not quote anything further, but the debate is in the RECORD for Senators to see.

The chairman of the committee made some further observations which tended, of course, to block any amendment which might be offered and which will make it rather difficult, as will be observed, finally to enact this legislation, whatever we may do in the Senate. He made the claim that there were now, I think he said, 92 navy yards, which were twice as many as we needed, except during the war; and he stated that the commandants at those yards had exceeded their lawful authority, and after the Secretary had apportioned and allocated the money they went on and spent whatever they saw fit. He noted one navy yard, that at Newport News, to which the amount of money allocated was $30,000 a month, and he stated that the commandant at that yard had spent $88,000 a month, an excess of $58,000 per month over the $30,000 authorized to be spent. He went on further to state that dreadnoughts and other large vessels and all other warships could be repaired entirely and completely inside of the amount already appropriated and available, and that many of the "old tubs," as he termed them, and other craft that were not useful in war, and, in fact, that ought to be scrapped instead of repaired, could surely wait.

I submit the remarks of the chairman of the House committee without any prejudice on my part in order to show the condition with which the Committee on Appropriations of the Senate is confronted. While the committee did not report any of this legislation, I feel that if it is presented by members of the Committee on Naval Affairs they should know, and perhaps they have already read, what was said and done in the other House, and especially by Members of the House who are also members of the Naval Affairs Committee of that body.

Mr. HALE. Mr. President, the chairman of the Committee on Appropriations has referred to the statement made by the chairman of the Naval Affairs Committee of the House, in which he stated the department had plenty of money on hand for the work that must be done in taking care of the ships of the Navy. He stated, I think, that they had $21,000,000 on hand. That statement was made on the 4th day of February, there remaining five months of the current year up to July 1. The total appropriation for the current year, as stated by Chairman BUTLER, for taking care of navy yards and for expenses necessary for taking care of ships, and so forth, was $84,000,000, covering appropriations to the Bureaus of Yards and Docks, Steam Engineering, Supplies and Accounts, and Construction and Repair. Five months before the end of the current year $63,000,000 of that $84,000,000 had been spent, leaving only $21,000,000 with which to take care of the other five months. The expenses during those five months are not estimated to be lower proportionately than the expenses were during the first seven months.

The Navy Department, when it furnished its figures to the House committee, asked not for $9,000,000, but for $18,000,000. That sum was cut down by the Appropriations Committee of the House, and with the consent of the Naval Affairs Committee of the House, to, I think, $9,300,000. That amount was in the bill which was passed by the House of Representatives last September. The Senate later turned that appropriation down when it came before them.

The amendment of the Senator from Massachusetts [Mr. LODGE], instead of asking for the $18,000,000 originally asked for, or for the $9,300,000 to which it had been cut down in September, merely asks for $3,000,000 for the purpose of overhauling and taking care of the ships that are laid up in our navy yards. With that small appropriation it will not in any way be possible to take care of all of the ships which ought to be taken care of. Only a small amount of work can be done with it, but some of the work can be done with that amount of money.

I had a talk yesterday with Admiral Coontz, the Chief of the Bureau of Operations, and he told me that for every month the overhauling and repairing of a ship is postponed 5 per cent is lost; so that if the overhauling is postponed four more months, or from now until the 1st of July, 20 per cent will be lost; that is, if it would cost $100,000 to overhaul a ship now, it will cost $120,000 to overhaul the same ship four months from now.

As I have said, this small appropriation can not take care of all of the ships which must be taken care of, but it can provide for a certain amount of work. One of the things that it can do is to provide battleships which are now under repair, or which now should be under repair, for the annual cruise of the midshipmen of the Naval Academy. There are 1,800 of these midshipmen, and in making their annual cruises about 300 are placed on each vessel. If this money is appropriated it will enable the department to get ready six of the battleships which are now tied up in navy yards.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. HALE. I yield.

Mr. LENROOT. Will not the Senator tell the Senate what was done with the $60,000,000 that has already been expended this year for repairs, and why we are in a condition where we have not battleships enough to provide the annual cruise of the midshipmen after the expenditure of $60,000,000 for repairs?

Mr. HALE. That money was used in the regular course of taking care of the ships and yards. We have 15 dreadnoughts in the Navy and 14 predreadnoughts. Of the 15 dreadnoughts, 12 are now in commission and cruising with the fleet, 3 are under repair. These 3 are all in Pacific waters. Of the 14 predreadnoughts which we have, only 1 is in commission, all of the others being under repair. It is estimated, as I have said, that with the $3,000,000 proposed to be appropriated we can provide ships for the midshipmen, and we can do something in providing destroyers and tenders and hospital ships and other ships which are necessary to keep the fleet running.

It seems to me it is a very small amount of money which is asked for. We shall have to pay for the work directly, if we do not now get the $3,000,000 for use in repairing ships. We will save $600,000, on the basis of the figures I have already given, if the money is appropriated now, rather than allowed to go over until July. I believe the amendment is a reasonable one and I hope it will be carried.

Mr. LENROOT. Mr. President, if the Senator will yield again I should like to ask whether, in his judgment, as a member of the Naval Affairs Committee, it should cost us more than $80,000,000 to keep our Navy in repair?

Mr. HALE. The estimates, I believe, for the coming year have been cut down from $84,000,000 to $70,000,000, and as we get nearer and nearer a peace basis I presume they will be further cut down.

Mr. LODGE. Mr. President, may I ask the Senator from Maine to yield to me for a moment?

Mr. HALE. Certainly.

Mr. LODGE. I should like to have the Senator from Wisconsin state where he got the figures $60,000,000 and $80,000,000.

Mr. LENROOT. I got them from the Senator from Maine just a moment ago.

Mr. LODGE. The amount appropriated for the repair of ships was only $31,000,000.

Mr. HALE. I was including all the various items for this purpose.

Mr. LODGE. The larger amount included engineering and maintenance.

Mr. HALE. I stated in my remarks that the estimate I gave included everything that was used in the Navy in connection with the taking care of the ships.

Mr. LODGE. That is the aggregate estimate for yards and docks and the estimate for engineering, and so forth. This item is only for repairs, and the appropriation for repairs was $31,000,000.

Mr. HALE. The Senator was not in the Chamber, I think, at the time, but I stated in my remarks that the estimate that Mr. BUTLER made in his speech in the other House of $84,000,000 covered all of those things.

Mr. KING. I gladly pay tribute to the distinguished Senator from Massachusetts [Mr. LODGE] for his splendid service upon the Naval Affairs Committee, and I recognize his superior knowledge, growing out of his long service, as well as his great ability, with respect to matters connected with the Navy. I join with him in the statement that it is important that we should have a strong Navy. It has been the view of our statesmen in the past, and I am sure it will be in the future, that we shall have an efficient Navy, one that will protect the interests of our country. Some persons insist that we shall have the largest and strongest Navy in the world. Whether that view prevails or not, it is important that the future security of this Nation be assured, and it is obvious that under the conditions now prevailing in the world we can not do other than maintain an efficient Navy. I believe in a small standing Army and in a Navy that can defend this country against the assaults of any foe, but, Mr. President, the Senator's observations, as well as the statement made by the distinguished Senator from Pennsylvania [Mr. KNOX], would convey the idea to a person not acquainted with the appropriations which have been made that we had been guilty of a "cheeseparing" policy in the last appropriation bill and during the past few years in dealing with the Navy.

I was in error a moment ago when I said that the last naval appropriation bill, passed in July last, carried between four hundred million and five hundred million dollars. I remember now that I made some observations at the time the Senate passed the bill, stating that, in my opinion, the bill ought to carry less than five hundred millions for the fiscal year ending June 30, 1920. It seems to me that in view of the tremendous burdens under which the Government was staggering, growing out of the war, and in view of the fact that we needed some little time to assemble the data which the war produced and learn the naval lessons which it taught, we could with safety to our country reduce the naval bill to approximately five hundred millions for the fiscal year. I find that we actually appropriated for the fiscal year ending June 30 of this year $616,096,838.88, and in addition to that we authorized contracts to be entered into aggregating $64,463,000, so that, as a matter of fact, the appropriations made and authorized were nearly $700,000,000. Senators can not say that we were guilty of "cheeseparing" when here was an appropriation of that prodigious sum for one year.

Senators will recall that only a few years back the appropriations for all departments of the Government were not much in excess of $1,000,000,000, and now in peace times we appropriated nearly $700,000,000 for the Navy alone. I do not think, Mr. President, that it can be truthfully said that Congress dealt in a niggardly way in the last appropriation bill with the Navy.

Mr. KNOX. Mr. President, does the Senator think that appropriations are now to be measured by the same yardstick that was applicable before the time the President kept us out of war?

Mr. KING. Oh, Mr. President, I do not think that the question submitted by the Senator necessarily called for the Senator to put a sting into it.

Mr. KNOX. Oh, no——

Mr. KING. And a thrust at the President of the United States, because he did keep us out of war with Mexico. The Senator could have asked his question without bringing in the President or the policy of the President.

Mr. KNOX. The conditions are essentially different now from what they were at the time to which the Senator refers, when the total expenses of the Government were in the neighborhood of $1,000,000,000.

Mr. KING. Of course they are; I concede that; conditions are different; I concede that the appropriations for the Army and for the Navy and for the various departments of the Government may not be as they were in the halcyon days of the past. We have outgrown any sort of provincialism with which we might be charged and have become a world power; and we have not only become a world power but we will perforce be compelled to be "the" world power, not only materially but morally; we are going to lead the world, and because of our primacy we will be compelled, of course, to maintain a great Navy and perform the duties and obligations that our exalted station demand. We can not, in the language of the scripture, "hide our light under a bushel." This Nation is as "a city set upon a hill," and its light will shine to illumine the world. The Senator from Massachusetts [Mr. LODGE] referred to the League of Nations.

I am not going to be led into a discussion of the results which will follow the establishment of a union between the nations of the earth. Let me express the hope that a League of Nations will be established, one that will meet the aspirations of the lovers of peace and those who have faith in the future of humanity, and will remove from the backs of the laboring men of the world the burdens of taxation which will be imposed upon them by maintaining huge navies and great armies. But, Mr. President, I want to call attention briefly to some of the items in the naval bill passed in July, 1919, and I do it not by way of criticism but to repel the idea that the Senate has been niggardly in dealing with the Navy.

Inviting attention very briefly to the law providing appropriations for the current year, I find here an item for activities in the District connected with the Navy amounting to $5,100,000.

Aviation of the Navy, $25,000,000.

Mr. LODGE. That was far too small.

Mr. KING. I pass by hurriedly many of the smaller items.

Bureau of Navigation, $9,000,000.

Gunnery and engineering exercises, and so forth, $350,000.

Outfits on first enlistment, $9,000,000.

Supplies for seamen's quarters and for the purchase of other articles in the several navy yards, $1,500,000.

Ocean and lake surveys, $155,000.

Naval training station, California, $225,000.

Naval training station, Rhode Island, $350,000.

Naval training station, Great Lakes and maintenance of same, $850,000.

Another naval training station at St. Helena and naval operating base, Hampton Roads, Va., $310,000, including general care, repairs, improvements, and so forth.

Naval Reserve Force, $50,000.

Receiving barracks, $100,000.

Naval War College, Rhode Island, $90,950.

Naval Home, Philadelphia, pay of employees, and so forth, $144,000.

The next item carries a large sum—the Bureau of Ordnance. For that we appropriated $25,000,000. That item cares for naval ammunition depots, torpedo stations, naval ordnance plants, maintenance of proving grounds, powder factories, torpedo stations, gun factories, ammunition depots, naval ordnance plants, maintenance and operation of motor-propelled passenger-carrying vehicles to be used at ammunition depots, and so forth. As I stated, there is $25,000,000 for that.

Purchase and manufacture of smokeless powder, $2,500,000.

Naval gun factory at Washington D. C.: Improved machinery for existing shops, $500,000.

Torpedoes and appliances: For the purchase and manufacture of torpedoes and appliances, to be available until June 30, 1922, $1,000,000.

Torpedo station at Newport, R. I.: For labor and materials, general care of and repairs to grounds, buildings, and wharves, boats, and so forth, $200,000.

Mr. PHELAN. Mr. President——

Mr. KING. I yield.

Mr. PHELAN. Do I understand that the Senator is reading the bill which is now embalmed in the law providing for expenditures for the fiscal year? And may I inquire if it is his purpose to criticize the items?

Mr. KING. It is not embalmed. It is a living, vital bill, and $600,000,000 and more are taken out of the Treasury of the United States by reason of this very active and puissant thing which the Senator says is embalmed.

Mr. PHELAN. Mr. President, I only desire, for information, to know if the Senator is not reading from the statute—that is, the law which is in existence at the present time? I only desire to know if he is criticizing the items.

The VICE PRESIDENT. Ask him; do not ask me. [Laughter.]

Mr. HALE. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Maine?

Mr. KING. I had yielded to the Senator from California.

Mr. PHELAN. I notice the discussion in the House under date of January 4, and I have in my hands, by the courtesy of the chairman of the committee in charge of the bill, a letter, dated February 14, from the Secretary of the Navy. We are debating

the amendment proposed by the Senator from Massachusetts [Mr. LODGE] providing for only $3,000,000. The Secretary says:

I wish to call your attention to the inclosed copies of statements of Admiral Coontz, Chief of Naval Operations; of Admiral Griffin, Chief of the Bureau of Steam Engineering; and of Admiral Taylor, Chief of the Bureau of Construction and Repair, pointing out the military necessity for a deficiency appropriation of $9,300,000.

I am writing you in the earnest hope that your committee will authorize these appropriations, so that the ships of the Navy, which cost many millions of dollars, may be cared for and that it will not be necessary for the Navy Department to discharge the skilled men who are needed at our navy yards for the repair of these ships.

During the war our navy yards were so busy with other craft that it was impossible to make the changes and repairs that are now absolutely necessary if the ships are to be kept in a military condition.

JOSEPHUS DANIELS,
Secretary of the Navy.

He refers to Admiral Coontz, in charge of operations. The admiral says in his report:

The present unsettled conditions throughout the world demand that the ships of the Navy be kept in efficient condition for action, and the number of ships now capable of operating effectively in case of emergency is dangerously small.

And Admiral Griffin, in order to show the actual peril of the country in case of emergency, says in his report:

Even if appropriation requested—

That is, the $9,000,000—

is granted it will not be possible to complete the repairs now in sight during the fiscal year. Much of the work must extend well into next year, and the vessels be unavailable for that period.

So, on the reports of our highest authorities, men interested only in the maintenance of the Navy as a perfect fighting machine, we are, it appears to me, under compulsion to adopt at least the amendment proposed by the Senator from Massachusetts or abandon the Navy and expose ourselves to emergencies. I will leave it to the Senator from Utah to say whether we are exposed to emergencies. The world is in an unsettled condition. We have not adopted any program for disarmament. We have not settled disputes among the nations; in fact, we are engaged in new disputes among the nations, and on the Pacific coast there is a matter of extreme emergency, to which I will call attention later—to-day or to-morrow—on account of the invasion of the western coast by aliens representing a warlike power. I can show, from expressions in their vernacular journals, their own home journals, a warlike spirit and hostility toward the United States. I say that under these conditions we can not, in justice to ourselves and to the country, in justice to the peace of the world and the safety of the Republic, weaken our first line of defense; and the authorities here on whom we must rely say that this appropriation is necessary.

Mr. KING. Mr. President, let me say to my good friend from California that perhaps the Secretary of the Navy and admirals may differ, and admirals may differ among themselves, as they did with respect to the Sims controversy. I do not know that they all agree with the attitude which is taken by the distinguished Secretary of the Navy.

Mr. PHELAN. That is in a field quite outside of the operation and maintenance of the Navy. It introduces a personal element, and these gentlemen are amenable to the weaknesses of human nature, which is the meanest thing about most of us.

Mr. KING. But the Senator must not attempt to put me in the attitude of being opposed to an adequate Navy. I have repeatedly said that I was in favor of an adequate and efficient Navy; that the situation which this country occupies upon the Western Hemisphere and its primacy in the world, demand that it shall have a great Navy.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Utah yield to the Senator from Washington?

Mr. KING. Let me complete the sentence. The point I am trying to make, however, is that we did make a very large appropriation, nearly $700,000,000, for one year for the Navy. That year will not expire until June 30 next. Out of that sum, obviously, there ought to have been sufficient to properly care for the ships that we have on hand; and let me say here, before I yield to my good friend, that I think it would be a most admirable thing if the Navy Department would dispose of a number of obsolete vessels of a type below the *Utah* standard. Senators will recall that Great Britain is disposing of many of the ships that have come through the war; they are obsolescent, out of date, inadequate for the strain which the future will put upon them. If we would get rid of some of our old craft and turn our attention toward the construction of vessels which the experience of the war has demonstrated to be necessary for our defense, I am inclined to think that the policy would be a wise one.

Mr. POINDEXTER and Mr. HALE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield; and if so, to whom?

Mr. KING. I yield to the Senator from Washington.

Mr. HALE. Will the Senator from Washington allow me to ask the Senator from Utah just one question?

Mr. POINDEXTER. Very well. I am compelled to leave the Chamber. That was the only purpose I had in asking the question at this time. I will, however, make the inquiry at some other time.

Mr. HALE. I beg the Senator's pardon.

Mr. KING. I now yield to the Senator from Maine.

Mr. HALE. My purpose in rising was to say that we have substantially 960 ships of all kinds now in the Navy, and that it is proposed, when we reduce matters to a peace basis, to get rid of about 500 of those ships, and already an attempt is being made to do that.

Mr. KING. I was aware of that fact, and my only implied criticism was that we ought to act a little more promptly. I have the impression that it would have been economy if we had disposed of some of the smaller vessels, those not needed in the Navy, during the year 1919.

Mr. HALE. I agree with the Senator that it ought to be done as soon as possible.

Mr. KING. But, Mr. President, when the Senator from California spoke about an "embalmed bill" I was proceeding to read from a vital and living law.

We appropriated in this bill $7,500,000 for the maintenance of the Bureau of Yards and Docks, and that includes many matters of repair.

For contingent expenses, Bureau of Yards and Docks, we appropriated $150,000.

Then came public works, Bureau of Yards and Docks, hospital construction, and so forth, under which head we appropriated $275,000, $250,000, $540,000, $1,900,000—those items are for the navy yards at the various places, and their improvement—$800,000, $225,000, $1,225,000, $223,000; then follows an entire page of large appropriations relating to the navy yards and their repair, preservation, and improvement.

For the Bureau of Medicine and Surgery we appropriated $7,500,000 and $1,000,000, and for other purposes growing out of or cognate to that matter we appropriated $1,700,000.

There was appropriated for the Bureau of Supplies and Accounts, under the heading of "Pay of the Navy," $164,203,000.

Provisions for the Navy, more than $42,000,000.

Maintenance, Bureau of Supplies and Accounts, $15,500,000.

Freight, Bureau of Supplies and Accounts, $3,000,000.

Fuel and transportation, coal, and so forth, in connection with the Navy, $12,000,000.

For the Bureau of Construction and Repair, including the repair of these vessels, we appropriated $31,000,000.

Improvement of construction plants, $200,000.

Bureau of Steam Engineering: For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers and naval vessels, yard craft, and ships' boats, and so forth, $30,000,000.

I shall not take the time to call attention further to these pages of appropriations. I only challenged attention to them for the purpose of not permitting the impression to be deduced from this discussion that the Navy had not been adequately cared for in the last appropriation bill. It does seem to me that out of the nearly $700,000,000, if there had been proper conservation, there would be an adequate amount to care for these vessels. It would seem from the representations which are made that the funds have been diverted for other purposes and that needed repairs upon these vessels have been neglected. That being true, it is quite likely that we ought to make this appropriation, but it would appear that those who have administered the law and handled this huge appropriation of nearly $700,000,000 were delinquent in failing to properly care for the vessels needing repairs.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Massachusetts [Mr. LODGE].

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Fernald	Johnson, S. Dak.	McNary
Capper	Gay	Jones, Wash.	Moses
Chamberlain	Glass	Kellogg	Nelson
Colt	Gore	Kenyon	New
Culberson	Gronna	Keyes	Norris
Curtis	Hale	King	Nugent
Dial	Harris	Knox	Overman
Dillingham	Harrison	Lodge	Page
Edge	Henderson	McKellar	Phelan
Elkins	Hitchcock	McLean	Phipps

Pomerene	Simmons	Thomas	Warren
Ransdell	Smoot	Townsend	Watson
Robinson	Spencer	Trammell	Williams
Sheppard	Sterling	Walsh, Mont.	

Mr. McKELLAR. The Senator from Nevada [Mr. PITTMAN], the Senator from Delaware [Mr. WOLCOTT], and the Senator from Wyoming [Mr. KENDRICK] are absent on public business.

The PRESIDING OFFICER. Fifty-five Senators having answered to their names, there is a quorum present. The question is on the amendment of the Senator from Massachusetts [Mr. LODGE].

The amendment was agreed to.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. KING. Mr. President, I did not know the bill had been reported to the Senate.

The PRESIDING OFFICER. The bill is in the Senate. Will the Senator allow the question to be put on concurring in the amendments made as in Committee of the Whole?

Mr. KING. Very well.

The amendments were concurred in.

Mr. KING. Mr. President, I rise for information, and should like to have the attention of the chairman of the committee. I invite the chairman's attention to the item on page 5, $500,000 to enable the Interstate Commerce Commission to carry out the objects of the act of 1913. Was the appropriation which was made in the last appropriation act expended to continue its survey of the valuation of the railroads of the United States?

Mr. WARREN. It was provided, as the Senator knows, many years ago that there should be certain sums expended. A year ago, when this regular amount came to the committee, they cut it down. One or two of the commissioners came before the committee, explaining that there would soon be railroad legislation and that it was important to finish that work. I felt very much like grilling them quite extensively, and did so, as to the importance of the work and whether it was up to date, and whether, when they had surveyed something 10 years ago—some terminal or something of that kind—they were not far afield as to the value. I was assured by Mr. Prouty, who had it in charge, that they were keeping entirely up to date with it; and so we put back a portion of what we had left out. I dare say that is the cause of a deficiency.

Furthermore, as the Senator knows, the Senator from Iowa [Mr. CUMMINS], in charge of the railroad bill, has made almost constant and heavy and hard calls on the commission, and has needed this kind of a report on the work of which we are speaking.

Mr. KING. I was familiar, of course, with the bill and with the appropriation which was made when we had the general appropriation bill before us. It seemed to me that the amount carried was more than adequate for the current year, and I am astonished that a deficiency should be asked for at this time.

Mr. WARREN. Does the Senator wish me to understand that he thinks the commissioners, at the critical time when this railroad business was coming to a finish, should be unduly crippled in their work?

Mr. KING. Speaking for myself, of course, I think the act of 1913 under which the work is being done is an absurdity. It will be of no particular value. The attempt to value the railroads of the United States under an act passed in 1913, with their fluctuating values and changing conditions, will, in my opinion, prove unavailing. Already, where valuations have been made in certain particulars, they are contested in the courts, and any valuation that may be made by this commission or any other commission will not be a finality. The matter will go to the courts and the courts will have to pass upon the value of the railroads, whether they are taken over by the Government or not.

Mr. WARREN. I wish to assure the Senator, to comfort him in some degree, that I felt very much the same about the early valuation work, and on the committee in the earlier years I have opposed large appropriations, but I became convinced toward the end of it that, we having expended a very large amount of money, if we were to get any benefits whatever, it would come at the end, picking up the back work and bringing it up to date, which I believe they have done. I consider that the amount which has been expended lately has, of course, been of great importance.

Mr. KING. The work will cost at least $22,000,000, and I do not know how much more, and when it is done, I repeat, it will be of but little value, because whenever the value of the railroads is called up into question, whether the Government is seeking to take over the property or otherwise, a judicial tribunal will be resorted to, and even if the findings of this commission are given prima facie value they will not be conclusive and they will have but little weight before a court or jury.

I invite the Senator's attention to page 9, to the item of additional employees for the Coast Guard. I wish to say to the Senator that with respect to this matter members of the Coast Guard came to me some time ago and insisted that the personnel had been so depleted by resignations that the organization was unable to do its work. It would seem to me that having made provision in the general appropriation act for a certain permanent staff and a large part of that staff having resigned, if additional employees were brought into the service they would simply take the places made vacant by resignation. Can the Senator explain why this appropriation for additional employees is called for?

Mr. WARREN. Mr. President, I am going to reply to the Senator to the best of my knowledge, but I know he will be good enough to let me suggest to him that I wish he would consult the hearings when these matters are called up. I hold in my hand the evidence taken on the House side as to all these items.

Mr. KING. I will say to the Senator that I have examined that volume.

Mr. WARREN. I have also a volume of smaller size, containing evidence that was taken before the Senate committee, which the Senator has not examined.

Mr. KING. I have examined it, but not fully, because it is not humanly possible to become familiar with all the reports and testimony which the various committees submit.

Mr. WARREN. The Senator must have examined it in a very cursory manner, because it has not yet been printed in due form more than 48 hours. Of course, it is more or less tedious to take up these items, but I am very glad to answer the Senator.

As to the matter of the Coast Guard, as the Senator knows, there have been changes in that entire arm, and it has been consolidated with the Revenue-Cutter and Life-Saving Services. It appeared entirely natural on account of some losses that have been sustained that we should give them the help at this time which this item provides. The Senator will notice that it is only from February 1 to June 30 of the current year.

Mr. KING. I shall not move to strike out the item, but I am not at all satisfied with it. I think it is unwarranted. I also believe, Mr. President, that the appropriations found on page 10 of the bill, $1,000,000 for pay and allowances, $245,000 for rations or commutation, $145,000 for fuel and water for vessels, and so on, and $104,000 for outfits, and $130,000 for traveling expenses, are improper in view of the fact that ample provision was made in the former appropriation bill, and further because in the bill which was passed the other day, and which I think was retroactive—I may be in error in that regard—the salaries of the officers of the Coast Guard were increased 31 per cent. If that was not retroactive, then, of course, my last criticism would not be well founded.

Mr. WARREN. The bill for that matter has not yet passed.

Mr. KING. Oh, no; but it probably will pass.

Mr. WARREN. I am informed that the House on the Navy part, which covers the items, absolutely refuses to consider the bill as we sent it to them.

Mr. KING. I should like to ask the Senator whether the item of $1,000,000, lines 1 to 5, on page 10, is compensation in addition to that which was provided by law and which was carried in the last appropriation bill?

Mr. WARREN. Does the Senator understand that there are over 6,000 men regularly attached to the Coast Guard, and some 16,000 more have to be taken care of? Again, I say that we have to look out for the change that is taking place. The House did not allow by some $600,000 what the department estimated and recommended, and the Senate committee did not raise what the House put up to us.

Mr. KING. It is very difficult to attack——

Mr. WARREN. It is a very expensive department, but as the Senator knows, it has been employed during the last years in the defense of the part of the Nation that had formerly been looked after by the larger craft. It is used now for life-saving and revenue-cutter purposes.

Mr. KING. There is one other item to which I wish to call the Senator's attention. It is on pages 34 to 36—$500,000—under the head of "Lighthouse Service." Is that a deficiency, may I ask the Senator?

Mr. WARREN. Yes; it is.

Mr. KING. Were there any contingencies that arose which led to such a great deficiency?

Mr. WARREN. As I think the Senator knows, there has been more activity in the Lighthouse Service in the last two or three years than formerly, and we have added from time to time different lighthouses.

The matter of deficiencies, which the Senator, I hope, abhors as I do, and which formerly we were able to confine to close quarters, has gone away beyond all bounds during the war, and, of course, it is a laborious and painstaking process to get it back to a proper equilibrium, because a great many of the expenses that really are war expenses occur in getting well and getting over the war and getting things back into normal shape. For instance, we had a case a few moments ago where the Senate, by a large majority, voted for $3,000,000 for the repair of ships in addition to what had already been given.

Mr. KING. There are a large number of items that are found in the bill which I think are wholly unwarranted.

Mr. WARREN. In the Lighthouse Service I notice by the hearing that there are some 6,000 persons employed.

Mr. KING. I am aware of that fact, and am aware of the splendid service rendered by the personnel in that agency of the Government. The only point I am making is that in the last appropriation act, as well as in the former one, very liberal amounts were carried, and it was assumed that with the increased personnel made necessary by conditions the appropriations were ample for the service. The point I am making is that in so many of these executive agencies of the Government, after committees have carefully gone over the estimates furnished by the departments and by the Government agencies, and Congress has made appropriations which it deemed adequate, or at least such as the Government was willing to expend, we are confronted within a short time by deficiencies, and still more deficiencies, and still additional deficiencies, right in the teeth of the statute which forbids the creation of these deficiencies. I admit that in some cases governmental agencies would cease to function if they did not create deficiencies, and perhaps the emergency may be at times so great as to warrant an infraction of the letter of the law if not the spirit of the law; but the persistence with which deficiencies are created, it seems to me, calls for some strong action by Congress and now and then a rejection of the demands which are made for appropriations to meet expenditures which have been incurred by officials of the Government in violation of law.

Mr. WARREN. Mr. President, I will say to the Senator from Utah that the appropriations for the current year which were asked and recommended by this department totaled $4,000,000. The appropriations provided amounted to $3,500,000, and there have been, as I have stated, some necessary additional expenditures. In this case they asked for $800,000, and the House cut it to the amount set forth in the bill. The members of the Senate committee carefully considered every item of this bill; they examined the statements made before the House committee, as well as examining witnesses themselves; and the committee can see no reason at the present time for cutting down the amount which the House has provided in the bill. I hope the Senator's remarks along this line and others which he so ably submits will be carefully read by those who are Members of the House as well as listened to by Members of the Senate, for I should like all to be fully imbued with the growing feeling in the Senate that the way to cut down expenses is to cut them down.

I think the Senator from Utah knows that the chairman of the Committee on Appropriations and his committee are engaged in the very work of cutting, as is evidenced by the pending bill. When we brought the bill to the Senate it contained nearly $3,000,000 less than the amount provided by the other House, which amount had been arrived at after the closest kind of scrutiny, and after the House leader and many other Members managed to get declarations in the press from day to day as to how much they were going to save and what they were going to do, and with the two parties over there vying meanwhile with each other in their proclamations of intended economy and making speeches of all kinds in favor of economy. The House committee decided it had cut to the very bottom in the bill which the House sent over to us.

Since the bill came to us from the House it has been very much in the position of one running the gantlet of the Indians. The man might live to get to the end, but he would be badly disfigured. I repeat, we have made a cut of nearly $3,000,000 in the House bill.

Of course, as chairman of the committee, I am powerless, and the chairman of the Committee on Appropriations in the other House is powerless—when the committees have reported bills containing appropriations to the respective Houses—to prevent Representatives and Senators from proposing and the two bodies from adopting amendments.

So in this matter, since the Senator from Utah does not offer any amendment and probably does not intend to offer one and should not, I am glad to have a full expression from him. I hope his views in favor of economy and the cutting of expenses are sympathized with by Senators on the other side of the aisle, as I know they are sympathized with by those on this side of the aisle.

Mr. KING. Mr. President, I do not wish my friend from Wyoming to think that any criticism in which I have indulged is intended as a reflection upon the Appropriations Committee. I think the work that committee has done upon the pending bill entitles it to the commendation of the Senate and of the country. I think the chairman of the committee has performed valuable service and has done what he could to promote economy in the administration of the affairs of the Government. I am sure that he will find upon this side of the aisle a determination to reduce the expenses of the Government and to relieve the taxpayers of the country of the burdens pressing upon them. Indeed, I want to state to the Senator that if the Republican side does not practice greater economy than it is doing, there will be many criticisms from this side of the Chamber, as well as from the country, and earnest efforts to place the affairs of the Government upon a sound and economical basis.

With all of our cutting we have got to do more cutting, and with all of our economy there has got to be more Spartan economy, or else we shall be compelled to increase the taxes or resort to a bond issue. With our decreasing imports and our decreasing exports, and with the slowing down of business which inevitably will result, there will not be the volume of taxes flowing into the Treasury that we have beheld during the past three years. With a lean Treasury and with constant demands made upon it, I am sure we shall have to seek other sources of taxation or resort to bond issues. We must do neither. We ought to reduce the taxes in every way possible, and, of course, we ought to reduce the expenses in every possible way.

Mr. President, before resuming my seat I wish to call attention to the fact that on yesterday during the discussion with respect to the appropriation made with respect to the enforcement of the prohibition law and the laws passed under the eighteenth amendment to the Constitution, my colleague [Mr. SMOOT] and the Senator from Wyoming [Mr. WARREN] made certain statements as to the large sum which would be required to enforce the law. My good friend from Wyoming said that he thought it would cost $50,000,000 annually to enforce the prohibition law. I stated that, in my opinion, it would be a scandal and an outrage to appropriate the sums mentioned by the Senator and by my colleague [Mr. SMOOT] for the enforcement of that law; that a system of espionage would be established which would be resented by the American people. I think the statements made by my distinguished friends, however, as to the amount asked by the Treasury Department and the officials of the Government for the enforcement of the law were not quite accurate.

The facts are, Mr. President, that the Treasury Department made an estimate of $4,000,000 for the enforcement of the national prohibition law by the Internal Revenue Bureau for the fiscal year ending June 30, 1921. It made an estimate of $750,000 to enforce the act of December 17, 1914, governing the sale of opium, and so forth. That estimate is the same as the amount provided by Congress for the enforcement of that act during the present fiscal year. These estimates total $4,750,000.

The legislative, executive, and judicial appropriation bill reported to the House February 18, 1920, provides a combined appropriation of $4,500,000 for the enforcement of both acts.

Mr. President, I feel that in justice to the Treasury Department and to the officials of the Internal Revenue Service this statement should be made, so that it may not go to the country unchallenged that there has been so large an amount as that stated yesterday demanded for the enforcement of existing statutes relating to Federal prohibition. I feel sure that the Secretary of the Treasury will exercise a vigilant care over the officials of the Internal Revenue Service, and that the officials in that service will, while administering the law faithfully and well, practice the most rigid economy.

Mr. WARREN. Mr. President, I will say to the Senator from Utah that in connection with the larger figures which I gave I did not say that that amount had been demanded. I gave it as my prognostication of what it would cost. I did not refer, nor did the senior Senator from Utah, to the cost to the United States Treasury of the revenue which we lost, $700,000,000 or $800,000,000 per annum, obtained through the taxation upon liquors.

Mr. KING. Mr. President, I do not know that I understand the last observation of the Senator from Wyoming, but our discussion did not relate to the loss to the Treasury of internal-revenue taxes derived from the manufacture and sale of intoxi-

cating liquors. The discussion related only to the cost of enforcing the prohibition laws enacted by the Congress of the United States.

Mr. WARREN. I gave the high figure, which I hope the Senator from Utah and others, with me, will be able to prevent being reached, as the maximum, but I think it will be larger still when we come to reckon, which we did not mention yesterday, the loss of revenue. However, it may be worth all that it costs, I will say to the Senator, if it thoroughly succeeds in putting an end to the curse of drunkenness caused by the thousands of bars and common saloons with which our country has been burdened. I wish for an absolute cure, and quickly; but I want the Congress and the public to know that it is no child's play in which the Republic is engaged in its effort to stamp out the long-standing alcoholic vice.

The PRESIDING OFFICER (Mr. JOHNSON of South Dakota in the chair). The question is, Shall the amendments be engrossed and the bill read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. WARREN. I ask unanimous consent that the Secretary be authorized to correct all totals in the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

CALLING OF THE ROLL.

Mr. KENYON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Glass	Lenroot	Sheppard
Ball	Gore	Lodge	Shields
Borah	Gronna	McKellar	Simmons
Brandegee	Hale	McNary	Smith, Ga.
Chamberlain	Harris	Moses	Smoot
Colt	Harrison	Myers	Spencer
Culberson	Henderson	New	Sterling
Dial	Johnson, S. Dak.	Norris	Thomas
Dillingham	Jones, Wash.	Overman	Trammell
Elkins	Kellogg	Page	Warren
Fernald	Kenyon	Phelan	Watson
Frelinghuysen	Keyes	Ransdell	Williams
Gay	Knox	Robinson	

The PRESIDING OFFICER. Fifty-one Senators having answered to the roll call, a quorum is present.

TREATY OF PEACE WITH GERMANY.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in public executive session for the purpose of considering the German treaty.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the treaty of peace with Germany.

Mr. LODGE. Mr. President, I ask leave to have printed in the RECORD—I will not read it—a very interesting statement from Lord Bryce which appears in the Manchester Guardian. It is in regard to the condition of Europe to-day. Lord Bryce is one of the strongest supporters of the league that I know, but he makes no reference whatever to the league as a solution of the difficulty.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

WHAT EUROPE IS TO-DAY—DISAPPOINTMENTS AT THE PEACE CONFERENCE—AMERICA'S SEEMING INDIFFERENCE DUE TO LACK OF KNOWLEDGE AND NOT OF GOOD WILL.

(Lord Bryce in the Manchester Guardian.)

"Few people in Great Britain realize what is the present situation in continental Europe—how unforeseen and how menacing. This is much more the case as regards the people of the United States. Its people, too, are occupied with urgent domestic questions, some of them novel, many of them perplexing and disquieting. They have little time to spare for studying Old World questions. The information, moreover, which their press, alert and ably conducted as it is, supplies to them about what is passing in Europe and the Near East is not sufficiently full and exact to enable them to grasp the present situation in all its intricacies.

"What is that situation?

"During the years from 1914 to 1919 nearly everyone expected that the tempests of war would be followed by a season of fair weather. The exhausted peoples to whom repose at last had come would turn gladly back to the pursuits of peace. The conference of the allied and associated powers would set itself in a high and impartial spirit, sobered by the terrible crises through which we have been passing, to remove the causes which had brought about the catastrophe of 1914, to soften down national animosities, to enable the nations to make a fresh start on better lines of thought and feeling than those which had prevailed before and had brought disaster with them. * * *

"Many allowances must be made for the embarrassments which beset the conference, for the discordance of views, for the atmosphere of revengeful passion in the midst of which they had to work, for the incessant interferences by a press whose wires were liable to be pulled by all kinds of interests, for the complexity of most of the problems presented for solution. There was nothing in history sufficiently resembling the situation of 1918 to warn the conference against some at least of the rocks and shoals through which their course lay.

"But, whatever allowance must be made, it is plain—hardly any well-informed man now doubts it—that the conference has failed to solve the problems presented to it. I write not to criticize, but to set forth the facts as they now stand. The prospect of future peace and a restoration of normal conditions is dark. There are no elements of stability in the settlement. Things are in many respects worse than they were before the war. New causes of strife have in many places been added to those which previously existed; and it is not to the war only, but the action of the conference also, that this is due. The redistributions of territory have in some instances glaringly disregarded the principles of nationality and self-determination. New 'irredentas' are being created. The provisions made for the protection of minorities are of doubtful efficacy and have been reluctantly accepted by some States. The authority of the conference has more than once been openly flouted. The indemnities and reparations to be exacted from the defeated powers go beyond the terms of the armistice and are such as they can not possibly discharge under the conditions imposed. The Allied Powers have overreached themselves and would get more if they had insisted upon less.

"We in Britain are only beginning to realize what all these things mean and how deeply our own welfare is involved. Need we, then, be surprised that the American people have not yet been awakened to the facts of the position?

"How the imminent perils which we see are to be faced is a large question which I do not venture even to approach. That is beyond my present purpose, which is only to repeat that Englishmen must not hastily assume that America is indifferent in this crisis. The people of the United States are only now beginning to be reminded by some of their wisest and most respected men of what has only recently dawned upon ourselves. Let Englishmen who have thought America cold or unsympathetic understand that it is not want of sympathy but want of knowledge that is answerable for their apparent aloofness. Some things familiar to us are unknown to them. They do not, for instance, understand how there comes to be in some quarters a strange recrudescence of tenderness for the unspeakable and irreclaimable Turk. They have not grasped the fact that the 'Irish question' is no longer one between Great Britain and Ireland, but between sections of the Irish people in Ireland itself.

"The new world is still a long way off the old world. The picture of Europe as we see it to-day is veiled from Americans by the mists of the Atlantic. As it took many months in 1914 and 1915 to make the causes of the war plain to those who dwell beyond the Alleghenies, was it to be expected that the condition in which the war has left Europe should be immediately realized so far away? No one who has known America for half a century, or indeed for a far shorter time, will ever doubt American idealism and American sympathy."

The PRESIDING OFFICER. The pending amendment is what is known as the amendment to reservation No. 1, offered by the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE. Mr. President, the amendment is printed, of course, and all Senators understand that the purpose of the amendment is to give Congress the right alone to give notice of withdrawal, and the same right is formally conferred upon the President by the amendment. I have already explained it to the Senate at some length, and I have no desire to go into it further.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. BORAH. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HITCHCOCK. Mr. President, before the vote is taken I want to say a few words on a subject which, it seems to me, should be made plain at this time.

I had supposed that the Democratic attitude on the treaty and its ratification had been pretty well established and that Senators on this side of the aisle had demonstrated conclusively their attitude. From the very first every effort has been made on this side of the aisle to promote ratification and secure it at the earliest date. Going back over the discussions of the

last session, I call attention to the fact that the time of the Senate was consumed chiefly by those opposed to ratification, and the supporters of the treaty consumed something less than 27 per cent of the time, as I remember the actual figures.

Coming down to the date in November when the votes were finally taken upon the resolution of ratification, I call attention to the fact that the Democratic Senators, finding that ratification without reservations had become impossible, yielded that point and offered reservations of an interpretative character, and when those were rejected the position on this side of the aisle was such that we asked for time within which it might be possible to secure a compromise of the differences. When the motion was made to reconsider the vote by which ratification had been rejected we supported the motion to reconsider. When, then, a motion was made to lay upon the table this effort at reconsideration we voted against the motion to lay upon the table, and it was laid upon the table by the votes of Senators on the other side of the aisle against our protest, and when Senators on the other side of the aisle stated that the treaty by that vote was dead and placed in its coffin here in the Senate we declared that it was not dead. It was from this side of the Chamber that action was taken for the purpose of bringing the treaty again before the Senate for consideration. It was on this side of the Chamber that the initiative occurred for creating the bipartisan conference, in order that compromise might be considered with a view to ultimate agreement; and when that bipartisan conference met it was from the Democratic side—always from the Democratic side—that offers of compromise were made, and it was from the other side that rejections always came.

Finally, when the bipartisan conference broke up because of the unyielding disposition on the Republican side, it was from the Democratic side of the Chamber that notice was given that we proposed on the 10th of February to call up the treaty for reconsideration. When that action had been taken by us the forced action was then taken by the Senator from Massachusetts [Mr. LODGE], who then stated, on February 2, that he would call up the treaty on February 9, and we concurred in his effort. We gave unanimous consent to his action, and the treaty was brought before the Senate again with our full concurrence and support.

Yet, Mr. President, notwithstanding this attitude on the part of the Senators on this side of the aisle, I find published in a Washington paper this week an article which reads in part as follows:

> Some of the Republican friends of the peace treaty with Germany in the Senate to-day expressed the opinion that Senator HITCHCOCK, the administration leader, and probably the President, are bent on forcing the treaty into the campaign.
>
> One of these Senators said the Democrats find themselves on the defensive without an issue in the coming campaign.
>
> "I can not help feeling," he said, "that the administration leader has reached the conclusion the controversy over the peace treaty will perhaps give the party a fighting chance for victory next November if it becomes an issue."

Mr. President, we are not afraid of the issue in the campaign, but we do not propose to be placed in the attitude of preventing or delaying ratification of this treaty if it can be brought about. The country demands ratification, and it demands that Senators yield to each other in order to effect a compromise and bring about ratification. We are ready. We have gone more than half the way, Mr. President—far more than half the way. Forty Senators upon this side of the Chamber have authorized me to present to the Senators upon the other side of the Chamber alternative propositions of compromise—not a single proposition, but alternative propositions. We have invited you to choose one of those and present it to us, and we have guaranteed to accept it—a compromise on article 10, which is the only serious difference between us at the present time that seems insuperable. We are ready to take either one. One was the reservation framed and formulated in the bipartisan conference, composed of Republican and Democratic Senators, the joint handiwork of Republican and Democratic Senators, almost agreed to. We are willing to take that. In substance and in language it is very similar to the Lodge reservation on article 10. We are willing to take it.

Mr. BORAH. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. DIAL in the chair). Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. What is the difference between the bipartisan reservation and the Lodge reservation? What is the difference in principle?

Mr. HITCHCOCK. I hope the Senator will not insist just now upon diverting me. I am willing to answer the question a little later.

We are willing to take that reservation. We are willing also as an alternative, if that is not acceptable to Senators on the other side, to take the reservation on the same subject proposed by former President Taft, a Republican leader with a great Republican following and a great independent following in the United States to-day.

I ask to have the two proposed reservations to which I have referred printed in the RECORD in connection with my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

BIPARTISAN CONFERENCE RESERVATION.

"The United States assumes no obligation to employ its military or naval forces or the economic boycott to preserve the territorial integrity or political independence of any other country under the provisions of article 10, or to employ the military or naval forces of the United States under any other article of the treaty for any purpose, unless in any particular case the Congress, which under the Constitution has the sole power to declare war, shall by act or joint resolution so provide. Nothing herein shall be deemed to impair the obligation in article 16 concerning the economic boycott.

MR. TAFT'S SUGGESTED RESERVATION.

"The United States declines to assume any legal or binding obligation to preserve the territorial integrity or political independence of any other country under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose; but the Congress, which under the Constitution has the sole power in the premises, will consider and decide what moral obligation, if any, under the circumstances of any particular case, when it arises, should move the United States, in the interest of world peace and justice, to take action therein, and will provide accordingly."

Mr. HITCHCOCK. Mr. President, those are the two propositions on article 10 that we present to you. The only criticism that has been uttered upon those propositions from the other side of the aisle since they were presented is that both of them are so close to the Lodge reservation that it is unreasonable for us not to take the Lodge reservation. The Senator from North Dakota [Mr. MCCUMBER], in his speech the other day supporting the present Republican attitude and criticizing the Democratic attitude, made this statement:

> I defy any Senator to point out to me any substantial difference between the so-called Lodge reservation to article 10 and the so-called Taft reservation to article 10. There is no difference whatever in legal effect between these two, which the Democratic Members say they are willing to support; and they say they are willing to support either one of two which they propose and the Lodge reservation.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. HITCHCOCK. If the only criticism that can be offered to our tender of compromise is that we have made a tender which so closely corresponds to the Lodge reservation that to most Senators there is no difference between them, is it not complete proof that we have done all that we possibly can on this side of the Chamber to bring about ratification?

Mr. LENROOT. Will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Wisconsin?

Mr. HITCHCOCK. Yes.

Mr. LENROOT. Does the Senator from Nebraska agree with the statement of the Senator from North Dakota?

Mr. HITCHCOCK. Not fully.

Mr. LENROOT. Will the Senator explain wherein they differ?

Mr. HITCHCOCK. I will say to the Senator, however, that neither of these propositions for compromise which we have submitted is agreeable to me. I do not like either reservation, either the one presented by ex-President Taft or the one formulated in the bipartisan conference. They are both obnoxious to me. I could only accept either under the most severe tension in order to bring about a compromise. Either one involves a great sacrifice to me, and I am sure to other Senators upon this side of the Chamber. But when we have gone so far as to present two alternative propositions which your own Members declare so closely resemble the Lodge reservation that they can hardly be detected from the Lodge reservation, we certainly at least are not open to the charge that we are attempting to bring the treaty into the next campaign as an issue between the parties. On the other hand, we have gone nine-tenths of the way toward meeting the public demand for a compromise and a settlement; and it is on the other side of the aisle that the responsibility exists for refusal to go the one-tenth of the way necessary to bring about a compromise.

Mr. KELLOGG and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield; and if so, to whom?

Mr. HITCHCOCK. I yield to the Senator from Minnesota.

Mr. KELLOGG. Will the Senator please give us his view of the difference between the two reservations proposed by the Senator and the Lodge reservation?

Mr. HITCHCOCK. I observe a great curiosity on the other side of the aisle to get me to analyze these propositions, and I am not disposed to yield to it. Senators on the other side of the aisle need no guardian and no assistance. We here on this side have united, 40 Senators strong, and have presented to you an offer of compromise which you admit is nine-tenths the same as the Lodge reservation.

Mr. LODGE. Nobody has admitted that.

Mr. HITCHCOCK. The Senator from North Dakota admitted it.

Mr. LODGE. The Senator from North Dakota may, but——

Mr. HITCHCOCK. And other Senators who have spoken to me have declared that if we could take those two compromises, we could take the Lodge reservation.

Mr. BORAH. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield to the Senator.

Mr. BORAH. Do I understand, then, from the Senator from Nebraska that this is the only compromise that the Senator will accept and that he will go no further?

Mr. HITCHCOCK. Mr. President, I think that question is hardly a considerate one to come from a Senator who does not go at all, and who never offers to compromise in the slightest degree; and I want to say right here——

Mr. BORAH. I want to be fair with the Senator. I am trying, as an onlooker in Vienna as between reservationists, to find out really where the difference is, in order that I may be guided in my conduct in the future with reference to this matter. I do not know what the views of the Senator are with reference to the two reservations as distinguishing them from the Lodge reservation. I do not know whether his view is that there is a chimerical difference or a substantial difference, whether it is a question of principle or a mere question of language. I should really like to know, as a Senator, whether or not the Senator believes that there is a substantial difference, a difference in principle, inhering between the two propositions.

Mr. HITCHCOCK. I appreciate the Senator's curiosity as to my beliefs, but I think they are like "the flowers that bloom in the spring"; they have nothing to do with the case.

The situation is this: The Senate is in deadlock over the treaty ratification, and it has been in deadlock for months, and there is a widespread public demand to have a settlement, and that demand is for a compromise. Forty Senators on this side of the aisle have declared their willingness to go nine-tenths of the way toward securing a compromise. On the other side of the aisle the attitude is that the very Senators who have criticized the President of the United States and charged that he had brought to the Senate a treaty which he had negotiated and had taken the unreasonable position, as they declared, that he would not consent to the dotting of an "i" not to the crossing of a "t," stand here now, 49 strong, refusing in the all-important case of this reservation on article 10 to dot an "i" or to cross a "t." They defy the public opinion of the United States, which demands a settlement, and they assert that there will not be one iota of change in this all-important reservation.

Mr. LENROOT. Will the Senator yield?

Mr. HITCHCOCK. I want the country to understand that on this side of the aisle there is no disposition to make this great subject a football of politics, but that we will go to all lengths, even to the sacrifice of our preferences and the sacrifice of our opinions, toward working out a compromise. When we have offered that compromise, as we have in an alternative form, one of the forms written by the former President of the United States and a great Republican leader to-day, and the other one formulated by the bipartisan conference of Senators, we have done our duty at least, and we have presented to you the question whether you propose to meet the public demand and get the treaty ratified. We are not in a position to be charged with an effort to bring this matter into the political campaign that is now impending. I yield to the Senator from Wisconsin.

Mr. LENROOT. Does the Senator from Nebraska take the position that the construction of the proposition which he presents to the Senate is of no importance to the Senate or the country? He has presented a proposition here of which he himself is unwilling to give his construction.

Mr. HITCHCOCK. It is not necessary that I should analyze for Senators on the other side of the aisle these two propositions. They have generally in the past been able to get along without my advice. I will not be diverted from the issue. The issue is whether you on that side of the aisle propose to adhere to your proposition that you will not make any offer of compromise and that you will spurn every offer of compromise that we make, even when we go nine-tenths of the way. If you are willing to do it, all right, we will accept it; but I object to having this side held responsible if the treaty is brought into politics.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. HITCHCOCK. I yield.

Mr. KELLOGG. I ask the Senator if it is not true that the Republican leader, the Senator from Massachusetts [Mr. LODGE], has proposed sundry changes in various reservations?

Mr. HITCHCOCK. Yes; that is very true, and I will instance one of them. The first one is now before the Senate. The change will hardly be denominated by anyone a compromise. It is more obnoxious than the original provision. The original provision was that the United States could withdraw from the league by means of a concurrent resolution. That was the original provision, and many Senators voted for it under the delusion that a concurrent resolution might possibly be adopted by Congress and that the President might be entirely ignored in the matter; but when Senators looked up the matter and found that the concurrent resolution would probably have to go through the White House and receive the consideration of the President they changed their course; and now they have brought in an amendment providing that the Congress alone, by a majority vote of each House, or the President, may withdraw from the league. In other words, they have now provided in this amendment so that it will require the constant concurrence of the President and the Congress in order to keep the United States in the league, and if either branch of the Government should decide to go out of the league that action could be taken by that branch, and we might have a quarrel between the two branches of the Government as to whether we would stay in or go out of the league.

Is that a compromise, Mr. President? That is only making matters worse than they were before, and it is nothing in the nature of a compromise.

Mr. KELLOGG. Is that the only compromise which was offered by the Senator from Massachusetts?

Mr. HITCHCOCK. It was not a compromise at all. I would hardly say it was. I do not care to quibble with the Senator over what was offered. I will say that as an instance of what we get as a result of that effort at a bipartisan conference is to bring in as the very first amendment a much more obnoxious provision than was in it before, and it is a provision which is going to throw the league question into the very next campaign if we now ratify the treaty.

Suppose we ratify the treaty? Suppose we ratify it by some compromise and include this proposed amendment by the Senator from Massachusetts, allowing either the President or the Congress to take us out of the league upon giving two years' notice. Is it the plan to elect a President of the United States who will do that thing, and thus achieve the ratification of the treaty and our withdrawal from the league? Is it the plan to throw the issue into the next presidential campaign as to the personality of the candidate to be elected? It may be or it may not be, I do not know, but it looks at least as though that might be; but certainly it is an obnoxious change even in the already objectionable Lodge reservation, because it provides for a division of the Government of the United States.

The Government of the United States does not consist of the Executive alone nor of the legislative branch alone, and all solemn acts attaining great importance should have the concurrence of the Executive and the legislative branch. Neither the Congress alone nor the President alone should have the power to take the United States out of the League of Nations after this great struggle to enter it. It will be a solemn enough matter to decide whether we shall go out to have it passed upon by the Congress and the President, and not by either one alone.

Mr. KELLOGG. Mr. President, will the Senator yield for a question?

Mr. HITCHCOCK. I yield.

Mr. KELLOGG. Is it not a fact that under the original reservation that was adopted by the Senate in November the President alone could withdraw the United States from the league?

Mr. HITCHCOCK. I think not.

Mr. KELLOGG. I think the Senator is mistaken. Is it not a fact——

Mr. HITCHCOCK. I think not, but that reservation we voted against. That reservation we did not approve. In our opinion it should require a joint resolution to take the United States out of the league, a resolution passed by a majority of each

House and approved by the President of the United States. That is the sort of a notice which we think should be given. That is the sort of a notice which unites the Government of the United States and expresses the will of the American people beyond any qualification.

Mr. President, I had not intended this afternoon to say anything more, but I ask to have inserted in the RECORD an Associated Press telegram from Chicago showing that the National League of Women Voters, which has recently held its great convention in Chicago, adopted a resolution demanding the immediate ratification of the treaty, and that they defeated a provision to include the support of reservations.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

WOMEN FAVOR LEAGUE—PASS RESOLUTION WITHOUT CLAUSE CALLING FOR RESERVATIONS—OPPOSE MILITARY TRAINING—MAUD WOOD PARK, OF BOSTON, ELECTED HEAD OF NEW SUFFRAGE ORGANIZATION—AMERICA WARNED OF ILL-CONSIDERED ATTEMPTS TO MEET PROBLEMS OF RADICALS.

CHICAGO, *February 18.*

The National League of Women Voters, after adopting a resolution opposing universal compulsory military training, refused at the closing session to-day to reconsider its action. The motion to reconsider was defeated, following spirited argument.

A resolution indorsing the League of Nations was passed after a clause calling for reservations had been stricken out. The resolution reads:

"*Resolved*, That we urge adhesion of the United States to the League of Nations with the least possible delay."

The next national meeting of the league will be called by the board of directors. The league succeeds the National American Woman Suffrage Association, which dissolved after fighting for woman's right to suffrage since 1869.

CHAMPIONS OF FREE SPEECH.

At to-day's session rights of free speech, free press, and free representation were emphatically supported. The women declared their opposition to any attempts to use violence against the Government, but warned that "ill-considered attempts to meet this difficulty" imperiled the real liberty of American citizens.

Proper provisions for education and for increases in the pay of teachers were urged.

Maud Wood Park, of Boston, heads the league, according to the result of an election by the board of directors of its officers, who are also the officers of the whole organization. Mrs. George Cellhorn, of St. Louis, is vice chairman; Mrs. Richard Edwards, of Peru, Ind., treasurer; and Mrs. Solon Jacobs, Birmingham, Ala., secretary.

The league sent a telegram to the women of Washington State encouraging them in the fight for ratification by that State of the nineteenth constitutional amendment.

FEAR "PRUSSIANIZING EFFECT."

A school for women voters, to continue a week, will open to-morrow.

Opponents of universal military training declared it would have a "Prussianizing effect" on the country, and urged the need of strict economy in governmental expenditures. Dr. Ethel Hurd, of Minneapolis, advocated adequate military preparation.

Mrs. Fletcher Dobyns, of Chicago, who led the fight for military training, said that such a system was necessary to insure the safety of the Nation.

Mr. HITCHCOCK. I also present for reference to the Committee on Foreign Relations a resolution adopted by the Men's Club of St. Pauls and St. James Methodist Episcopal Churches of Niagara Falls, signed by about 100 members, demanding the immediate ratification of the treaty without reservations; also a similar resolution adopted by the Ministers' Association of Albion, Ill., for a similar purpose.

The PRESIDING OFFICER. The resolutions will be referred to the Committee on Foreign Relations.

Mr. LENROOT. Mr. President, the important thing is the action that the Senate shall take in the immediate future regarding this treaty. Past history perhaps is not very important, but there are some statements made by the Senator from Nebraska [Mr. HITCHCOCK] that should not go unchallenged, particularly the statement he made that throughout the months of debate there was a spirit of compromise on the part of the Democrats but none on the part of the Republicans. The fact is, as the Senator well knows, that he himself, up to the very moment when the vote was taken, prior to the adjournment in November, refused to consider any proposition of compromise. He was repeatedly approached during the early portion of the controversy as to whether he would consider reservations, and he declined to do so.

Mr. HITCHCOCK. I hope the Senator will not put me in that attitude.

Mr. LENROOT. That is the truth.

Mr. HITCHCOCK. No; it is not an accurate statement. I know what my position was. I, of course, talked with many Senators. I am charged with the responsibility of leadership on this side on this question. I declined to consider the subject of reservations until we got through with the subject of amendments. I said, "We will cross that bridge when we come to it." That is all I told anyone. I used that language repeatedly not only to Senators but to newspaper correspondents.

Mr. LENROOT. That is true.

Mr. HITCHCOCK. We saw what was coming. We realized that reservations were inevitable, but we declined to involve them in the fight that we were making to defeat all amendments to the treaty.

Mr. LENROOT. That is true. It merely confirms the statement I made that the Senator's language always was, when he was approached with reference to compromise, that he would cross that bridge when he came to it. But that bridge did not appear to the Senator from Nebraska until the final vote upon the treaty that laid upon the table the motion to reconsider. He was invited to present a proposition after all amendments had been disposed of, before the final vote was had upon the treaty, and he refused to do it.

One step further. The Senator from Nebraska states that this matter has been reopened, and the bipartisan conference was held upon the initiative of the Democrats and not upon the part of the Republicans. I do not charge the Senator from Nebraska with stating that which he knows to be false, for he probably was not aware of the fact that the initiative taken by the bipartisan conference came from the Republican side of the aisle and not from the Democratic side, and it came because while it was well known to the Senator from Nebraska and to the country that the Republican side of the aisle could not consider any change in the substance of the reservation to article 10, nevertheless many, many Democrats came to the Republicans here informally and suggested that the matter be reopened for further consideration; and they knew that the Republicans could not and would not change the substance of the reservation upon article 10. It was upon the suggestion of Republicans that the bipartisan conference was held, although the Senator from Nebraska may not know it.

We might as well be entirely frank about it, Mr. President; the fact is that there are enough Democrats upon the other side of the aisle who, if they will cut loose from the leading strings of the President of the United States, will be in sufficient number to secure the ratification of the treaty.

Mr. WALSH of Montana. Mr. President——

Mr. LENROOT. I yield to the Senator from Montana.

Mr. WALSH of Montana. Until now I had some kind of an idea that I myself was entitled to whatever credit there may be in the suggestion of a bipartisan conference. It may be that it originated upon the other side of the aisle; I can not speak about that; but long before it assembled I myself suggested it to a number of Senators upon the other side of the aisle. It may be that I did not originate it, but I certainly had as much part in the origination as anyone on the other side of the aisle.

Mr. HITCHCOCK. Mr. President, will the Senator from Wisconsin tolerate an interruption?

Mr. LENROOT. Certainly.

Mr. HITCHCOCK. I wish to call his attention to the fact that the Senator from Ohio [Mr. POMERENE] introduced a resolution proposing the creation of a committee to be appointed by the President of the Senate, representing both sides of this Chamber, for the purpose of advising a compromise, and that Senators on this side of the aisle supported the proposition and the Senators on the other side of the aisle voted it down. Later on the Senator from Alabama [Mr. UNDERWOOD] introduced a similar proposition, which was pending here at the time it was supplanted by the bipartisan conference. So all the initiative for a conference and for a compromise occurred upon this side of the aisle.

Mr. LENROOT. The Senator from Nebraska utterly forgets what he just said. What was it the Senator said with reference to the bipartisan conference and the initiative coming from that side? Does he not remember that he made the statement that after the motion to lay the motion to reconsider on the table he made the statement that this side said that the treaty was dead? That was after the resolution introduced by the Senator from Ohio [Mr. POMERENE]. This is something that occurred subsequent to that.

The Senator from Nebraska undertook to have the Senate and the country believe that after the adjournment, and when this session began, the initiative came from the other side of the aisle. Now, I do not want to be personal, and I shall not go into it to any extent, but I am going just far enough to state just how it did come about. The fact is that the Senator from Nebraska throughout this controversy, since he has been willing to negotiate, has never evinced the slightest desire to negotiate upon a line that would secure a two-thirds vote to ratify the treaty, but his whole effort has seemed to be to pick off two or three or four Republicans in order to give that side a majority and put the onus on the Republican side for defeating the treaty in spite of the Democratic side. That has been his object apparently and not the object of securing the ratification of his treaty.

Mr. HITCHCOCK. Have we not offered to the other side and is there not pending now a proposition of compromise by which we furnish 40 votes and invite you to furnish only 24?

Mr. LENROOT. A proposition the like of which I undertake to say no Senator has ever before seen, a proposition advanced by a Senator where he refuses to tell the Senate and the country what, in his judgment, his proposition means. He has declined two or three times to-day to do so.

The Senator from Nebraska was very busy trying to pick off four or five Republicans in order to make a majority for reservations without the slightest regard to securing a two-thirds vote. That is what the Senator from Nebraska has been busy about. There are some of us who have been busy trying to get a proposition which will secure a two-thirds vote. The Senator from Nebraska has been apparently utterly indifferent to that proposition, but many of his colleagues have not. There are many of his colleagues who sincerely desire to get together upon some proposition that will secure a two-thirds vote of the Senate.

Mr. WALSH of Montana. Mr. President——

Mr. LENROOT. I yield to the Senator from Montana.

Mr. WALSH of Montana. I should like to inquire of the Senator if he has been busy upon this side of the aisle in trying to get any votes in favor of a compromise?

Mr. LENROOT. I have talked with many Senators.

Mr. WALSH of Montana. Of course, the Senator has talked with many, but what effort has anyone on the other side made to get anyone upon this side of the aisle to support the compromise proposed upon the other side? Senators upon this side of the aisle have labored quite assiduously with Senators upon the other side of the aisle to get a two-thirds vote. I have not discovered that any great amount of persuasion from the other side to this side has been indulged in.

Mr. LENROOT. Possibly the Senator from Montana has been so unfortunately classed among those irreconcilables with the Senator from Nebraska [Mr. HITCHCOCK] that he has not been talked with so frequently as some other Democratic Members who appear to be more reasonable. I myself think that the Senator from Montana does not belong in any such class. I believe that the Senator from Montana does desire a ratification of the treaty, but I have had no evidence that the Senator from Nebraska does. He does desire to secure a majority vote for certain reservations, and apparently he will be entirely satisfied if he secures that.

Mr. HITCHCOCK. Does not the Senator admit that I have been instrumental in making an offer of compromise?

Mr. LENROOT. I will answer that question when the Senator will give his construction of the compromise that he offers.

Mr. HITCHCOCK. Will the Senator permit another question? Has the Senator from Wisconsin offered any compromise?

Mr. LENROOT. Yes.

Mr. HITCHCOCK. What is it?

Mr. LENROOT. One that either has been offered or will be offered.

Mr. HITCHCOCK. Has it been offered?

Mr. LENROOT. I will be very frank with the Senator from Nebraska. In so far as the substance of the reservation to article 10 already adopted by the Senate is concerned, there can be no compromise of the substance of that reservation. We may as well understand that very plainly.

Mr. HITCHCOCK. I thought that was probably it. What about the substance and the meaning of the fourteenth reservation?

Mr. LENROOT. The substance and meaning of the fourteenth reservation as it is now prepared was practically agreed to in the bipartisan conference, including the Senator from Nebraska.

Mr. HITCHCOCK. Was it as much agreed to as this bipartisan proposition which we are now putting up to the Senator?

Mr. LENROOT. More so, because the Senator well remembers—so long as we are going into what occurred in the bipartisan conference—that after we discussed the proposed changes in the fourteenth reservation for one entire afternoon, it was suggested and agreed that it seemed very clear that we would come to an understanding upon that, and we might pass to something else, and we did. No such agreement was ever made with reference to the reservation to article 10.

Mr. HITCHCOCK. But the Senator does not state that we came to an agreement. He says now that we might come to some agreement upon it. I want to say to the Senator that his obduracy as to the fourteenth reservation is almost worse even than his obduracy as to the reservation to article 10.

Mr. LENROOT. The Senator from Nebraska never offered a change in reservation 14 in conference except the one that was finally agreed to—except the original proposition that he had offered many times.

Mr. HITCHCOCK. Oh, no; the Senator from Nebraska offered at least three propositions in connection with the reservation referred to and all were rejected.

Mr. LENROOT. To reservation 14?

Mr. HITCHCOCK. To reservation 14. None of my propositions to amend reservation 14 were accepted.

Mr. LENROOT. I have no recollection of that; but the Senator knows that we had practically come to an agreement as to the fourteenth reservation, and it was passed over with the understanding that there would be no difficulty as to that reservation.

Mr. HITCHCOCK. I deny that we came to any more of an understanding as to reservation 14 than we did as to the reservation to article 10.

Mr. McKELLAR. Will the Senator from Wisconsin yield to me?

Mr. LENROOT. Yes.

Mr. McKELLAR. Is it not true that six out of the eight members of the committee had practically come to an agreement on the reservation to article 10? Does the Senator say that he, the Senator from Minnesota [Mr. KELLOGG], the Senator from Indiana [Mr. NEW], the Senator from Montana [Mr. WALSH], the Senator from North Carolina [Mr. SIMMONS], and myself did not urge the modification of the reservation to article 10 which had been submitted here by Senators on this side of the Chamber?

Mr. LENROOT. I do not.

Mr. NEW rose.

Mr. LENROOT. I want to finish. The Senator from Tennessee will remember that in the very midst of the discussion upon the reservation to article 10 I suggested that the Republican members of the conference should retire to another room and discuss the matter, which they did.

Mr. McKELLAR. Quite the contrary, Mr. President——

Mr. LENROOT. And while they were in that discussion, we were informed by our Democratic colleagues that we might as well adjourn until the next day, which we did.

Mr. McKELLAR. It was quite the contrary. My recollection about that is very distinct. As I recall, the Senator from Wisconsin [Mr. LENROOT] and the Senator from Minnesota [Mr. KELLOGG], with the acquiescence, at least, of the Senator from Indiana [Mr. NEW], thought that the modification ought to be agreed to; and the Senator from Massachusetts [Mr. LODGE], the chairman of the Committee on Foreign Relations, suggested a conference; and that thereafter the matter fell through.

Mr. LENROOT. The Senator's recollection is not accurate.

Mr. NEW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LENROOT. I yield.

Mr. NEW. I simply wish to say, in answer to what the Senator from Tennessee [Mr. McKELLAR] has stated, that his recollection, at least as to the attitude of the Senator from Indiana, is wholly wrong. The Senator from Indiana never acquiesced in anything of the kind.

Mr. McKELLAR. Then the Senator from Indiana misled me in what he said and did on that occasion.

Mr. BORAH. I desire to ask if there was a stenographic report of the meeting?

Mr. LENROOT. There was not. Of course, it is fair to state of both sides that everything which was done was tentative, and it was so understood.

Mr. McKELLAR. I agree with the Senator from Wisconsin that it was all tentative; but there is not any doubt in the world that the only two who did not agree in substance on that occasion to that which had been reported as having been agreed upon by the majority of the conference, as I understand, were the Senator from Massachusetts [Mr. LODGE] and the Senator from Nebraska [Mr. HITCHCOCK].

Mr. LENROOT. Mr. President, to complete the history as to the initiative, inasmuch as the Senator from Montana [Mr. WALSH] has made the statement that he did, this is exactly what occurred with reference to the bipartisan conference: There were negotiations going on informally between different Senators—Republican Senators and Democratic Senators—and finally matters reached a state where a Republican Senator suggested that certain Democrats see the Republican leader, the Senator from Massachusetts [Mr. LODGE], and ascertain if an agreement could not be made for an informal bipartisan conference. The Democrats acquiesced in that suggestion; they did see the Senator from Massachusetts; and as the result of that the bipartisan conference was held. That is the history of that conference. Perhaps the Senator from Nebraska [Mr. HITCHCOCK] and the Senator from Montana [Mr. WALSH] were not aware of the facts as they existed.

Mr. BORAH. Mr. President, the Senator from Wisconsin has just stated with emphasis that there can be no change in the substance of the reservation to article 10. I think the Senator from Wisconsin is correct; that, in fact, if there is any change in substance the treaty can not be ratified. I presume that is precisely what the Senator meant. My information upon the matter with reference to this side of the Chamber is that there will be no yielding upon the substance of that reservation; but the Senator from Wisconsin knows that and understands that situation better than I do.

If there is to be no yielding upon the question of substance, then if we continue this debate any longer or continue the consideration of the treaty here before the Senate any longer, we shall be continuing it on a question of language, a question merely of verbiage. The Senator from Nebraska, as I understand, is equally positive that there can be no yielding to the Lodge resolution as it now is; that if the Lodge reservation stands as it is now written, so far as substance and principle are concerned, the opponents of the reservation will vote for the defeat of the treaty in case the reservation is attached.

I am gathering this information as best I may from the debate, because I am not familiar with what happened in the bipartisan conference and have not seen the procès verbal of that conference. However, if that is the situation, then to continue this treaty here any longer is simply to kill time and deprive the Congress of the opportunity of transacting business which ought to be transacted.

So far as I am individually concerned, I need not restate my position, but I am concerned in some matters of legislation here which are of great importance to the country. Unfortunately, I presume, we on this side of the Chamber will be held responsible for those measures if they are not passed. I think, therefore, it is well for those who are leaders on the opposite side of the Chamber to consider whether or not they are willing to continue the discussion of the treaty upon the mere question of a change of language.

There must be something in the Lodge reservation, as a matter of principle, to which the Senator from Nebraska seriously objects. I do not believe the Senator from Nebraska would hold up the treaty upon a mere question of language. Either there is something in the reservation to which he objects as a matter of principle or else this controversy will resolve itself into a question of which party can get the greatest advantage here in the Senate Chamber for the campaign. You are either fighting over a principle which neither can yield or you are sparring for political advantage.

I do not think, Mr. President, there is any possible way to keep the treaty out of the campaign, whether we ratify it or not. The Republicans in New York met in convention on yesterday, and the action of the Republicans of New York, by reason of the power and leadership of the State, is generally quite indicative of what will probably be the action of the party. It is at least an indication of what we may expect in the campaign. Instead of keeping the treaty out of politics, instead of keeping it out of the campaign, the Republican leaders in New York put it in the very midst of the political controversy. It is now so far in the campaign that it can never be kept out of the campaign. While we talk of keeping it out of the campaign it intrudes itself into the campaign and takes a foremost and dominant position. Under the declarations made by the Republican leaders of New York, even if we should ratify the treaty to-morrow it would be the one issue, the dominating and controlling issue of the campaign of 1920. I will demonstrate that to Senators by a single paragraph and by the resolution which, as I am informed to-day, followed this paragraph.

The Republican leader of New York said:

> I hope the treaty will be ratified with the reservations long before the presidential election. That will be done if the President permits it. If that is not done, then that is what I think the Republican Party ought to stand for.

That is, the treaty with reservations; but Mr. Root continued:

> Immediately after the 4th of March, 1921, a Republican President should urge upon the society of nations the reform of the league covenant, so as to make it establish the rule of public right rather than the rule of mere expediency, so as to make the peace of the world rest primarily upon law and upon the effectiveness and enforcement of the law.

If this treaty should be ratified with the Lodge reservations either as they are written or as they may be modified in the matter of language, nevertheless, as has been stated now by the Republican leader of the greatest State in the Union, so far as political power is concerned, the first hour of the first day of the first year of the Republican administration should be made sacred by initiating a new conference for the purpose of rewriting the league covenant. The treaty would be in the very midst of the campaign, would it not? It would be the one issue in the campaign, and not only would it be in the campaign but it would call into activity every foreign element in the United States, fighting not upon an American issue but upon what they conceive their rights should be under a League of Nations with reference to their friends in the Old World. However we may view it, therefore, we must face the situation as it is.

A year ago to-morrow the debate began in this Chamber on the League of Nations and the treaty. We are no nearer a settlement to-day than we were a year ago to-morrow. We have perhaps even more feeling and more antipathy toward the programs than we had at that time, because they were not then so thoroughly developed. We are within three months of the nomination of a President of the United States, and you can not any more keep the treaty out of the campaign of 1920 than you could stop midway over Niagara Falls after you had started. So, Mr. President, if we hold this treaty here for another week or another month, and debate it on the question of party advantage or mere verbiage, we are throttling legislation which ought to be passed and taking that responsibility upon ourselves before the country.

Not only does the Senator from Nebraska say that there can be no acceptance of the Lodge reservation as it now is, as I understand his argument, but it is inconceivable that the President of the United States could accept the Lodge reservation after his statement and after all he has said in regard to this matter. If the Lodge reservation is put on in substance and in principle, although we may change the language—the President has said it cuts the heart out of the covenant, that it destroys his handiwork, that it is utterly worthless for the purpose of building the peace of the world—can or will he accept it? Will Woodrow Wilson be the man to take a league that according to his own ofttimes repeated statement would be worthless, a fraud, a deception, a cowardly surrender?

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. BORAH. I yield.

Mr. BRANDEGEE. Has not the Senator from Idaho seen repeated statements in the press by the Senator from Nebraska [Mr. HITCHCOCK] that there must be substantial concessions upon the reservation to article 10 before he would agree to that reservation?

Mr. BORAH. I understand that is the position of the Senator from Nebraska.

Mr. BRANDEGEE. He has been repeatedly quoted to that effect in the press. I do not know whether or not it represents his view.

Mr. BORAH. I take it that that is the only legitimate inference which we can draw from the Senator's discussion here to-day. He says he has traveled nine-tenths of the way, but that the other tenth is the part which does the business; the other tenth is what effectuates the change in substance and principle. If the Senator from Nebraska did not regard that one-tenth as about as sacred a thing as is connected with this debate, he would yield it. In what position will the Senator from Nebraska and his party be in the campaign if he goes before the country saying, "I went nine-tenths of the way, but the other tenth did not amount to anything; the reason I did not yield the other tenth was simply a question of pride of authorship," or something of that kind. He will not undertake to occupy any such position as that. When we get into the campaign that one-tenth will swell into such proportions that it will far excel the nine-tenths, because under that one-tenth will be covered up the question of the life or death of the league in the view of the Democratic Party. What is this one-tenth? What does it cover? Will not the able Senator from Nebraska tell us? Is the one-tenth the principle, or is the one-tenth the pride?

The Senator from Nebraska has not been the leader of the other side of the Chamber for a number of months without Senators on both sides of the Chamber understanding his adroit leadership. If the Senator from Nebraska will rise in his place now and state to his colleagues and to the country that there is no difference between the Taft reservation and the Lodge reservation except a question of verbiage, he ends his fight upon this proposition. If he rises in his place and says there is a difference in principle, then he makes it impossible to ratify the treaty, under the declaration of the Senator from Wisconsin. What is the use of keeping it here before the Senate? We can afford to be frank; take a lesson from the irreconcilables and state exactly your position. [Laughter.] If the one-tenth does not mean anything, let us know it; if it does mean anything, as the Senator from Wisconsin says, let us have it; we can fight it out then. Let us know what this debate is about. We will confine our discussion to the one-tenth, if Senators opposing the reservation will tell us what the distinction is; if they do not tell us what the distinction is and do not tell the people what the

distinction is, it is altogether probable that we will not be able to agree at all.

I opine, Mr. President, that there is considerable bluffing, not upon the part of any particular Senator, but upon the part of all, about not fearing to go into the campaign. The Senator from Nebraska says, "We are not afraid to go into the campaign with that issue; we are not afraid of the popular disapproval of our position." It is a new thing in American politics to see such heroic striving to keep away from the issue which is going to make you sure for another four years. I venture to assert that if you go into the campaign with this issue, when it comes out of the campaign it will be stripped of reservations either mild or drastic.

I have had the honor since this campaign opened of speaking to 42 mass meetings upon the question of reservations and upon the fundamental principles which are involved in the league covenants. The audiences go to sleep upon the question of reservations. They say, as an old farmer over in Iowa said to me, "The question of reservations is a question of dispute between international lawyers. We do not know whether this 'unless' means the same thing as 'until,' or vice versa; but we do know that we do not want to be entangled and enmeshed in the affairs of Europe, and we do not want to be embroiled in her concerns, with which we have no interest."

If you get into the campaign, that is the question upon which you will fight out the campaign. When you stand before a popular audience, you will not stop to discuss the question between one word and other. There will come up from the people who are sitting before you, "What we want to know is whether or not you are in favor of mixing us in European affairs at all? We do not care whether you go in face foremost or back in, but are you going in?"

Let me give you an illustration. There has not yet been a candidate for the Presidency of the United States who has declared himself upon this question who has not declared, openly and without equivocation, that he is opposed to any league which in any way modifies the traditional foreign policy of the United States. Gen. Wood says, "I am in favor of the league, but I am opposed to modifying in any way or trammeling or embarrassing in the least the attitude of the United States in her relationship with foreign powers."

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. Just a moment.

Now, tell me, my friends, why it is that those who are getting ready to ask for the suffrages of the people of the United States are careful to advise them, in language which can not be misunderstood, that "I am opposed to modifying in any way the doctrines of Washington or the doctrines of James Monroe"? They have already felt the ground swell coming up from the popular voters that those two principles they will not sacrifice. When Mr. Hoover declares his position for a league—the candidate of the New York World for the nomination upon the other side—he declares the same thing: "I am for a league, but one which will protect absolutely the traditional foreign policy of the United States."

When Mr. Lowden declares his position he says:

> I am for a league, but I am opposed to the United States hampering herself in any way in her dealings with foreign powers.

In the name of common honesty how can you write a league without sacrificing the traditional policy of the United States? When they get into the campaign they will say to the people: "That is our position." Very well. If you can not have a league without doing that, then I am opposed to it, and before the campaign has proceeded 30 days your league will have disappeared like the mists before the sun.

I addressed a letter to Mr. Cox, of Ohio, and asked him point-blank: "Are you in favor of ratifying this treaty as it came from Versailles?" He has been about 20 days reflecting upon that question. He has not replied. I am waiting with considerable concern and deep anxiety to know how he is going to answer that question. It was put in a little different language, because I gathered knowledge as I went along by reading the statements of Mr. Lowden and Gen. Wood, so I put the question directly. You upon the other side of the Chamber will not nominate a candidate for President who will declare before the people of the United States that he is for this league without reservations.

Mr. ASHURST. Mr. President, it would be useless to nominate him.

Mr. BORAH. Exactly—perfectly useless. Therefore, let us get down to the real meat of this proposition. If you gentlemen, representing your convictions, do not propose to yield, let us take it into the campaign. There the people will settle it. If the Senators upon this side have gone as far as they propose to go, if they believe that to go further would sacrifice the independence and the sovereignty of the United States, then there is only one tribunal which can ever settle this question, and that is the electorate—the only tribunal which should settle it, the only tribunal which in the last analysis should settle it.

But they say: "That makes it a football of politics." How do you settle questions in America except in elections? We do not have plebiscites. We have no method of settling questions by discharging the ministry and going to the country. We have no means to settle these questions except through the expression of those whom the people choose as their representatives. It is the only way known to the American Republic. It was the system which the fathers built—a representative Republic, assuming that when a man was elected he would carry out the pledges made to the people. Are not the people themselves as capable of determining whether or not they want to be embroiled in the affairs of Europe as they are of determining a tariff question? Has the Monroe doctrine ever been considered a foreign question? Is it not a domestic question? Have not the Republican Party and the Democratic Party so declared time and time again? If you will look at the platforms of the Republican Party since 1850, you will find no less than three times, when three of the greatest Republican leaders in the history of our party were running, they not only declared for the preservation of the Monroe doctrine but they declared for the maintenance of Washington's policy and against all entangling alliances with foreign powers. No one has ever heretofore considered it as unfit for party politics for the American people to have the right to say whether or not they should be embroiled in European concerns. As the Senator from Connecticut [Mr. BRANDEGEE] says, the Clayton-Bulwer treaty was an issue time after time.

But there is another phase to this proposition which we may as well face, and that is this: Who makes the issues in the campaign? Suppose that both sides of the Chamber here should resolve that this should not be an issue in the next campaign. Suppose we should ratify the treaty and then agree among ourselves and either by resolution or public statement declare that it is now taken out of party politics and should not be an issue in the campaign. Who controls the issues in the campaign? Why, that audience sitting down there in front of the speaker control the issues in the campaign. They will determine what issues they will pass upon, and the speaker will have to conform to their views—either for them or against them.

Imagine a Republican candidate for President writing a letter of acceptance and keeping silent upon this question of the treaty! He would be driven from the stump in 10 days as a shameless moral coward, and if there is anything in the world that the American people will not forgive it is moral cowardice.

Suppose a Democratic candidate should accept, and should keep silent upon this treaty, what would become of the followers of Woodrow Wilson in that fight? If you want to know, ponder a minute upon the situation of Mr. Lansing at the present time. He would be retired into innocuous desuetude if it was within his power by votes to do it.

The issue is now made. It has gone to the country. You can not mislead nor misrepresent it to the people. We may hold it here for a week or a month or two months, and discuss questions of verbiage; but the great proposition is now before the American people, and there it will remain until under the genius of the American Republic the great tribunal which determines its destiny passes upon it. Upon the ides of next November the death knell of the treaty will be read in the result or else we will go into the league with the backing and the public opinion of 110,000,000 people.

What is it worth if we do not do it? As I had the honor to say to a distinguished Englishman a few weeks ago, "What is your treaty worth until the American people pass upon it?" These gentlemen should study the genius of American institutions. This treaty is a piece of white paper until the American people get behind it. Without their moral support it is utterly worthless. How many of these gentlemen who are now asking for ratification would not retreat if the great mass of the American people were to denounce it?

We conform here sooner or later to the only king that we know, and that is the king of public opinion. If we want to get into this league and stay there, if we want to make it permanent, if we believe in it and believe that it should be permanent, then we want the judgment of the American people as a people behind it.

I hold no brief for the President of the United States; neither do I hold any brief against him personally, although I

am against his proposition. Notwithstanding that fact, one must have a very deep admiration for the man in the White House, who, notwithstanding the adverse circumstances under which he fights, has notified the world that this treaty and league must stand as they are written, and has refused so far to yield a single inch upon that proposition. It does not prove that the President is right, but it proves that he has faith in his proposition. It proves that he has the invincible faith of Peter the Hermit, who would have reformed the world in another way. It proves that he is unwilling to shirk going before the American people with this matter. And if the President of the United States, after having declared his position in the unmistakable way that he has—that this, and this alone, will satisfy the demands of the world and compose the world's strife—yields upon questions of principle and substance, his place in history will descend to that of sheer expediency instead of statecraft. It is all right for these trimmers and compromisers who write in here to talk about yielding, but the President can not yield with honor that which he has declared would destroy his league. It is equally true that men who have said that certain reservations are the least that will protect the rights of our people can not yield without betraying their country. As for the irreconcilables, their position is known to all—they will never yield. Why take further time therefore? Let it go to the people; let those decide it upon whose shoulders its stupendous obligations must rest.

Mr. PHELAN. Mr. President, during the course of the discussion in which the Senator from Idaho [Mr. BORAH] and the Senator from Missouri [Mr. REED] recently participated, a question was raised as to the accuracy of a statement made by Baron Goto, of Japan, and published in the Washington Post of April 20, 1919. The statement made was as follows:

> In an astonishingly frank interview Baron Goto declared that Japan considered herself the spokesman of all oriental peoples, and, having already obtained the support of President Wilson, would not give up her fight for racial equality.
> "Both President Wilson and Col. House voted with Japan for racial equality at the peace conference," Goto said.

In the interest of the truth of history, I stated at that time that I was in possession of information which seemed to deny the accuracy of Baron Goto's statement—if, indeed, it had ever been made—and since then I have confirmed my view, and I promised at that time to lay it before the Senate.

The Japanese representatives at the peace conference, led by Baron Makino, as the Senators will recall, in March, 1919, asked that a resolution be passed, first by the conference and then by the council, granting racial equality as a principle between nations—a proposition which, upon its face, seemed to commend itself to idealists and philosophers; but when subjected to the test of practical application and experience, the serious character and purpose of the resolution at once became manifest. Therefore, at that time I took it upon myself to address the American delegation in Paris, at the same time informing the western Representatives in Congress of the fact and inviting them to participate in the protest. The first telegram I sent to the American representatives read as follows:

"MARCH 20, 1919.

"Japanese demand for free immigration and other privileges has aroused Pacific coast. Evidence of Japanese coming over border and contemplated land purchase by Japanese company in Mexico near California State line and enormously increased Japanese agricultural aggression have alarmed the people. These problems are domestic, and league constitution should under no circumstances concede Japanese demand. Japan now excludes Chinese coolies and has recently deported 500 such persons from Japan."

The second telegram, dated March 23, was addressed to Lansing, Secretary of State, as follows:

"Any declaration in constitution on 'race equality or just treatment' may be construed to give jurisdiction to league over immigration, naturalization, elective franchise, land ownership, and intermarriage, and should be avoided. An affirmative declaration that these are domestic questions should be made in consonance with established American policy. Believe western Senators and others will oppose any loophole by which oriental people will possess such equality with white race in United States. It is vital question of self-preservation."

At the White House conference President Wilson declined to answer the direct question as to how the American representatives had voted, the council having decided to keep confidential its proceedings.

Acknowledgment, however, was made to me by Mr. Lansing, without indicating what action had been taken by our representatives, but it was given in the press that, while the Japanese resolution received a majority of votes, it was lost for failure to receive unanimous approval. Who, then, refused unanimous consent? The facts were brought out by the Senator from Idaho [Mr. BORAH] in quoting extensively from the book of Dr. Dillon. Dr. Dillon tells us of the circumstances surrounding the action of the conference when this matter was brought up. These are his words:

"Then came the burning question of the equality of nations. The Polish delegate arose and opposed on the formal ground that nothing ought to be inserted in the preamble which was not dealt with also in the body of the covenant, as otherwise it would be no more than an isolated theory devoid of organic connection with the whole. The Japanese delegates delivered speeches of cogent argument and impressive debating power. Baron Makino made out a very strong case for the equality of nations. Viscount Chinda followed in a trenchant discourse, which was highly appreciated by his hearers, nearly all of whom recognized the justice of the Japanese claim. The Japanese delegates refused to be dazzled by the circumstance that Japan was to be represented on the executive council as one of the five great powers, and that the rejection of the proposed amendment could not therefore be construed as a diminution of her prestige. This consideration, they retorted, was wholly irrelevant to the question whether or not the nations were to be recognized as equal. They ended by refusing to withdraw their modified amendment and calling for a vote. The result was a majority for the amendment. Mr. Wilson thereupon announced that a majority was insufficient to justify its adoption, and that nothing less than absolute unanimity could be regarded as adequate. At this a delegate objected: 'Mr. Wilson, you have just accepted a majority for your own motion respecting Geneva; on what grounds, may I ask, do you refuse to abide by a majority vote on the amendment of the Japanese delegation?' 'The two cases are different,' was the reply. 'On the subject of the seat of the league unanimity is unattainable.' This closed the official discussion."

So there is no doubt about the action of the conference, but there was a doubt raised by the Senator from Missouri [Mr. REED] as to the vote of the President. The Senator from Idaho [Mr. BORAH] drew the inference from the statement of Dr. Dillon that the President voted with the minority; in other words, that his vote, as I am led to believe, with the vote of Lloyd-George, prevented that unanimity which was necessary to carry the resolution.

But how did the President vote? The Senator from Colorado [Mr. THOMAS] has called our attention to an article by Mr. Patrick Gallagher, who is a well-known authority on Far Eastern affairs. After his return from a prolonged residence in the Philippines and China he became associated with the Far Eastern Review, of New York City. He attended the peace conference to report on the eastern angle of the discussion, and since his return has affiliated himself with the Far Eastern Syndicate, with headquarters in Washington. In an elaborate article in the issue of the magazine Asia, of September, 1919, Mr. Gallagher bears this testimony:

"Every nation represented at the meeting, with the exception of the United States and Great Britain, supported Makino's amendment through their spokesmen on the commission for the League of Nations."

The Makino amendment was that providing for the acceptance of the principles of the "equality" of nations and the "just treatment" of their nationals. The previous demand for bare racial equality which had been made, was, he states, trimmed down to read, "acceptance of the principle of the equality of nations and just treatment of their nationals." He goes on to say:

"I notice frequent assertions in the newspapers that Makino's amendment was 'defeated by a narrow majority.' That is utterly incorrect. It was carried by a sweeping majority, including China. Dr. Koo, very properly, made one of the best speeches supporting the Japanese baron. Racial and national equality suffered defeat at the hands of Woodrow Wilson, at the behest of Lord Robert Cecil. After everybody had spoken, Baron Makino asked the President if his amendment was adopted.

"The President said, 'No. That requires unanimity.'

"In plain words, Baron Makino and the Japanese were tricked out of their just rights and a sweeping victory in the commission on the league of nations. The Japanese were seriously annoyed. The younger Japanese newspaper men, who were present in Paris in strong force, were openly angry."

Of course, if the President stated, as generally understood, that unanimity was necessary, that doubtless was the rule of the council in matters of importance.

The writer of the article is apparently pro-Japanese and is putting the Japanese case. He seems to speak with authority, and, of course, his statement bears out my contention that the

President voted with the minority and hence defeated that unanimity which was necessary to carry the amendment.

I have also the testimony of a distinguished correspondent, Ray Stannard Baker, who has written a series of articles on the business of the conference. He says, briefly:

"The Japanese felt strongly regarding the defeat in their effort to obtain the racial recognition clause in the covenant, and at once in some of their extreme newspapers there began a sharp attack on President Wilson as the cause of their discomfiture. The Osaki Mainichi Deupas, for example, referred to the President's 'dangerous justice,' and charged him with being a 'female demon,' a term vividly denunciatory to the oriental mind. Whatever happened at the conference, the President had to take the lion's share of the blame for it."

Again, I find in the Living Age of November 22, 1919, taken from the Chus Koron of October 6, 1919, an article by Ryutaro Nagai, the following:

"The Anglo-American spirit in question was clearly seen at work during the early progress of the peace conference, as when the British and United States delegations united in supporting the Chinese claims against the Japanese. It was, indeed, only when Premier Orlando went home in resentment at President Wilson's opposition to the Italian acquisition of Fiume, an event which gave occasion to all the anti-American element to ventilate itself, that through the mediative efforts of Mr. Balfour the Anglo-American combine at the conference was persuaded to allow Japan's contention. All this while Premier Lloyd-George caused the newspapers under his control to attack Japan for what they represented to be her aggressive policy in the Far East.

"Again, it was England and America who were most solid in their opposition to Japan's racial-equality proposition, so much so that the combine winked at the unfair ruling of President Wilson, who declared it lost, although it was supported by 12 votes against 6."

Because the council enjoined secrecy, as before noted, the President, in answer to Senator JOHNSON's direct question, said he was not, at the time of the White House conference, free to give the information. But since then the news has been circulated by correspondents and publicists. The most convincing statement was given to me, for my information as a Senator, by one in a position to know. I will respect the confidence by withholding the name of the writer, but in view of the circumstances I do not see why the Senate should not possess this authentic statement, which is as follows:

"I beg to acknowledge the receipt of your letter of November 21, 1919, in which you ask to be advised as to the action of the American commissioners at the Paris conference with respect to the Japanese demand for 'racial equality.'

"In reply, I hasten to assure you that the Japanese demand for a 'racial equality' clause in the covenant of the League of Nations was never brought up for discussion or vote at any plenary session of the peace conference, although it did form the text of a statement (inclosed herewith) made by Baron Makino at the plenary session of April 28, 1919. It was, however, introduced in a meeting of the League of Nations commission on February 13, 1919. On that day President Wilson was not in attendance at the meeting, and at the request of the representatives of several powers, other than the United States, the clause was withdrawn by the Japanese delegate without a formal vote being taken upon it. At a subsequent meeting of this commission on April 11, 1919, the Japanese delegate proposed a general statement as to 'national equality' to be embodied in the preamble of the covenant, which was rejected after the taking of a formal vote. This vote showed that certain powers were in favor of the proposed amendment to the preamble, but no count was taken of the negative votes. The United States did not vote for the amendment, and President Wilson, who was presiding at the meeting, ruled that inasmuch as the amendment had not received unanimous support it had been rejected. This was the last attempt made by the Japanese representatives in Paris to obtain formal recognition of either 'racial' or 'national equality.'"

So there can be no manner of doubt that, notwithstanding the statement attributed to Baron Goto published in our RECORD last September, and, according to the Senator from Missouri [Mr. REED], uncontradicted, that it is clearly a fact that the American representative in the person of the President, possibly in connection with Lloyd-George, defeated the Japanese proposal for racial equality.

My informant inclosed a statement by Baron Makino at the plenary session of the peace conference, April 28, 1919, after he had been defeated.

Baron Makino explains the grounds for the amendment proposed by the Japanese delegation to the commission with a view to secure recognition in the covenant for the equality of all nations and of their subjects. He said:

"I had first on the 13th of February an opportunity of submitting to the commission of the League of Nations our amendment to the covenant, embodying the principle of equal and just treatment to be accorded to all aliens who happen to be the nationals of the States which are deemed advanced enough and fully qualified to become members of the league, making no distinction on account of race or nationality."

Then he discussed the principle, and he continues, referring to the vote:

"On the next day"—that is, on the 14th day of February—"when the draft of the covenant was reported at a plenary session of the conference without the insertion of our amendment, I had the privilege of expressing our whole-hearted sympathy and readiness to contribute our utmost to any and every attempt to found and secure an enduring peace of the world. At the same time I made a reservation that we would again submit our proposal for consideration."

In closing, he said:

"I feel it my duty to declare clearly on this occasion that the Japanese Government and people feel poignant regret at the failure of the commission to approve of their just demand for laying down a principle aiming at the adjustment of this long-standing grievance, a demand that is based upon a deep-rooted national conviction. They will continue in their insistence for the adoption of this principle by the league in future."

Here Baron Makino serves notice that he shall not abide by the decision, and, therefore, we must be prepared, in case the proposed covenant of the league is adopted, to meet that demand from time to time, unless we expressly and specifically take jurisdiction of such subjects from the league.

I voted for reservation No. 4, proposed by the Senator from Massachusetts [Mr LODGE], in order that Baron Makino might not find the league a tribunal to which he could appeal. The Lodge reservation reads as follows:

"The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, the tariff, commerce, the suppression of traffic in women and children and in opium and other dangerous drugs, and all other domestic questions, are solely within the jurisdiction of the United States and are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the League of Nations, or any agency thereof, or to the decision or recommendation of any other power."

Of course, we have always contended, irrespective of the reservation, that questions of immigration and the like were domestic in their character and wholly and exclusively within the jurisdiction of a sovereign country, but it did no harm to emphasize it or to interpret, if you please, the meaning of the language of the covenant, so far as we were concerned, and while the power was in our hands to determine finally the question of jurisdiction.

We can not submit to any foreign tribunal the domestic question of who shall come into our country and enjoy its privileges.

In a country which deals generously with matters of a political character, involving equality and liberty, it may almost seem harsh to those not familiar with the facts to deny equality to any nation or to any race or people. I said that Lloyd-George had joined with President Wilson according to the evidence, and he joined because the Australian Commonwealth and New Zealand and Canada and South Africa, and all the great tributary colonies of the British Empire, were of one mind on the question of denying equality to the Japanese on account of what it implied. In practice "equality" meant for the white race the abandonment of its standards and tended to destroy the very ideals which had been concretely established. By the submergence of the white race their standards and ideals would go with them. There would remain only Japanese domination. We receive their diplomats, their travelers, their students, in our homes and in our schools on terms of equality, and all their nationals already in the country of every class enjoy the equal protection of the laws and have equal access to the courts. What is the equality they seek?

It is not a question of personal equality as between man and man that is involved at all in this discussion. It is that legal equality under which the Japanese would claim the right freely to come into the United States, or into Australia, if you please, just as do the nationals of any other country; it is that equality under which they would claim the right of naturalization, just as the nationals of other countries, of citizenship, of the elective franchise, of intermarriage, and of the holding of land.

By actual experience we find that we can not admit that equality involving all these things, because these aliens are capable of displacing the people who are now upon the soil, the white men and women who have pioneered the land, developed it, in mine and field, reared their institutions, political and social, and who, when the time comes, contribute their sons to fight the battles of their country. The aliens who wish to come in on a parity with native Americans have all the industry, but have not the assimilable quality by which they will blend and make a homogeneous race. Physically they are incapable of that assimilation; and the laws of several States deny them the privilege of intermarriage with the whites, based upon physiological laws which are well understood in this Chamber. The issue of such marriages—Eurasians or mestizos, they are called in Asia—have brought out, we know from experience, the evils which inhere in both races; and such a mongrel or hybrid race supplanting the Caucasian in California would be the death of the political and social life of the country. Where it is desirable, intermarriage is the only source of racial equality.

These aliens have no conception of our form of government, but still adhere with loyalty to their system of government and are governed by their consuls. They respond to the call of their consuls; and it is said that, in a military sense, their presence in large numbers, they being mostly military reservists, is a positive peril in case there should be any conflict between the countries.

Naturally the Japanese are gregarious and form a solid block. Ever since Chinese exclusion in 1884 they have been coming into this country, and they remain fixed and unchangeable. They are very prolific, and their children are trained, before and after regular hours, in Japanese schools. Denied agricultural land by State law in California, they are taking it in the names of their native children, who are ipso facto citizens under the Federal Constitution. They make the Constitution the instrument for law evasion.

I think, then, it is apparent that the danger ought to be checked. I shall not now go into that question, as I rose merely for the purpose of setting at rest the facts concerning the peace conference in their consideration of the resolution providing for the equality of races. I desire at the same time, however, to explain what that equality means—a word so pleasing to the ear and which is accepted politically, in a general sense, by us all.

We can not on terms of political equality or of social equality or of commercial or industrial equality admit freely the Japanese without inevitably involving the destruction of the American population now upon the soil. It is a question of self-preservation. There is no other question involved. If we did admit them, there would be abundant production, if that is the only end and purpose of our Government; but I am sure the Senate will agree with me in the statement that that is perhaps one of the least purposes of our Government. It is to produce and protect and to build up a nation of men and women who are homogeneous, believing in the principles of free government, and ready with their lives, if necessary, to defend them. That is the spirit of Americanism. The infiltration of an alien and nonassimilable race will destroy the American population and with it all that we hold dear.

The penetration by the Asiatics of the western coast of North America has raised, therefore, a very serious and fundamental question, and it can not, in the nature of things, be confined to any one section of the country. We are busy making preparations in Congress and in the legislatures of the Western States to correct this evil, first, by denying them the privilege of acquiring the soil—for without the soil there can be no race; there can be no free people; there can be no pursuit of life, liberty, and happiness.

Without the soil the people expelled by the incursions of the foreigner become vagrant and vagabond. It requires no flight of the imagination to see the fruits of such a policy borne in abundance by the development of the lawless and the criminal, by the I. W. W's and the Bolsheviks, because well might the people, driven off the soil by the pressure of these aliens, say "The Government under whose flag we live has failed to protect us"; and they would turn from love to hatred toward those institutions which they had believed would shelter them against—against what? Against the impossible competition of a man who can not assimilate and who will not take up the burdens of society and government, either in peace or in war, but who dedicates his life to unremitting labor, knowing neither hours, nor holidays, nor social, nor political, nor religious duties, but pursuing, to the exclusion of everything else, the acquisition of mere wealth.

Let me in a word show the results: I was told by the Rev. Dr. Lathrop, which impressed me very much, that he went to a farmhouse where he was accustomed to meet a family of Americans, the unit of a great Nation, in which he took a tremendous pride, and he saw the house dismantled while the orchard flourished. He then learned that Japanese had taken possession of this white man's house, either having acquired the land by lease or by purchase. The loss to that community and the loss to the State and to the Nation of the farmer and his family was, he well knew, irreparable. Without such units composing the community and the State there can be no State and no Nation.

EXECUTIVE SESSION.

Mr. LODGE. I move an executive session with closed doors.

The motion was agreed to, and the doors were closed. After five minutes spent in executive session the doors were reopened.

ADJOURNMENT.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 2 minutes p. m.) the Senate adjourned until to-morrow, Saturday, February 21, 1920, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 20 (legislative day of February 18), 1920.

UNITED STATES ATTORNEY.

E. J. Smith, of Denison, Tex., to be United States attorney, eastern district of Texas, vice Clarence Merritt, resigned, effective March 1, 1920.

COAST AND GEODETIC SURVEY.

Frederick Lockwood Peacock, of New York, to be hydrographic and geodetic engineer in the United States Coast and Geodetic Survey, in the Department of Commerce (by promotion from junior hydrographic and geodetic engineer), vice Harrison R. Bartlett, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 20 (legislative day of February 18), 1920.

REGISTERS OF LAND OFFICES.

James R. Sharp to be register of the land office at Rapid City, S. Dak.

Charles E. Marshall to be register of the land office at Phoenix, Ariz.

William B. Dickson to be register of the land office at Dickinson, N. Dak.

James Y. Callahan to be register of the land office at Guthrie, Okla.

Hayden M. White to be register of the land office at Buffalo, Wyo.

Carl H. Massie to be register of the land office at Newcastle, Wyo.

RECEIVERS OF PUBLIC MONEYS.

Frank B. Kinyon to be receiver of public moneys at Boise, Idaho.

Charles R. Yeoman to be receiver of public moneys at Newcastle, Wyo.

POSTMASTERS.

ALASKA.

Amy Howell, Petersburg.

FLORIDA.

Albert E. Lounds, Crescent City.
Edward L. Powe, De Land.
William J. Forbes, Pensacola.
Charles F. Hopkins, St. Augustine.
Philip M. Elder, Sanford.
Edward O. Sawyers, Zolfo Springs.
James A. Haiston, Cocoa.

GEORGIA.

J. D. Long, Bremen.
Raymond W. Clancy, Darien.
Benjamin L. Cumbus, Hahira.
Willie W. Brown, Jonesboro.
Roger H. Clark, Louisville.
Sarah K. Scovill, Oglethorpe.
Ben H. McLarty, Soperton.

KENTUCKY.

Owen Daugherty, Caneyville.
John V. Dickinson, Manchester.
Elvin E. Pritchard, Williamsburg.

MISSOURI.

James R. Pollock, Campbell.

MONTANA.

Walter V. Grimes, Dillon.
Hattie E. Fest, Polson.

NEW HAMPSHIRE.

George F. Plummer, Ashland.
Edward J. Maley, Newport.
Arthur M. Rolfe, Salem Depot.
John E. Sullivan, Somersworth.
Addie J. Faulkner, West Swanzey.

NEW YORK.

John J. Drumm, Cedarhurst.
John A. Hendrickson, Farmingdale.
George A. Hoffman, Floral Park.
Carrie A. Kinn, Hewlett.
John J. Breen, Mineola.
William Nacey, Oswego.

NORTH CAROLINA.

Jesse W. Wood, Littleton.
James L. Bivens, Marshville.
Rosabelle L. Chestnutt, Snow Hill.
Lillian D. Williams, Stantonsburg.

SOUTH CAROLINA.

Howard A. Littlejohn, Belton.
Cecil S. Rice, Denmark.
Edgar E. Poag, Rock Hill.

WYOMING.

Flossie A. Speckman, Glenrock.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 20, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, Father of all souls, we lift up our hearts in gratitude and praise to Thee, that under the dispensation of Thy providence the course of human events has been upward not downward, forward not backward; hence we confidently look forward to the coming of Thy kingdom in all its glory, in the fullness of time, when every man shall know the truth, the truth that makes him free; and the ruling passion shall be to serve, not to be served; and brotherly love have its sway in accordance with the laws which Thou hast ordained. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

READING OF WASHINGTON'S FAREWELL ADDRESS ON FEBRUARY 23.

The SPEAKER. Under the order of the House the Chair was authorized to designate a Member to read Washington's Farewell Address on Monday, the 23d. Under that authority the Chair designates Mr. RODENBERG, of Illinois.

BRIDGE ACROSS ROANOKE RIVER, N. C.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 12351.

The SPEAKER. The gentleman from North Carolina asks unanimous consent for the present consideration of the bill H. R. 12351, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12351) to extend the time for the construction of a bridge across the Roanoke River in Halifax County, N. C.

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved March 1, 1919, to be built by the county of Halifax, N. C., across Roanoke River between Hills Ferry and the ferry near the town of Halifax, in said county and State, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. Is there any amendment?

Mr. KITCHIN. No.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KITCHIN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SPECIAL MESSENGER AND ASSISTANT PAIR CLERK.

Mr. HUMPHREYS. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution, which I send to the Clerk's desk to be read for information.

The SPEAKER. The gentleman from Mississippi asks unanimous consent for the present consideration of the resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That William E. Kenney be, and he is hereby, appointed a special messenger and assistant pair clerk to fill the vacancy caused by the resignation of Kenneth Romney, named in the resolution adopted by the House May 19, 1919, to be effective from September 16, 1919.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, Mr. Speaker, how is it that this does not come from the chairman of the Committee on Accounts?

Mr. HUMPHREYS. This is one of the minority employees that were provided for in the resolution adopted on the 19th of May, when the House organized. Mr. Romney was named in that resolution for this place. Mr. Romney was formerly in the office of the Sergeant at Arms, and at the request of the Sergeant at Arms he remained there for some little while, up until the 19th of September, whatever the date here shows. Another young man was put in the place temporarily to fill that place. It then developed that the Sergeant at Arms was going to retain Mr. Romney permanently in his office, and he so notified us, and this is to fill that place. It is one of the regular minority places.

Mr. GARNER. It is already provided for by law. It is no new place.

Mr. HUMPHREYS. Yes. It is one of the regular minority employees.

Mr. WALSH. Is this retroactive?

Mr. HUMPHREYS. Yes. This man has been on the job ever since the 19th of September.

Mr. WALSH. Who has been paying him?

Mr. HUMPHREYS. Nobody.

Mr. WALSH. Has he not been receiving any pay?

Mr. HUMPHREYS. No.

Mr. DYER. Has he been doing any work?

Mr. HUMPHREYS. Yes.

Mr. WALSH. What is the pay?

Mr. HUMPHREYS. Eighteen hundred dollars, I think.

Mr. DYER. How much time has he been giving to the work?

Mr. HUMPHREYS. The same amount of time that every pair clerk gives every day.

Mr. WALSH. Has this been referred to the Committee on Accounts?

Mr. HUMPHREYS. No. This has not been referred to the Committee on Accounts. It would not belong to the Committee on Accounts.

Mr. MANN of Illinois. He is one of the minority employees. The custom for years has been at the organization of a Congress for the minority to offer a resolution for the employment of the person. This changes the designation of the person, not of the office?

Mr. HUMPHREYS. No.

Mr. MANN of Illinois. I do not know why it has not been brought in before.

Mr. WALSH. The gentleman is touching upon an interesting story. I will not object.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the passage of the resolution.

The resolution was agreed to.

EXTENSION OF REMARKS.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an index of the conference report on the railroad bill.

The SPEAKER. The gentleman from Maryland asks unanimous consent to print in the RECORD an index of the conference report on the railroad bill. Is there objection?

Mr. WALSH. Who prepared it?

Mr. LINTHICUM. It was prepared in my office.

The SPEAKER. Is there objection?

There was no objection.

Mr. LONERGAN. Mr. Speaker, as to-morrow will mark the fourth anniversary of the Battle of Verdun, I ask unanimous consent to extend my remarks in the RECORD on that historical event and the achievements of the French Army.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his remarks on the achievements of the French Army. Is there objection?

There was no objection.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. WOOD of Indiana. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12610, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Ohio [Mr. LONGWORTH] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12610, the legislative, executive, and judicial appropriation bill, with Mr. LONGWORTH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12610, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

Mr. WOOD of Indiana. Mr. Chairman, I yield 30 minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Chairman, yesterday I arose to a question of what I believed to be personal privilege to reply to a statement appearing in the Washington Post of day before yesterday. I will read that brief portion which I felt entitled me to speak in my own behalf at that time.

In the Washington Post of February 18 is the following statement:

The chairman of the subcommittee was Representative JAMES A. FREAR—

Referring to the aircraft committee report—

and the Democratic national committee charges he favored the McLemore resolution forbidding Americans to take passage on ocean liners, as well as a resolution favoring an embargo on the sale of munitions to the Allies.

It is further charged by the Democratic national committee that Mr. FREAR voted against war with Germany, against conscription, against the espionage act, and against the first war revenue bill, "amongst others."

I have omitted portions of the statement, in order to get the specific bills and votes of which the Democratic national committee complains. It has no direct bearing on the report and no remote relation to the report of the aircraft committee, but I wish to meet it squarely at the time it is made.

The purpose of this statement from the Democratic national committee, as I assume, was to discredit the report on aviation made by the committee of which I am a member and chairman, appointed over my protest. Let me say, I preferred not to serve and afterwards tendered my resignation, which was refused. But that is only an incident. The report has been made to the House. Four thousand pages of testimony have been submitted, with our findings, so that Members of Congress can determine whether or not the facts therein set forth are true.

At the outset of our hearings last July and prior to the swearing of a single witness, Mr. Homer Cummings came before our committee. He is the chairman of the national Democratic committee. He vouched for a statement given out to the press before a witness was heard which discredited the purpose of this committee and called it a political investigation, partisan in character, but admitted before the committee that he had no evidence on which to base that statement except his own personal judgment.

When informed that the House had unanimously voted for the passage of the resolution, he criticized the House for its action and said it would result in no good. I cared nothing about his judgment, but from that day to this, through the press, he has constantly given out through the Democratic national committee reflections upon the acts of this aircraft committee. We have endeavored to make a fair and nonpartisan investigation from start to finish. I ask any Member, from now on until the matter shall come before the House for discussion, to indicate a single line in the hearings, of 4,000 pages, where there has been a word of partisanship or politics injected from the majority members of the committee.

Now, I wish briefly to take up the objections that he presents against the acceptance of this report at 100 per cent value.

The first statement he makes is that I opposed tabling the McLemore resolution on March 17, 1916, a year before the war. I did. I have no apologies to make for that, never have made any, never propose to make any. The McLemore resolution, as we all know, was based upon a situation which arose after the Secretary of State had written to the belligerent countries a letter in which he said it was "a doubtful right" to ride upon their armed merchant vessels, and President Wilson was thereafter elected because he kept us out of war. I am not going to discuss the resolution. That is one reason why I did not care to discuss the question of personal privilege yesterday or to enter into the merits of the proposition. I desire to say this: That I voted my best judgment and the following gentlemen voted with me. I ask the House to pay attention to their names, to determine whether the House will accept any reports or any recommendations made by these gentlemen hereafter, for Mr. Cummings, chairman of the Democratic national committee, objects to them on the same ground. These gentlemen voted with me on the McLemore resolution:

Mr. JULIUS KAHN, present chairman of the Military Affairs Committee.

Mr. TOM BUTLER, chairman of the Naval Affairs Committee.

Mr. JOE FORDNEY, chairman of the Ways and Means Committee.

Dr. FESS, chairman of the Committee on Education.

Senator LENROOT, promoted to the other branch of Congress.

Mr. MANN of Illinois, who was then the minority leader and one of the ablest Members of the House.

Mr. MONDELL, the present majority leader.

Mr. REAVIS, chairman of one of the subcommittees with myself upon the war-expenditures investigation.

Mr. STEENERSON, chairman of the Post Office Committee.

Mr. ESCH, chairman of the Committee on Interstate and Foreign Commerce.

Mr. TOWNER, chairman of the Committee on Insular Affairs.

Mr. VOLSTEAD, chairman of the Judiciary Committee.

Mr. Kent, who was appointed by the President of the United States a member of the Tariff Commission in recognition of his ability and past public record.

Mr. LONGWORTH, the gentleman who at present occupies the chair just vacated by the Speaker.

Mr. MADDEN, a gentleman whom we all respect very highly.

And Uncle JOE CANNON, a patriot second to none.

Think of it! I am criticized by the Democratic national committee for being found in such eminent company.

In 1916 there was an election, and this matter was thrashed out by self-anointed patriots in my State, and I received the largest majority I ever had in the district—in a State that furnished more volunteer soldiers in proportion to its population than any other State in the Union.

But for the purposes of the argument I am going to admit that I made a mistake in being found in the company of these distinguished gentlemen. Is that any excuse or justification for the expenditure by American officials of $1,000,000,000 appropriated by Congress for aeroplanes and only getting 213 flaming coffins at the front after 19 months of war? I will establish in your minds the fact that they were "flaming coffins," in the judgment of the men who flew them, before I get through.

The war vote is second among Chairman Cummings's complaints. Yes; I voted against the war. Judging from absolute lack of war preparations and waste of one thousand millions of dollars without getting aircraft, I might suggest many reasons if necessary. I found myself in distinguished company in that vote, because the gentleman who was then the leader of the Democratic majority of the House, now present, Mr. KITCHIN, throughout the war bore the brunt of all the labors of the great finance committee of the House, the Committee on Ways and Means, and is entitled to the thanks of the country for his untiring work, he voted the same way that I did. Sitting here immediately in front of me is a distinguished old gentleman who voted the same way—the oldest and one of the most honored in the House. I wonder if you are ashamed of him. A Democrat, yes; a man whom we all highly admire, who proudly wears the emblems of 40 battles of the Civil War in which he participated, Gen. SHERWOOD, rose from private to general. I am found in his company. Think of Homer Cummings, the politician, compared with Gen. SHERWOOD, the patriot. I am found in the company of Mr. Van Dyke, another Democrat, now deceased, who was the commander of the Spanish-American War Veterans at the time we cast that vote in April, 1917. Also with ROYAL C. JOHNSON, a soldier and patriot in the war. My friends, I can name any number of gentlemen whom the country know and respect above this man Cummings, but I do not care to discuss the votes we cast at this late day. That is past. That is water over the wheel, and our districts have returned us again. I do want to ask this, however: What justification does that afford Cummings for criticizing a report which says in so many words that $6,000,000 was wasted experimenting on a Bristol plane when there was no possible excuse for attempting to put a Liberty motor into the English Bristol? What justification is Cummings's criticism of me for waste of $17,000,000 for a "Standard J" training plane which everyone knew, or ought to have known, at the start could not be used, because of its dan-

gerous construction, and was discarded after 1,660 worthless planes had been built? Why did not these responsible American officials build any one of a half dozen recognized types of fighting planes that were used by our allies throughout the war?

What justifies Cummings's charge against me when Director Ryan was spending $50,000,000 for flaming coffins that needlessly caused the death of many American aviators who were compelled to fly in them, as I propose to show before I get through? What justification for the needless loss of valuable lives of American aviators? Mr. Cummings, chairman of the Democratic national committee, criticizes me for my two votes. He criticizes at the same time the gentleman from North Carolina, Mr. KITCHIN, the gentleman from Ohio, Gen. SHERWOOD, and every other man who voted as I did, although all of us voted for every other proposition that was offered to carry on the war thereafter. Why, the Democratic platform during the Civil War declared that war was a failure, and yet Cummings criticizes those who voted their convictions on a matter that involved this country in the horrible war then being fought in Europe.

Conscription? Of course, they lie about that as they have lied heretofore and will hereafter. I voted to admit volunteering in an effort to raise an army after war was declared. I never questioned but what that vote was right then; I believed it then and I believe it now. My father, who is still living, was commander of the Grand Army of the Republic of this District then. He served three and a half years as a volunteer during the Civil War. He believed the chance to volunteer was right and I believed it was right. My son was one of the first to volunteer in the war, and returned to his wife and baby after over two years' service. Who did I have in my company on the vote favoring volunteers? Ex-Speaker CLARK, who gave his boy to the service, as I did mine. The American people think more of the little finger of CHAMP CLARK than they do of the whole anatomy of Homer Cummings, who has pursued from start to finish bushwhacking political attacks against our committee. I did not vote against conscription, but voted for it as a necessary war measure, and Mr. Cummings's statement to the contrary is false and childish; but if true, it had no relation to the aviation committee's report.

Now as to the embargo. That is the next thing that Mr. Cummings, through the Democratic national committee, has charged me with voting against. Why, gentlemen, no embargo bill ever came before the House; it never even came out of the committee. That is a fair sample of the falsehoods which Mr. Cummings promised would be printed, and I submit no reliance can be placed on statements from such a source.

As to the espionage law, I voted for it. He charges I did not, and that is another falsehood. I have sometimes doubted the method of its administration in different forums, but it was a war measure and we accepted it as such.

I voted for every war measure after war was declared, and Mr. Cummings is again wrong. That is only another falsehood by this man, who is seeking to discredit the report of our committee by striking at it over my shoulders. Cummings has been declared unfit to be chairman of the Democratic national committee by high authority. I submit his present statement is not honest but it is the act of a prejudiced politician; it is maliciously false, and the American people do not put any reliance in it or in him, and they will never be deceived by his effort to cover up and whitewash incompetent responsible aircraft officials, whatever their politics.

Let me say a word about the De Haviland 4 and fix responsibility for the manufacture of machines that we have declared in our report were "flaming coffins." I am going to give you unimpeachable authority for the statement that they are rightly named. I quote from the chief aviator of the United States, who appeared before our committee. He had 26 victories to his credit and was given the cross and distinguished service medal by Gen. Patrick, who also appeared before our committee. I allude to Capt. Rickenbacker. He stood up there in the gallery after his return, and you gentlemen all paid homage to him, to a splendid soldier, the ace of aces, when he was there. Here is his statement:

> From every side Fokkers were piquing upon the clumsy Liberty machines, which, with their criminally constructed fuel tanks, offered so easy a target to the incendiary bullets of the enemy that their unfortunate pilots called this boasted achievement of our aviation department their "flaming coffins." During that one brief flight over Grand Pre I saw three of these crude machines go down in flames, an American pilot and an American gunner in each "flaming coffin" dying this frightful and needless death.

Does it make any difference what I have done to which Homer Cummings objects, when you have Rickenbacker's judgment on "flaming coffins"? He says again:

> The Germans * * * had seen the spring months pass, and instead of viewing with alarm the huge fleet of 20,000 aeroplanes sweeping the skies clear of German Fokkers, they had complacently witnessed the Fokkers occupying the air back of our lines whenever they desired it, with never an American plane to oppose them.

The Germans were free to bomb American troops in the trenches, and, according to testimony of reputable witnesses before our committee, that is what they did repeatedly without an American plane to oppose them. And we had appropriated $1,000,000,000 and over for airplanes to protect those boys.

Rickenbacker next speaks of the French Nieuports bought for our aviators by the aviation officials of this Government. Your boys were over there flying them; Gen. HULINGS'S son was with them. My colleague, Mr. LAMPERT, had five sons in the war. Here is what they had, and I am later going to give you as good authority as Capt. Rickenbacker in support of that same estimate.

Capt. Rickenbacker says:

> From the frequency of accidents to our Nieuport it may be wondered why we continued to use them. The answer is simple. We had no others we could use. The American air forces were in dire need of machines of all kinds. We were thankful to get any kind that would fly. The French had already discarded the Nieuport for the steadier, stronger Spad, and thus our Government was able to buy from the French a certain number of these out-of-date Nieuport machines for American pilots, or go without. Consequently our American pilots in France were compelled to venture out in Nieuports against more experienced pilots in more modern machines. None of us in France could understand what prevented our great country from furnishing machines equal to the best in the world.

Many a gallant life was lost to American aviation during those early months of 1918, the responsibility for which must lie heavily upon some guilty conscience.

That is the judgment of the first aviator of the United States. Now I read from the Senate subcommittee report.

I may speak of that as a Democratic report. No; I would rather say a fair report by a Democratic committee of the United States Senate, and if you will read our report you will find that we quote from it repeatedly. Here is what the Thomas committee says on this particular proposition of defective French machines sold to us for use of American flyers. It appears on page 10 of the Thomas report. It is not quoted in our report:

> An Army officer recently at the front testified that the American troops are using many antiquated machines purchased from the French that were discarded by them a year and a half ago. They are using the Sopwith, one and one-half strutter, which has been declared unsafe by the French and British for observation work.

Our American aviators were using unsafe English and French obsolete machines and a few "flaming coffins" of American manufacture.

That may explain why three times as many of our aviators were lost and killed in battle as those of the Allies, according to the statement of Gen. Menoher, shown by our report. These aviators came from your families and from the families of hundreds of thousands of people in this country, and then in reply to this awful indictment Homer Cummings attacks me personally because I voted on one proposition or the other he did not approve, and only two of the six were correctly stated, it is farcical and shows Mr. Cummings fails to appreciate the seriousness of the facts disclosed. With him everything is believed to be political, but this comes from a Senate committee of which a majority are leading Democrats of the country. I do not believe that he can prevent a correct judgment in the mind of anyone who reads the report.

I wish now to read to you a letter which came to me yesterday just before I left my office. I read it on the way over to the House, as also I did another which came to-day. This letter is from an American aviator, a young lawyer, a Democrat in Lexington, Ky., and this is what he says:

LEXINGTON, KY., *February 17, 1920.*

Hon. JAMES A. FREAR,
House of Representatives, Washington, D. C.

MY DEAR SIR: I read with interest in the morning papers an account of your exposure of the mismanagement of our Air Service during the late war, and especially the portion of it regarding the "Great Liberty" planes, which were rightly named "flying coffins" by those on the front who were so unfortunate as to be assigned to fly them.

I volunteered at the beginning of the war, and after serving two months in an officers' training camp, threw away my chance for a commission in the cavalry and enlisted as a cadet in the Air Service, and was trained by the Royal Air Force in Canada, later flying a few months in Texas, and then again in England, before going out to the front in France, where I was a pilot on a "flying coffin," doing day bombing until November 5, 1918, when I was transferred to be a pilot on the French Spad machine. Having used machines of Canada, England, France, and the "Liberty," think that I am qualified to give an opinion on the merits of the "coffin," as I was discharged last July.

The Twentieth Aero Squadron lost 11 aviators out of 12 on September 26, 1918, on the "coffins." I personally saw five go down in one fight in flames. If you would ask the opinion of the boys who are left out of the Eleventh, Twentieth, and One hundred and sixty-sixth, the only three "Liberty" bombing squadrons on the front, you will

hear nothing but curses for the criminals that sent that machine with an unprotected gasoline tank to be used on the front. The aviators who were taken prisoner and returned from Germany after the war told me that the Huns ridiculed them for using such a death trap. No Frenchman, Englishman, or Hun would start over the lines with a DH-4 Liberty as we used. It was heralded over this country in the papers that the speed was 140 per hour, while we never secured one on the front that would go over 100, while if you placed bombs on it, as we did, 70 miles was the limit. You can figure your chance to fight a German machine making 140 and with a protected tank.

I have no grouch at anyone, but know that many of my friends were uselessly shot down in flames in France, and I have yet to find a friend of the "coffins" among the boys who used them and are the only ones qualified to speak, not some general in Paris surrounded by the many pleasures of that gay city. I am a Democrat, worked for Wilson before his nomination in 1912, voted for him in 1916, went to Washington to see him inaugurated, March, 1917, and went A. W. O. L. in France December 14, 1918, to see his triumphant entry into Paris, but some of his appointees have sure played havoc with the Air Service and sacrificed many lives.

If you need the addresses of the real aviators who used the "coffins" on the front, will take pleasure in sending them to you, and I am sure that they all appreciate your stand in the matter, also the Hon. WALTER W. MAGEE. Do not care to have my name used as yet, before I think it necessary.

Yours, very sincerely,

———.

What think you, gentlemen, of that statement, coming from a Democrat who is unprejudiced? He saw 11 out of 12 American aviators fall at one time in one fight, 5 of them in "flaming coffins." Other witnesses have testified to the same general effect. Who was responsible for this? Mr. Cummings would say, "Oh, well, that was one of the accidents of war." Let us see if it was. Let me quote from Senator REED, one of the ablest Senators at the other end of the Capitol, when examining Mr. Ryan, who was then Director of Aircraft. Listen to this, please:

Senator REED. You know that the best and most experienced fliers, a number of them in this country, have testified before this committee that they regard the De Haviland machine as utterly unsafe, and that they would refuse to go up in it or send subordinates up in it?

Mr. RYAN. I understand that some have testified that they have refused to go up in it or let subordinates go up in it.

Senator REED. You propose to go on making the De Haviland 4 machines?

Mr. RYAN. Until we can put the De Haviland 9 into production.

Senator REED. Do you intend to do that regardless of any testimony that may be given by experienced fliers that the machine is utterly unsafe?

Mr. RYAN. I am not convinced that the burden of testimony of the fliers throughout the country is that the De Haviland 4 is an unsafe machine.

That is taken from the Thomas Senate hearings and quoted in our own hearings and in our report. Mr. Ryan knew during the war the character of machines he was furnishing American fliers. He did know. Senator REED compelled him to know what he should have known many months before.

I might add here that only one De Haviland 9 plane ever reached Europe, and that never got to the front.

Mr. Ryan continued manufacturing these "flaming coffins" until $50,000,000 had been expended and wasted upon these utterly dangerous machines. Some one may say that Mr. Ryan was not the responsible man in power, that it was the Secretary of War. Then read from page 12 of our report where Senator NEW is quoted. Senator NEW says there, in the same Thomas committee hearings, that every man who appeared before their committee, every flier, said that the De Haviland 4 was an utterly unsafe machine. Many officers would not permit their men to fly in them. He was then examining the Secretary of War, Mr. Baker, and when he got through with his question in which he stated these facts, Mr. Baker said:

The subcommittee, of course, has a great advantage over me in that I have not been permited to see any of the testimony the committee has taken, so that I do not know anything about this concurrence of opinion to which you refer.

That occurred in the Thomas committee, and later Secretary Baker testified as follows before our committee:

Mr. Ryan and I talked over the general question, * * * and I approved we should not suspend making any machine we were then making, but we should go on and make it and get ready to make others.

And they did. They never got another American machine, except a handful—213 "flying coffins" for our aviators at the front, and we had 4,000 flyers there in Europe. Mr. Ryan complains because he is criticized in this report, and his method of getting revenge is to criticize me personally. I might point with equal right to the enormous profits, reaching many millions annually, which Mr. Ryan made out of the war when his Anaconda Copper Co. increased its profits over $75,000,000 during the war, but that is beside this question of responsibility for the lives of American aviators who were protecting men in the trenches. If I could only tell you what influence has been brought to bear to whitewash in this report you might feel we are justified in speaking far stronger in condemnation of responsible officials.

You have got no whitewash, and you can not have from the majority of this committee. You have the facts as we believe them to be—not political, not partisan. We have endeavored to give you those facts. You sent us unanimously to do the work, and we have made our report. There is a minority report, and I have no criticism to offer here. Everyone has a right to his own conclusions with regard to the testimony, but our report is as we find it. I had a son who was over there during the war, and he wrote a letter that I read to the Secretary of War without giving the authorship. He was at Chateau-Thierry, and he sent back word in his letter to me, "Send us more planes and still more planes." He said, "You do not know how disheartening it is to our boys; we have not any planes over here." When I read that to Secretary Baker, then before our committee, he said, "That is a touching and beautiful letter." But that did not meet the situation. We needed planes over there. One thousand million dollars were expended for planes, and we did not get them. And on a showing like that Mr. Cummings says, "You should not listen to Mr. FREAR. He voted against tabling the McLemore resolution in 1916 and against war." I did, with Mr. KITCHIN and Gen. SHERWOOD and scores of other men who are among the most trusted men in this House; but I have never dodged responsibility and have ever acted on my own judgment, without fear of criticism from men of the Cummings type.

Read the testimony, the sworn testimony, before our committee, that is all we ask of you. We say to you, gentlemen of the House, that the people back home who raised a billion dollars in money for airplanes, a million and more fathers and mothers who gave their boys, are entitled to know the facts. I have letters received this morning from aviators, and they all say that we have their indorsement in exposing those who are responsible for a needless tragedy. You are getting just exactly the facts as we believe them to be. That is all we desire to offer. We do not care to burnish them or to add anything to what appears here, but the plain testimony is offered, as it would be taken in any court of justice. This question is too great to be dismissed by ridicule or abuse of the committee. The people want the facts, and we have given them to you in the report as we believe them to be. Gentlemen, I thank you for this courtesy. [Applause.]

Mr. WOOD of Indiana. How much time did the gentleman yield back?

The CHAIRMAN. The gentleman yields back five minutes.

Mr. SISSON. Mr. Chairman, I yield 20 minutes to the gentleman from South Carolina [Mr. STEVENSON]. [Applause.]

Mr. STEVENSON. Mr. Chairman, the Federal Reserve Board has recently raised discount rates to the following figures:

	Per cent.
Notes, 1 to 90 days, secured by certificates of indebtedness of the United States	4½
Notes, 1 to 90 days, secured by Liberty bonds and Victory bonds	5½
Bankers' acceptances	5
Commercial paper (all kinds)	6
Agricultural paper	6
Notes secured by War Finance Corporation bonds	7

This was done January 22, and was slightly modified on February 2. This action was greeted by the gentleman from Massachusetts [Mr. LUCE], member of the Banking and Currency Committee, on January 29 with joy, and he made the following statement, which was greeted with prolonged applause on the Republican side. He said:

A month ago they began what some of us wish could have been done before. They began raising the discount rate. This month they have raised it still further. Speed their action. Encourage them at every opportunity to put on the brakes to prevent this constant increase in rediscounting commercial paper, which is threatening us with so much peril, * * * it is time for us to open our eyes, time for us to know that we are entering upon another great discussion of money, time for us to realize that we ought to understand whether we are going to pay our debt now or postpone its payment, whether we are going to deflate the currency and bring it back to where it was before the war, whether we are going to return the activities of Government to that stage which amply met the needs of the people but a few short years ago.

How does he propose to deflate the currency? He says reduce the Federal reserve notes issued, which he calls "fiat money." Now, they are only issued on (a) commercial paper, (b) agricultural paper, and so forth (see sections 13, 14, and 16, Federal reserve act), and can not be issued "for the purpose of carrying or trading in stocks, bonds, and so forth, except bonds of the United States," section 13. Hence, to begin to contract Federal reserve notes unduly will at once contract manufacturing and other commercial operations and agricultural operations and thereby directly decrease the supply of necessities and increase the price.

The distinguished speaker ran over the financial history of the country, with more or less accuracy, and praised the order raising discount rates. Now, I desire to consider the wisdom of this highly praised order and will glance for a minute at the beginning of our modern financial history. I cite the per capita cir-

culation at the beginning and end of the Civil War and, by decades, to date:

Year.	Population.	Per capita.
1860	31,000,000	13.85
1865	34,000,000	20.58
1870	38,000,000	17.51
1880	50,000,000	19.41
1890	62,000,000	22.82
1900	76,000,000	26.93
1910	90,000,000	34.33
1917	104,000,000	45.74
1920—Feb. 1	106,000,000	54.77

So in 1860 to 1865, in war, circulation increased $6.73 on 13.85, or 49 per cent. In 1917 to 1920, in war, it increased $9.03 on 45.74, or 19 per cent. In 1860 to 1865 coin decreased from $235,000,000 to $25,000,000 and bank notes and Treasury notes increased from $207,000,000 to $745,000,000, and of this national banks had out $205,000,000, secured by 5 per cent gold reserve, and that left Treasury notes $540,000,000, backed by nothing in the world but the fiat of the United States, and gold was at a premium of two and sometimes three to one. While to-day our currency runs equal with gold everywhere and there is security for every dollar of Federal reserve notes out, first, nearly 50 cents of gold in the reserve fund and the Treasury, and, second, the credit of the merchant or farmer, whose note is up to secure it, worth 100 cents on the dollar, and, third, the United States Government to back it. Why, then, compare the great financial system constructed and conserved by the present administration with the haphazard makeshift rigged up by the Republican Party and perpetuated for 50 years by them for the benefit of people who could, with a 5 per cent reserve and United States bonds on which they drew interest while using them for a basis for money, expand or contract the currency at their will? Who wants to return to the days of 1890, when there was 22.82 cents per capita circulation, when Kansas and Nebraska burned corn for fuel, and stock raisers could ship their stock and cattle to market and about realize the freight on them? I have seen cotton sell at 4 cents a pound for good lint in those days, and now the laborer gets 3 cents a pound for merely gathering it out of the fields. Evidently, though, the increase in the circulating medium is not responsible for the high price of necessary commodities, as they have gone up about 200 per cent on the average since April 1, 1917, while the circulating medium has increased only 19 per cent, and from January 1, 1920, to February 1, 1920, decreased $1.12 per capita. Then the cry is made, as cited above, that it is the expansion of credits. Now, there are—

(a) Credits for use in productive industries;
(b) Credits for luxuries and extravagances; and
(c) Credits for speculative purposes.

Consider industrial credits a minute. If you increase credit facilities for the farmer or manufacturer, you enable him to produce more and to take advantage of every improvement which tends to reduce the cost and increase the output and hence to make more produce and more goods for the market, and this is the first requisite to a reduction of the price. The trouble to-day is largely scarcity of necessities and scant production. Let the great credit institutions stand behind the farmer and the manufacturer and the transportation companies in their endeavor to feed and clothe the world and they will begin soon to show a reduction of cost to the consumer. No, sir; credit to the industrial classes should never be contracted while the wails of starving, naked, destitute people are ascending to Heaven in a pitiful plea for aid. A manufacturer has a call for cloth. He goes to the market for cotton and locates 1,000 bales suitable for his purpose. He tells his banker, "I want $200,000 for six months to buy cotton for manufacture." The banker says, "No; bank credits are too much expanded; I can not let you expand them any more." Do not you hear the manufacturer say to that man, "Why, people are freezing and dying for clothing; my operatives, 1,000 of them, are ready and eager to work. If you do not let me have the cash to buy the raw material, the mill must stop, and the horrors of unemployed, starving population will be transferred from Europe to my door and your door. I must have the money"?

And that is the actual condition that exists at some places right now in regard to raw products, as I shall show presently.

And the banker then relents a little and says, "Well, I will let you have half of it at a higher rate. We are warned that we must contract our loans and restrict bank credits." The manufacturer, to save the situation, accepts half what he needs and pays a higher rate of interest for it, and can not buy enough cotton to go on advantageously, and, necessarily, adds the higher rate of interest and additional cost to the price of his goods, and there goes another rise in the cost of living.

If he got the thousand bales of cotton promptly the $200,000 would go to probably 10 farmers, and they would put it in bank and it would merely distribute the funds from the large city bank to the country banks, who would immediately redeposit it in the city bank or pay off rediscounts, and no one could say there was inflation there. The factory would run, the firemen and engineers, the spinners and weavers, the loom fixers and room bosses would all be paid remunerative wages and goods would be turned out and sold and the $200,000 returned to the bank that loaned it. Can such a transaction be called inflation of bank credits? True, there is a loan placed to the manufacturer's credit in exchange for his note, which is probably rediscounted at the Federal reserve bank, but that credit is drawn in favor of 10 farmers who have the cotton to sell and is by them placed with their banks, and you say there is a $200,000 increase in bank deposits. Possibly so; but more than likely those farmers owe notes that are up with the Federal reserve bank for money to make the cotton; they retire their notes and the Federal reserve bank then holds the manufacturer's paper instead of theirs, and a commodity worth the money represents it in the manufacturer's hands. Can that be an injurious inflation of credits?

The raw material has gone into the hands of the man who can convert it into cloth necessary for the needs of the world, and when converted it goes to the relief of the people and provides work for the men who work in the factories, and they should be encouraged to buy and manufacture same to the limit of their capacity.

Mr. HUSTED. Will the gentleman yield?

Mr. STEVENSON. I can not yield at the present time.

The same applies to the wheat and corn growers and millers of the West and the stock and cattle men and their stockyard connections. Is it possible that raising the price of money on them and restricting their operations can decrease the cost of living? Will it not increase it? I would say put the price of discounts for productive pursuits, for the farmer, the dairyman, the stock and cattle men, the mining of coal and iron, the manufacture of all the necessities of life, and of business to the lowest possible figure. Say to them, "Capital is ready for you; go to work and let the hum of your industries cheer a desperate and starving world." To that call industry will respond and the goods will be produced which will satisfy the world and competition will bring down the high cost. You can not get goods cheaper by making it cost more to produce them, and charging a higher rate for money and making working capital harder to get will increase the cost and decrease the output. Then what can the banking system do? It can put a prohibitive rate on loans to the man who wants it to finance gambling transactions, either on exchanges or in lands or oil-well ventures or any other gambling ventures. The speculator is easily identified. He neither produces anything himself nor does he finance anybody else to produce. He bets on a stock or piece of land or oil prospect or gold prospect, selling for more to-morrow than he contracts to pay for it to-day; he takes an option on it for $1,000 to-day, expecting to sell it for $2,000 to-morrow. He is nonproductive, and until we get enough produced to relieve the wants of the world the rate of discount to him should be prohibitive. The Federal reserve act prohibits the rediscount of his paper except when secured by United States bonds, but when so secured, under the order referred to, he gets a preferential rate. Again, the rates should be put up on loans for extravagances. Many people are borrowing money to indulge in things of which they do not stand in need, and thereby are competing with people who need such things and stimulating production in excess of the country's needs of certain articles and diverting labor and energy from needed production to needless production, leaving the world short of the things most needed. Rates should be prohibitive to people for such purposes. The automobile business is an instance—many people need them badly; many people do not need them at all, but borrow money not only to buy them but to operate them. The B. F. Goodrich Tire Co. has had its statistician to get approximately the number in use in the United States in 1919, and it is 7,555,269, an increase over 1918 of 1,531,664. If these machines cost on the average about $1,000—and that is exceedingly conservative—we have $7,555,269,000 that they cost, or one-third of the entire cost to the United States of the late war. Half of them were needed; and if only half had been bought, they could have been bought cheaper and a lot of high-priced labor engaged in making and repairing the other half could be in other pursuits making other necessary things. I protest, therefore, against contraction of loans and of the cur-

rency as against the producers of this country. As to them, the most liberal policy consistent with safety should be pursued and the hand of the usurer should be kept off the neck of industry, but the speculator and the wastrel should find the door of credit closed to them until the world has been supplied with the necessaries of life and until production has become so great that competition in the markets has brought prices to a reasonable level. If the gentleman from Massachusetts really means that he wants the currency contracted to its pre-war basis and commercial credits contracted, does he speak for his party, who applauded the sentiment expressed, and does he desire to slow down production and increase the cost and demoralize industry?

I do not believe that the Federal reserve bank intends to do so, but if they do, by their order, destroy the power to produce, along with the power to waste, and cripple the power to transform into useful and necessary goods the raw material that is produced, as well as cripple the speculator in his promotions, then they are pursuing a policy of ruin to legitimate industry that will react on the system as sure as day follows night. The prospective use of the proceeds of paper should determine the rate of discount and not the form of the collateral, assuming that all the collateral accepted is good. This is recognized by the Federal reserve act. See pages 27, 28, and 33. The speculator may, and probably will, have bonds to put up and get his money cheaper than the farmer and manufacturer. You may applaud the plea for contraction of credits for productive industry now, but the plain people who are being asked to increase production will be heard from as a result and in no uncertain terms. The distinguished gentleman from Massachusetts also complains that bank deposits have increased $786,000,000 in two months and amounted to $17,000,000,000 on November 1, 1919. About this he says:

> Why, sir, the agencies of the Treasury Department itself do not understand what is happening. Let me call the attention of my friend from Arkansas [Mr. WINGO] to another publication which perchance he throws into the wastebasket. It is a bulletin from the Comptroller of the Currency. The copy in my hand came early in the week. In it he boasts, as he has boasted month after month all winter, of the inflation of the bank deposits, the increase in the things that do the work of money, that are adding to our danger.
>
> The first thing I wish my Democratic friends to do is to wake up their own administration and have the Comptroller of the Currency send out this news with grief rather than with joy.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEVENSON. May I have five minutes more?

Mr. SISSON. I yield the gentleman five additional minutes.

Mr. STEVENSON. Mr. Chairman, I desire to ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. BAER. Will the gentleman yield?

Mr. STEVENSON. I can not; I have not the time.

Why announce it with grief? Has it not been recognized that a people's thrift and prosperity are measured by their bank deposits? Does the gentleman advocate a campaign to reduce bank deposits? Does he approve of a drive to educate people back to the "coffee pot and stocking" bank? The worst disaster that could befall the Nation would be shaking the confidence of depositors in the banks and the withdrawal of deposits. The gentleman is the Republican representative of the great State of Massachusetts on the Banking and Currency Committee and, I presume, represents the New England idea of finance. Does his party intend to wage war on prosperity and attempt to decrease bank deposits? If it succeeds, another "Black Friday" is in store both for it and the Nation. It is true that deposits in national banks have increased from 1913, when they were $7,948,000,000, to $17,000,000,000—an increase of about 140 per cent, and the banking power of the country, as represented by capital, surplus, deposits, and circulation of all banks, as of June 30, 1919, was $45,756,000,000, an increase over the year before of $6,673,000,000. This makes the present banking power of the United States nine times what it was in 1890, 30 years ago, and three times the total banking power of the world for that year. But it is caused by the increased amounts which the products of this country bring and the spirit of thrift and banking enterprise developed in the last decade. Wheat has increased so that a farmer selling 1,000 bushels now gets about $2,500 for it, whereas in 1913 he got about $800. Corn has increased so that to-day 1,000 bushels brings about $1,350, whereas it brought about $550 in 1913. One thousand bales of cotton now brings about $200,000, whereas in 1913 it was bringing $60,000. Necessarily the agricultural countries have prospered and shown good sense by placing their money in bank, where it will finance the development of the limitless resources of the great agricultural sections. It has made them independent of the great money centers of the Northeast and makes the future of the South and West bright with promise. Does the gentleman's party desire to replace the bands on those great sections by destroying their bank balances, decentralizing their cooperative efforts to finance themselves and make them resume their tributary position financially to those who have many dollars and wish to restore the good old days when a dollar will buy two dollars' worth, when corn sells at 50 cents, wheat at 80 cents, and cotton at 10 cents? If this is not its purpose, why does its representative on the Banking and Currency Committee come out to bring back the conditions existing "before the war"? If he does not mean that, and if the Republican Party, especially of the East, does not mean that, why these tears over the bank deposits, testifying in unanswerable terms as to the prosperity and thrift of the great producing sections? My answer to the wail and this call to the mourner's bench is that the farmers are too well satisfied with their bank accounts and too happy in their lately acquired independence to weep, and are too busy trying to produce more crops to relieve want and destitution and further swell their bank accounts to turn aside to listen to the exhortations of this prophet of evil, and be by him persuaded to tear down this splendid financial structure reared by those who understand their needs and desire to serve them. The reason for this attack and the New England attitude on the bank deposits of this country and the banking resources may be found in the fact that, while 20 years ago New England and the Eastern States, comprising 6 per cent of the continental United States, had 60 per cent of the resources of all the national banks; but since that time, and especially since the organization of the Federal reserve bank, the power has so shifted that the resources of the national banks of that territory are now only 47 per cent of the total, and while they have increased enormously in that territory, the increase in the South and West and the Pacific coast States has been so phenomenal that they have largely become independent of the New England and eastern control. The Western States have gained in banking resources 500 per cent; the Pacific States have gained 1,340 per cent in their resources; and the Southern States, including Oklahoma, have gained 889 per cent. The national banks of my own State of South Carolina have gained 1,343 per cent in their resources. All of which spells not disaster but prosperity and financial independence. [Applause.] I append a statement of the Comptroller of the Currency, dated January 30, 1920, which is exceedingly interesting as throwing a light upon the anxiety of New England because the banking resources of the country are making such remarkable progress:

TREASURY DEPARTMENT,
COMPTROLLER OF THE CURRENCY,
Washington, January 30, 1920.

WIDER DIFFUSION OF THE COUNTRY'S WEALTH AND CREDIT—ASTONISHING PROGRESS OF NATIONAL BANKING POWER IN 20 YEARS—GROWTH OF 1,000 PER CENT OR MORE IN EACH OF 16 STATES—IN PACIFIC STATES BANKS' ASSETS ADVANCE 1,340 PER CENT, OR $1,620,177,000—OUR NATIONAL BANK RESOURCES INCREASE FROM FOUR AND ONE-HALF TO TWENTY-TWO AND ONE-HALF BILLION DOLLARS IN 20 YEARS.

A geographical analysis of the November 17, 1919, returns of the national banks of the country, and a comparison of the present resources of these banks with their resources just 20 years before, or, say, on September 7, 1899, not only furnishes convincing evidence of the stupendous and unprecedented growth of this country's banking power, but the comparison is particularly significant in another respect, for it emphasizes the widespread distribution of the country's wealth and the decentralization of its banking resources.

Twenty years ago the banking power of the country was mainly concentrated in the East, and the national banks in the New England and Eastern States, comprising 6 per cent of the territory of the continental United States, held about 60, or, to be exact, 59.87 per cent, of the total resources of all the national banks of the country. Since that time the resources of the national banks in the New England and Eastern States have increased $7,710,937,000, or 277 per cent; but the proportion of the national bank resources in those States to the resources of all national banks is now 46.78 per cent of the total instead of 60 per cent.

BIG GROWTH IN THE MIDDLE WEST.

In September, 1899, the proportion of the total resources of all national banks in the Middle Western States was 25.64 per cent. Since then the resources of these banks have increased $4,333,390,000, or 363 per cent. The proportion of their resources to the resources of all national banks is now 24.62 per cent.

HUGE INCREASE, BOTH ACTUAL AND COMPARATIVE, IN THE SOUTH.

In 1899 the total resources of all the national banks in 14 Southern States, including Oklahoma, were $348,554,000, or 7.50 per cent of the total resources of all the national banks. Since that time the resources of the national banks in these States have increased $3,097,707,000, or 889 per cent, and the proportion of resources now held in these Southern States is 15.35 per cent, against, as above shown, 7.50 per cent 20 years ago, the proportion having more than doubled.

WESTERN STATES GAIN 500 PER CENT.

In 1899 the national banks of eight Western States, including the Dakotas, Nebraska, Kansas, Montana, Wyoming, Colorado, and New Mexico, had resources of $204,733,000. Since that time the resources of the national banks in those States have increased $1,025,668,000, or 500 per cent. Twenty years ago these banks held 4.40 per cent of

the total resources of all banks. The percentage to-day in the same States is 5.48 per cent of the whole.

GREAT STRIDES ON THE PACIFIC COAST.

The resources of the national banks in the Pacific States, including California, Washington, Oregon, Idaho, Utah, Nevada, Arizona, and Alaska, in September, 1899, amounted to $120,905,000. Since then the increase in resources in these States has been $1,620,177,000, or 1,340 per cent. The proportion of the total resources of all national banks which the national banks in the Pacific States held in 1899 was 2.60 per cent. To-day these banks hold 7.76 per cent of the total resources of all national banks of the country.

In every State in the Union save one the increase in resources of the national banks since 1899 has amounted to more than 100 per cent, the exception being the State of Rhode Island, where the increase in 20 years was only 21.93 per cent; but, although the resources of the national banks in Rhode Island actually declined 15 per cent between 1899 and 1913, they have in that State, in the six years since 1913, when the Federal reserve law was passed, increased 44 per cent.

LEADERS IN PERCENTAGE GAINS.

The States whose national banks have shown an increase since 1899 of 1,000 per cent or more are, in the order given: Oklahoma, 6,537 per cent, or $357,722,000; Nevada, 3,275 per cent, or $17,423,000; Arkansas, 1,700 per cent, or $79,116,000; Idaho, 1,691 per cent, or $79,486,000; California, 1,685 per cent, or $1,000,214,000; South Carolina, 1,343 per cent, or $139,359,000; North Carolina, 1,255 per cent, or $171,402,000; North Dakota, 1,250 per cent, or $96,627,000; Wyoming, 1,237 per cent, or $55,874,000; South Dakota, 1,234 per cent, or $103,732,000; Virginia, 1,177 per cent, or $396,554,000; Florida, 1,174 per cent, or $102,736,000; Mississippi, 1,125 per cent, or $56,018,000; Georgia, 1,119 per cent, or $196,953,000; Arizona, 1,028 per cent, or $29,001,000; and Texas, 1,013 per cent, or $869,611,000.

Mr. SISSON. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I shall devote the time allowed me in this debate to a very abridged discussion of the railroad bill upon which we are to vote to-morrow. I want to call the attention of the country to the fact that within the last few months there have been housed within the city of Washington two of the greatest, most dangerous, and pernicious lobbies ever known in the history of this country, one the railroad lobby, the unprecedented lobby maintained here by the railroad corporate interests in their behalf, and the other the lobby, likewise unprecedented, maintained here in behalf of the railroad employees under the direction and manipulation of Samuel Gompers. I am sorry to say that during all of these months, while the capacity of the leading hotels, and especially of the New Willard and the Raleigh, have been taxed to the utmost limits to take care of the personnel of these two big lobbies—one the railroad lobby, the other the brotherhood's lobby—there has not been here in the city of Washington one single official or one single individual to speak for the people of the United States. Who has a greater interest in this bill than the people of the United States? Is not their interest most involved? Who appears for the people? It is in behalf of all the people that I rise to make some observations. The guaranties assured railroads in this bill are out of all proportion. The guaranties of this bill are beyond what the railroad corporate interests justly deserve, and yet they come and say that Congress is responsible for the conditions which call for such guaranties; that Congress took their properties away from them forcibly, and without their consent permitted the Director General to increase their wage pay roll over $900,000,000 annually. They say that while we have had charge of the railroads one man has been able to increase their liabilities, by one, two, and three scratches of the pen, of nearly a billion of dollars.

The railroad owners tell us that by reason of the increased wages alone, allowed the four great brotherhoods during the war, concerning which the owners had no voice whatever, their operating expenses were thereby increased over $900,000,000 annually, for which they claim the employees are alone responsible. These owners claim that inasmuch as the Government permitted the employees to increase such expenses $900,000,000 the Government ought to assume full responsibility for its own action by making the railroads whole because of it.

And we are forced to admit that the railroad owners in this respect told the truth, for it is a fact that while our Government was engaged in a world war, the result of which involved the peace and happiness of all civilization, and when the slightest restriction of the full capacity of our combined railroad traffic menaced the successful conclusion of the war, upon which not only the United States but all of our civilized allies depended, these railroad brotherhoods came to their Government with deadlier threats and weapons than used by highwaymen and to Mr. McAdoo said, "If you do not pay us $754,000,000 in cash we will tie up every road in the land," and that McAdoo, by a mere scratch of the pen, was forced to hand over the cash—$754,000,000—that came not out of their pockets, but came out of the pockets of all the people. That is an annual increase that must be made good each year. It is a fact that it did not stop there, but that these same highwaymen leaders, with a like threat, the threat of absolute destruction, if you please, said to Mr. Hines, "Give us $67,000,000 more in cold cash. If you do not do it, it means death to this Nation and its institutions." And Mr. Hines, by a mere scratch of the pen, was forced to give them the $67,000,000 in cold cash. And it is a fact these organized union leaders again forced Mr. Hines upon demand to give them more millions as a third raise during the war, and they are still demanding another, and they say in this bill, which has been drawn largely in their behalf, that these raises shall stand, as it provides that not a single change in the salaries shall occur prior to September 1, 1920. These are the conditions which the corporate interests say the union employees are responsible for and made necessary such guaranties in order to do justice to the people who own their bonds. But everything considered, I am of the opinion that no such guaranties as are contained in this bill should be granted, and that much more than is just and right has been done for the railroads, and if I had my way I would make many changes in the bill.

But, on the other hand, much more than is just and right has been done for the employees. It is the poor, suffering public whose rights have been ignored and not protected in this bill. I would that the public could have been represented in its making. But very unfortunately no lobby appeared for the public. The bill-paying "Jones" did not seek an audience. So full of clamor and insistence was the railroad lobby and the brotherhoods-Gompers union lobby that I am much afraid the suffering public was wholly forgotten.

In the past Congress and Washington have seen some remarkable Republican caucuses. We have had in Congress during its past history some very remarkable Democratic caucuses, if you please. But never until last night, in the whole history of this Congress and the Nation, have we ever had before what is known strictly as a Gompers caucus of Congressmen, if you please. Why, yesterday every Congressman, Republican or Democrat, who voted for what is known as the Anderson amendment had his office rung up, and his secretary was told that the Congressman should appear that night in the House caucus room, as Mr. Gompers was going to address the Members—not the ones who voted against the Anderson amendment; they were not so honored. Yesterday's newspapers told us that Mr. Gompers would give us his ultimatum on the railroad bill. But not a single Democrat and not a single Republican who voted against the Anderson amendment, now commonly called "the organized-labor amendment," was invited to this caucus. Blood was put on his door and he was skipped.

Congressmen who disobeyed Mr. Gompers and voted against the Anderson amendment did not receive this summons and they were not so honored, but the ones who voted for the Anderson amendment, an amendment which we know was just exactly what Mr. Gompers and his leaders wanted in the way of legislation, they were all told to be there without fail last night.

And the most remarkable thing about this Gompers-congressional caucus was that when telephoning the summons to Members yesterday, if they happened to be Republicans, they were then told that the affair was going to be a Republican caucus, while if they happened to be Democrats they were told—at least, a number of them—that it was to be a Democratic caucus, because when that question was raised last night in the caucus—I was not there, but some of my Gompers friends told me—several Congressmen stood up who are Democrats and said that they had been informed it was to be a Democratic caucus and a number of Republican Congressmen stood up and said that they were told that it was to be a Republican caucus. A caucus for what? To hear Mr. Gompers deliver his final orders and tell Congressmen what they should do in respect to the railroad bill when it is voted on Saturday.

Mr. SMITH of Idaho. Will the gentleman yield for a question?

Mr. BLANTON. I am sorry, but I have only 10 minutes, and I could easily use an hour on this great subject, if I had it. I hope the gentleman will not consider me discourteous for refusing to yield.

This dictator of legislation, Mr. Gompers, told you last night that he wanted you to vote against this bill and kill it. Why does he not like it? The conferees obeyed his mandate and eliminated the antistrike provision. The bill is most liberal in its terms for all employees, with no harsh provisions against them.

Mr. Gompers says he does not like this bill because it does not tote fair with the public. All of a sudden he is very much interested in the public. He does not like the labor section. Do you know why he does not like the labor section? It is simply because that in a mild way the labor section makes a stab at protecting the interests of the public, but it does not go far enough. He certainly could criticize it in the interest of the public, if he really had the public's interest at heart. He would

then be compelled to ask that the decision of the labor board be made worth something, after spending much public money to get a decision. The labor section says there shall be a tribunal. The labor section says there shall be a tribunal established to arbitrate differences; that upon this tribunal three men are to be selected who are nominated by the corporate railroad interests, three men are to be selected who are nominated by the employees themselves, and three men are to be selected on behalf of the public. It is the first time that the public has ever been given even a show-in on the question. And Mr. Gompers objects to that. He is objecting to the labor section because the public has been given representation thereon. These nine men will get $10,000 a year each out of the people's money. But it does not go far enough, because their decision can be wholly disregarded by Mr. Gompers and the brotherhoods, if they do not like it, and we know what Mr. Gompers will do when he does not like a decision, because he has frankly told Congress that if it passes a law which he and his unions do not like they will not obey such a law, but will wholly disregard it.

The decision of this labor board, to be worth anything, should be one that could be enforced in the interest of the public, and not one to be obeyed or not by the employees, as they will. The railroad company must obey.

You notice in this bill, prepared by the conferees, that every time the railroad is told it must do so-and-so there is a penalty attached to it, but no penalty is ever attached to anything the employee must or must not do. It is left optional with such employees as to whether or not they want to obey the decision of this board.

Mr. Gompers met the Members of Congress in the House Office Building, in the House caucus room. Who authorized it? I went to the Speaker yesterday to see if he authorized it. He did not. There are three men only who have charge of this House Office Building—the Speaker, the ex-Speaker, and Mr. BACHARACH, of New Jersey. Mr. BACHARACH told me yesterday he did not authorize it. Who authorized it? I am informed that the ex-Speaker did not authorize it. But when Mr. Gompers wants a meeting, no authority is necessary. How many men obeyed that summons? How many men are going to obey the ultimatum of Mr. Gompers, who tells you to your face and through the press that if you do not obey the summons and his orders to vote against this bill he is going to put you out of Congress and elect somebody to take your place? Has he got you scared? He has not scared me. He has not made me flinch. Is he going to make you flinch to-morrow? If there are sections in this bill which ought to be amended, why does not Mr. Gompers ask that they be properly amended? Why does he ask to kill the whole bill? And why do not we properly amend the bill? It does need amending. Why should it be killed? All of us agree that it is absolutely necessary to return the roads to their owners. Why, if we kept them these employees would hold us up every month in the year.

I say the time has come when the railroads of this country must be turned back to their owners. [Applause.] Why, if we kept them it would be a constant burden upon the people. We would be held up every three months in the year. We must turn them back. I am going to vote to turn them back. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

Mr. SISSON. Mr. Chairman, I yield to the gentleman from Georgia [Mr. LANKFORD].

Mr. LANKFORD. Mr. Chairman, there are now pending for consideration by this Congress bills for two canals affecting my district in Georgia.

One of the proposed canals—the St. Marys-St. Marks—begins at Cumberland Sound on the Atlantic Ocean near St. Marys, in my district, proceeds along the border of Camden and Charlton Counties, through the Okefenokee Swamp, possibly touching the counties of Ware and Clinch in the Okefenokee Swamp, and thence into Florida to the Gulf of Mexico.

The other canal—the Altamaha-Apalachicola Canal—would use the harbor at Brunswick, Ga., in my district, as the Atlantic terminal and would proceed along the Altamaha and Ocmulgee Rivers, bordering on the following counties in my district, to wit: Glynn, Wayne, Appling, Jeff Davis, Coffee, and across near Cordele to Flint River, and down Flint to Apalachicola River and to the Gulf. This canal would be in close touch with every county in my district and within easy access by motor truck and railroad with every community in the eleventh district.

The Altamaha-Apalachicola Canal would help not only my district but would touch about 25 south Georgia counties, and would do more to improve all of south Georgia than has ever been done by any improvement.

The St. Marys-St. Marks Canal, if dug on a sea-level basis, would also be the financial salvation of my district, and while it would not touch near so much of my district as the other canal, yet it could be reached easily by everybody by motor trucks and rail service.

But, Mr. Chairman, my heart is set on legislation looking to the drainage of the Okefenokee Swamp and the level wet lands of south Georgia which are near the Okefenokee and which make up a large part of my district, and I am now working on a bill along this line.

A sea-level canal through the Okefenokee would drain the swamp and would drain thousands of square miles of good land in the counties of Camden, Charlton, Wayne, Pierce, Ware, Atkinson, Clinch, Echols, and other counties in my district where live some of the best people God's sun ever shone on.

I would be oh, so happy, if a sea-level canal were built through the Okefenokee. It would mean so much for not only the whole Nation but especially for the people of my district and would mean everything for the people of the low-level lands. I am for a sea-level canal through the Okefenokee first, last, and all the time. When a barefoot plowboy in Clinch County there was implanted in me the ever-present burning desire to be of service to the good people of not only the county of Clinch, where I first saw the light, but to all the good people who make their living by the sweat of their brow, and I will never be untrue to that heartfelt desire.

One of the greatest desires of my life has been to be helpful in some way in the drainage of south Georgia. I shall do everything I can here in Congress to secure the drainage of the lowlands of that section. The St. Marys-St. Marks sea-level canal would in a large measure accomplish the drainage of the Okefenokee and the adjoining level lands, and it is not in the minds of men to understand the good that would result. I would be one of the happiest of men if I could help in the construction of a sea-level canal through the Okefenokee Swamp and adjacent wet lands. But it is suggested that if a sea-level canal can not be built, then a lock canal should be built.

A lock canal means to dam the Okefenokee Swamp and St. Marys and Suwanee Rivers and hold the water in the Okefenokee and back the water up the Suannoochee Creek and other creeks flowing into the Okefenokee and these rivers, and means to flood the thousands of square miles of land which I have been praying to get drained.

A lock canal means to make the wet lands of south Georgia still wetter and means good-by to all hopes of drainage. It means for thousands of people in a half dozen counties around the Okefenokee Swamp to move away from their little water-flooded and ruined homes. It means that the fields where I plowed shall be left vacant and bare and that my kin people and other hundreds of people that I love as I love my life shall sacrifice their all. It means that I will never stand for it.

I may be untrue to myself, but I never will knowingly be untrue to the great mass of men and women who toil and whom I love as I love my own life.

Mr. Chairman, I am extremely anxious for a sea-level canal through the Okefenokee. It would be valuable to the Nation and would drain the lands I want drained so much. But if a lock canal is to be built then I shall object to its going through the Okefenokee Swamp unless the Government pays the people of the half-dozen or more counties to be injured full value for the lands to be flooded. I want the canal, but I also want drainage. If I can get the canal and drainage, then good. If the canal kills the possibility of drainage, then I want drainage and favor a barge lock canal up the Altamaha and Ocmulgee Rivers and across to the Flint and down to the Gulf.

This canal will not injure any large tract of land. The Altamaha and Ocmulgee are navigable now and so are the Flint and Apalachicola Rivers. It will be necessary to deepen these in some places and possibly put in locks at each end of the canal across from the Ocmulgee to the Flint. This canal would be about 25 miles long through the hilly section of Georgia and would probably follow other streams most of the way and would not injure the hilly land close by.

Suppose we can not get a sea-level St. Marys-St. Marks Canal. Then is it not best to build a barge lock canal along the other route?

It would mean much for Brunswick. It would put half a dozen counties in my district on one of the largest inland water-

ways in the Nation. It would put a great inland waterway through the very heart of south Georgia. With good roads and trucks the people of all my district could carry their cotton and freight to cheap water transportation in two or three hours. Freight rates would be cheaper in my entire district, and every man, woman, and child in my district and in Georgia would be benefited.

Mr. Chairman, I do not want to be misunderstood. I am for the St. Marys-St. Marks Canal on a sea-level basis. But if a lock canal must be built, if any at all, then I am for the Altamaha-Apalachicola Canal. If I know myself, I am for the thing which is best for the greatest number of the people of my district and Nation.

Mr. Chairman, I pray for guidance that I may never prove false to the people whom I represent. I was reared among them, and I shall never cast a vote nor take a position which I do not honestly believe is for their interest. If I take a wrong stand, and I probably will some time, as all men do, then it shall be an error of a mind seeking for the light and not of my heart.

In the cabins and in the cottages and in the larger homes by the roadside, among the pine trees in my district, lives the farmer surrounded by his toil-worn wife and little flock. "God grant that no act or vote of mine may ever add to the burdens which they now bear, and that in every word I utter and every vote I cast while I stand as their representative on this floor I may have no higher motive and no loftier aim than to promote their best interest and to alleviate their condition. Then when I return to my home I can look them in the face and say of a truth, 'Thy people are my people, thy country is my country, thy God is my God.'"

Mr. SISSON. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. TAYLOR].

Mr. TAYLOR of Colorado. Mr. Chairman, I merely want to ask permission to extend my remarks in the RECORD, the same permission, practically, that I asked for heretofore. I believe the objection made at that time has been withdrawn.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. TAYLOR of Colorado. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back nine minutes.

Mr. SISSON. Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, I address myself to the railroad legislation which now pends before the House by the report of the conferees on the Esch and Cummins bills and which are to be acted on to-morrow.

So many misstatements have been made as to the increases of wages given employees of railroads under Federal control that it is in order to say that the increase for all railroad employees averages less than 50 per cent. The largest increases have been given to the poorest-paid employees. Firemen receive only 40 per cent increase; engineers, 27 per cent; and conductors, 18 per cent; and, as I have said, the average increase for all employees of every kind and character—transportation, shop, and otherwise—is under 50 per cent. In the meantime the increase in the cost of living to these men is not less than 80 per cent. The fact yet remains that men who work for railroads have received a smaller increase in wages since 1914 than any other class of labor outside of Federal employees. So much for that matter.

"MISSHAPEN, BENT, BORN OUT OF TIME."

The conferees have made their report. The mountain has labored and brought forth not a squeaking, harmless, and ridiculous mouse but a hideous monster. The Cummins and Esch bills, ugly and forbidding as both were, have been married, and the result of this unholy union is the conference report—a Frankenstein, which is in the way of devouring the American people. "A creature swart, misshapen, bent, born out of time," is the conference report on the railroad legislation.

I do not make partisan speeches on this floor, and what I say now is not for partisan advantage. But I can not keep from feeling a deep satisfaction that my side—the Democratic side—is not responsible for this legislation. Whatever stigma is due for this legislation belongs to the Republicans and to the Republican Party, which is in control of both branches of Congress. Congress has done a good deal of meanness in the last two or three years. Some little of that maybe I participated in. The Democrats have been bad. The only thing that saves them is the fact that the Republicans have been worse, for it is under their instigation and under their leadership and by compromises with them that we have done the mean things that we have committed. It has been because we abandoned our own precedents and traditions and went over to those of the other side.

A REPUBLICAN MEASURE.

But in this railroad legislation we are not guilty. The Esch bill passed the House by a majority of only 45. A change of 23 votes would have defeated it. On the vote upon the Esch bill the yeas were 205, of which there were—Republicans 175, Democrats 30. The nays were 160—Republicans 22, Democrats 136.

I refer to this, gentlemen of the Republican side of the aisle, not for party advantage, because I love more than the interests of my party the welfare of my country, and I do not want to see my party get an advantage which comes at the expense of the public welfare. [Applause.] But I refer you to this to warn you of the responsibility that you are taking, a responsibility which you do not divide with us, a responsibility which is yours exclusively. I warn you that this is a Republican measure and that the damnation that will follow its passage into law will be visited upon you.

I do not claim to be a political prophet, but let me venture in my modest way to say this: In my judgment if this measure becomes a law in the form in which it is reported by the conferees, or substantially in that form, it will defeat any man or any party that supports it if the people find out the wrong that has been done them. Nothing can save him but ignorance on the part of his constituents.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. The gentleman will please excuse me. I have not the time. I would be glad to yield to the gentleman, but the gentleman must realize what an immense subject this is.

THE PEOPLE WILL PUNISH.

The only thing that can save the advocates of this measure is that they may not "be found out." The people are forgiving, and perhaps after a few years they may forgive the wrong. But if the consequences and nature of this bill are realized before next November, then you might well to-day repeat the language of the gladiator and look up at the galleries and the powerful financial interests there who have dictated this legislation and say, "Cæsar, men about to die salute you."

I do not gloat over your situation. I do not gloat, I merely give you warning. I beg of you, my friends, I beg you to examine this bill, to study and see its iniquities, and to serve first your country and then yourselves by defeating it.

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. I hope the gentleman will not ask me to yield. I would be glad to yield to him if I had the time.

When the people of this country realize that you have passed a measure which necessitates an increase in railroad rates of from 25 to 40 per cent above present rates; when they realize that the Government guarantees and underwrites the profits of the railroad owners and that you have put your people at home behind it—your people in New York and in Ohio—your constituents and their faith and credit behind this guaranty—when they realize that you have gone into the Treasury of the United States and taken therefrom $300,000,000 plus of the people's money and turned it over to the railroads for their rehabilitation and to restore their credit; when the people realize that you have taken another $200,000,000 of the people's funds for the purpose of winding up the Railroad Administration, so that we may extend credit to the roads for what they owe us for 10 years, and pay them cash all that we owe the railroads; when they realize that, my friends, and many other iniquities which, if I had the time, I could point out in this bill, they will wreak vengeance upon you.

When the 2,000,000 railroad employees find out what you are trying to do to them upon the demand of reactionary railroad financiers, woe unto you.

LEGISLATION DEMANDED BY SELFISH INTERESTS.

I do not say this for any purpose other than to urge you not to allow anybody to force you into supporting this measure under the pretense that it is necessary for the occasion. I call your attention, my friends, to the fact that the people of this country are not asking for this legislation, and that they have no need for it for their interest or protection. Neither are the railroad employees asking for it.

The people, so far as they are informed as to its details, are against the legislation, and do not want it. They have been deceived by a false propaganda into believing that Government control has been a failure. They only want to get rid of the railroads. They say, "Turn the railroads back." That is all the people say—"Turn them back in the same condition as when we took them over."

The railroad employees do not want it. Who is it that wants the legislation? The only interests that want this legislation—the selfish interests that are demanding it—are the railroad owners, their associates and bankers, their parasites, and those who are back of them and who stand with them because of class interests and prejudices.

Bear this in mind: The people do not need any additional law. The railroad-control act authorizes the return of the roads to their owners. All the President has got to do is to hand them back, and that will end it. But this legislation is for the railroad stockholders' protection; it is to put them on their feet, so that they can take their own property back—that is why it is being demanded, and that is why you are being asked to pass this measure. We are being asked to finance the roads for their owners' benefit and to guarantee their profits; that is the sole purpose of this legislation.

We took the railroads over; we took them under a law which authorized us to turn them back at the will of the President. The President has exercised that will. According to the law as it now stands, these railroads go back on the 1st day of March, and no legislation for the protection of the people and none for the protection of the railroad employees is required for that purpose. But the railroads think they need protection; they demand help. They are the ones that are demanding that you shall take action to protect them.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. I can not yield. I have just declined to yield to other gentlemen, and I can not make an exception of the gentleman from Texas.

NO NEED FOR HASTY LEGISLATION.

Now, perhaps Members will get up here and insist that we must have some sort of a bill, and that here this is, and we must put it through, because it is only a few days until March, and the President will return the roads. That is the frame of mind some people are in—a half-hearted, evasive frame of mind that apologizes for what it is going to do. But this excuse for jamming the bill through is a bad one. We can reject the conference report and send the bill back to conference for such changes to be made in it as will make it a decent and fair bill for the people of the country as well as the railroads. We can easily send this bill back to conference and require it to be changed and amended in such manner as to be an acceptable and honest bill, fair alike to all interests. Any argument that we are bound to swallow the report of the conferees before us in order to pass any law upon the subject at all is based on a false premise.

Another thing. Assuming that the President is without power to recall his order turning the railroads back on March 1, Congress can in a few minutes pass a resolution directing that the railroads be held by the President for a few days longer, so as to give all the time we might need for further and careful consideration of the subject. Out then upon the argument that we must act now and upon the measure before us only.

I have explained this to you gentlemen, not pretending to instruct you, for that would be presumption on my part, but merely to remind you that we need no legislation in order to get rid of the railroads, and that if we wish to legislate there is ample time and means to do so without being hurried with it.

Now, we may go further. If we turn down the conference report, reject it in toto and send it back to conference, they will have opportunity to discuss, to negotiate, and to reach terms which are acceptable to the people and in the best interests of this country. They have several days yet in which to do it.

The responsibility for the situation is not on the Democrats. This condition was not produced by this side. Last May the President gave notice that on the first of the year he would turn back the railroads. For eight months those in control of Congress dillydallied, delayed, and chaffered. When the time came to turn the roads back nothing had been done. Then the President gave another stay of execution and gave two months more. Now for two months more the mountain has been laboring.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. I yield to the gentleman 10 more minutes.

"THE WITCHES' CALDRON."

Mr. HUDDLESTON. This pot has been boiling. We had but one day's notice that the Esch bill was coming up in the House, and nobody had time to read it before it was brought up for discussion. We considered it for two or three days, and then it was rammed through. The Senate took their action. Then a few days elapsed and the bill went to conference. Months of conference, months of secret consultations——

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. HUDDLESTON. No; I must decline to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. HUDDLESTON. For weeks the conferees considered this bill in secret conference. Nobody knows what went on. Back somewhere in a room, locked up, they took all the time needed for conference, but we are to have none for discussion and consideration in the House. Now they come back here at the last moment. The pot has been boiling and boiling, and from the result which the conferees have produced I think it must have been some kind of a witches' caldron—

"Eye of newt and toe of frog,
Wool of bat and tongue of dog."

God knows what else they must have put into the pot to have brought out such a mess as they have spread before Congress and the country.

We took the railroads over for their own benefit. They had broken down. They were inadequate. We took them over to keep them out of bankruptcy. We have paid them more than they ought to have had. We have paid them an extravagant return. I opposed it at the time it was agreed to. We have rehabilitated them and reequipped them and spent the people's money on them, and now, behold, having done all this, it is proposed by this measure not merely to turn the railroads back but to pay their owners for taking them back. That is what I say the people of this country will resent. That is what I say they will punish, and they ought to punish it.

GOVERNMENT GUARANTEES PROFITS.

I have some figures here. It is proposed to guarantee to these railroads not less than 5½ per cent net earnings, and in addition to that we are to permit them to charge additional rates to the extent of 1 per cent on their valuation for a revolving fund and for one purpose and another. Any way you look at it, it is money that is taken out of the people's pockets.

For the present, there being no other way of ascertaining the value of the railroads, their book value as carried by them must necessarily be accepted as the basis upon which this percentage is to be paid. That means that not only will the actual investment in the railroads be realized upon at 5½ per cent net, but the people will be taxed upon all the water that has been injected into them, upon all the fraud and stealing that has gone on. They will have to pay the railroad owners their 5½, 6, or 6½ per cent on that as well as on the true value.

The approximate value of the railroads as carried on their books is $19,000,000,000, upon which a 6½ per cent return will be about $1,300,000,000. Now, the "standard return" which we have paid during Government control has yielded to the railroads about 5 per cent on their value, water and all. We have been paying them 5 per cent return upon their water already, and it is proposed to increase that return to somewhere from $200,000,000 to $500,000,000 more by this measure.

Some people believe the Government has lost money in running the railroads. The real truth about it is that there has been little or no actual loss, and that Federal control has been a success if we consider it fairly in all its aspects. But we have spent more money than we have got back, and that is the chief reason why the people of this country have been encouraged to turn the railroads back. But when you turn them back under the terms of this bill the people will not only have to make good the loss we have already sustained but in addition will lose somewhere from $300,000,000 to $500,000,000 a year under the Government's guaranty or through increased rates.

DIVIDENDS OF 12 PER CENT.

We have been paying many of these railroads very handsome dividends. Take for illustration the Union Pacific. Its owners have received under Federal control 12.8 per cent upon their investment. The Atchison, Topeka & Santa Fe has had 10 per cent and numbers of others have had 6 and 7 per cent.

But, mark you this, gentlemen, some of these roads have received under the standard returns no net income because they had not made any net income before Government control. We have not paid them anything in net profits. By the new arrangement provided by the conferees' report the guaranty to these roads that have not earned anything for years is 5½ per cent return upon their capitalization, water and all. When you begin to figure out that, you observe that there will be a vast increase in the return to many of these bankrupt roads that at present are liabilities and not assets. They earn nothing and are worth nothing, but the Government must pay them the 5½ per cent net.

FULL OF JOKERS AND INIQUITIES.

I can not undertake to point out the many iniquities in this measure other than in the very hasty and general way in which I have attempted to do it. There is not time sufficient for me to do it. I have read the bill, and I have studied it, and I realize that it is full of jokers and contains many clauses that a common man can not understand. A great many of its clauses are of the authorship of men who have been brought here for that purpose. I do not mean Members of Congress or of the com-

mittee, but cunning railroad lawyers and lobbyists. Many of these jokers have been put over on the committee. They will be interpreted to mean things that were never dreamed of when the committee adopted them.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HUDDLESTON had leave to extend his remarks in the RECORD.

Mr. WOOD of Indiana. Mr. Chairman, I yield to the gentleman from Colorado [Mr. VAILE].

Mr. VAILE. Mr. Chairman, it is quite evident from the impatience of the gentleman from Alabama and from the argument he makes that that argument would not stand the test of interrogation. I rise to say good-by to the gentleman, for I understand that I am to be beaten when the people find me out. Anyway, one of us will be beaten when they find us both out. So good-by. [Laughter.]

Mr. HUDDLESTON. I have no opposition, so it must mean the gentleman from Colorado.

Mr. WOOD of Indiana. Mr. Chairman, I yield to the gentleman from Ohio [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman, there have been many bills introduced by Members of Congress to provide for a bonus for the soldiers, sailors, marines, and others who have served their country during the recent World War. I have introduced two myself, and after investigating the matter very thoroughly I have come to the conclusion that the first thing to be done is for the soldiers, sailors, and marines to get together through their representatives, decide the kind of a bill they want, let the Members of Congress know, and we will pass it. I believe Congress is ready and willing, and I believe the people of this country are ready and willing to provide the money, to grant a bonus, if such it must be called, to those brave men and women, who left their families, wives, and husbands, children, parents, friends, and warm and peaceful firesides and went 3,000 miles away to uphold the honor of the Nation and the glory of the Republic.

We who remained at home made no sacrifice. These men and women are the only ones who made any sacrifice, and we who remained at home have no right to ask the cost or where the money is coming from.

Many of them died. It is our duty to care for their dependents and honor their memories.

Many of them were maimed and wounded. It is our duty to care for them and make them as near whole as possible, whether they had war-risk insurance or not. I never was much of a believer in the provision that made the soldier pay for his own risk that we forced upon him by entering the war.

Many others went and served their country faithfully, for $30 per month, less insurance charges, while the alien slacker, who claimed his exemption because of his alienage, remained at home and earned from $5 to $25 per day.

Why, we treated the alien enemies within our gates better than we did our soldiers, for they, together with the alien slacker, remained here under the protection of our flag, safe from danger and earned large wages, and some of them are now holding the positions held by our soldiers before they went to war.

It is our duty as representatives of a grateful people to see that something is done to sort of even up this inequality. It is not a bonus or a gratuity, it is a debt we owe them.

We are the richest people in the world and ours is the richest country in the world, and yet we have done less for our soldiers, sailors, and marines than has any other nation in the world engaged in this war.

We have not done as much for them as have some of the States in this Union. The States of New Hampshire and Massachusetts have given their soldiers, sailors, and marines the sum of $100 each. The State of Minnesota has allowed each soldier toward his education the sum of $200. The new State of North Dakota has allowed each of her loyal sons the sum of $25 for each month of service with which to purchase a farm or go into business. The State of Oregon allows each of her defenders the sum of $25 per month toward his education. The State of Wisconsin has given each of her fighting men $10 for each month's service, but not less than $50 in any event.

Yet the United States, that squandered millions on this war, paid the contractors all they asked, loaned money to Europe by the billions, and extends the time of the payment of the interest; the United States that squandered millions on ships, millions on flying machines, millions on railroads, has done less for her brave men and women than the poorest country engaged in this war.

No one asked where this money came from, but just as sure as something is asked for the soldier, sailor, or marine some ingrate asks, where is the money coming from?

Sixty dollars is all we pay our fighting men. Not enough to buy a suit of clothes. A soldier who returned and only had his bonus did not have enough to provide himself with an outfit and live for a day, and unless he had relatives or a job ready he found himself hard pressed.

But some one asks where is the money coming from? Why from taxes, of course, the same way in which we secure all the money with which we pay all of our bills. Is it wrong to collect taxes and pay the men who saved the honor of the Nation in the hour of its greatest peril? Was it wrong for the States and the National Government to pay bounties during the Civil War? All collected by taxation.

Why Canada, much poorer than this country, has done several times as much for her private soldiers as we have, and more for her officers. She pays each private soldier from $280 to $600. Just think of it; in some instances ten times as much as we pay. As one Canadian told me, "We can not afford it, but we are going to do it, for we owe it to them."

France bled white. France who lost her sons by the thousands, almost by the millions, and had the enemy upon her soil for over four years, pays her private soldiers from $82.99 to $233.53. All these countries pay their officers much more.

All of these countries were in the war much longer than we were, and some of them had the invader upon their soil and destroying the wealth of the country. This country is now in the midst of an unequaled prosperity. We can afford to do justice to these men and women, and if we do not do it we will suffer for it in the near future. We will need these men in the future. We need them now. In these days of unrest we need the strong arm and the moral support of those who fought the battles of the Republic.

We had no war-risk insurance during the Civil War, yet we have paid and paid justly and gladly to the defenders of the Union millions—yes, billions—of dollars, and no one has ever uttered a protest. The people would rather tax themselves to pay this bonus than to tax themselves to pay certain debts contracted during the war and even since. We might sell some of the war material that is now wasting and help pay this bonus. We might get a little better price for those German ships and help pay this bonus. We might be a little more concerned about the people at home and less about the people in some other country. Oftentimes we hear the question asked, Who won the war? Well, it was not the desk officer, although he did his part. It was not the munition worker or the munition manufacturer, although they did their part. It was not the banker or the farmer, the contractor, or the merchant. It was the boy who took his life in his own hands and went into the trenches and went over the top. It was the man behind the gun, the man up in the aeroplane, and down in the trenches. It was the sailor who carried the soldier over. It was the marine who covered himself with glory. It was the nurse in the hospital who cared for the wounded and dying. It was not any of us who remained at home and bought Liberty bonds who won the war. It was the man who dared. It was the man who risked his life for you and for me. It was not the President. It was not Congress. It was our soldiers, sailors, marines, nurses, and all who did active service near danger. We can never pay the debt we owe them. We can simply show our appreciation in this very small way by doing justice now. [Applause.]

I desire to attach a statement showing what States in this Union and what other countries have done for their soldiers, sailors, and marines.

STATE LAWS GIVING A BONUS TO SOLDIERS, SAILORS, AND MARINES.

Massachusetts (Laws, 1919, ch. 283): All honorably discharged soldiers, sailors, and marines who resided in the Commonwealth at least six months prior to entry into service and who entered the service subsequent to February 3, 1917, and prior to November 11, 1919, are given the sum of $100.

Minnesota (Laws, 1919, ch. 338): All honorably discharged male citizens and residents of the State who served in the Army, Navy, or Marine Corps are allowed tuition not to exceed $200 at any school within the State which maintained a Students' Army Training Corps.

New Hampshire (Laws, 1919, ch. 140, as amended by special session, 1919, ch. 1): All residents of the State who served prior to November 12, 1918, in any capacity in the military or naval service, including Marine Corps, are entitled to $100 in recognition of such service.

North Dakota (Laws, 1919, ch. 206, as amended by special session, 1919, ch. 55): Each honorably discharged citizen who served in the military and naval service is entitled to $25 for each month or fraction thereof that he was in service for the purpose of purchasing a home or farm, establishing or investing in a business or trade, or for educational training.

Oregon (Laws, 1919, ch. 428): All honorably discharged soldiers, sailors, and marines who were inducted or enlisted in the State who desire to pursue a course of study in any institution in the State are

allowed a sum not in excess of $25 for any one month, and not over $200 for any one year, for a period of not more than four years. This act not to include members of Students' Army Training Corps or limited service men who did not leave the United States.

Wisconsin (Laws, 1919, ch. 667): Each soldier, sailor, marine, or nurse who at the time of induction into service was a resident of the State is given $10 for each month of service with a minimum of $50 as a token of appreciation. Not to apply for time spent in students' Army training camps or to a person who although inducted into service did civilian work at civilian pay.

NOTE.—The acts of the 1919 sessions of Alabama, Florida, Iowa, and North Carolina have not been received in the Library of Congress.

War gratuities for military men of various countries, commissioned officers and enlisted men.

NOT OVERSEAS.

	Italy.	France (not with fighting units).	Great Britain.	Canada.	United States.
Commissioned officers:					
Major general	1,916⅔ to 4,416⅔ lires ($369.92 to $852.42).	Special	£500 to £1,500 ($2,430 to $7,290).	$744 to $2,392	$60.
Brigadier general		Special	£166⅔ to £1,000 ($810 to $4,860).	$103 to $1,380	$60.
Colonel	1,583⅓ to 3,583⅓ lires ($305.58 to $691.58).	Special	£149⅓ to £750 ($724.34 to $3,645).	$232.50 to $874	$60.
Lieutenant colonel	1,550 to 3,166⅔ lires ($241.25 to $611.17).	Special	£139½ to £550 ($679.99 to $2,673).	$193.75 to $759	$60.
Major	1,083⅓ to 2,541⅔ lires ($209.08 to $490.54).	Special	£109⅓ to £500 ($532.17 to $2,430).	$155 to $613.33⅓	$60.
Captain	916⅔ to 2,250 lires ($176.92 to $434.25).	385 to 970 francs ($74.31 to $187.21).	£82½ to £400 ($399.13 to $1,944).	$116⅓ to $467.66⅔	$60.
Lieutenant	650 to 1,750 lires ($125.45 to $337.75).	385 to 970 francs ($74.31 to $187.21).	£69⅔ to £300 ($340 to $1,458).	$80.60 to $361.86⅔	$60.
Second lieutenant	583⅓ to 1,083⅓ lires ($112.58 to $209.08).	385 to 970 francs ($74.31 to $187.21).	£63⅓ to £250 ($310.43 to $1,215).	$80.60 to $361.86⅔	$60.
Enlisted men:					
Warrant officer	230 to 380 lires ($44.39 to $73.34).	385 to 970 francs ($74.31 to $187.21).	£15 to £27 ($72.90 to $131.22).	$71.30 to $318.93⅓	$60.
Sergeant major	230 to 380 lires ($44.39 to $73.34).	385 to 970 francs ($74.31 to $187.21).	£12 to £24 ($58.32 to $116.64).	$70 to $300	$60.
Quartermaster sergeant	230 to 380 lires ($44.39 to $73.34).	385 to 970 francs ($74.31 to $187.21).	£12 to £24 ($58.32 to $116.64).	$70 to $300	$60.
Color sergeant	230 to 380 lires ($44.39 to $73.34).	385 to 970 francs ($74.31 to $187.21).	£12 to £24 ($58.32 to $116.64).	$70 to $300	$60.
Sergeant	230 to 380 lires ($44.39 to $73.34).	385 to 970 francs ($74.31 to $187.21).	£8 to £20 ($38.88 to $97.20).	$70 to $300	$60.
Corporal	230 to 380 lires ($44.39 to $73.34).	385 to 970 francs ($74.31 to $187.21).	£6 to £18 ($29.16 to $87.48).	$70 to $300	$60.
Private	180 to 330 lires ($34.74 to $63.69).	385 to 970 francs ($74.31 to $187.21).	£5 to £17 ($24.30 to $82.62).	$70 to $300	$60.
Length of service	1 year to 4 years 3 months.	1 year to 4 years 3 months.	1 year to 5 years.	Unmarried man for 1 year, up to married man for 3 years.	On discharge.

OVERSEAS.

	Italy.	France (with fighting units).	Australia.	Great Britain.	Canada.	United States.
Commissioned officers:						
Major general	1,916⅔ to 4,416⅔ lires ($369.92 to $852.42).	Special	£51 11s. 3d. to £154 13s. 10d. ($250.61 to $751.82).	£500 to £1,500 ($2,430 to $7,290).	$2,928 to $4,758	$60.
Brigadier general.		Special	£36 to £108 ($174.96 to $524.88).	£166⅔ to £1,000 ($810 to $4,860).	$1,586 to $2,745	$60.
Colonel	1,583⅓ to 3,583⅓ lires ($305.58 to $691.58).	Special	£36 to £108 ($174.96 to $524.88).	£149⅓ to £750 ($724.34 to $3,645).	$915 to $1,736.50	$60.
Lieutenant colonel.	1,250 to 3,166⅔ lires ($241.25 to $611.17).	Special	£30 7s. 6d. to £91 2s. 6d. ($147.62 to $442.87).	£139½ to £550 ($679.99 to $2,673).	$762.50 to $1,509.75	$60.
Major	1,083⅓ to 2,541⅔ lires ($209.08 to $490.54).	Special	£24 15s. to £74 5s. ($120.29 to $360.86).	£109⅓ to £500 ($532.17 to $2,430).	$610 to $1,220	$60.
Captain	916⅔ to 2,250 lires ($176.92 to $434.25).	430 to 1,210 francs ($82.99 to $233.58).	£19 2s. 6d. to £57 7s. 6d. ($92.95 to $278.84).	£82½ to £400 ($399.12 to $1,944).	$457.50 to $930.25	$60.
Lieutenant	650 to 1,750 lires ($125.45 to $337.75).	430 to 1,210 francs ($82.99 to $233.58).	£15 7s. 6d. to £46 2s. 6d. ($74.72 to $224.17).	£69⅔ to £300 ($340 to $1,458).	$317.20 to $719.80	$60.
Second lieutenant.	583⅓ to 1,083⅓ lires ($112.58 to $209.08).	430 to 1,210 francs ($82.99 to $233.58).	£15 7s. 6d. to £46 2s. 6d. ($74.72 to $224.17).	£63⅓ to £250 ($310.43 to $1,215).	$317.20 to $719.80	$60.
Enlisted men:						
Warrant officer	230 to 380 lires ($44.39 to $73.34).	430 to 1,210 francs ($82.99 to $233.58).	£12 15s. to £38 5s. ($61.97 to $185.90).	£15 to £39 ($72.90 to $189.54).	$280.60 to $634.40	$60.
Sergeant major	230 to 380 lires ($44.39 to $73.34).	430 to 1,210 francs ($82.99 to $233.58).	£11 5s. to £33 15s. ($54.68 to $164.03).	£12 to £36 ($58.32 to $174.96).	$280 to $600	$60.
Quartermaster sergeant.	230 to 380 lires ($44.39 to $73.34).	430 to 1,210 francs ($82.99 to $233.58).	£10 17s. 6d. to £32 12s. 6d. ($58.85 to $158.56).	£12 to £36 ($58.32 to $174.96).	$280 to $600	$60.
Color sergeant	230 to 380 lires ($44.39 to $73.34).	430 to 1,210 francs ($82.99 to $233.58).	£11 5s. to £33 15s. ($54.68 to $164.03).	£12 to £36 ($58.32 to $174.96).	$280 to $600	$60.
Sergeant	230 to 380 lires ($44.39 to $73.34).	430 to 1,210 francs ($82.99 to $233.58).	£10 2s. 6d. to £30 7s. 6d. ($49.21 to $147.62).	£8 to £32 ($38.88 to $155.52).	$280 to $600	$60.
Corporal	230 to 380 lires ($44.39 to $73.34).	430 to 1,210 francs ($82.99 to $233.58).	£9 15s. to £29 5s. ($47.39 to $142.16).	£6 to £30 ($29.16 to $145.80).	$280 to $600	$60.
Private	180 to 330 lires ($34.74 to $63.69).	430 to 1,210 francs ($82.99 to $233.58).	£6 15s. to £20 5s. ($32.81 to $98.42).	£5 to £29 ($24.30 to $140.94).	$280 to $600	$60.
Length of service	1 year to 4 years 3 months.	1 year to 4 years 3 months.	1 year to 5 years.	1 year to 5 years.	Unmarried man for 1 year, up to married man for 3 years.	On discharge.

Mr. SISSON. Mr. Chairman, I yield fifteen minutes to the gentleman from North Carolina [Mr. DOUGHTON].

Mr. DOUGHTON. Mr. Chairman and gentlemen of the committee, since the election returns from the third Missouri district have been received, showing increased Democratic majority, I suppose our Republican friends will cease claiming Texas in the next general election. But that is not what I rose to discuss. What I desire to briefly discuss is the question of rural highway construction—of Federal aid in the construction of good roads.

There is a vital connection between good roads and farming and a still more vital connection between farming and the high cost of living. Complaint is heard everywhere of the high cost of living, and complaint as to scarcity of food is general throughout the world. Upon one phase of this question all seem to be agreed, and that is that no substantial and permanent relief can come until there is a marked increase in production. We may pass all kinds of drastic laws against profiteering but will find no certain remedy until production is greatly increased. If the prices of food products are to come down, we must produce more wheat, corn, cattle, hogs, sheep, dairy products, poultry,

eggs, garden vegetables, and so forth. This can be done only in two ways—first, by more intensive and intelligent methods of production so that greater crops can be produced by those already engaged in agriculture, and, second, by increasing the number of people already engaged in agricultural pursuits.

While there have been great advances made in agricultural knowledge as result of experience, instruction afforded in agricultural colleges and other schools teaching this subject, also as result of the great work done by the Department of Agriculture through farm-demonstration work, distribution of bulletins, and various other ways by the different agencies of the department, yet in spite of all this people continue to leave the farms in droves, not so much for the reason that farming is not profitable but because of the isolation, lack of social advantages, lack of good roads and other necessary improvements and advantages that go to make country life attractive. Something must speedily be done to stop the rush from farms to the cities and towns or serious consequences will ensue.

When the Agricultural appropriation bill was under consideration in the House last week the majority side of this House trimmed down many of the items far below the estimates of the department and the needs of the country, one member of the committee stating on the floor of the House that where there was any doubt at all he resolved that doubt in favor of economy. No man is more in favor of proper economy than I am, as my record here will show; but at the time when there is unusual demand, world-wide, for a greater production of the prime necessities of life, it is no time for parsimonious action upon this vital subject. This is a penny-wise and pound-foolish economy and bound to work great injury to the entire country. What we need to do is to encourage and stimulate, and not discourage, those who are engaged in the most important of all pursuits, that of raising food for our own people and the hungry nations of the world.

No one thing that can possibly be done will have greater influence in making country life and farm life happy and contented, as well as profitable, increasing production and lowering the cost of living, than the building of good rural highways. The Sixty-third Congress, which was Democratic, realized the great importance of this matter and took the first effective steps ever taken toward carrying out a policy of giving Federal aid in building a better system of public roads. That Congress constituted the first Committee on Public Roads, which was appointed June 3, 1913, Judge Shackleford being the first chairman. I have had the honor of being a member of this committee since it was first created. In the Sixty-fourth Congress we passed a bill appropriating $5,000,000 for the fiscal year of 1917, ten million for the year 1918, fifteen million for 1919, twenty million for 1920, and twenty-five million for the year 1921. Then, in the Post Office appropriation bill in the Sixty-fifth Congress, also Democratic, we supplemented the original appropriation by the additional amounts as follows: Fifty million for the fiscal year 1919, seventy-five million for the year 1920, and seventy-five million for 1921, making a total of two hundred and seventy-five million appropriated by a Democratic Congress for the years 1917 to 1921, inclusive.

Mr. LAYTON. Will the gentleman yield?

Mr. DOUGHTON. I will.

Mr. LAYTON. The gentleman says that the committee made such a basis for distribution. The State I represent gets less than any State in the Federal Union, and yet it pays more income tax than nine States south of Mason and Dixon's line and less than nine States north of Mason and Dixon's line. Does not the gentleman think there ought to be a fair distribution of the money?

Mr. DOUGHTON. I do not care to go into a discussion of that subject elaborately, but I will say that the needs of Federal road construction can not be based on wealth, as the gentleman seems to assume. It is based on the needs of the rural communities of the various States, and if he will study the law he will see that it is eminently fair and fully justifies the money expended under the bill.

These appropriations were made by the Sixty-fourth and Sixty-fifth Congresses, the first covering a period of five years and the second a period of three years. As a result of this action on the part of the Federal Government, road building throughout the entire country has been given a mighty impetus. The various States are cooperating freely with the National Government, and road building is going forward by leaps and bounds. Encouraged by the Federal aid, the States are increasing their revenues for road building, and the counties in order to cooperate with the State and Federal authorities are voting bonds and getting ready in every way to carry forward at full speed successful road-building programs. What has this Congress done to show its interest in the farmers of the country or to assist or encourage road building? If the Committee on Roads is functioning at all, I have never heard of it. I think there have been one or two short meetings, held sometime last summer, to consider a project out in Oregon or on the Pacific slope. In the last or the Sixty-fifth Congress, which was Democratic, we not only made additional appropriation of $200,000,000, as before stated, to aid in the construction of good roads, but we also provided for, or authorized, the War Department to turn over to the highway authorities of the different States certain machinery, war material, equipment, supplies, and so forth, suitable for use in the improvement of highways, the same to be distributed to the highway departments of the several States and used on roads constructed in whole or in part by Federal aid. Under this authority the Secretary of War has turned over quite a number of Army trucks, but has not complied with the full intention and purpose of the statute, as there is on hand, held by the War Department, a lot of other material, machinery, and so forth, such as steam shovels, hoisting derricks, scrapers, plows, wagon loaders, and so forth, which are badly needed by the various highway authorities.

At the urgent request of the various highway authorities of the several States there was passed through the Senate on the 22d of October last a bill directing the War Department to turn over to the highway authorities of the various States machinery, material, and so forth, aforementioned. For some reason that bill was delayed in the House until the present week, when it was finally passed upon the suspension of the rules. However, a change was made in the Senate bill, necessitating its return to that body for concurrence, and if it sleeps there as long as it has in this body it will not become a law until much of this machinery is ruined by exposure to the weather or has been disposed of by the War Department. To my knowledge the chairman of the Military Affairs Committee urged upon the Rules Committee again and again that a special rule be given making this legislation in order. I have received numerous letters from the chairman of the State highway commission of North Carolina emphasizing the great need of this machinery, material, and so forth, to be used in road construction in the several States, as originally intended.

It would be interesting to know why this legislation has been so long delayed. Is it possible that it is being strangled for political expediency, or has Will Hays, the national Republican chairman, given orders that it must be killed by long delay? If this kind of tactics is to be continued by a Republican Congress, then Mr. Hays will need to offer more than $10,000 for some one who can write a satisfactory platform, and need to appoint a larger advisory committee than the one already appointed, containing 171 members. You need not be deceived, the people will not be mocked. The farmers of the country know what party has given them substantial relief by the enactment of numerous pieces of legislation in their interest, such as the rural-credits law, good-roads legislation, and so forth, bringing more favorable conditions to those engaged in agriculture. But when they ask relief or help in any way of this Congress they are confronted with the response that everything must be subordinated to economy. When the people ask bread they are given a stone. Political expediency is the governing policy of this Congress and has been since the day it first assembled. Instead of considering first the interests of all the people, the needs of the Republican Party in the coming campaign are given the right of way. As the matter now stands, the last appropriation for carrying on the work of road building expires at the end of the fiscal year 1921, and the Department of Agriculture and Bureau of Roads do not know whether to go ahead with plans for the future or not. If this Congress intends to continue the splendid work now in progress it should, by appropriate legislation, extend the present road-building plan, or one similar, for a period of at least three years, so the Bureau of Roads can go ahead with its work. "He that provideth not for his own household hath denied the Faith, and is worse than an infidel." And if we fail to provide adequate legislation for the great American household, we will merit and receive a just rebuke from them. Efficiency should be our first motto, then economy. Not a dollar should be collected in taxes save and except for proper and necessary purposes, and every dollar so collected should be wisely and economically expended. Joshua commanded the sun to stand still in order that he might fight the battles of the Lord, and the sun obeyed. Will Hays, the chairman of the national Republican committee, has commanded this Congress to stand still for the purpose of political expediency, and it has obeyed. When an epidemic of influenza breaks out in the country we do not economize by employing fewer doctors, closing drug stores, and discharging

trained nurses, but we use these agencies for the restoration of the sick to health and the prevention of the spread of the disease.

Mr. MORGAN. The gentleman has referred to rural-credits legislation. The gentleman has been greatly interested in that, and I would like to know if he is familiar with the provision in this bill which provides that the Federal Farm Loan Board shall levy an assessment on the banks, on the borrowers, to pay the expenses of the Federal Farm Loan Board at Washington, amounting to $284,000 a year?

Mr. DOUGHTON. I have heard a statement made, but have not studied the provisions.

Mr. MORGAN. Does the gentleman approve of that provision?

Mr. DOUGHTON. I do not.

Mr. MORGAN. I am glad to hear the gentleman is not in favor of that provision in the bill.

Mr. DOUGHTON. I am not; I am in favor of everything that helps the farmer. May I ask the gentleman from Oklahoma a question?

Mr. MORGAN. Certainly.

Mr. DOUGHTON. I see it reported in the newspapers that he has requested a Republican caucus in order to get consideration of his bill for relief of returned soldiers. Is he driven to that extreme in order to get his own party to take up that needed legislation?

Mr. MORGAN. We have not had any conference yet, but I think we are going to act without a conference.

Mr. DOUGHTON. I was just asking whether the newspaper article which I read was a true statement.

When we were in control of the Sixty-fourth and Sixty-fifth Congresses our Republican friends clamored and complained about the high cost of living, and one would have thought that when they came into power they would have brought the cost of living down by magic, but since they assumed control of the legislative branch of our Government living costs have soared until the blue sky is the limit. And yet they do nothing but criticize the administration. Did I say nothing? Beg pardon, they did increase the tariff on shirt buttons about five or ten hundred per cent and the price of shirts has increased about 100 per cent. When we were in control of Congress you accused us of being rubber stamps, and only registering the will of the administration, but under the leadership of our President we went forward with a positive, well-balanced program of wise, constructive legislation, in the interest of all classes—the farmer, the business man, the wage earner—and as a result the country has experienced the greatest period of prosperity in the history of this or any other country. As a result of our legislation the country prospered before the war, during the war, and since the war. Where is their program of constructive legislation, either enacted or contemplated, to match such legislation as the Federal reserve law, rural credits act, farm demonstration act, Bureau of Markets, parcel-post law, Federal Trade Commission, and numerous other salutary measures which might be mentioned? They will not dare repeal any of this legislation, not even the Underwood tariff bill, against which they inveighed incessantly before coming into control of Congress.

I pause for any one Republican to tell me what legislation they have enacted or what they contemplate that will match this remedial, constructive, necessary legislation that we placed on the statute books at the demand of the American people.

Playing politics may seem temporarily expedient, but you will need something to go before the country with in the next campaign save and except expediency, false economy, and destructive criticism. You are now sowing to the wind and are bound to reap the whirlwind, and when placed in the balance of justice and weighed upon the record you are making you will be found wanting by the American people and the just recompense of your reward will be political death. [Applause on the Democratic side.]

Mr. SISSON. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. CARSS].

Mr. CARSS. Mr. Chairman and gentlemen of the committee, I have looked forward with great interest for the return of this conference report, realizing, as I do, that this is perhaps the most important piece of legislation that will be brought to the attention of Congress at this session.

The question of transportation is one of the fundamentals on which our modern complex civilization rests. There is not one of our 110,000,000 people who is not vitally interested in the proper solution of this great problem. I regret exceedingly that the membership of the House has not had proper time to study this bill. The report was available on Wednesday at 6 p. m. and the bill is put on passage at 11 a. m. Saturday. I do not believe that there is one Member of the House, with the possible exception of the conferees, who has had time to make a thorough examination or study of the bill.

This railroad bill is being railroaded through the House, and on a pretty fast schedule. I desire to refer briefly to the labor feature of this bill. I believe that I have a fair understanding of the wishes of the 2,000,000 men and women employed on the railroads of this country. They are a class of citizens who rank second to none in the love of and loyalty to this great democracy. They take to themselves no special credit for their loyalty and sacrifice to the cause of democracy during the Great War, but they do protest against some of the features of this bill, which they consider an infringement on their constitutional rights, and object to being set aside as the victims of the first great experiment in Government wage regulation.

They simply want to be allowed to sit down at conferences with their employer and have the opportunity to participate in a free, fair, and full discussion of their claims and grievances and settle their differences and adjust their relations in such a way that they can secure that feeling of mutual respect that leads to the cooperation that is so badly needed in American industry to-day.

Under section 301 of this bill it would appear that just such conferences as I speak of are provided for, but on further reading of the bill we find that a board is provided known as the railroad labor board. This board has arbitrary power to set aside any agreement reached by the employees and operating officers of the carriers if such agreement affects wages to the extent of unsettling rates. If the railroad employees of this country are justly entitled to increased wages they should receive increased wages regardless of the effect on freight and passenger rates. This provision of the bill would effectively prevent an increase in wages, no matter how badly needed, and at the present time I believe all fair-minded men will admit that the wages of railroad employees are at least 30 per cent lower than wages paid in other industries. This section of the bill is the initial step toward compulsory arbitration. All that is needed to bring about compulsory arbitration is to enact laws fixing a penalty for refusal to abide by the decision of the labor board.

When the railroads were taken over by the Government the railroad employees were free men. When they are turned back they want to be turned back free men. These men want the report recommitted with instructions to insert the Anderson amendment or, failing in that, they want the entire labor feature of the bill stricken out. The provisions of the bill which allow any 100 employees to select boards and take up grievances or negotiate wage agreements will result in unending confusion and have a tendency to disrupt the present organization and will lead to the breaking of agreements and general demobilization of the morale of the employees.

There is another feature of this bill that strikes me as unfair to the masses of the American people; that is the guaranty feature. I can see no justice in taxing the people, through railroad rates, to guarantee a fixed return to the holders of railroad securities. We do not guarantee the farmers any return on their investments, although the product of the farms are more necessary to sustain human life than is transportation. We lived before the advent of the railroads, but civilized humans never lived without farm products.

I also object to section 422 of this bill, which takes all over 6 per cent of the earnings of the prosperous roads and uses them for the assistance of weaker roads. I think this provision absolutely indefensible and is not justified by any sound economic or moral rule and seems to be a clear violation of the Constitution, as it takes private property for the use of the public, and without compensation. For this, if for no other reason, I could not conscientiously support and vote for the passage of this bill. Much has been said regarding the need of immediate railroad legislation. I do not feel that this great need exists. I think the proper course to take at this time is to leave the railroads where they are, and will briefly set forth my reasons.

I believe that the two things most vital at present to the people of this country, in so far as the railroad problem is concerned, are that the railroads should be able to handle the enormous and continually growing traffic, which is pouring upon their rails, and that there should be as little change in rates as possible.

Everybody knows that there are not enough cars, that facilities are inadequate, and that a billion or more dollars are needed at once for additions and improvements. Every well-informed and honest man will admit that it has been possible to carry more traffic with insufficient cars and inadequate facili-

ties under unified control than would have been possible if the roads had been separately managed. If Federal control is continued, Congress has it within its power to supply new capital at the lowest possible cost, and in the meantime the country can retain the advantage of unified administration of every car, rail, and terminal.

Under the proposed bill every dollar of the immediately needed billion and more, over and above the $300,000,000 which Uncle Sam is to loan to helpless companies, must be supplied by private railroad corporations whose securities are now selling at woefully low prices. There is no prospect whatever that this capital can be raised by these companies except at exorbitant cost to the people of the country, and no certainty that it can be raised at all. In the meantime the advantages of unified control will be lost unless we can expect rival companies to compose differences for the public good, which they have never been able to compose, or unless we can expect relief from the exercise by an overburdened judicial commission of administrative powers similar to but not as complete as those which have been exercised in the past two years by the Railroad Administration. The only reasonable expectation is that railroad traffic will within six months be in a worse tangle than it was in 1917, just before the Government was forced, for public protection, to take over the roads.

Although there has been all manner of loose talk about the benefits of private initiative, this bill places final responsibility for the functioning of the roads upon a judicial governing body composed of 11 men, without whose advice, consent, and regulation the private railroad managers will hardly be able to sneeze. If this commission is to exercise effectively these enormous powers, far greater than have ever been delegated to any judicial body anywhere in the world, it must build up an organization which will cost the people of the United States millions of dollars, and which will parallel in many respects and cause additional work for the still more costly private railroad organizations. The results desired can plainly be secured far more simply, with far less cost, and with much less restricted initiative by the Railroad Administration, which is now in existence and which has already done excellent work, although it has never been given a fair chance to show what it can do.

Coming to the question of rates, it is perfectly obvious that in these times there is nothing more important than the avoidance of anything that may have a tendency to increase the already highly oppressive cost of living. It is just as obvious that a general increase in railroad rates, affecting every manufactured product and every item of raw material used in the country, will have precisely such a tendency to drive the cost of living upward and that the effect of the initial increase will be greatly magnified as it is passed along the line.

Director General Hines has given us reason to believe that if Federal control is continued, which he believes should be done, an increase in rates can probably be avoided without throwing the cost of railroad service upon taxation, and that at worst only a small increase will be necessary. Under the proposed bill the commission is given the duty also of fixing rates which will yield 5½ per cent, and possibly 6 per cent, upon the aggregate "value"—aggregate value instead of fair present value—of the railroad property of the country. This "value" must be determined at once, although the valuation work which the commission is carrying on is far from completed. No one knows what this "value" will be, and at best it will be nothing better than a guess.

No one knows what the effect of this mandate to the commission will be upon rates. The country under this bill will be buying a pig in a poke. Only two things are certain. One is that the private owners of the railroads confidently believe that the result will be a large increase in rates, which will greatly elevate the value of their securities. The other is that rates will become a constantly fluctuating quantity to the detriment of the various business interests of the United States. The mandate to the commission is that it shall fix rates which shall produce earnings of 5½ or 6 per cent, but no more, upon its guess as to the value of the railroad property. If more traffic or less traffic moves than the commission anticipates, or if the cost of operation decreases or increases, or if the commission has reason to believe that its value guess was wrong, or that value has changed with new conditions, it will be its duty to adjust rates accordingly and as often as may be necessary to prevent the return from rising above or falling below the specified figure. No plan more certain of introducing confusion into the business affairs of the country or the element of speculation into railroad securities could possibly be devised.

Further uncertainty and confusion will be caused by the fact that eminent counsel believe that the provision for appropriating one-half of the excess earnings above 5½ per cent of such roads as are prosperous is unconstitutional and will test the question in the courts, and by the fact that it is proposed to deprive State commissions to an extent which will also be dependent upon court interpretation of the right to regulate railroad matters of purely local concern. On top of this it is proposed to continue the present guaranty of a standard return for a period of six months and thus give private owners an opportunity to build up their properties at the expense of the United States, unless the commission is equipped to prevent such operations by undertaking the extraordinarily difficult task of policing the accounts of every carrier in the country.

Summing the matter up, this bill will make it more difficult than it is now to provide and operate the railroad facilities which are necessary to handle the traffic of the country, will probably result in a large and wholly uncertain increase in rates, and a constantly fluctuating basis of rates thereafter, but will give Wall Street bankers the satisfaction of returning to the seats of railroad power which they have occupied in so lucrative a manner in the past. The alternative is to leave the railroads where they now are—in the hands of the Federal Government—to give the Railroad Administration proper support, so that it can proceed with necessary additions and improvements, to avoid uncertainty and unsettlement of railroad affairs in these times of general unrest, and to postpone final solution of the railroad problem until it can be faced with deliberation and sanity. [Applause.]

Mr. SISSON. Mr. Chairman, I now yield 10 minutes to the gentleman from Oklahoma [Mr. McCLINTIC].

Mr. McCLINTIC. Mr. Chairman and gentlemen of the committee, inasmuch as this discussion has covered many subjects, I wish to use the 10 minutes allotted to me to call attention to some information that, I think, will be of value relative to the State of Oklahoma.

When this section of the United States was set apart for the colonization of the various Indian tribes, some of the Indians were displeased and refused to follow the advice of the Government authorities. At that time they never dreamed what the future had in store for them, and that this particular section of the country, when fully developed, would prove to be the richest section of the Nation. Since that time some of the Indian tribes who refused to move to Indian Territory have come to Congress asking that they be allowed to participate in the distribution of the wealth that has come to those who listened to the advice of the Government.

It may be of interest to know that in the State of Oklahoma there is one Indian who even refused to take a Government allotment. This made it necessary that the Indian Department select a tract of land for him, which happened to be on the top of an oil dome, and to-day he is the richest Indian in the world. A few weeks ago he gave $1,500,000 to charity. In the Osage Nation, where the Indians own all their property in common, each member of the tribe has a community interest in all of the money that is derived from the production of oil, and each member of the tribe gets approximately $2,000 a year.

Many other citizens of Oklahoma have amassed huge fortunes, and practically all of them before coming to Oklahoma were men without means. Those who have prospered in the development of the State's natural resources represent every occupation of life. I happen to know of a young man who was formerly a secretary to a Member of Congress. In the early development of an oil field he secured possession of a number of leases, and to-day he is rated as being worth over a million. The president of one of our large oil companies did not have sufficient money to take passage on a passenger train, and now he does not object to having it told that he came into the State without any money, aboard a freight car.

Mr. Chairman, I desire to have sent to the Clerk's desk, to have read in my time, a short statement published in my State, which will give the people of the country some idea of the wonderful development of the natural resources and agricultural interests in the State of Oklahoma.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

OKLAHOMA IS SOME KID, ALL RIGHT.

The industrial department of the Missouri, Kansas & Texas Railway, in cooperation with the field agent of the United States Bureau of Crop Estimates and the statistician of the Oklahoma State Board of Agriculture, has compiled some interesting figures concerning the progress of Oklahoma, a part of which are as follows:

AGRICULTURAL PROGRESS.

The State of Oklahoma was 12 years old last November. Its wonderful development agriculturally since Statehood is indicated in the following comparative figures from the Crop Reporter:

	1919	1907
Crop:		
Corn	$94,488,000	$49,837,000
Wheat	107,912,000	7,164,000
Oats	34,650,000	3,009,000
Cotton	188,873,000	54,948,000
Total	425,923,000	114,958,000
Live stock:		
Horses	61,752,000	54,312,000
Mules	31,680,000	16,128,000
Milk cows	38,148,000	8,788,000
Other cattle	63,825,000	29,024,000
Sheep	1,475,000	282,000
Swine	17,301,000	8,464,000
Total	214,181,000	116,998,000

This shows an increase in production of four leading crops in 12 years of 270 per cent and in live stock of 83 per cent. In 1909 Oklahoma ranked twenty-second in value of all crops. In 1919 the State ranks tenth in value of all crops. A good record! "I'll say it is."

SOME COMPARISONS.

Iowa's average land is priced at $160 an acre. Yet Oklahoma's $38 average land produced 12 field crips in 1919 with a value per acre of only $2.70 less than Iowa's acre value for its 12 leading crops. And Oklahoma's oats made 96 cents an acre more than Iowa's.

Oklahoma is just the size of Missouri. The borders of the two States touch. They grow the same crops. Missouri is 100 years old. Oklahoma is 12 years old. Missouri's average plow land is priced at $72; Oklahoma's at $38. The acre value of Oklahoma's 12 leading field crops exceeds the acre value of Missouri's 12 leading field crops by $7.38. Oklahoma exceeds Missouri in the acre value of: Oats, $3.93; wheat, 48 cents; rye, $3; tame hay, $6.90; potatoes, $26; sweet potatoes, $21.52. Missouri ranks eighth in value of all crops, with a total of $549,105,000. Oklahoma ranks tenth, with a total of $522,565,000. In the race for supremacy this hustling, inexperienced 12-year-old kid, Oklahoma, is right on the heels of "Old Missouri."

FARMERS' INCOME FROM OIL.

Oklahoma is often thought of as an oil State rather than as an agricultural State. It leads all the States in oil and natural-gas production, with an estimated total output for 1919 of $250,000,000 in oil and $6,000,000 in gas. Yet this is less than half the value of farm crops alone. It is estimated that nearly half of Oklahoma's 44,000,000 acres is under oil lease. One dollar an acre is a common yearly rental. It is estimated that landowners received in 1919 from oil leases $20,000,000; from royalties $30,000,000; from bonuses, $2,000,000; or a total of $52,000,000. Adding this to the value of crops, eggs, and butter fat we get $621,981,000 as the farmers' gross income. This gives the approximately 200,000 farms of the State an average income in 1919 of over $3,000, not including live stock and poultry.

Mr. SISSON. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. UPSHAW].

Mr. UPSHAW. Mr. Chairman and gentlemen of the committee, in these anxious times, when the strained relations between labor and capital make the theme on every lip and practically on every editorial page of every paper and magazine in the country, it is very refreshing, and I may say comforting, to see such an illustration of the ideal fellowship between employer and employee as I find here in the daily papers from my own home city, Atlanta. The names of 68 prominent employers of labor appear at the bottom of the article which I shall read. It is a beautiful picture, indeed, that these fair and far-visioned men buy a page in every daily newspaper in the city to show their faith in the working men of that great metropolis. Listen, gentlemen, and it will make the blood of every patriot tingle to your finger tips. Look at these blazing big letters and the stirring tribute to patriotic workingmen which follows:

MAKING THE WORLD SAFE FOR DEMOCRACY.

Since American labor had such a hand in helping to make the world safe for democracy, it can be depended upon to help largely in making America safe from Bolshevism.

American labor will tolerate no ism that conspires and plots to undermine American industry.

American labor knows that Bolshevism hopes to get power and position by defaming or dragging down the reputation of another.

Bolshevism means this and nothing more.

Men who conspire and plot and who lend a ready ear to Bolshevism are marked by American labor, and when the hour is ripe American labor will drive them out.

The man or system that plots another's undoing is digging its own grave.

Now that we are shifting from war production to peace work, in which there is a greater need of skilled workmen than ever, trained American labor will tolerate no interference from outsiders who seek to tear down and stir up strife.

There must be no intervention or interference from foreign conspirators who seek to undermine the supremacy of American manufacturers that they may profit by the exclusion of goods made in the United States of America in competition with other nations for the world's enormous demand for everything in which American industry excels in producing.

Bolshevism would reduce wages and put American labor, which is the highest paid in the world, on a par with the most miserably and miserly paid labor in Europe.

It would banish forever the opportunity of America to take supreme place in the gigantic industrial struggle now beginning.

Bolshevism has no standing with American labor.

For this reason and many others American labor and American capital must unite and crush the evil without an hour's delay.

Atlanta National Bank; Forrest & George Adair; Atlanta Cotton Oil Co.; Alexander-Sewald Co.; Asphalt Roofing Product Co.; Atlanta Auto Top & Trimming Co.; Atlanta Barbers' Supply Co.; Avery & Co.; J. P. Allen & Co.; Auto Gear & Parts Co.; Bird Wilcox Co. (Inc.); Barclay & Brandon Co.; Baylis Office Equipment Co.; George O. Barrett Co.; Breen Skirt Manufacturing Co.; C. C. Baggs Auto Co.; Brigman Motors Co.; Beaudry Motors Co.; Beall-Richards Printing Co.; G. H. Bray, Builder; Chamberlin-Johnson-DuBose; Citizens Loan Co.; Exposition Cotton Mills; Myron E. Freeman & Bro.; Fulton Supply Co.; Good Roads Supply Co.; The F. E. Golian Co.; Guarantee Loan Co.; Georgia Car & Locomotive Co.; J. W. Goldsmith, jr.-Grant Co.; Guthman Laundry & Dry Cleaning Co.; Hightower Box & Tank Co.; J. M. High Co.; B. Mifflin Hood Brick Co.; the Hirshberg Co.; Kimball House; M. Kutz Co.; Knox & Maier Co.; H. G. Lewis & Co.; Lanham Cotton Cultivator Co.; Maisby Co.; Manget Bros. Co.; Miles & Bradt Co.; Moncrief Furnace Co.; Meli & Meli (Inc.); Nunnally & McCrea Co.; J. K. Orr Shoe Co.; Phoenix Planing Mill Co.; Pittsburgh Plate Glass Co.; Phillips & Crew Piano Co.; Ridley-Yates Co.; Roberts Marble Co.; M. Rich & Bros. Co.; L. W. Rogers Co.; J. Regenstein Co.; Sloan Paper Co.; Seeger Machine Tool Co.; the Walraven Co.; Southern Oakland Co.; Tipp Specialty Shop (Inc.); Webb & Vary Co.; West Construction Co.; O. F. Whitten Co.; W. H. Warren Co.; Benjamin D. Watkins Co.; Woodruff Machine & Manufacturing Co.; Walker Roofing Co.

Mr. Chairman, I count it an honor to represent a great city of a quarter of a million people, the commercial and educational capital of the great Southeast, where such wisdom prevails and such faith and fellowship exist between employers and employees. Last year when there was a strike by the railway shopmen the remarkable picture was seen every day—2,000 of these men who felt they had a grievance and knowing no other way to secure redress, met every morning in the great Baptist Tabernacle, seating 3,000, and opened their proceedings with song and prayer, godly men, urging the workers in overalls to be careful in their every step for their own behalf. It is in such a spirit that we find the hope of the future of both labor and capital. When a Republican like COOPER, of Ohio, and a Democrat like CARSS, of Minnesota, stalwart, honest men who have climbed out of engineers' cabs into Congress, stand here and plead that nothing be done to discourage them as they are trying to save the ranks of the workingmen from the red devilry that threatens within and without, it is a call that this Congress and the country ought to honor. [Applause.]

No man of wealth is prepared to catch this vision and interpret it in terms of every-day application who has not at some time in his life known how it feels to be both hungry and tired; and no man whom we count in the ranks of labor is capable of interpreting this vision to both the inspiration and the restraint of his comrades in this critical and anxious hour who begrudges the success that has come to his employer through the dedication of intelligent energy and honest purpose.

It is not in denunciation but in counsel, not in suspicion and ferocity but faith and fellowship between each other, that peace and victory will come; and if we give proper encouragement to the workingman in his organization we will help to save him from going astray, and in the spirit of Christian duty and God-fearing fellowship we find the hope of labor, the hope of capital, the hope of America, and the hope of mankind. [Applause.]

Mr. WOOD of Indiana. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. SCHALL].

Mr. SCHALL. Mr. Chairman, so many diverse inquiries have come to me asking the attitude of the Rules Committee upon the Sterling-Graham sedition bills and protesting against this departure from our traditions that it is impossible to answer them all, and I am moved to make a statement.

I am satisfied that this body would not pass them in their present condition. Still there are well-intentioned men who honestly believe that by shutting off fanatics who preach destruction they would be doing away with class hatred and the arousing of it, but in my opinion they would provoke the very condition they seek to remedy.

I am not in sympathy with sabotage, syndicalism, or the anarchistic movement. But I am not content that no change of our Government can be advocated. I am a Republican—a Progressive Republican, a Lincoln Republican, a Roosevelt-Johnson Republican—who glories in the American ideals and traditions and who believes in the Constitution and insists that any change in these guaranteed constitutional rights shall be made in the orderly way prescribed.

Article I of the amendments to the Constitution says:

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievance.

But I maintain that the Constitution is not so sacred an instrument that it becomes our master instead of our servant, that it can not be revised and amended to fit progress. If parties will not keep up with the thought of the masses, if the dreams of the ages can not come true, we should be worse than the Egyptian, who was in love with death and had ever in the chair of honor at his banquet board a skeleton.

The grinning death's-head of the past can not, must not, be the arbiter of the future. The past can not chain us to the tenth century, can not bury us in the sepulchers of feudal Europe. And the conditions that prevailed 142 years ago—before the inventive era—might very easily be out of harmony and should not bind us to-day, should not chain us to any part of the Constitution that has become obsolete. And the wise founders of our country fended against the racking of other Galileos, who might assert, "The world moves, the world moves," when in their Declaration of Independence, they said, "to secure the rights of life, liberty, and the pursuit of happiness, * * * governments are instituted, deriving their just powers from the consent of the governed. Whenever any form of government becomes destructive of these ends it is the right of the people to alter or abolish it and to institute new government."

This proposed law, if closely construed, would bar from the mails our Declaration of Independence.

Friction of ideas creates the power that drives the engine of progress, and free discussion is its safety valve.

It is in the very conflict of opinion of men and of parties wherein lies the secret of American strength, American success, and American education. America, born in travail, baptized in the blood of patriots, reared amid privation and hardship, mastering civil dissension, breathing forth love of humanity, in its fight for the liberation of peoples and "the safety of democracy," to-day lifts its conquering head, the Hercules of the nations.

The struggle and example to the world of America has always been for liberty. As a nation aids or retards liberty, so is it blessed or cursed by the judgment of time. Ancient nations fought for territory and for glory. Alexander the Great for universal empire. Attila, the scourge of God, for plunder. Hannibal for vengeance and to fulfill a vow taken at the sacred altar. Cromwell for fanaticism. The French revolutionists for anarchy. America fought, and is still fighting, for liberty. [Applause.]

About 40 republics have followed our example of government. The shot fired at Lexington was heard round the world. It was heard in Holland; it was heard in France; it was heard in Italy; it was heard in England; it was heard in Switzerland; it was heard in Germany; it was heard in China; and there is no land where its influence has not been felt. France has sung the Marseillaise and waded through blood to her disenthrallment. Italy, dismembered and tempest-tossed through centuries, through our example, now ordains her laws under a monarch of her choice. England, through our influence, has advanced with hesitating step to the amelioration of her less-favored classes.

The trained lightning flashes the lessons of our civilization to the home of the Pyramids. The land of the heathen has our teachers in its desolate places, and the great orb of day sets not upon the boundless triumphs and influences of America among the nations.

Free speech, free press, free discussion, free religion have made the United States the vanguard of liberty. Builded by a century and a half of patriotic toil, it covers its wounds with the noblest achievements for the rights of man. It is not perfect in the administration of its vast and responsible powers. But when was it so? When shall it be so? No human work is perfect. No government in all the past has been without its misshaped ends; and few, indeed, have survived three generations without revolution. We would be more than mortal if our history did not present much that we would be glad to efface. We should be unlike all great peoples of the earth if we did not mark the ebb and flow of public virtue and the consequent struggles between the good and evil elements of a society in which freedom is at times debased to license. We have had seasons of war and of peace. We have had tidal waves of passion, with their sweeping demoralization. We have enlisted the national pride in the perilous line of conquest and vindicated it by the beneficent fruits of civilization. We have had the tempests of aggression and profound calm. We have revolutionized the policy of the Government through the bitter conflicts of opposing opinions and it has been strengthened by its trials. We have had the fruits of national struggles transferred to the vanquished without a shade of violence. We have invoked the extreme power of impeachment in the midst of intensest political strife, and its judgment has been patriotically obeyed. We have had fraternal war, with its terrible bereavements and destruction, where the skies darkened, where the wind rose, and the storm of angry popular feeling burst in all its fury; when the wild elements of disorder hissed and seethed in maddened turmoil, and the Republic reeled and rocked in the storm of the greatest civil strife the world has ever known; when we stood upon the brink of destruction and, looking into the abyss of the future, saw the world without an America.

For four long years the battle fronts crashed in conflict and the red tide of carnage swayed to and fro. But the end came at last, and out of the havoc and wreck of battle arose that titanic figure, Gen. Grant, who extended his hand to Gen. Lee, and said, "Let us have peace." And America was again America. And born of such a strife, when sedition was a fact, are the laws that are now upon our statute books. They have stood the test of such a time and have played their part in making our Government the example of the world.

We have completed the circle of national perils, and the virtue and intelligence and good sense of the people have ever been the safety of the Republic, and have thereby proven that the safety of our great Republic, the greatest Government in the world, lies not in its growth alone, for nations have sunk of their own ponderous weight. Not in her armies and navies, for Rome scarce knew defeat in battle, yet lives to-day but in the annals of history. It was the suppression of free speech that overthrew Rome. Not in the perfection of her laws, for laws when suppressive will be disregarded, and disregarded law is poison, eats away the very pillars on which rests the temple of liberty, undermines our independence, and stands like an evil spirit behind the Stars and Stripes, ready to strike when the moment shall come the emblem of liberty to the earth and hoist in its place the black flag of anarchy.

The safety of our Republic lies in her free institutions, in free speech, free press, and our public schools, from whose towers the Stars and Stripes proclaim the spirit of our coming men. [Applause.]

Why make laws for sedition when we have laws sufficient on our statute books? By the addition of the words "proposes" and "urges" before "incites," the "one-man act," so called—section 5334—would, in my opinion, be sufficiently strengthened to take care of any contingency. The other section, the two-man act—section 5336—is admittedly sufficient as it is. We have recently provided adequate law to deal with aliens. This bill is aimed at Americans. Ship the aliens out of the country and hang the American who is too free with his opinion!

We have downed kaiserism and imperialism and militarism over there only to try to foster it over here by the introduction of such measures as these sedition bills. I am not pleading the cause of the radical, but the cause of the Republic, its traditions, its principles. Even Germany under Bismarck could not stand such ordinances. A law was passed against being a socialist. It made socialists by the thousand, till their party grew so powerful that they caused its repeal.

James I of England said of the Puritans, "I will make them conform or I will harry them out of the country." But the outcome of his oppressive efforts was a Puritan Party, of strength sufficient "in 50 years to deliver up James's son to the executioner."

The Federalist Party fathered such a bill and it proved its death knell.

The Sterling and Graham bills or the Attorney General's bill, in the form in which it comes before the Rules Committee, in my opinion is bristling with iniquity, is unconstitutional, is a possible instrument for the greatest tyranny, and carries extreme and cruel punishment. From abridgement of speech, press, petition, and assembly, which abridgement is expressly forbidden by the Constitution, it is but a step to the everlasting "verboten" of kaiserism. With its death penalty for a radical opinion, it takes us back to hanging and burning for witchcraft. It makes a mock of our war for democracy.

It is a vicious bill in principle. It would foster an intolerable spy system and unlawful interference with individual liberty.

This proposed law insidiously interweaves what is crime with what is not crime, so that it enmeshes within its toils the users of force against the Government with those who advocate a change of law or criticize public officials, measures, or law. It would terrorize and intimidate the weak in their effort to ameliorate their condition, while it would be a screen for the outrageous profiteer to hide his gains behind and the official who disregards or slights the law to shield himself withal.

It opens the way for the surveillance of mail by the Postmaster General, which, in the hands of a petty minded official, becomes an instrument of unbearable tyranny.

Without due process of law one man has it in his discretion to bar a paper or a publication. It is not in accord with our institutions that one man shall be legislative, judicial, and executive all at once as to another's guilt or innocence without a trial and a hearing. The question as to whether a publication should or should not be barred from the mails does not enter into this at all. The objectionable feature is its centering in one man this autocratic and unusual power. It makes an implement for political use of the worst and most deplorable kind. We are a Government of law, not of men.

You can not suppress political discussion and preserve the health of the body politic. Fumes poured into the open diffuse themselves and pass harmlessly away. Part of the present unrest is due to the necessary restraint during the war. Now we are at peace. Our business is to remove the cause for unrest. If these bills were too drastic for war times, then what immense proportions do they assume for peace time? Bottle up an idea, shoot it, martyr it, and you increase it a thousandfold. That is human nature. That is history.

Truth need not fear the light. It is only untruth and half truth that gather strength from darkness. America has existed lo these many years and has not fallen, despite the many criticisms and attacks made against her and the changes advocated or instituted. Arguments must be met, not suppressed. There is no inherent danger in argument. Our sturdy Americanism is in less danger from diseased European ideas than if, through hysteria, the servants of the people should be coerced into fastening upon them this un-American thing that in the hands of stupid and petty tyrants would reduce us to the state of Germany and Russia before the terror.

Not so lurking and unheralded, but far more deadly and disastrous a maelstrom menaces us to-day than the maelstrom of 1914. Unrest from deep-seated causes shudders over the country in convulsive waves. Here it takes the form of a lynching mob not satisfied with one victim and trying to hang their mayor. In another place it sweeps out in a riot, where murder ensues, the wrong man is hung, and false reports spread class hatred. Class hatred is the ugly visaged monster we are due to meet. There is a bullheaded blindness about the ones who hold the reins that recalls the saying, "Whom the gods wish to destroy they first make mad."

First of all, the country has been flogged into an hysteria by impostures of false patriotism, by self-constituted guardians, who wrap the flag about them, question the patriotism of others, and put them to the proof. There is an irritating quality to their loyalty that insists on being noticed and is incapable of taking for granted what has always been a sterling and integral part of every American, born and adopted—that love for our native land and our flag that goes without saying, that brooks no insult and is eager to avenge. Unwisdom and unnecessary harshness characterized the whole period. Now, when the air is pregnant with danger, when the clash of interests has been so intensified by the universal greed and selfishness of the profiteer, this bill comes a sinister menace to the sufferers from industrial unrest and to provoke strife and discontent.

It behooves the powers that be to take counsel, to temper their judgments with common sense, and not by senseless oppression of those who do not deserve it or do not come within the intent of their project render the conflagration imminent.

The patience of the people is strained to the breaking point. Profiteering is going on everywhere. Laws made to curb it are set aside at will by Cabinet heads and administration agents. Regulations are a farce. Fair-price committees are an excuse for establishing not lower but always higher prices. Excess-profits taxes, instead of helping bear the vast burden of war expenditure and lifting some of the weight from the shoulders of the masses, are only made the excuse for tremendous orgies of expenditures by every big and little profiteer in the country. Firms who never advertised before take whole pages of expensive advertising. They charge it up to the consumer anyway, and then a smaller profit shows. One firm even bought a great daily newspaper with the purpose of wrecking it because it was a competitor. They feel that now is the time to get rid of competitors and to advertise and build for the future, all at Uncle Sam's and the consumers' expense. Anything to beat the Government out of the hated excess-profits tax. The cruel circle of higher prices, higher wages, goes whirling madly on, to the betterment of no one and to the bewilderment of the poor purchasing class who have lost all hope of relief. Instead of legislation aimed at existing abuses comes this bill which would cure unrest with hangman's nooses. Instead of removing the cause, it seeks to curb the result. Department heads and the class in this country who favor this legislation are wont to question, thwart, and oppose the will of the majority.

To these the mass of the people is an unwashed rabble, filthy, ignorant, without honor or substantiality; unfit to judge what they want or what is good for them, let alone to govern themselves. They must be ruled, these think, only by and through the superior few. Exploiting the herd they consider imperative to the success of business. They can only conceive of labor as a gang corruptible to their purposes, useful only when it toils, and not entitled to reach above for greater opportunity lest they, the finely bred, the dainty, the exquisite in food and dress and living, be run over and bitten by these creatures, these swarms of ants. They who seek to create caste are the ones responsible for the hatred, the antagonism, which has been fed, fostered, multiplied by the injustice and ill-treatment they perpetrate.

The hateful force has been there long, and they who called it into existence will have to face and answer it. They have had chance after chance to read the handwriting on the wall. But instead of learning wisdom and moderation they only seek at every opportunity to force reaction; rivet cast-off shackles on limbs that have outgrown them. They have within their hands the power, the means, to work out our salvation.

If, by larger visioned response to tortured humanity, they would lighten instead of pile up the unbearable burdens of the masses, where would then be the unrest? But the only answer they make to the ever-increasing rumble of the approaching storm is higher prices, and higher, and yet higher. And now they want a law to hang any American that criticizes them or their puppets in authority.

It must be the strong, whole-souled American spirit, with its honesty, order, and intelligence, that will leaven and sweeten the whole mass. We do not want the dictatorship of the capitalist; we do not want the dictatorship of the proletariat; we do not want the dictatorship of anyone. We want the will of the majority and laws that will give opportunity for all.

The solid body of the people will not permit such yokes to be fastened upon them. They will not be confused, on the one hand, by the glittering specious promises of the agitator, nor, on the other, to be stampeded by the intimidation of the pseudo-patriotic foes of our free American institutions, but will hold steadfast to the course which destiny has intrusted to them.

The liberties of America, the right of free press, free speech, free assemblage, and free religion, the props and pillars of our democracy, are in the balance. You can not tamper with one of our liberties without jeopardizing all the others. They are too indissolubly intertwined.

The battle for democracy is never won. It goes on forever. The Magna Charta of our liberties will be wrested from our grasp if we do not guard it with constant vigilance. It is for us to keep our sanity, nor be excited or frighted by scarehead propaganda. "'Tis but the eye of childhood that fears a painted devil." Because the waves of feeling roll higher to-day than they did in similar period of unrest in history, greater temperance and moderation are imperative.

Americanism must save us.

Our Government is the servant of the people, not the people the servants of the Government. If it is right to say wise things, who shall decide what are unwise things? When truth and error grapple in an open, fair fight, who can doubt the result? Our constitutional birthright is free speech, free press, free religion, right of assembly, and petition of grievances. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. FESS having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on February 19, 1920, approved and signed bill of the following title:

H. R. 3620. An act to authorize the Commissioner of Navigation to change the names of vessels.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The committee resumed its session.

Mr. WOOD of Indiana. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, on Monday, under suspension of the rules, the House passed H. R. 12507, a bill to authorize the Secretary of War to transfer certain surplus motor-propelled vehicles and motor equipment and road-making material to various services and departments of the Government and for the use of the States. For some time it has been thought by a good many Members of Congress, which thought I shared, that there was a very considerable amount of road-making machinery in the

hands of the War Department that would be available for road-making purposes by the various road departments of the States of the Union. I, in my work on the Expenditures Committee, together with my colleagues, have been to various ordnance establishments over the country and there we have seen at various places large amounts of machinery that might be available for that particular purpose, and I thought that there was a good deal of it to be had for that purpose. I know that the road departments of the various States are depending largely upon this source of road-working material for the next year. Some of the leaders of the majority side I am informed have been trying for some time to ascertain how much of this material there was. Only last week I was in conference with Mr. McKENZIE, at that time working on the bill in the absence of Mr. KAHN, on this bill, and, as a result of that conference, I addressed a communication to the War Department asking that they give me in detail for use on Monday last information as to how much of this material there was. As is usual in such matters there was great delay in answering and I did not get an answer until day before yesterday, after the bill had passed the House, and on that occasion I got the following communication from the Secretary of War:

WAR DEPARTMENT,
Washington, February 17, 1920.

Hon. W. J. GRAHAM,
Chairman Select Committee on Expenditures in the War Department, Washington, D. C.

SIR: As requested in your letter of February 12, I am attaching hereto an itemized list showing all the items called for in H. R. 9412 in connection with the transfer of surplus material to the Department of Agriculture for the Bureau of Public Roads.

I would call your particular attention to the fact that the figures given are as reported in the latest inventory from the various bureaus and operating services of the War Department. Sales of this material are being made continually, and from time to time additional surplus is reported.

I believe the attached statement will give you the information desired.

Respectfully, NEWTON D. BAKER,
Secretary of War.

H. R. 9412 was a former bill that was rewritten as H. R. 12507.

Statement showing the total amount of material surplus as shown by the latest commodity statements of surplus issued and forwarded to the office of the Director of Sales by Ordnance Salvage Board of the Ordnance Department, December 25, 1919; Surplus Property Division of P. S. & T., December 31, 1919; the Air Service, November 30, 1919; the Signal Corps, January 31, 1920; the Chemical Warfare Service, January 31, 1920, of the items which would be turned over to the Department of Agriculture, as provided for in House resolution No. 9412. Quantities given herewith are not permanent, as sales are continually being made on this material, withdrawals from surplus to meet any requirements are being made, and additional quantities are constantly being declared surplus, all of which change these totals from day to day. The entire list of items as provided in House resolution No. 9412 are listed herewith, and where there is no surplus the word "none" is written.

Now, I would like to have you give your attention to this list. It impressed me as so remarkable that I could hardly realize the facts presented by this communication, even after I got it and looked at it.

Air compressor, outfits with power	174
Blasting machines	None.
Boilers	136
Bridge material, fabricated	None.
Buckets, clamshell	None.
Buckets, orange peel	1
Cable, hoisting	None.
Conveyors, gravity	None.
Conveyors, power	None.
Cranes	48
Crushers, rock	1
Culverts, corrugated metal	None.
Derricks	42
Drafting machines	None.
Drill outfits, air	None.
Drill outfits, steam	43
Engines, donkey	None.
Engines, hoisting	1
Excavators, caterpillar	3
Excavators, drag-line	None.
Exploders	1,680
Explosives	None.

Although there are in the warehouses of the country to-day hundreds of tons of T. N. T. and other explosives which might be used, still this list which the Secretary sends me shows that there are no explosives available.

Graders, road		22
Hose, air	feet	5,000
Hose, rubber	do	12,486
Hose, steam		None.
Levels, engineer		None.
Loaders, wagon		5
Mixers, concrete		52
Oilers, road		None.
Pile driver outfits, complete		None.
Pipe, iron	feet	1,616,378
Pipe, steel		None.
Planimeters		None.
Plants, asphalt		None.
Plants, screening		None.
Plows		3
Pumps, centrifugal, with power		None.
Pumps, diaphragm, with power		None.
Railroad equipment, industrial	Small quantity, miscellaneous.	
Roofing, corrugated metal		None.
Road rollers		None.
Scarifiers, road		None.
Scrapers, drag, fresno, wheel		3
Shovels, steam		None.
Stump pullers		None.
Tapes and similar supplies and equipment		64
Trailers		101
Transits, engineers'		None.
Wagons, dump		20
Wagons, sprinkling		70
Wagons and similar equipment, and supplies, such as are directly used for road-building purposes		4,783
Wheelbarrows		474

Now, gentlemen, you will observe that in this list, which includes, I believe, all the articles that are named in the House bill that we passed, aside from the item of wagons, of which there are about 4,700, there is hardly enough of material for the needs of any one State in the Union. Now, in view of the general understanding that we all had that there was a great mass of this material, in view of the knowledge that we had that in almost every industrial plant of the country where the Ordnance and Construction Divisions were doing business they acquired a large number of these materials, the question arises in the mind of any man as to what became of the material.

There are only two things that could happen. One is that these articles have not been declared surplus by the War Department, and the other is that they have been disposed of in some way. I do not know whether the Members are familiar with the method that is pursued in declaring machinery or other articles surplus. It is this in brief: The General Staff has provided a mechanism in the War Department by which they decide on a certain program, and they say how many of a certain kind of thing must be kept for the needs of the Army which they are planning upon, and then before anything can be sold the salvage department or sales department must refer the matter back to the procurement division and have them O. K. it before it goes through. So that ultimately the War Department agency that sells this material must have the consent of the official who bought it, and in that way, if those who originally purchased it had any tacit or implied understanding with the manufacturer that this stuff was not to go back on the market, of course they can stop the sale of it by withholding their assent to having it declared surplus. In some cases I am satisfied this private arrangement existed. In my judgment, there is an immense mass of stuff in the country in these establishments that ought to be declared surplus, but it has not been done. And I think it entirely fitting and proper that some action be taken by the Committee on Military Affairs of this House, that has jurisdiction over that matter, by which some affirmative action may be taken requiring the War Department to give to the Congress an inventory of the amount of this kind of stuff they have in the country, so that Congress can determine for itself whether it is advisable to keep all of it off of the market and in these various establishments. But that is not the whole answer to the proposition. A lot of it has been frittered away and gotten rid of with very little financial return to the Government.

Some time ago I made a few remarks in the House with reference to Nitro, W. Va. I do not want to burden you with that thing, but I want to call your attention to what we discovered when we went out there as to this kind of machinery. You will remember that plant cost us $70,000,000 in cash. We sold it recently for $8,550,000 to a number of Charleston gentlemen who are holding it, I assume, for the purpose of investment and speculation.

Mr. KEARNS. Will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. KEARNS. Has the land on which this plant was constructed been paid for?

Mr. GRAHAM of Illinois. Not entirely; we have not title to a part of it yet.

Mr. KEARNS. It was taken from a number of farmers there?

Mr. GRAHAM of Illinois. Yes.

Mr. KEARNS. Have any of them received any money at all for those farms?

Mr. GRAHAM of Illinois. Some of them have, but as yet the Government has not title to several tracts on that reservation, unless it has been acquired very recently.

Mr. KEARNS. I will say to the gentleman that in the Anchor nitrate plant, located near Cincinnati, they took 1,800 acres, and none of those men have received a cent.

Mr. GRAHAM of Illinois. I may say, just in brief, about that Anchor business, that in my judgment there are ample funds in the hands of the War Department available out of which the people who gave the land at the Anchor plant can be recompensed. There is general law for that, without any independent legislation. There are funds there to pay them, and they ought to be paid, and the only reason they are not paid is that the War Department does not pay them.

Mr. KEARNS. Why do they not?

Mr. GRAHAM of Illinois. I do not know.

Now, let me tell you of the plant at Nitro. They sold that plant for $8,550,000, payable in installments in about 10 years. Only about $350,000 in cash has been received by the Government. There was over $9,000,000 of inventoried property there when the sale was undertaken. In addition to the $9,000,000 worth, approximately, of property, there was conveyed in that sale to these gentlemen a lot of machinery, such as in discussion here, and they have it now. I have here a list of contractors' equipment, quite a large pamphlet, that has a large list of this road-working machinery. This is a list of what we conveyed to these gentlemen at Nitro, W. Va.:

4 back fillers; immense number of parts.
Blasting equipment—3 batteries, large number of caps, large amount of fuze, 10 boxes dynamite, 140 kegs black powder.
27 clamshell buckets; large number of parts.
115 carts.
Large amount concrete tower equipment.
16 crabs and winches.
14 cranes and immense number parts.
35 derricks and immense number parts.
3 Gin. poles.
4 graders.
10 tar and pitch heaters.
183 hoes.
69 hods.
28 scaffold hooks.
30 hoists and large number parts.
210 ladders.
7 loaders and immense number parts.
45 concrete mixers and immense number parts.
6 mortar mixers and immense number parts.
Large amount pile-driver equipment.
51 plows and large number parts.
2 windlasses.
1,238 wheelbarrows.
1,432 trench braces.
1 trenching machine; immense number parts.
1 posthole digging machine and parts.
2 rock crushers and large amount equipment.
8 road machines.
47 rollers.
1 road gauge.
168 scrapers.
96 slings.
1 steam shovel and large number parts.
4 street sweepers.
143 concrete tampers.
38 tractors, mostly caterpillar, and immense number parts.
Large number motor parts.

These hoists above referred to had engines attached to them. Most of the tractors mentioned are caterpillar tractors of the most recent type.

Now, gentlemen, all these things were conveyed in that one sale where these gentlemen at Charleston bought this plant, and I am advised from the best sources of information that most of these other ordnance establishments around over the country that are being disposed of are having lumped in with the other equipment an immense amount of this road-making machinery, that is being given away practically for nothing, while the States of the Union are expecting Congress to provide for them by letting them have this machinery. When we come to the place where the law has been finally passed through the Congress we will find that there is nothing to give under it.

Mr. GOODYKOONTZ. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. GOODYKOONTZ. Is it not a fact that whereas the War Department has sold this immense plant and property for about $7,000,000 they are still keeping on hand down there numerous governmental employees, and that one of these employees is drawing a salary of $50,000 a year?

Mr. GRAHAM of Illinois. The manager for the Charleston Improvement Co., a man who before he was employed there was working for the Red Cross for nothing, as I remember, is now getting $50,000 a year to run that institution. They are acting as the agents of the Government in the disposal of the plant, and I assume that ultimately the Congress will find that the $50,000 a year is taken out of the expenses of conducting the sale of that property down there.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SISSON. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. CONNALLY].

The CHAIRMAN. The gentleman from Texas is recognized for 15 minutes.

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, I was very much amused by the remarks just made by the gentleman from Illinois [Mr. GRAHAM], chairman of the Committee to Investigate Expenditures in the War Department. I was very much impressed by the information which he conveyed to this House. That information consisted principally of propounding questions to the House as to things that he supposed were transpiring in the War Department about which he said he had no information. Gentlemen on his side of the House for many, many months have been clamoring because it was said that the War Department had on hand great masses of all kinds of material which ought to be disposed of and turned back into the useful lines of commerce. They have been demanding by resolutions that the Secretary of War be required to sell such products, and after the resolutions have been adopted and the Secretary of War is notified that such articles must be disposed of the gentleman from Illinois comes back into the House and makes a complaint here because the Secretary of War has on hand so few of the very articles which he and his committee have been declaring should have been disposed of. They have been denouncing the Secretary of War for his neglect in not selling supplies and now condemn him for having on hand too little.

I would like to say to the gentleman from Illinois that if he really wants to serve the Government of the United States, I would suggest to him that his committee, clothed as it is with extraordinary powers, would do well to summon witnesses, to compel their attendance, to produce books and papers; that his committee will better serve its purpose if they busy themselves with finding out some of the things that he is always inquiring about on the floor of this House. If the gentleman from Illinois and some of his colleagues would exhibit the same zeal in really finding out facts that they exhibit in their orations upon the floor of this House and in their interviews in the public press, if they will talk more with witnesses and less with reporters and political press agents, the gentleman from Illinois, instead of coming on the floor of this House and making inquiries and propounding interrogatories to us, would be able to impart to this House some information.

I, for one, as a Democrat on this side of the House, earnestly and sincerely hope that if the committee investigating war expenditures find any crookedness, any criminality, or wrongdoing in the War Department, the committee will report the facts to the district attorneys throughout the land and to the Federal grand juries, and that they will pillory at the bar of public opinion those who are guilty of that wrongdoing. But I want to suggest to the gentleman from Illinois that no useful purpose can be subserved by coming on the floor of this House from day to day simply finding fault, or rather making reports without suggesting action, as the gentleman's committee did some time ago; that such action can serve no purpose except to inflame those minds who are abroad in the land who are already preaching that the Government has done all the things that are wrong, and that this existing system of ours is topsy-turvy and is ready for an industrial or social revolution.

Of course, gentlemen of the minority and the majority both well know that in the prosecution of a great war waste is inevitable. There can be no escape from extravagance when a great, busy agricultural and industrial people turn their activities from the ways of peace into creating a great war machine. When we lay aside our usual occupations and, under the press of necessity and under the spur of hurry and of speed, divert our activities into making war machines, of course there is going to be waste and extravagance and inefficiency. And I want to say to the gentlemen on that side that that is not a condition that is unusual or peculiar to the war that has just come to an end. Even during the war for our independence such was the case; it was so during the Civil War, and in a lesser degree it was so during the Spanish-American War. Those conditions existed. But as the result of this Great War we hear now, throughout the land, talk of unrest, social unrest, industrial unrest.

I do not believe that we are in any danger of any serious disruption of our political or social system. We hear people talking about social revolution, and repressive measures are suggested as a remedy. I am not alarmed by that. I do not believe that we are going to have revolution. If anybody contemplates revolution let them start something, and the American people and the American Government will take care of that situation

when it arises in a manner that will leave no doubt that the United States is an unhealthy place for anarchy. I believe it is all talk and buncombe. But I do want to suggest that reports and statements of the character made by the gentleman from Illinois a little while ago are not calculated to reduce the tension under which the people of the United States are now laboring. I am not hostile to the gentleman or to his committee. I trust that they will go out and find out something, and if anybody has violated the law, prosecute them.

If any crooked work has been done over at Nitro, W. Va., for God's sake go to the grand juries and tell them about it. I assume the sale of the property at Nitro, about which the gentleman complains so loudly, was conducted in accordance with law. I assume the property was advertised for sale. I assume everybody had an opportunity to bid on it. I know nothing about the proposition; but if anything is wrong about it I challenge the gentleman's committee to take those steps which are provided by law for the bringing of the guilty parties to justice. The assumptions of legality and regularity always exist until overcome by contrary proof. The gentleman's committee was appointed to secure such contrary proof, if it exists. Gentlemen on that side would have complained bitterly if the plant had not been sold. Now that it has been contracted for sale they are equally displeased at the sale.

Mr. KEARNS. Will the gentleman yield?

Mr. CONNALLY. I yield to the gentleman from Ohio.

Mr. KEARNS. What I was complaining about was that the people who owned this land in West Virginia and Ohio for these two nitrate plants had their land taken from them. They were forced to move from the land, and they have never received any money for it. That is what I was complaining about. Does the gentleman know why they have not received any compensation for the crops that were destroyed and for the lands that were taken?

Mr. CONNALLY. I do not know why, in the particular cases, but I will say to the gentleman from Ohio that if any of them resided in my State or district I should find out about it. I have had no occasion to investigate that situation, but if the gentleman from Ohio can not find out the information I commend him most heartily to the gentleman from Illinois [Mr. GRAHAM], who has at his command an instrumentality for bringing even the Secretary of War before his committee and putting him on the stand and asking him, "Why have not you paid those people out in Ohio and West Virginia for their land?" The gentleman well knows that under the Constitution those citizens are guaranteed compensation for whatever of their property may have been taken from them by the Government.

Mr. KEARNS. I have asked the Secretary of War about this some half dozen times in the last year, and the Secretary of War has never told me how any of them can get their money.

Mr. CONNALLY. I will tell the gentleman that one reason why they have been delayed so long in getting their money is that the gentleman's party on this floor last May, the moment it got into power, was so afraid that the Secretary of War would do something wrong that it passed through this House an amendment to an appropriation bill providing that no portion of money theretofore appropriated in the various appropriation bills then in force should be used by the Secretary of War in payment for land or for camp sites and things of that kind; and, while I do not know the particular facts in the case which he is inquiring about, I will say to the gentleman from Ohio that if he will investigate the matter, no doubt, he will find that that alone was an insuperable impediment to whatever action the Secretary of War might otherwise have taken.

Mr. KEARNS. I will grant that the Republican Party was responsible for that part of it.

Mr. CONNALLY. All right.

Mr. KEARNS. But the Secretary of War and the Democratic Party were responsible for the other class of claims, those of tenants who were raising crops on this land—as we call it, on shares, getting a part of the crop. This crop was taken from those tenants—not the land, but the crop.

Mr. CONNALLY. I understand.

Mr. KEARNS. And they have never received as much as a nickel. How can the gentleman excuse the Secretary of War for that?

Mr. CONNALLY. The gentleman from Ohio should go down to the War Department. If he will do that he will find, as a part of that organization, a number of claims boards whose duty it is to adjust claims of that character. Within the very recent past I have had occasion to inquire about claims pertaining to another Army camp, and I found those claims were in the course of liquidation, and that a great number of them had already been settled and paid.

Mr. KEARNS. But none of them at Anchor, Ohio, have been paid?

Mr. CONNALLY. I do not know about Anchor, Ohio. I do not know about those particular cases, but I would recommend to the citizens of Anchor that they ask their Congressman to go down and investigate those cases and bring them to the attention of the Secretary of War.

Mr. KEARNS. They have been brought to the attention of the Secretary of War a dozen times.

Mr. CONNALLY. I can not discuss any particular case, because I do not know the facts. It may be that those people out at Anchor, Ohio, want more for their property than they are entitled to receive.

Mr. KEARNS. No; they do not.

Mr. CONNALLY. It may be that their claims have not been presented in the manner required by the regulations of the War Department. I am not acquainted with the facts of the case, and can not, of course, answer as to them.

Mr. KEARNS. They have had three different investigations by officers sent from the War Department to this city to investigate those claims. On three different occasions the owners of this property—that is, of the crops that were taken—and the officers representing the War Department have agreed as to the amount that was due. The first agreement was a year ago. When the claims were presented the Secretary of War said he had no funds out of which to pay them.

Mr. CONNALLY. Of course the Secretary of War is not responsible for the lack of appropriations. That is the fault of Congress, of which the gentleman's party is in control. I would suggest to the gentleman from Ohio that if he has constituents whose claims have been adjudicated by the War Department and the amounts of those claims have been fixed, and the Secretary of War can not pay them because he has no funds, that the gentleman communicate with the steering committee on his side of the House and with the Committee on Appropriations and get an appropriation to pay these claims.

Mr. KEARNS. But we all know that he does have funds.

Mr. CONNALLY. Oh, well, I can not yield any further.

Mr. KEARNS. Just for this one statement.

Mr. CONNALLY. All right.

Mr. KEARNS. When the contract was made at Anchor for the furnishing of materials by some corporation, 50 per cent of the value of the property to be delivered was paid before it was ever delivered. Now, if the War Department can find money to pay for property before it is delivered, why can they not find money to pay for the land and the crops that they have taken?

Mr. CONNALLY. Of course, that is clear. Of course, after the Secretary has spent an appropriation he can replenish it from some unknown source! The gentleman can imagine that while he might have had an appropriation, he may have exhausted the appropriation in purchases or payment of claims. Because he paid out 50 per cent of it to somebody is no reason why he has got the other 50 per cent.

Mr. KEARNS. They are paying for property that is being delivered there to-day. They have found some money to pay for property.

Mr. CONNALLY. The gentleman from Ohio contradicts himself.

Mr. KEARNS. No; I do not.

Mr. CONNALLY. First he says they have not been paying for property, and now he says they are paying for it.

Mr. KEARNS. Property delivered to go into buildings and ordnance and other things delivered there.

Mr. CONNALLY. In reply to the gentleman I can not tell about the various claims in the War Department. Of course, different kinds of items are provided for in separate appropriations, and one fund may be exhausted while another still has a balance. I commend the gentleman to the gentleman from Illinois [Mr. GRAHAM], who has at his beck and call a committee with inquisitorial powers that can get the information which the gentleman desires. I trust that he will get accurate and correct information, and if he does he will find that the Secretary is ready to pay those claims which have been adjudicated, if he has funds. But I want to suggest the fact that the claimants in Ohio had to have three investigations before they were able to fix the amount, and that might be said to be one of the reasons why they have not been more promptly paid.

Mr. KEARNS. Each one of the investigators agreed that the farmers whose crop had been taken should have a certain amount.

Mr. CONNALLY. What made them send back twice three officers to settle the claims which had been settled by the first board?

Mr. KEARNS. I do not know; they rejected the first and second.

Mr. GARRETT. If the gentleman will yield, let me say that the reason that the claims have not been paid is that there was a provision put in the sundry civil bill, passed in the extra session of Congress, which in a way repealed prior legislation and prevented the War Department from paying these claims.

Mr. KEARNS. That was for the purchase of land—I am talking about the payment of these claimants for crops.

Mr. CONNALLY. I beg you gentlemen not to go away saying to yourselves that I am making a partisan speech. I am not. I trust that the committee will really find out the facts, will lay them before this House and before the American people, but I am awfully tired, as I am sure Members on that side are, of this eternal growling and grumbling about things which the committee does not seem to know much about. If there is anything wrong, for God's sake turn the light on and put the wrongdoers on the rack, but do not come here like a garrulous and quarrelsome old woman with the rheumatism, continually growling and whining about the War Department. You know, as I must know, that the War Department of this Government was called upon to perform a task which in its proportions was never equaled in the history of the world. [Applause.] You know it if you know anything. You know that the little organization we had in the way of an Army, with all of the immense expansion entailed by the emergency, with the inefficiency of civilians called from civil life to take up new duties, could not function perfectly and properly in every particular. I declare that the story of the War Department in that great struggle and its achievements reads like the moving chapters of an enchanted tale. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SISSON. I yield 10 minutes to the gentleman from Ohio [Mr. SHERWOOD].

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that my colleague [Mr. IRELAND] may have permission to extend his remarks.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent that his colleague [Mr. IRELAND] may have permission to extend his remarks. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Ohio [Mr. SHERWOOD] is recognized for 10 minutes.

Mr. SHERWOOD. Mr. Chairman, I wish to say just a few plain words on a subject that I consider of vital moment, and that is the question of some bonus for the soldiers of the World War. On the 9th of November, 1919, I introduced a bill to give a $500 bonus to these soldiers, and I understand a number of such bills have been introduced.

Shortly after that the American Legion met in national convention in Minneapolis, and they failed to indorse by official action any of these bills. There are in all four organizations of World War soldiers—the American Legion, the Private Soldiers and Sailors League, the Veterans' Legion, and the Rank and File. Later the national committee of the American Legion met at Indianapolis and changed the attitude—if they had the power to do so—of the former decision of the league. For this reason Congress is not to blame for the delay in considering relief legislation.

DO IT NOW.

Reports are now coming from all over the country—and I am getting letters from Maine to California—demanding a bonus. I do not know why they should write so many letters to me, probably because of the fact that at one time in my life I had the honor of being a soldier. I believe there is real merit in this claim for aid to our World War soldiers, and whatever is done ought to be done now.

After the Civil War, which was of four years' duration, in which we had from first to last 2,212,272 soldiers enlisted, the Government did nothing for our soldiers. I bear witness that in the Forty-third Congress, in the winter of 1873-74, Gen. James A. Garfield, then the chairman of the Committee on Appropriations, afterwards President of the United States, made an address on this floor, in which he stated that the total appropriation for pensions for the soldiers of the Civil War that year was only $26,000,000. We received no substantial recognition at all until 14 years after the war was over. This neglect imposed great hardships upon the discharged veterans.

I submit a letter which is a fair specimen of the letters I have received. It is in the Toledo Blade of February 18. This soldier saw real service overseas:

If the American Legion is not going to make a political issue of the mistreatment of soldiers, both in the service and after their return home, when they were insulted with the mere beggar's hand-out of $60, then I ask of what use is the American Legion? What is it organized for?

I served 23 months on 6 fronts, and was in 2 drives—Argonne and Ypres. I am not a crab, but wish to express my views, as I have the right to. Can any fair-thinking citizen say we received a fair deal? Had we 100 per cent efficiency in the management of the Government instead of about 40 per cent efficiency we could have received a much higher bonus, and it would have cost the Government much less to prosecute the war at that.

I see many of our boys are still wearing their uniforms. Probably have never since they got home had money enough to buy a suit. One big trouble is that the people can't visualize what soldiers went through in the war. If they could understand, they would hang their heads in shame at the measly $60 we were presented upon our return.

REDUCE THE ARMY TO A PEACE BASIS.

According to reports the Military Affairs Committee of the House has provided for a Regular Army in time of peace of 250,000 men and about 18,000 officers. This is the largest army ever before organized in peace times. Why not reduce this Army of wasteful idlers to a rational military force and give to our victorious soldiers a substantial relief measure? That will not only show the Nation's gratitude, but will appeal in duty and justice to every patriotic citizen. If Congress will reduce our Regular Army to a sensible peace basis, we can then give to every honorably discharged soldier of the World War a bonus of $500 without increasing one dollar the aggregate appropriation for the Army and Navy, as now proposed by the Military and Naval Committees of the House and Senate.

WHY UNIVERSAL MILITARY TRAINING?

All lovers of peace will regret in sorrow that the important Military Committee of the House of Representatives has indorsed in the Army bill, by a vote of 11 to 9, a provision for universal military training. According to the estimate made by the leader on the Republican side of the House, we are liable to squander $900,000,000 on this worse than useless project at a time when there is a universal demand for production of the necessaries of life in order to reduce the high cost of living. Taking the farmers' boys away from the fields, the laborers from the shops, and the miners from the mines in order to build up a military autocracy in this country is criminal idiocy. All this in imitation of the deposed German Kaiser and the imperialistic monarchies of the Old World.

LINCOLN'S VIEW OF MILITARISM.

The stars never looked down upon a more deplorable spectacle than Europe presents to-day. And the country that inaugurated universal military training and a universal preparedness for war—the German Empire—is realizing in universal ruin the inevitable result of imperialism and militarism—twin devils of greed and brutality. And shall the United States imitate the fatal mistakes of the former German Kaiser? Every patriotic American with brains enough to think says "No." Shall our stalwart young men be taken from the peaceful pursuits of profitable industry and have their well-directed energy and ambition turned into destructive pursuits? In the language of Abraham Lincoln, fix their plastic minds "upon the exceeding brightness of military glory; that attractive rainbow that rises in showers of blood; that serpent's eye that charms to destroy."

Restored production is absolutely essential to normal economic conditions. Hence to take our stalwart young men from the farms and shops and mines to join the great array of nonproducers and idlers, now in the nonproducing class, and add $900,000,000 burden to the bent backs of the taxpayers is an utterly indefensible policy.

WHY PREPARE FOR WAR?

Why is it to-day, when we are at peace with all the world and burdened by a national debt that staggers belief, that we should again prepare for war? How utterly idiotic is the idea that any foreign European nation, exhausted in fighting men, with business and industry paralyzed, loaded down with a debt that can not be paid, with its lands filled with millions of widows and five times as many fatherless children, with 6,000,000 maimed and crippled soldiers—legless, armless, sightless, and insane—who have escaped from the damp pity of the trenches and lurid hell of battle, are going to make an impossible crossing of 4,000 miles of ocean with an army that is impossible to equip or transport and attack 120,000,000 people of the United States between whom there is no quarrel.

JEFFERSONIAN DEMOCRACY COMMENDED.

The hour is due to strike the death knell of militarism and imperialism. The hour has come to call back the Republic of our fathers to its own. The hour is at hand to cast off the greed of empire and return once more to the plain simplicity of Jeffersonian democracy. Let us hope and pray that in this epoch-making year a second Jefferson will arise, inspired with the same irrepressible genius of democracy, and redeem this Nation from imperialism and militarism and vampirism now sucking drop by drop the lifeblood of a great, brave, patient people.

RECOMMENDS OLD-AGE PENSIONS.

The uppermost and most vital question before Congress to-day is how best to deal with the acute conflicts between capital and labor and to appease the general unrest. In my judgment an old-age pension law, while not a sovereign remedy, would prove a valuable aid.

I introduced an "old age" pension bill in January, 1916, and have reintroduced this bill in this Congress. The United States is the only great country around the world, except Russia, that has failed to enact legislation for the care and comfort of its worn-out workers. The men and women of the shops, mines, and farms, who produce all our wealth and who have made this the richest Nation around the world, are treated with total indifference after their working days are over and turned out to frostbitten grass and cold neglect like a worn-out dray horse. And yet our orators and statesmen call this the only great Republic on earth, where the people—the plain people, if you please—have the rule and destiny of the Republic in their keeping. Nothing would do such valuable service in healing the constant conflicts between capital and labor as a system of old-age pensions, such as an English Province, under an English King, inaugurated way out on the broad Pacific Ocean. Not only would this benign alleviation of the woes of the workers heal the antagonism now so apparent in labor strikes, but it would be an inspiration of patriotism to every worthy worker in the United States. Our flag would then be a hope and a symbol of helpfulness, saying to every son of toil be true, be faithful to your trust, and when old age comes on apace this flag with the shining stars will be your protector and a grateful Nation will help you to make your last days on earth comfortable and full of gratitude. As a matter of national defense, it would be a cognate inspiration to every worker.

Under our form of government, with all power not conceded to the Federal Government reserved to the States, it is not within the jurisdiction of Congress to enact contributory old-age pensions. Hence my bill is based on the system successfully adopted in New Zealand. How generously or how justly have we provided for the benevolent succor of our great army of industrial workers after their working days are over? Is the proposition to take care in their old age of the men and women whose industry and skill made this the richest Nation around the world to be given no serious consideration, when the leading monarchies of the Old World have made this humane legislation the basic idea of their economic policy?

OLD-AGE PENSIONS IN FRANCE.

The law establishing a universal compulsory system of old-age insurance for workmen and employees in France was enacted in March, 1910, and promulgated in April of that year. The law is an extension of the law of July 14, 1905, which established a right to relief on the part of all persons over 70 years of age.

The old-age pension law of Great Britain provides in brief that every British subject of 20 years' standing and residence in the United Kingdom who has attained the age of 70 years and is without a yearly income in excess of £31 10s. ($157.50) shall, on application, receive a weekly pension ranging in about 1s. to 5s. To the continental island of New Zealand belongs the credit of being the first country in the world to establish a straight-out old-age pension system.

After the subject had been agitated about two years an act was passed in 1898, going into effect on the 1st of November of that year, which provided for the payment of old-age pensions out of the general revenues of the Government to persons duly qualified under the law, without contributions from either the beneficiaries or employers. This pension is fixed at $130 per year for laborers of either sex over 65 years. The first State of the Commonwealth of Australia inaugurated old-age pensions in 1901. Later, in 1908, the Commonwealth Parliament established old-age pensions for all the old worn-out workers in this great continental island, ranging as high as $260 a year.

Belgium: Pensions are paid at the age of 65 years, after 30 years' service, or in case of physical disability after 10 years' service.

Holland: Pensions are paid to all employees reaching 65 years of age, or for disability after 10 years' service.

Sweden: Pensions are paid at the age of 65 years after 35 years' service.

Switzerland: Each of the 22 Cantons has a different civil-pension system. Teachers are the only federal employees who are pensioned.

Turkey: After 30 years' service a pension may be claimed if, through sickness or bodily infirmity, the employee is unable to attend to the duties of his office.

Egypt: A service pension may be claimed after 25 years' service. All employees are retired by law at the age of 65.

Japan: Pensions are paid after 15 years' service, beginning at one-quarter of the salary and increasing one two-hundred-and-fortieth for each year of service over 15. Any official may retire at the age of 60 years.

Even big railroad corporations, that are said to have no soul, have inaugurated old-age pensions. The Baltimore & Ohio was the first railroad in the United States to grant a pension to superannuated workmen. This was in 1884. The Chicago & North Western Railroad inaugurated an old-age pension in 1900, pensioning employees of 30 years' service who reach the age of 70 years 1 per cent of the average monthly pay. The Lake Shore, the Pennsylvania, and other trunk lines have adopted service pensions for faithful employees when their days of usefulness are past, all based on merit and long service. We have bills before Congress that are meritorious pensioning the old and faithful clerks who have served the Government for a quarter of a century. My bill makes no distinction between the faithful and long-service employees of the Government and the faithful and long-service workers who do the world's work and produce the world's wealth in our mines and factories and fields.

The following important railroads have adopted the old-age pension system: Chicago & Northwestern Railroad, the Chicago, Milwaukee & St. Paul Railroad, the Delaware & Lackawanna Railroad, the Houston & Texas Central Railroad, the Illinois Central Railroad, the Oregon Short Line, the Pennsylvania Railroad, the Philadelphia & Reading Railroad, the Rock Island System, the Southern Pacific Railroad, the Union Pacific, the New York Central Lines. All together these trunk lines aggregate 45 per cent of the entire railroad mileage of the United States. They provide for a liberal pension on the retirement of their faithful employees. Nearly 1,000,000 men are employed. They provide, on an average, a pension of 30 per cent of the salary of the employee for the past 10 years. Retirement is permitted at 65 years and compulsory at 70. No contributions are required from railroad workers.

WHAT THE FLAG STANDS FOR.

Did it ever occur to you that a national flag is chiefly valuable for what it stands for? The flag of a Republic like ours is typical of the Nation's purpose, in the line of justice, equality, and the humanities. The purpose of a people or a nation are only reflected in its laws. Humane legislation is the surest inspiration for loyalty of the men and women who do the world's work. Let us recognize the claims of the industrial classes in the speedy passage of alleviating laws. This would inspire a more sympathetic admiration for the flag and a deeper devotion to our best ideals of democracy than unmeaning flag waving and skyrocket oratory, exploiting extravagant armies and navies, and domination of the big oceans. This bill is constitutional and meritorious, and if enacted into law will appease and mollify the acute conflicts between capital and labor now threatening our industrial life. It will do more to mollify the conflicts between capital and labor than all the labor laws of the past. It will not only give hope and comfort to our great army of wealth producers but will place this Nation on a par in benign legislation with the hereditary monarchies of the Old World.

WHY COMPULSORY MILITARY SERVICE?

England had just abolished compulsory military service. Compulsory military training and compulsory military service are yoked sinister evils, absolutely hostile to democracy. Are we less democratic than Great Britain under a hereditary King?

At the close of our great Civil War Gen. Grant, then the foremost soldier of the modern world, approved the muster out of all the volunteers, reducing our standing army to 25,000 men. There was a powerful and aggressive element in the North clamoring for a war with England. During the war Confederate cruisers, built in English shipyards and armed in English arsenals, had driven American commerce from the seas and oceans of the world, but President Grant favored the Geneva court of arbitration.

Lord Morley, in his life of Gladstone, says:

> The treaty of Washington and the Geneva arbitration stand out as the most notable victories in the nineteenth century in the noble art of preventive diplomacy and the most signal exhibition of self-command in two or three of the great powers of the western world.

At Appomattox Grant stood on fame's topmost pinnacle the foremost man in all the world, but in the Geneva award he was greater than at Appomattox. [Applause.]

WHY NOT PREPARE FOR PEACE?

We are to-day at peace with all the world. Why should we prepare for war when we have never had a war in over a century and a quarter of national life that was not of our own seeking? No nation on either side of the Atlantic has ever attacked us when we were numerically weak.

We are at peace with all the world. Let us strive, as becomes the citizens of a Christian nation, to make that peace perma-

nent and perpetual. Let us put aside all thoughts of gun and sword as unworthy our traditions and history and look to a future wherein the flag of our shining stars of States shall be a beacon light beckoning our people to peaceful pursuits and social and moral betterment. The great present, with its glowing zeal for humanity, with a culture deepened and broadened by science and enriched by all history, with its strong-winged soul of prophecy hot and glowing with blood beats of a realized brotherhood of man claims us and calls us to stand by the ancient faith. [Applause.]

It is the verdict of universal history that no military nation was ever a moral or progressive nation. Peace is constructive, war is destructive; peace means prosperity and progress, war is hell and uproar.

APPENDIX.

The following letter from a devout disciple of the lowly Nazarene is a trifle radical, but has some illuminating opinions on a pair of noted historical characters:

OBERLIN, OHIO, *February 21, 1920.*

HON. ISAAC SHERWOOD.

DEAR SIR: For several years it has been my wish and intention to write you to express my admiration for the attitude you have taken on various occasions on important public measures and questions.

When our country was rushed into the infernal World War, contrary to the earnest wish of the overwhelming majority of our people, and it was announced that the House had voted, I said, "First of all, I want to see the roll of honor," and I saw your name among the fifty or so noble men who had stood out against the prevailing madness. I took note that you had served in our Grand Army for the defense of the Union, a cause that demanded the enthusiasm and devotion of every true patriot and every real American. I also took note of several other interesting facts—that Elihu Root, who had been roaring for war and wanted to punish anyone who was not in favor of war, that Mr. Root was 19 years old when the Civil War began, but he never offered himself or lifted a finger in defense of his country in those trying times. Also, that Joseph Choate, former ambassador to England, who was unceasing in his efforts to crowd us into the war for defense of his beloved England—that Mr. Choate had been 26 years old when the Civil War broke out, and that he, like Mr. Root, made no move to come to the defense of his country. Also, that in one of those Eastern organizations for pushing our country into the war, like the National Security League, made up largely of old men, the only one who had come to the defense of his country in the Civil War was Mr. Putnam. I also noted that Senator Works, who voted against our going into the World War, had been a patriot and had enlisted for the defense of his country at the age of about 17 years, and served till the end of that war. One could comment at great length on these and similar facts.

I am a Presbyterian minister and far from being a socialist, but I note with pride and satisfaction that recently you had the spirit of old Americanism sufficiently to cause you to vote against the exclusion of Victor Berger from the House of Representatives. The reactionary measures that are being pushed and the acts of oppression and suppression that are being taken in our country are making socialists by the thousands, and will make hosts of men much worse than socialists.

Very respectfully and sincerely, yours,

(REV.) HENRY A. TODD.

BENJAMIN FRANKLIN QUOTED.

Benjamin Franklin, the leading scientist and most thoroughgoing patriot of the Revolutionary epoch, said:

Freedom of speech is a principal pillar of free government; when this support is taken away the constitution of a free society is dissolved and tyranny is erected on its ruins.

Mr. SISSON. I yield the remainder of my time to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Chairman and gentlemen, I hope I may be allowed to proceed without interruption, and I wish to say in the beginning that I will not yield to interruptions during the short time I have.

I would not intrude upon the time of the committee this afternoon but for the fact that on account of the very limited time that has been granted for debate on the conference report on the railroad bill I will be unable to get very much time then. Therefore I have sought this opportunity to give expression in a meager way to what I think about the conference report as a general proposition.

I have never in my life seen a bill reported by any committee of Congress or reported by any conference committee that was as big as this bill or that contained as many provisions as this bill contains, with which I agreed in toto. I do not agree to this bill in toto. In other words, I do not agree with every provision in this bill.

But conscious of my responsibility here as a Representative at this time, who intends to do what he conceives to be his duty regardless of threats that may come from the outside, regardless of the threats that may come from any organization, either among the owners or among the employees of the carriers, conscious that whatever action I may take and whatever vote I may cast will be subject to criticism and subject to being misunderstood; believing and knowing that something must be done in this situation between now and the 1st day of March or chaos and bankruptcy will occur in one of the greatest of all of our industries, I am going to vote for the adoption of this conference report to-morrow. [Applause.]

The gentleman from Alabama [Mr. HUDDLESTON] to-day made a speech here upon this floor that would have been proper probably in some places, but certainly it was not proper to be made here. It was an appeal that should have fallen upon deaf ears in a body like this. When a man gets up here and all the argument that he has to make against the adoption of a bill by this House is to try to throw fear into its Members by saying that they will be misunderstood and defeated if they vote for it, it were better that he had not spoken here. [Applause.]

Last night over in the majority room of the House Office Building occurred a most remarkable meeting. Sentiments were expressed there by men outside of Congress, and some inside, that I had hoped would never find their way into this Capitol. There was talk of the autocracy of capital. There was talk of Members of this Congress being swayed because they are afraid to go in the face of capital. They preached against this bill and against what are called the labor provisions of this bill. Every man in this presence, every man in this country who understands the situation, knows that it is not the labor provisions to which Mr. Gompers and his organization object. [Applause.] No man or set of men in America to-day can write a bill for the return of the railroads to their owners that Mr. Gompers and the other labor leaders will indorse. [Applause.] They want the Plumb plan. They want a two years' extension of Government control. And why do they want a two years' extension of Government control? It has been hard enough for the House committee and the Senate committee and the conference committee to unscramble the situation which has existed as long as it has.

These men know that if this situation goes on and if the railroads are held in Government control for two years more, it means what they are after, which is Government ownership, and Government ownership only. Has it come to pass in this country that the free representatives of a free people can be scared by the threat of Mr. Gompers or anyone else who represents less than 5 per cent of the people of this land? The fear that would come to me would be to vote against this bill and to have this riot of waste go on for two years more. [Applause.] I believe, my friends, that the time has come in this country when the people who are free and who intend to remain free, who sent their sons to the battle fields of France, there to bleed and die that autocracy in Europe may be destroyed, are going to see to it that the 95 per cent of the people of this land rule it, and not the autocracy of the 5 per cent. [Applause.] The issue is going to be joined pretty soon. This is only one of the threats with which we have come in contact. A few years ago, when we had up the antistrike provision before the Committee on Interstate and Foreign Commerce, I heard Mr. Gompers make the defiant declaration that if that committee reported that bill and Congress adopted it, he served notice on them in advance that he would violate that law. Surely after making such a declaration as that he can not be considered a wise and a sane leader. [Applause.]

There are some things in this bill that I do not like, but there are so many things in it that are vital, that are necessary, that I can not meet my responsibility as a Representative here and vote against the bill.

The gentleman from Alabama [Mr. HUDDLESTON] said the railroads say that they need something, the conference committee say that they need something, but labor does not need anything. All they ask is that the Government keep the railroads for two years; that the public does not ask anything in this matter and that it is only Wall Street that asks for favors in this bill. Then he went on to say, "I have already demonstrated to you and convinced you that nothing needs to be done."

He did not convince any sane man who had ever studied this question, who had intelligence enough to understand it, that something must not be done. Every man who understands this situation, every man who has studied this question, knows that if the railroads go back to private ownership on the 1st day of March without additional legislation, within 90 days all the railroads, with the possible exception of three or four, will either be in bankruptcy or in the hands of receivers.

If I know anything I know that the people of this land are sick and tired of Government operation of the railroads, which has brought a higher rate, placed millions of additional debt on the backs of an already overburdened and tax-weary people, and which has given us a service poorer and more inefficient than we have ever known before.

The cost of material has gone up; labor has been increased practically a billion dollars. If the railroads go back to private ownership on the 1st of March without anything having been done the prewar rates will go into effect and war wages will remain in effect.

Much complaint has been made about the guaranty provisions in this bill. I would rather it could have been worked out otherwise. My primitive opinion and my primitive prejudices are against a proposition like that, but my judgment is a judgment of the cloister and not a judgment of one who is put up against the real situation and those who may have some understanding of that situation.

Those of us who live in the sparsely settled sections of the country where there are few railroads, where we know that in the past five years not a thousand miles of railroads have been built in the whole country, where we need railroads, where we need efficient service, know that if the Interstate Commerce Commission sets a rate under which the Union Pacific and the Santa Fe can make only a fair per cent on the value of their property, those small roads will starve to death.

They serve communities and they should not be torn up and these communities not be allowed to prosper and not have service. If we set a rate that will make a fair return on the investment of the capital of weak roads, then the Union Pacific and roads of that character will get an unreasonably high return. I say I do not like the guaranty feature, I do not like the name of it, but I have not got anything better to offer at this time. Have you? You who are going to vote against this bill, do you have anything better to offer? Do you want either one of the two bills that have been introduced and urged before our committee as a substitute? Do you want the two years' extension of Government control introduced by Mr. SIMS, of Tennessee? Do you want the Plumb plan as introduced by Mr. SIMS? Do you want the Government to bond itself for $20,000,000,000 and turn over to the employees of the railroad all the railroads in the country to please Mr. Plumb and Mr. Gompers?

This bill as much insures and as much guarantees that the rich roads shall not receive more than a certain amount as it guarantees that the poor roads shall receive a reasonable amount. It takes off from the rich roads and insures that the poor roads will amount to something.

I want to call the attention of gentlemen of this committee who are in the sections of the country that have the short-line railroads that there has never been a time since railroading first began when the short lines, the originating lines, have been done justice. The trunk lines to which they have been feeders have handed out to them in the division of freight a small amount—many times and most of the time upon a mileage apportionment—and anyone who has ever studied the question knows that the short line or originating carrier can not live on a mileage basis in the division of freight.

This bill says that hereafter a mileage basis shall not be the controlling factor in the division of rates between the originating carrier and the trunk line, and that the Interstate Commerce Commission is given power to make a division that may take care of the roads that originate the traffic, the roads that go out into virgin territory and develop our land, roads that are as essential to the life and prosperity of the country as the trunk lines. That is one provision I would ask you who live in the far West and many sections of the South to think well of before you vote against the bill.

Gentlemen here say that when the value of the railroads is set, poor securities and watered stock will enter into the value, and yet when you vote against this conference report you will vote against the only bill you have got a chance to vote for that will bring about a house cleaning among the railroads. This conference report contains practically word for word the bill that we passed in this House in 1914, with practical unanimity, known as the Rayburn stock and bond bill, which says that hereafter before any railroad of this land shall issue any new securities, put them on the market, it shall come before the Interstate Commerce Commission and under oath set forth the reason why it desires this issue, and before it can issue and put on the market these securities the Interstate Commerce Commission, a capable governing body, must itself pass upon the question. When you vote against this bill you vote against a law that will cause this house cleaning among the railroads, that will cause the railroad securities, instead of being hawked around as watered stock and as spurious securities, to stand for value and mean something.

No one in the future can say that railroad stocks and bonds are "wind and water" as has been the case too often in the past. Not only shall the issuance be supervised but after the stocks and bonds are put upon the market and sold the commission has the power to call the railroads' managers before them and have proof made that the money was spent for the purposes set out in the application for authority to issue the securities. It seems strange that the men who at present are the loudest in their talk about watered stock should be opposing a bill in toto which carries this most necessary feature and which will cure the very evil of which they complain.

Some argue against this provision that it will take away from the State commissions their right to control these issues and say that it is a violation of the rights of the States. I, too, stand for State rights, and I contend that my State, that has had an efficient stock and bond law for many years, has the right to be protected against the States that have no such laws. I would also call the attention of these gentlemen to the fact that the convention of State railroad commissioners of the United States have indorsed over and over again this very measure which insures that all stocks and bonds shall be regulated and also insures that there shall be uniformity.

Many other provisions of this report I would like to discuss, but my time is too limited to permit.

Men talk here of a guaranty for six months. All that we do in this bill is to extend the standard return for six months, which time it will take the Interstate Commerce Commission to work out a new rate structure.

Government control and operation of the railroads has been a costly and in many ways a bitter experience. It has cost the Government many million dollars a month more than the revenues of the roads to keep them going. Before this experience many good men were drawn to the belief that there was virtue in Government ownership. But this experiment has cured them. If the millions that we have lost in this business had demonstrated to these misguided, although patriotic and otherwise thoughtful, citizens the futility and insanity of Government ownership, the money has not been lost entirely in vain. It demonstrates a truth as old as man—when the laws of health are violated the violator will suffer for it. When governing powers violate a fundamental economic policy, the penalty must also be paid in fullest measure. It is the business of government to regulate and govern business, not go into business.

Mr. Chairman, this is only one of the many measures that I want to see passed in this and the succeeding Congress. I want to see all of these war powers repealed and the Government get out of these expensive and socialistic businesses. I want to get back to normal. When these matters are attended to then I want to see our Americanization law strengthened. I believe in an America for Americans. This country is too small for any man or set of men who pay allegiance to any other Government or any other flag. This is no place for the man who violates our law—be he high or low, rich or poor. The anarchist and the Bolshevist shall go. This is a mighty good country because 99 per cent of the people, regardless of section or party, are good citizens and loyal. And when a crisis comes, they will stand together. When the red hand of anarchy and lawlessness is thrust toward the throat of liberty, patriots will forget their differences.

But back to the question of this report. Yes, it is easy to vote against a bill like this. Many provisions will be criticized. If I were willing to shirk my responsibility and wanted to go in the path of least resistance, knowing that many provisions of this bill will be criticized and that I would be asked why did you pass this, why did you pass that, and why did you pass the other, I could excuse myself very easily by saying that I voted against the whole bill.

But realizing the situation we are now in, knowing that it is going to be destructive if legislation is not passed before the railroads are returned to private ownership, I can not, feeling as I do, take upon my shoulders the responsibility of not being willing to share here with my fellows whatever responsibility there comes in passing upon this question and solving it as I believe for the best interests of all concerned. [Applause.]

Mr. WOOD of Indiana. Mr. Chairman, I yield two minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. In connection with the consideration of this legislative, executive, and judicial appropriation bill I want to express my appreciation of the splendid work done on the bill by the members of the committee, and particularly the subcommittee. The Members on both sides have worked earnestly and faithfully on this very difficult piece of appropriation legislation. There is not an appropriation bill which comes before the House which is quite so intricate and difficult as is the legislative bill. It involves the fortunes of a very large number of people and relates to many and diversified portions of the public service, and when the time arrives when we must greatly reduce estimates on such a bill, the committee that has the matter in charge has as hard a problem before it as can possibly be placed before any legislative committee. I am certain that the subcommittee

and the full committee performed their duties with an eye single to the public interest, and all of the members of the committee are to be congratulated. If they have made any mistakes, they are mistakes of the head and not of the heart. I think the bill as a whole, and practically all of its items, are entitled to the favorable judgment of the House.

Mr. Chairman, in connection with the discussion of the Indian appropriation bill, the first appropriation bill to be considered this session of Congress, I briefly reviewed the financial situation and expressed the opinion that whatever else we might do, our one compelling and paramount duty was that of practicing strict economy in the appropriation and expenditure of the people's money.

I called attention to the fact that this was not only essential in order to avoid financial difficulty—possibly financial disaster—but that, in view of the fact that extravagant public expenditure is one of the most potent causes in advancing living costs, it was important to economize in Government expenditures in order to help reduce the high cost of living.

In this connection I expressed the opinion that we should, in making our appropriations, reduce the estimates carried in the Book of Estimates in excess of a billion dollars, and stated that in order to do this it would be necessary to accomplish an average reduction of about 28 per cent in the appropriations as compared with the estimates.

We have now progressed far enough in our appropriation program to be able to forecast the probable outcome, and I am very glad to be able to say that we have up to this time, and including this bill, met our expectations in the matter of reductions.

This is the seventh of the 13 regular annual appropriation bills, and when this bill has passed the House we shall have, as to the number of bills, more than half completed our appropriation program for the year.

On the appropriation bills which have thus far been reported to and considered by the House, excepting the bill for the Post Office Service, which is approximately self-supporting—to wit, the Indian, rivers and harbors, Diplomatic and Consular, Agricultural, Military Academy, and legislative—we have effected a saving of a little over $66,000,000 below the estimates, or a little less than 25 per cent. As these bills include several on which the suggested average of reduction was not anticipated, the showing made is even better than we had expected.

On the bill now before us the reduction below the estimates amounts to nearly $19,000,000, or approximately 15 per cent. The reduction below the appropriations for the current year amounts to about $23,500,000. This is certainly a splendid showing when we take into consideration the fact that this bill provides, in the main, for salaries, and that the only saving that can be made is in the number of salaries to be paid.

The reduction is very marked when we take into consideration the fact that this bill contains several large and unusual items, such as upward of $42,000,000 for the Bureau of Internal Revenue for collecting taxes and enforcing the provisions of the national prohibition act, nearly $11,000,000 for the Bureau of War Risk Insurance, and $5,000,000 for the expenses of the Fourteenth Decennial Census. These three items, totaling upward of $58,000,000, are in amount considerably more than half of the total carried in the bill.

I take advantage of this opportunity to again emphasize the importance of economy. We must reduce the estimates by upward of a billion dollars or we shall increase the floating, unbonded indebtedness; and even though we accomplish this reduction, which I am quite certain we shall, it will be of no avail if outside of and beyond the estimates we make enormous expenditures.

We can not increase our floating debt without inviting disaster, we can not issue bonds for investment purposes without greatly reducing the present value of outstanding Government securities and threatening the stability of our specie basis, and we can not issue bonds in small denominations which would become a part of the circulation of the country without inviting all of the disasters above enumerated and the additional calamity of tremendously increasing the cost of living through the expansion of the circulating medium.

Economy to the limit and no new obligations, unless they are accompanied with provisions to raise the sum required by taxation, is the only sound basis of action.

Mr. WOOD. Mr. Chairman, I now yield one minute to the gentleman from West Virginia [Mr. GOODYKOONTZ].

Mr. GOODYKOONTZ. Mr. Chairman, I wish also to extend my felicitation to the Committee on Appropriations for the work they have done on this bill. I ask unanimous consent to extend my remarks in the RECORD by inserting an editorial from the Wheeling (W. Va.) Intelligencer, written by Mr. Herschel C. Ogden, a brilliant newspaper man.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent to extend his remarks in the RECORD by printing the editorial referred to. Is there objection?

Mr. CALDWELL. Mr. Chairman, reserving the right to object, have we not established a precedent of not publishing these editorials in the RECORD? If gentlemen desire to have them reprinted in the newspapers for circulation in their districts, it is easy enough to have that done. I regret very much to do this, but as the gentleman from Massachusetts [Mr. WALSH], who usually looks after that sort of thing, does not seem to be interested, I object.

The CHAIRMAN. Objection is heard.

Mr. WOOD of Indiana. Mr. Chairman, I yield the balance of my time to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman and gentlemen of the committee, I do not want the occasion to pass without speaking a word of approval of the high standard of statesmanship taken a moment ago by the gentleman from Texas [Mr. RAYBURN]. He speaks from a judgment that is well matured, out of a mind that is clear in its conceptions, and with a heart that is courageous—qualities that are very much in demand at this time, so far as legislation is concerned.

I want now to address myself for a few moments in comment upon a remarkable statement, made by probably the highest authority on military affairs in our country, in respect to the physical defects of the youth of the country as brought out in the draft findings. I read from a statement that I think is astonishing, although it is common knowledge.

I read from a speech of Gen. Wood, April 12, 1919:

> The last mobilization—in fact, the entire mobilization for this war—showed a very alarming condition, so far as the physical condition of the men of our country is concerned. The standards under the draft were dropped very low, and we took perhaps in the neighborhood of 70 per cent. Only about one in five, or about 20 per cent, would have passed the physical examination required for the Regular Army or the marines in time of peace. In order to get men for the war the bars were lowered very materially. Of the men who came certain racial groups presented very heavy percentage of physical deficiencies. Some racial groups averaged 33⅓ per cent unfit for services because of vice diseases. Others ran from 8 to 12 per cent. In addition to this condition of unfitness, bad enough in itself, but infinitely bad when you think of its effect upon the population as a whole, and remember that this condition was found in those who were considered fit to send down to the camps—and when you remember that you can imagine what the condition was in the thirty-odd per cent who were not fit to send—were certain other conditions.
>
> Among the men who came we found no end of physical defects which could have been thoroughly corrected or prevented by sound physical training in early youth. We had all kinds of deformities, such as curvatures, humped-up shoulders, hollow chests, pigeon chests, distortions of various kinds, flat foot—all things that, if properly looked after earlier, could have been avoided. There were a great many cases of seriously defective teeth, with resulting digestive disturbance. In fact, the draft showed an almost entire disregard, so far as our people as a whole are concerned, of sound physical training and of remedial training in early youth. The vast majority of these boys who came to us could have been made fit for military service if they had had any kind of supervision early in life.
>
> If you can teach boys to stand up straight, and give them the habit of deep breathing, not having them overdo in muscular exercise, but taking just enough to make them alert, giving them those exercises which develop quick coordination, real coordination of mind and muscle, when we get them then it is a very easy task to train them in military work. But of the men who came to us during the war no end of them were heavy of foot, slow in coordination, and clumsy in gait, and it took months of real hard work to make them nimble, active men. There is nothing mysterious about military training. It is very simple and very quickly accomplished with the private soldier when he gets a perfect physical specimen.

Members of the House will recall the sensation created when these results were given out by the recruiting officers. They became the subject of wide discussion upon almost every education platform, whether the pulpit or forum. People were undertaking to find the source of these defects, whether it was a mere matter of neglect, something that could have been avoided, and there was a campaign started as early as the middle of 1917 to stimulate public sentiment for a higher and better physical training of the youth of the land. The recruiting officers' report shows that there were defects in about 75 per cent of the applicants. Gen. Wood stated that not one in over five was received, which would be about 20 per cent. The draft records show that 37 per cent were totally rejected. The officials testify that fully one-half of the time spent in training in the camps was spent in conditioning the men in order to whip them into physical form ready for the training that would become necessary later on.

Nobody questions the value of training. Nobody would, I am sure, refute or attempt even to controvert the value of athletic activities, which we find throughout the high-school life, the college life, and the university life. There is a question which is very pertinent and that is being discussed widely now in respect to military training, but I do not think there would be any dispute on the value of physical training if it could be brought within the compass of the schools of the

country. I am convinced that in high-school life and in college life there is no activity that means more for the esprit de corps and the upbuilding of the physical body, as well as the mental, than do the athletic exercises that are to be witnessed in the various contests carried on, whether in competition or purely for training effect. I have always said that if the school authorities could fix a standard of learning as a qualification for entry to these physical exercise, so that no one could play on a football team or a basketball team or take part in any of the athletic contests who did not bring himself up to an intellectual standard, it would be the mightiest stimulus to keep the intellectual standard up that the college could devise. I am sure that the greatest moral force that the schools of the country of to-day can exercise is to hold out as requirement to entry into athletic contests a standard of manhood and womanhood, and to establish that anyone who falls below the required standard shall be denied entrance into the contests. I think it is the most powerful moral influence in a contest to see one strike the line hard or meet another line coming just as hard, and at the same time not lose one's temper, realizing that this is the hard knock that comes in the play of life. It is a powerful stimulus of moral discipline that will sustain one in the struggles when he gets into real life.

As to the value of military training I do not now wish to speak. That is a point that is widely discussed, and variously discussed, and as to which there is a wide divergence of opinion. During my college days I had the opportunity to weigh the value of mental discipline assured by training under orders. I know of nothing which cultivates the power of attention in a greater degree. I know of no training which produces greater mental alertness which demands immediate execution the moment the command is given. These mental attributes are admitted.

However, these and other mental and physical advantages do not necessitate the Nation's entrance upon a system of compulsory military training at this time.

Personally I am not averse to the effect individually it has upon the party receiving the training.

Mr. GARNER. Will the gentleman yield?

Mr. FESS. I will yield to my friend from Texas.

Mr. GARNER. Considering the gentleman's experience in reference to high schools and colleges, would he consider the military training in those schools detrimental to their success and work in educating the youth of the country?

Mr. FESS. I would not agree to place military training in the high school. I am very much opposed to that. If we are to have compulsory military training, it will have to be by officers under the Government, outside of the school, in order to provide training under proper orders of all our youth and not limited to those who are in the schools. And I am perfectly frank to say to my friend that I can not look with favor upon compulsory military training at this time at all. There are reasons quite specific that I could offer against it. But this is what I am concerned about, that if 75 per cent of the flower of the country that were taken into the camps were found to have physical defects that might have been removed, it is up to the States and the Government to prevent those defects in childhood. That is the thing I have in mind.

Mr. WINGO. Will the gentleman yield?

Mr. FESS. I yield to my friend.

Mr. WINGO. Along the line the gentleman suggests, is it not true that flat feet and defective teeth and other defects of that kind, more often than otherwise, grow out of neglect in the early childhood and before children reach the age at which it is proposed to give them military training?

Mr. FESS. That is absolutely true, and high military authority holds these defects unnecessary if proper care in youth is observed.

I would say to the membership of the House, waving aside the military question about which there is much discussion, as well as general interest, I am absolutely convinced that either the States individually or the Nation, or both in cooperation, ought to set about to correct what was revealed by the draft records in the examination of our boys. It would seem to me that wisdom demands that there must be at once an effort made that will be operative in all the schools of the country to indicate to boys, for example, how to stand erect, how to breathe correctly, how to carry the body, how to go through the manual training—in a word, how to develop the physical body. There ought not to be any neglect that would cause persons to grow up with stooped shoulders if it could be avoided. There ought to be a stimulus upon every child, boy and girl, from early youth that should induce the National Government to cooperate with the States to insure a strong physical body, so that if we should ever get into a crisis where we should have to have soldiers we would have strong, physically fit young men. It would not take long to put them in shape to meet what the war would require. This is attested by every consideration of reason and by the experience of all close observers. But if we permit the persistence through childhood of these physical defects, then we shall have the same problem and one can imagine how much it is going to require to take a physically defective boy and make out of him a strong soldier. That is the thing I hope we may in some way or other avoid by providing against the defects by a system of education carried on in school age by both State and Nation.

Mr. DONOVAN. Will the gentleman yield?

Mr. FESS. I yield to my friend.

Mr. DONOVAN. The thought occurred to me as to whether or not in some of the cities now there is provision made for attention to these defects in the public schools.

Mr. FESS. There is in a great many schools. This work in many cities has attracted the country. I will introduce a bill this afternoon, and I do it with the clearest conception of the great burdens upon our Government under which we are now suffering, and I will introduce it with the sharpest interest in economy, for I am frank to say that I am one of the Members of the House, and there are many on both sides, who will not hesitate to take the step to avoid any unnecessary expenditure; and I introduce it with the full understanding of the demands of the hour, for if we continue the unnecessary expenditure foisted upon us in behalf of winning the war we are destined to see the cost of the Government, which was $1,000,000,000 annually before the war, continue three and one-half times that—and none of us wants to do what will produce that result—but with this in my mind I will introduce a measure this afternoon looking to the authority of the States and the Nation supplying physical training to every boy and girl from the age of 6 to 18 in order to make impossible these physical defectives that grow up right under the shadow of our schools as now conducted. This expenditure can be properly enacted as an economy measure.

Mr. EVANS of Nevada. Will the gentleman yield for a question?

Mr. FESS. I yield to my friend from Nevada.

Mr. EVANS of Nevada. Does the gentleman feel that a small corner in one of these departments could furnish adequate information to the various States for them to act upon and bring it nearer to home and have it more practical? Do you feel that that would be efficient?

Mr. FESS. There is some objection, as there always has been, to the Government entering upon anything of this sort, and the objection goes to this feature, that education is a matter for the States. But the gentleman knows how I feel about that. I do not believe that the States without the stimulus of the Federal Government are going to do the work that is required. The appalling facts revealed recently show the need of education not yet afforded. We have entered upon Federal cooperation and education to remove certain disabilities in the way of ignorance. The land-grant college, the Smith-Lever Act, the Smith-Hughes Act, and the Fess-Kenyon bill all are examples of Federal cooperation with the States. The disability in the way of a physically defective body is apparent and is quite unnecessary, and I think the Government is justified in entering upon a campaign of cooperation to remove that disability.

Mr. MILLER. Will the gentleman yield?

Mr. FESS. I will.

Mr. MILLER. I want to say to the gentleman from Ohio that I am in perfect sympathy with his proposition, but for the purpose of information I would like to ask the gentleman under what clause of the Constitution it is possible in an educational way, of which the gentleman speaks, for the United States Government to compel the education of the youth of the land along the lines indicated? I understand perfectly how he could do it under the Army clause of the Constitution, but I am asking for information how it could be done otherwise.

Mr. FESS. I will have to be perfectly frank and say that so far as the authority under the Constitution is concerned this Congress could not step over into Ohio and compel by a Federal law the adoption by the State of any particular education, but I am sure that there is no doubt that the State of Ohio could make, as a part of its compulsory educational law, physical training possible, and then the Federal Government could go to the extent of saying to the States, "If you accept the condition, we will make a contribution." [Applause.]

The bill is drafted on the lines of the Smith-Hughes Act, except it places the administration of the act under the Bureau of Education rather than the Federal board.

The CHAIRMAN. The time of the gentleman has expired. All time has expired, and the Clerk will read the bill for amendment.

The Clerk read as follows:

For compiling the Navy Yearbook for the calendar year 1919, under the direction of the chairman of the Committee on Naval Affairs, $500.

Mr. GOODYKOONTZ. Mr. Chairman, I desire to renew my request for unanimous consent to extend my remarks in the manner referred to a few moments ago.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent to extend his remarks by incorporating an editorial referred to. Is there objection?

Mr. WINGO. Mr. Chairman, reserving the right to object, what is the editorial about?

Mr. GOODYKOONTZ. It is in reference to economy. I asked unanimous consent a while ago and the gentleman from New York [Mr. CALDWELL] interposed an objection, but he afterwards sent for the paper and read it, and has withdrawn his objection.

Mr. WINGO. Is the gentleman authorized to speak for that side in reference to putting in editorials in regard to economy or false economy? If we permit one class of editorials, we must permit others. My only desire it to protect the RECORD.

Mr. GOODYKOONTZ. I ask unanimous consent to extend my remarks a while ago, and incidentally mentioned that I desired to incorporate an editorial.

Mr. WINGO. No other Member has, while I have been on the floor, asked to put in newspaper editorials, as I recall. I am not objecting if the gentleman in charge of the House is willing to go on record as putting in newspaper editorials. I have many of them which I have been requested to put in, and which I will later ask consent to put in.

The CHAIRMAN. Is there objection. [After a pause.] The Chair hears none.

The editorial is as follows:

CUT EXPENDITURES.

Adolph Lewisohn, New York banker, in a letter urges the reduction of national taxation. If economies can not be made at Washington sufficient to allow the lowering of present tax rates, Mr. Lewisohn believes a moderate short-time bond issue should be made and taxes lowered thereby. The present heavy tax rates of the Government make for waste and for wild speculation. It is suggested that workingmen deliberately cut down their earning capacity in order to avoid the income tax. One thing is certain, many corporations earning liberal profits regularly plan to spend money in speculative and semispeculative enterprises as a means of reducing their payments to the Government.

While a bond issue would temporarily lower taxation, the real cure is in departmental economy. We must not only lower taxes but we must spend less money. The Government at Washington to-day is a monumental example of extravagance and inefficiency. It is costing the American people approximately $60 per man, woman, and child in the entire country. The average family of five is paying $300 a year, or practically 20 per cent of the earning capacity of a well-paid workman, to help keep Washington going. Twenty cents out of every dollar earned by the American people is taken to feed an army of officials, wastrels, and vagrants. If we have not the courage and the intelligence to stop this shameful condition of affairs, republican government is a failure.

Let the economies begin at Washington.

Let national expenditures be brought down to a sane basis.

Let a half million or more useless officeholders be turned loose to work in gainful occupations.

Let us do away with a myriad of useless commissions.

Let us get away from the idea that the National Government must interfere with, meddle with, disturb, and direct the daily life of the people at every point.

Let us, in short, have a return to sanity and to reason.

The Clerk read as follows:

Office of Sergeant at Arms and Doorkeeper: Sergeant at Arms and Doorkeeper, $6,500; Assistant Sergeant at Arms, $2,500; Assistant Doorkeeper, $3,600; Acting Assistant Doorkeeper, $3,600; 2 floor assistants at $2,500 each; messengers—4 (acting as assistant doorkeepers) at $1,800 each, 36 (including 1 for minority) at $1,440 each, 1 $1,000, 1 at card door $1,600; clerk on Journal work for CONGRESSIONAL RECORD, to be selected by the Official Reporters, $2,800; storekeeper, $2,220; stenographer in charge of furniture accounts and records, $1,200; upholsterer and locksmith, $1,440; cabinetmaker, $1,200; 3 carpenters, at $1,080 each; janitor, $1,200; skilled laborers—4 at $1,000 each; laborer in charge of private passage, $840; 3 female attendants in charge of ladies' retiring room, at $720 each; 3 attendants to women's toilet rooms, Senate Office Building, at $720 each; telephone operators—chief $1,200, 4 at $900 each; night operator, $720; telephone page, $720; press gallery—superintendent $2,500, assistant superintendent $1,400, messenger for service to press correspondents $900; laborers—3 at $800 each, 34 at $720 each; 16 pages for the Senate Chamber, at the rate of $2.50 per day each during the session, $4,640; in all, $147,860.

Mr. ROUSE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting two letters on bills introduced by the gentleman from Ohio [Mr. FESS] on second-class postage.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD by printing two letters on the subject of second-class postage. Is there objection? [After a pause.] The Chair hears none.

Mr. KING. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from Gen. ISAAC R. SHERWOOD, of Ohio, to the Private Soldiers' and Sailors' Legion, dated July 20, 1919.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD by printing the letter referred to. Is there objection? [After a pause.] The Chair hears none.

The letter is as follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., July 20, 1919.

MARVIN GATES SPERRY,
President Private Soldiers' and Sailors' Legion,
National Headquarters, 810 F Street NW., Washington, D. C.

DEAR SIR: I have introduced a bill in the House of Representatives to allow the private soldiers and sailors of the Great World War to incorporate as a fraternal organization. This bill, if enacted into law, will give the men who stood behind the guns and did the real heroic work of war the right to form a social and fraternal society under a national charter of rights.

This fraternal society will not only inculcate patriotic sentiments among the rank and file of the Army, but will remind the present generation (often too prone to forget) that the country owes a debt of gratitude to these gallant soldiers that can not be paid by flag waving or rationless public parades. It calls for practical patriotism.

Practical patriotism was well voiced by the martyred Lincoln in his last inaugural address, "To care for the soldier who bore the brunt in the battle front, his widow, and his orphan." The above is not a literal quotation from Lincoln's last appeal to the American people, but it vitalizes his appeal in spirit and purpose.

Several fraternal societies were organized after the Civil War, of which the Grand Army of the Republic is now the most numerous. The officers organized a more exclusive society, the Loyal Legion, on the plan of the Order of the Cincinnati, organized by Gen. Washington and the officers of the Army of the Revolution. Hence, there is nothing new in the plan proposed by this bill, to form a Private Soldiers' and Sailors' Legion for the commendable purpose of uniting in one fraternal body the men who fought the greatest battles in all history, and who gave added prestige and glory to the heroic achievement of our armies in former wars.

"Lest we forget," these men offered their lives, their hopes for a career, their all in the terrible crucible of battle.

During the Civil War I held six different officers' commissions, but I look back with more self-satisfying pride to my service as a private soldier carrying a gun at $11 a month in West Virginia in the first battle of the war—Philippi. The private soldiers of the Civil War did not form a society exclusively of private and noncommissioned officers for the reason that both officers and privates were made up almost exclusively of volunteers.

We were neighbors, both officers and privates, when we went into the war, and all on an equality as citizens and comrades. And when on the battles' front we did not part with that equality. When the private soldiers stacked their guns after a drill or a battle and the officers sheathed their swords, we associated together in camp or around the bivouac fires as social equals.

During the World War officers were regarded as a distinct class and private soldiers were made a subordinate class, whether on or off duty. In our Civil War a private soldier who showed high soldierly qualities in the trying ordeal of battles was booked for promotion. We had no grammar school for officers in order to qualify them to command. Our war demonstrated the fact that while knowledge of military tactics and discipline are necessary qualifications of an officer, that the one vital test is the courage to stand fire in the hot hell of shot and shell, and to hold the mental alertness, the cool judgment, and calm poise in this terrible environment.

If there is now some prejudice among the private soldiers against their officers it is largely on account of this new system of military training, that put schoolmaster-trained officers over private soldiers, who had no battle experience, and giving the men who stood behind the guns no favoring chance to earn promotion by real merit or heroic conduct in actual conflict.

Hence, I say in all candor and with a judgment based upon an experience of some 42 battles, that I hail the private soldiers and sailors of this World War with my most fervent prayers for a successful mission to make fraternity and real comradeship a living, vital element in their future lives, with the hope that they will so live that a grateful people will approve their conduct and example. Furthermore, that they will not have to wait a quarter of a century to receive practical recognition of a Nation's gratitude as we, the veterans of the Union Armies, were compelled to wait. Now is the fitting time to express national gratitude.

Yours,

ISAAC R. SHERWOOD, M. C.

The Clerk read as follows:

LEGISLATIVE DRAFTING SERVICE.

Section 1303 of the "revenue act of 1918" is repealed on and after July 1, 1920.

Mr. SAUNDERS of Virginia. Mr. Chairman, I make a point of order against the item.

Mr. MADDEN. Mr. Chairman, I move to strike out the item.

Mr. SAUNDERS of Virginia. Well, I make a point of order against it.

Mr. MADDEN. All right.

Mr. SAUNDERS of Virginia. The point of order is it is not in order in that it is legislation. I suppose the idea of the committee was that it was in order under the Holman rule, but it is not.

Mr. WOOD of Indiana. That is our contention.

Mr. SAUNDERS of Virginia. If the committee makes that contention I would like to be heard, but it is up to the committee to present their views first as the burden of proof is on the committee.

Mr. WOOD of Indiana. I think it is sufficient to call the attention of the Chair to the fact that the law as it now stands provides--

That there is hereby created a Legislative Drafting Service under the direction of two draftsmen, one of whom shall be appointed by the President of the Senate, and one by the Speaker of the House of Representatives, without reference to political affiliations and solely on the ground of fitness to perform the duties of the office. Each draftsman shall receive a salary of $5,000 a year, payable monthly.

The provision of this bill to which a point of order is raised abolishes these two offices, in consequence showing upon its face that it will save to the Treasury of the United States $10,000 a year. In addition to this, to pursue this statute further, it will save the incidental expense.

Now, as I understand it, under the Holman rule any amendment is in order if it is germane and has for its purpose the reduction or retrenchment of expenditures. If it is patent upon its face that it will retrench expenditures, it is in order.

I wish to state further that it would not even be necessary for it to appear that the amount was specific, or that any considerable amount might be saved. If it appears upon its face that any amount is saved, it is in order under the Holman rule.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. I yield.

Mr. GARNER. Under the gentleman's contention, if I understand it correctly, a provision inserted in an appropriation bill which repeals any statute now in existence that costs the Government money to maintain its activities under the statute would be in order; so that you could repeal the entire statutes of the United States, provided thereby you would save money.

Mr. WOOD of Indiana. No. That is not the contention at all. The repeal of the legislation would displace a specific office. There are many statutes that could not be repealed by that means.

Mr. GARNER. Under that reasoning the gentleman could repeal the whole criminal code. Any statute now existing that required a salaried officer to perform a certain duty could be repealed in that way. There is no difference, whatever the performance might be. You could repeal, I repeat, the provisions for the entire criminal code of this country by an item on an appropriation bill, which is absolutely illegal. I am sure that the gentleman does not mean by that that he can repeal a statute because, forsooth, by the repeal of that statute he discontinues an office and thus saves money.

Mr. WOOD of Indiana. No; that is not the contention. It is the contention of the chairman of the committee that under the Holman rule, where a provision simply abolishes a specific office, it is clearly in order if it shows upon its face a retrenchment in the expenditures of the Government.

Mr. GARRETT. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. GARRETT. It has been some time since I looked at the Holman rule, and I can not find it just at this moment. My recollection is that the provision in the Holman rule which undertakes to make legislation in order that retrenches expenditures provides that that legislation shall be offered by a committee having jurisdiction of it if introduced as a legislative proposition. I do not mean that is the exact language of the rule, but that it is the idea of the rule. Now, the Committee on Appropriations would not have jurisdiction of a bill repealing this act if it were introduced as an independent proposition.

Mr. WOOD of Indiana. I think the gentleman is in error. It is a good deal broader than the scope he is giving to it.

Mr. GARRETT. That is one phase of it.

Mr. WOOD of Indiana. I refer the gentleman to page 361 of the manual. The gentleman is right with reference to the fact that that is one of the reasons; but if it appears on any general appropriation bill that the effect of the legislation proposed will retrench the expenditure of money, it is germane where it is for the purpose of abolishing an office.

I wish to invite the attention of the Chair to a ruling made by the gentleman from Virginia [Mr. SAUNDERS] when the question was up with reference to the abolishment of the Subtreasuries, and, by the way, that question will arise again during the consideration of this bill. In that ruling of the gentleman from Virginia he uses the following language:

> There is no effective proposition to reduce the amounts covered by this bill for the obvious reason that the reductions which the repealing provision will effect will not of necessity occur within the life of the bill, which is limited to a duration of two fiscal years. There is another feature, however, of the paragraph which has apparently been overlooked, and that is the reduction effected in the number of the officers of the United States.

The effect of this legislation is the reduction of two officers of the United States, and the gentleman from Virginia, basing his reasoning upon that fact—that it would reduce the offices of the United States and thus retrench the expenses of the United States—held that provision repealing the law creating the Subtreasuries of the United States to be in order. If it was in order then, it certainly would be in order now. I think the rulings are uniform upon that proposition, that where the legislation is for the abolishment of an office of the United States, and by reason of the abolishment it will retrench the expenditures of the Government, it is in order.

Mr. SAUNDERS of Virginia. Mr. Chairman, the gentleman from Indiana [Mr. WOOD] cited some ruling that I have heretofore made in this connection. The reasoning of that ruling was good then, and I think it is good now for any state of facts to which that reasoning applies. But the trouble that confronts both the gentleman from Indiana and the committee reporting this bill, is that the present situation is different from the facts discussed in that ruling.

There are two difficulties with respect to this particular amendment. One is that under the recent rulings this rule is to be construed strictly. I know that is the attitude of the gentleman in the chair [Mr. LONGWORTH], because in an argument with me on the floor a few days ago he contended that this rule ought to be construed strictly, stating that he was opposed to legislation upon appropriation bills, and that there was great danger in affording a liberal construction of the Holman rule, whereby legislative riders could be engrafted upon appropriation bills. That is this situation. This is a legislative rider pure and simple, not related or germane to the subject matter of this bill, and not belonging to the jurisdiction of this committee.

The rule with respect to Holman amendments providing new legislation is that they shall be germane to some provision of the bill, and shall show upon their face that they will reduce expenditures. See Manual, Edition 1918, page 373. The gentleman from Ohio and myself argued that proposition in the case to which I have referred. There is absolutely nothing on the face of this bill, or on the face of this particular paragraph that gives any information in this respect. There are many precedents to the effect that you must look to the bill, and to the amendment in order to gather from them that a reduction will be effected. These precedents should be followed, if the Holman rule is to be construed strictly, and not liberally.

I will cite these decisions in a moment. But the far more material difficulty in the way of the gentleman from Indiana is that if the Appropriations Committee undertakes to report a bill containing legislation and a reduction, both the legislation and the reduction must be germane to the subject matter of the bill and retrench expenditures in one of three ways.

Mr. WOOD of Indiana. Let me ask the gentleman, is not the abolishment of this draft committee just as germane when it comes in from the Committee on Appropriations on the legislative bill as was the abolishment of the Subtreasury when it came in on the same kind of a bill?

Mr. SAUNDERS of Virginia. That may be.

Mr. WOOD of Indiana. As I understand it, the question involved at the time the gentleman from Virginia made the ruling referred to was the abolishment of the Subtreasury of the United States, not at a specific time but at a very remote and uncertain time—six months after the close of the war. That is correct, is it not?

Mr. SAUNDERS of Virginia. Yes.

Mr. WOOD of Indiana. Nobody at that time could tell when the end of the war might come.

Mr. SAUNDERS of Virginia. That decision may or may not have been sound, but if it sustains the gentleman's contention, I intend to cite per contra a number of decisions not made by the gentleman from Virginia, but reported in the Manual.

Mr. WOOD of Indiana. I presume, then, that this is more a matter of expediency than otherwise?

Mr. SAUNDERS of Virginia. No; it is a matter of proper ruling.

Mr. WOOD of Indiana. I take it for granted that the gentleman from Virginia in making this ruling was convinced that he was ruling correctly with reference to the enforcement of the Holman rule?

Mr. SAUNDERS of Virginia. I will agree to that.

Mr. WOOD of Indiana. Here is another thing to which I wish to call the attention of the Chair. At that time the gentleman from Virginia was carrying out the policy of his party in retrenchment of the expenses of the Government. He is not so much interested in that proposition now, but that is one of the things for the Chair always to take into consideration, and if there was any doubt upon this question, it should be given a liberal construction in favor of the reason for its invocation.

Mr. SAUNDERS of Virginia. Personally I think and have always thought that the Holman rule ought to be given a liberal construction, but that has nothing to do with the question raised by my second objection.

Mr. WOOD of Indiana. The amendment proposed at the time the gentleman from Virginia [Mr. SAUNDERS] made this ruling was for the purpose of retrenching expenditures. That was the reason given for sustaining the proposed legislation, and in that case it was a very uncertain proposition. The point of order might have been sustained in that case clearly, I think, because of the uncertainty of the proposition. No one could tell whether the war was going to end in 1 year, or 6 years, or 20 years.

Mr. SAUNDERS of Virginia. Suppose we concede that I was mistaken in that ruling.

Mr. WOOD of Indiana. I do not believe the gentleman will be willing to concede that.

Mr. SAUNDERS of Virginia. Yes; I will concede that pro arguendo.

Mr. WOOD of Indiana. For the purposes of this case the gentleman has indicated that he is willing to admit now that he was wrong then. But this is not the only decision upon this proposition. There are numerous cases which the Chair will remember very well. One of them was decided also by the gentleman from Virginia [Mr. SAUNDERS], if my memory serves me right. That was with reference to the reduction in the Army when it was proposed to reduce the Army by 10 regiments of Cavalry. There was nothing in the proposed legislation that would indicate upon its face that it would save the Government a dollar. Yet it was perfectly reasonable, and the gentleman was justified in assuming that 10 regiments of Cavalry could not be maintained by the United States Government for nothing, and that the very fact that it was going to reduce an instrumentality which meant an expenditure for its upkeep made it germane and made it proper legislation under the Holman rule.

The same thing was held by Mr. ALEXANDER with reference to the abolishment of the Subtreasuries the very next year after the gentleman from Virginia [Mr. SAUNDERS] held that the legislation proposing to abolish the Subtreasury was germane. Mr. ALEXANDER adopted not only the ruling of the gentleman from Virginia, but quoted at considerable length in approval of the reasoning in his decision.

If other precedents were desired with reference to this proposition, I call attention to the well-decided case with reference to the Pension Office, where there were just two words which indicated that it was going to reduce the number of those who were entitled to receive pensions, without showing upon its face that it was abolishing even any statutory office.

But because of the fact that it would result in the retrenchment of expenses under the Holman rule it was held competent. Here it is competent to take into consideration that fact as it was there, and the only change of existing law is the abolishment of two officers, thereby saving the Government the expense of their salaries.

Mr. STEENERSON. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. STEENERSON. What part of the bill is this provision germane to. There is nothing here to which it is germane.

Mr. WOOD of Indiana. Yes; there is.

Mr. STEENERSON. If there was something in here providing some reference to the war-revenue act or to section 1303, it might be germane.

Mr. WOOD of Indiana. It provides that "section 1303 of the revenue act is hereby repealed"; that is sufficient.

Mr. STEENERSON. No; it is not referred to in this bill.

Mr. WOOD of Indiana. It carries it into the bill by reason of the reference. The Chair will have to take judicial knowledge of the fact that there is such a section as 1303 of the revenue act.

Mr. STEENERSON. In regard to what the gentleman said about the ruling on the Subtreasury there was a clause in the bill referring to the Subtreasuries but here there is nothing in the bill to hang it on.

Mr. SAUNDERS of Virginia. Mr. Chairman, I may have been mistaken in my ruling in the Subtreasury case. But I was not mistaken in the ruling on the amendments to the Army bill for the reason that the Committee on Military Affairs had jurisdiction both to legislate and to appropriate. The point I am now making, and I wish to state it clearly and cite ample authority in its support, is that if a committee undertakes to legislate in an appropriation bill, the legislation must be germane to the subject matter of the bill, and retrench expenditures. That is my contention and if I can not maintain it I have no standing on the point of order.

A number of rulings have announced the above proposition. The gentleman from Tennessee made an elaborate ruling on that line, showing that legislation in an appropriation bill retrenching expenditures is not in order, if that legislation introduced in a separate bill would have gone to another committee. This case is precisely in point, and is found in the Manual, above cited, on pages 496, 497, 498. The point of order was to a provision containing legislation in a bill reported by the Committee on Appropriations. It was alleged to be in order on the ground that it reduced expenditures. The Chair held, see page 498, top of page, as follows:

> The Chair is of opinion that the Committee on Appropriations may not under Rule XXI bring in as an integral part of an appropriation bill substantive legislation that, if introduced by a Member in the ordinary way, would go to another committee for consideration and action. Nor could a Member from the floor offer such an amendment, unless that Member offer it as a report of a committee, or as a member of a joint commission which would have jurisdiction of the subject matter under the rules of the House.

This decision cites an older decision to the same effect, as follows (see p. 499):

> The Chair is of opinion that a motion of this kind should come officially from the committee having jurisdiction and can not be brought before the Committee of the Whole as an integral part of an appropriation bill reported by the regular Committee on Appropriations.

The facts in the case ruled on by Chairman GARRETT are precisely the facts of this case, and his whole ruling rested upon his answer to the inquiry whether the Committee on Appropriations can report a repealing clause in its bills even if it retrenches expenditures, when such repealing clause, if introduced by a Member in a separate bill, would have gone to another committee. Apply his ruling and the ruling which he cites to the facts of the bill before us. The repealing item is in the legislative bill. If the proposed repeal had been undertaken by a separate bill, as might have been done, that bill would not have been referred to the Committee on Appropriations but to the Committee on Ways and Means. Moreover, by Rule XXI, this repealing item must be germane to the subject matter of the bill. What is the subject matter of this bill? It is the various appropriations authorized by law and proper to be made in this bill. This committee has no jurisdiction to legislate. No legislation introduced by a bill can be referred to it. If it includes legislation it must be legislation within the limitations prescribed by Rule XXI. To what is the item under consideration germane? Not to the section, for it is the whole section, not to the preceding section, for it has no relation to it. Not to the subject matter of the bill, for that subject matter is making appropriations authorized by law, not legislating in regard to them. If this repealing legislation was attached to some other language making an appropriation in this connection, a plausible argument might be made that it is germane. But there is no such language. This is a flat repeal standing single and alone. It has no pedis positio in this bill. It is germane to nothing in it, and we are all agreed that this committee would not have jurisdiction of a separate bill to effect the proposed repeal. Moreover, this amendment is not proposed by the committee that would have jurisdiction of such a bill. Hence under Chairman GARRETT'S ruling, however much this proposed repeal might effect reductions in expenditures, it is not in order in this bill. Further the facts in the ruling cited by Mr. GARRETT are identical with the facts of the present case, in that the matter held to be out of order was legislative matter contained in an Army appropriation bill, when the legislation proposed, if offered in a separate bill, would not have gone to that committee. (See Manual above cited, bottom of p. 498.) Bear in mind that the Committee on Appropriations has no greater power to include nongermane legislation in its bill, even if it retrenches expenditures, than a Member has to offer such legislation in an amendment from the floor. The language of Rule XXI makes that abundantly clear when it says no provision in an appropriation bill—referring to a bill reported by a committee—or amendment thereto—referring to amendments offered from the floor when the bill is under consideration—shall be in order. If this repealing clause, not even connected with an appropriation bill, be held to be in order, let us see what will be the necessary effects of such a ruling. It will make in order amendments from the floor designed to repeal any law under which the Appropriation Committee is authorized to appropriate, and pursuant to which it does appropriate. If this single item of repealing legislation, not even connected with an appropriation, is held to be germane on the ground that the committee has authority to make an appropriation for the officers proposed to be abolished, then, of course, with respect to any item actually making an appropriation under authority of existing law, an amendment proposing to repeal that law, or to repeal enough of it to eliminate some of the officials provided by the original act, would be in order.

The same ruling cited by Mr. GARRETT held further, with respect to another contention, that it was of opinion that the effect of reduction should not be inferred by way of argument, but should appear from the face of the bill itself.

If the Chair considers that the Holman rule should be strictly construed to eliminate legislative orders, I commend him to this conclusion of the Chairman in the case cited. (Manual, p. 370, middle of the page.)

On page 371, about the middle of the page, will be found a ruling relating to a legislative amendment to a sundry civil bill. The Chair held the amendment to be out of order on two grounds: First, because not germane to the subject matter of the bill—a sundry civil bill. Second, because it did not reduce expenditures. Suppose the amendment had been effective to reduce expenditures, it would still have been out of order as being nongermane. Yet this amendment, which was to an item in the bill for the recoinage of uncurrent fractional silver, was apparently more germane to that item than the repealing item under consideration is to anything in this legislative bill.

The CHAIRMAN. Will the gentleman permit a question?

Mr. SAUNDERS of Virginia. Certainly.

The CHAIRMAN. The Chair is familiar with the ruling of the gentleman which came up later about the Subtreasury. Does the Chair understand that there was any question as to the jurisdiction of the committee there raised?

Mr. SAUNDERS of Virginia. I do not recall the facts.

The CHAIRMAN. If that question of jurisdiction had been raised——

Mr. SAUNDERS of Virginia. I do not recall whether it was raised or not; but if it was raised and I made an erroneous ruling, that fact affords no reason why that error should be perpetuated. I will look to that case as soon as I conclude this argument.

I desire to call the attention of the Chair to a ruling on page 372, which is an illustration of a germane legislative amendment reducing expenditures, and consequently in order under Rule XXI. I will reproduce the language of the Manual:

An amendment reducing the amount appropriated for railroad transportation of mails, coupled with a proviso directing the Postmaster General to reduce by 10 per cent the annual compensation for transporting mails on railroads was held to be in order. (Hinds, IV, 3891.)

In a ruling on the same page a legislative amendment to an item in the Post Office bill appropriating for Free Delivery Service, reducing that item, and making new provisions of law, was held to be germane, and retrenching expenditures. Likewise to a bill making appropriations to the Indian Service, an amendment transferring the management of Indian affairs to the War Department, was held to be germane. In both of these cases the same committee reporting the legislation in the appropriation bill would have had jurisdiction of that legislation if offered as an original bill.

On the decision in the case on page 371 on a legislative amendment reducing an appropriation, and repealing the subsidy act, the Chair held that as a condition precedent of order both branches of the amendment must be germane to the bill. The legislation was not to be germane to the bill. The legislation was considered not to be germane to the appropriation bill. Further jurisdiction of that character of legislation did not belong to the committee.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. LITTLE. If the committee simply failed to appropriate for this matter that would amount to a suspension for a year at least, would it not?

Mr. SAUNDERS of Virginia. That would be a suspension of the appropriation, not of the act. This committee could decline to make any appropriation on this matter.

Mr. LITTLE. If the committee should do that that would amount to a suspension of the law.

Mr. SAUNDERS of Virginia. This item does not propose suspension but a repeal of the law.

Mr. LITTLE. If they can suspend the law by implication what is the difference between that and repealing it? It is their business to take care of this matter in some way.

Mr. SAUNDERS of Virginia. Permit me to call the attention of the gentleman to the language in the bill:

Section 1303 of the "revenue act of 1918" is repealed on and after July 1, 1920.

Mr. LITTLE. But they could refuse to appropriate.

Mr. SAUNDERS of Virginia. Certainly. That raises an entirely different question. The one is a question of doing what the committee has the right to do, the other of undertaking to do something outside of its authority. The committee seeks by this amendment to exercise a jurisdiction by the terms of Rule XXI which has not been committed to it. If it merely declines to appropriate, that is an act within its manifest and undisputed authority.

Mr. LITTLE. The purpose of this is to save money.

Mr. SAUNDERS of Virginia. I am not discussing the proposition on its merits. That would come up on a motion to reduce or cut out the appropriation for this official.

Mr. LITTLE. Neither am I. I am discussing the point of order.

Mr. SAUNDERS of Virginia. It seems to me that the gentleman is discussing the merits. I now wish to call the attention of the Chair to a decision to be found on the middle of page 373 of the Manual. In this case an amendment was offered as a separate paragraph in a deficiency appropriation bill. First, I will direct the attention of the Chair to the following language in support of my first contention, and another precedent in point, if the Holman rule is to be construed strictly:

Amendments providing new legislation must be germane to some provision of the bill and show on their face a reduction of expenditures.

Mr. WALSH. Mr. Chairman, does the gentleman contend that what he has just read has any application to this paragraph?

Mr. SAUNDERS of Virginia. I certainly do.

Mr. WALSH. This paragraph in the bill is certainly not an amendment.

Mr. SAUNDERS of Virginia. But whether a paragraph in the bill or an amendment from the floor the item must be germane. Moreover, this was an urgent deficiency bill, and the amendment did not come from a committee having jurisdiction of the legislation. If in this instance the item had been included in the bill the principle of the ruling would have applied equally as well. Inclusion in the bill would not have made it germane to the bill if it was not germane to any provision of the bill when offered from the floor. If it had been germane it would have been in order on that ground, if reported in the bill, and equally in order if offered as an amendment from the floor. A committee by including in their bill matter in excess of their jurisdiction can not make that matter thereby in order. Nongermane legislative matter in an appropriation is not in order under Rule XXI.

Again, on pages 496, 499, and 501 are three very elaborate rulings, two of them by the gentleman from Tennessee [Mr. HULL] and one by Mr. GARRETT of the same State. I read from page 498:

If the Chair be correct in this, what have we here? There is proposed here upon this bill substantive legislation, not a reduction of salaries, not a reduction of the number of employees, not perhaps a reduction of the amount covered by the bill, though the Chairman does not deem it necessary to pass upon that now; but even if it were all of those, and in order to carry it out it were necessary to enact new law, to create a new industrial enterprise, a new project not now provided for by law, would it be in order? The Chair thinks not, except it be upon a report of the committee which would have jurisdiction of the subject matter if introduced as an original bill in the House of Representatives, in this case the Committee on the District of Columbia.

In this case the matter objected to was matter already in the bill—an appropriation bill. The discussion by the Chairman related solely to the point now raised by me as to an item in the present bill, namely, whether substantive legislation proposed in a bill reported from the Appropriations Committee is in order even if it does effect a retrenchment, if it is not upon a report of the committee which would have jurisdiction of the subject matter if introduced as an original bill in the House of Representatives. In his elaborate ruling Chairman GARRETT held that under the conditions supposed such an item would not be in order. In that case original jurisdiction of the legislation proposed belonged to the Committee on the District of Columbia, in this case to the Ways and Means Committee.

The case decided by Chairman GARRETT answers the query of the gentleman from Massachusetts [Mr. WALSH], since it relates to matter in the bill and not to an amendment. Further, the Chair held in language heretofore cited that if the language in the bill was offered as an amendment then in order for it to be in order it would have to be offered as the report of the committee having jurisdiction. The Chair will find a ruling on page 500, made by the gentleman from Tennessee [Mr. HULL], touching this same question. I read as follows:

At this point another question arises relating to the germaneness of the amendment under a ruling which seems to be well established, and that is that without regard to the question of whether the amounts of the appropriations carried in the bill are reduced within the meaning of the third provision of clause 2 of Rule XXI, if the amendment constitutes separate, independent, permanent, substantive legislation, then, even though it should meet the requirement as to a reduction of the expenditures, it would not be in order unless it came officially from the committee having jurisdiction of the subject matter of the amendment.

It has already been pointed out that this principle announced by Mr. HULL as to an amendment offered from the floor applied to matter reported in the bill, if that was legislative matter belonging to another committee. Chairman GARRETT's ruling, to the same effect as Chairman HULL's, related to matter contained in the bill. Later the amendment rejected by Chairman

HULL was offered by authority of the Committee on the District of Columbia and admitted.

If the Committee on Ways and Means should afford authority to offer this amendment to this bill it would be unquestionably in order since it would conform to all of the rulings that I have cited.

Mr. GARRETT. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. GARRETT. I understood the gentleman to lay down the principle that if this had been reported and offered upon the suggestion of the Committee on Ways and Means it would be in order, in view of the fact that that committee would have jurisdiction of legislation if introduced as a separate substantive measure. Would not the question of germaneness still apply?

Mr. SAUNDERS of Virginia. Yes. The question of germaneness would always apply, have to be considered.

Mr. GARRETT. By the express terms of the rule the word "germaneness" is used. Now, it is an inquiry in my mind as to whether or not that legislation would be germane to an appropriation bill.

Mr. SAUNDERS of Virginia. I have tried to point out that in the present connection here there is no environment, no preceding section, no portion of the bill to which this legislative amendment repealing an existing statute can be regarded as germane. But even if it were germane it would still be out of order, because the Committee on Appropriations has no original general legislative jurisdiction. It should come from the committee having appropriate jurisdiction.

Mr. HULL of Tennessee. Upon the contention presumably you could insert a repealing clause of an entire revenue bill in this section?

Mr. SAUNDERS of Virginia. If this bare repealing item is in order then the Appropriation Committee possesses the authority to report a repealing provision for any existing act under which the committee is vested with authority to make an appropriation. Whatever may be the existing legislation providing for officials, bureaus, or departments and authorizing the Committee on Appropriations to make appropriations in that connection may be repealed by repealing clauses contained in an appropriation bill. There is no escape from that conclusion.

The CHAIRMAN. The Chair desires to ask the gentleman a question.

Mr. SAUNDERS of Virginia. Certainly.

The CHAIRMAN. The gentleman does not contend it would not have been in order for the Committee on Appropriations to have brought in an appropriation for this service?

Mr. SAUNDERS of Virginia. Oh, no; unquestionably such an appropriation would be in order. The jurisdiction of the committee is to make appropriations, not to legislate.

There is one precedent apparently at variance with Chairman GARRETT'S ruling and the other rulings cited. I refer to the decision of Chairman JOHNSON, found on page 511 of the Manual. But that ruling may be distinguished from the present case on the facts upon the ground heretofore suggested by the gentleman from Minnesota [Mr. STEENERSON]. The facts in the case decided by Chairman JOHNSON are as follows: Mr. Fitzgerald, of New York, had offered an amendment to the sundry civil bill carrying an appropriation for enlarging the Capitol Grounds as authorized by an existing act. To this amendment the gentleman from Mississippi [Mr. SISSON] offered an amendment repealing the act itself. At least there was something there to which it could be held that the Sisson amendment was germane, namely, the amendment of the gentleman from New York.

But in the case under consideration there is absolutely nothing in the bill to which the repealing item is related or to which it can be said to be germane. It is a bald item of repeal, standing single and alone, repealing an act originally reported by the Ways and Means Committee. There is no case like it on the facts in any precedent stated. It does not on the facts come within the decision of Chairman JOHNSON, and following the principles and cases which I have cited the item is plainly not in order.

The CHAIRMAN. It would be in order for that committee under its jurisdiction——

Mr. SAUNDERS of Virginia. But that is not the line of distinction.

Mr. WALSH. Mr. Chairman, I make the point of order there is no quorum present.

Mr. WOOD of Indiana. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LONGWORTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12610, the legislative, executive, and judicial appropriation bill, and had come to no resolution thereon.

WOMAN SUFFRAGE.

The SPEAKER laid before the House a communication from the governor of the State of Virginia, announcing the rejection by the legislature of that State of the proposed amendment to the Constitution of the United States relating to the extension of the right of suffrage to women.

He also laid before the House a communication from the governor of the State of Arizona, announcing the ratification by the legislature of that State of the proposed amendment to the Constitution of the United States relating to the extension of the right of suffrage to women.

LEAVES OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. KREIDER, indefinitely, on account of death in his family.

To Mr. HAWLEY, for February 18, 19, and 20, on account of illness.

To Mr. RAKER, for the day, on account of illness.

ADJOURNMENT.

Mr. WOOD of Indiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Saturday, February 21, 1920, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting estimate of appropriation for the relief of contractors, etc., for buildings under the Treasury Department (H. Doc. No. 656); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting deficiency estimate of appropriation required by the Bureau of the Mint for contingent expenses at the Denver Mint, fiscal year 1919 (H. Doc. No. 657); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting alternative estimates of appropriations required by the United States Employees' Compensation Commission for the fiscal year 1921 (H. Doc. No. 658); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting estimate of appropriation for the Washington (D. C.) Liberty loan building (H. Doc. No. 659); to the Committee on Appropriations and ordered to be printed.

5. A letter from the executive secretary of the Interdepartmental Social Hygiene Board, transmitting report on the activities of the United States Interdepartmental Social Hygiene Board (S. Doc. No. 230); to the Committee on Appropriaeions.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 9781) to amend section 217 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, reported the same without amendment, accompanied by a report (No. 662), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ROSE, from the Committee on Claims, to which was referred the bill (H. R. 11834) for the relief of certain landowners of New Castle County, in the State of Delaware, reported the same without amendment, accompanied by a report (No. 663), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 11030) for the relief of the Woodford Bank & Trust Co., of Versailles, Ky., reported the same with an amendment, accompanied by a report (No. 665), which said bill and report were referred to the Private Calendar.

Mr. McKINLEY, from the Committee on Claims, to which was referred the bill (H. R. 9048) for the relief of Catherina Rea, administratrix of the estate of John Rea, reported the same without amendment, accompanied by a report (No. 664), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 10635) for the relief of Vincent L. Keating; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 12495) granting relief to Lieut. John Sagendorf; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 5745) for the relief of Dr. John H. Blackburn; Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WATSON: A bill (H. R. 12645) authorizing the Secretary of War to donate to the borough of Churchville, Pa., one cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McFADDEN: A bill (H. R. 12646) to amend and reenact section 4 of chapter 32 of the United States Statutes at Large, approved June 21, 1917, amending and reenacting the first paragraph of section 13 of the Federal reserve act, approved December 23, 1913; to the Committee on Banking and Currency.

By Mr. McARTHUR: A bill (H. R. 12647) providing that the absence or illness of the President of the United States shall constitute inability to discharge the powers and duties of his office; to the Committee on the Judiciary.

By Mr. MINAHAN of New Jersey: A bill (H. R. 12648) amending title 2, section 1, of the national prohibition act, by permitting the manufacture, production, use, sale, and transportation for beverage and other purposes of beer, ale, and porter up to 2¾ per cent alcoholic content by volume, and wine up to 10 per cent alcoholic content by volume, in such States as shall so determine by referendum vote of the people; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: A bill (H. R. 12649) to encourage the development of agricultural resources of the United States through Federal and State cooperation, giving preference in the matter of employment and the establishment of rural homes to those who have served with the military and naval forces; to the Committee on Ways and Means.

By Mr. MOORE of Virginia: A bill (H. R. 12650) to regulate the sale of milk and milk products in the District of Columbia, to safeguard the public health, and for other purposes; to the Committee on the District of Columbia.

By Mr. BUTLER: A bill (H. R. 12651) relating to married women intermarried with aliens; to the Committee on Interstate and Foreign Commerce.

By Mr. FESS: A bill (H. R. 12652) to provide for the promotion of physical education in the United States through cooperation with the States in the preparation and payment of supervisors and teachers of physical education, including medical examiners and school nurses, to appropriate money and regulate its expenditure, and for other purposes; to the Committee on Education.

By Mr. HULL of Tennessee: Joint resolution (H. J. Res. 300) requesting the President of the United States to call an international trade agreement congress; to the Committee on Foreign Affairs.

By the SPEAKER (by request): Memorial of the Commonwealth of Massachusetts, requesting the United States Shipping Board to cause the steamship *George Washington* to be repaired at the Charlestown Navy Yard; to the Committee on the Merchant Marine and Fisheries.

By Mr. LUFKIN: Memorial of the Legislature of the Commonwealth of Massachusetts, requesting the United States Shipping Board to cause the steamship *George Washington* to be repaired at the Charlestown Navy Yard; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 12653) granting an increase of pension to Samuel Kopp; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 12654) granting an increase of pension to Thomas Pope; to the Committee on Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 12655) granting an increase of pension to George W. Knizley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12656) granting an increase of pension to Harrison Roberts; to the Committee on Pensions.

Also, a bill (H. R. 12657) granting a pension to Margaret P. Long; to the Committee on Pensions.

Also, a bill (H. R. 12658) to carry out the findings of the Court of Claims in the case of John C. Chamberlin; to the Committee on War Claims.

Also, a bill (H. R. 12659) to carry out the findings of the Court of Claims in the case of Frank M. Vowels; to the Committee on War Claims.

Also, a bill (H. R. 12660) to carry out the findings of the Court of Claims in the case of Robert Brodie; to the Committee on Claims.

Also, a bill (H. R. 12661) to carry out the findings of the Court of Claims in the case of Alexander Magruder; to the Committee on War Claims.

Also, a bill (H. R. 12662) to carry out the findings of the Court of Claims in the case of Daniel Sullivan; to the Committee on War Claims.

By Mr. KELLEY of Michigan: A bill (H. R. 12663) for the relief of John E. Walker; to the Committee on Military Affairs.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 12664) granting a pension to Mathilda Wendorff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12665) granting a pension to Sarah M. Standish; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 12666) granting an increase of pension to George W. Shepard; to the Committee on Pensions.

Also, a bill (H. R. 12667) granting a pension to March Agard; to the Committee on Pensions.

By Mr. MURPHY: A bill (H. R. 12668) granting a pension to Ruth A. Burris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12669) granting a pension to Mary Orr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12670) for the relief of Henry E. Thomas; to the Committee on Military Affairs.

By Mr. OGDEN: A bill (H. R. 12671) for the relief of William Koop; to the Committee on Claims.

By Mr. RIORDAN: A bill (H. R. 12672) for the relief of Helen P. Young; to the Committee on Claims.

By Mr. SELLS: A bill (H. R. 12673) granting an increase of pension to Robert W. McFarland; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 12674) granting an increase of pension to B. F. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12675) granting a pension to Samuel Braden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12676) for the relief of J. W. Whisman; to the Committee on Claims.

By Mr. TILLMAN: A bill (H. R. 12677) granting a pension to Elijah M. Smothers; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1714. By the SPEAKER: Petition of the Philadelphia & Reading System Lines, Federation No. 109, of Reading, Pa., favoring Government control of the railroads for at least two years; to the Committee on Interstate and Foreign Commerce.

1715. Also, petition of the employees of the Boston Navy Yard, and other citizens, of Boston, Mass., opposing the sale of the former German ships; to the Committee on the Merchant Marine and Fisheries.

1716. Also, petition of the Douglas (Ariz.) Central Labor Union, favoring the seating of Victor Berger in the House of Representatives; to the Committee on Elections No. 1.

1717. Also, petition of the National Press Club Post of the American Legion, indorsing universal military training, etc.; to the Committee on Military Affairs.

1718. Also, petition of citizens of Alexandria, Va.; Washington, D. C.; Baltimore, Md.; and Strasburg, Va., opposing the

sale of the German ships; to the Committee on the Merchant Marine and Fisheries.

1719. By Mr. CHINDBLOM: Petition of Donald I. Graham and 250 others, protesting against the proposed sale of the former German ships; to the Committee on the Merchant Marine and Fisheries.

1720. By Mr. FOSTER: Petition of the Wagner Milling Co., opposing the Gronna bill relative to the wheat guaranty; to the Committee on Agriculture.

1721. Also, petition of J. M. Grover and other citizens of Bidwell, Ohio, opposed to universal military training; to the Committee on Military Affairs.

1722. By Mr. FULLER of Illinois: Petition of John Hamilton, president of the local union, United Mine Workers of America, of Oglesby, Ill., and E. Hedland, of Rockford, Ill., against the Sterling-Graham bills; to the Committee on the Judiciary.

1723. By Mr. GOLDFOGLE: Petition of various trade papers in favor of the Fess bill relative to the postal rate; to the Committee on the Post Office and Post Roads.

1724. Also, petition of Sam Ehrenberg, Aronoff Bros. & Wollman, Hayman A. Perelman, and Moey Baum, all of New York City, protesting against the sale of the former German ships; to the Committee on the Merchant Marine and Fisheries.

1725. By Mr. McLAUGHLIN of Nebraska: Petition of numerous citizens of Henderson, Nebr., protesting against universal military training; to the Committee on Military Affairs.

1726. Also, petition of postal employees of Omaha, urging passage of Lehlbach-Sterling bill; to the Committee on Reform in the Civil Service.

1727. By Mr. RIORDAN: Petition of the firemen and oilers in the customs service, New York City, relative to wages, etc.; to the Committee on Appropriations.

1728. By Mr. TAGUE: Petition of Interdepartmental Union No. 202, International Brotherhood of Electrical Workers, Boston, Mass., opposing the Sterling-Graham bill; to the Committee on the Judiciary.

1729. Also, petition of the Boston Chamber of Commerce, Boston, Mass., opposing the Gronna bill; to the Committee on Agriculture.

1730. Also, petition of the Local Union No. 12, Plumbers, of Boston, Mass., opposing the Sterling-Graham bills now pending, etc.; to the Committee on the Judiciary.

1731. Also, petition of the Massachusetts Real Estate Exchange, of Boston, Mass., in favor of Senate bill 2232; to the Committee on Labor.

1732. Also, petition of George F. Swain, LL. D., of Cambridge, Mass., relative to the Jones-Reavis bill, etc.; to the Committee on Ways and Means.

1733. Also, petition of Adolph Lewisohn, of New York City, relative to a lower rate on income and excess-profits taxes; to the Committee on Ways and Means.

1734. Also, petition of William A. L. Bazeley, State forester and commissioner of conservation, of the State of Massachusetts, relative to the gypsy-moth question; to the Committee on Agriculture.

1735. Also, petition of various citizens of Boston, Mass., opposing the sale of the former German ships, etc.; to the Committee on the Merchant Marine and Fisheries.

1736. Also, petition of Arthur W. Gilbert, commissioner of the Commonwealth of Massachusetts, favoring an additional appropriation for the Bureau of Crop Estimates; to the Committee on Agriculture.

1737. Also, petition of Herbert F. Reinhard, director of the Motor Truck Club, of Massachusetts, favoring the passage of the Townsend bill; to the Committee on Roads.

1738. By Mr. TAYLOR of Tennessee: Petition of W. R. Riggs, of Coal Creek, Tenn., opposing universal military training; to the Committee on Military Affairs.

1739. By Mr. TINKHAM: Petition of New England Women's Medical Society, favoring an appropriation by the Government for board of social hygiene and for control of venereal diseases; to the Committee on Appropriations.